

Wollongong Local Planning Panel Assessment Report | 24 July 2019

WLPP No.	Item 1
DA No.	DA-2018/1032
Proposal	Residential - Demolition of existing dwelling and outbuildings and construction multi dwelling housing and Subdivision - strata title - four lots
Property	18 Hopetoun Street, Woonona NSW 2517 Lot B DP 157627
Applicant	MMJ Wollongong (Luke Rollinson)
Responsible Team	Development Assessment & Certification – City Wide Planning Team (JW + MB)

ADDENDUM REPORT

This report should be read in conjunction with the Council Assessing Officer's report as presented to the Wollongong Local Planning Panel on the 20 March 2019 - **Link at Attachment 6**.

1 BACKGROUND AND EXECUTIVE SUMMARY

Reason for consideration by Local Planning Panel

The proposal has been referred to the Wollongong Local Planning Panel **for determination** pursuant to Section 3 of Schedule 2 of the Local Planning Panels Direction of 1 March 2018, as the application involves a variation of greater than 10% at Clause 7.14 Minimum site width of Wollongong Local Environmental Plan 2009.

Background

This matter was reported to the WLPP meeting on the 20 March 2019. A copy of the Panel's recommendation is included as **Attachment 1**. The Panel determined to defer the development application to allow the applicant an opportunity to address the issues raised by the Panel as follows:

"As proposed, the Panel considers the proposal to be an overdevelopment of the site and the clause 4.6 request has not demonstrated the requested exception is in the public interest. However, the Panel is willing to defer the proposal to seek amended plans which:

- 1. Provide breaks in the built form at the first floor to reduce visual mass;*
- 2. Reduce the number of dwellings or the size of dwellings to provide appropriate living amenity for future residents*
- 3. In reducing dwelling numbers or dwelling sizes, the parking demands for the site will reduce;*
- 4. All parking requirements including the visitor parking must allow for a vehicle to enter and leave in a forward direction*
- 5. Comply with the landscape setback and width requirements;*
- 6. Change the proposed planting on the east and west boundaries to Lili-Pilli or similar;*
- 7. It shall be demonstrated that all private open space areas meet Council's requirements;*
- 8. A revised Cl 4.6 variation shall be prepared and submitted."*

Proposal

The revised proposal now seeks consent for the following:

- Demolition of the existing structures on the site
- Construction of four (4) townhouses only, separated into two blocks of two
- Subdivision – Strata title – four (4) lots.

Permissibility

The proposed demolition and construction of multi dwelling housing is permissible in the R2 Low Density Residential zone of the Wollongong Local Environmental Plan (WLEP) 2009. Subdivision and demolition is permissible on land to which the WLEP 2009 applies.

Planning Controls

The following planning controls apply to the proposal:

State Environmental Planning Policies:

- SEPP No. 55 – Remediation of Land
- SEPP (Building Sustainability Index: BASIX) 2004

Local Environmental Planning Policies:

- Wollongong Local Environmental Plan (WLEP) 2009

Development Control Plans:

- Wollongong Development Control Plan (WDGP) 2009

Other policies

- Wollongong City Wide Development Contributions Plan 2018

Assessment of the planning controls relevant to the amended proposal is provided at **Attachment 4**.

For the original assessment refer to Council Assessing Officer's report as presented to the Wollongong Local Planning Panel on the 20 March 2019 at **Attachment 6**.

Consultation

The proposal was notified in accordance with Council's Notification Policy and 6 submissions by way of objection were received. The submissions received are discussed at Section 3 of this report.

Council's Traffic, Stormwater, and Landscape officers' have reviewed the amended proposal and provided satisfactory referral comments.

RECOMMENDATION

Development Application DA-2018/1032 be **approved** by way of **deferred commencement** (drainage easement registration), subject to the conditions contained in **Attachment 5**.

2 APPLICANTS RESPONSE TO THE WLPP RECOMMENDATIONS

The applicant has provided amended plans and additional information in response to the concerns raised by the Panel including:

- Amended Architectural Plans, Subdivision Plan and Landscape Plan;
- Amended BASIX certificate;

The amended plans and revised Clause 4.6 justification statement are provided at **Attachments 2 and 3** respectively.

The applicant provided the following correspondence in a letter of response to Council dated 30 April 2019:

1. Provide breaks in the built form at the first floor to reduce visual mass

The proposed development now only incorporates 4 x dwellings instead of 5 x dwellings. This has allowed for a notable visual break in the building mass/forms between Units 2 and 3 (over 10 metres provided).

2. Reduce the number of dwellings or the size of dwellings to provide appropriate living amenity for future residents

Again, only 4 x dwellings are proposed now, with all internal layouts increased to provide improved internal living spaces throughout.

3. In reducing dwelling numbers or dwelling sizes, the parking demands for the site will reduce.

Noted. Double garages provided for each dwelling, with 1 x visitor space. Accords with Council's DCP.

4. All parking requirements including the visitor parking must allow for a vehicle to enter and leave in a forward direction.

Updated traffic movement plans provided to demonstrate ingress/egress manoeuvrability in accordance with this requirement.

5. Comply with the landscape setback and width requirements.

The entire site is now bordered by a landscape strip of at least 1.5m wide.

6. Change the proposed planting on the east and west boundaries to Lili-Pilli or similar.

This will be updated on the amended landscape plan.

7. It shall be demonstrated that all private open space areas meet Council's requirements.

All POS areas are greater than 1.5 from side boundaries; achieve the minimum dimensions of 4m x 5m; and 75% of dwellings will achieve n> 3hrs solar access during mid-winter. All compliant with Council's POS DCP Controls.

8. A revised Clause 4.6 variation shall be prepared and submitted.

This has been provided to Council. (Attachment 3)

3 COUNCIL'S ASSESSING OFFICER'S COMMENTS

Council's Assessing Officer has reviewed the Panel's recommendations from the 20 March WLPP meeting and the Applicant's response to the issues raised and provides the following comments.

1. Provide breaks in the built form at the first floor to reduce visual mass

The applicant has submitted amended plans which have reduced the number of dwellings from five (5) to four (4) double storey dwellings in the form of two blocks. Unit 1 and 2 have remained on the same location on the site, with Units 3 and 4 being moved further to the rear

and away from the western side boundary. It is considered that this has reduced the visual mass as viewed from adjoining properties and from within the site itself. This amendment is discussed further in **Attachment 4**.

2. *Reduce the number of dwellings or the size of dwellings to provide appropriate living amenity for future residents*

The applicant has reduced the number of dwellings, and it is considered that this provides a greater level of amenity for both future residents and neighbours. Units 1 and 2 have had minor increases in GFA split over both floors. Due to the separation and rotation of Units 3 and 4 the applicant provided more substantial increases in GFA whereby now providing 4 bedroom dwellings with increased living areas on the lower floors. It is considered that the general increases in GFA of the proposal have increased the internal amenity for future residents, which was a matter raised by the Panel on the 20 March.

It is considered that the applicant has addressed the Panels concerns in relation to item 2.

3. *In reducing dwelling numbers or dwelling sizes, the parking demands for the site will reduce.*

The applicant has provided amended plans that indicate compliant double garages for all proposed dwellings. A visitor car parking space has been provided toward the rear of the site. This satisfies Council's requirements for the provision of parking on site.

It is considered that the applicant has addressed the Panels concerns in relation to item 3.

4. *All parking requirements including the visitor parking must allow for a vehicle to enter and leave in a forward direction.*

The applicant has provided amended plans that show vehicles occupying all parking spaces including the visitor space can enter and leave the site in a forward direction.

It is considered that the applicant has addressed the Panels concerns in relation to Item 4.

5. *Comply with the landscape setback and width requirements.*

The applicant submitted amended plans that indicate 1.5 metres of landscaping around the perimeter of the site. The landscape setbacks and width requirements of the Wollongong Development Control Plan have been satisfied as detailed within **Attachment 4**.

It is considered that the applicant has addressed the Panels concerns in relation to Item 5.

6. *Change the proposed planting on the east and west boundaries to Lili-Pilli or similar.*

The applicant has submitted an amended landscape plan that now provides Lili-Pilli and Bottlebrush trees of a minimum 4.5 litre pot size. The planting of Lili-Pilli's on the eastern and western boundaries of the site will be included in conditions of consent for the development to ensure compliance with the Landscape Concept Plan. The revised conditions list is within **Attachment 5**.

It is considered that the applicant has addressed the Panels concerns in relation to Item 6.

7. *It shall be demonstrated that all private open space areas meet Council's requirements.*

Amended plans provided by the applicant indicate that Private Open Space areas meet Council's requirements within Chapter B1 of the Wollongong Development Control Plan 2009. Three of the four units being Units 2, 3 and 4 receive the minimum required direct sunlight meeting the requirement under clause 5.11 of Chapter B1 of WDCP 2009 that stipulates that 70% of dwellings within a multi dwelling development are to receive the minimum 3 hours sunlight. The proposal provides 75% of dwellings with greater than the required 3 hours sunlight on June 21. The proposal complies with setback requirements and is considered to be satisfactory with regard to Council's requirements. Further analysis of compliance in relation to Private Open Space is provided at **Attachment 4**.

It is considered that the applicant has addressed the Panels concerns for Item 7.

8. A revised Clause 4.6 variation shall be prepared and submitted.

The applicant has submitted a revised Clause 4.6 variation to Development Standard statement in accordance with Clause 4.6 of the Wollongong Local Environmental Plan 2009, as per **Attachment 3**. The variation has been considered and is capable of support in this instance as discussed in **Attachment 4**.

It is considered that the applicant has addressed the Panels concerns for Item 8.

GENERAL COMMENTS

In addition to the specific recommendations of the panel, as discussed above, the applicant has made a number of amendments to the design and Council's Assessing Officer offers the following comments: (Note: An assessment of the amended proposal against the relevant WLEP and WDCP 2009 planning controls is provided at **Attachment 4**).

- The amended proposal has revised the Clause 4.6 variation request in response to comments from the Panel.
- The amended proposal has seen the removal of Unit 5, with Units 3 and 4 now located in a second block. The amended floor plans indicate that there has been increase in the GFA, with 5.4m² for Unit 1 and 10.6m² for Unit 2 primarily on the lower floors. Both units retaining 3 bedrooms on the upper floors. The GFA of Units 3 and 4 have been increased by 35m² and 42.7m² respectively. Both have 4 bedrooms on the upper floors and larger living areas on the lower floors. Despite these increases in the gross floor area of the proposed units, the amended proposal provides a lesser FSR overall than the original proposal. The amended proposal provides an FSR of 0.4:1 as opposed to the 0.45:1 presented to the panel on the 20 March. It is considered that the amended proposal provides better living and amenity outcomes for adjoining properties and future residents of the development.
- The amended proposal has revised the Landscape Concept Plan, which is considered to provide a better outcome for the site and adjoining properties. The amended proposal now provides a minimum of 1.5 metre landscaping strip on the boundaries of the site in accordance with recommendations of the Panel. The proposal involves the retention of an existing and well established Jacaranda Tree within the proposed Deep Soil Zone. The amendments address matters raised by the Panel in relation to the original proposal considered on the 20 March 2019.

SUBMISSIONS

Details of the proposal were notified in accordance with Council's Notification Policy. The application received 6 submissions. The issues raised in the submissions are summarised below:

Table 1: Submissions

Concern	Comment
1. LEP Variation – site width:	The scale and density of the development has been reduced via the submission of amended plans. To a split built form with the removal of 1 unit.
<ul style="list-style-type: none">• Inappropriate scale/density of the development for the site• Traffic and safety impacts	Despite seeking an exception to the minimum site width controls for multi-dwelling housing, the proposal is otherwise compliant with WLEP 2009 development standards. The development also generally complies with Council's Development Control Plan 2009 (WDCP) in relation to height, building setbacks, parking, manoeuvring, landscaped area and deep soil provisions required for such a proposal. The development is

Concern	Comment
	<p>proposed to be stepped to follow the slope of the land and minimise excavation which is considered an appropriate response.</p> <p>Restricting development in this street or Woonona in general, as well as, any existing traffic problems are wider strategic matters outside the scope of the current DA. The proposal is permissible on the land under the Wollongong Local Environmental Plan 2009 (WLEP).</p>
<p>2. Amenity impacts to neighbouring properties:</p> <ul style="list-style-type: none"> • Overshadowing • Privacy • Loss of views • Noise 	<p>The amended proposal was redesigned to address matters raised during the Wollongong Local Planning Panel meeting on 20 March 2019. The proposal as amended is considered to have a lesser impact on the amenity of neighbouring properties and will not have adverse impacts on the adjoining properties.</p> <p>The submitted shadow diagrams demonstrate compliance with Council's solar access requirements to neighbouring properties. The neighbouring properties would retain the minimum 3 hours of solar access to their living rooms and 50% of their private open space in mid-winter. The solar access diagrams are provided at Attachment 2.</p> <p>The proposal has been designed to minimise overlooking across side boundaries. The upper floors will comprise of bedroom areas, with higher use rooms (being living areas and kitchens) proposed on the lower floors. The amended proposal provides highlight windows on the western facing windows to ameliorate potential overlooking impacts to the adjoining property. The proposal also provides landscaping on the boundary to ameliorate overlooking from the ground floor.</p> <p>Noise is not expected to be generated above normal domestic levels.</p>
<p>3. Design and Storage of the proposed development :</p> <ul style="list-style-type: none"> • Design and proximity to neighbour • Insufficient Storage within units – lead to use of garage for storage • BASIX Certificate (sic) 	<p>The scale of the development has been reduced via the submission of amended plans.</p> <p>A contemporary design is proposed; however, as this is not a heritage conservation area, the contemporary form is considered acceptable taking into account compliant height, number of storeys, floor space ratio, and required setbacks (front, rear, side) to the building.</p> <p>On balance, the proposal is not considered to be inconsistent with the existing or future desired character of the area, as discussed at Section 2.3.1.</p> <p>The proposal complies with Council's minimum storage requirements and provides compliant in built storage within the dwellings design. It is considered that the proposal provides adequate storage space within each unit. The comments relating to the use of garage for storage are an operational issue not relevant to this</p>

Concern	Comment
	assessment; however, the storage space provided within the units meets WDCP requirements and is therefore, considered to be appropriate.
4. Overdevelopment of Hopetoun Street and Traffic implications <ul style="list-style-type: none"> The street is already congested due to apartments, townhouses and businesses The street has cars parked on both sides of the road, leading to vehicles travelling on the road to pull over to allow others to pass Traffic and safety impacts of use of the street by customers and residents Manoeuvring on the site will lead to increased congestion on the road network and on-street parking Bins on the street 	<p>The proposed development provides for the required number of car parking spaces and manoeuvring for residents and visitors, pursuant to Schedule 2 of Chapter E3 of WDCP 2009. Restricting development in Woonona and existing traffic problems are wider strategic matters outside the scope of the current DA. The proposal is permissible on the land under WLEP 2009 and complies with maximum floor space ratio and height.</p> <p>Councils Traffic Officer has also considered the proposal with regard to access to the site, traffic impacts and raised no objection.</p> <p>The proposed location of bins on the street kerb complies with the controls within Chapter B1, on the two bin fortnight the proposals frontage is less than 50% of bins. It is considered that this complies with the objectives and development controls within WDCP 2009 Chapter B1.</p> <p>The existing issues with bins on the street kerb and gutter are outside the scope of this current DA to mitigate.</p>
5. Environmental concerns: <ul style="list-style-type: none"> Asbestos during demolition Removal of Jacaranda tree (sic) and loss of habitat The loss of north easterly summer breeze 	<p>Conditions are recommended with regard to the demolition stage of the development to ensure compliance and provided at Attachment 5.</p> <p>The proposal does not involve the removal of the well-established Jacaranda tree. It is to be retained in the Deep Soil Zone as indicated on the Landscape Concept Plan. The trees proposed to be removed are of species within the exempt species list. It is considered that the deep soil zone proposed will increase the amount of habitat for local and native bird species and animals.</p> <p>The Deep Soil Zone on the site exceeds Councils minimum requirements of 6m wide and 15% of the site.</p> <p>The layout of the amended proposal with two blocks increases solar access to adjoining properties and will provide cross breezes through the site. This issue was raised at the 20 March 2019 WLPP meeting, with the panel requiring the applicant to amend the plans to provide a break in the building. The proposal has addressed the Panel's concerns and recommendations.</p>

Frequency of Issues Raised:

Issue No.	1	2	3	4	5
Frequency	5	2	3	6	3

CONSULTATION

INTERNAL CONSULTATION

Council's Traffic, Stormwater officers' have reviewed the application and provided satisfactory referral comments. Conditions of consent were recommended in each instance.

The amended proposal was reviewed by Council's Landscape Architect who identified inconsistencies with the Site Plan and Landscape Plan which led to uncertainty with the landscape calculations, these inconsistencies have since been removed and the proposal is consistent with Council's Development Control Plan in respect to landscape requirements. The minor nature of the changes required by the landscape officer was subsequently made by the applicant. It was not considered necessary to re-refer the application to the landscape officer. It is considered that the proposal is satisfactory in this instance with appropriate conditions of consent recommended.

4 CONCLUSION

This application has been assessed as satisfactory having regard to the Heads of Consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979.

It is considered that the applicant has provided adequate justification for the exception to the WLEP 2009 development standard for minimum site width. The exception to the development standard is considered capable of support.

Some of the issues raised in submissions though technically unresolved, are considered to be adequately addressed either through design or by way of conditions. Any remaining issues are not considered to be sufficient to refuse the application.

It is considered the proposed development has been designed appropriately given the constraints and characteristics of the site, is not inconsistent with the existing and desired future character of the locality and is unlikely to result in significant adverse impacts on the amenity of the surrounding area.

5 RECOMMENDATION

It is recommended that DA-2018/1032 be **approved by way of deferred commencement**, subject to the conditions contained in **Attachment 5**.

6 ATTACHMENTS

- 1 WLPP recommendations of 20 March 2019
- 2 Plans
- 3 Clause 4.6 exception request
- 4 WLEP 2009 and WDCP 2009 compliance tables
- 5 Conditions
- 6 Original WLPP Report and Conditions as presented to 20 March 2019 WLPP meeting

Click on red line above for link to previous report

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	20 March 2019
PANEL MEMBERS	Sue Francis (Chair), Helena Miller, Robert Montgomery, Bernard Hibbard (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 20 March 2019 opened at 5:00pm and closed at 7:10pm

MATTER DETERMINED

DA-2018/1032 - Lot B DP 157627 18 Hopetoun Street, Woonona NSW 2517 and Lot 13 DP 6454 93 Farrell Road, Bulli NSW 2516 (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by three submitters.

The Panel also heard from the applicant's representatives.

PANEL CONSIDERATION AND DECISION

The Panel considered the matters listed at item 7, and the material presented at the meeting and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to defer the development application as described in Schedule 1 pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel considered that the 3 and 4 bedroom size of the proposed units results in parking and living space demands on the site which are not met by the proposal.

Specifically, the visitor parking and manoeuvring of vehicles is unsatisfactory. The living areas will not allow the future 4 – 8 residents of each dwelling reasonable amenity.

The bulk and scale of the proposal which presents with no breaks in the built form results in unacceptable visual mass. This is all exacerbated by the narrow width of the front half of the site.

As proposed, the Panel considers the proposal to be an overdevelopment of the site and the clause 4.6 request has not demonstrated the requested exception is in the public interest. However, the Panel is willing to defer the proposal to seek amended plans which:

1. Provide breaks in the built form at the first floor to reduce visual mass;
2. Reduce the number of dwellings or the size of dwellings to provide appropriate living amenity for future residents
3. In reducing dwelling numbers or dwelling sizes, the parking demands for the site will reduce;
4. All parking requirements including the visitor parking must allow for a vehicle to enter and leave in a forward direction
5. Comply with the landscape setback and width requirements;
6. Change the proposed planting on the east and west boundaries to Lili-Pilli or similar;
7. It shall be demonstrated that all private open space areas meet Council's requirements;
8. A revised Cl 4.6 variation shall be prepared and submitted

PANEL MEMBERS

A handwritten signature in black ink that reads "Sue Francis". The script is cursive and fluid.

Sue Francis
(Chair)

A handwritten signature in blue ink that reads "Helena Miller". The signature is highly stylized with large, overlapping loops.

Helena Miller

A handwritten signature in black ink that reads "Robert Montgomery". The signature is bold and angular, with a prominent star-like shape at the end.

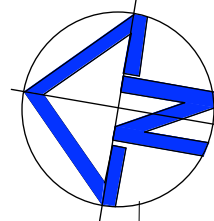
Robert Montgomery

A handwritten signature in blue ink that reads "Bernard Hibbard". The signature is cursive and somewhat slanted.

Bernard Hibbard
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2018/1032
2	PROPOSED DEVELOPMENT	Residential - Demolition of existing dwelling and outbuildings and construction multi dwelling housing and Subdivision - strata title - five lots
3	STREET ADDRESS	18 Hopetoun Street, Woonona NSW 2517 93 Farrell Road, Bulli NSW 2516
4	APPLICANT/OWNER	MMJ Wollongong (Luke Rollinson)
5	REASON FOR REFERRAL	The proposal has been referred to the Wollongong Local Planning Panel for determination pursuant to Section 3 of Schedule 2 of the Local Planning Panels Direction of 1 March 2018, as the application involves a variation of Clause 7.14 of Wollongong Local Environmental Plan 2009 the site width by greater than 10%.
6	RELEVANT MANDATORY CONSIDERATIONS	9. Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 Wollongong Local Environment Plan 2009 10. Wollongong City Wide Development Contributions Plan 2018 11. Draft environmental planning instruments: nil 12. Development control plans: <ul style="list-style-type: none"> Wollongong Development Control Plan 2009 13. Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i> - demolition 14. The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality 15. The suitability of the site for the development 16. Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations 17. The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report dated 20 March 2019 Written submissions during public exhibition: two (2) Verbal submissions at the public meeting: 3
8	SITE INSPECTIONS BY THE PANEL	Site inspection 20 March 2019. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Sue Francis (Chair), Helena Miller, Robert Montgomery, Bernard Hibbard (Community Representative) <u>Council assessment staff</u>: John Wood, Maria Byrnes, Jacob Williams
9	COUNCIL RECOMMENDATION	Deferred
10	DRAFT CONDITIONS	Attached to the council assessment report

ATTACHMENT 2



EXISTING CARPORT

EXISTING CARPORT

EXISTING CARPORT

EXISTING CARPORT

EXISTING SINGLE STOREY UNITS

LOT B

D.P. 157627

1279.61m²

GARAGE

SINGLE STOREY DWELLING
F.R.L 34.45

SHED

EXISTING RESIDENCE

EXISTING TWO STOREY UNIT BLOCK

BENCH MARK
T.O.F.K R.L. 34.33

HOPETOUN STREET

ORIGINAL SURVEY

SCALE 1:250 @A3

CLIENT:
Itsbuilt

JOB ADDRESS:
18 HOPETOUN STREET,
WOONONA

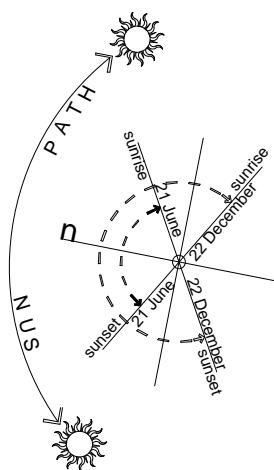
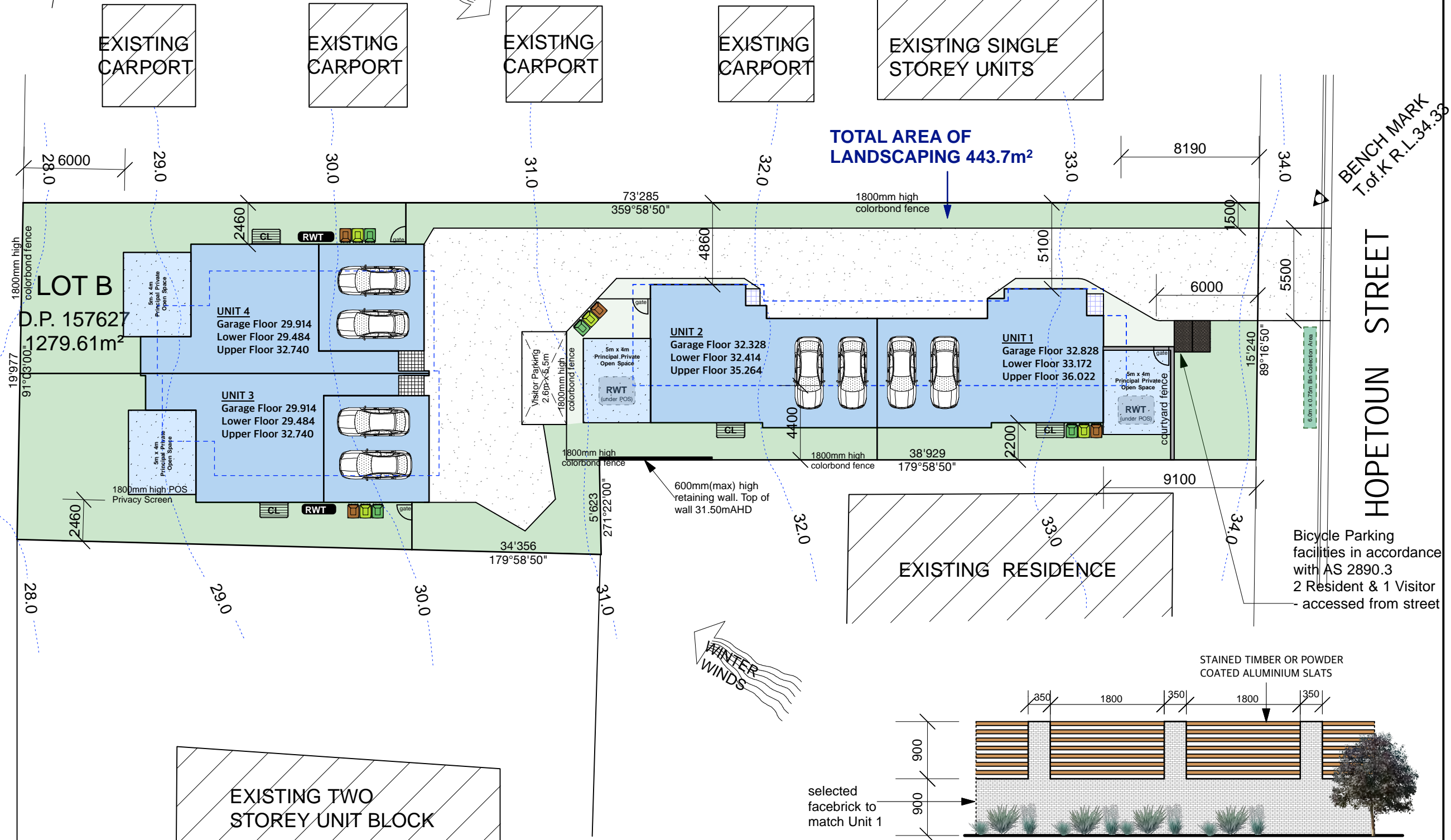
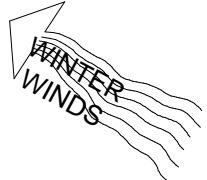
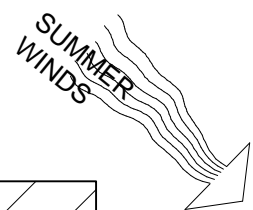
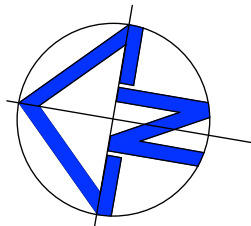
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ISSUE:	E
SHEET 2 of 21	

bdaa
ACCREDITED
BUILDING DESIGNER

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Ingenuity
Home Design

SITE CALCULATIONS	
SITE	1279.6 m²
UNIT 1	
Lower Floor Area	46.5 m ²
Garage	36.0 m ²
Upper Floor Area	67.6 m ²
TOTAL	114.1 m²
UNIT 2	
Lower Floor Area	48.7 m ²
Garage	36.0 m ²
Upper Floor Area	67.6 m ²
TOTAL	116.3 m²
UNIT 3	
Lower Floor Area	63.9 m ²
Garage	36.0 m ²
Upper Floor Area	76.7 m ²
TOTAL	140.6 m²
UNIT 4	
Lower Floor Area	63.9 m ²
Garage	36.0 m ²
Upper Floor Area	88.4 m ²
TOTAL	152.3 m²
TOTAL AREA	523.3 m²
FSR	0.41:1

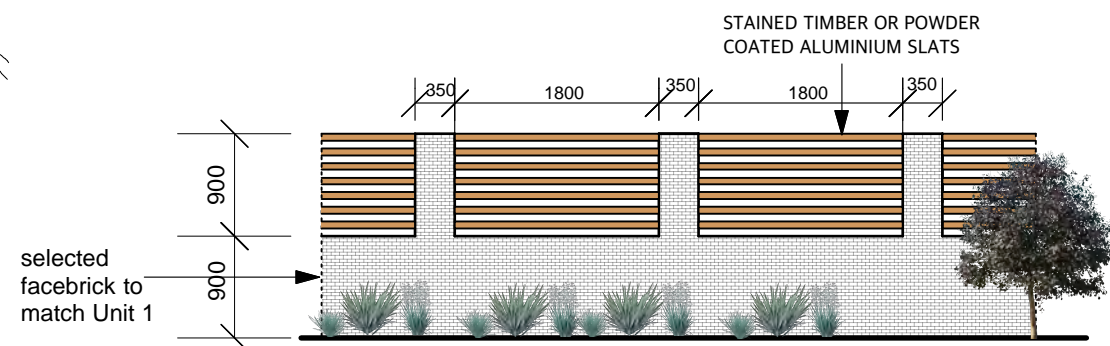


NOTE:- WIDTH LESS THAN 1.5M HAVE NOT BEEN INCLUDED IN THE OPEN SPACE AREA CALCULATIONS

SITE/ SITE ANALYSIS PLAN

SCALE 1:250 @A3

UNIT 1-COURTYARD FENCE
SCALE NTS



CLIENT:
Itsbuilt

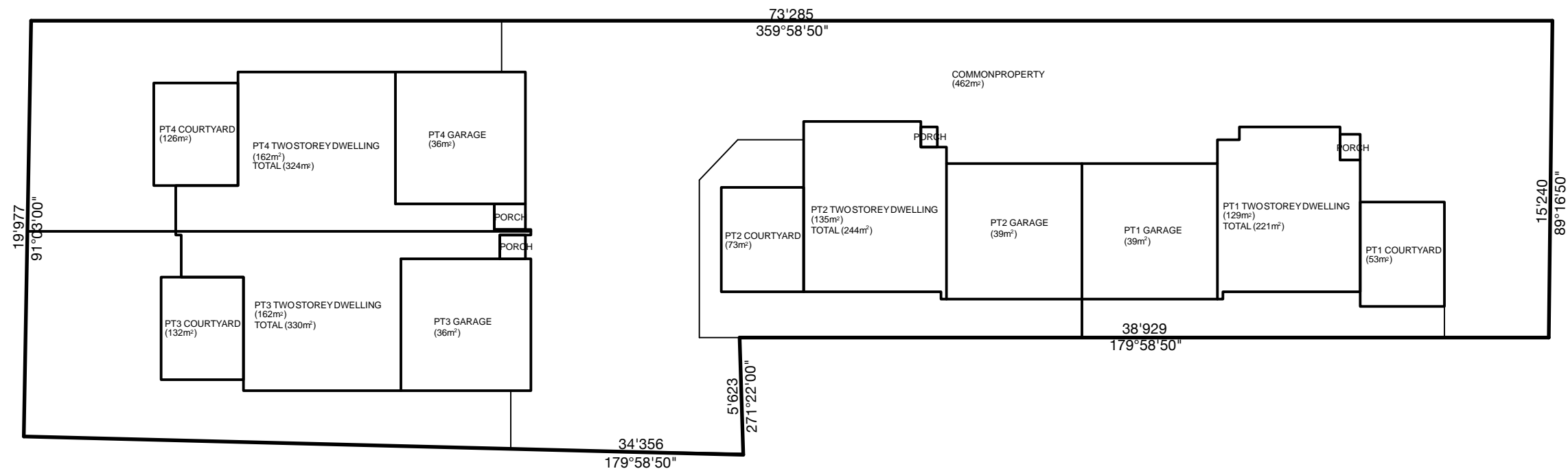
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18 HOPETOUN STREET,
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JOB NUMBER:	20180029
DATE:	19/05/2019
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SHEET	3 of 21



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HOPETOUN STREET

PROPOSED STRATA SUBDIVISION

SCALE 1:250 @A3

CLIENT:
Itsbuilt

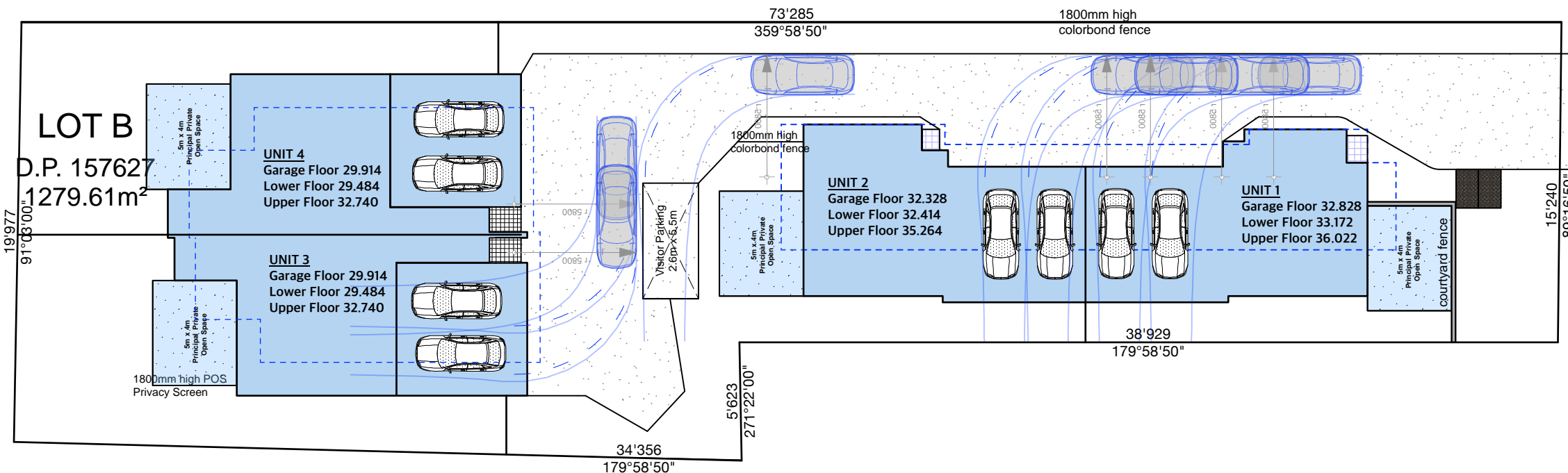
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ACCREDITED
BUILDING DESIGNER

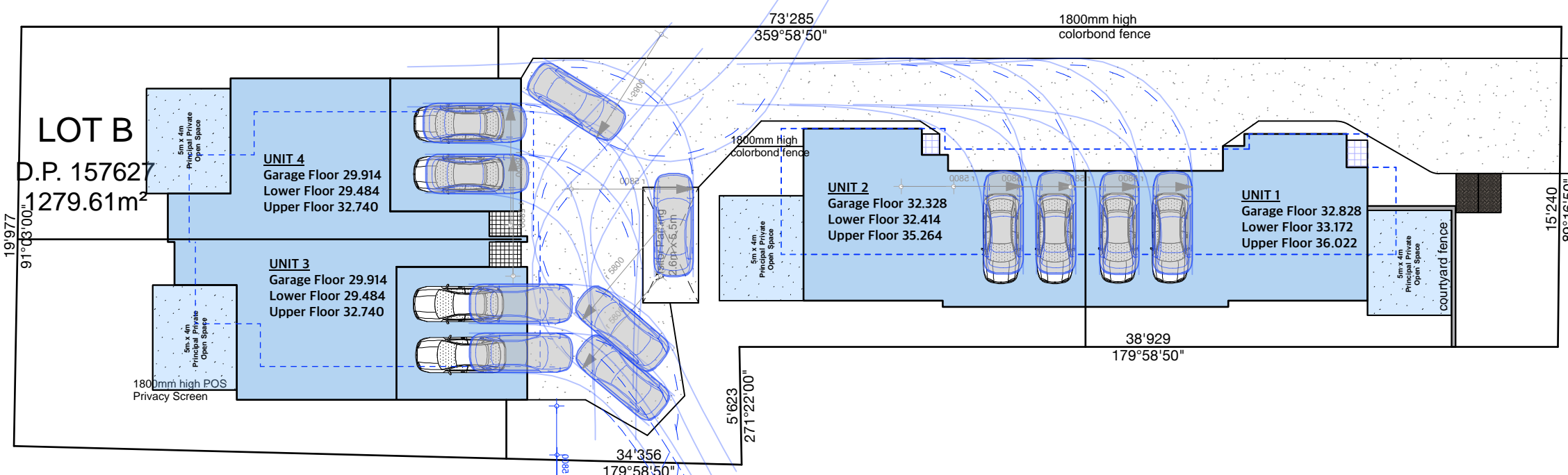
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Ingenuity
Home Design



MANOEUVRING PLAN – ENTERING

SCALE 1:250 @A3



MANOEUVRING PLAN – EXITING

SCALE 1:250 @A3

CLIENT:
Itsbuilt

JOB ADDRESS:
18 HOPETOUN STREET,
WOONONA

JOB NUMBER: 20180029
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SHEET 6 of 21

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BUILDING DESIGNER

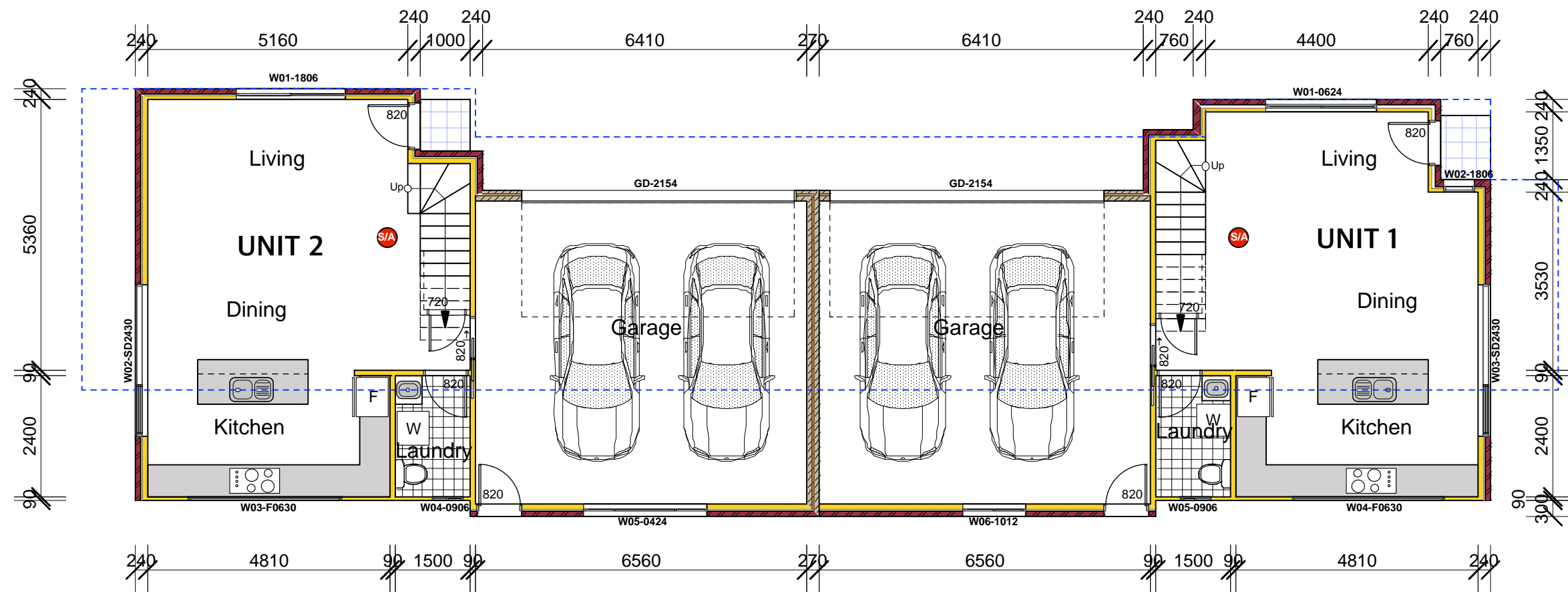
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Ingenuity
Home Design

HOPETOUN STREET

HOPETOUN STREET

UNIT 1 & 2



LOWER FLOOR PLAN

SCALE 1:100 @A3

Window Schedule - Unit 1							
Number	Type	Width (mm)	Height (mm)	Area m2	Orientation	Shading Device	Frame and Glass Type
1	Aluminium Sliding	2400	600	1.44	E	No Eave	Standard Aluminium, Single Clear
2	Aluminium Awning	1800	600	1.08	E	1300mm Balcony	Standard Aluminium, Single Clear
3	Aluminium Sliding	3000	2400	7.2	S	1300mm Balcony	Standard Aluminium, Single Clear
4	Aluminium Fixed	3000	600	1.8	W	450mm Eave	Standard Aluminium, Single Clear
5	Aluminium Sliding	600	900	0.54	W	450mm Eave	Standard Aluminium, Single Clear
6	Aluminium Sliding	1200	1000	1.2	W	450mm Eave	Standard Aluminium, Single Clear
7	Aluminium Sliding	1800	1000	1.8	E	450mm Eave	Standard Aluminium, Single Clear
8	Aluminium Sliding	1800	1000	1.8	E	450mm Eave	Standard Aluminium, Single Clear
9	Aluminium Fixed	600	1500	0.9	E	450mm Eave	Standard Aluminium, Single Clear
10	Aluminium Sliding	1500	900	1.35	E	450mm Eave	Standard Aluminium, Single Clear
11	Aluminium Sliding	600	900	0.54	E	450mm Eave	Standard Aluminium, Single Clear
12	Aluminium Awning	2400	600	1.44	S	450mm Eave	Standard Aluminium, Single Clear
13	Aluminium Sliding	2400	450	1.08	W	450mm Eave	Standard Aluminium, Single Clear

W3-1206 ← WINDOW SIZE

← DENOTES BASIX WINDOW REFERENCE

S/A DENOTES SMOKE ALARM TO AS3786
'HARD-WIRED' TO ELECTRICITY MAINS.
(THE LOCATION OF COMPLIANT SMOKE ALARMS MUST BE
IN ACCORDANCE WITH THE PROVISIONS OF PART 3.7.2
OF THE BUILDING CODE OF AUSTRALIA).

All recessed downlights in the thermal envelope to be sealed. All exhaust fans to be fitted with dampers and insulation installed up to cover

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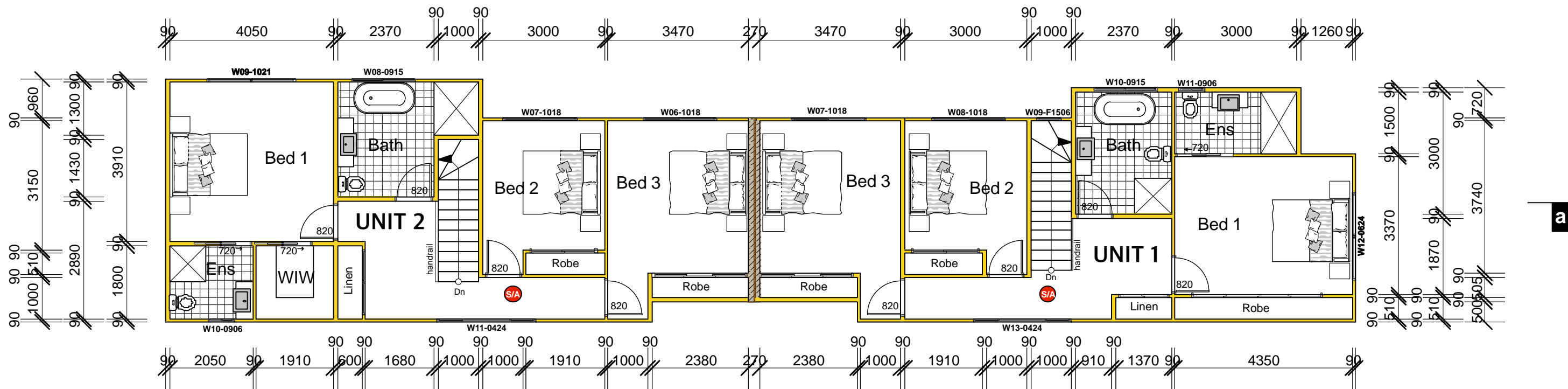
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UNIT 1 & 2



UPPER FLOOR PLAN

SCALE 1:100 @A3

Window Schedule - Unit 2							
Number	Type	Width (mm)	Height (mm)	Area m2	Orientation	Shading Device	Frame and Glass Type
1	Aluminium Sliding	1800	600	1.08	E	No Eave	Standard Aluminium, Single Clear
2	Aluminium Sliding	3000	2400	7.2	N	1300mm Balcony	Standard Aluminium, Single Clear
3	Aluminium Fixed	3000	600	1.8	W	450mm Eave	Standard Aluminium, Single Clear
4	Aluminium Sliding	600	900	0.54	W	450mm Eave	Standard Aluminium, Single Clear
5	Aluminium Sliding	2400	450	1.08	W	450mm Eave	Standard Aluminium, Single Clear
6	Aluminium Sliding	1800	1000	1.8	E	450mm Eave	Standard Aluminium, Single Clear
7	Aluminium Sliding	1800	1000	1.8	E	450mm Eave	Standard Aluminium, Single Clear
8	Aluminium Sliding	1500	900	1.35	E	450mm Eave	Standard Aluminium, Single Clear
9	Aluminium Sliding	2100	1000	2.1	E	450mm Eave	Standard Aluminium, Single Clear
10	Aluminium Sliding	600	900	0.54	W	450mm Eave	Standard Aluminium, Single Clear
11	Aluminium Sliding	2400	450	1.08	W	450mm Eave	Standard Aluminium, Single Clear

W3-1206 ← WINDOW SIZE

← DENOTES BASIX WINDOW REFERENCE

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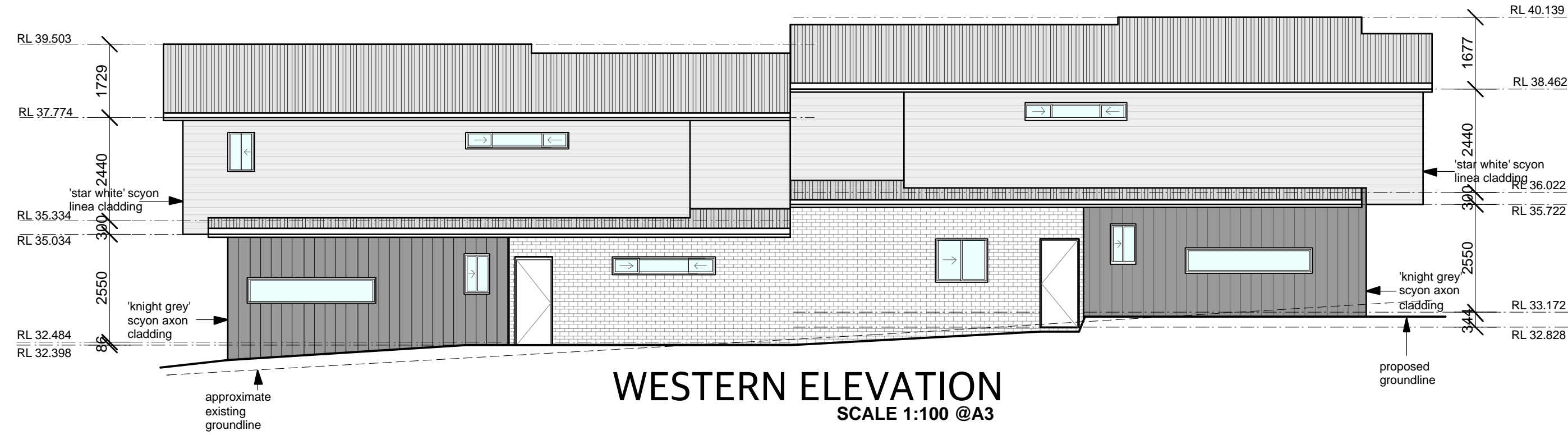
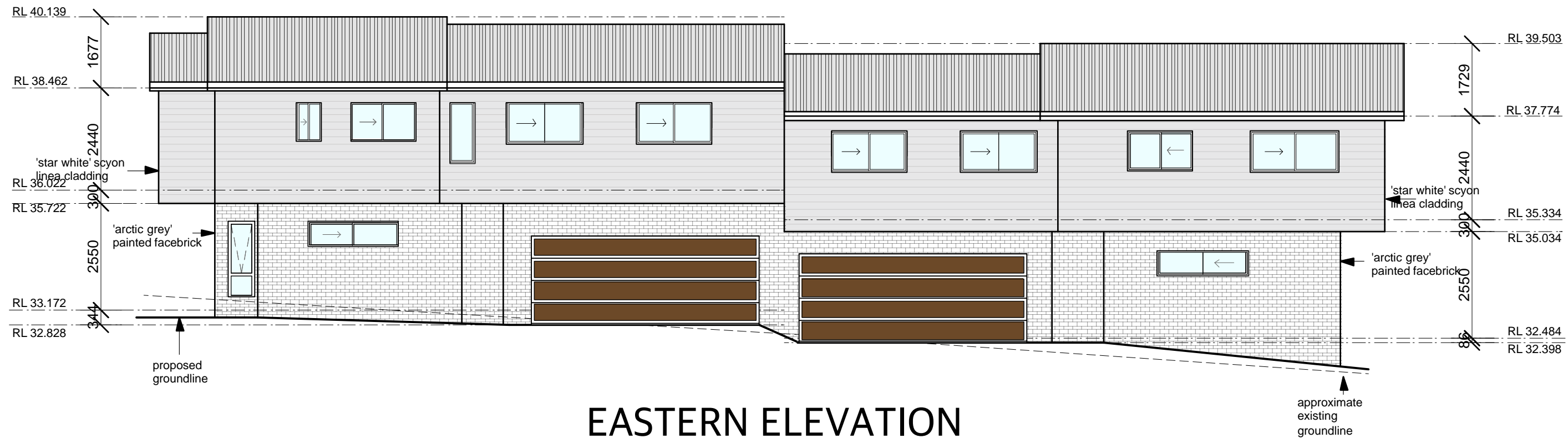
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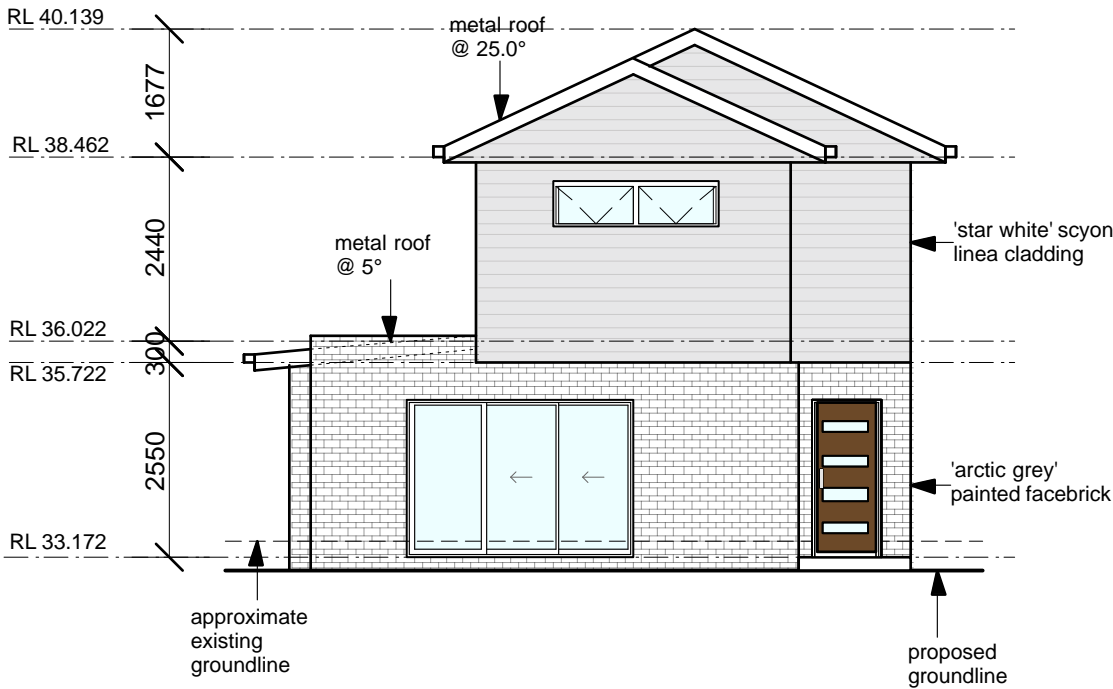
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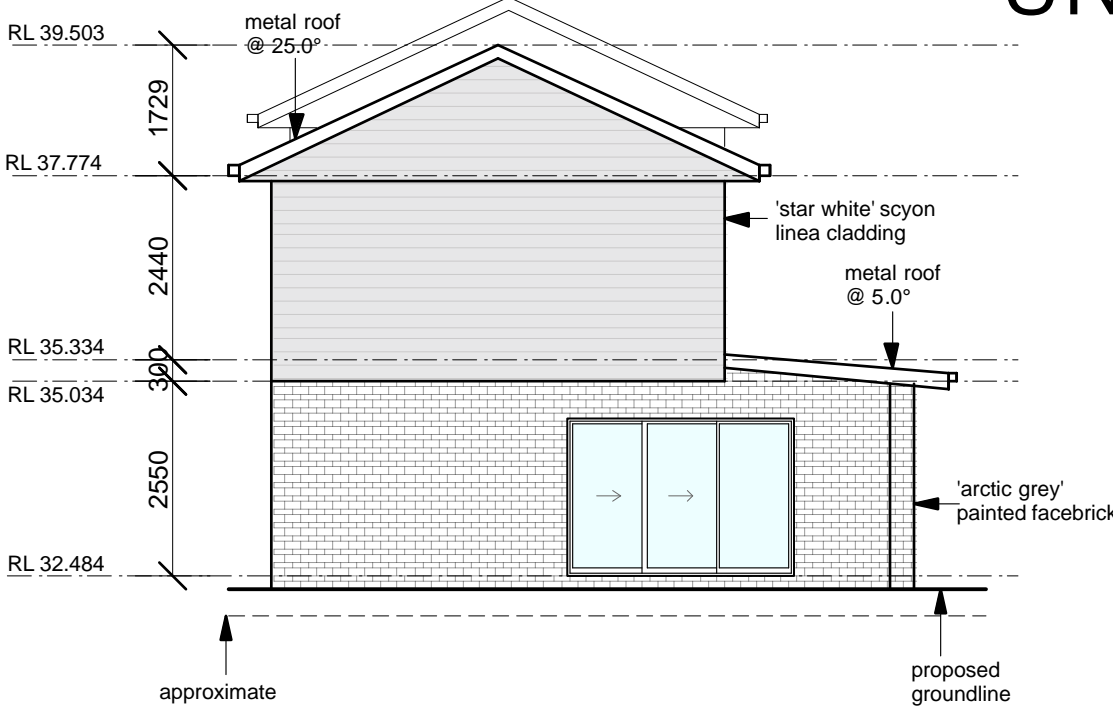
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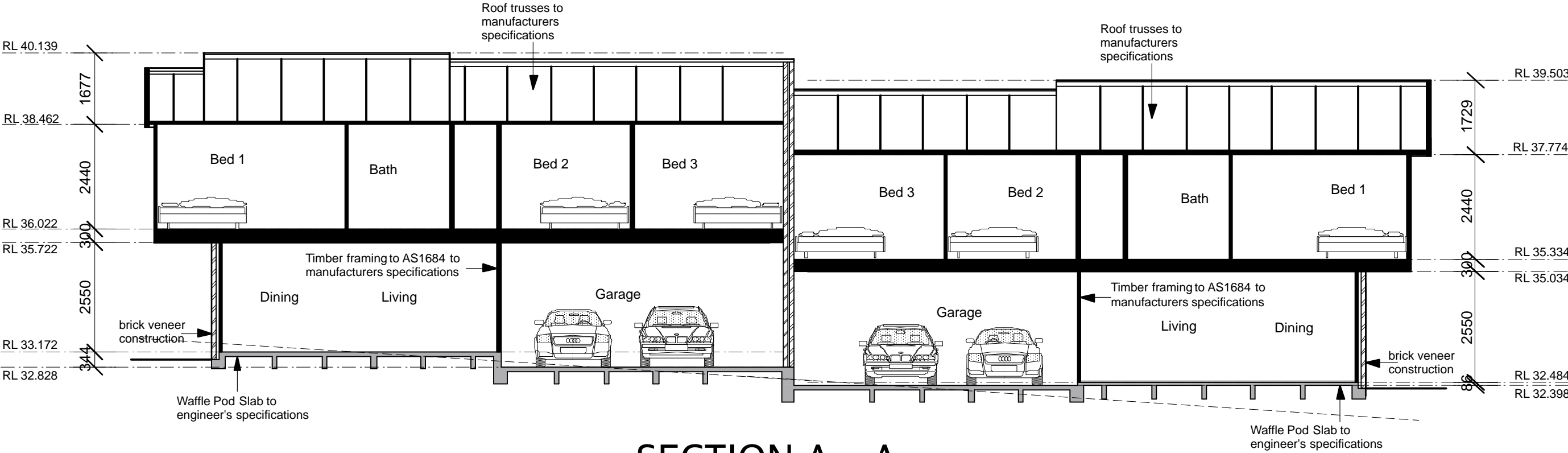
UNITS 1 & 2



SOUTHERN ELEVATION
SCALE 1:100 @A3



NORTHERN ELEVATION
SCALE 1:100 @A3



SECTION A - A
SCALE 1:100 @A3

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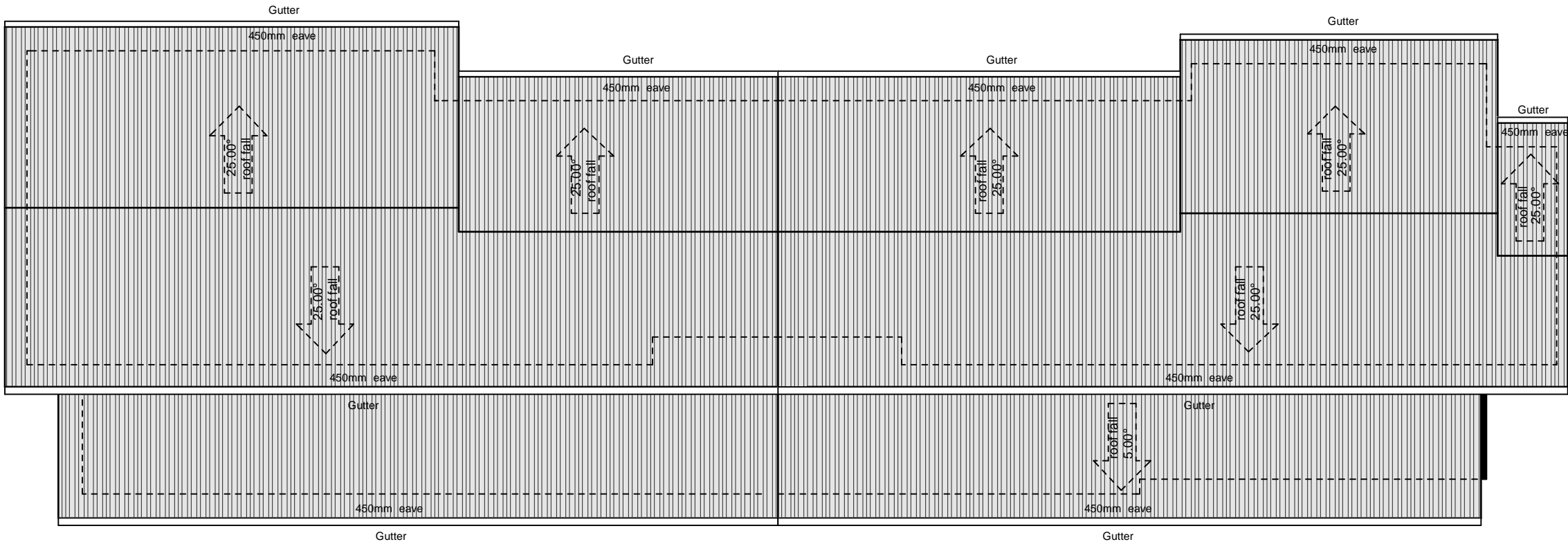
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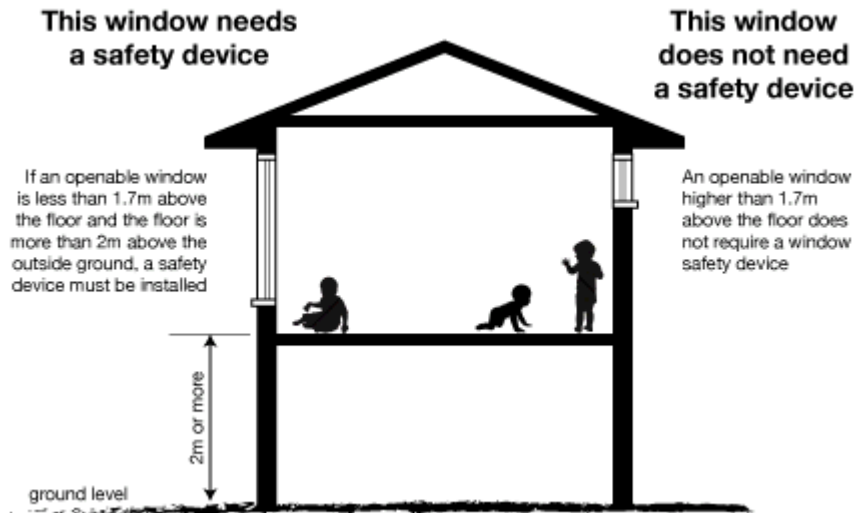




ROOF PLAN
SCALE 1:100 @A3

- An openable window will need a safety device installed if:
1. the lowest part of the window is less than 1.7m above the floor; and
 2. the internal floor under the window is 2m or more above the outside surface.

The safety devices must be able to limit the maximum window opening to 12.5cm, must be robust, and must be childproof. Suitable window safety devices would include window locks or safety screens, but not ordinary insect screens.



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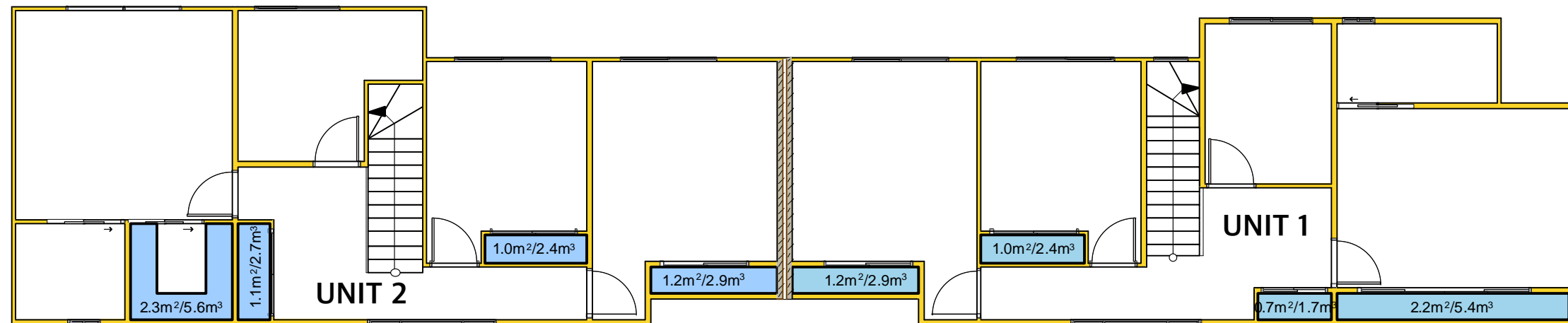
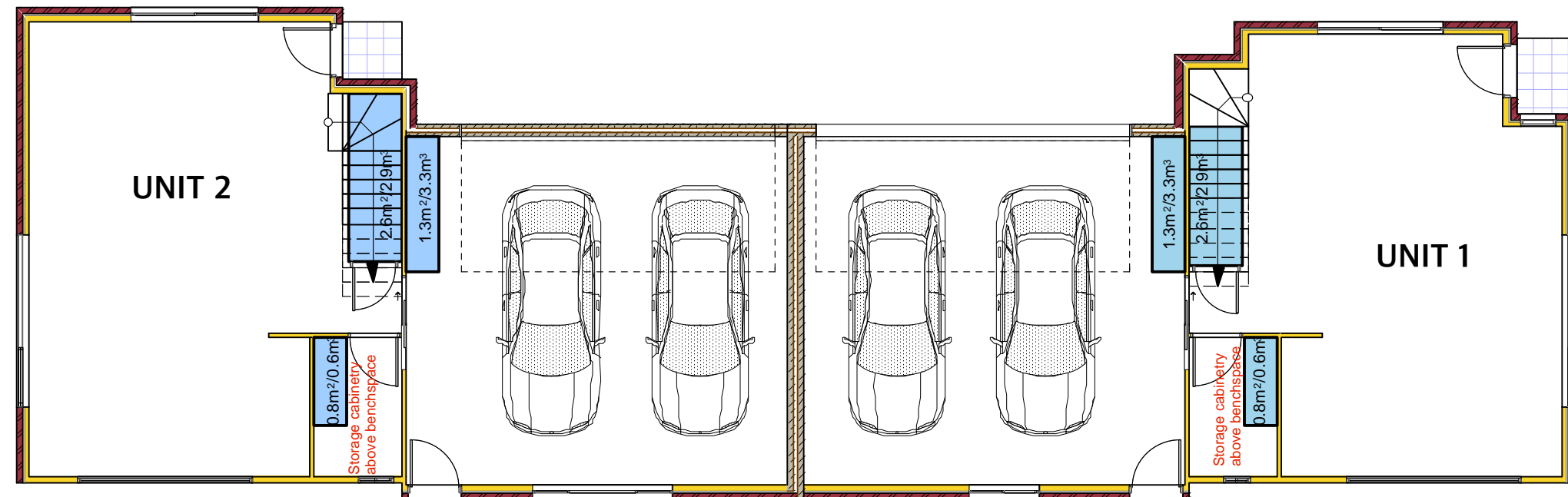
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UNITS 1 & 2



STORAGE AREA PLAN

SCALE 1:100 @A3

- Unit 1 - total area 9.8m²
total volume 19.2m³
- Unit 2 - total area 10.1m²
total volume 20.4m³

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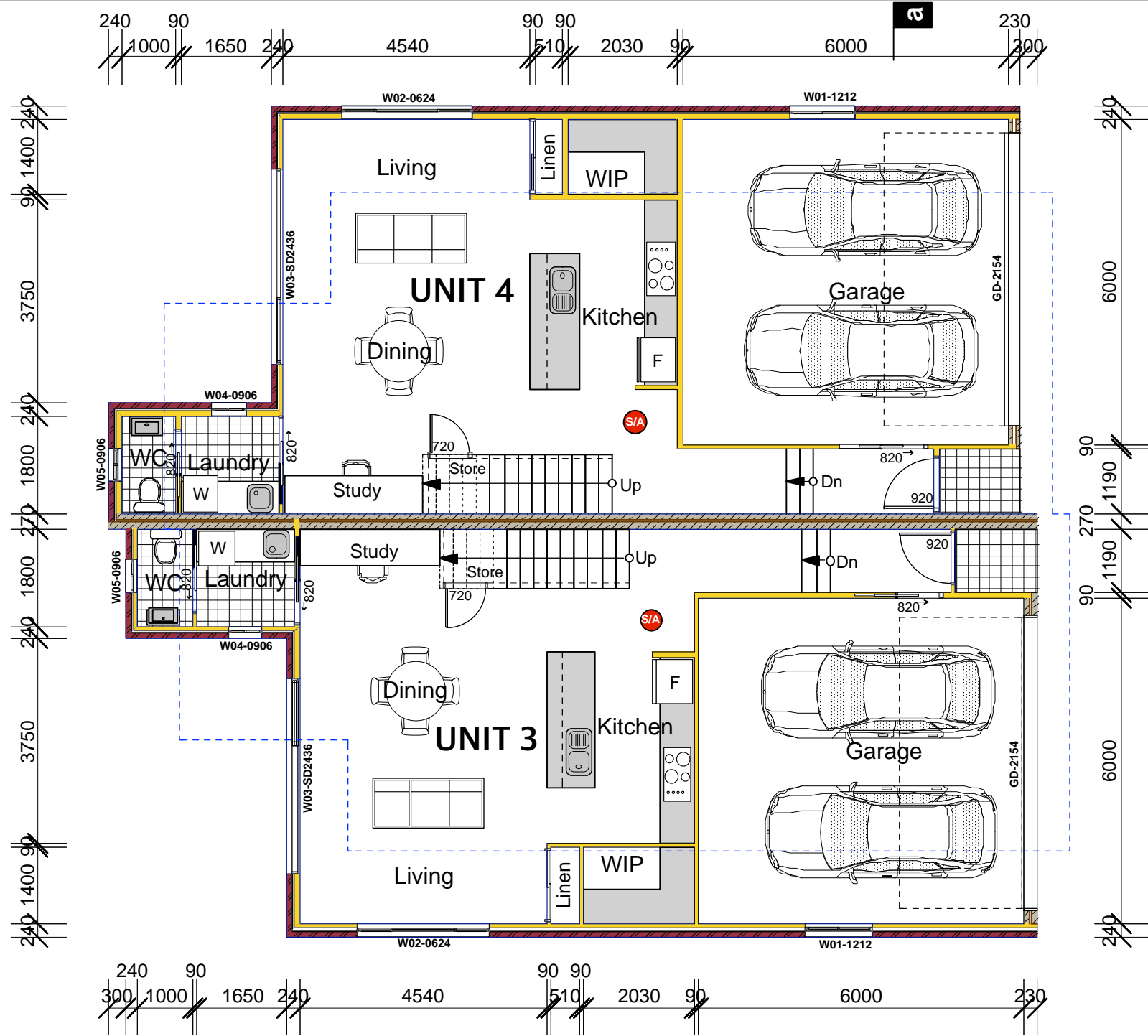
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UNITS 3 & 4



LOWER FLOOR PLAN

SCALE 1:100 @A3

W3-1206 ← WINDOW SIZE

← DENOTES BASIX WINDOW REFERENCE

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All recessed downlights in the thermal envelope to be sealed. All exhaust fans to be fitted with dampers and insulation installed up to cover

Window Schedule - Unit 3

Number	Type	Width (mm)	Height (mm)	Area m2	Orientation	Shading Device	Frame and Glass Type
1	Aluminium Sliding	1200	1200	1.44	W	450mm Eave	Standard Aluminium, Single Clear
2	Aluminium Sliding	2400	600	1.44	W	450mm Eave	Standard Aluminium, Single Clear
3	Aluminium Sliding	3600	2400	8.64	N	450mm Eave	Standard Aluminium, Single Clear
4	Aluminium Sliding	600	900	0.54	W	1800mm Awning	Standard Aluminium, Single Clear
5	Aluminium Sliding	600	900	0.54	N	450mm Eave	Standard Aluminium, Single Clear
6	Aluminium Awning	1200	900	1.08	S	No Eave	Standard Aluminium, Single Clear
7	Aluminium Awning	2400	1200	2.88	S	No Eave	Standard Aluminium, Single Clear
8	Aluminium Sliding	1500	900	1.35	W	450mm Eave	Standard Aluminium, Single Clear
9	Aluminium Sliding	1800	1000	1.8	W	450mm Eave	Standard Aluminium, Single Clear
10	Aluminium Sliding	1800	1000	1.8	W	450mm Eave	Standard Aluminium, Single Clear
11	Aluminium Sliding	1800	1000	1.8	W	450mm Eave	Standard Aluminium, Single Clear

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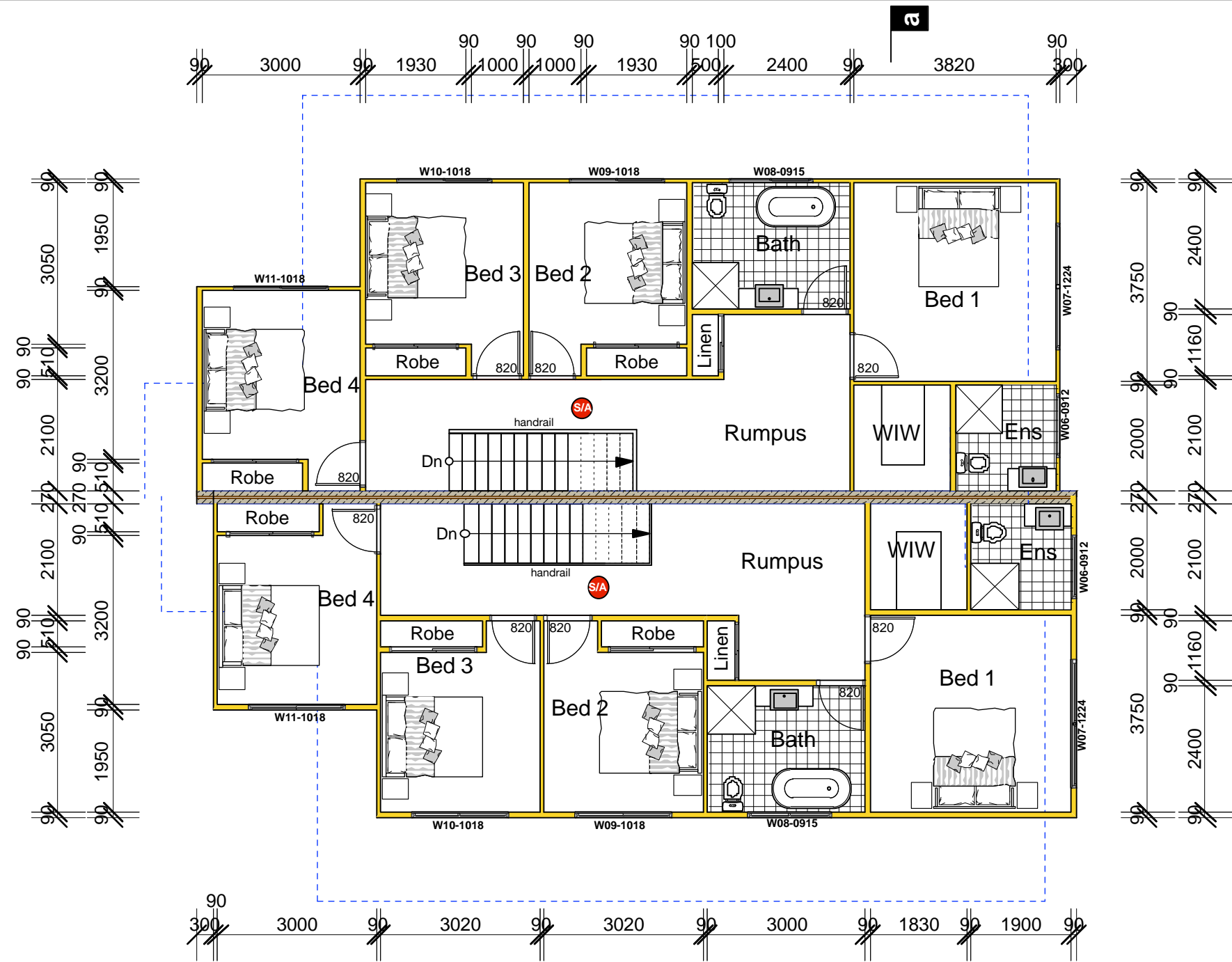
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UNITS 3 & 4



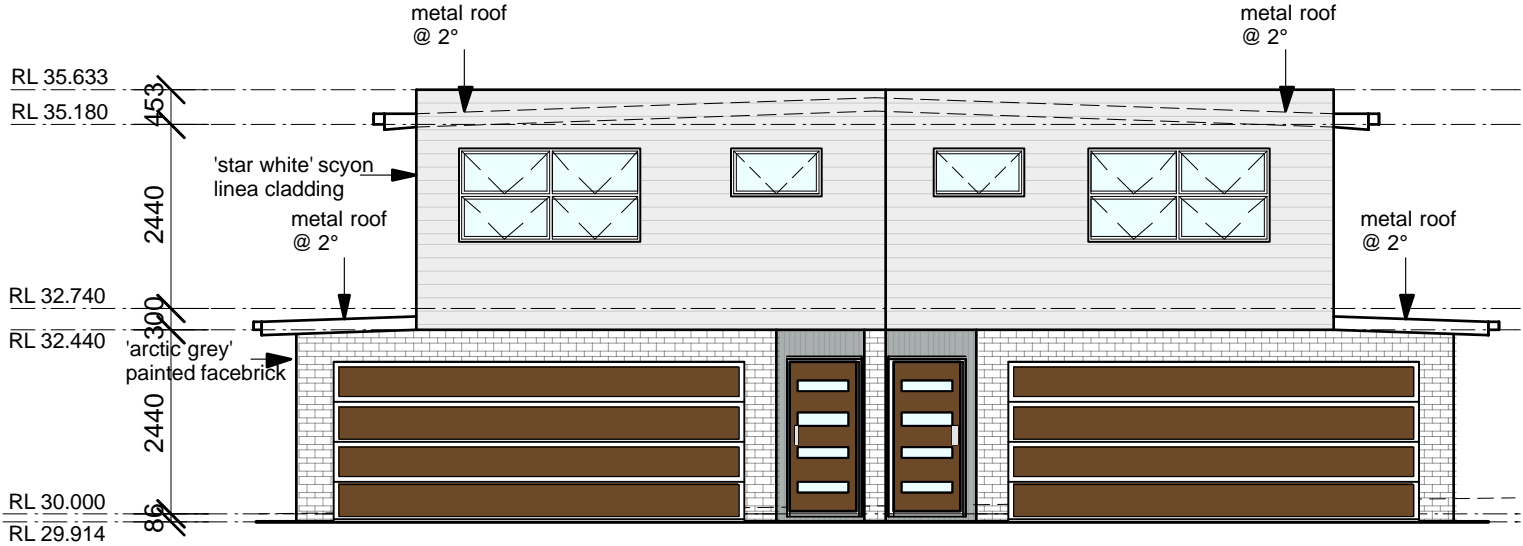
UPPER FLOOR PLAN
SCALE 1:100 @A3

W3-1206 ← WINDOW SIZE
↑
DENOTES BASIX WINDOW REFERENCE

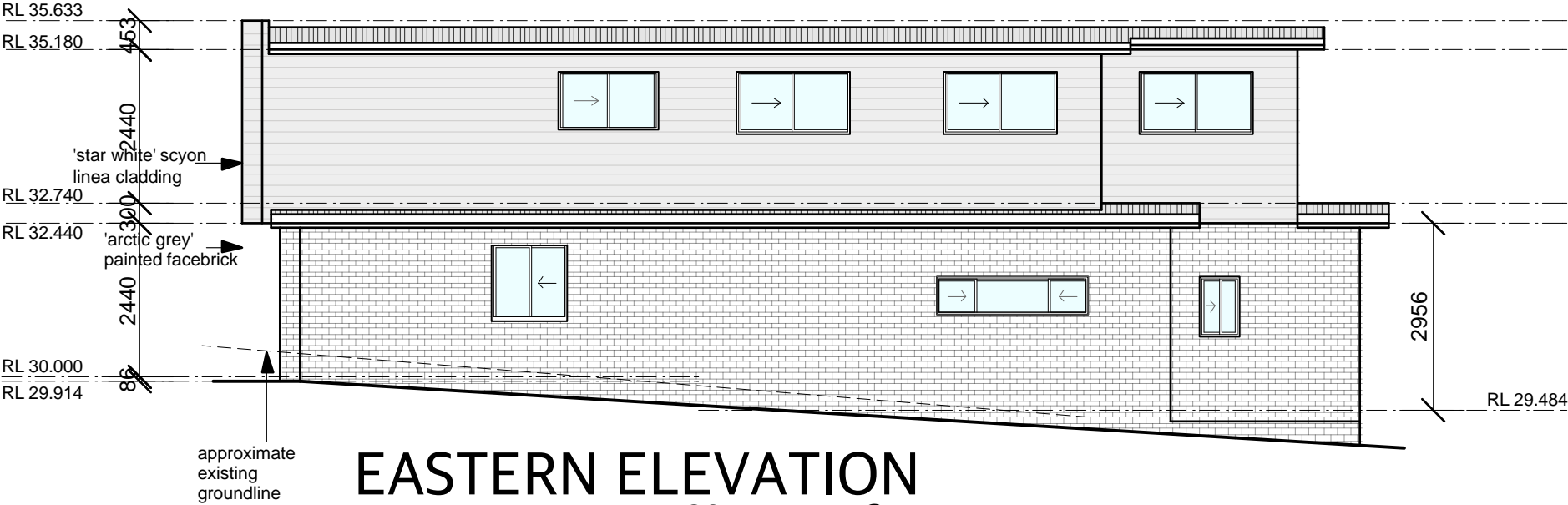
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All recessed downlights in the
thermal envelope to be sealed. All
exhaust fans to be fitted with
dampers and insulation installed up
to cover

Window Schedule - Unit 4							
Number	Type	Width (mm)	Height (mm)	Area m2	Orientation	Shading Device	Frame and Glass Type
1	Aluminium Sliding	1200	1200	1.44	E	450mm Eave	Standard Aluminium, Single Clear
2	Aluminium Sliding	2400	600	1.44	E	450mm Eave	Standard Aluminium, Single Clear
3	Aluminium Sliding	3600	2400	8.64	N	450mm Eave	Standard Aluminium, Single Clear
4	Aluminium Sliding	600	900	0.54	E	1800mm Awning	Standard Aluminium, Single Clear
5	Aluminium Sliding	600	900	0.54	N	450mm Eave	Standard Aluminium, Single Clear
6	Aluminium Awning	1200	900	1.08	S	No Eave	Standard Aluminium, Single Clear
7	Aluminium Awning	2400	1200	2.88	S	No Eave	Standard Aluminium, Single Clear
8	Aluminium Sliding	1500	900	1.35	E	450mm Eave	Standard Aluminium, Single Clear
9	Aluminium Sliding	1800	1000	1.8	E	450mm Eave	Standard Aluminium, Single Clear
10	Aluminium Sliding	1800	1000	1.8	E	450mm Eave	Standard Aluminium, Single Clear
11	Aluminium Sliding	1800	1000	1.8	E	450mm Eave	Standard Aluminium, Single Clear

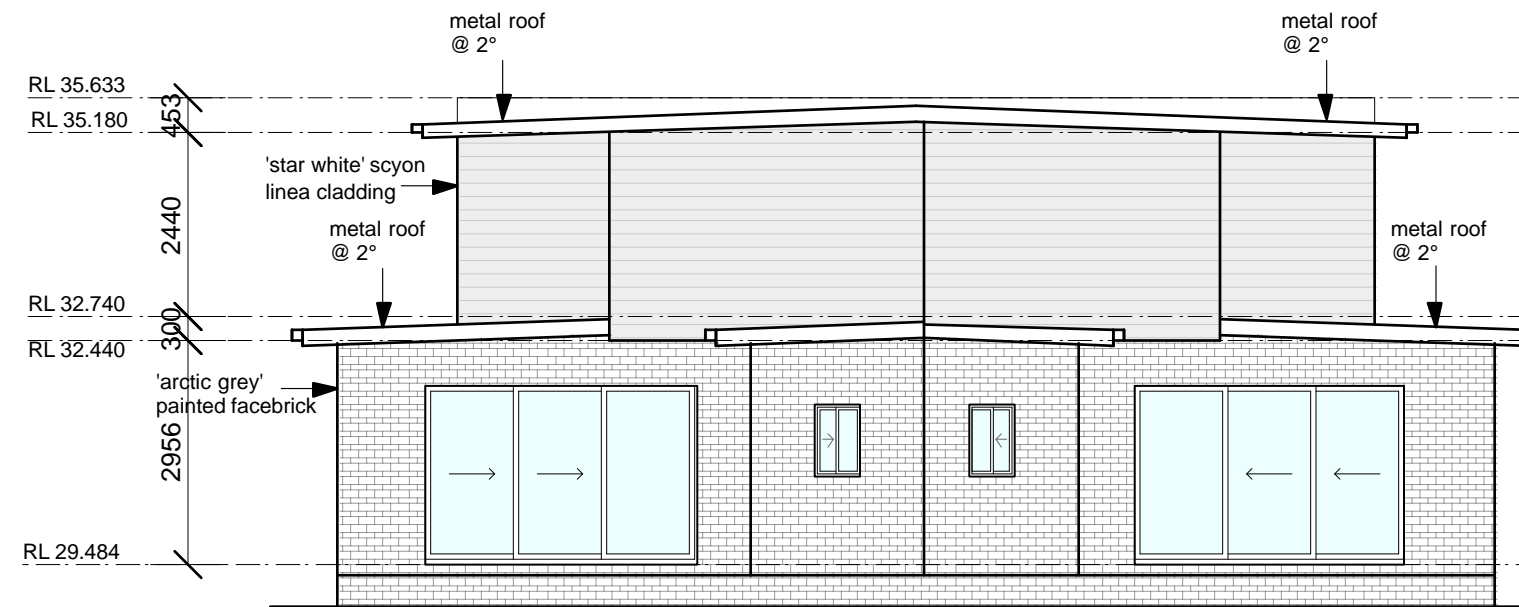


SOUTHERN ELEVATION
SCALE 1:100 @A3



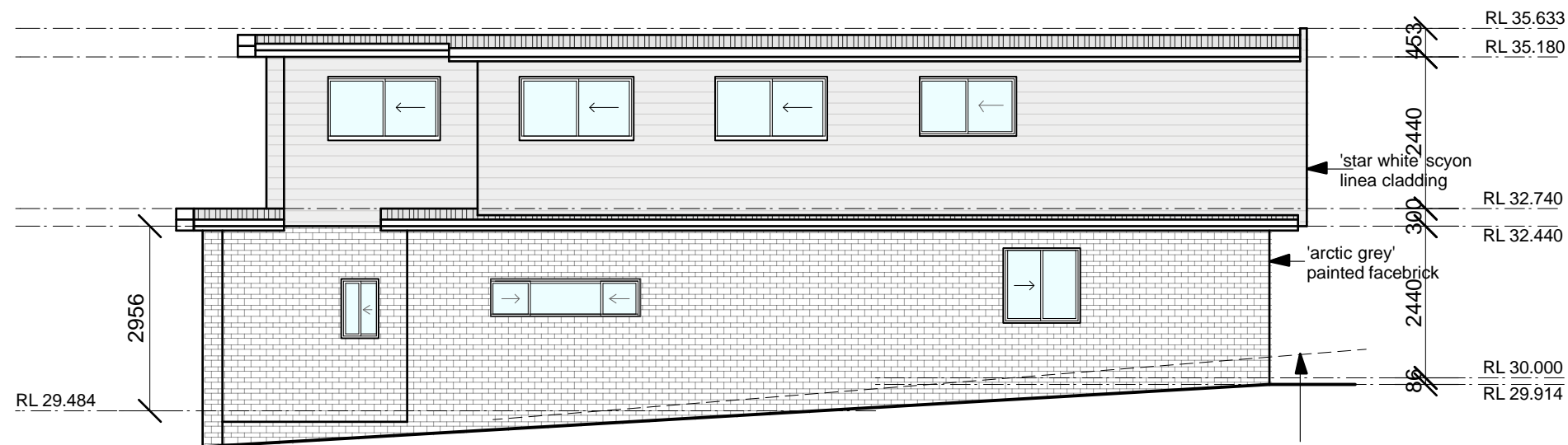
EASTERN ELEVATION
SCALE 1:100 @A3

UNITS 3 & 4



NORTHERN ELEVATION

SCALE 1:100 @A3



WESTERN ELEVATION

SCALE 1:100 @A3

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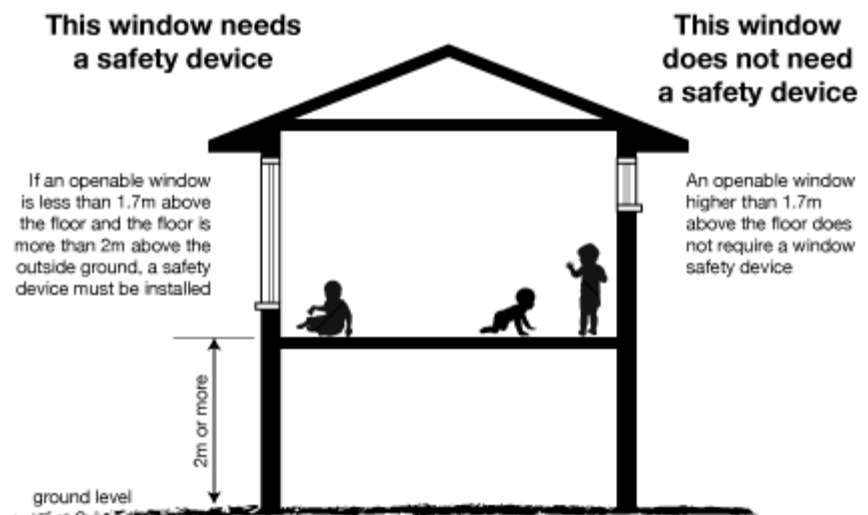
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UNITS 3 & 4

An openable window will need a safety device installed if:

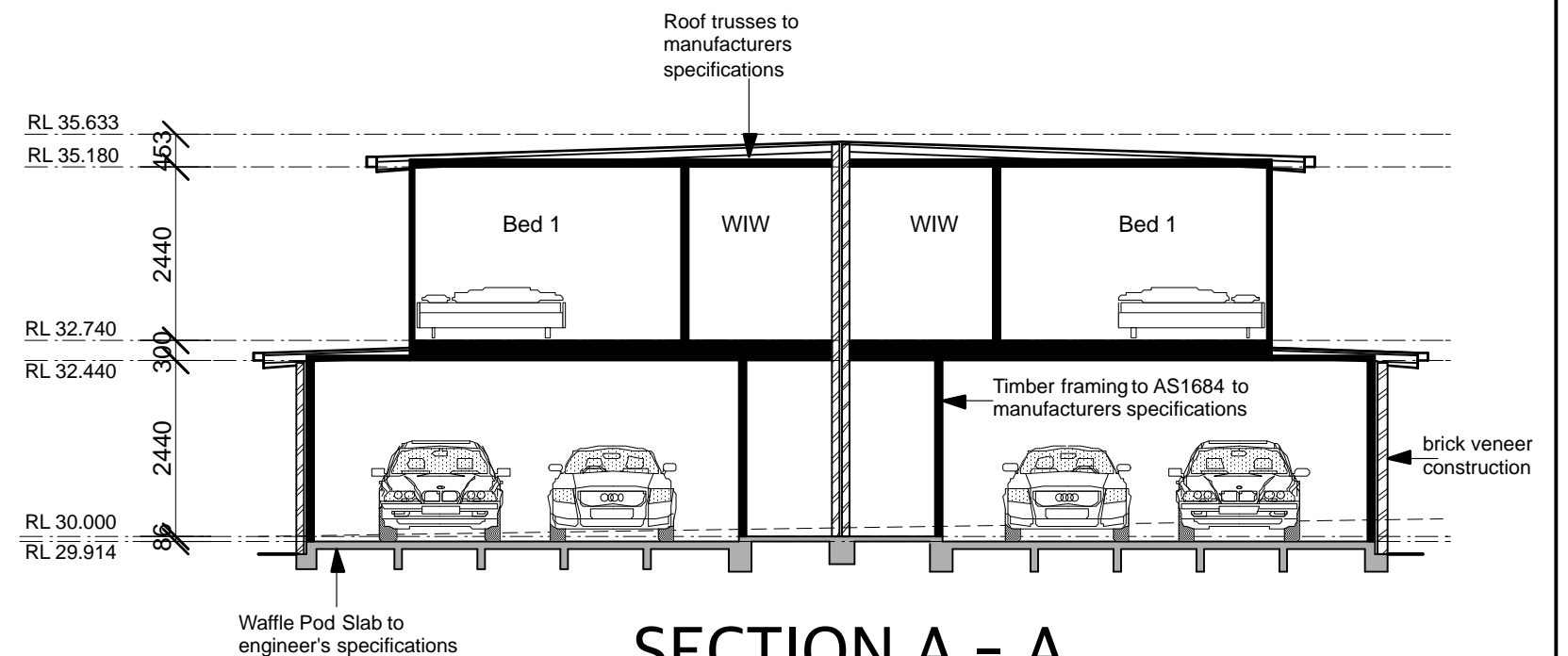
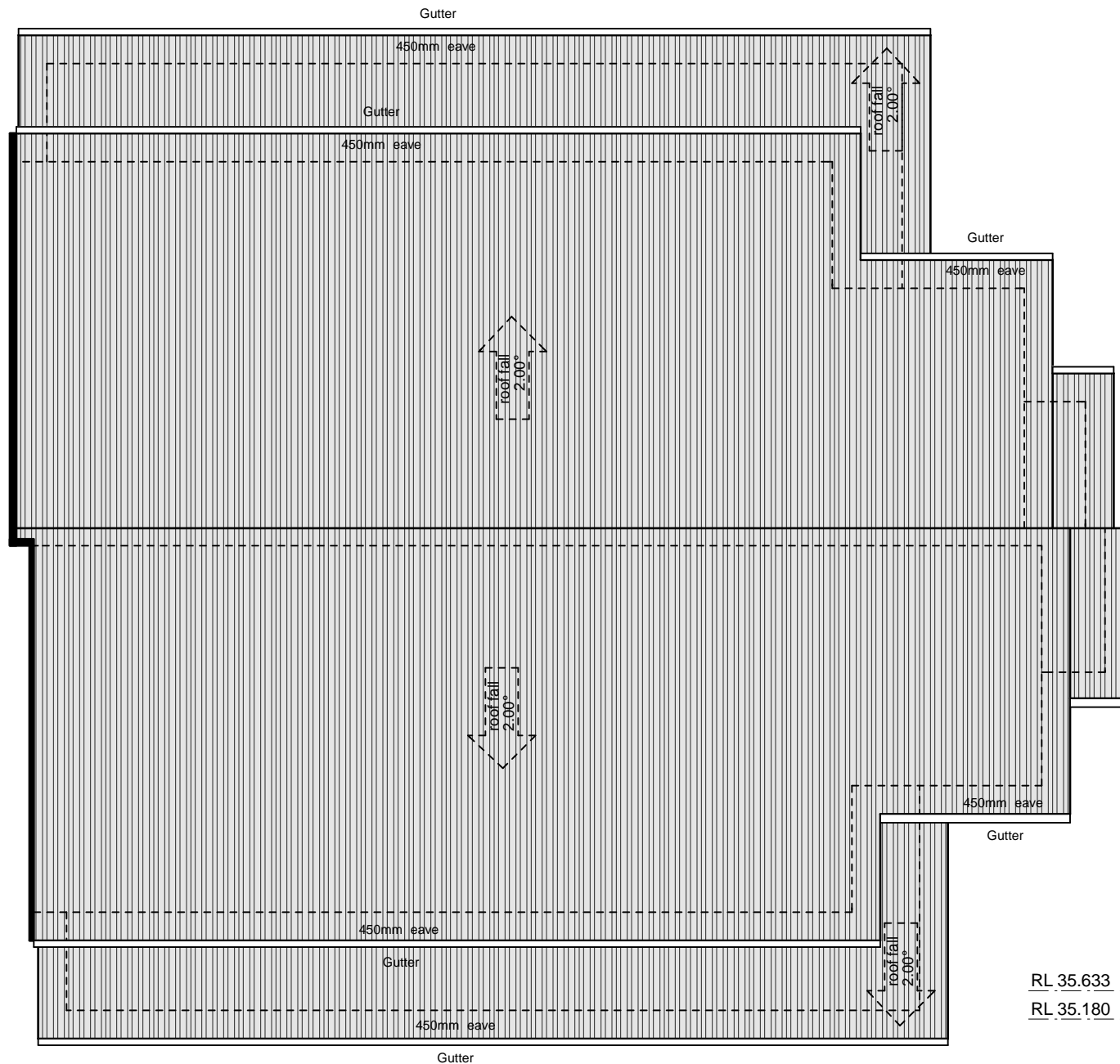
1. the lowest part of the window is less than 1.7m above the floor; and
2. the internal floor under the window is 2m or more above the outside surface.

The safety devices must be able to limit the maximum window opening to 12.5cm, must be robust, and must be childproof. Suitable window safety devices would include window locks or safety screens, but not ordinary insect screens.



ROOF PLAN

SCALE 1:100 @A3



SECTION A - A

SCALE 1:100 @A3

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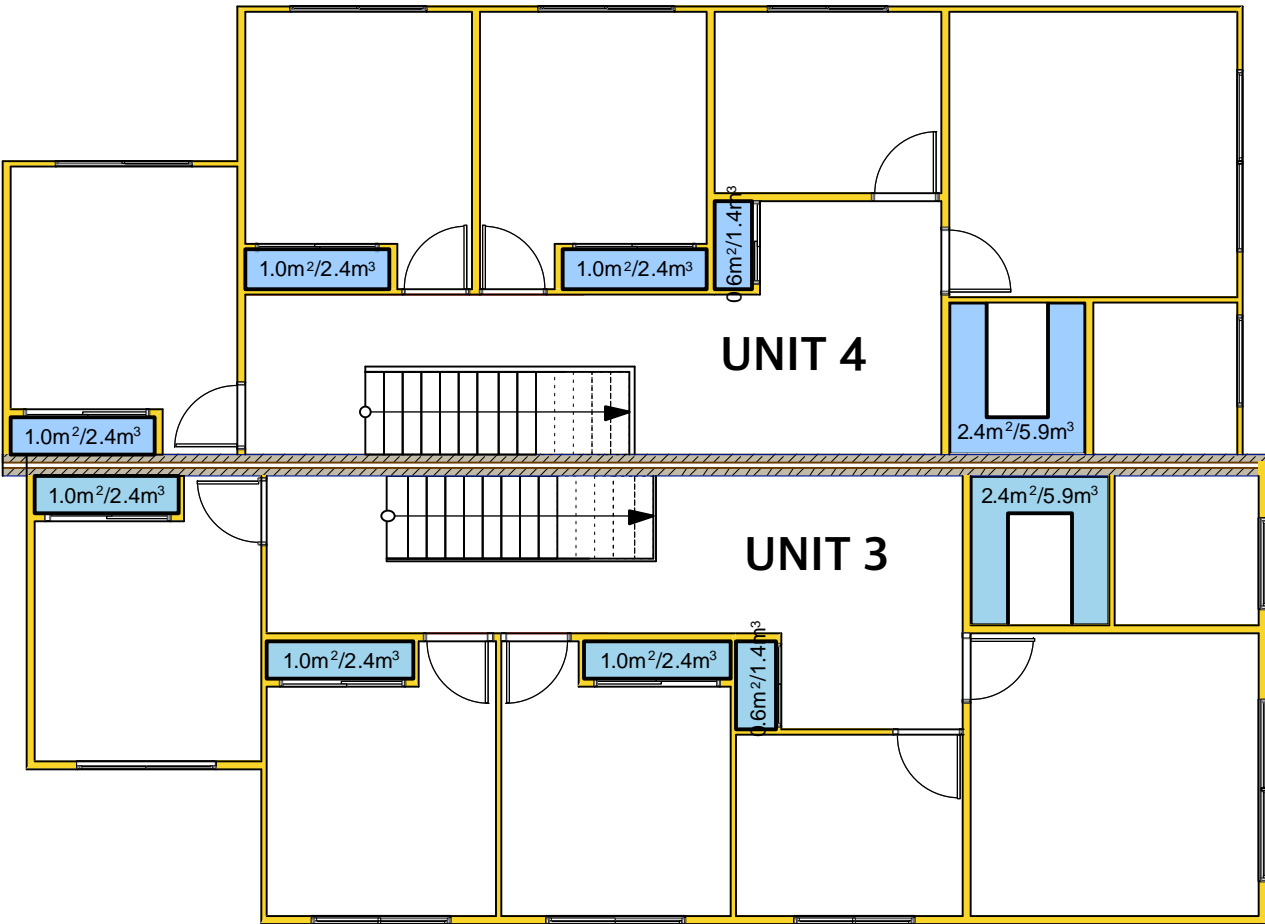
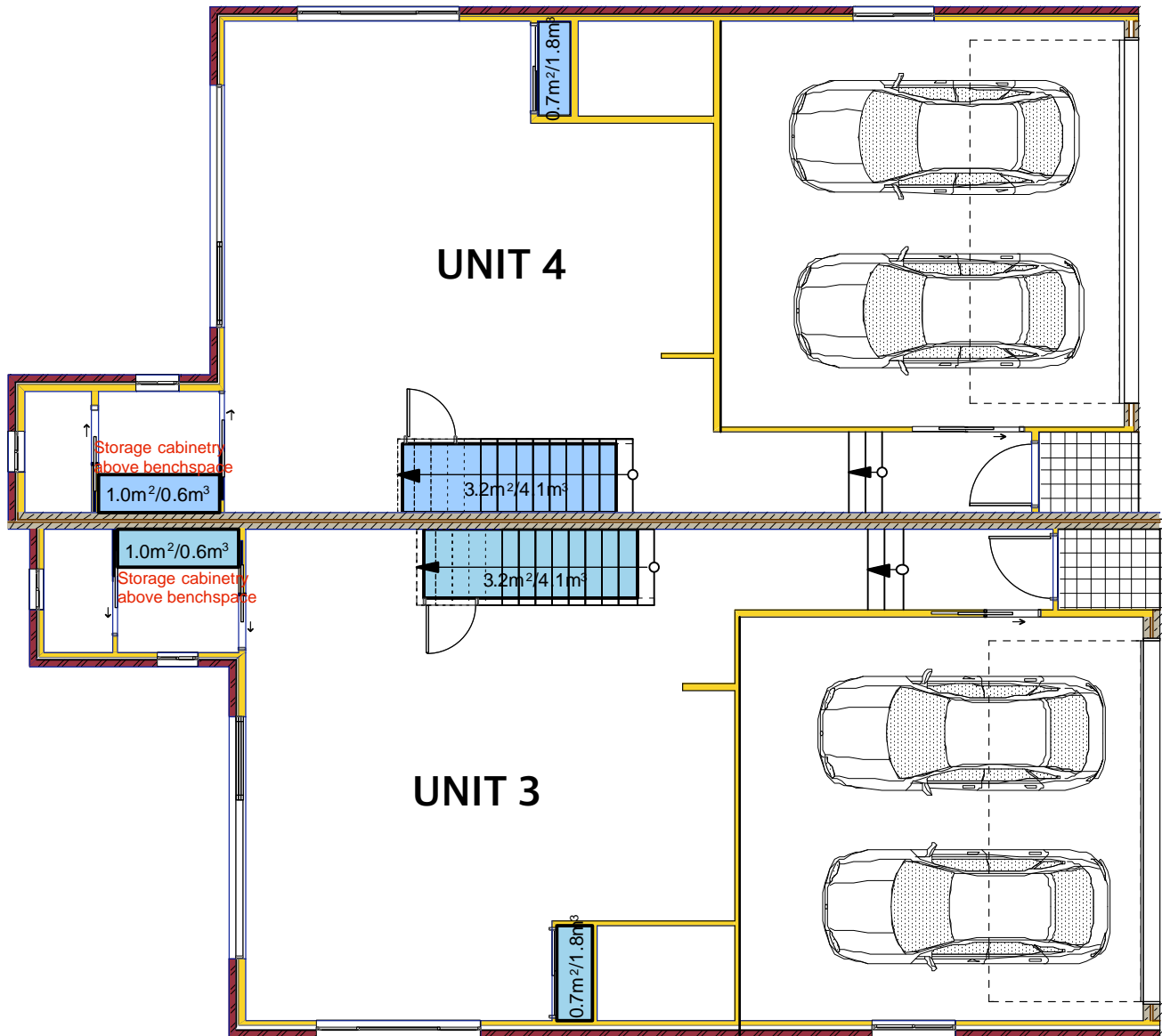
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STORAGE AREA PLAN

SCALE 1:100 @A3

- Unit 3 - total area 10.7m²
total volume 21.0m³
- Unit 4 - total area 10.7m²
total volume 21.0m³

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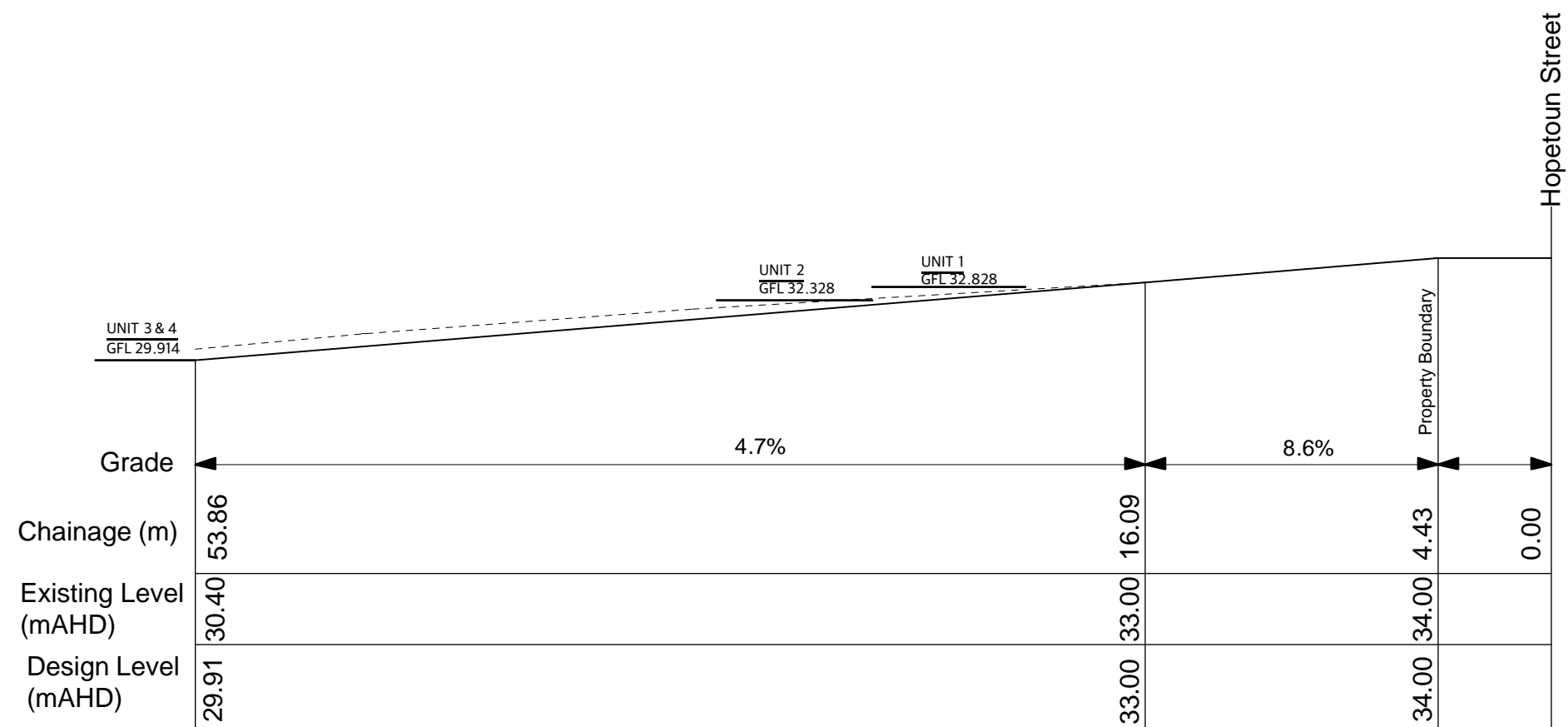
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DRIVEWAY 'A' LONG SECTION

SCALE 1:250 @A3

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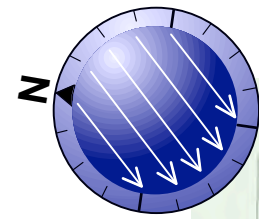
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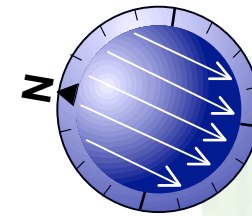
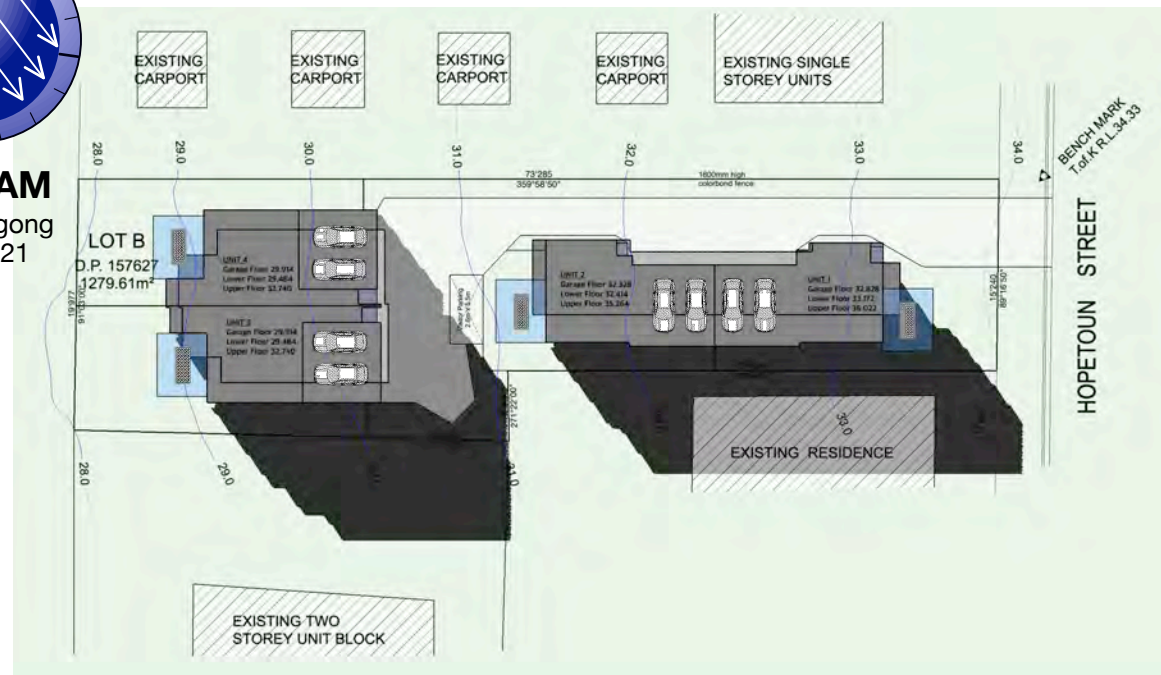


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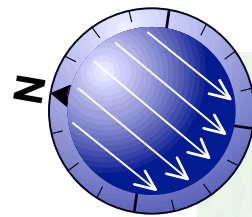
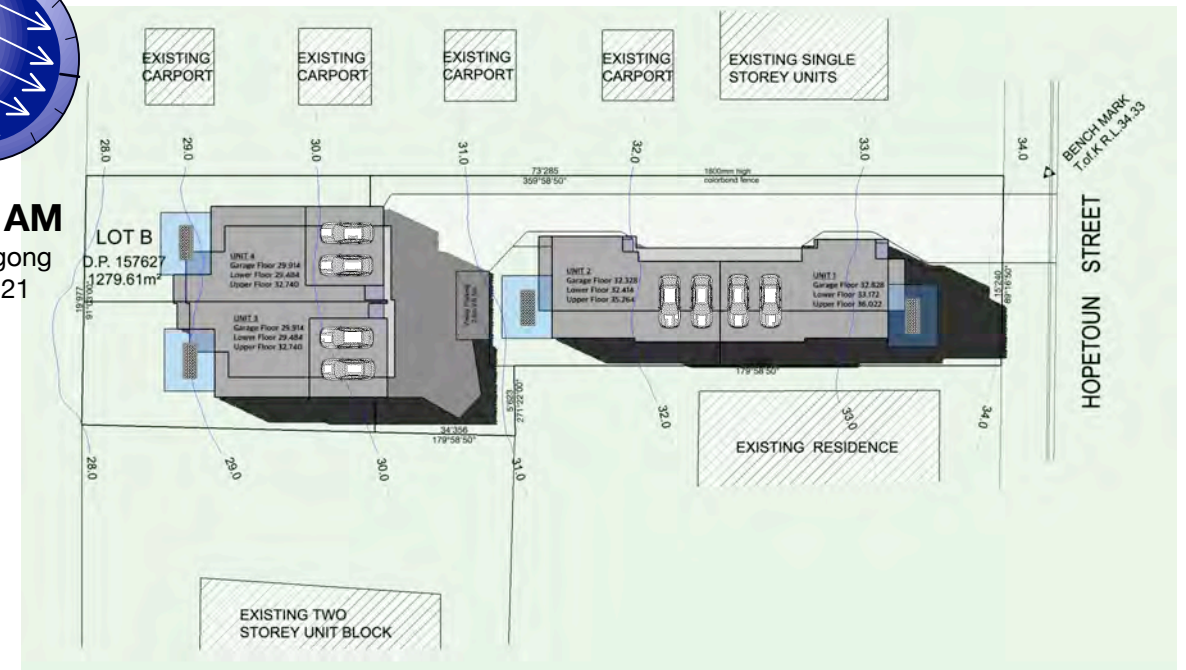




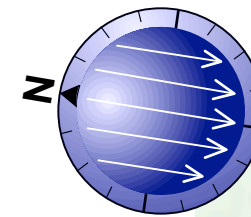
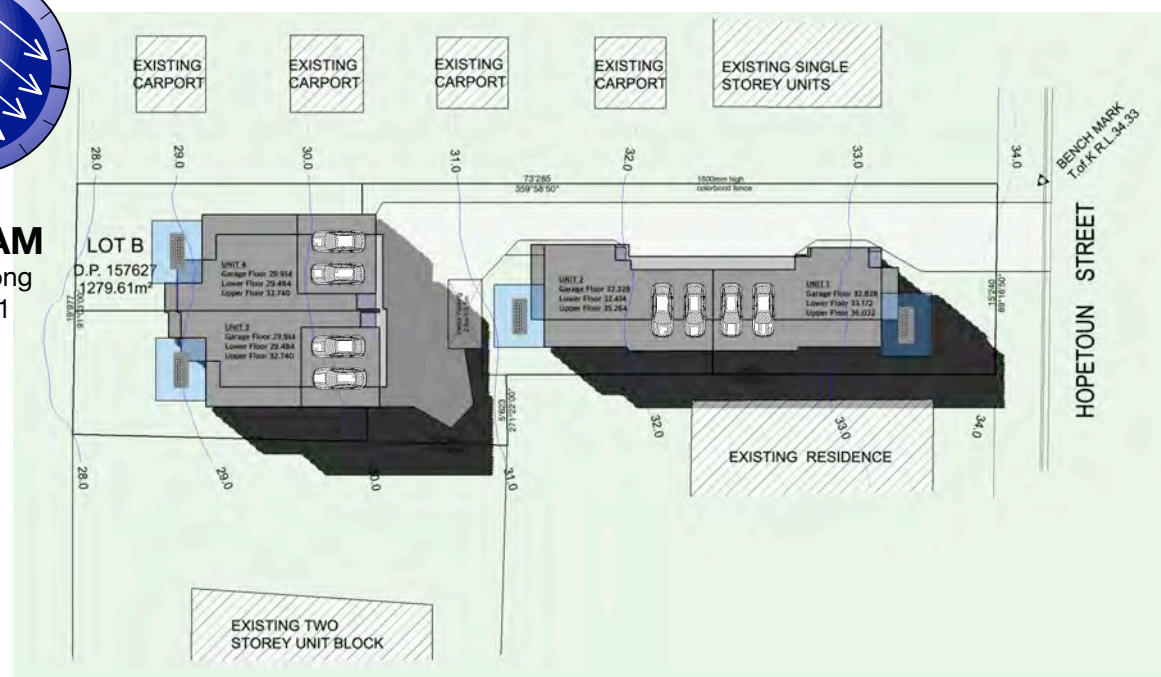
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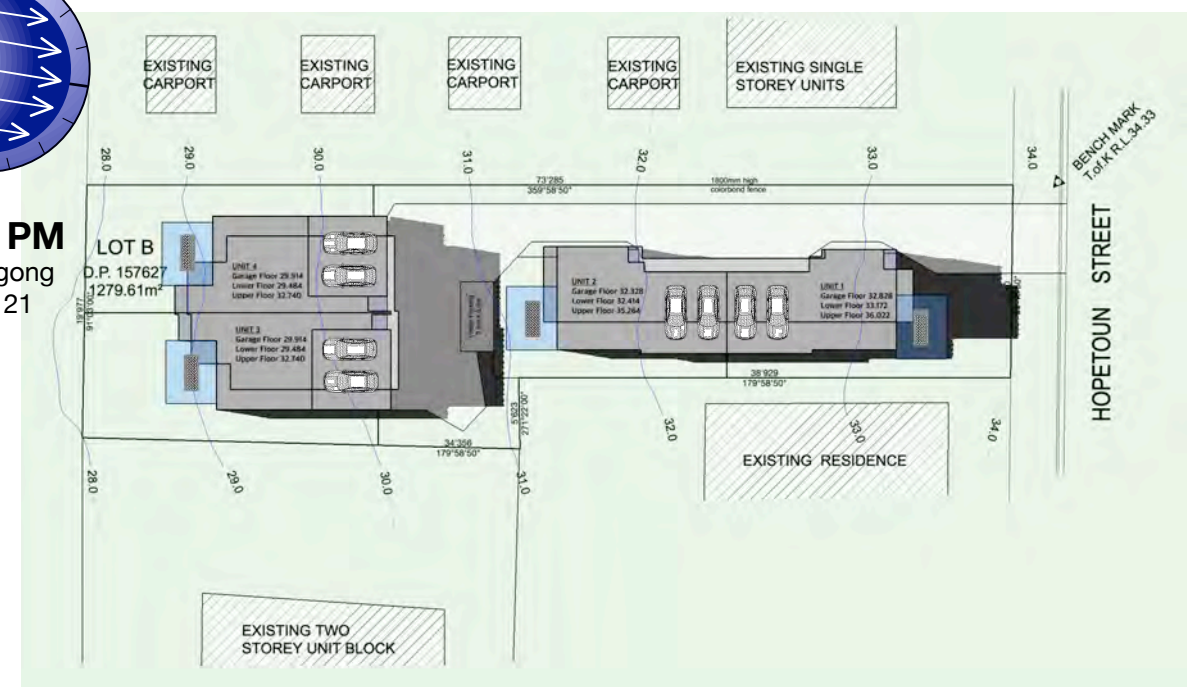
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Wollongong
June 21



10:00 AM
Wollongong
June 21



12:00 PM
Wollongong
June 21



SHADOW DIAGRAM

SCALE NTS

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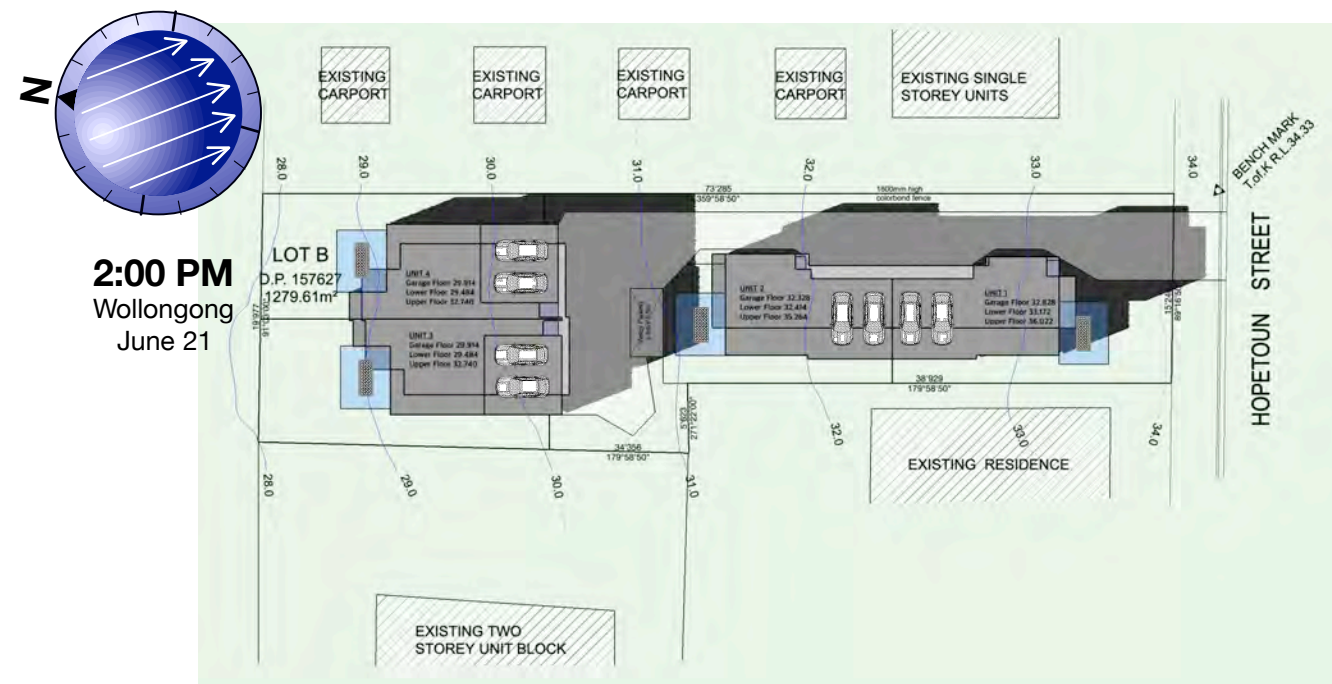
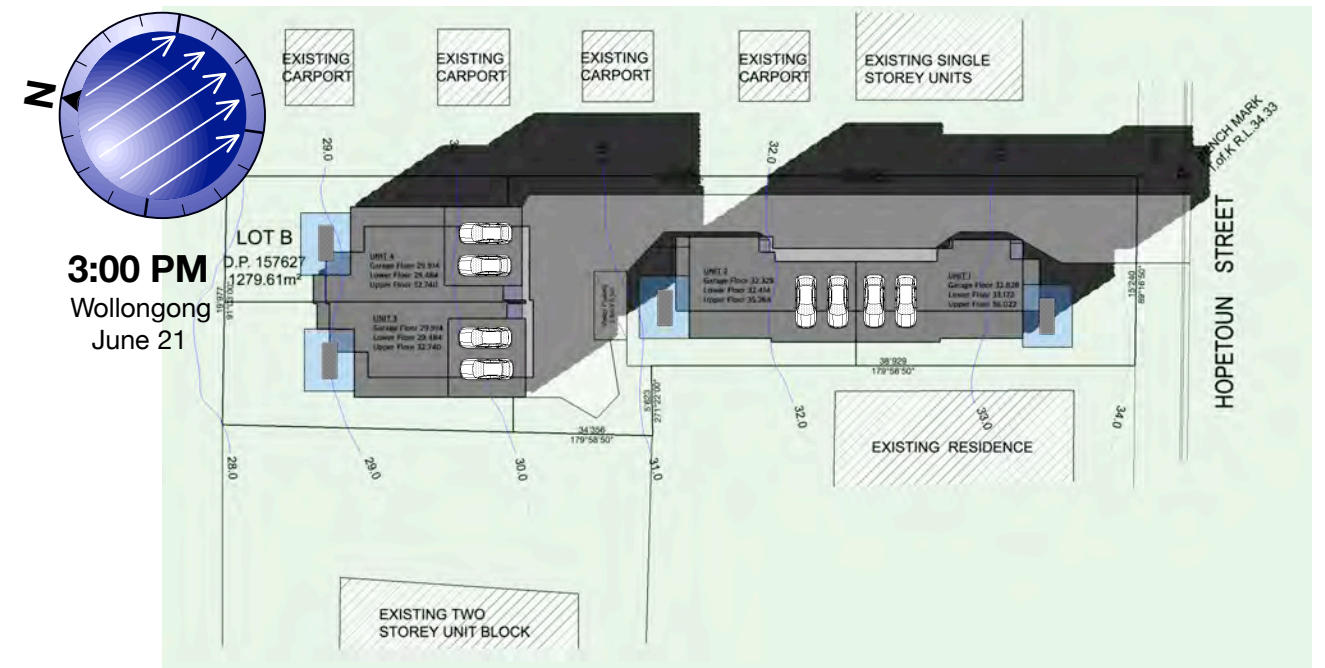
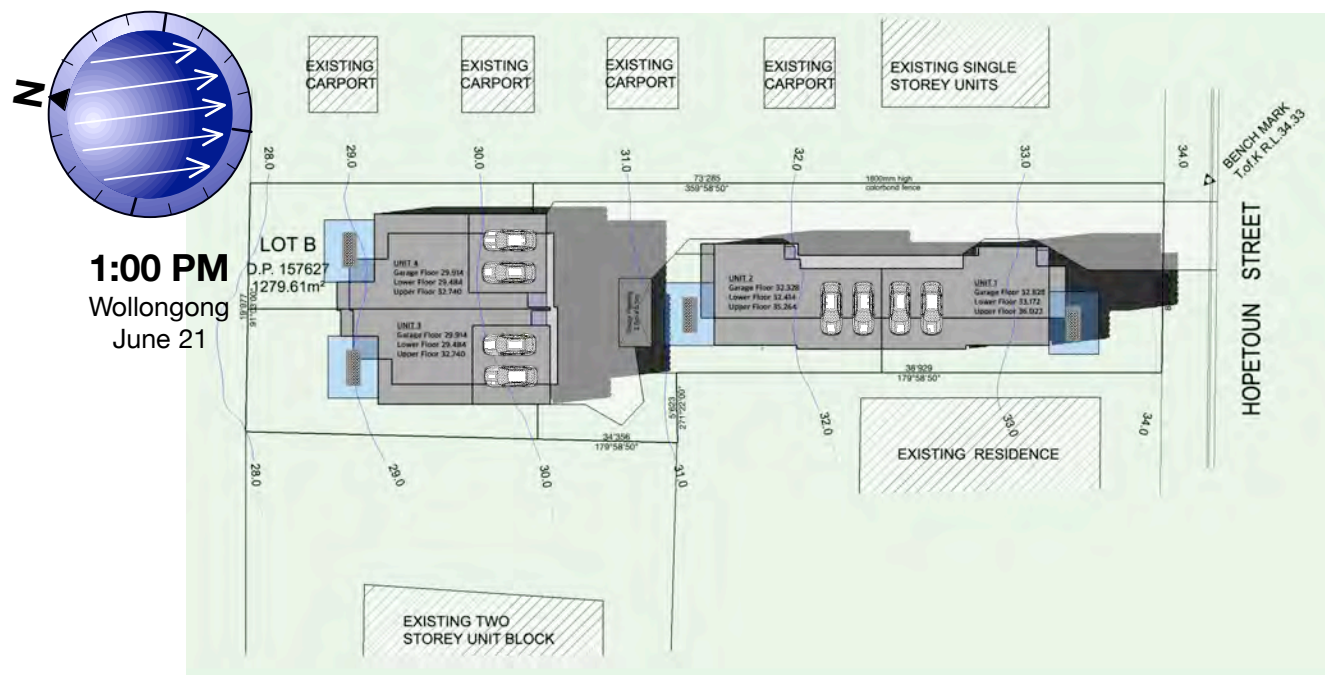
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SHADOW DIAGRAM

SCALE NTS

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1 Master plan
1:200



2 South elevation
1:100

Landscape calculation
 Site area : 1279.6 m²
 Landscape area : 443.7m² (383.88m² required)
 Deep soil zone : 6m strip at the back

LEGEND

	COLOURED CONCRETE
	PLAIN CONCRETE
	PROPOSED TURF AREAS
	EXISTING TURF AREAS
	GARDEN AREAS
	WASTE BIN STORAGE
	CLOTHES DRYING AREA
	FENCE 1800 mm HIGH
	EXISTING TREE TO BE REMOVED REFER TO ARBORIST REPORT
	EXISTING TREE TO BE RETAINED
	STEEL HEDGE 100 mm HIGH
	PROPOSED RETAINING WALLS 600mm HIGH

- Reference notes**
1. Rain water tank
 2. Drying clothes area
 3. 900mm wide gate to match fence
 4. 1800mm High colorbond fence
 5. Coloured concrete
 6. Plain concrete
 7. Existing turf area
 8. Deep soil zone
 9. Street tree planting
 10. Stamped concrete
 11. 1800mm High POS screen
 12. Waste bin storage
 13. Free standing wall as per architect details

RESIDENCE

Indicative plant schedule

Common Name	Botanical Name	Scheduled Size	Mature Height	Mature Spread
Trees				
Red Cabbage Tree	Cordyline red sensation	200 mm	1.5 - 3m	0.9 - 1.2m
Plunkett Mallee	Eucalyptus curtisii	75Lt	7-10m	4-7m
Cheese Tree	Glochidion ferdinandi	75Lt	8-10m	8-10m
Kanooka, Water Gum	Tristanopsis laurina	75Lt	7-9m	7-9m
Shrubs				
Lilly Pilly	Acmena smithii 'Sublime'	200mm	3-5m	2-3m
Slim Bottlebrush	Callistemon viminalis 'Slim'	200mm	3m	1.3m
Camellia	Camellia sasanqua	45Lt	1-3m	1.2-2.5m
Giant Lily	Doryanthes excelsa	400mm	1.5 - 3m	1.2 - 2.0m
Narrow-leaved Bird of Paradise	Strelitzia juncea	400mm	1.2 - 2m	1m
Lilly Pilly	Syzygium australe 'Pinnacle'	200mm	5 - 10m	1.2 - 2.0m
Lilly Pilly	Syzygium 'Backyard Bliss'	200mm	3m	1m
Coastal Rosemary	Westringia fruticosa 'Naringa'	200mm	1.2-2m	0.6 - 1.5m
Coastal rosemary	Westringia fruticosa 'Grey Box'	200mm	0.45m	0.45m
Ground Covers				
Prostrate She-Oak	Casuarina glauca 'Kattang Karpel'	200mm	0.1 - 0.5m	2m
Kidney Weed	Dichondra repens	150mm	0.0 - 0.3m	0.9 - 1.2m
Grasses				
Daniella	Daniella Tasmanica 'Emerald Arch'	200mm	0.55m	0.55m
Evergreen Giant Lilyturf	Liriope muscari 'Evergreen Giant'	200mm	0.45 - 0.6m	0.3 - 0.6m
Spiny-headed mat rush	Lomandra longifolia 'Tanika'	200mm	0.45 - 0.6m	0.6 - 0.9m
Perennials				
Monroe's White Lilyturf	Liriope muscari 'Monroe's White'	200mm	0.4m	0.4m
Echium	Echium fastuosum 'Duxfield Blue'	200mm	1.5m	1.5m

ISSUE	DATE	ISSUE NOTE	BY
4	7/9/19	Issue RevC	FV
3	3/06/2019	Issue RevB	FV
2	7/3/19	Issue RevA	FV
1	13/02/19	Issue for Development Application	FV

REVISION	DATE	REVISION NOTE	BY
C	7/9/19	Revised plan as per city council assessment	FV
B	3/6/2019	Revised architectural plan	FV
A	7/3/19	Revised Site Plans	RC

PROJECT
 Landscape concept plan

ADDRESS
 No 18 Hopetoun street Woonona NSW

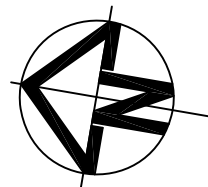
CLIENT
 Itsbuilt

DRAWING
 Proposed multi-dwelling development

Captivate Landscape Design
 www.captivatedesign.com.au
 (02) 4332 1191
 info@captivatedesign.com.au
 Level 1, 44 Manning Street,
 Kiama NSW 2533

PROJECT #	1507	DWG STATUS	
DWG DATE	13/02/19	CAD FILE NAME	1507 - Landscape RevB.vwx
PLOT DATE	13/02/19	DWG #	
ORIGINAL SHEET SIZE	A3	REVISION	
SCALE @ A3	1:200		
DRAWN	FV	CHKD	RC

DA-1507/1
 OF 1



Roof gutter and downpipes have been designed for 100 year ARI 5 min. tc of 299mm/hr. Downpipes to be min. 100mm dia. PVC pipe with downpipes located as shown. Roof gutter cross sectional area to be min. 7300mm² with min. 1:500 gutter slope or greater.

Proposed 2.7m long level spreader to ensure that 100 year OSD weir overflow is not concentrated.
Grate R.L. 28.85 AHD

Proposed OSD tank 3.6x1.6x1.3m deep
Vol. = 7.25 m³
Inv. R.L. 27.55 AHD
Grate R.L. 29.00 AHD

Rainwater tank and tank overflow pipeline
100mm dia. pipe
@ min. 5% fall.
Inv. R.L. 29.60 AHD

Provide 100mm high kerb

Tributary area shaded

Provide 100mm high kerb

BENCH MARK
T.O.F.K.
R.L. 34.33

STREET

HOPETOUN STREET

Q = 41.49 l/s
150mm dia. outlet pipe
@ 6.9% fall.

100 year overflow path

19'977"
91'500"

28.0

225mm dia. pipe
@ 5.6% fall.

UNIT 4
Garage Floor 29.914
Lower Floor 29.484
Upper Floor 32.740

UNIT 3
Garage Floor 29.914
Lower Floor 29.484
Upper Floor 32.740

P.O.S.
R.L. 29.30

Pit B

Rainwater tank and tank overflow pipeline
100mm dia. pipe
@ 6.6% fall.
Inv. R.L. 29.20 AHD

Provide 100mm high kerb

Rainwater tank and tank overflow pipeline
100mm dia. pipe
@ min. 1% fall.
Inv. R.L. 30.90 AHD

150mm dia. pipe
@ 8.6% fall.
Inv. R.L. 30.60 AHD

Rainwater tank and tank overflow pipeline
100mm dia. pipe
@ 6.8% fall.
Inv. R.L. 32.64 AHD

Pit A - 450mm square pit
Inv. R.L. 32.65 AHD
Grate R.L. 33.10 AHD

Pit B - 450mm square pit
Inv. R.L. 28.70 AHD
Grate R.L. 29.30 AHD

Pit C - 450mm square pit
Inv. R.L. 28.70 AHD
Grate R.L. 29.30 AHD

Pit D - 450mm square pit
Inv. R.L. 31.55 AHD
Grate R.L. 32.15 AHD

Pit E - 450mm square pit
Inv. R.L. 29.20 AHD
Grate R.L. 29.80 AHD

Pit D to Pit E - 150mm dia. pipe
@ 11% fall.

Pit E to OSD - 225mm dia. pipe
@ 5.6% fall.

--- Charged pipeline
--- Proposed pipeline
dp - Proposed downpipe

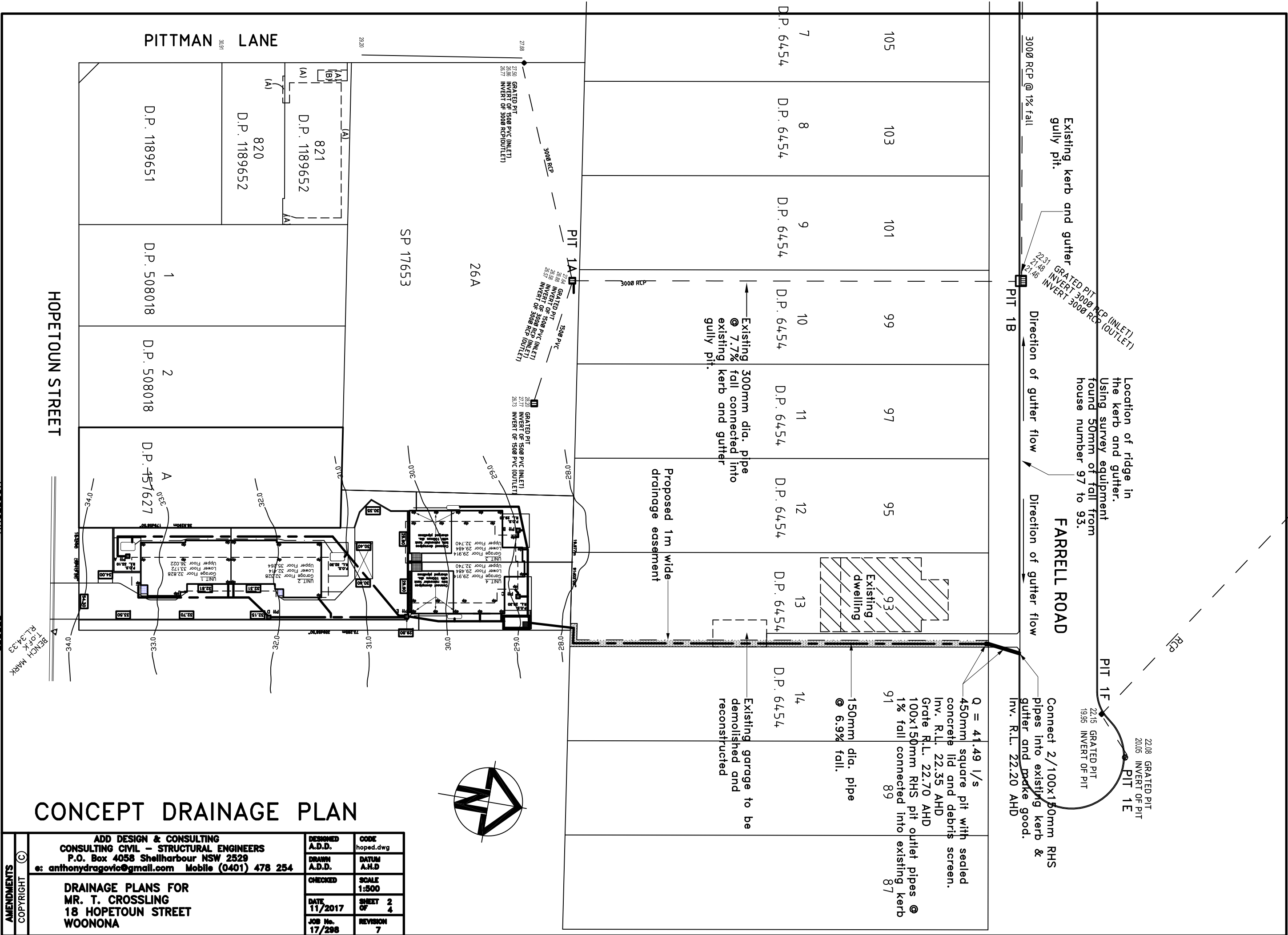
Ensure all drainage pipelines have min. 100mm cover from the top of the pipe to the finished ground level or to the underside of the concrete driveway. Any pipelines that have less than 100mm of cover to the underside of the concrete driveway/slab must be galv. steel pipelines.

All drainage pipelines are min. 100mm dia. @ min. 1% fall. U.N.O.

CONCEPT DRAINAGE PLAN

AMENDMENTS COPYRIGHT ©	ADD DESIGN & CONSULTING CONSULTING CIVIL - STRUCTURAL ENGINEERS P.O. Box 4058 Shellharbour NSW 2529 e: anthonydragovic@gmail.com Mobile (0401) 478 254		DESIGNED A.D.D.	CODE hoped.dwg
			DRAWN A.D.D.	DATUM A.H.D
			CHECKED	SCALE 1:250
			DATE 11/2017	SHEET OF 4
			JOB No. 17/298	REVISION 7

DRAINAGE PLANS FOR
MR. T. CROSSLING
18 HOPETOUN STREET
WOONONA



AMENDMENTS	ADD DESIGN & CONSULTING CONSULTING CIVIL - STRUCTURAL ENGINEERS P.O. Box 4058 Shellharbour NSW 2529 e: anthonydragovic@gmail.com Mobile (0401) 478 254		
	DRAINAGE PLANS FOR MR. T. CROSSLING 18 HOPETOUN STREET WOONONA		
	DESIGNED A.D.D.	CODE hoped.dwg	
	DRAWN A.D.D.	DATUM A.H.D.	
COPYRIGHT	CHECKED	SCALE 1:500	
	DATE 11/2017	SHEET 2 OF 4	
	JOB No. 17/298	REVISION 7	



MMJ Wollongong
6-8 Regent Street
Wollongong NSW 2500
Telephone: (02) 4229 5555
Facsimile: (02) 4226 5741

CLAUSE 4.6 – EXCEPTIONS TO DEVELOPMENT STANDARDS – VARIATION STATEMENT

Minimum Site Width

Address: 18 Hopetown Street WOONONA
Proposal: Multi Dwelling Housing Development comprising Four (4) Townhouses
Date: 3rd June 2019

1.0 Introduction

The purpose of this variation statement is to seek an exception to a development standard contained within the *Wollongong Local Environmental Plan 2009 (WLEP 2009)*. The exception is proposed in accordance with *Clause 4.6 - Exceptions to Development Standards*. The development standard for which the variation is sought is the minimum site width requirement of 18 metres, within *Clause 7.14* of the *WLEP 2009*.

The advice herein relates to an application for the proposed demolition of existing structures and construction of a new multi dwelling housing (MDH) residential development, comprising of four (4) townhouses at 18 Hopetown St, Woonona (the site).

The proposed development application seeks to provide an appropriate and balanced development/environmental outcome for the subject site, and the Woonona area as a whole. In doing so, an exception to a development standard contained within *Wollongong Local Environmental Plan (LEP) 2009* has been adopted. In this regard, the proposed development generally accords with all *LEP* controls, apart from a numerical variation being requested to the minimum site width development standards contained within *Clause 7.14 Minimum site width*.

The request is in writing to address the relevant provisions within *Clause 4.6*, to demonstrate that strict compliance with the development standard is unreasonable in the circumstances of the case, and to prove that there are sufficient environmental planning grounds to justify the minor variation proposed.

This statement has been prepared in accordance with the NSW Department of Planning Infrastructure (DPI) guideline “*Varying Development Standards: A Guide*” dated August 2011. Applications to vary development standards should also address the ‘five-part test’ established by the NSW Land and Environment Court (LEC) to determine whether the objection is well founded.

The commentary provided herein outlines the development standard variation being proposed, which should be read in conjunction with the relevant Statement of Environmental Effects and other documentation submitted to Council in support of the application.

Accordingly, the information below addresses the afore-mentioned requirements.

1.2 Overview

The land is zoned R2 Low Density Residential under the *WLEP 2009*. The zone objectives are as follows:

- *To provide for the housing needs of the community within a low density residential environment;*
- *To enable other land uses that provide facilities of services to meet the day to day needs of residents.*

The relevant zoning objectives outline a need to provide for the housing needs of the community and allow other uses to meet the day to day needs of residents (as above).

The proposed development is permissible within the R2 zone as Multi dwelling housing providing for the housing needs of the community.

Such a proposal is in high demand for the immediate area (from a land use perspective) and

the site itself is reasonably accessible from a patronage and public transport viewpoint, with bus services in the Princes Highway Road corridor nearby. Thus, the proposed development directly accords with the objectives of this zone.

2.0 Details of the environmental planning instrument, the applicable development standard and proposed variation.

2.1 What is the applicable environmental planning instrument (EPI)?

The *Wollongong Local Environmental Plan 2009 (WLEP 2009)*.

2.2 What is the development standard being varied?

The Minimum site width for multi dwelling housing contained in *Part 7 - Clause 7.14(1)* of the *WLEP 2009* which states:

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

In this regard, the subject site is an irregular size and shape of the allotment, which tapers in width from 19.97m at the rear (northern) half of the site down to 15.24m for the front (southern) half of the site. It is the southern portion of land to which the subject variation to the minimum site width control of 18 metres is sought.

2.3 What are the objectives of the standard?

There are no stated objectives under the LEP, however, the objectives stated in *Section 5.1.1* of the *Wollongong Development Control Plan 2009 (WDCP 2009) - Chapter B1* in relation to minimum site width are considered most relevant in this instance, and provide for the following:

- *To allow for development of sites which are of sufficient size to accommodate the required building envelope, car parking and landscaping requirements; and*
- *To encourage amalgamation of allotments to provide for improved design outcomes.*

2.4 What is the percentage variation (between the proposal and the EPI)?

The minimum side width is 15.24 metres at the street frontage, which extends north for approximately 38.9 metres or 53.2% of the length of the site. As such, the proposal falls short of the minimum 18 metre site width requirement by 2.76 metres, which represents a variation of 15.5%.

3.0 Assessment of Proposed Variation

3.1 Overview of *Clause 4.6*

Clause 4.6 provides a framework for varying the applicable development standards under a LEP.

The objectives of this clause are as follows:-

(a) to provide an appropriate degree of flexibility in applying particular development standards to particular development;

(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

Sub *Clauses (3)(a)* and *(3)(b)* state that development consent must not be granted unless the consent authority has considered a written request from the applicant that seeks to justify the contravention by demonstrating:

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and

(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

Furthermore sub *Clause 4(a)(i)* and *(ii)* provide that development consent must not be granted unless:-

(a) the consent authority is satisfied that:

(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and

(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and

(b) the concurrence of the secretary has been obtained.

In deciding whether concurrence is to be granted or assumed, the following considerations are relevant:-

(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning; and

(b) the public benefit of maintaining the development standard, and

(c) any other matters required to be taken into consideration by the Secretary before granting concurrence.

3.2 Is compliance with the development standard unreasonable or unnecessary in the circumstances of the case?

Yes, compliance with the development standard is unreasonable in the circumstances of the case given the irregular size and shape of the allotment, which tapers in width from 19.97m at the rear (northern) half of the site down to 15.24m for the front (southern) half of the site.

The proposal involves redevelopment of the existing 1,279.61m² allotment, which is located in the R2 zone and contains an existing dwelling house.

The site adjoins an existing medium density residential development (i.e. villas) situated immediately to the east at 16 Hopetown Street Wonoona.

To the west, there is an existing three (3) storey residential flat building situated at 6 Pitman Lane which adjoins the rear half of the site, as well as a detached dwelling house located at 20 Hopetown Street that adjoins the front half of the site.

As such, it is reasonable to assume that the site has some development potential and opportunities for amalgamation are somewhat limited.

The proposed built form involves 4 x townhouses, with 2 x dwellings located along the western side boundary upon entry to the site, and another 2 dwellings separated and located towards the rear northern boundary. For the most part, the proposed development is evenly dispersed across the northern and southern halves of the property, with 2 dwellings located in the southern portion of the site which has a site width of 15.24 metres.

Strict compliance in this instance is unreasonable because:

- The proposed variation sought only relates to part of the site, with the other part exceeding the minimum 18 metres site width requirement;
- The front portion of the site which fails to meet the minimum site width requirement (is 592.83m² and) essentially contains only 2 x dwellings with a combined gross floor area of 236.7m². Effectively, *WDCP 2009 Chapter B1* provides that dual occupancies (2 x dwellings) may be permitted on land with a site width of greater than 15 metres, and therefore it is reasonable to suggest that this part of the site can contain 2 x townhouses as proposed;

- It is reasonable to assume that based on the size and shape of the site, there is some development potential. The overall size of the land in particular would suggest multi dwelling housing capabilities should be considered for this R2 zone;
- Existing multi dwelling housing developments are quite prominent in the immediate locality and, particularly within Hopetoun Street;
- Strict application and compliance with the control would effectively prohibit a multi dwelling housing development being undertaken on the subject site, despite it being a permitted form of development within the R2 Low Density Residential zone;
- The layout and siting of development appropriately responds to the site constraints;
- The design accommodates the required building envelopes, parking, onsite manoeuvring and landscape requirements and, therefore, the site is considered to be sufficient in terms of both width and size; and
- The development of the subject site for multi dwelling housing will not adversely impact adjoining properties by virtue of the proposed non-compliance.

Strict compliance in this instance is unnecessary because:

- The afore-mentioned development standard requires strict compliance across the whole of the site (generally making allowance for traditional land parcels) and does not make any allowances for irregular shapes lots such as this; and
- The development parcel has a minimum site width of between 19.97 metres and 20.863 metres across the rear portion of the site where more dwellings within the development will occur (i.e. 2 of the 4 dwellings) and, as such, we are seeking a variation for a partial shortfall due to the irregular shape of the site which tapers to only 15.24 metres for the southern front boundary (where only 2 of the 4 dwellings are to occur for the most part).

Thus, deeming strict compliance with the minimum site width is unwarranted in the circumstances of this particular case.

3.3 Has the development standard been abandoned or destroyed (by Council's own actions) in departing from the standard?

There are many examples within the Woonona area of approved multi dwelling residential developments that fail to meet the 18 metre minimum site width requirement, however, the development standard cannot be said to be abandoned due to the age of these developments and consents, which are likely to precede the current *LEP*.

3.4 Are there sufficient environmental planning grounds to justify contravening the development standard?

Yes, there are sufficient environmental planning grounds in the circumstances of the case to justify contravening the development standard. These include:

- The site is of a sufficient width, depth and size to accommodate the proposed multi dwelling housing development, without resulting in any significant adverse impacts on the public domain or any adjoining properties;
- The scale of the proposed development is considered appropriate within the strategic planning context of the R2 Low Density Residential Zone and is consistent with the relevant zone objectives;
- The proposal satisfies the objectives and development controls in relation to minimum site width contained within *Clause 5.1 of Chapter B1* of the *DCP*, as the site in itself is of sufficient size to accommodate the required building envelopes, parking and landscaping requirements;
- *Section 5.1.2 of Chapter B1* of the *DCP* states that the 18 metre site width requirement can be varied for irregular shaped lots or where the development meets the requirements of setbacks, private open space, visual amenity, solar

access, built form and landscaping. The proposed development satisfies the intent of all of the above-mentioned DCP development controls;

- Council are seeking to encourage multi dwelling housing in the locality and this form of development is identified in the desired future character statement for Woonona in *Chapter D1*;
- The Illawarra Shoalhaven Regional Plan identifies the need for 14,600 additional new homes within the Wollongong LGA by 2036. The proposed development would directly contribute to this target and provide housing to meet the needs of the community;
- Non-compliance with the minimum site width development standard will not result in any adverse environmental impacts, nor create any additional residential amenity impacts to that which would be created if strict compliance could be achieved;
- The proposed development has been well designed and will contribute to the creation of a vibrant and modern infill development in close proximity to shops, schools, recreation facilities and services; and
- The development as proposed will allow for the orderly and economic use of the subject land.

3.5 Is the proposed development in the public interest because it is consistent with the underlying intent of the development standard and then objectives for development in the zone?

3.4.1 Objectives of the minimum site width development standard

There are no stated objectives within the *WLEP 2009*, with respect to site width.

3.4.2 Objectives of the minimum site width requirement in the DCP

The objectives for minimum site width contained in *Clause 5.1.1 of Chapter B1* the *WDCP 2009* are as follows:

- (a) To allow for development of sites which are of sufficient size to accommodate the required building envelope, car parking and landscaping requirements;*
- (b) To encourage amalgamation of allotments to provide for improved design outcomes.*

The site has been limited opportunity for further amalgamation and the site in itself forms a development parcel that is sufficient in size to accommodate the building envelopes, car parking, on-site manoeuvring and landscape requirements. In this regard, it complies with both of the above-mentioned objectives.

3.6 Does contravening the development standard raise any matters of significance for the State or regional environmental planning?

No, contravening the development standard in this case does not raise any matters of State or regional planning significance.

3.7 How would strict compliance hinder the attainment of the objectives specified in Section 1.3 (a) and (c) of the Act?

The objectives set down in *Section 1.3 (a)* and *(c)* are as follows:

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources;*
- (c) to promote the orderly and economic use and development of land;*

Compliance with the standard would not hinder the attainment of the above-mentioned objectives, which aim to encourage development that promotes the social and economic

welfare of the community and a better environment, and co-ordinate the orderly and economic use of land.

The development as proposed is consistent with these objectives as it allows for the orderly and economic use of the land.

Strict compliance with the development standard would require refusal of the proposed multi dwelling housing development, which is inconsistent with the above objectives as it would unreasonably restrict the development potential of the site.

3.8 Is there public benefit in maintaining the development standard?

Broadly speaking, there is public benefit in maintaining the development standard across the LGA as it encourages amalgamation and requires sites to be of a sufficient width to accommodate multi dwelling housing development.

However, fundamentally it does not allow for any variations for irregular shaped lots such as this, which generally comply with the development standard across a large portion of the site in the location where the majority of dwellings will occur. There is limited opportunity for site amalgamation with adjoining properties, and no appreciable public benefit to maintain the development standard in this particular instance.

3.9 Is the objection well founded?

For the reasons outlined in the previous sections above, the objection is considered to be well founded in this particular instance due to the irregular shape of the development parcel. Granting an exception to the development standard can therefore be supported in the circumstances of the case.

The proposed development will be consistent with the outcomes envisaged in the zoning and policy framework. The development is also compatible with the relevant objectives specified in *Section 1.3* of the *EPAA 1979*.

4.0 Conclusion

The proposed variation is based on the reasons contained within this formal request for an exception to the 18 metre minimum site width development standard. The proposal will not result in any unreasonable adverse impacts with regards to the amenity of the adjoining properties.

A development strictly complying with the numerical standard would not significantly improve the amenity of surrounding development, as the proposed development is evenly dispersed across the portions of the land that are under and over the minimum 18 metres site width (i.e. 2 x dwellings in the northern section and 2 x dwellings in the southern section).

The proposed non-compliance is unlikely to result in any future precedents given the surrounding pattern of development and the combination of zoning and other associated controls currently in place. More specifically, the shape of the subject site is irregular and the considerations relative to varying this development standards are specific to the proposed development outcome and the environmental setting within which the site is situated.

In conclusion, the objection is considered to be well founded and compliance with the standard in both unreasonable and unnecessary in the circumstances of the case.

Yours faithfully,

MARTIN MORRIS & JONES PTY LTD



LUKE ROLLINSON

BUrbRegPlan DipArchTech MPIA

DIRECTOR - TOWN PLANNER

ATTACHMENT 4

ASSESSMENT OF APPLICATION AGAINST ENVIRONMENTAL PLANNING INSTRUMENTS

1 SECTION 4.15(1)(A)(1) ANY ENVIRONMENTAL PLANNING INSTRUMENT

STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

7 Contamination and remediation to be considered in determining development application

- (1) A consent authority must not consent to the carrying out of any development on land unless:
- (a) it has considered whether the land is contaminated, and
 - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

A review of Council records does not indicate any previous historic use that would contribute to the contamination of the site. There is no evidence of the land being used for any purpose other than residential and the development does not propose a change of use. No concerns are raised in regard to contamination as relates to the intended use of the land and the requirements of clause 7.

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

The proposal is BASIX affected development to which this policy applies. In accordance with Schedule 1, Part 1, 2A of the Environmental Planning and Assessment Regulation 2000, a BASIX Certificate has been submitted in support of the application demonstrating that the proposed scheme achieves the BASIX targets.

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

STATE ENVIRONMENTAL PLANNING POLICY (VEGETATION IN NON-RURAL AREAS) 2017

Not applicable as the Vegetation SEPP regulates clearing that is not linked to development requiring consent.

2 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Part 1 Preliminary

Clause 1.4 Definitions

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

For the purposes of this Act, subdivision of land means the division of land into two or more parts that, after the division, would be obviously adapted for separate occupation, use or disposition. The division may (but need not) be effected:

- (a) by conveyance, transfer or partition, or
- (b) by any agreement, dealing, plan or instrument rendering different parts of the land available for separate occupation, use or disposition.

(EP&A Act 1979 definition)

Part 2 Permitted or prohibited development

Clause 2.2 – zoning of land to which Plan applies

The zoning map identifies the land as being zoned R2 Low Density Residential, as shown in Figure 3.

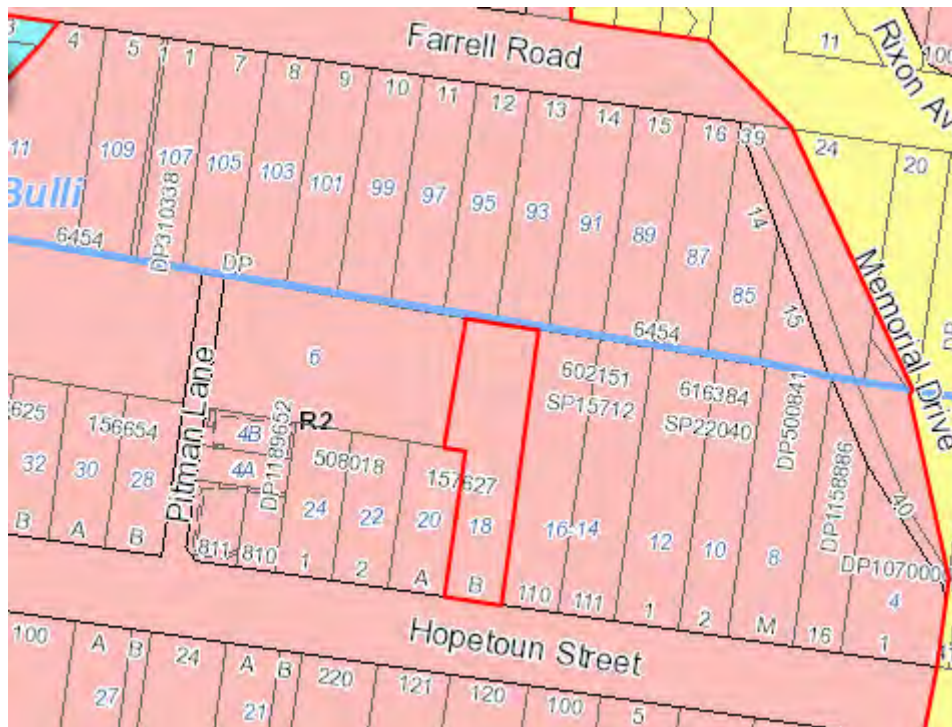


Figure 3: WLEP 2009 zoning map

Clause 2.3 – Zone objectives and land use table

The objectives of the zone are as follows:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The proposal is considered satisfactory with regard to the above objectives as it would provide for additional housing opportunities in a low density environment.

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

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

The proposal is categorised as a **Multi dwelling housing** as defined below and is permissible in the zone with development consent.

Clause 2.6 Subdivision – consent requirements

Four (4) lot Strata subdivision is sought as part of this application following the construction of the townhouses. Conditions are recommended in this regard, as provided at **Attachment 5**.

Clause 2.7 Demolition requires development consent

Consent for the demolition of the existing dwelling house and ancillary structures are sought as part of the subject application. Conditions are recommended in this regard to manage such works, including asbestos management.

Part 4 Principal development standards

Clause 4.3 Height of buildings

The proposed building height of 7.9 metres does not exceed the 9 metre maximum permitted for the site.

Clause 4.4 Floor space ratio

Maximum FSR permitted for the zone:	0.5:1	
Site area:	1279.61m ²	
	Ground Floor	223 (not including garages)
	First Floor	300.3
	Exclusions	144 (4x double garages)
	GFA	523.3 m ²
FSR:	523.3/1279.61 = 0.40:1	

The proposal is compliant.

Clause 4.6 Exceptions to development standards

The subject development seeks an exception to the minimum site width development standard for multi-dwelling housing. The applicant has submitted a Clause 4.6 exception request statement addressing the requested exception which is included as Attachment 2 to this report.

The below table outlines Council's assessment:

WLEP 2009 clause 4.6 proposed development departure assessment	
Development departure	Clause 7.14 Minimum site width
Is the planning control in question a development standard	Yes
4.6 (3) Written request submitted by applicant contains a justification:	
that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and	<p>Justification as provided by applicant:</p> <p><i>Yes, compliance with the development standard is unreasonable in the circumstances of the case given the irregular size and shape of the allotment, which tapers in width from 19.97m at the rear (northern) half of the site down to 15.24m for the front (southern) half of the site.</i></p> <p><i>The proposal involves redevelopment of the existing 1,279.61m² allotment, which is located in the R2 zone and contains an existing dwelling house.</i></p> <p><i>The site adjoins an existing medium density residential development (i.e.</i></p>

	<p><i>villas) situated immediately to the east at 16 Hopetown Street Wonoona. To the west, there is an existing three (3) storey residential flat building situated at 6 Pitman Lane which adjoins the rear half of the site, as well as a detached dwelling house located at 20 Hopetown Street that adjoins the front half of the site.</i></p> <p><i>As such, it is reasonable to assume that the site has some development potential and opportunities for amalgamation are somewhat limited.</i></p> <p><i>The proposed built form involves 4 x townhouses, with 2 x dwellings located along the western side boundary upon entry to the site, and another 2 dwellings separated and located towards the rear northern boundary. For the most part, the proposed development is evenly dispersed across the northern and southern halves of the property, with 2 dwellings located in the southern portion of the site which has a site width of 15.24 metres.</i></p> <p><i>Strict compliance in this instance is unreasonable because:</i></p> <ul style="list-style-type: none"> <i>• The proposed variation sought only relates to part of the site, with the other part exceeding the minimum 18 metres site width requirement;</i> <i>• The front portion of the site which fails to meet the minimum site width requirement (is 592.83m² and) essentially contains only 2 x dwellings with a combined gross floor area of 236.7m². Effectively, WDCP 2009 Chapter B1 provides that dual occupancies (2 x dwellings) may be permitted on land with a site width of greater than 15 metres, and therefore it is reasonable to suggest that this part of the site can contain 2 x townhouses as proposed;</i> <i>• It is reasonable to assume that based on the size and shape of the site, there is some development potential. The overall size of the land in particular would suggest multi dwelling housing capabilities should be considered for this R2 zone;</i> <i>• Existing multi dwelling housing developments are quite prominent in the immediate locality and, particularly within Hopetoun Street;</i> <i>• Strict application and compliance with the control would effectively prohibit a multi dwelling housing development being undertaken on the subject site, despite it being a permitted form of development within the R2 Low Density Residential zone;</i> <i>• The layout and siting of development appropriately responds to the site constraints;</i> <i>• The design accommodates the required building envelopes, parking, onsite manoeuvring and landscape requirements and, therefore, the site is considered to be sufficient in terms of both width and size; and</i> <i>• The development of the subject site for multi dwelling housing will not adversely impact adjoining properties by virtue of the proposed non-compliance.</i>
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	<p><i>Strict compliance in this instance is unnecessary because:</i></p> <ul style="list-style-type: none"> <i>The afore-mentioned development standard requires strict compliance across the whole of the site (generally making allowance for traditional land parcels) and does not make any allowances for irregular shapes lots such as this; and</i> <i>The development parcel has a minimum site width of between 19.97 metres and 20.863 metres across the rear portion of the site where more dwellings within the development will occur (i.e. 2 of the 4 dwellings) and, as such, we are seeking a variation for a partial shortfall due to the irregular shape of the site which tapers to only 15.24 metres for the southern front boundary (where only 2 of the 4 dwellings are to occur for the most part).</i> <p><i>Thus, deeming strict compliance with the minimum site width is unwarranted in the circumstances of this particular case</i></p>
Has the development standard been abandoned or destroyed (by Council's own actions) in departing from the standard?	<p>Justification as provided by the applicant:</p> <p><i>There are many examples within the Woonona area of approved multi dwelling residential</i></p> <p><i>developments that fail to meet the 18 metre minimum site width requirement, however, the</i></p> <p><i>development standard cannot be said to be abandoned due to the age of these developments</i></p> <p><i>and consents, which are likely to precede the current LEP.</i></p>
that there are sufficient environmental planning grounds to justify contravening the development standard.	<p>Justification as provided by applicant:</p> <p><i>Yes, there are sufficient environmental planning grounds in the circumstances of the case to justify contravening the development standard. These include:</i></p> <ul style="list-style-type: none"> <i>The site is of a sufficient width, depth and size to accommodate the proposed multi dwelling housing development, without resulting in any significant adverse impacts on the public domain or any adjoining properties;</i> <i>The scale of the proposed development is considered appropriate within the strategic planning context of the R2 Low Density Residential Zone and is consistent with the relevant zone objectives;</i> <i>The proposal satisfies the objectives and development controls in relation to minimum site width contained within Clause 5.1 of Chapter B1 of the DCP, as the site in itself is of sufficient size to accommodate the required building envelopes, parking and landscaping requirements;</i> <i>Section 5.1.2 of Chapter B1 of the DCP states that the 18 metre site width requirement can be varied for irregular shaped lots or where the development meets the requirements of setbacks, private open space, visual amenity, solar access, built form and landscaping. The proposed development satisfies the intent of all</i>

	<p><i>of the above-mentioned DCP development controls;</i></p> <ul style="list-style-type: none"> • <i>Council are seeking to encourage multi dwelling housing in the locality and this form of development is identified in the desired future character statement for Woonona in Chapter D1;</i> • <i>The Illawarra Shoalhaven Regional Plan identifies the need for 14,600 additional new homes within the Wollongong LGA by 2036. The proposed development would directly contribute to this target and provide housing to meet the needs of the community;</i> • <i>Non-compliance with the minimum site width development standard will not result in any adverse environmental impacts, nor create any additional residential amenity impacts to that which would be created if strict compliance could be achieved;</i> • <i>The proposed development has been well designed and will contribute to the creation of a vibrant and modern infill development in close proximity to shops, schools, recreation facilities and services; and</i> • <i>The development as proposed will allow for the orderly and economic use of the subject land.</i>
3.4 Is the proposed development in the public interest because it is consistent with the underlying intent of the development standard and then objectives for development in the zone?	<p>3.4.1 Objectives of the minimum site width development standard</p> <p>There are no stated objectives within the WLEP 2009, with respect to site width</p> <p>3.4.2 Objectives of the minimum site width requirement in the DCP</p> <p>The objectives for minimum site width contained in Clause 5.1.1 of Chapter B1 the WDCP 2009 are as follows:</p> <p>(a) To allow for development of sites which are of sufficient size to accommodate the required building envelope, car parking and landscaping requirements;</p> <p>(b) To encourage amalgamation of allotments to provide for improved design outcomes.</p> <p><i>The site has been limited opportunity for further amalgamation and the site in itself forms a development parcel that is sufficient in size to accommodate the building envelopes, car parking, on-site manoeuvring and landscape requirements. In this regard, it complies with both of the above-mentioned objectives.</i></p>
Does contravening the development standard raise any matters of significance for the State or regional environmental planning?	No, contravening the development standard in this case does not raise any matters of State or regional planning significance.
How would strict compliance hinder the	<p>The objectives set down in Section 1.3 (a) and (c) are as follows:</p> <p>(a) to promote the social and economic welfare of the community and a</p>

attainment of the objectives specified in Section 1.3 (a) and (c) of the Act?	<p>better environment by the proper management, development and conservation of the State's natural and other resources;</p> <p>(c) to promote the orderly and economic use and development of land;</p> <p><i>Compliance with the standard would not hinder the attainment of the above-mentioned objectives, which aim to encourage development that promotes the social and economic welfare of the community and a better environment, and co-ordinate the orderly and economic use of land.</i></p> <p><i>The development as proposed is consistent with these objectives as it allows for the orderly and economic use of the land.</i></p> <p><i>Strict compliance with the development standard would require refusal of the proposed multi dwelling housing development, which is inconsistent with the above objectives as it would unreasonably restrict the development potential of the site.</i></p>
Is there public benefit in maintaining the development standard?	<p><i>Broadly speaking, there is public benefit in maintaining the development standard across the LGA as it encourages amalgamation and requires sites to be of a sufficient width to accommodate multi dwelling housing development.</i></p> <p><i>However, fundamentally it does not allow for any variations for irregular shaped lots such as this, which generally comply with the development standard across a large portion of the site in the location where the majority of dwellings will occur. There is limited opportunity for site amalgamation with adjoining properties, and no appreciable public benefit to maintain the development standard in this particular instance.</i></p>
Is the objection well founded?	<p>For the reasons outlined in the previous sections above, the objection is considered to be well founded in this particular instance due to the irregular shape of the development parcel. Granting an exception to the development standard can therefore be supported in the circumstances of the case.</p> <p>The proposed development will be consistent with the outcomes envisaged in the zoning and policy framework. The development is also compatible with the relevant objectives specified in Section 1.3 of the EPAA 1979.</p>
Concluding Statement	<p>The proposed variation is based on the reasons contained within this formal request for an exception to the 18 metre minimum site width development standard. The proposal will not result in any unreasonable adverse impacts with regards to the amenity of the adjoining properties.</p> <p>A development strictly complying with the numerical standard would not significantly improve the amenity of surrounding development, as the proposed development is evenly dispersed across the portions of the land that are under and over the minimum 18 metres site width (i.e. 2 x dwellings in the northern section and 2 x dwellings in the southern section).</p> <p>The proposed non-compliance is unlikely to result in any future precedents given the surrounding pattern of development and the combination of zoning and other associated controls currently in place.</p>

	<p>More specifically, the shape of the subject site is irregular and the considerations relative to varying this development standard are specific to the proposed development outcome and the environmental setting within which the site is situated.</p> <p>In conclusion, the objection is considered to be well founded and compliance with the standard is both unreasonable and unnecessary in the circumstances of the case.</p>
4.6 (4) (a) Consent authority is satisfied that:	
the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and	The statement submitted by MMJ (Attachment 3) is considered to have adequately addressed the matters required to be demonstrated, in that compliance to the development standard is unnecessary or unreasonable in the circumstances of the case.
the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and	<p>The statement is considered to demonstrate that the proposed development will be in the public interest because it is consistent with the objectives of the standard as outlined by the applicant:</p> <p>The objectives set down in Section 1.3 (a) and (c) of the Environmental Planning and Assessment Act 1979 are as follows:</p> <p><i>(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources;</i></p> <p><i>(c) to promote the orderly and economic use and development of land; Compliance with the standard would not hinder the attainment of the above-mentioned objectives, which aim to encourage development that promotes the social and economic welfare of the community and a better environment, and co-ordinate the orderly and economic use of land.</i></p> <p>The development as proposed is consistent with these objectives as it allows for the orderly and economic use of the land. Strict compliance with the development standard would require refusal of the proposed multi dwelling housing development, which is inconsistent with the above objectives as it would unreasonably restrict the development potential of the site.</p> <p>The development is considered to achieve the WDCP 2009 objectives for minimum site width controls and the objectives of the R2 zone. Notwithstanding the non-compliance, the proposed exception to minimum site width is considered appropriate.</p>
the concurrence of the Secretary has been obtained.	Referral to the Department of Planning is not required (Planning Circular PS 18-003 issued 21 February 2018) as the LPP assumes the Secretary's concurrence.

Part 5 Miscellaneous provisions

Clause 5.10 Heritage conservation

The subject site adjoins Local Heritage Item No. 6182, being Houses at 87-101 Farrell Road, Bulli, as demonstrated by Figure 4 below.



Figure 4: WLEP 2009 Heritage Mapping

Councils Heritage Officer considered the previous proposal with regard to the resultant impact on the adjoining item, and advised that the development would not be expected to result in unreasonable impacts on the heritage significance of the item.

It was considered that a referral of the amended proposal was not required due to the response of the original referral.

Part 7 Local provisions – general

Clause 7.1 Public utility infrastructure

The existing site is serviced by electricity, water and sewage services. The fire hydrant is located within the road reserve at the front of the property.

Clause 7.5 Acid sulfate soils

The subject site is identified as potentially affected by Class 5 Acid Sulfate Soils. The site is not located within 500m of any adjoining Classes of soils and is not expected to result in any impacts on the water table. As such, an Acid Sulfate Soils Management Plan is not required in this case. Conditions are recommended in this regard.

Clause 7.6 Earthworks

The proposal comprises minor earthworks associated with the construction of the development. Conditions are recommended in this regard.

Clause 7.14 Minimum site width

Refer to Clause 4.6 exception above. The proposal involves an exception to the site width requirement of 18m wide. The site has a dimension of less than 18 metres (15.24m at street frontage); however, the rear of the site does exceed the minimum requirements of this clause.

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

None applicable.

3 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

CHAPTER B1 RESIDENTIAL DEVELOPMENT

5.0 Attached dwellings and multi -dwelling housing

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<u>5.1 Minimum Site Width Requirement</u> A minimum site width of 18 metres is required for multi-dwelling development No isolated lots are created as a consequence of the development	<p>The proposal has a variation to this requirement as discussed within Clause 7.14 of the Wollongong Local Environmental Plan 2009 and subsequent Clause 4.6 Justification Statement.</p> <p>The site is non-compliant for a portion facing the street and widens towards the rear. It is considered that the development is acceptable following the assessment of the Clause 4.6 Justification Statement provided by the applicant.</p> <p>The proposal does not create an isolated lot as a consequence of the development. It is considered that the proposal satisfies the development controls in this regard.</p>	No – Variation supported.
<u>5.2 Number of Storeys</u> 2 storeys within the R2 low Density Residential zone	The proposal is 2 storeys.	Yes
<u>5.3 Front Setbacks</u> 6 metre setback from the front boundary to front façade Balconies, front courtyard fences and other building extrusions may be setback 900mm closer than the required front setback.	<p>The front building façade is setback 9.1 metres from the front boundary.</p> <p>The proposal does provide a private courtyard in front of the building, which is setback 5.25 metres from the front boundary with landscaping and screening provided. The proposed courtyard fence is 700mm closer to the front boundary than the required front setback which complies with the development controls within this chapter.</p> <p>It is considered that the proposal is satisfactory in this instance</p>	Yes

5.4 Side and Rear Setbacks

Required
Unit 1
East:
Ground Floor: 1.6m
First Floor: 4.2m
West:
Ground Floor: 1.6m
First Floor: 4.2m
Unit 2
East:
Ground Floor: 2.2m
First Floor: 4.2m
West:
Ground Floor: 2.2m
First Floor: 4.2m
Unit 3
West:
Ground Floor: 2.4m
First Floor: 4.14m
North (rear):
6m
Unit 4
East:
Ground Floor: 2.4m
First Floor: 4.14m
North (rear):
6m

Provided
Unit 1
East:
Ground Floor: 5.1m
First Floor: 5.2m
West:
Ground Floor: 2.2m
First Floor: 4.4m
Unit 2
East:
Ground Floor: 4.86m
First Floor: 4.86m
West:
Ground Floor: 2.2m
First Floor: 4.4m
Unit 3
West:
Ground Floor: 2.46m
First Floor: 4.2m
North (rear):
6m
Unit 4
East:
Ground Floor: 2.46m
First Floor: 4.14m
North (rear):
6m

Yes

5.5 Building Character and Form

Unit 1 has the POS and habitable rooms facing the street frontage.

The dwellings provide articulation and different building materials have been utilised.

Car parking is provided and screened

Yes

5.6 Access / Driveway Requirements

Crossover and driveway widths relating must comply with the following:

Table 1: Crossover and driveway widths

No. Dwellings	Crossover Width	Driveway Width
1 to 2	Minimum 2.75m	Minimum 2.75m
3 to 5	3 –4m combined	Minimum 3m

5.7 Car Parking Requirements

Required:

Units require 2 car parking spaces (8)

Visitors Carparking Required $0.2 = 1$

Car parking must be located behind the building setback and be screened from view with well-designed structures and vegetation.

5.8 Landscaping Requirements

1. A minimum of 30% of the total site area must be provided as landscaped area. Any landscaped area on the site which is less than 1.5 metres in width is not included within the landscaped area calculations.

Any landscaped or grassed areas within the front setback area will be included in the landscaped area calculations.

The required landscaped area must include a minimum 1.5 metre wide landscaping bed, which is provided along the side and rear boundaries of the site.

from the streetscape.

The proposal is considered to satisfy the built form requirements.

The proposal has an existing crossover on Hopetoun Street. The proposed driveway is designed to provide safe access for passing for the first six metres of the driveway.

The driveway is provided with a compliant landscaping strip 1.5 metres wide to the eastern side, which will be planted to afford amenity for the adjoining neighbour.

There is adequate manoeuvring area within the site for the vehicles to enter and exit the site in a forward direction.

The application has also been reviewed by Council's Traffic Officer and no objections were raised subject to recommended conditions.

Total carparking provided: 10

All units have double garages (8 spaces in total)

Visitor Car Space – 1 x open car space.

Motorcycle Space – 1 x open motorcycle space.

Bicycle –provided

30% required & 30% provided

Deep Soil zone provided in the rear 6 metres of the site for the full length of the boundary.

1.5 metre wide landscaping bed is provided along the sides and rear boundaries of the site.

Council's Landscape officer has reviewed the proposal and provided advice, which has been addressed by the applicant and conditioned for.

Yes

Yes

Yes

Yes

Yes

<p><u>5.9 Deep Soil Zone Planting</u></p>	<p>A compliant area of deep soil zone is located across the rear of the site and has a minimum depth of 6 metres.</p> <p>Council's Landscape officer has reviewed the proposal and provided advice, which has been addressed by the applicant and conditioned for.</p>	<p>Yes</p>
<p><u>5.10 Communal Open Space</u></p>	<p>Communal open space is required for developments with more than 10 dwellings. The proposal is for four dwellings.</p>	<p>N/A</p>
<p><u>5.11 Private Open Space</u></p>	<p>Private open space is provided in the form of a level courtyard for each dwelling directly connected to the living areas and measuring 4m x 5m. It is considered that the POS is of sufficient size to accommodate a range of uses being accessible and connected to a living area.</p> <p>The POS is also setback 1.5m from the side boundaries. 70% of the dwellings within the development are behind the front building line. Unit 1 POS is setback beyond the 6 metre front building setback, despite being 2.75m forward of the most forward portion of the building it considered to satisfy the development controls.</p> <p>Fencing/privacy screening is provided for the POS between each unit.</p> <p>The POS for 3 of the 4 dwellings (75%) will receive the minimum 3 hours of direct sunlight between 9am to 3pm on June 21 compliant with the minimum 70% required.</p>	<p>Yes</p>
<p>1. Private open space must be provided for each dwelling within an attached dwelling development in the form of a balcony, courtyard, terrace and/or roof garden.</p> <p>2. Private open space for each dwelling within an attached dwelling housing development must comply with the following:</p> <p>(a) Private open space must be provided at the ground level or podium level. The courtyard or terrace must have a minimum dimension of 4 metres x 5 metres. This area must be separated from boundaries by at least 1.5 metres with a vegetated landscaping bed and must not encroach upon deep soil zone landscaping areas. Where a level courtyard is not possible, a deck or split level courtyard must have a minimum depth of 3 metres.</p> <p>(b) The primary private open area of at least 70% of the dwellings within a multi dwelling housing development must receive a minimum of three hours of direct sunlight between 9.00am and 3.00pm on June 21.</p> <p>(c) Private open space areas (courtyards) must not extend forward of the front building setback by greater than 900mm.</p> <p>(d) Private open space should be sited in a location, which provides privacy, solar access, and pleasing outlook and has a limited impact upon adjoining neighbours.</p> <p>(e) Design private open</p>		

spaces so that they act as direct extensions of the living areas of the dwellings they serve.		
(f) Clearly define private open space through use of planting, fencing or landscaping features.		
(g) Screen private open space where appropriate to ensure privacy.		
<u>5.13 Additional Control for Multi Dwelling Housing - Dwelling Mix and Layout</u>	This is control is applicable for development with 10 or more dwellings therefore not applicable for this proposal.	N/A
<u>5.14 Additional Control for Multi Dwelling Housing - Adaptable Housing</u>	Adaptable housing is required where there are 6 or more dwellings in the development. The proposal comprises of 4 dwellings and such adaptable housing is not required.	N/A
<u>5.15 Additional Control for Multi Dwelling Housing – Crime Prevention through Environmental Design</u>	Refer to discussion of CPTED in Chapter E2	Yes

CHAPTER D1 – CHARACTER STATEMENTS

Woonona

Desired Future Character

“Woonona is likely to experience continued growth as a result of the developing residential release areas as well as the replacement of older dwelling stock with larger dwelling-houses. Woonona should remain a relative low density residential suburb, except for along the Princes Highway and in close proximity to Woonona railway station where medium density housing in the form of townhouses and residential flat buildings will be encouraged”.

“For the central and western parts of Woonona, dwelling-houses and medium density housing should be of a face brickwork wall construction with pitched tile or colourbond roof forms preferred.”

Woonona – Character.

Although the future character of Woonona desires medium density be of face brickwork wall construction with pitched tile or colorbond roof forms, the upper storey of the proposed development utilises cladding with a skillion roof form. The proposal does provide brick on the lower floor, which is consistent with the objectives of the future desired character of the area. Moreover, consideration has also been given to the growth of Woonona, choice of housing types and how this proposed development achieves the key objectives of Chapter D1.

The development is considered not to detract from the existing character of Woonona and is compatible with the overarching desired character of Woonona.

CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

<i>Control/objective</i>	<i>Comment</i>	<i>Compliance</i>
<u>3.1 Lighting</u>	Indicative lighting details have been proposed.	Yes

<u>3.2 Natural surveillance and sightlines</u>	The dwellings have been designed to provide natural surveillance within the site with windows of habitable room looking into the driveway/car parking area and the street. The design of the development provides for passive surveillance and good sightlines to the entries of each unit.	Yes
<u>3.3 Signage</u>	No specific signage has been proposed for the development however, it is considered the proposed parking for the site is clearly visible close to where the dwellings are located.	Yes
<u>3.4 Building design</u>	The design of the dwellings has the entries clearly defined and easily identifiable. No blank walls are proposed. Overall it is considered the proposal minimises the potential areas for entrapment and provides for casual surveillance internally within the site.	Yes
<u>3.5 Landscaping</u>	Landscaping proposed within the front building line and along the driveway generally comprises of lawn area, low shrubs such that entry points and windows will not be obscured.	Yes
<u>3.6 Public open space and parks.</u>	The proposal does not adjoin public open space/park.	N/A
<u>3.7 Community facilities and public amenities</u>	The proposal is for a multi dwelling development.	N/A
<u>3.8 Bus stops and taxi ranks</u>	The proposal does not relate to a bus stop/taxi rank.	N/A

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

Access and parking is provided in accordance with this Chapter. Council's Traffic Officer has no objections subject to recommended conditions.

The proposal provides a total of 8 garaged car parking spaces and 1 hardstand spaces being a visitor car space. The number of spaces provided for the proposal complies with the requirements in this chapter. There is adequate manoeuvring area within the site for the vehicles to enter and exit the site in a forward direction.

Council's Traffic Officer is satisfied that traffic and car parking demand generated by the proposed development is unlikely to impact adversely on local traffic. The access design and car parking provision meets AS2890.1 and Council requirements.

CHAPTER E6: LANDSCAPING

Proposed landscaping is compliant with the requirements of this Chapter. Council's Landscape officer has reviewed the application and provided satisfactory referral advice with the imposition of conditions including compensatory planting.

CHAPTER E7: WASTE MANAGEMENT

A Demolition Plan and Site Waste Minimisation and Management Plan provided as required by this Chapter outlining ways to minimise and manage waste during demolition/construction and operational waste.

CHAPTER E14 STORMWATER MANAGEMENT

Stormwater from the development is proposed to be collected in rainwater tanks and discharged to the kerb via an OSD system. Council's Development Engineering officer has assessed the application and is satisfied. The proposed easement is subject to finalisation, and as such the development is recommended for approval as deferred commencement subject to the formalisation of the easement.

CHAPTER E17 PRESERVATION AND MANAGEMENT OF TREES AND VEGETATION

The proposal includes the removal of three exempt species and the application was referred to Council's Landscape Officer and satisfactory referral advice was provided.

CHAPTER E19 EARTHWORKS (LAND RESHAPING WORKS)

The proposal involves minimal earthworks to prepare the site for the development.

CHAPTER E20 CONTAMINATED LAND MANAGEMENT

No concerns are raised in regard to contamination. See Section 2.1.1.

CHAPTER E21 DEMOLITION AND HAZARDOUS BUILDING MATERIALS MANAGEMENT

The proposal involves demolition of all structures on site and a Site Waste Management Plan has been submitted. Standard demolition and asbestos management conditions will be imposed on any consent to be issued.

CHAPTER E22 SOIL EROSION AND SEDIMENT CONTROL

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

4 OTHER POLICIES

WOLLONGONG DEVELOPMENT CONTRIBUTIONS PLAN 2018

The estimated cost of works is >\$200,000 (\$1,030,000) and a levy is applicable under this plan as the threshold value is \$200,000.

5 FURTHER CONSIDERATIONS UNDER THE ACT

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

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

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

92 What additional matters must a consent authority take into consideration in determining a development application?

Conditions of consent will be imposed with regard to demolition.

93 Fire safety and other considerations

Not applicable.

94 Consent authority may require buildings to be upgraded

Not applicable

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

Context and Setting:

The proposal is a contemporary design; however the area is characterised by a mix of single storey, two storey dwelling-houses as well as townhouses and residential flat buildings of traditional and contemporary construction. It is likely the older housing stock will be modernised over time. The contemporary form is acceptable taking into account compliant height, number of storeys, floor space ratio, and required setbacks (front, rear, side) to the building.

Access, Transport and Traffic:

The development provides for the required number of car parking spaces and manoeuvring. Council's Traffic officer has considered the development with regard to impacts on the wider traffic network, and raised no objections to the proposal.

Public Domain:

The development is considered unlikely to result in impacts on the public domain with regard to the bulk and scale.

Utilities:

The proposal would not be envisaged to place an unreasonable demand on utilities supply.

Heritage:

The site is not located in the visual catchment of any nearby heritage items.

Other land resources:

The proposal would not be envisaged to impact upon valuable land resources.

Water:

The site is presently serviced by Sydney Water, which could be readily extended to meet the requirements of the proposed development.

The proposal would not be envisaged to have unreasonable water consumption.

Soils:

The proposal would not be expected to result in negative impact on soils.

Air and Microclimate:

The proposal would not be expected to result in negative impact on air or microclimate.

Flora and Fauna:

Councils Landscape Officer has considered the proposed development and raised no objection subject to conditions. Conditions are recommended with regard to tree removal including compensatory planting.

Waste:

A condition will be attached to any consent granted that an appropriate receptacle be in place for any waste generated during the construction.

Energy:

The proposal would not be expected to have unreasonable energy consumption. A BASIX Certificate has been provided. See Section 2.1.3.

Noise and vibration:

A condition will be attached to any consent granted, that nuisance be minimised during any construction, demolition, or works.

Natural hazards:

There are no natural hazards identified on site that would preclude the proposed development.

Technological hazards:

There are no technological hazards identified on site that would preclude the proposed development.

Safety, Security and Crime Prevention:

There are no concerns with regard to safety and security.

Social Impact:

The proposal would not be envisaged to result in negative social impacts.

Economic Impact:

The proposal is not expected to create negative economic impact.

Site Design and Internal Design:

The application has an exception to the site width requirement of WLEP 2009 with regard to development standards. It is considered that the exception is allowable in this instance, as discussed in the body of this report.

Site design, manoeuvring and internal design are considered to be satisfactory.

Construction:

Conditions of consent are recommended in relation to construction impacts such as hours of work, erosion and sedimentation controls, works in the road reserve, excavation, demolition and use of any crane, hoist, plant or scaffolding.

A condition would be attached to any consent granted that all works are to be in compliance with the Building Code of Australia.

Cumulative Impacts:

Considering the matters outlined throughout this report, the proposal is considered unlikely to result in adverse cumulative impacts.

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

Does the proposal fit in the locality?

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

Are the site attributes conducive to development?

There are no site constraints that would prevent the proposal.

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

See WLPP Report **Section 3**

SECTION 4.15(1)(E) THE PUBLIC INTEREST

The application is not expected to have any unreasonable impacts on the environment or the amenity of the locality. It is considered appropriate with consideration to the zoning and the character of the area and is therefore considered to be in the public interest.

Attachment 5: Conditions

- (i) **The Development Consent shall not operate until Council has been satisfied as to the following matters:**

a **Deferred Commencement - Registered Easement**

The developer must obtain a minimum 1 metre wide easement to drain stormwater over Lot 13 DP 6454 (No 93 Farrell Road, Bulli) and connect into Farrell Road (kerb and gutter) to benefit existing Lot B DP 157627.

The easement alignment, width, and extent must be sufficient to enable access, construction, and repair of the proposed pipeline within the easement, and shall encompass the full extent of the proposed pits and pipe. Evidence that the easement has been registered with the NSW Land and Property Information Office, and engineering certification that the easement alignment, width, and extent satisfies the requirements of this condition, must be submitted to Council.

- (ii) The developer must satisfy Council, within 12 months of the date shown on the top of this consent, that the matters specified in condition number (i) have been complied with. Failure to satisfy Council within that time period will lapse this development consent.
- (iii) If compliance with the matters contained in condition number (i) results in a substantial variation to the development approved deferred commencement, a new development application must be submitted.

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

Approved Plans and Specifications

- 1 The development shall be implemented substantially in accordance with the details and specifications set out on Job No. 20180029 Sheets 3 to 11, 13 to 17 Issue E dated 19 May 2019 prepared by Ingenuity Home Design 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 **Occupation Certificate**

An Occupation Certificate must be issued by the Principal Certifying Authority prior to occupation or use of the development. In issuing an Occupation Certificate, the Principal Certifying Authority 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.

3 **Mailboxes**

The developer must install mailboxes along street frontage of the property boundary in accordance with Australia Post Guidelines. Prominent house numbers are to be displayed, with a minimum number size of 150 mm in height for each number and letter in the alphabet. The developer must install minimum two (2 No.) reflective paint house number on face of kerb along street frontage of the property to assist emergency services/ deliveries/ visitors.

4 **Tree Retention / Removal**

The developer shall retain the existing tree(s) indicated on the Landscape plan DA-1507/1 13/02/19 Revision C by Captivate Landscape Design consisting of tree numbered 2, 3, 4, 5, 6, 7 and 8.

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 AS4790-2009 Protection of Trees on development Sites.

All recommendations in Arborist's Report by Allied Tree Consultancy, Warwick Varley April 2018 page no. 11-18 to be implemented including and not restricted to: remedial tree pruning, deadwooding, fencing and signage, sediment buffer, stem protection, establishing tree protection zones and watering and root hormone application if required.

This consent permits the removal of trees numbered 1, A,B,C and D as indicated on the Arborist's Report by Allied Tree Consultancy, Warwick Varley April 2018 page no. 7. No other trees shall be removed without prior written approval of Council.

Prior to the Issue of the Construction Certificate

5 Flows from Adjoining Properties

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

6 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 Certifying Authority 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.

7 Fencing

The development is to be provided with fencing and screen walls at full cost to the applicant/developer as follows:

- a) where a screen wall faces the road, pedestrian walkway, reserve or public place that wall shall be constructed of the same brickwork as that used in the external wall of the building; and
- b) rear and side property boundaries (behind the building line) and private rear courtyards are to be provided with minimum 1.8 metre high brick, timber lapped and capped or colorbond fences.

This requirement is to be reflected on the Construction Certificate plans.

8 Car Parking and Access

The development shall make provision for a total of 9 car parking spaces, 2 secure (Class B) residential bicycle spaces and 1 visitor bicycle space (Class C). This requirement shall be reflected on the Construction Certificate plans. Any change in the above parking numbers shown on the approved DA plans shall be dealt with via a section 96 modification to the development. The approved parking spaces shall be maintained to the satisfaction of Council, at all times.

- 9 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.**

10 Structures Adjacent to Driveway

Any proposed structures adjacent to the driveway shall comply with the requirements of the current relevant Australian Standard AS2890.1 (figure 3.2 and 3.3) to provide for adequate pedestrian and vehicle sight distance. This includes, but is not limited to, structures such as signs, letterboxes, retaining walls, dense planting etc. This requirement shall be reflected on the Construction Certificate plans.

- 11 A change in driveway paving is required at the entrance threshold to clearly show motorists they are crossing a pedestrian area. This requirement shall be reflected on the Construction Certificate plans and any supporting documentation.**

- 12 The depth and location of all services (ie gas, water, sewer, electricity, telephone, traffic lights, etc) must be ascertained and reflected on the Construction Certificate plans and supporting documentation.
- 13 The submission of certification from a suitably qualified and experienced landscape designer and drainage consultant to the Principal Certifying Authority prior to the release of the Construction Certificate, confirming that the landscape plan and the drainage plan are compatible.
- 14 **Engineering Plans and Specifications - Retaining Wall Structures Greater than 1m**
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. 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 Sn 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 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 and footing structure must be contained wholly within the subject property;
 - e The proposed method of subsurface and surface drainage, including water disposal;
 - f Reinforcing and joining details of any bend in the wall at the passing bay of the accessway;
 - g The assumed loading used by the engineer for the wall design.
 - h 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.
- 15 **Roof Water 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.
- 16 **Bicycle Parking Facilities**
Bicycle parking facilities must have adequate weather protection and provide the appropriate level of security as required by the current relevant Australian Standard AS2890.3 - Bicycle Parking Facilities. In the absence of internal bicycle storage areas in private residential garages, the proposed external bicycle spaces are to have adequate weather protection, passive surveillance, and be secured within a lockable enclosure with access via a combination lock or communal key. This requirement shall be reflected on the Construction Certificate plans.
- 17 **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.

18 **Sizing of Drainage**

All roof gutters, downpipes, pits, and pipelines draining roof areas and other impervious surfaces with no deliberate overflow path to the on-site stormwater detention (OSD) facility, shall be designed to cater for a 1 in 100 year ARI storm event in accordance with AS 3500.3 – Plumbing and Drainage (Stormwater Drainage). Details of gutter/downpipe/pipeline sizes and locations shall be reflected on the Construction Certificate plans.

19 **Stormwater Drainage Design**

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

- a Be prepared by a suitably qualified civil engineer in accordance with Chapter E14 of Wollongong City Council's Development Control Plan 2009, Subdivision Policy, conditions listed under this consent, and generally in accordance with the Concept Drainage Plans, prepared by Add Design and Consulting Engineers, Reference No. 17/298 Sheets 1 to 4 , revision 7, dated 11/2017.
- b Include details of the method of stormwater disposal. Stormwater from the development must be piped to Council's existing stormwater drainage system.
- c Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified engineer and be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties. The plan must indicate the method of disposal of all stormwater and must include rainwater tanks, existing ground levels, finished surface levels on all paved areas, estimated flow rates, invert levels and sizes of all pipelines.
- d Overflow paths shall be provided to allow for flows of water in excess of the capacity of the pipe/drainage system draining the land, as well as from any detention storage on the land. Blocked pipe situations with 1 in 100 year ARI events shall be incorporated in the design. Overflow paths shall also be provided in low points and depressions. Each overflow path shall be designed to ensure no entry of surface water flows into any building and no concentration of surface water flows onto any adjoining property. Details of each overflow path shall be shown on the detailed drainage design.

20 **On-Site Stormwater Detention (OSD) Design**

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

- a Must be prepared by a suitable qualified engineer in accordance with Chapter E14 of the Wollongong DCP 2009.
- b Must include details of the Site Storage Requirement (SSR) and Permissible Site Discharge (PSD) values for the site in accordance with Section 12.2.4 of Chapter E14 of the Wollongong DCP2009.
- c The OSD facility must be designed to withstand the maximum loadings occurring from any combination of traffic (with consideration to residential and heavy vehicles), hydrostatic, earth, and buoyancy forces. Details must be provided demonstrating these requirements have been achieved.
- d The OSD facility shall incorporate a minimum 900mm x 900mm square lockable grate for access and maintenance purposes, provision for safety, debris control screen, and a suitably graded invert to the outlet to prevent ponding.

- e Must include discharge control calculations (i.e. orifice/weir calculations) generally in accordance with Section 12.2.6 and 12.5.4 of Chapter E14 of the Wollongong DCP2009.
 - f Details of the orifice plate including diameter of orifice and method of fixing shall be provided.
 - o Must include details of a corrosion resistant identification plaque for location on or close to the OSD facility. The plaque shall include the following information and shall be installed prior to the issue of the occupation certificate: The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.
 - Identification number DA-2019/1032
 - Any specialist maintenance requirements.
 - g Must include a maintenance schedule for the OSD system, generally in accordance with Chapter E14 of the Wollongong DCP2009.
- 21 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 Certifying Authority prior to release of the Construction Certificate.
- 22 The developer must make compensatory provision for the trees required to be removed as a result of the development. In this regard, TWO 100 litre container mature plant stock shall be placed along the NORTHERN property boundary of the site. The suggested species are Melaleuca Styphelioides. Details are to be shown on the plans submitted with the Construction Certificate.
- 23 **Street Trees**
- The developer must address the street frontage by installing street tree planting. The number and species for this development is One Glochidion Ferdinandi 200 litre container size, in accordance with AS 2303:2015 Tree stock for landscape use. Street trees are to be installed in accordance with Wollongong Development Control Plan 2009 – Chapter E6: Landscaping. ‘Dial Before You Dig’ must be consulted prior to any excavation on site. Pot holing must be carried out to determine service location. Tree pits must be adequately mulched, plants installed and staking installed to the satisfaction of WCC Manager of Works. Staking is to consist of min. 3 x 2400 x 50 x 50mm hardwood stakes driven min 600mm into firm ground. Hessian webbing is to be utilised to secure plant stock to industry standard.

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

- 24 **Development Contributions**
- Pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979 and the Wollongong City-Wide Development Contributions Plan (2018), a monetary contribution of \$10,300.00 (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:

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

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	http://www.wollongong.nsw.gov.au/applicationpayments Your Payment Reference: 1023609	<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 (2018) 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

Prior to the Commencement of Works

25 Sign – Supervisor Contact Details

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

- stating that unauthorised entry to the work site is not permitted;
- showing the name, address and telephone number of the Principal Certifying Authority for the work; and
- 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.

26 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 standard flushing toilet; and
- connected to either:
 - the Sydney Water Corporation Ltd sewerage system or
 - an accredited sewage management facility or
 - an approved chemical closet.

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

27 Enclosure of the Site

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

- 28 **Demolition Works**
The demolition of the existing structures 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 Certifying Authority. 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.
- 29 **Demolition Notification to Surrounding Residents**
Demolition must not commence unless at least 2 days written notice has been given to adjoining residents of the date on which demolition works will commence.
- 30 **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.
- 31 **Survey Report – Siting of Development within Property Boundaries**
A survey report prepared by a registered surveyor is required to be submitted to the Principal Certifying Authority to ensure that the proposed development is located on the correct allotment and at the approved distances from the boundary. This must be verified by pegging the site prior to commencement of works.
- 32 **Application for Occupation, Use, Disturbance or Work on Footpath/Roadway**
Any occupation, use, disturbance or work on the footpath or road reserve for construction purposes, which is likely to cause an interruption to existing pedestrian and / or vehicular traffic flows requires Council consent under Section 138 of the Roads Act 1993. An application must be submitted and approved by Council prior to the works commencing where it is proposed to carry out activities such as, but not limited to, the following:
- (a) Digging or disruption to footpath/road reserve surface;
 - (b) Loading or unloading machinery/equipment/deliveries;
 - (c) Installation of a fence or hoarding;
 - (d) Stand mobile crane/plant/concrete pump/materials/waste storage containers;
 - (e) Pumping stormwater from the site to Council's stormwater drains;
 - (f) Installation of services, including water, sewer, gas, stormwater, telecommunications and power;
 - (g) Construction of new vehicular crossings or footpaths;
 - (h) Removal of street trees;
 - (i) Carrying out demolition works.
- 33 **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, 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.

34 **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 m cyclone chainmesh fence, with posts and portable concrete footings;
- b) installation of Tree Protection Fencing - A one (1) metre high exclusion fence must be installed around the extremity of the dripline of the tree/trees to be retained prior to any site works commencing. The minimum acceptable standard is a 3 strand wire fence with star pickets at 1.8 metre centres. This fence must be maintained throughout the period of construction to prevent any access within the tree protection area;
- c) mulch Tree Protection Zone: Areas within a Tree Protection Zone are to be mulched with minimum 75 mm thick 100% recycled hardwood chip/leaf litter mulch;
- d) irrigate: Areas within the Tree Protection Zone are to be regularly watered in accordance with the arborist's recommendations.

The tree protection fencing shall be installed prior to the commencement of any demolition, excavation or construction works and shall be maintained throughout the entire construction phases of the development.

35 **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.

36 **Protection of Public Infrastructure**

Council must be notified in the event of any existing damage to any of its infrastructure such as the road, kerb and gutter, road shoulder, footpath, drainage structures and street trees fronting the development site, prior to commencement of any work.

Adequate protection must be provided for Council infrastructure prior to work commencing and during building operations.

Any damage to Council's assets shall be made good, prior to the issue of any Occupation Certificate or commencement of the operation.

During Demolition, Excavation or Construction

37 **Piping of Stormwater to Existing Stormwater Drainage System**

Stormwater for the land must be piped to the stormwater drainage system.

38 **No Adverse Run-off Impacts on Adjoining Properties**

The design 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.

39 **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 Certifying Authority 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.

40 **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>).

41 **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 Certifying Authority, and a copy submitted to Council (in the event that Council is not the Principal Certifying Authority), prior to commencement of the construction works.

42 **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.

43 **Copy of Consent to be in Possession of Person carrying out Tree Removal**

The developer must ensure that any person carrying out tree removal clearance is in possession of this development consent and the approved landscape plan, in respect to the trees which have been given approval to be removed in accordance with this consent.

44 **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

45 **Drainage**

The developer must obtain a certificate of Hydraulic Compliance (using Council's M19 form) from a suitably qualified civil engineer, to confirm that all stormwater drainage and on-site detention works have been constructed in accordance with the approved plans. In addition, full works-as-executed plans, prepared and signed by a Registered Surveyor must be submitted. These plans and certification must satisfy all the stormwater requirements stated in Chapter E14 of the Wollongong DCP2009. This information must be submitted to the Principal Certifying Authority prior to the issue of the final Occupation Certificate.

46 A Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development/release of the plan of subdivision.

47 **Restriction on use – On-site Detention System**

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

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

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

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

48 **Retaining Wall Certification**

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

49 **Positive Covenant – On-Site Detention Maintenance Schedule**

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

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

50 **On-Site Detention – Structural Certification**

The submission of a certificate from a suitably qualified practising civil and/or structural engineer to the Principal Certifying Authority is required prior to the issue of the final Occupation Certificate. This certification is required to verify the structural adequacy of the on-site detention facility and that the facility has been constructed in accordance with the approved Construction Certificate plans.

51 **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

51 **Occupation Certificate Prior to Subdivision Certificate**

An Occupation Certificate for the dwelling/s must be issued prior to the release of the Subdivision Certificate for the Torrens Title subdivision. A copy of the Occupation Certificate shall be lodged to Council with the subdivision certificate application.

52 **Existing Easements**

All existing easements must be acknowledged on the final subdivision plan.

53 **Existing Restriction as to Use**

All existing restriction on the use of land must be acknowledged on the final subdivision plan.

- 54 **Encroaching Pipes**
A minimum one (1) metre wide easement to drain water shall be created over any encroaching drainage pipes.

For all drainage easements proposed over the subject lots, a works as executed/survey plan of all stormwater drainage within the site is to be submitted with the Subdivision Certificate Application to confirm this.
- 55 **Encroaching Services**
A minimum one (1) metre wide easement for services must be created over any encroaching utility service.
- 56 **Final Documentation Required Prior to Issue of Subdivision Certificate**
The submission of the following information/documentation to the Principal Certifying Authority, 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 Original Construction Certificates and approved drawings (where issued by an accredited Private Certifying Authority);
 - c Certificate of Practical completion from Wollongong City Council or an accredited Private Certifying Authority (if applicable);
 - d Administration sheet prepared by a registered surveyor;
 - e Section 88B Instrument covering all necessary easements and restrictions on the use of any lot within the subdivision;
 - f Final plan of Subdivision prepared by a registered surveyor plus four (4) equivalent size paper copies of the plan;
 - g Original Subdivider/Developer Compliance Certificate pursuant to Section 73 of the Water Board (Corporatisation) Act 1994 from Sydney Water;
 - h Original Notification of Arrangement from an Endeavour Energy regarding the supply of underground electricity to the proposed allotments;
 - i 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.
 - j Payment of section 94 fees (Pro rata) (if applicable).
- 57 **Site Facilities**
Site facilities, such as air-conditioning units, satellite dishes and other ancillary structures are to be adequately setback from neighbouring properties, located away from the street frontage and not in a place where they are a skyline feature. House numbers must be displayed in a prominent position and the lockable mailbox installed in accordance with Australia Post Guidelines. Space shall be provided for clothes lines and waste/recycling bins for all dwellings behind the front building line but outside of the private open space area.
- 58 **Visitor Car Parking Signage**
The visitor car space shall be clearly identified with appropriate signage.
- 59 **Loading/Unloading Operations/Activities**
All loading/unloading operations are to take place at all times wholly within the confines of the site or within the road reserve under an approved traffic control plan