

# Wollongong Local Planning Panel Assessment Report | 15 August 2018

<b>WLPP No.</b>	Item 4
<b>DA No.</b>	DA-2018/596
<b>Proposal</b>	Residential – Residential - multi dwelling housing
<b>Property</b>	12 - 14 William Street, BALGOWNIE
<b>Applicant</b>	ADM Architects
<b>Responsible Team</b>	Development Assessment and Certification - City Centre Team (BH)

## ASSESSMENT REPORT AND RECOMMENDATION

### Executive Summary

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#### Reason for consideration by Wollongong Local Planning Panel - Determination

The Development Application has been referred to WLPP for determination pursuant to 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. Under Schedule 2 of the Local Planning Panels Direction of 1 March 2018, the development has received more than 10 unique submissions objecting to the proposal.

#### Proposal

The application was lodged on 17 May 2018. The proposal comprises the demolition of existing dwellings and ancillary structures on site and the construction of multi dwelling housing comprising 7 townhouses.

#### Permissibility

The site is zoned R2 General Residential pursuant to Wollongong Local Environmental Plan 2009. The proposal is categorised as multi dwelling housing and is permissible in the zone with development consent.

#### Consultation

The proposal was notified in accordance with Council's Notification Policy and received 19 submissions which are discussed at section 1.5 of the assessment report.

#### Main Issues

The main issues arising from the assessment process are:-

- Privacy Impacts,
- Flooding Impacts
- Parking
- Traffic

#### Recommendation

It is recommended that the development application be approved subject to the recommended conditions of consent.

## **1 APPLICATION OVERVIEW**

### **1.1 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
- State Environmental Planning Policy (Coastal Management) 2018

#### Local Environmental Planning Policies:

- Wollongong Local Environmental Plan (WLEP) 2009

#### Development Control Plans:

- Wollongong Development Control Plan 2009

#### Other policies

- Wollongong Section 94A Development Contributions Plan

### **1.1 DETAILED DESCRIPTION OF PROPOSAL**

The proposal comprises the following:

- Demolition of two existing dwellings and ancillary structures
- Removal of four (4) trees
- Construction of seven (7) two storey townhouses (5 x 3 bedrooms and 2 x 4 Bedrooms).
- Private open space for each unit is provided in the form of a courtyard leading directly from a living room.
- Each dwelling is provided with a double garage.
- Two (2) visitor parking spaces located at the entrance of the site.
- A deep soil zone and riparian zone will be located to the rear of the site, adjacent to the existing watercourse.

### **1.2 BACKGROUND**

An almost identical application (DA-2017/1336) was considered by the former IHAP on 28 February 2018 and subsequently refused. The subject application is considered to have addressed the issues previously raised by the IHAP.

- BA-1984/1172 Carport Building Application - Approved 1 August 1984
- BA-1984/1172 Carport Building Application - Approved 1 August 1984
- DA-1979/881 Construction Of Retaining Wall & Filling Of Land - Approved 31 January 1980

No pre-lodgement meeting was held for the proposal.

#### Customer service actions

There are no outstanding customer service requests of relevance to the development.

### **1.3 SITE DESCRIPTION**

The site is located at 12-14 William Street BALGOWNIE and the title reference is Lot 1 DP 197030, Lot 2 DP 1055077 and Lot 16 DP 1116932.

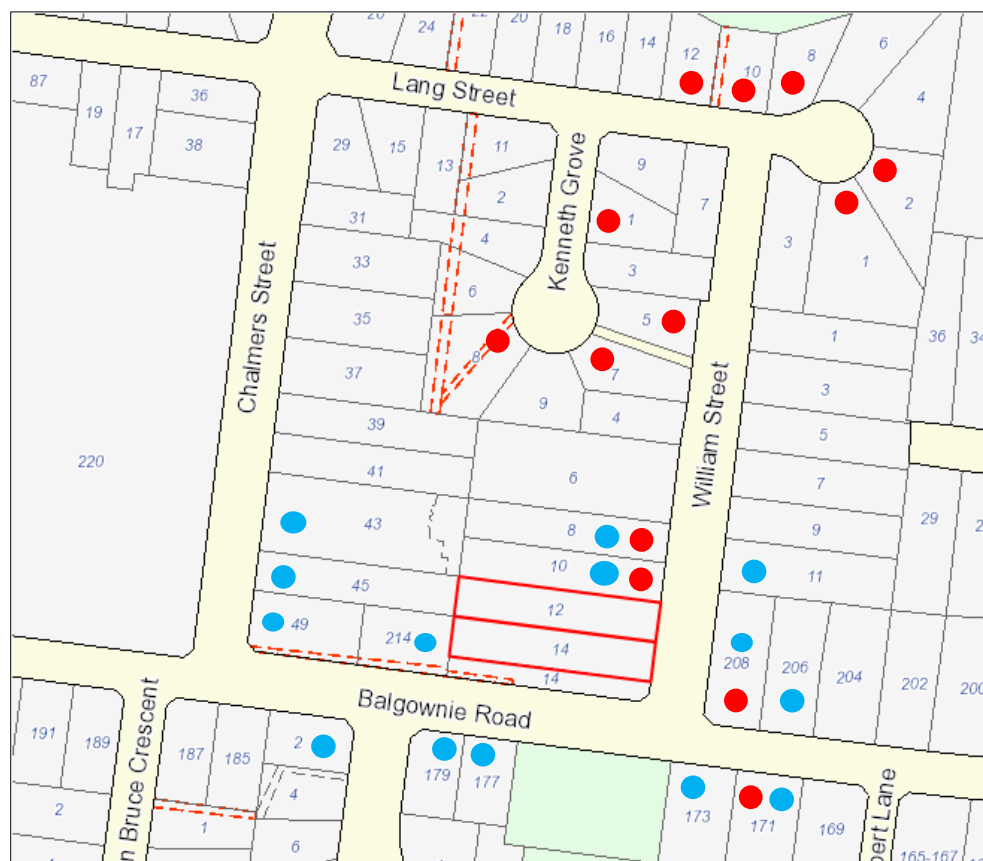
#### Property constraints

- Council records identify the land as being located within an uncategorised flood risk precinct.

There are no restrictions on the title.

## 1.4 SUBMISSIONS

The application was notified in accordance with WDCP 2009 Appendix 1: Public Notification and Advertising, 19 submissions were received and the issues identified are discussed below. The following map indicates the properties that were notified and the location of property owners who made submissions.



**Figure 1 - Notified properties and submissions received**

● Notified Property ● Submission Received

Concern	Comment
<b>1.Reduced Side Setbacks</b> <i>Concerns remain in relation in what is said to be a non-complying side boundary setback on the northern boundary. Issues are raised in relation to privacy/overlooking and noise impacts.</i>	The applicant has amended the plans in the subject application and these are now compliant with the DCP control. Privacy and Noise are addressed below.
<b>2. Privacy/overlooking</b> <i>Concern is raised by the adjoining property owner that the units along the northern boundary (Units 1-4) have floor levels that are elevated above ground level and have the potential to result in overlooking of the adjoining</i>	These matters are addressed separately below.

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property.

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### **3.Noise**

*Concern is raised by the adjoining property owner that the proposal will result in noise impacts.*

The private open space for Units 1 – 3 takes the form of a patio that is elevated above ground level. However, side boundary setbacks are now compliant and although an increased noise level could be expected over and above that of the existing single dwelling on the site, multi dwelling housing is a permitted use on the site under WLEP2009. Each dwelling has been provided with a minimum 20m<sup>2</sup> of private open space as required by WDCP 2009. The private open space areas are screened from side boundaries by a minimum 1.5m wide landscape bed. The development is considered to be of a scale that is in keeping with the zoning and applicable planning controls and would not result in unreasonable noise impacts.

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### **4.Stormwater/Flooding**

*As with the previous DA, the predominant issue raised in the submissions remains related to stormwater and flooding impacts resulting from additional runoff. Some concerns include insufficient sizing of the OSD facility, however the inability of the existing creek to cope with storm events is the main concern.*

As part of the assessment of the previous DA Council's engineering officer requested that the applicant provide a flood report. This was subsequently provided and following revisions has been considered acceptable by Council's engineer in that it demonstrates the proposal will not exacerbate existing flooding impacts.

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### **5.Parking**

*It is considered by some objectors that the proposal provides insufficient on-site parking which will result in on-street parking.*

The proposal provides 2 spaces for each dwelling and 2 visitor spaces. This is compliant with WDCP 2009 in respect to parking for multi dwelling housing. Whilst visitor parking remains forward of the building line these spaces have an improved relationship to the front units compared to the previous DA and the amenity impacts on those units are reduced. Additional planting has been proposed to reduce streetscape impacts.

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### **6. Landscaped area**

*Some submissions state that the ratio of hard surfaces to landscaped area is insufficient and this will further exacerbate existing flood issues.*

The proposal complies with the provisions of WDCP 2009 in respect of landscaped area.

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### **7.Solar access**

*The concerns raised in some objections in relation to solar access are not related to impacts*

It is acknowledged that the configuration of units is such that the units on the southern side have reduced access to sunlight to their private open space courtyards but this is a consequence of the sites orientation and is largely unavoidable.

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<i>on adjoining properties, rather internally within the development.</i>	The subject application has addressed previous concerns in relation to poor solar access by providing additional north facing windows and reconfiguring Unit 5 to allow the living room to receive northern sun.
<b>8.Waste storage</b> <i>Concerns were originally expressed in relation to hygiene issues associated with storage of bins in garages.</i>	The subject proposal allows for bins to be stored within rear courtyards and wheeled through garages to the street for collection. The addition of pedestrian access to the Balgownie Road frontage spreads the collection of bins over both street frontages which are considered desirable.
<b>9.Inappropriate location</b>	The site is considered to be in a relatively quiet location and within close proximity to a school and Balgownie village. The area is characterised by a mix of land use types and densities, ranging from single residential dwellings to dual occupancies and multiunit housing. The development is not considered to be of a scale that is out of context or to have unreasonable impacts in terms of privacy, overshadowing, view loss or the like as detailed in this report. The proposal is consistent with Council's planning controls and is not expected to create an unreasonable negative impact on the existing streetscape character.
<b>10.Traffic</b> <i>Concern has been raised in relation to additional traffic generated from the additional dwellings in particular because of the location of the site on a busy corner, near a park frequented by young families and in close proximity to a primary school.</i>	Traffic impacts have been considered to be minimal given compliance with the parking rates, carpark design and capacity of the surrounding road network.
<b>11. Heritage Impact</b>	The adjoining property to the north (No. 10 William Street) is an older cottage and the owner has made representations to Council to have the dwelling heritage listed. The consideration of a heritage listing is in the very early stages and there is no formal obligation to consider heritage impacts. Notwithstanding, it is considered that the proposal would not affect any potential for the subject property to be listed or, if is listed, on its potential heritage value.

#### Setbacks/Privacy/Overlooking

One of the reasons for refusal of the previous DA was unacceptable privacy impacts on the adjoining property to the north as a consequence of the design of the proposed development which was not sufficiently stepped down the sloping site. In particular the proposed private open space areas for Units 1-4 were elevated to the extent that overlooking would occur to the adjoining property to the north.

Clause 5.4.2.1 of Chapter B1 of WDCP 2009 states that boundary setbacks (0.8m x ceiling height) are measured from the wall of the building or the outer edge of a balcony/deck, to the adjacent boundary. The POS decks whilst above ground level have been lowered in the current DA and now are considered acceptable given that they have also been provided with appropriate privacy screens. The required setbacks under the DCP as shown in the following table.

**Table 2 – Side Boundary Setbacks**

<b><u>Unit 1</u></b>	<b><u>Required</u></b>	<b><u>Proposed</u></b>	<b><u>Complies</u></b>
Ground Floor	$0.8 \times 3.04 = 2.43\text{m}$	3.0m	Yes
First Floor	$0.8 \times 5.895 = 4.71\text{m}$	5.3m	Yes
POS Deck	$0.8 \times 3.04 = 2.43\text{m}$	2.07m	No (see comment below)

<b><u>Unit 2</u></b>	<b><u>Required</u></b>	<b><u>Proposed</u></b>	<b><u>Complies</u></b>
Ground Floor	$0.8 \times 3.63 = 2.9\text{m}$	3.0m	Yes
First Floor	$0.8 \times 6.43 = 5.14\text{m}$	5.3m	Yes
POS Deck	$0.8 \times 3.63 = 2.9\text{m}$	2.07m	No (see comment below)

<b><u>Unit 3</u></b>	<b><u>Required</u></b>	<b><u>Proposed</u></b>	<b><u>Complies</u></b>
Ground Floor	$0.8 \times 3.55 = 2.84\text{m}$	3.0m	Yes
First Floor	$0.8 \times 6.34 = 5.14\text{m}$	5.5m	Yes
POS Deck	$0.8 \times 3.55 = 2.84\text{m}$	2.07m	No (see comment below)

<b><u>Unit 4</u></b>	<b><u>Required</u></b>	<b><u>Proposed</u></b>	<b><u>Complies</u></b>
Ground Floor	$0.8 \times 4.39\text{m} = 3.51\text{m}$	3.6m	Yes
First Floor	$0.8 \times 7.065 = 5.65$	5.9m	Yes
POS Deck	$0.8 \times 4.39\text{m} = 3.51\text{m}$	2.07m (main deck 4.2m)	No(see comment below)

**Comment:**

The Private open space decks of Units 1 and 2 have been lowered by 200mm compared to the original DA and privacy screens are proposed in addition to dense screen planting along the boundary. The minor non-compliance with the side boundary setback of the decks is considered minor and will not contribute to any adverse noise or privacy impacts.

**Parking**

The application proposes to satisfy the requirement for visitor parking by providing two (2) spaces within the front building line. These spaces are now offset 640mm (previously 300mm) from the adjacent units. The front façade of the units facing Balgownie road have been amended so that the visitor spaces are predominately adjacent to a blank wall thus reducing amenity impacts on those units. Further, the landscape planting is now 3m wide in front of these spaces which is considered satisfactory to provide an appropriate level of visual screening of cars parked within the front setback. The location of these spaces also assists in reducing the number of cars entering the site, as visitor spaces and their availability or otherwise can be determined before entering the site.

## **1.4 CONSULTATION**

### **1.4.1 INTERNAL CONSULTATION**

#### Stormwater Engineer

Council's Stormwater Officer has reviewed the application and advised that the proposal is satisfactory subject to conditions. The proposal will, despite concerns from local residents, not result in downstream properties being subject to any increased risk of flooding as a result of the proposed development.

#### Landscape Architect

Council's Landscape Officer has reviewed the application and following receipt of an amended tree survey, arborist report and landscape plan has given a satisfactory referral. Conditions of consent have been recommended.

#### Traffic Engineer

Council's Traffic Officer has reviewed the application and has raised no objections on traffic or parking grounds. Conditions of approval have been provided.

#### Environment Officer

Council's Environment Officer has reviewed the application and following receipt of additional information requested by Council's landscape architect has given a satisfactory referral subject to conditions of consent.

### **1.4.2 EXTERNAL CONSULTATION**

The application was referred to NSW Office of Water pursuant to Section 91A of the Environmental Planning and Assessment Act, 1979. The Office of Water advised on 9 July 2018 that for the purposes of the Water Management Act 2000 (WM Act), a controlled activity approval was not required and therefore no further assessment by NSW Office of Water was necessary.

## **2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 – 4.15 EVALUATION**

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### **2.1 SECTION 79C 1(A)(I) ANY ENVIRONMENTAL PLANNING INSTRUMENT**

#### **2.1.1 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND**

Council has considered a preliminary site investigation (PSI) which concluded that the site is unlikely to pose a significant contamination risk and is considered suitable for the proposed residential development subject to a number of recommendations relating to asbestos including the localised remediation of the south western corner of the site. The site is considered to be suitable for the proposed development with regard to clause 7 of this policy, subject to conditions of consent

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

SEPP BASIX applies to the development. In accordance with Schedule 1 of the Regulations and SEPP 2004 a BASIX Certificate has been submitted in support of the application demonstrating that the proposed scheme achieves the BASIX targets.

#### **2.1.3 STATE ENVIRONMENTAL PLANNING POLICY (COASTAL MANAGEMENT) 2018**

The maps to the SEPP do not identify the site as being within the Coastal zone and outside of the land application map.

#### **2.1.3 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009**

### **Part 2 Permitted or prohibited development**

#### Clause 2.2 – zoning of land to which Plan applies.

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

### Clause 2.3 – Zone objectives and land use table

The objectives of the zone are as follows:

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

The proposal is satisfactory with regard to the above objectives.

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

#### **Permitted with consent**

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Child care centres; 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; Semidetached dwellings; Seniors housing; Shop top housing; Signage; Veterinary hospitals

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

### Clause 1.4 Definitions

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

## **Part 4 Principal development standards**

### Clause 4.1 Minimum subdivision lot size

The minimum lot size applicable to the subject site is 449m<sup>2</sup> however this does not apply in relation to the subdivision of land on which there is an existing dual occupancy or multi dwelling housing.

### Clause 4.3 Height of buildings

The proposed building height of 8.495m does not exceed the maximum of 9m permitted for the site.

### Clause 4.4 Floor space ratio

Maximum FSR permitted for the zone: 0.5:1

FSR proposed:  $995\text{m}^2 / 2559\text{m}^2 = 0.39:1$

## **Part 7 Local provisions – general**

### Clause 7.1 Public utility infrastructure

The development is already serviced by electricity, water and sewage services. Conditions are recommended requiring approval from the relevant authorities for the connection of electricity, water and sewage to service the site.

### Clause 7.3 Flood planning area

Based on the site being within the Fairy Cabbage Tree Creek catchment area climate change values are required to be applied to the flood planning level. In this regard, Council's engineering officer has advised that 0.15 metres is required to be added highest adjacent 100yr level plus 0.5 metres freeboard. Council's Stormwater Engineer has assessed the application in this regard and advised that the proposal is satisfactory in relation to flooding impacts.



#### Clause 7.6 Earthworks

The proposal comprises multi dwelling housing. The earthworks would not be expected to have a detrimental impact on environmental functions and processes, neighbouring uses and features of surrounding land.

#### Clause 7.14 Minimum site width

The subject site is 35.6m wide and complies with the minimum site width requirement for multi dwelling housing.

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

Nil

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

#### **2.3.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009**

#### **CHAPTER A1 – INTRODUCTION**

The development has been assessed against the relevant chapters of WDCP2009 and found to be satisfactory. A full compliance table can be found at Attachment 6 to this report; only the variations are discussed below:

### **8. Variations to development controls in the DCP**

The applicant has submitted a variation request in relation to the provision of visitor car parking within the front setback to allow 2 visitor spaces within the Williams Street setback. One space is provided on either side of the entry driveway. Clause 5.7.2.1 of Chapter 1 of the DCP states:

*On site car parking must be positioned to minimise impacts on the streetscape. Car parking must be located behind the building setback and be screened from view with well designed structures and vegetation. Car parking may also be located within a basement.*

The Objectives of the control are:

- (a) To provide an adequate level of on site car parking based upon anticipated occupancy rates and proximity to public transport.*
- (b) To ensure that there is adequate provision for access to and manoeuvring within the development.*
- (c) To ensure that residential developments are designed to be accessible for pedestrians, cyclists and motorists.*
- (d) To ensure that integrated design of car parking facilities to minimise visual impacts.*

#### Applicant's response

The two on-site visitor spaces are provided comply with the requirements of Schedule 1 of Chapter E3 with adequate area available for landscaping within the front setback area allowing for additional screening of hardstand areas. The living room windows of Units 1 and 5 have also been relocated to minimise potential privacy impacts associated with the use of the visitor spaces.

The objectives of this control will continue to be met as carparking numbers adheres to Council's requirements (Objective a); adequate manoeuvring to such spaces is provided (objective b); the positioning of the visitor spaces will not impact on direct pedestrian access to Units 1 and 5 from William Street (objective c); and landscaping will minimise visual impact (objective d).

#### Comment:

The DCP requires parking to be provided behind the front setback. The applicant met with Council staff following the refusal of the previous DA by IHAP at a pre lodgement meeting of 17 April 2018. The purpose of the meeting was to discuss the reasons for refusal of the previous DA and to seek

clarification of what amendments would be required in order to address the concerns. The applicant has indicated that this control has been varied on a number of other sites and Council, its response to the applicant, indicated that having regard to the constraints of the site, a variation could be considered subject to amendments to reduce amenity impacts on the street frontage units (Unit 1 and Unit 5) and provision of appropriate landscape screening.

Given the amendments made by the applicant in the current DA a variation to the requirements of Clause 5.7.2(1) of Chapter B1 of WDCP 2009 is considered to be justified.

### **2.3.2 WOLLONGONG SECTION 94A DEVELOPMENT CONTRIBUTIONS PLAN**

The estimated cost of works is >\$100,000 (\$1,678,000) and a levy of 1% is applicable under this plan as the threshold value is \$100,000.

### **2.4 SECTION 4.15 1(A)(IIIA) ANY PLANNING AGREEMENT THAT HAS BEEN ENTERED INTO UNDER SECTION 93F, OR ANY DRAFT PLANNING AGREEMENT THAT A DEVELOPER HAS OFFERED TO ENTER INTO UNDER SECTION 93F**

There are no planning agreements entered into or any draft agreement offered to enter into under S93F which affect the development.

### **2.5 SECTION 4.15 1(A)(IV) THE REGULATIONS (TO THE EXTENT THAT THEY PRESCRIBE MATTERS FOR THE PURPOSES OF THIS PARAGRAPH)**

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

Not applicable

(b) 93 Fire safety and other considerations

Not Applicable

(c) 94 Consent authority may require buildings to be upgraded

Not applicable

### **2.6 SECTION 4.15 1(A)(V) ANY COASTAL ZONE MANAGEMENT PLAN (WITHIN THE MEANING OF THE COASTAL PROTECTION ACT)**

There is no Coastal Zone Management Plan currently applicable to the land. And the land is not within the coastal zone

### **2.7 SECTION 4.15 1(B) THE LIKELY IMPACTS OF DEVELOPMENT**

There are not expected to be any adverse social or economic impacts in the locality nor is the proposal likely to result in any adverse environmental impacts on the built environment. The proposal is satisfactory with regard to the applicable planning controls as detailed in the body of this report. The issues raised in the submissions received following notification are not considered sufficient to warrant refusal of the application as outlined in this report. Internal and external referrals are satisfactory. The proposed development is permissible within the zone and provides for a form of housing which is generally considered to be compatible with the character of the immediate residential environment. Architecturally, the amended design of the development when compared to the previous DA (DA-2017/1336) is considered appropriate for the locality and consistent with the desired future character of Balgownie as identified in the Character Statement for the suburb contained in WDCP 2009.

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

Does the proposal fit in the locality?

The proposal is considered appropriate with regard to the zoning of the site and is not anticipated to result in any negative impacts on the amenity of the locality and adjoining properties.

#### Are the site attributes conducive to development?

The site is flood affected however the design and siting of buildings on the site is such that there will not be adverse impacts on downstream properties.

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

The application is not considered likely to result in any unreasonable impacts on the environment or the amenity of the locality. The issues raised in submissions received following notification of the proposal have raised a number of concerns however these are not considered to be of sufficient weight to warrant refusal of the application. 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.

#### **3 CONCLUSION**

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This application has been assessed as unsatisfactory having regard to the Heads of Consideration under Section 79C(1) of the Environmental Planning and Assessment Act 1979, the provisions of Wollongong Local Environmental Plan 2009 and all relevant Council DCPs, Codes and Policies.

Multi dwelling housing is permitted on the site under WLEP2009 and the proposal is considered to be consistent with the objectives of the R2 low Density Residential Zone. The proposal involves a minor variation to Wollongong Development Control Plan 2009 with regard to visitor car parking within the front setback. This variation has been adequately justified, and is not considered to lead to adverse impacts and is worthy of support in this instance.

Internal referrals are satisfactory and all submissions have been considered in the assessment. It is considered that the proposed development has otherwise been designed appropriately given the nature and characteristics of the site and is unlikely to result in significant adverse impacts on the character or amenity of the surrounding area.

#### **4 RECOMMENDATION**

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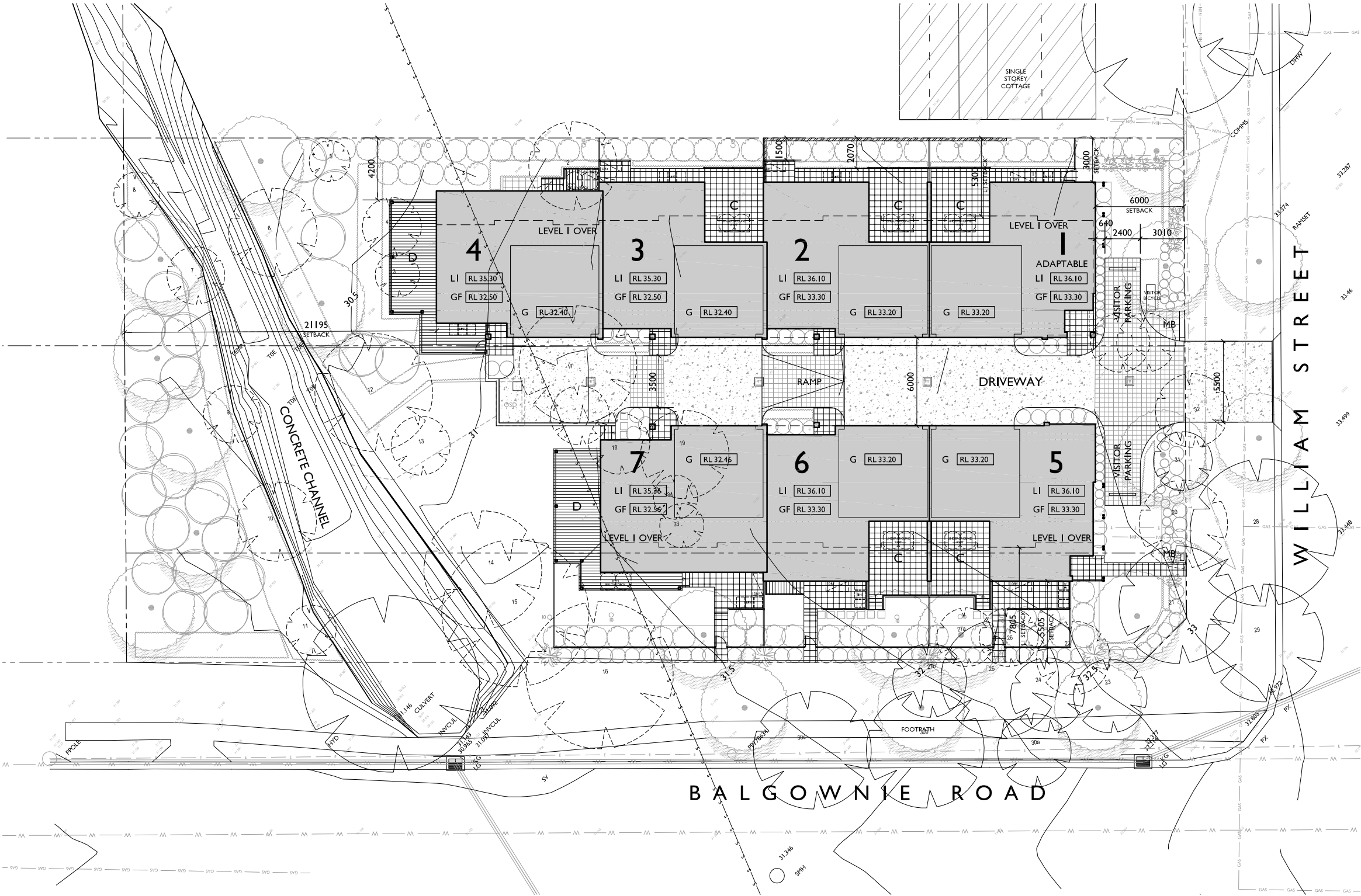
It is recommended that the development application be approved for the reasons outlined at Attachment 5

#### **5 ATTACHMENTS**

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- |   |                             |
|---|-----------------------------|
| 1 | Architectural plans         |
| 2 | Aerial photograph           |
| 3 | Zoning map                  |
| 4 | Site Photos                 |
| 5 | Draft Conditions of Consent |
| 6 | WDCP compliance table       |

Attachment 1 - Architectural Plans



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a NOMINATED ARCHITECT- The nominated Architect for ADM Projects (Australia) Pty Ltd T/AS ADM Architects is Angelo Di Martino ARB No.7608

ISSUE	DATE	DESCRIPTION
A	15.05.18	ISSUE FOR DEVELOPMENT APPLICATION
B	26.07.18	ADDITIONAL INFO ON EXISTING TREES

NOT FOR CONSTRUCTION

adm

ARCHITECTS

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Project  
PROPOSED RESIDENTIAL DEVELOPMENT  
COMPRISING OF 7 TOWNHOUSES WITH  
DOUBLE GARAGES & VISITOR PARKING

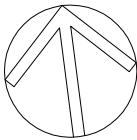
At  
LOT 1 DP 197030, LOT 2 DP 1055077 &  
LOT 16 DP 1116932  
12 - 14 WILLIAM STREET  
BALGOWNIE

For

DEVO 1

Title		
DEVELOPMENT APPLICATION SITE PLAN		
Scale	Date	
1:150 @ A1 1:300 @ A3	JULY 2018	
Drawn	Checked	
MC	ADM	
Project No.	Drawing No.	Issue
2017-22	A02	B

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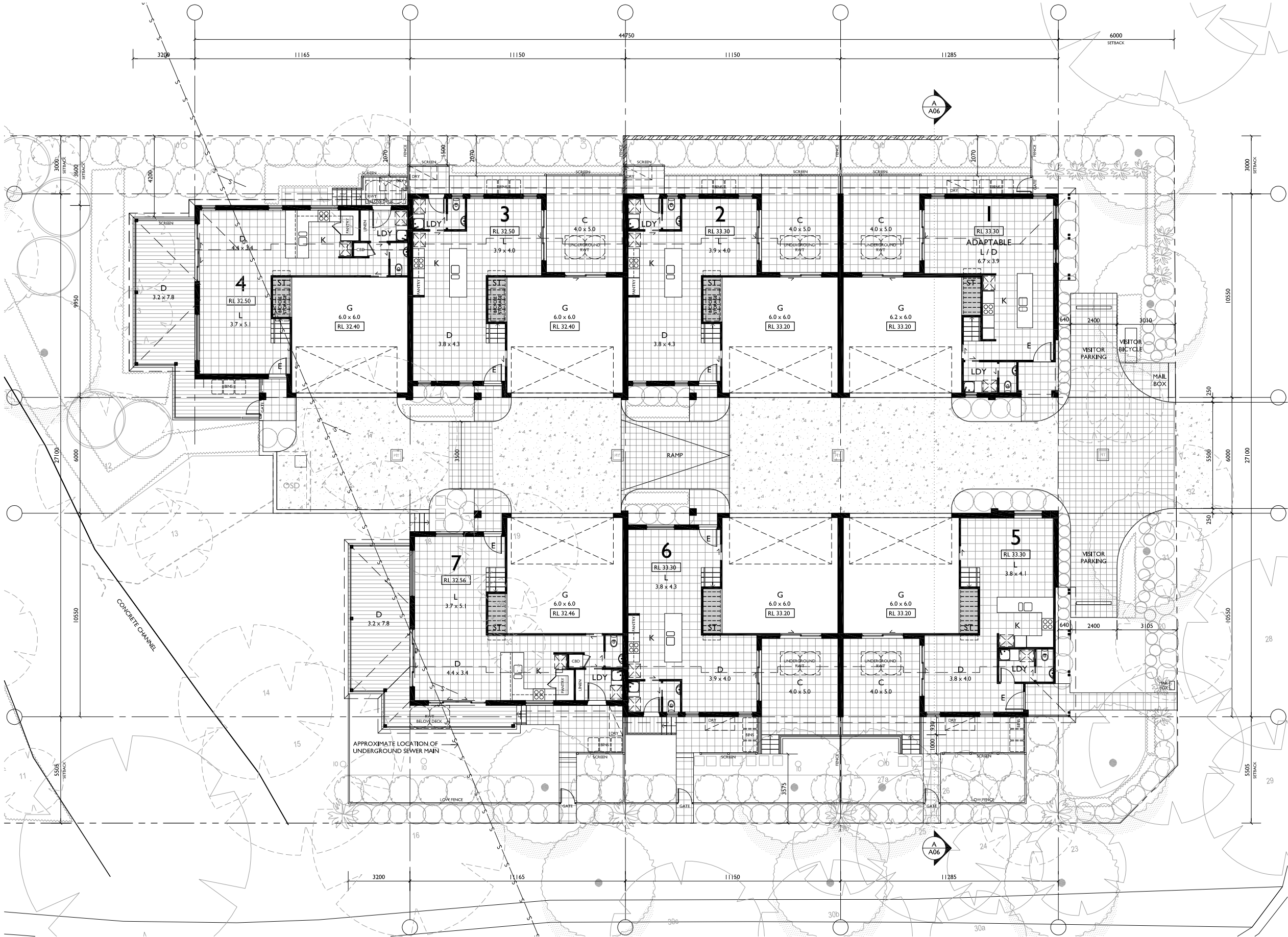
SITE PLAN

REFER TO CIVIL ENGINEER'S DOCUMENTATION FOR  
STORMWATER COLLECTION & ALL EXTERNAL SURFACE  
LEVELS.  
REFER TO LANDSCAPE ARCHITECTS DOCUMENTATION  
FOR ALL PAVING & PLANTING DETAILS.

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ISSUE	DATE	DESCRIPTION
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NOT FOR CONSTRUCTION



GROUND FLOOR PLAN

adm

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Project  
PROPOSED RESIDENTIAL DEVELOPMENT  
COMPRISING OF 7 TOWNHOUSES WITH  
DOUBLE GARAGES & VISITOR PARKING

At  
LOT 1 DP 197030, LOT 2 DP 1055077 &  
LOT 16 DP 1116932  
12 - 14 WILLIAM STREET  
BALGOWNIE

For  
DEVO 1

Title  
DEVELOPMENT APPLICATION  
GROUND FLOOR PLAN

Scale	Date
1:100 @ A1 1:200 @ A3	JULY 2018

Drawn	Checked
MC	ADM

Project No.	Drawing No.	Issue
2017-22	A03	B

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ISSUE	DATE	DESCRIPTION
A	15.05.18	ISSUE FOR DEVELOPMENT APPLICATION

NOT FOR CONSTRUCTION



LEVEL 1 PLAN

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Project  
PROPOSED RESIDENTIAL DEVELOPMENT  
COMPRISING OF 7 TOWNHOUSES WITH  
DOUBLE GARAGES & VISITOR PARKING

At  
LOT 1 DP 197030, LOT 2 DP 1055077 &  
LOT 16 DP 1116932  
12 - 14 WILLIAM STREET  
BALGOWNIE

For  
**DEVO 1**

Title  
DEVELOPMENT APPLICATION  
LEVEL 1 PLAN

Scale	Date
1:100 @ A1 1:200 @ A3	MAY 2018

Drawn	Checked
MC	ADM

Project No.	Drawing No.	Issue
2017-22	A04	A

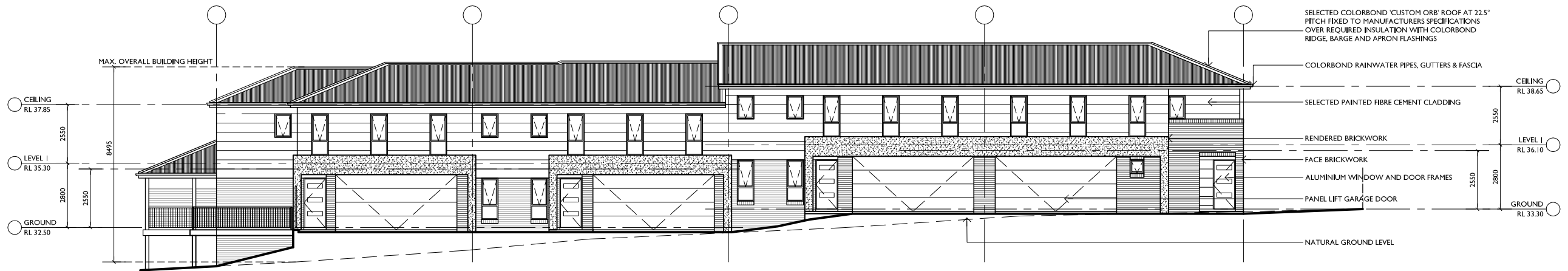
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NORTH ELEVATION  
UNITS 5-7



NORTH ELEVATION  
UNITS 1-4



SOUTH ELEVATION  
UNITS 1-4



SOUTH ELEVATION  
UNITS 5-7  
FROM BALGOWNIE ROAD

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ISSUE	DATE	DESCRIPTION
A	15.05.18	ISSUE FOR DEVELOPMENT APPLICATION

NOT FOR CONSTRUCTION

adm

ARCHITECTS

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Project

PROPOSED RESIDENTIAL DEVELOPMENT  
COMPRISING OF 7 TOWNHOUSES WITH  
DOUBLE GARAGES & VISITOR PARKING

At

LOT 1 DP 197030, LOT 2 DP 1055077 &  
LOT 16 DP 1116932  
12 - 14 WILLIAM STREET  
BALGOWNIE

For

DEVO 1

Title

DEVELOPMENT APPLICATION  
ELEVATIONS

Scale

1:100 @ A1  
1:200 @ A3

Date

MAY 2018

Drawn

MC

Checked

ADM

Project No.

2017-22

Drawing No.

A05

Issue

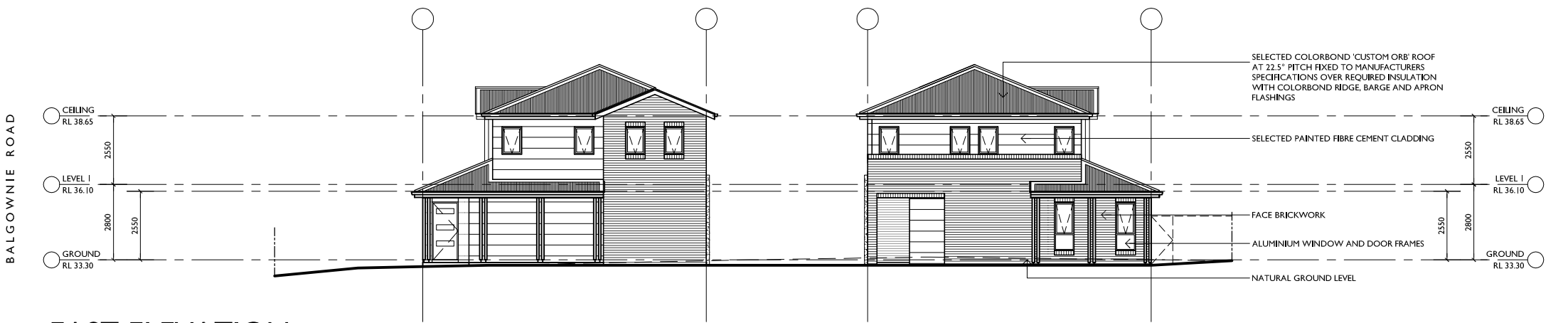
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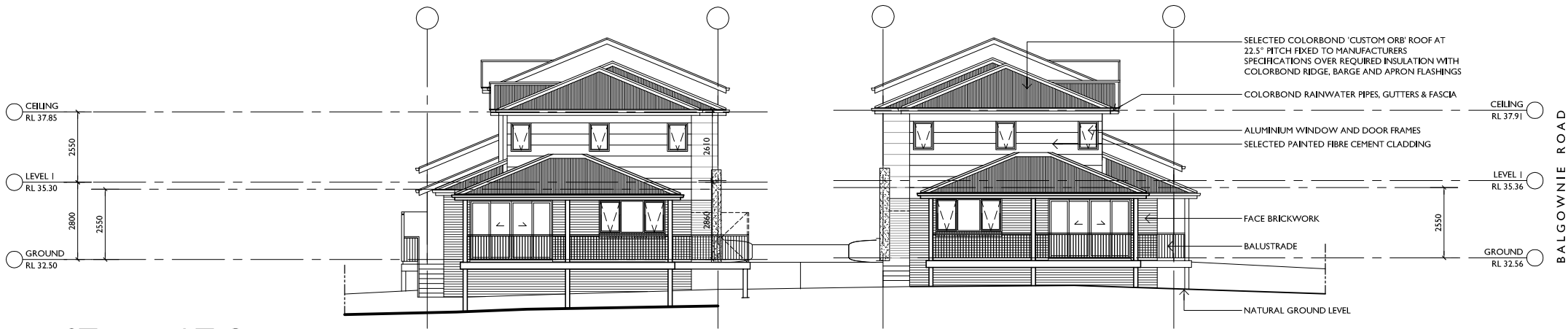
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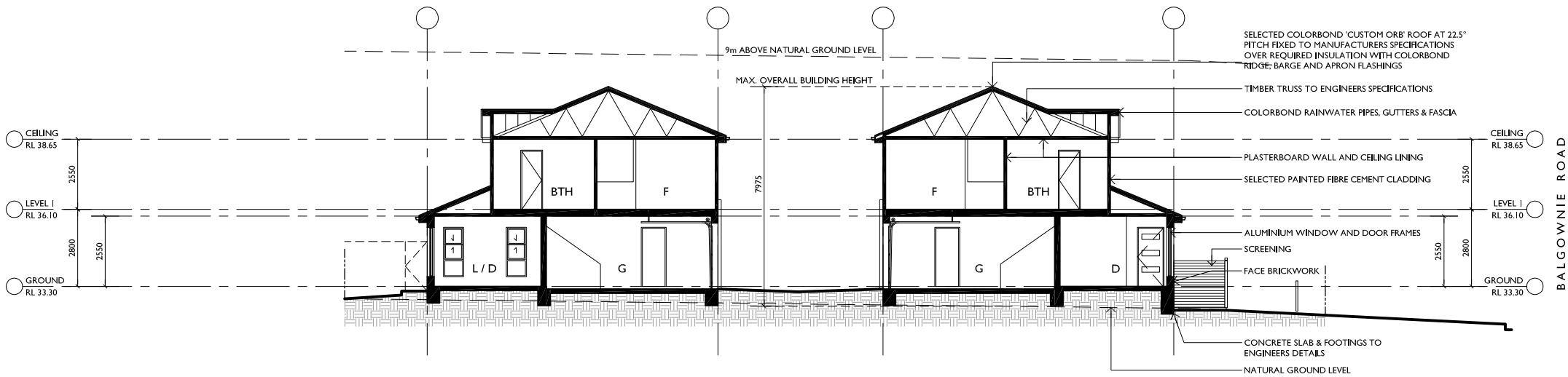
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EAST ELEVATION  
FROM WILLIAM STREET



WEST ELEVATION



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Project  
PROPOSED RESIDENTIAL DEVELOPMENT  
COMPRISING OF 7 TOWNHOUSES WITH  
DOUBLE GARAGES & VISITOR PARKING

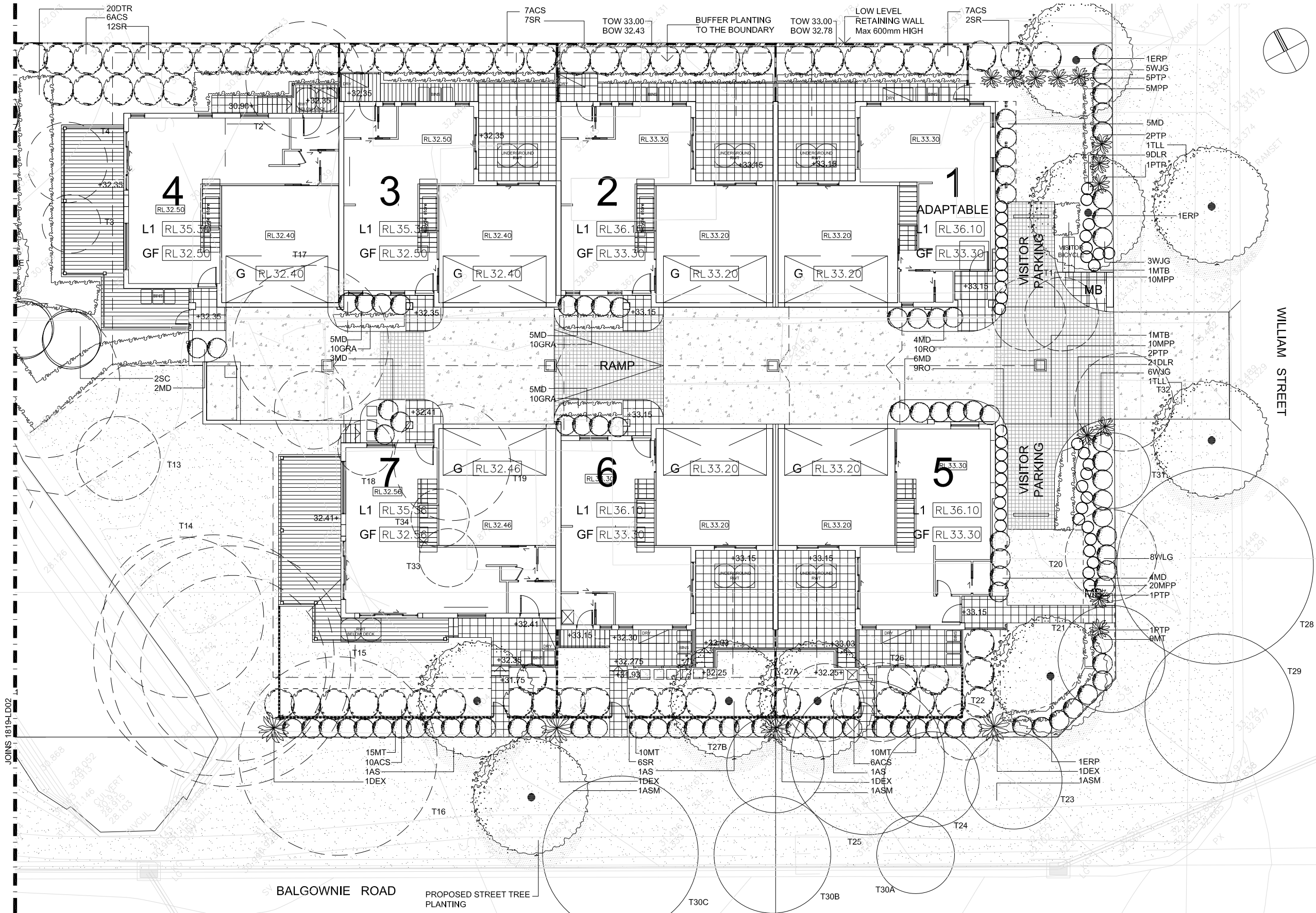
At  
LOT 1 DP 197030, LOT 2 DP 1055077 &  
LOT 16 DP 1116932  
12 - 14 WILLIAM STREET  
BALGOWNIE

For  
DEVO 1

Title		
DEVELOPMENT APPLICATION ELEVATIONS & SECTION		
Scale	Date	
1:100 @ A1 1:200 @ A3	MAY 2018	
Drawn	Checked	
MC	ADM	
Project No.	Drawing No.	Issue
2017-22	A06	A

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LEGEND

Existing levels and contours

Proposed spot levels

Existing trees to be retained

Existing trees to be removed

Proposed tree planting

Proposed mass shrub planting

Proposed turf with timber edging

Proposed select unit paving

Proposed charcoal coloured concrete driveway

Proposed stepping stones 500x500mm

Proposed stenciled concrete drive Colour: Charcoal

Proposed timber deck

Proposed clothes line Hills Paraline or equivalent

Proposed vertical rod fence 1500mm high

Proposed timber fence 1500mm high

Proposed timber fence 1800mm high

Proposed retaining walls to engineers detail

ISSUE: Amended Development Application 26.07.18  
ISSUE: Amended Development Application 14.05.18, 16.05.18  
ISSUE: For Comment 08.05.18  
ISSUE: Amended Development Application 27.02.18  
ISSUE: Amended Development Application 20.12.17  
ISSUE: Development Application 12.10.17  
ISSUE: For Comment 29.09.17, 11.10.17  
REV.D: Update tree survey, amend plan 26.07.18  
REV.C: Amend buildings, landscape, drainage 08.05.18  
REV.B: Amend buildings, landscape 27.02.18  
REV.A: Add existing tree information 20.12.17

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PROJECT  
Proposed Unit Development  
12-14 William Street  
BALGOWNIE

DRAWING TITLE  
Landscape Plan

CLIENT  
Devo 1

DRAWING NO.  
1819-LD01D

SCALE: 1:100 @ A1, 1:200 @ A3

CHECKED: TW

DATE: 28.09.17

PLANT SCHEDULE

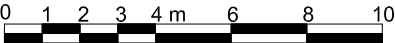
CODE	BOTANICAL NAME
TREES	
BAC	Brachychiton acerifolius
ER	Elaeocarpus reticulatus
ERP	Elaeocarpus reticulatus 'Prima Donna'
MTB	Magnolia 'Teddy Bear'
ASM	Syzygium smithii 'Minor'
AS	Syzygium smithii
TLL	Tristanlopsis laurina 'Luscious'
REFER TO 1819-LD02 FOR TOTAL PLANT NUMBERS	

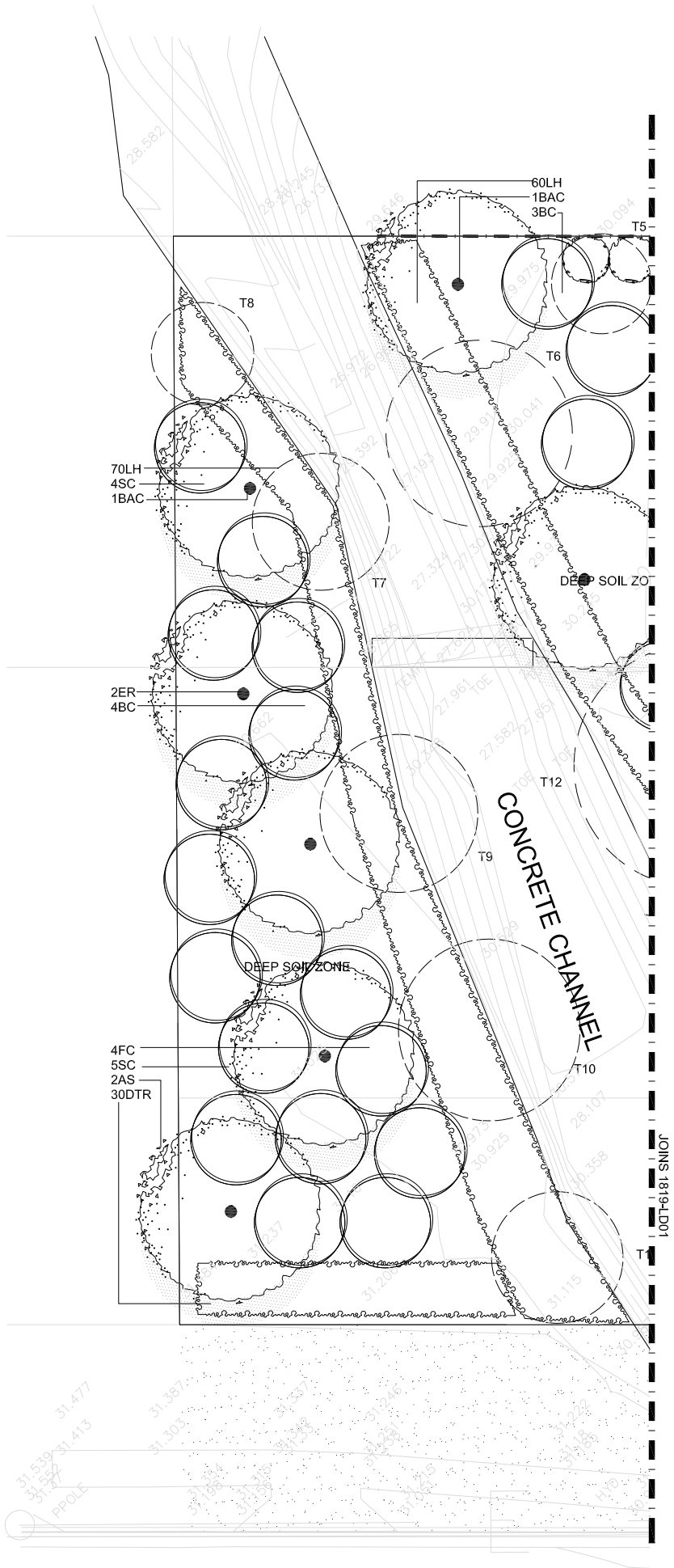
CODE	BOTANICAL NAME
SHRUBS	
ACS	Acmena 'Cherry Surprise'
BC	Backhousia citriodora
DEX	Doryanthes excelsa
FC	Ficus coronata
MD	Metrosideros 'Dalese'
RO	Raphiolepis 'Oriental Pearl'
MT	Metrosideros 'Tahiti'
PTP	Phormium tenax 'Purpurea'
SR	Syzygium 'Resistance'
SC	Syzygium 'Cascade'
WJG	Westringia 'Jervis Gem'
GROUND COVERS	
DLR	Dianella 'Little Rev'
GRA	Gardenia radicans
LH	Lomandra hystrix
MPP	Myoporum parvifolium 'Purpurea'

1500mm HIGH VERTICAL ROD FENCE SET  
BACK FROM BOUNDARY BY 1M  
PRIVACY PLANTING BEHIND AND  
GARDEN BED IN FRONT ADDRESSING  
BALGOWNIE ROAD

DRAINAGE COMPATIBILITY  
The landscape plan has been co-ordinated with the engineers plan prepared by  
KFW Pty Ltd and is compatible with the drainage works

SITE AREA 2560m2  
LANDSCAPE AREA REQUIRED 768m2, 30%  
LANDSCAPE AREA PROVIDED 994m2, 38%  
DEEP SOIL REQUIRED 384m2  
DEEP SOIL PROVIDED 388m2





PLANT SCHEDULE

CODE	BOTANICAL NAME	QTY	POT SIZE	STAKES
TREES			38X38X1800MM	
BAC	Brachychiton acerifolius	2	45 Litre	1
ER	Elaeocarpus reticulatus	2	45 Litre	1
ERP	Elaeocarpus reticulatus 'Prima Donna'	3	45 Litre	1
MTB	Magnolia 'Teddy Bear'	2	45 Litre	1
ASM	Syzigium smithii 'Minor'	3	45 Litre	1
AS	Syzigium smithii	5	45 Litre	1
TLL	Tristanopsis laruina 'Luscious'	2	200 Litre	2
SHRUBS				
ACS	Acmena 'Cherry Surprise'	36	200mm	
BC	Backhousia citriodora	7	200mm	
DEX	Doryanthes excelsa	4	200mm	
FC	Ficus coronata	4	200mm	
MD	Metrosideros 'Dalese'	43	200mm	
RO	Raphiolepis 'Oriental Pearl'	19	200mm	
MT	Metrosideros 'Tahiti'	44	200mm	
PTP	Phormium tenax 'Purpurea'	11	200mm	
SR	Syzigium 'Resistance'	27	200mm	
SC	Syzigium 'Cascade'	13	200mm	
WJG	Westringia 'Jervis Gem'	22	200mm	
GROUND COVERS				
DLR	Dianella 'Little Rev'	30	150mm	
GRA	Gardenia radicans	30	200mm	
LH	Lomandra hystrix	130	150mm	
MPP	Myoporum parvifolium 'Purpurea'	45	150mm	

TREE PROTECTION

- FENCING: Where existing trees are to be retained, install tree protection fencing as detailed prior to any construction works commencing on site. Protection fencing shall remain until all works have been completed and shall be maintained throughout the construction works to prevent any access within the tree protection area. The area within the protective fencing shall be kept clear of all building materials and machinery. No washing of equipment or the disposal of cement slurry shall occur within the drip line of trees to be retained on the site or adjacent properties. Site offices shall be located outside the canopy of any existing trees to be retained
  - MULCHING: Tree protection zones shall be mulched with a minimum 75mm thick, 100% recycled hardwood chip or leaf litter mulch
  - IRRIGATION: Tree protection Zones shall be regularly watered
- SPECIFICATION
- GROUND PREPARATION: Eradicate grass and weeds using a non residual glyphosate herbicide at the recommended rate.
- All mass planted beds shall be cultivated by ripping or harrowing. Do not rip within the dripline of trees and shrubs to be retained. If necessary, cultivate these areas by hand. Remove stones exceeding 25mm and weeds, rubbish or other deleterious material. Trim the surface to the required design levels after cultivation. Excessive clay content shall be ameliorated by incorporating gypsum at a rate of 0.25kg/square metre.
  - PLANTING MIXTURE shall be three parts by volume on-site topsoil and one part organic compost mixed to a homogenous blend prior to installation and spread to a minimum depth of 250mm. Test pH levels to ensure a reading of between 6 - 7. Higher or lower pH levels shall be adjusted in consultation with the project Landscape Architect. Planting mix in raised planters shall be equal to Australian Native Landscapes or Soilco Planter mix.
  - Spread planting mixture or topsoil on the prepared subsoil and grade evenly. Ensure that finished levels are achieved after light compaction. Grass areas shall be finished flush with adjacent hard surfaces including paths, kerbs and mowing strips or garden edging.
  - Compact lightly in uniform 150mm layers and ensure final surface is graded to drain freely without ponding. Topsoil shall be spread to typical depths: 225mm for planting areas, 100mm for grass areas.
  - TURF shall be of an even thickness, free from weeds and other foreign matter and shall be laid within 36 hours of cutting. Lay turf in stretcher bond pattern to finish flush after tamping with adjacent finished surfaces. Water immediately after laying until the topsoil is moistened to full depth.
  - PLANTS shall have large healthy root systems with no root curl, restriction or damage. Plants shall be vigorous, well established, free from pests and disease, of good form, consistent with species. Plants will be hardened off and trees, unless required to be multi-stemmed, shall have a single leading shoot. Do not plant in extreme heat, cold, wind or rain. Thoroughly water plants before and immediately after planting.
  - FERTILISER shall be slow release type 'Agriform' (R) 21 gram size (or equal approved) pellets of N:P:K analysis 20:10:5.
  - MULCH shall be placed evenly to a consolidated depth of 75mm over all mass planted areas and shall be equal to hardwood chip or as otherwise specified. Place mulch clear of stems, rake surface flush with the surrounding finished levels.
  - STAKES shall be straight hardwood, free from knots or twists and pointed at one end. Drive stakes into the ground at least one third of their length, avoiding damage to the root system. Provide 50mm hessian webbing stapled to the stake to stabilise the plant. Refer to plant schedule for plants to be staked.

MAINTENANCE

- Watering sufficient to maintain continuous vigorous growth of plant material.
- Remove all weeds and make good mulch in garden beds as necessary.
- Spray to control pests and diseases with non residual chemical.
- Replace plants which fail to establish with plants of similar size and quality as the originals.
- Adjust stakes and ties to plants as necessary. Ensure that strangulation of plants does not occur.
- Prune and shape trees and plants as directed or where necessary to maintain shape.
- Check once a week to ensure irrigation system is operating correctly (if installed).
- Make good any defects or faults arising out of defective workmanship or materials.
- Make good any erosion or soil subsidence which may occur.
- Remove all rubbish from garden beds on a weekly basis.
- Maintain 75mm depth mulch layer in planting areas. Replace mulch as necessary with the same materials to maintain 75mm depth over the soil surface.
- Mow all grass areas every 2 weeks in summer and spring, and every 5 weeks in winter and autumn Adjust mowing periods as required in unseasonal growing periods
- Maintain works for a period of 52 weeks or as otherwise directed by the Landscape Architect.

NOTES

- DRAWINGS  
The Landscape Plan to be read in conjunction with Site Plan, Landscape Details, and Stormwater Plan.
- CHANGES  
No changes to be made to nominated species in Planting Schedule without prior approval of the Landscape Architect. No variegated species to be used
- SERVICES  
Before landscape work is commenced, the Contractor is to establish the position of all service lines  
Service lids, vents and hydrants shall be left exposed and not covered by any landscape finishes (turfing, paving, garden beds etc.)  
Phone Dial-before-you-dig prior to commencement of works on site

EXISTING TREE SCHEDULE

No	Botanical Name	Action
T1	Archontophoenix cunninghamiana	Remove
T2	Brachychiton acerifolius	Remove
T3	Prunus persica	Remove
T4	Prunus persica	Remove
T5	Citrus limone	Remove
T6	Prunus persica	Remove
T7	Persea americana	Remove
T8	Pyrus Spp.	Remove
T9	Acer negundo	Remove
T10	Unknown	Remove
T11	Olea europaea	Remove
T12	Schinus molle	Remove
T13	Prunus persica	Remove
T14	Morus spp.	Remove
T15	Cinnamomum camphora	Remove
T16	Alphitonia excelsa	Remove
T17	Archontophoenix cunninghamiana	Remove
T18	Stenocarpus sinuatus	Remove
T19	Archontophoenix cunninghamiana	Remove
T20	Albizia julibrissin	Remove
T21	Archontophoenix cunninghamiana	Retain
T22	Tristanopsis laurina	Remove
T23	Glochidion ferdinandi	Remove
T24	Archontophoenix cunninghamiana	Retain
T25	Brachychiton acerifolius	Remove
T26	Tristanopsis laurina	Remove
T27A	Tristanopsis laurina	Remove
T27B	Tristanopsis laurina	Retain
T28	Melaleuca quinquenervia	Retain
T29	Melaleuca quinquenervia	Retain
T30A	Callistemon viminalis	Retain
T30B	Callistemon viminalis	Retain
T31	Plumeria rubra	Retain
T32	Dyopsis lutescens	Remove
T33	Callistemon salignus	Remove
T34	Prunus persica	Remove

NOTE: The above tree schedule has been extracted from the arborist's report prepared by Mark Spence dated December 2017, revised July 2018. Refer to the arborist's report for further details on the existing trees.

LEGEND

	Existing levels and contours
	Proposed spot levels
	Existing trees to be retained
	Existing trees to be removed
	Proposed tree planting
	Proposed mass shrub planting
	Proposed turf with timber edging
	Proposed select unit paving
	Proposed charcoal coloured concrete driveway
	Proposed stepping stones 500x500mm
	Proposed stenciled concrete driveway Colour: Charcoal
	Proposed timber deck
	Proposed clothes line Hills Paralene or equivalent
	Proposed vertical rod fence 1500mm high
	Proposed timber fence 1500mm high
	Proposed timber fence 1800mm high
	Proposed retaining walls to engineers detail



ISSUE: Amended Development Application 26.07.18  
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REV.C: Update tree survey, amend plan 28.07.18  
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PROJECT

Proposed Unit Development  
12-14 William Street  
BALGOWNIE

DRAWING TITLE

Landscape Plan

CLIENT

Devo 1

DRAWING NO.

1819-LD02D

SCALE: 1:100 @ A1, 1:200 @ A3

CHECKED: TW

DATE: 28.09.17

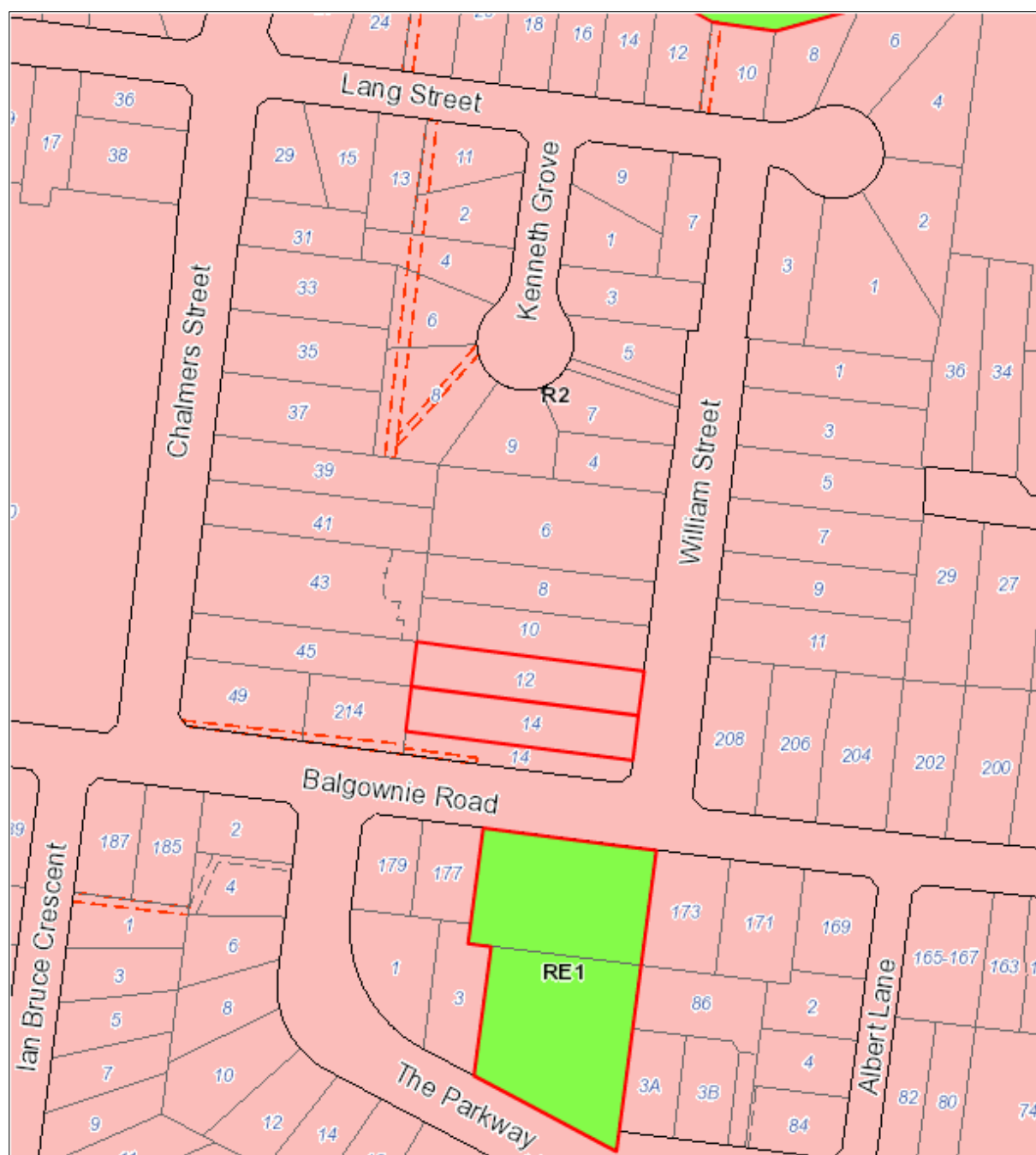
## Attachment 2 – Aerial Photo



AERIAL PHOTOGRAPH



### Attachment 3 – Zoning Map



Zoning Map

## Attachment 4 – Site Photos



Figure 1 - View of Site from Balgownie Road



Figure 2 - Riparian Zone at rear



Figure 3 - Riparian zone - looking east along Balgownie Road



Figure 4 - Looking toward rear of site

## Attachment 5- DRAFT CONDITIONS FOR: DA-2018/596

### Approved Plans and Specifications

- 1 The development shall be implemented substantially in accordance with the details and specifications set out on Project No 2017-22 Drawing A02-B and A03-B dated 26 July 2018, A-03A to A06-A and A10-A dated 15 May 2018 prepared by ADM Architects 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 **Building Work - Compliance with the Building Code of Australia**  
All building work must be carried out in compliance with the provisions of the Building Code of Australia.
- 3 **Construction Certificate**  
A Construction Certificate must be obtained from Council or an Accredited Certifier prior to work commencing.  
  
A Construction Certificate certifies that the provisions of Clauses 139-148 of the Environmental Planning and Assessment Amendment Regulations, 2000 have been satisfied, including compliance with all relevant conditions of Development Consent and the Building Code of Australia.  
  
**Note:** The submission to Council of two (2) copies of all stamped Construction Certificate plans and supporting documentation is required within **two (2)** days from the date of issue of the Construction Certificate, in the event that the Construction Certificate is not issued by Council.
- 4 **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.
- 5 **Tree Retention/Removal**  
The developer shall retain the existing trees indicated on the Landscape plan by Ochre Landscape Architects dated 26 July 2018 consisting of trees numbered T16, T21, T22, T23, T24, T25, T27, T27A, T28, T29, T30A, T30B, T30C and T31.  
  
The developer shall transplant trees numbered T1, T17, and T19 to an appropriate location on site by an experienced and qualified contractor.  
  
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 Mark Spence dated July 2018 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.  
  
The list of trees for retention include trees that require remediation for health and safety. The following trees are to be remediated by a qualified arborist to address the safety and health of the tree: T16, T22, T23, T25, T27, T27A, T28, T29 and T31.  
  
This consent permits the removal of trees numbered T2, T3, T4, T5, T6, T7, T8, T9, T10, T11, T12, T13, T14, T15, T18, T20, T26, T32, T33, and T34 as indicated on the Landscape plan by Ochre Landscape Architects dated 26 July 2018. No other trees shall be removed without prior

written approval of Council.

### **Prior to the Issue of the Construction Certificate**

6      **Design in Accordance with Flood Study**

The detailed design of the development (incl. earthworks, finished surface levels, and surface treatments) shall be generally in accordance with the Flood Risk Precinct Assessment by KFW job no. KF112641 revision V4 dated 14 May 2018. This requirement shall be reflected on the Construction Certificate plans and certified by a suitably qualified civil engineer prior to the release of the Construction Certificate.

7      **Fences**

Any new fences located in the flood plain shall be of a type that will not obstruct the free flow of floodwaters and not cause damage to surrounding land in the event of a flood. Details and locations are to be shown on the Construction Certificate Plans.

8      **Scour Protection**

The stormwater outlet to the watercourse shall be treated with appropriate scour/erosion protection measures in accordance with good engineering practice. All scour protection measures and headwall structures within the watercourse shall be designed and constructed to match existing surface levels to ensure that there will be no change in flooding behaviour. All stormwater outlets shall be taken to the low flow channel and orientated in the direction of natural flow of the receiving watercourse. The final details of the proposed scour/erosion protection measures shall be undertaken by a suitably qualified civil engineer and reflected on Construction Certificate plans.

9      **Loss of Flood Storage**

The detailed design of the development shall ensure no net loss of existing flood storage on the site in any storm event (up to the PMF). Construction details of compensatory flood storage areas, including flood storage void space beneath the buildings (if applicable), shall be prepared by a suitably qualified civil engineer and reflected on the Construction Certificate plans. This must include detailed plans showing finished surface levels, finished surface treatment and the flood storage volume provided. Certification from a suitably qualified civil engineer verifying that these requirements have been met shall be submitted to the Principal Certifying Authority prior to the release of the Construction Certificate.

10     **Stage 2 – Detailed Site Contamination Investigation and Remediation Action Plan**

A Stage 2 – Detailed Site Investigation and a Remediation Action Plan shall be submitted to the Principal Certifying Authority and Council (in the event Council is not the Principal Certifying Authority for its records), prior to the issue of a Construction Certificate. The Stage 2 – Detailed Site Contamination Investigation and Remediation Action Plan shall be prepared by a suitably qualified and experienced consultant who is certified under one of the following schemes:

- a      the Site Contamination Practitioners Australia (SCPA) scheme;
- b      the Environment Institute of Australia and New Zealand's (EIANZ) Contaminated Land Assessment Specialist Certified Environmental Practitioner (CLA Specialist CEnvP) scheme; or
- c      the Soil Science Australia (SSA) Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) certification.

11     **Present Plans to Sydney Water**

Approved plans must be submitted online using Sydney Water Tap, available through [www.sydneywater.com.au](http://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](http://www.sydneywater.com.au) or telephone 13 20 92 for further information.



12      **Car Parking and Access**

The development shall make provision for a total of 16 car parking spaces, a minimum of 3 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.

13      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.

14      **Landscaping**

The submission of a final Landscape Plan will be required in accordance with the requirements of Wollongong City Council DCP 2009 Chapter E6 and the approved Landscape Plan (ie as part of this consent) for the approval by the Principal Certifying Authority, prior to the release of the Construction Certificate.

15      The submission of a final Landscape Plan to the Principal Certifying Authority, prior to the release of the Construction Certificate. The final Landscape Plan shall address the following requirements:

a          The deep soil zone is to be densely planted with indigenous tree species native to the Illawarra Region such as: *Syzygium smithii* (syn *Acmena smithii*) Lilly pilly, *Archontophoenix cunninghamiana* Bangalow palm, *Backhousia myrtifolia* Grey myrtle, *Elaeocarpus reticulatus* Blueberry ash, *Glochidion ferdinandii* Cheese tree, *Livistona australis* Cabbage palm tree, *Syzygium paniculatum* Brush cherry, *Melaleuca styphelioides* Prickly Paperbark, *Alphitonia excelsa* Red Ash.

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

b          a schedule of proposed planting, including botanic name, common name, expected mature height and staking requirements as well as number of plants and pot sizes;

c          the location of all proposed and existing overhead and underground service lines. The location of such service lines shall be clear of the dripline of existing and proposed trees; and

d          Garden bed edges, mowing strips and retaining walls are to be masonry construction.

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

16      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.

17      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.

18      **Tree Protection and Management**

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

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



- b 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.
- c Irrigate: Areas within the Tree Protection Zone are to be regularly watered in accordance with the arborist's recommendations.

19 **Engineering Plans and Specifications - Retaining Wall Structures Greater than One (1) Metre**

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

- 19.1 A plan of the wall showing location and proximity to property boundaries;
- 19.2 An elevation of the wall showing ground levels, maximum height of the wall, materials to be used and details of the footing design and longitudinal steps that may be required along the length of the wall;
- 19.3 Details of fencing or handrails to be erected on top of the wall;
- 19.4 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;
- 19.5 The proposed method of subsurface and surface drainage, including water disposal;
- 19.6 Reinforcing and joining details of any bend in the wall at the passing bay of the accessway;
- 19.7 The assumed loading used by the engineer for the wall design.
- 19.8 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.

20 **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](mailto:propertyaddressing@wollongong.nsw.gov.au))**, for the site addressing prior to the issue of the construction certificate. Enquiries regarding property addressing may be made by calling 4227 8660.

21 **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.<sup>22</sup> **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 plan/s lodged for development approval, being The Drainage plan, prepared by KFW Reference No. KF112641, drawing no. C201, revision A, dated May 2018.
- b Include details of the method of stormwater disposal. Stormwater from the development must be piped to natural watercourse.
- 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.

## 23 **Flood Level Requirements**

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

- a Habitable floor levels must be constructed at a minimum of the highest adjacent 100 year flood level as determined by a suitably qualified civil engineer plus 0.65 metres freeboard.
- b Any portion of the building or structure below the highest adjacent 100 year flood level as determined by a suitably qualified civil engineer plus 0.65 metres freeboard should be built from flood compatible materials. Where materials are proposed and not listed in Appendix B of Chapter E13 of the Wollongong DCP2009, relevant documentation from the manufacturer shall be provided demonstrating that the materials satisfy the definition of 'flood compatible materials' as stated in Chapter E13 of the Wollongong DCP2009.
- c The proposed development shall be designed to withstand the forces of floodwater, debris and buoyancy up to and including the highest adjacent 100 year flood level as determined by a suitably qualified civil engineer plus 0.65 metres freeboard.

## 24 **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.
- g Must include details of a corrosion resistant identification plaque for location on or close to the OSD facility. The plaque shall include the following information and shall be installed prior to the issue of the occupation certificate:
  - The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.
  - Identification number DA-2018/596;
  - Any specialist maintenance requirements.

- h Must include a maintenance schedule for the OSD system, generally in accordance with Chapter E14 of the Wollongong DCP2009.

25 **Council Footpath Reserve Works**

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

All new driveway laybacks and driveway crossings must be designed in accordance with Wollongong City Council Standards. Details and locations are to be shown on the Construction Certificate Plans.

26 **Vegetation Management Plan**

Prior to release of the Construction Certificate, the applicant shall submit to Council for approval a detailed Vegetation Management Plan (VMP) which addresses the ongoing management of vegetation at the rear of the site adjacent to the creek. The VMP shall include, but is not limited to, the following issues:

26.1 Introduction.

26.2 Project Description.

This section should include:

- a. Timing and duration of works;
- b. a description of the area covered by the plan.

26.3 Objectives of the VMP.

This section should state what the VMP is trying to achieve

26.4 Context of the VMP.

This section should specify how the VMP relates to the overall site.

26.5 Legal and Other Requirements.

This section shall address who will be responsible for the management of the vegetation and how any future strata subdivision of the site will affect the management of the vegetation.

26.6 Implementation and Ongoing monitoring

26.7 Communication.

This section should include how the contractor plans to keep affected residents informed as to the nature and scope of works, the type of consultation and frequency.

This section should also detail the procedures for the notification of complaints and identify the person responsible for its maintenance and follow up action.

27 **Dilapidation Survey**

A dilapidation survey and report shall be submitted to the Principal Certifying Authority.

The dilapidation survey and report shall accurately reflect the condition of existing public and private infrastructure in the adjacent street(s) fronting the lots.

The report shall outline measures for the protection of existing public and private infrastructure during the works.

Any damage to infrastructure items and relics which is caused by the developer shall be repaired to the satisfaction of the Principal Certifying Authority prior to the issue of an Occupation Certificate.

28 **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 \$16,780.00 (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	<a href="http://www.wollongong.nsw.gov.au/applicationpayments">http://www.wollongong.nsw.gov.au/applicationpayments</a> Your Payment Reference: 988833	<ul style="list-style-type: none"> <li>• Credit Card</li> </ul>
In Person	Wollongong City Council Administration Building - Customer Service Centre Ground Floor 41 Burelli Street, WOLLONGONG	<ul style="list-style-type: none"> <li>• Cash</li> <li>• Credit Card</li> <li>• Bank Cheque</li> </ul>
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](http://www.wollongong.nsw.gov.au)

## Prior to the Commencement of Works

### 29 Unexpected Finds Protocol

An Unexpected Finds Protocol shall be prepared by a suitably qualified person and submitted to the Principal Certifying Authority prior to the commencement of works.

### 30 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.

### 31 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

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

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

32 **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.

33 **Demolition Works**

The demolition of the existing dwellings and ancillary 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.

34 **Demolition Notification to Surrounding Residents**

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

35 **Hazardous Material Survey**

At least one week prior to demolition, the applicant must prepare a hazardous materials survey of the site and submit to Council a report of the results of the survey. **Hazardous materials** includes, but are not limited to, asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint. The report must include at least the following information:

- a the location of hazardous materials throughout the site;
- b a description of the hazardous material;
- c the form in which the hazardous material is found, eg AC sheeting, transformers, contaminated soil, roof dust;
- d an estimation (where possible) of the quantity of each particular hazardous material by volume, number, surface area or weight;
- e a brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials, and where appropriate, reference to relevant legislation, standards and guidelines;
- f identification of the disposal sites to which the hazardous materials will be taken.

36 **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.

37 **Contaminated Roof Dust**

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

38 **Temporary Sediment Fences**

Temporary sediment fences (eg haybales or geotextile fabric) must be installed on the site, prior to the commencement of any excavation, demolition or construction works in accordance with Council's guidelines. Upon completion of the development, sediment fencing is to remain until

the site is grassed or alternatively, a two (2) metre strip of turf is provided along the perimeter of the site, particularly lower boundary areas.

39 **All-weather Access**

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

40 **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.

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

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

42 **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.

43 **Works in Road Reserve - Minor Works**

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

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

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

## **During Demolition, Excavation or Construction**

### **44 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.

### **45 Weed Management**

Weeds on the site, including within and around the drainage channel, must be appropriately controlled during construction.

### **46 Concrete/Brick/Paver Crushing Not to Take Place on Site**

No concrete/brick/paver crushing shall take place on site.

### **47 Survey Report for Floor Levels**

A Survey Report must be submitted to the Principal Certifying Authority verifying that each floor level accords with the floor levels as per the approved plans under this consent. The survey shall be undertaken after the formwork has been completed and prior to the pouring of concrete for each respective level of the building (if the building involves more than one level). All levels shall relate to Australian Height Datum.

### **48 Supervision of Engineering Works**

All engineering works associated with the development are to be carried out under the supervision of a practicing engineer and/or registered surveyor.

### **49 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.

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

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

### **51 Waste Inventory Report**

A Waste Inventory report must be maintained on-site during demolition work. The waste inventory is a register of all materials and waste removed from the site during the demolition work. The register must record each load or movement of material and waste from the site and must include at a minimum the following information:

- a the description of material (including identified hazardous material);
- b an estimate of the quantity by volume and weight;
- c the transporter and registration details of the relevant vehicle;
- d the intended destination of the material;
- e a copy of the National Association of Testing Authorities (NATA) accredited laboratory results for accumulated roof dust should be included with the Waste Inventory sent to Council.

### **52 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:

- i the variation in hours required (length of duration);
- ii the reason for that variation (scope of works);

- iii the type of work and machinery to be used;
- iv method of neighbour notification;
- v supervisor contact number;
- vi 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.

- 53 Drains, gutters, access ways and roadways must be maintained free of sediment and any other material. Gutters and roadways must be swept/scraped regularly to maintain them in a clean state.

- 54 **Site Management**

Stockpiles of sand, gravel, soil and the like must be located to ensure that the material:

- a Does not spill onto the road pavement and
- b is not placed in drainage lines or watercourses and cannot be washed into these areas.

- 55 Building operations such as brick cutting, the washing of tools or paint brushes, or other equipment and the mixing of mortar must not be carried out on the roadway or public footpath or any other locations which could lead to the discharge of materials into the stormwater drainage system or natural watercourse.

- 56 Should during construction any waste material or construction material be accidentally or otherwise spilled, tracked or placed on the road or footpath area without the prior approval of Council's Works Division this shall be removed immediately. Evidence that any approval to place material on the road or road reserve shall be available for inspection by Council officers on site at any time.

- 57 **Dust Suppression Measures**

Activities occurring during the construction phase of the development must be carried out in a manner that will minimise the generation of dust.

- 58 **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>).

- 59 **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.

- 60 **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.

- 61 **Excess, Unsuitable or Contaminated Excavated Material – Disposal**

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

- 62 **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.

63 **Screen Planting**

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

Recommended species:

- i *Acmena smithii* Cherry Surprise
- ii *Syzygium australe* Resistance
- iii *Syzygium australe* Cascade

Minimum spacing 900mm.

Minimum pot size 5 lt.

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

64 **Fences**

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

**Prior to the Issue of the Occupation Certificate**

65 **Occupation Certificate**

A 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.

66 **Asbestos Clearance Certificate**

An Asbestos Clearance Certificate prepared by a licensed asbestos assessor must be submitted to the Principal Certifying Authority and Council (in the event Council is not the Principal Certifying Authority for its records), prior to the issue of an Occupation Certificate.

67 **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.

68 **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.

69 **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.

70 **Waste Inventory**

A copy of the Waste Inventory which was maintained on-site during the demolition work and copies of relevant receipts of waste material being deposited at a waste disposal facility shall be forwarded to the Principal Certifying Authority and Council's Regulation and Enforcement Division (in the event that Council is not the Principal Certifying Authority), prior to the issue of the Occupation Certificate or commencement of the use.

71 The developer must make compensatory provision for the trees required to be removed as a result of the development. In this regard, four 100 litre container mature plant stock shall be placed along the in a suitable location on the subject property. The suggested species are *Elaeocarpus reticulatus*.

72 **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.

73 **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.

74 **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.

75 **Site Validation Report – (SAS and SAR is Not Required)**

A Site Contamination Validation Report (Stage 4) shall be submitted to Council prior to the issue of the Occupation Certificate.

The report shall verify that:

- a the site is not affected by soil and/or groundwater contamination above the NSW EPA threshold limit criteria; and
- b the site is suitable for the proposed development.

The validation report shall be prepared by a certified contaminated land consultant who is a member of one of the following certification schemes:

- the Site Contamination Practitioners Australia (SCPA);
- the Environment Institute of Australia and New Zealand's (EIANZ) Contaminated Land Assessment Specialist Certification Environmental Practitioner (CLA Specialist CEnvP); or
- the Soil Science Australia (SSA) Certified Professional Soil Scientist Contaminated Site

Assessment and Management (CPSS CSAM).

The Validation Report shall be issued by the certified consultant direct to Council. No third party submissions will be accepted.

76

**Structural Soundness Certification**

The submission of a report from a suitably qualified and experienced structural engineer to the Principal Certifying Authority is required, prior to the issue of the final Occupation Certificate and commencement of use. This report is required to verify that the development can withstand the forces of floodwater, debris and buoyancy up to and including the highest adjacent 100 year flood level as determined by a suitably qualified civil engineer plus 0.65 metres freeboard.

77

**Flood Affection Certification**

The submission of a report from a suitably qualified and experienced civil (hydrology) engineer to the Principal Certifying Authority is required, prior to the issue of the final Occupation Certificate and commencement of use. This report is required to certify that the 'as-constructed' development will not have any detrimental effects to adjoining properties or upon the subject land with respect to the loss of flood storage, changes in flood levels and alteration of flood conveyance, as a result of flooding or stormwater run-off.

## Attachment 6 – WDCP Compliance Table

### CHAPTER A2 – ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Generally speaking, the proposal is considered to be consistent with the principles of Ecologically Sustainable Development.

### CHAPTER B1 – RESIDENTIAL DEVELOPMENT

4.0 General Residential controls		
<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<p><u>4.12 Site Facilities</u></p> <ul style="list-style-type: none"> <li>• Provide letterboxes for all residential dwellings in a location, which is accessible.</li> <li>• Locate satellite dish telecommunication antennae, air conditioning units and any ancillary structures: <ul style="list-style-type: none"> <li>- Away from the street frontage;</li> <li>- In a position where such facilities will not become a skyline feature at the top of</li> <li>- any building; and</li> <li>- Adequately setback from the perimeter wall or roof edge of buildings.</li> </ul> </li> <li>• All dwellings must be provided with open air clothes drying facilities that are easily accessible and which are screened from the public domain and communal open spaces.</li> <li>• Clothes drying areas must have a high degree of solar access. Clothes drying areas must not be located between the building line and a public road or accessway, unless adequately screened.</li> <li>• Air conditioning units shall be located so that they are not visible from the street or other public places.</li> </ul>	<p>Letterboxes appropriately located</p> <p>No details provided</p> <p>Clothes drying areas appropriately located.</p> <p>No details provided</p> <p>All dwelling scan be adequately accessed by fire and rescue vehicles</p>	<p>Yes</p> <p>Can be conditioned to comply</p> <p>Yes</p> <p>Can be conditioned to comply</p> <p>Yes</p>

<p><u>4.13 Fire Brigade Servicing</u></p> <ul style="list-style-type: none"> <li>• All dwellings, particularly dual occupancy and dwellings on battle axe allotment must be located within 60m of a fire hydrant, or the required distance as required by Australian Standard AS2419.1. Provision must be made so that Fire and Rescue NSW vehicles can enter and leave the site in a forward direction where: <ul style="list-style-type: none"> <li>a) Fire and Rescue NSW cannot park their vehicles within the road reserve due to the distance of hydrants from dwellings and/or restricted vehicular access to hydrants; and</li> <li>b) The site has an access driveway longer than 15m.</li> </ul> </li> <li>• For developments where a fire brigade vehicle is required to access the site, vehicular access, egress and manoeuvring must be provided on the site in accordance with the Fire and Rescue NSW <i>Code of Practice – Building Construction – NSWFB Vehicle Requirements</i>.</li> </ul>		
<p>4.14 Services</p> <ul style="list-style-type: none"> <li>• Water, sewerage, gas, underground electricity and telephone are to be provided to the proposed development by the developer in accordance with Council and servicing authority requirements.</li> </ul>	All services are available to the site.	Appropriate conditions of consent can be imposed in relation to provision of services.
<p><u>4.15 Development near the coastline</u></p>	N/A	
<p><u>4.16 View sharing</u></p> <p>2. A range of view sharing measures shall be considered</p>	The proposal is not	Yes

<p>for incorporation into the design of a building including:</p> <p>(a) Appropriate siting of the building on the land so as to provide a strip of land, unencumbered with structures, down one side of the dwelling. This strip of land must be a minimum width of 3m or 25% of the lot width whichever is the greater.</p> <p>(b) A reduced view corridor width may be accepted, where it is located adjacent to a view corridor on the adjacent site, subject to the combined width having a minimum of 4m.</p> <p>(c) Appropriate placement of the bulk of the building on a site.</p> <p>(d) Provision of greater separation between buildings, where necessary to retain view corridors.</p> <p>(e) Articulation within the buildings design.</p> <p>(f) Careful selection of roof forms and slope.</p> <p>(g) Placement of vents, air conditioning units, solar panels and similar structures in locations which will not restrict views.</p>	<p>considered to have any significant impact on views</p>	
<b>4.17. Retaining walls</b>		
<ul style="list-style-type: none"> <li>• A retaining wall or embankment should be restricted to a maximum height above or depth below natural ground level of no more than: <ul style="list-style-type: none"> <li>(a) 600mm at any distance up to 900mm setback from any side or rear boundary; or</li> <li>(b) 1 metre, if the toe of the retaining wall or embankment is setback greater than 900mm from any side or rear</li> </ul> </li> </ul>	<p>Minimal detail of proposed retaining walls has been provided.</p>	<p>Can be conditioned to comply.</p>

boundary.		
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## 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 - 18m</u>	The site is 27.36m wide	Yes
<u>5.2 Number of Storeys - Max 2 storey in R2 Zone</u>	Two storey	Yes
<u>Front Setbacks 6m</u>	6m setback provided	Yes
<u>5.4 Side and Rear Setbacks</u> 0.8 x ceiling height 1.0m x ceiling height (where balconies or windows of living areas face side or rear boundaries)	At <u>ground floor</u> the ceiling height above natural ground level ranges from 3.04m to 4.39m requiring setback ranging from 2.43m to 3.51m. Provided ground floor setbacks for ground floor 2.43m – 3.51m At <u>first floor</u> the ceiling height above natural ground level ranges from 5.895m to 7.065m requiring setback ranging from 4.71m to 5.65m. Provided setbacks for first floor are 4.71m – 5.65m. Setback of private open space decks is 2.07m	Yes (see comments above in relation to setback for POS decks)
<u>5.5 Building Character and Form</u> (a) Articulate and fragment building walls that address the street and add visual interest. The appearance of blank walls or walls with only utility windows on the front elevation is not permitted. (b) Avoid expanses of any single material. (c) Utilise high quality and durable materials and finishes. (d) Entrances must be visible	Overall building design has been amended as compared to previous application. Pitched roofs and improved articulation provided. The design is now considered acceptable  Large expanses of cladding material and large areas of blank wall have been avoided. Materials acceptable Entrances acceptable  Habitable rooms face street Acceptable access	

<p>at eye level from the street and well lit.</p> <p>(e) For those dwellings adjacent to the street frontage, the habitable rooms must face the street.</p> <p>(f) Ensure entrances can accommodate the movement of furniture.</p> <p>(g) Air conditioning units must not be visible from the street.</p> <p>(h) All residential buildings must be designed with building frontages and entries clearly addressing the street frontage.</p> <p>Dwellings adjacent to the street boundary must have individual entries from the street.</p>	<p>A/C Units not shown on plans</p> <p>Entries to front units face William Street. Units 5-7 also now have pedestrian access to Balgownie Road.</p>	
<p><u>5.6 Access / Driveway Requirements</u></p> <p>Driveway crossover for 6-20 units to be 4-6m</p>	<p>The driveway is 5.5m wide at the entry of the site and generally 6m wide throughout the site narrowing to 4m adjacent to landscape bays.</p>	<p>Acceptable</p>
<p><u>5.7 Car Parking Requirements</u></p> <p>Car parking must be provided behind the building setback.</p>	<p>Visitor parking spaces are provided in front setback. Screening has been improved and the location is considered acceptable in this instance having regard to the constraints of the creek at the rear of the site.</p>	<p>No, but acceptable (see variation request)</p>
<p><u>5.8 Landscaping Requirements</u></p> <p>30% of site area to be landscaped</p>	<p>30% of site area (2,559m<sup>2</sup>) = 767.7m<sup>2</sup>. Area of landscaping provided is 994m<sup>2</sup> (38.8%)</p>	<p>Yes</p>
<p><u>5.9 Deep Soil Planting</u></p> <p>15% of site area to be provided as deep soil zone</p>	<p>15.1% of site is deep soil zone</p>	<p>Yes</p>
<p><u>5.10 Communal Open Space</u></p>	<p>Only applies to 10 or more dwellings</p>	<p>N/A</p>



<p><u>5.11 Private Open Space</u> Min 4m x 5m</p>	<p>Units 1, 2, 3, 5 &amp; 6 are provided with private open space in the form of a paved courtyard, together with an additional grassed area. These courtyards are set back 1.5m from the northern boundary and the setback is landscaped to minimise overlooking of the dwelling to the north.</p> <p>Direct access to the POS of Units 5, 6 &amp; 7 is also provided from the Balgownie Rd frontage.</p> <p>Units 4 and 7 are provided with a deck extending from the ground floor level, which overlooks the watercourse to the rear.</p> <p>The primary area of the decks have dimensions of 3.2 x 7.8m ie less than 4m width specified for ground level courtyards, they are in excess of the 20m<sup>2</sup> required, being 25m<sup>2</sup> in area.</p>	<p>Size complies</p>
<p><u>5.12 Solar Access Requirements</u></p> <p>1. Windows to living rooms of adjoining dwellings must receive 3 hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>2. At least 50% of the private open areas of adjoining residential properties must receive at least 3 hours of sunlight between 9.00am and 3.00pm on June 21.</p> <p>3 The primary balcony of at least 70% of the dwellings within a multi dwelling housing development shall receive a minimum of three hours of direct sunlight between 9.00am and 3.00pm on June</p>	<p>The site is oriented to the east/west and shadows from the proposed development fall to the William Street and Balgownie Rd road reserves.</p> <p>The previous design has been amended to include additional north facing windows in units and an internal reconfiguration of Unit 5. All units now have northern sunlight into living rooms.</p> <p>The private open space of Units 5 and 6 do not achieve the required level of sunlight access however the primary open space area of in excess of 70% of dwellings achieves</p>	<p>Yes</p>

21. 4. Windows to north facing living rooms for each of the subject dwellings in the development must receive at least 3 hours of sunlight between 9.00am and 3.00pm on 21 June. 5. At least 50% of the private open space area for each of the subject dwellings in the development must receive at least 3 hours of sunlight between 9.00am and 3.00pm on 21 June.	the required level of sunlight access in accordance with clause 5.11.2(2)(b).	
<u>5.13 Additional Control for Multi Dwelling Housing – Adaptable Housing</u>		
10% of dwellings (min. 1) to be capable of adaption for disabled or elderly residents	1 adaptable unit provided (Unit 4).	Yes
<u>5.14 Additional Control for Multi Dwelling Housing - Dwelling Mix and Layout</u>		
	Only applies to 10 or more dwellings	N/A
<u>5.15 Additional Control for Multi Dwelling Housing – Crime Prevention through Environmental Design</u>	Design is considered appropriate.	Yes

## CHAPTER D1 – CHARACTER STATEMENTS

### Balgownie

Balgownie has a local village character and is characterised by a relatively low density residential character with predominantly single to two storey detached brick and pitched roof tile dwelling houses. Some medium density housing also exists along Balgownie Road.

Balgownie is expected remain as a low density residential area with a mix of single and two storey dwelling-houses with some additional medium density housing occurring along Balgownie Road and in close proximity to the Princes Highway. New dwelling-houses and multi-dwelling housing should be of a face brickwork wall construction with pitched tile roofs, to reinforce the existing suburban character of Balgownie. Weatherboard wall construction may also be appropriate in or around the village centre where the prevailing streetscape contains similar weatherboard dwellings.

The previous design which provided parapet walls and large unarticulated sections of walls without any fenestration was not considered to be consistent with the existing and desired future character

for the locality. The amended design incorporates increased articulation and pitched tile roofs and is considered appropriate for the locality which consists primarily of face brickwork wall construction with pitched tile roofs.

#### **CHAPTER E1: ACCESS FOR PEOPLE WITH A DISABILITY**

It is not envisaged that the development would have any difficulty in meeting the provisions of the relevant legislation and detailed compliance will be assessed at Construction Certificate stage with an appropriate condition to this effect being included on the consent if approval is granted.

#### **CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN**

Passive surveillance opportunities of the street are available from each unit and ownership of individual dwellings and open space within the development will adequately reinforce crime prevention.

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

Car parking is required at a rate of 1 space per dwelling (<70m<sup>2</sup>) or 1.5 car parking spaces per dwelling (70-110m<sup>2</sup>) or 2 car parking spaces per dwelling (>110m<sup>2</sup>), plus 0.2 car parking spaces per dwelling for visitors. Required = 7 x 2 plus 2 visitor spaces. A double garage is provided for each Unit and 2 visitor spaces are provided.

#### **CHAPTER E6: LANDSCAPING**

Council's Landscape Officer has provided a satisfactory referral. No concerns raised under this chapter.

#### **CHAPTER E7: WASTE MANAGEMENT**

Site Waste Minimisation and Management Plan provided.

The application proposes that garbage bins will be stored within the private open space of each unit and wheeled to the street for collection (Units 1-4 to Williams Street and Units 5-17 to Balgownie Road. This is considered an appropriate arrangement for waste collection.

#### **CHAPTER E13 FLOODPLAIN MANAGEMENT**

The applicant was requested to provide additional information to enable flooding impacts to be assessed as part of the previous development application. This was provided by the applicant prior to the IHAP meeting on 28 February 2018 but had not been fully assessed prior to preparing the subject report.

The amended flood study has been assessed by Council's stormwater engineer in relation to the current proposal and is considered satisfactory. Conditions of consent have been recommended.

#### **CHAPTER E14 STORMWATER MANAGEMENT**

Council's Stormwater Engineer has reviewed the proposal in relation to this chapter and returned an satisfactory referral.

#### **CHAPTER E17 PRESERVATION AND MANAGEMENT OF TREES AND VEGETATION**

An arborist report was submitted in relation to the proposed tree removal and potential impact on trees on adjoining properties. Council's Landscape Officer has reviewed the arborist report and raises no objections.

#### **CHAPTER E21 DEMOLITION AND ASBESTOS MANAGEMENT**

The proposal includes the demolition of the existing dwelling and garage. Conditions relating to demolition works and asbestos management would be required for any consent issued.

#### **CHAPTER E22 SOIL EROSION AND SEDIMENT CONTROL**

Conditions of consent can be included in relation to appropriate sediment and erosion control measures to be in place during works.

#### **CHAPTER E17 PRESERVATION AND MANAGEMENT OF TREES AND VEGETATION**

Council's landscape officer has assessed the proposal and has given a satisfactory referral in relation to the submitted landscape design.

#### **CHAPTER E19 EARTHWORKS (LAND RESHAPING WORKS)**

Minimal earthworks are proposed.

#### **CHAPTER E21 DEMOLITION AND ASBESTOS MANAGEMENT**

Appropriate conditions of consent could be imposed to address the removal and disposal of any potential asbestos within the existing dwellings to be demolished.

#### **CHAPTER E22 SOIL EROSION AND SEDIMENT CONTROL**

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