

Wollongong Local Planning Panel Assessment Report | 24 August 2021

WLPP No.	Item No. 4
DA No.	DA-2020/908
Proposal	Residential – Demolition of dwelling house, consolidation of lots, construction of multi dwelling housing and eight (8) lot Strata subdivision.
Property	Lot 596 DP 752033 & Lot 1 DP 1251631, 14 and 14A Laurina Avenue, HELENSBURGH NSW 2508 Lot 4 & 5 DP 706067, 11 & 13 Rajani Road Helensburgh
Applicant	Shinbo Holdings Pty Ltd
Responsible Team	Development Assessment and Certification - City Wide Planning Team (AK)

ASSESSMENT REPORT AND RECOMMENDATION

Executive Summary

Reason for consideration by Local Planning Panel - Determination

The proposal has been referred to Local Planning Panel pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979 for **determination** pursuant to part 2 of schedule 2 of the Local Planning Panels Direction as the Development Application is considered contentious development, having received more than 10 unique submissions by way of objection.

Proposal

This application seeks consent for the demolition of a dwelling house, consolidation of two (2) lots, construction of multi dwelling housing and eight (8) lot Strata Title subdivision.

The proposal was identified as Integrated Development pursuant to Section 100B authorisation of the Rural Fires Act 1997. A response was received from the NSW RFS on 25 November 2020 providing a 100B authorisation Bush Fire Safety Authority subject to conditions.

Permissibility

The site is zoned R2 Low Density Residential pursuant to WLEP 2009. The proposal is categorised as multi dwelling housing and is permissible in the zone with development consent. Demolition is permissible on land to which the WLEP 2009 applies.

Consultation

The application was notified in accordance with Council's Community Participation Plan 2019. A total of twenty-two (22) submissions were received (21 objections, 1 support) from the original exhibition period. Amended plans and documents were exhibited and a further 3 objections were received. The issues identified during these exhibition periods are discussed below at Section 1.5.

The proposal has been referred to Council's Development Engineering, Property, Landscape and Community Safety Officers, with satisfactory referral advice and/or subject to conditions in each instance.

Main Issues

The main issues are:

- Design compliance;
- Traffic and parking onsite and Laurina Ave
- Character and setting

RECOMMENDATION

Development Application DA-2020/908 be approved subject to the conditions contained in Attachment 3.

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

Local Environmental Planning Policies:

- Wollongong Local Environmental Plan (WLEP) 2009

Development Control Plans:

- Wollongong Development Control Plan (WDCP) 2009

Other Policies:

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

1.2 DETAILED DESCRIPTION OF PROPOSAL

This application seeks consent for the demolition of a dwelling house, consolidation of two (2) lots, construction of multi dwelling housing and eight (8) lot Strata Title subdivision.

More specifically, the proposed development will consist of the following:

- The construction of eight (8) units
 - Units 1 and 5 are single storey three (3) and four (4) bedroom units respectively.
 - Units 2 to 4 and 6 to 7 are two storey units with three (3) bedrooms each, with Unit 8 having four (4) bedrooms.
- Works associated with the construction of the multi dwelling housing consist of landscape works, drainage infrastructure, driveways and retaining walls.
- The built form works are proposed across two lots being Lot 596 DP 752033 and Lot 1 DP 1251631 which are proposed to be consolidated as part of the development.
- An eight (8) lot Strata Subdivision is proposed for the constructed dwellings onsite.
- The development primarily addresses Laurina Avenue with Sawan Lane a secondary frontage

1.3 BACKGROUND

Application No.	Description	Decision	Decision Date
BA-1972/1767	Additions	Approved	28-Jul-1972
PL-2014/59	Subdivision and construction of duplex	Completed	17-Sep-2014
PL-2015/101	Torrens Title Subdivision/ 2x dual occupancies/ Torrens Title Subdivision	Completed	14-Oct-2015
PL-2017/220	Subdivision - torrens title - two residential lots and dual occupancy on each lot	Completed	15-Jan-2018
PL-2019/109	Boundary adjustment to create 4 lots and dual occupancies on 3 lots and single dwelling house	Completed	27-Aug-2019

DA-2020/159	Residential and Subdivision - demolition of existing structures, tree removals, Torrens title - four (4) lots, construction of single dwelling on proposed Lot 11, dual occupancies on proposed Lots 12, 13 and 14, and Subdivision - Strata title of dual occupancies on Lots 12 and 13 and Torrens title of dual occupancy on Lot 14	Withdrawn	29-May-2020
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No pre-lodgement meeting was held for the proposal.

Customer service actions

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

1.4 SITE DESCRIPTION

The site is located at Lot 596 DP 752033 & Lot 1 DP 1251631, 14 and 14A Laurina Avenue & Lot 4 DP 706067, 13 Rajani Road Helensburgh HELENSBURGH NSW 2508 with frontages to both Laurina Ave to the east with Sawan Lane located to the west and north. The subject site currently contains a single storey dwelling house with associated ancillary structures. The site has fall to the rear from Laurina Avenue to Sawan Lane to the west.

The surrounding area consists of predominately one and two storey dwellings interspersed with dual occupancies and multi-dwelling housing development further afield.

Property constraints

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

- Bushfire Prone

There are no restrictions on the title that would preclude assessment of the application.



Figure 1: Aerial photograph



Figure 2: WLEP 2009 zoning map

1.5 SUBMISSIONS

The application was notified in accordance with Council's Community Participation Plan 2019. A total of twenty-two (22) submissions were received (21 objections, 1 support) from the original exhibition period. Amended plans and documents were exhibited and a further 3 objections were received. The issues identified during these exhibition periods are discussed below.

Table 1: Submissions

Concern	Comment
<p>1. <u>Character & Setting</u></p> <ul style="list-style-type: none"> Development is out of character with street and Helensburgh. The site is not suitable for the proposed development. The proposal is an overdevelopment of the site. Better blocks of land are available in DP2644. Development of blocks within the village are allowed without any environmental improvements. The development of these units will result in additional noise in an otherwise quiet area. 	<p>The proposal is permissible development in the R2 Low Density Residential zone and complies with all WLEP 2009 development standards including floor space ratio and height.</p> <p>The proposal complies with WDCP 2009 controls with regard to landscaped area, communal open space and deep soil zone provision.</p> <p>The proposal complies with all WDCP 2009 controls with regard to number of storeys and side and rear setbacks.</p> <p>Despite the area immediately surrounding the subject site being comprised of dwelling house uses, it is expected that over time additional multi dwelling developments will occur in the area.</p> <p>The applicant has responded to concerns raised in relation to the design addresses the existing character of the area through amended plans which are considered generally consistent with the built form of the surrounding area.</p> <p>Any noise management concerns should be raised with Council's Regulation and Enforcement Division</p>

Concern	Comment
	for follow up investigation.
<p>2. <u>Traffic, Parking & Pedestrian Pathways</u></p> <ul style="list-style-type: none"> • Inadequate parking provided onsite. • No visitor parking is provided. • Poor access to public transport. • On-street parking will be impacted. • Inadequate parking and manoeuvring available in Sawan Lane. • Inadequate footpaths provided. • Poor condition of Laurina Ave is a concern. • Intersection of Laurina and Boomerang Street is inadequate in size and geometry and dangerous which will be exacerbated by the proposed development. A safety review should be conducted. • Kerb and gutter should be provided to the proposed development along Laurina Avenue. • As garages are utilised as extra rooms this should be accounted for in the design. • Sawan Lane road surface is inadequate and should be upgraded. • Bus route and stop is located in vicinity of proposal. 	<p>Fourteen (14) residential car parking spaces are provided in accordance with Chapter E3 of WDCP 2009.</p> <p>The visitor's car parking provided meets the requirements of Chapter E3 of the WDCP 2009, which requires that 0.2 visitor spaces be provided for each dwelling. As 8 dwellings are proposed, 2 visitors' spaces are required and are provided for in the design.</p> <p>Upgrades to the full extent of the subject site for the Laurina Ave frontage are required as part of the proposed development. These works will include new kerb and gutter and road pavement designs in accordance with Council's Subdivision Policy. These improvements will act to improve safety along the frontage of the development site whilst also aid in the safety at the nearby Boomerang Laurina Ave intersection.</p> <p>Traffic issues associated with speeding drivers and the proximity of the site to Rex Jackson Park is a wider traffic management issue for the Police and Council's Traffic Committee to separately consider.</p> <p>Council's Development Engineering Officer has reviewed the application submission with regards to Traffic and Parking and was satisfied subject to conditions recommended at Attachment 3.</p> <p>Additionally, a Construction Management Plan dealing with site management, pedestrian and traffic management has been recommended as a draft condition at Attachment 3.</p>
<p>3. <u>Infrastructure</u></p> <ul style="list-style-type: none"> • Inadequate infrastructure is available to support the proposed development. 	<p>The proposed development is capable of accessing all necessary infrastructure for services onsite whilst also being within reasonable distance to public transport and town centre services.</p>
<p>4. <u>Built Form & Design</u></p> <ul style="list-style-type: none"> • Front setback variation may be based on the existing building which was not adequately approved. • The single driveway is inadequate to allow manoeuvring onsite. • The front façade of the development is a 	<p>The front setback variation has been assessed in accordance with the requirements of WDCP 2009 and is considered appropriate in this instance. See Section 2.4.1 below for details.</p> <p>Council's Development Engineering Officer has reviewed the application submission with regards to</p>

Concern	Comment
<p>blank wall and presents poorly to the street frontage.</p> <ul style="list-style-type: none"> • The view of sunsets will be blocked by the proposed two storey development and will take away afternoon sun. • The proposed height of the development is too high and will create privacy issues for properties along Rajani Road. • The proposed development will create overshadowing to the rear yards of southern adjoining properties. 	<p>manoeuvring onsite and was satisfied subject to conditions recommended at Attachment 3.</p> <p>Amended plans have been provided which have altered the front façade of units 1 and 5 which present to the Laurina Avenue street frontage. These façade changes are considered to presently positively to the street frontage.</p> <p>The amended plans for the proposed development have been reviewed and are considered to appropriate. The proposal is permissible development in the R2 Low Density Residential zone and complies with all WLEP 2009 development standards including floor space ratio and height.</p> <p>Privacy and overlooking issues to properties long Rajani Road have been considered. Units 4 and 8 are located at the rear of the subject site closest to Rajani. However, the western elevations of Units 4 and 8 are located greater than 12m from the rear boundaries of the Rajani St lots and also contain predominately windows for low activity spaces such as bedrooms. As such, privacy and overlooking impacts are considered minor.</p> <p>Solar access matters have been assessed and considered acceptable in this instance. See Section 2.4.1 below for details.</p>
<p>5. <u>Stormwater & Flooding</u></p> <ul style="list-style-type: none"> • The Laurina Avenue frontage has poor stormwater management. • Stormwater infrastructure within Sawan Lane is inadequate to cater for additional vehicle use and stormwater flows. • Stormwater flows from the development site will increase and further adversely impact downslope properties. The introduction of these 8 units will only worsen these impacts. • Stormwater pipes across No. 13 Rajani Road have not been installed within the easement. The installation of these pipes will require major excavation works and create disturbance and inconvenience. The installation of these pipes will burden large sections of our block which cannot be developed in the future. Consequently, it is requested that the easement and location of pipes 	<p>Council's Development Engineering Officer has considered stormwater and flooding matters and is satisfied subject to a variety of draft conditions outlined at Attachment 3.</p> <p>It is considered that the introduction of stormwater management infrastructure on the development site will improve the control of stormwater flows to downstream properties.</p> <p>It is noted that no stormwater pipes are currently installed within the drainage easement which traverses the rear yard of No. 13 Rajani Road. Installation of these pipes is required to facilitate the proposed development. This has been assessed by Council's Development Engineering Officer who is satisfied subject to draft conditions as attached to Attachment 3. Owners consent from No. 13 Rajani Road has also been provided allowing such construction works to be carried out. All works must be conducted within the legally established drainage easement in accordance with Council's Development Engineering Officer assessment.</p>

Concern	Comment
is relocated closer to the perimeter of the block to allow greater area to remain unburdened for future development and lawn areas.	
<p>6. <u>Landscape Works</u></p> <ul style="list-style-type: none"> Trees and shrubs should be provided to the Laurina Avenue frontage to allow for a better environmental outcome. The proposed planting is inadequate and inconsistent with the bushland setting and wildlife of the area. Trees have been removed from the property in the past. 	<p>The proposed landscape plan includes densely planted areas to all boundaries. Eight (8) trees are also proposed as part of the development. This landscape plan has been assessed by Council's Landscape Officer against the provisions of Chapter E6 who is satisfied subject to draft conditions outline at Attachment 3. In addition, Council's Landscape Officer has also conditioned that 3 street trees are to be provided to the Laurina Avenue street frontage where frontage works are required.</p> <p>No trees are present onsite at the time of DA lodgement and assessment.</p>
<p>7. <u>Construction Phase</u></p> <ul style="list-style-type: none"> All contractors and builders should be required to park onsite during the construction phase to minimise impacts on surrounding neighbours. Sawan Lane should not be used for access during construction. Noise during construction will impact surrounding properties. 	<p>Draft conditions of consent in relation to noise management, traffic and pedestrian safety during construction works have been included at Attachment 3.</p>
<p>8. <u>Property Devalued</u></p> <ul style="list-style-type: none"> The proposed development will act to devalue surrounding properties. 	<p>Property values are not a planning consideration in accordance with the EP&A Act 1979.</p>
<p>9. <u>Sawan Lane Road Closure/Sale</u></p> <ul style="list-style-type: none"> The Department of Industry, Land and Forestry approved the sale of 14A Laurina Avenue on the condition that 6m of the road closure/sale is retained to allow for the extension of Sawan Lane through to Larina Avenue as a one-way lane. Why has this not been done? No turning circle is provided at the end of Sawan Lane. It should be fully paved and have kerb and gutter installed with no standing signage through to Laurina Avenue. Has the change of Sawan Lane from road to housing been assessed in terms of the intersection with Laurina Avenue 	<p>A 6m wide road reserve has been established for Sawan Lane. The proposed development does not encroach onto this road reserve.</p> <p>At the time of assessment Council has no plans to undertaken further works on Sawan Lane.</p> <p>Council's Development Engineering Officer has reviewed the application with regards to traffic and parking safety and was satisfied.</p> <p>The NSW RFS assessed the application in accordance with Section 100B of the Rural Fires Act and provided a satisfactory response via issuing of a Bush Fire Safety Authority on 25 November 2020 which outlined a variety of conditions. This response will form part of any consent granted.</p>

Concern	Comment
<p>and Boomerang Street?</p> <ul style="list-style-type: none"> The completion of Sawan Lane should be considered as a bushfire control and bushfire requirements should be imposed on the development. The development should observe the 6m corridor agreed to by Council. No risk assessment of the safety and suitability of Sawan Lane and the Laurina Avenue/Boomerang Street intersection during the closure/sale of Sawan Lane land. Native title should be considered and the Illawarra Aboriginal Land Council consulted. 	<p>The road closure and sale of Sawan Lane was carried out by the Department of Industry, Land and Forestry at which time any statutory requirements would have to be considered during their assessment.</p>
<p>10. <u>Bushfire</u></p> <ul style="list-style-type: none"> The fire hydrant in Sawan Lane is virtually inaccessible due to the narrowness of the lane and vehicles parking over it. 	<p>The NSW RFS assessed the application in accordance with Section 100B of the Rural Fires Act and provided a satisfactory response via issuing of a Bush Fire Safety Authority on 25 November 2020 which outlined a variety of conditions. This response will form part of any consent granted.</p>

Issue	1	2	3	4	5	6	7	8	9	10
Frequency	15	19	1	4	5	3	5	2	4	1

1.6 CONSULTATION

1.6.1 INTERNAL CONSULTATION

Details of the proposal were referred to Council's Landscape, Development Engineering, Statutory Property and Community Safety Officers for assessment. Satisfactory referral advice, comments and/or recommended conditions were provided in each instance.

1.6.2 EXTERNAL CONSULTATION

NSW Rural Fire Service (NSW RFS)

The proposal is located within a bushfire prone area and as subdivision is proposed the application is identified as Integrated Development requiring a 100B authorisation pursuant to the Rural Fires Act 1997. A response was received from the NSW RFS on 25 November 2020 providing a 100B authorisation Bush Fire Safety Authority subject to conditions. This response will form part of any consent granted.

2.1 SECTION 4.14 CONSULTATION AND DEVELOPMENT CONSENT—CERTAIN BUSH FIRE PRONE LAND

The proposed development is located within a bushfire prone area and is considered integrated development requiring a 100B authorisation pursuant to the Rural Fires Act 1997. Correspondence was received from the NSW RFS on 25 November 2020 providing a 100B authorisation subject to conditions which are included as part of the conditions at Attachment 3.

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

2.2.1 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

7 Contamination and remediation to be considered in determining development application

- (1) *A consent authority must not consent to the carrying out of any development on land unless—*
- (a) it has considered whether the land is contaminated, and*
 - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*
- (2) *Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.*
- (3) *The applicant for development consent must carry out the investigation required by subclause (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.*
- (4) *The land concerned is—*
- (a) land that is within an investigation area,*
 - (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*
 - (c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land—*
 - (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*
 - (ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

A desktop audit of previous land uses does not indicate any historic use that would contribute to the contamination of the site, with the properties being used for residential purposes since the 1940's. Minor earthworks are required and the proposal does not comprise a change of use. No concerns are raised regarding contamination as relates to the intended use of the land and the requirements of clause 7. Conditions in relation to demolition management works, asbestos management,

unexpected finds protocol and clearance certificate are also recommended with regards to contamination considerations.

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

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

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

2.2.3 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Clause 1.4 Definitions

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

Part 2 Permitted or prohibited development

Clause 2.2 – zoning of land to which Plan applies

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

Clause 2.3 – Zone objectives and land use table

The objectives of the zone are as follows:

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

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

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

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

The proposal is categorised as **Multi dwelling housing** as defined above and is permissible in the R2 zone with development consent. Subdivision of land is also permissible in accordance with WLEP 2009.

Clause 2.6 Subdivision—consent requirements

The proposal involves an eight (8) lot Strata subdivision of the development. Subdivision is permitted with consent.

Clause 2.7 Demolition requires development consent

Demolition forms part of this development application for which approval is sought. Conditions of consent are recommended to manage such works.

Part 4 Principal development standards

Clause 4.1 Minimum subdivision lot size

(4) This clause does not apply in relation to the subdivision of any land—

(a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or

(b) by any kind of subdivision under the Community Land Development Act 1989.

The application proposes an eight (8) lot Strata Subdivision. As outlined above Clause 4.1(4)(a) precludes Strata Subdivision from the minimum lot size requirements for the creation of lots.

Clause 4.3 Height of buildings

The proposed maximum building height of 8.3m does not exceed the maximum of 9m permitted for the site.

Clause 4.4 Floor space ratio

Amended plans have been assessed against Clause 4.4 as follows:

Maximum FSR permitted for the zone: 0.5:1

Site area: 2030m² (two subject lots combined)

GFA: 919.2m²

FSR: $919.2/2030\text{m}^2 = 0.452:1$

Part 7 Local provisions – general

Clause 7.1 Public utility infrastructure

The subject site is already serviced by electricity, water and sewage services and can be extended to meet the requirements of the proposed development.

Clause 7.14 Minimum site width

7.14 Minimum site width

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

(2) Development consent must not be granted for development for the purposes of a residential flat building unless the site area on which the development is to be carried out has a dimension of at least 24 metres.

As outlined above at Clause 7.14 (1) multi dwelling housing requires a minimum site width of at least 18m. The application proposes the consolidation of two lots which will have a total site width in excess of 33m which complies. A condition of consent in relation to lot consolidation is recommended at Attachment 3.

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

Not applicable.


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

2.4.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

CHAPTER A1 – INTRODUCTION

8 Variations to development controls in the DCP

Section 5.3 Front Setbacks	
<p>Section 5.3.2 (1) requires that a 6m setback applies from the front property boundary to the front façade of the building.</p> <p>The following outlines Council's consideration of the variation against the requirements of the DCP:</p>	
Control	Comment
The variation statement must address the following points:	
a) The control being varied; and	The control sought to be varied is 5.3.2 (1) which requires that a 6m setback applies from the front property boundary to the front façade of the building.
b) The extent of the proposed variation and the unique circumstances as to why the variation is requested;	<p>Applicant Response:</p> <p><i>Demolish existing clad residence amalgamate both sites and construct a multi unit housing development consisting of 2x single storey villas and 6 x 2 storey townhouse (total 8) arranged around a central driveway.</i></p> <p><i>Setbacks generally conform to DCP requirements save for the single storey villas which are the subject of this variation.</i></p> <p><u><i>Villa (unit 1)</i></u></p> <p><i>A variation with diminishing value from nil variation to 1500mm with minimum setback of 4500mm. (refer dia below) and located substantially within the shadow mask of the existing building.</i></p> <p><u><i>Villa (unit 5)</i></u></p> <p><i>A variation with diminishing value from nil variation to 2500mm with minimum setback of 3500mm. (refer dia below)</i></p> <p><i>Unit 5 locates where currently avacant and unformed lane "Wattle lane" forms the streetscape.</i></p> <p><i>The unique circumstances of the site and the historical development of this area of helensburgh with varying setback dimension and haphazard orientation result mainly from the oblique nature of street alignment. The general setbacks immediate to the site vary considerably in both dimension and orientation with common setbacks of 4.5m, 2.5m ,6m .</i></p> <p><i>The variation as indicated is compatible with the existing streetscape and character of the immediate area and will allow for the continuation of the existing single storey street pattern given that the existing buildings to be replaced are of similarly scale and setback.</i></p>

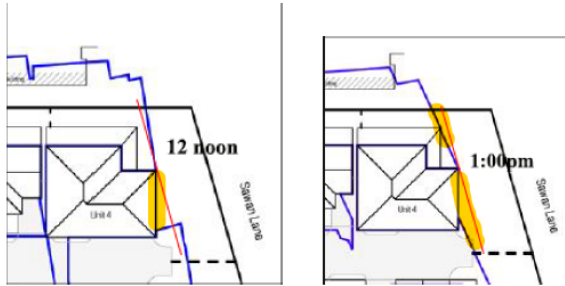
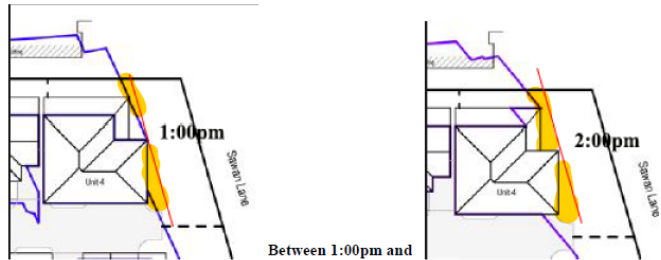
	
<p>c) Demonstrate how the objectives are met with the proposed variations; and</p>	<p>The objectives of the control are as per the below:</p> <ol style="list-style-type: none"> <i>To reinforce the existing character of the street by acknowledging building setbacks.</i> <i>To promote compatibility in front setbacks to provide for unity in the building line.</i> <p><u>Council comment:</u></p> <ul style="list-style-type: none"> The front setbacks proposed for units 1 and 5 are considered minor in relation to the prevailing setbacks for existing dwellings within close proximity. The subject site has a splayed frontage which results in point encroachment variations for single storey dwellings. The southern adjoining single storey dwelling has an existing front setback of approximately 2.5m in comparison to proposed unit 1 which has a proposed setback of 4.5m for a small portion of the dwelling. The existing dwelling located on the subject site has a front setback of 4.5m for the entire frontage of lot 596. Only small portions of units 1 and 5 encroach into 6m setback as outlined in diagram above. Extensive planting in the form of trees and shrubs are proposed within the front setbacks of the two single storey units which will further act to soften any perceived impact of the setback variation. In addition, Council's Landscape Officer has also conditioned that 3 street trees are to be provided to the Laurina Avenue street frontage where frontage works are required. <p>Overall, it is considered that the proposed front setback variation is not inconsistent with the objectives of the control as it will reinforce the existing character of the street via its proposed setbacks, whilst also being compatible with surrounding established building lines.</p>
<p>d) Demonstrate that the development will not have additional adverse</p>	<p>No significant adverse impacts are expected as a result of the proposal and variation sought.</p>

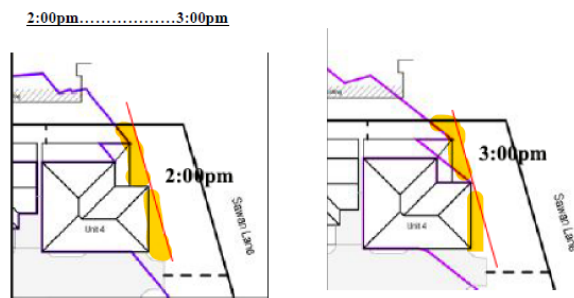
impacts as a result of the variation.	
Comment: The variation has been considered and is capable of support.	

Section 5.12 Solar Access Requirements

Section 5.12.2 (5) requires that 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 following outlines Council's consideration of the variation against the requirements of the DCP:

Control	Comment
The variation statement must address the following points:	
a) The control being varied; and	The control sought to be varied is Section 5.12.2 (5) which requires that 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.
b) The extent of the proposed variation and the unique circumstances as to why the variation is requested;	<p>Applicant Response:</p> <p>Extent of variation to this proposal: Solar access for the relevant times during the winter solstice are summarised below:</p> <p><u>12 noon1:00pm</u></p>  <p>Between 12 noon and 1:00 pm the sun strikes the western extremity with very minimal penetration into the POS area. The surrounding landscaped area of the deep soil zone and a small portion adjacent to the garage receive full sun.</p> <p><u>1:00pm.....2:00pm</u></p>  <p>Between 1:00pm and 2:00pm the sun strikes the western extremity with 50% penetration into the POS area occurring at around 2:00pm. The surrounding landscaped area of the deep soil zone and a small portion adjacent to the garage receive full sun.</p>

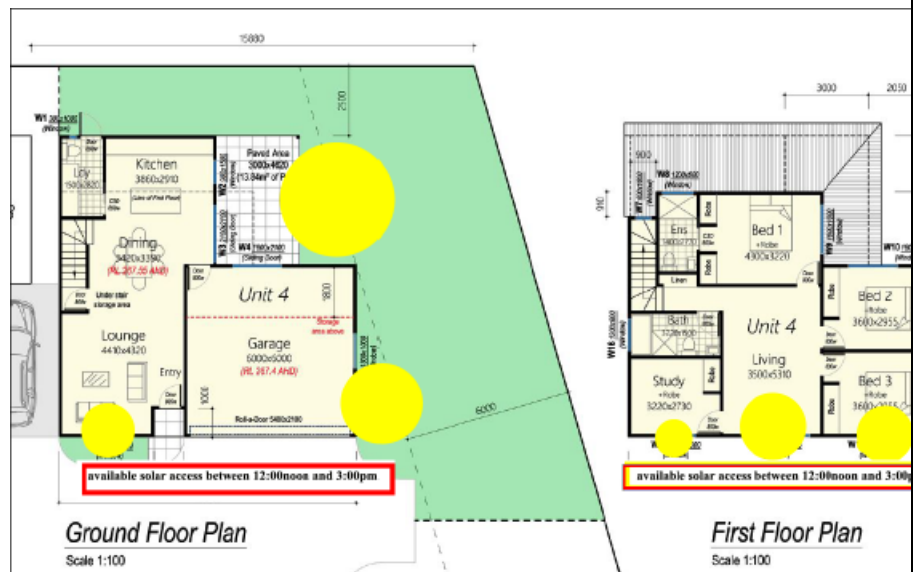


Between 2:00pm and 3:00pm the sun strikes the western extremity with in excess of 50% penetration into the POS area.
The surrounding landscaped area of the deep soil zone and a small portion adjacent to the garage receive full sun.

Unit 4 design:

The design of unit 4 has 2 living areas and multiple rooms at level 1 (study + bed3) which will receive sunlight for the majority of the day between 9:00am and 3:00pm particularly the upper floor areas which will be above vertical cutoff angles.

Mentioned previously a small area adjacent to the garages and the landscape area surrounding the POS will receive in excess of 3 hrs as required so that at some time during the day solar access in excess of 3 hrs will be available in varying amounts depending on location internally or external to the building. (refer diagram below).



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

The objectives of the control are as per the below:

- To minimise the extent of loss of sunlight to living areas and private open space areas of adjacent dwellings.
- To maximise solar access into living rooms and private open space of dwellings in the subject development.
- To use a consistent sunlight access assessment approach for the assessment of solar access issues.

Council comment:

- The POS area for Unit 4 is considered the entire rear yard allocated to Unit 4 consistent with the proposed strata subdivision plan. As such, adequate solar access is available for

	<p>the occupants to enjoy in the rear yard beyond just the paved outdoor area.</p> <ul style="list-style-type: none"> Unit 4 still maintains good internal solar access by virtue of north facing ground floor lounge room and upper storey living room windows. <p>Overall, it is considered that the proposed POS – solar access variation is not inconsistent with the objectives of the control as it has not impact on adjoining dwellings, maintains solar access to living rooms and allocated POS areas, is consistent with solar access assessment.</p>
d) Demonstrate that the development will not have additional adverse impacts as a result of the variation.	No significant adverse impacts are expected as a result of the proposal and variation sought.
<p>Comment:</p> <p>The variation has been considered and is capable of support.</p>	

CHAPTER A2 – ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Development controls to improve the sustainability of development throughout Wollongong are integrated into the relevant chapters of this DCP.

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>
<u>4.11 Storage Facilities</u>		
<ul style="list-style-type: none"> 3 bedroom- 10m³ storage volume to 5m² storage area 	The proposed development will provide adequate storage within each proposed dwelling.	Yes
<u>4.12 Site Facilities</u>		
<ul style="list-style-type: none"> letterboxes in an accessible location air-con, satellite dishes and other ancillary structures to be located away from street frontage, not in a place where they are a skyline feature. 	Appropriate site facilities have been provided and are considered acceptable in this instance.	Yes
<u>4.13 Fire Brigade Servicing</u>		
<ul style="list-style-type: none"> All dwellings located within 60m of a fire hydrant 	Fire hydrants are available in both Laurina Avenue and Sawan Lane.	Yes
<u>4.14 Services</u>		

<ul style="list-style-type: none"> Encourage early consideration of servicing requirements. 	The site has access to existing services. Draft conditions of consent are recommended with regards to services.	Yes
<u>4.15 Development near the coastline</u>	The subject site is not located near the coastline.	NA
<u>4.16 View sharing</u>	It is considered that the proposed development would not result in any significant impact on existing view corridors given the context of the site, prevailing topography and surrounding built form.	Yes
<u>4.17. Retaining walls</u>	Minor low-level retaining walls are proposed within the front setback in the form of stepped planter beds surrounding units 1 and 5. These walls are no greater than 600mm high in a stepped form and are considered appropriate landscape elements containing a variety of trees and shrubs.	Yes

5.0 Attached dwellings and multi -dwelling housing

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<u>5.1 Minimum Site Width Requirement</u>		
18m for multi-dwelling	The subject sites have a combined width greater than 18m which complies. No isolated lots will result. Lot consolidation will be conditioned.	Yes

<u>5.2 Number of Storeys</u>	Two storey development is proposed consistent with the height limit.	Yes
<u>5.3 Front Setbacks</u>	<p>The consolidated site has a primary frontage to Laurina Avenue and a secondary street frontage to Sawan/Wattle Lane which is currently unformed.</p> <p>A 6m setback is required for the primary street frontage. However, the front boundary setbacks for units 1 and 5 have part encroachments into this required 6m setback. A variation statement has been submitted in support of this variation which is considered above at Chapter A1.</p> <p>The proposed development has a secondary street frontage setback of 3m which complies with Clause 5.3.2(2) to Sawan/Wattle Lane.</p>	Variation statement submitted and capable of support. See Chapter A1 comments above.
<u>5.4 Side and Rear Setbacks</u>	Amended plans have been provided and all side and rear boundary setbacks are compliant with the controls outlined at table 5.4.2(1). Southern (side) and western (rear) boundaries comply with setback requirements. Sawan Lane side boundary setback of 3m also complies as Sawan Lane, although unformed, is still considered a roadway for future development.	Yes
<u>5.5 Building Character and Form</u>	<p>It is considered that the design, height and siting of the proposed dwellings responds to the site context.</p> <p>The proposal defines the street edge and allows for surveillance of the street, with Unit 1 and 5 addressing the street frontage. Articulation is provided on all elevations and the proposal does not present as inappropriate in scale or form when considered in relation to the zoning of the site and desired future character.</p>	Yes

<u>5.6 Access / Driveway Requirements</u>	<p>All vehicles will be able to leave the site in a forward direction.</p> <p>The proposed development satisfies the objectives of Council's Access/Driveway Requirements controls and policies. Conditions are recommended requiring compliance with AS2890.1.</p> <p>A 6m crossover is proposed. The driveway is 6m wide within the first 6m of the site and has a minimum width of 3m throughout the remainder to facilitate manoeuvring. Council's Development Engineering Officer has reviewed the application submission and identified no objections to the proposed access arrangements.</p>	Yes
<u>5.7 Car Parking Requirements</u>	<p>The proposed car parking requirements have been reviewed and 14 residential spaces and 2 visitor spaces have been provided which complies. Council's Development Engineer has also reviewed the application and is satisfied subject to conditions.</p>	Yes
<u>5.8 Landscaping Requirements</u>	<p>Council's Landscape Architect has reviewed the application submission and is satisfied subject to conditions.</p> <p>Landscaped Area Proposed: 30%</p> <p>A minimum 1.5m landscaped strip is proposed along all side and rear boundaries of the site.</p> <p>The proposed development satisfies the objectives of Council's landscaped area controls and policies. Council's Landscape Officer has raised no objections to the proposed landscaping. In addition, Council's Landscape Officer has conditioned that 3 street trees are to be provided to the Laurina Avenue street frontage where frontage works are required.</p> <p>See further discussion at Chapter E6 below.</p>	Yes

<u>5.9 Deep Soil Planting</u>	<p>The proposal provides for approximately 190m² of deep soil zone comprising dense planting along the full length of the rear boundary. The deep soil zone provided has a minimum width of 6m.</p> <p>It is noted that a stormwater drainage line is proposed within this deep soil zone, however, it is considered minor and will not adversely impact the objectives of the landscaping.</p> <p>Overall, the proposed development satisfies the objectives of Council's Deep Soil Planting controls and policies.</p>	Yes
<u>5.10 Communal Open Space</u>	Not applicable. Less than 10 dwellings proposed.	NA
<u>5.11 Private Open Space</u>	<p>All units have private open space with a minimum area of 4m x 5m separated from the boundary by a minimum 1.5m vegetated landscape bed and all units apart from unit 4 have access to in excess of 3 hours of direct sunlight. See variation statement submitted in relation to unit 4.</p> <p>No POS areas extend forward of the front building line more than 900mm.</p>	Variation statement submitted and capable of support. See Chapter A1 comments above.

<u>5.12 Solar Access Requirements</u>	<p>An assessment of the solar access diagrams has been undertaken. Additional information was sought from the Applicant to determine compliance in relation to the dewing at 10B Sawan Lane which adjoins the southern boundary.</p> <p>Detailed solar access diagrams at hourly intervals and sun angle diagrams and have been provided in accordance with Clause 5.12.2 (6) demonstrating compliance with Clause 5.12 for the adjoining dwellings to the south for both POS and living room windows.</p> <p>As noted above the POS area for unit 4 does not strictly achieve solar access requirements in accordance with Clause 5.12.2(5). A variation statement has been prepared and is considered satisfactory in this instance. See Chapter A1 variation chapter above.</p>	Variation statement submitted and capable of support. See Chapter A1 comments above.
<u>5.13 Additional Control for Multi Dwelling Housing - Dwelling Mix and Layout</u>	The proposed development comprises less than ten dwellings.	NA
<u>5.14 Additional Control for Multi Dwelling Housing - Adaptable Housing</u>	An accessibility report prepared by a suitable qualified access consultant has been provided which confirms that the adaptable unit (5) is capable of being modified to comply with the Australian Adaptable Housing Standard (AS 4299-1995).	Yes
<u>5.15 Additional Control for Multi Dwelling Housing – Crime Prevention through Environmental Design</u>	See Chapter E2 for assessment.	See below.

CHAPTER B2 – RESIDENTIAL SUBDIVISION

Controls/objectives	Complete	Compliance
5 Topography, landform conservation, cut and fill	It is considered that the proposed subdivision takes into account the site constraints and will have minimal impact on the features of the site in this circumstance.	Yes

6 Subdivision design		
6.1 Lot Layout - Aspect and solar access	It is considered that the proposed subdivision lot layout satisfies the objectives of clause 6 subdivision lot layout – aspect and solar access orientation in this circumstance.	Yes
6.2 Lot Size	Not applicable – Strata Subdivision	Yes
6.3 Lot Width and Depth	Not applicable – Strata Subdivision	Yes
6.4 Battle-axe Lots	Not applicable – Strata Subdivision	NA
6.5 Building envelopes	Not applicable – Strata Subdivision	Yes
6.6 Superlots in residential subdivisions for integrated housing or medium density housing	Not applicable – Strata Subdivision. No superlots proposed.	NA
6.7 Existing easements	Council’s Development Engineer has reviewed the application submission and is satisfied subject to conditions.	Yes
7 Major residential subdivisions	Not applicable	NA
8 Public reserves and open space	Not applicable	NA
9 Pedestrian and bicycle networks	Not applicable	NA
10 Acoustic assessment	Not applicable	NA
11 Street tree planting	Not applicable	NA
12 Entry statements	Not applicable	NA

13 Traffic Facilities	Not applicable	NA
14 Bushfire protection	Not applicable	NA
15 Stormwater drainage	Council's Development Engineer has reviewed the application submission and is satisfied subject to conditions.	Yes
16 Riparian land management	Not applicable	NA
17 Servicing Arrangements	The subject site is located in an established area and services are readily available for connection.	Yes
18 Road addressing	An appropriate condition has been imposed in relation to property addressing compliance.	Yes
19 Subdivision handover	Not applicable	NA

CHAPTER D1 – CHARACTER STATEMENTS

Helensburgh

Existing character:

Helensburgh is situated at the far northern boundary of Wollongong LGA and is bounded by the Royal National Park to the north and east, the F6 freeway and Princes Highway to the west and the Illawarra escarpment to the south.

Helensburgh has a unique country village character. It is characterised by a relatively low residential density and comprises a mix of older style single storey and two storey weatherboard, fibro and brick detached dwelling-houses in the earlier subdivisions whereas the newer release area subdivisions predominantly contain single storey and two storey brick and pitched roof tile dwelling-houses. Small pockets of medium density villa, townhouse and 3 storey walk-up flat developments also exist in the vicinity of the town centre.

The Helensburgh retail and town centre is generally one to two storeys in height and contains a medium sized supermarket and a variety of retail shops and other business and medical services which serve the daily and weekly convenience needs of the area. The trade area of Helensburgh is primarily confined to the township of Helensburgh and the neighbouring villages of Otford, Stanwell Tops, Stanwell Park, Coalcliff and Clifton.

Helensburgh contains Australia's first traditional Hindu temple and also features a number of rural land uses, particularly on the western and southern parts of the suburb.

Desired Future Character:

Helensburgh has one of the highest growth rates in the Wollongong Area. This growth is likely to continue over the next 5 – 10 years.

The mix of dwelling styles in Helensburgh is likely to remain given that the new release area subdivisions are likely to contain larger contemporary style dwellings whilst the older settlement areas will contain a mix of older weatherboard, fibro and brick dwellings with the replacement of some older dwelling stock with larger two storey contemporary designed dwellings.

Shop top housing will also be encouraged within the Helensburgh town centre.

The Helensburgh town centre is likely to comprise of up to 20,000m² of retail floor space and will serve a trade area population of approximately 10,000 – 20,000 people. The centre will focus on the provision of weekly and daily convenience goods and services to cater for the needs of the surrounding community but will also provide a limited range of non-retail professional and non-retail personal services such as dry cleaning and Australia Post. The centre will be anchored by a at least one to two medium scale to full line supermarket(s) and is likely to also include a fruit and vegetable store, bakery, butcher and a limited range of non-retail services including pharmacy, hairdressers, medical practitioners, video / entertainment hire outlet etc.

Higher order retailing and business services are likely to continue to be provided between Wollongong City Centre and Corrimal town centre as well as the southern Sydney suburbs of Engadine, Miranda, Sutherland and Kogarah.

Conservation of significant bushland and protection of downstream water quality will remain important priorities for Helensburgh.

The proposed development has been considered against the existing and desired future character as outlined above. The proposal is not inconsistent with the existing and desired future character for the locality as it addresses the continuing growth rates experienced throughout the suburb, the renewal of existing sites through the suburb in the form of medium density villas whilst maintaining design features consistent with the prevailing character of the area.

CHAPTER E1: ACCESS FOR PEOPLE WITH A DISABILITY

It is considered that disabled access to the proposed development is acceptable in this circumstance. The submitted Access Consultant's Report has also been reviewed and conditions are recommended as provided at Attachment 3.

CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

<i>Control/objective</i>	<i>Comment</i>	<i>Compliance</i>
<u>3.1 Lighting</u>	Conditions are recommended with regard to the lighting of entries.	Conditioned for.
<u>3.2 Natural surveillance and sightlines</u>	The design of the proposed dwellings does not create significant areas for concealment and also permits natural passive surveillance of the semi-public areas of the development. Units 1 and 5 have been designed to front the street.	Yes

<i>Control/objective</i>	<i>Comment</i>	<i>Compliance</i>
<u>3.3 Signage</u>	The proposal does not include any signage.	NA
<u>3.4 Building design</u>	As mentioned above, the building designs are adequate to provide secure areas and passive surveillance to semi-public spaces and minimises areas of concealment or entrapment.	Yes
<u>3.5 Landscaping</u>	Landscaping proposed is considered appropriate and minimises areas of concealment or entrapment.	Yes
<u>3.6 Public open space and parks.</u>	There is no public open space proposed or required.	NA
<u>3.7 Community facilities</u>	There are no community facilities located within the development as proposed.	NA
<u>3.8 Bus stops and taxi ranks</u>	Public transport is accessible within the Helensburgh area.	NA

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

Based on the gross floor area of each dwelling proposed a total of fourteen (14) residential dwelling spaces are required and have been proposed via garages and parking spaces in compliance with Chapter E3. The visitor car parking spaces are proposed off the central driveway area, satisfying the provisions of this Chapter.

Manoeuvring diagrams have also been provided demonstrating compliance from all car parking spaces and allowing all vehicles to enter and exit the site in a forward direction. Resident bicycle parking spaces are proposed within the garage storage areas of each dwelling.

The frontage to Laurina Avenue is currently unformed and is required to be upgraded to include barrier kerb and gutter and road pavement for the full frontage of the development. In addition, Council's Landscape Officer has conditioned that 3 street trees are to be provided to the Laurina Avenue street frontage where frontage works are required.

It is also noted that Sawan Lane surrounding the side and rear setback of the proposed development is unformed. Council's Property Section is currently exploring options for its future development but no plans have been finalised at this time.

Overall, Council's Development Engineering Officer has assessed the proposal and provided conditionally satisfactory referral advice.

CHAPTER E6: LANDSCAPING

Council's Landscape Officer has reviewed the application with regard to Chapter E6 and is satisfied subject to appropriate conditions of consent which are included at Attachment 3 of the report.

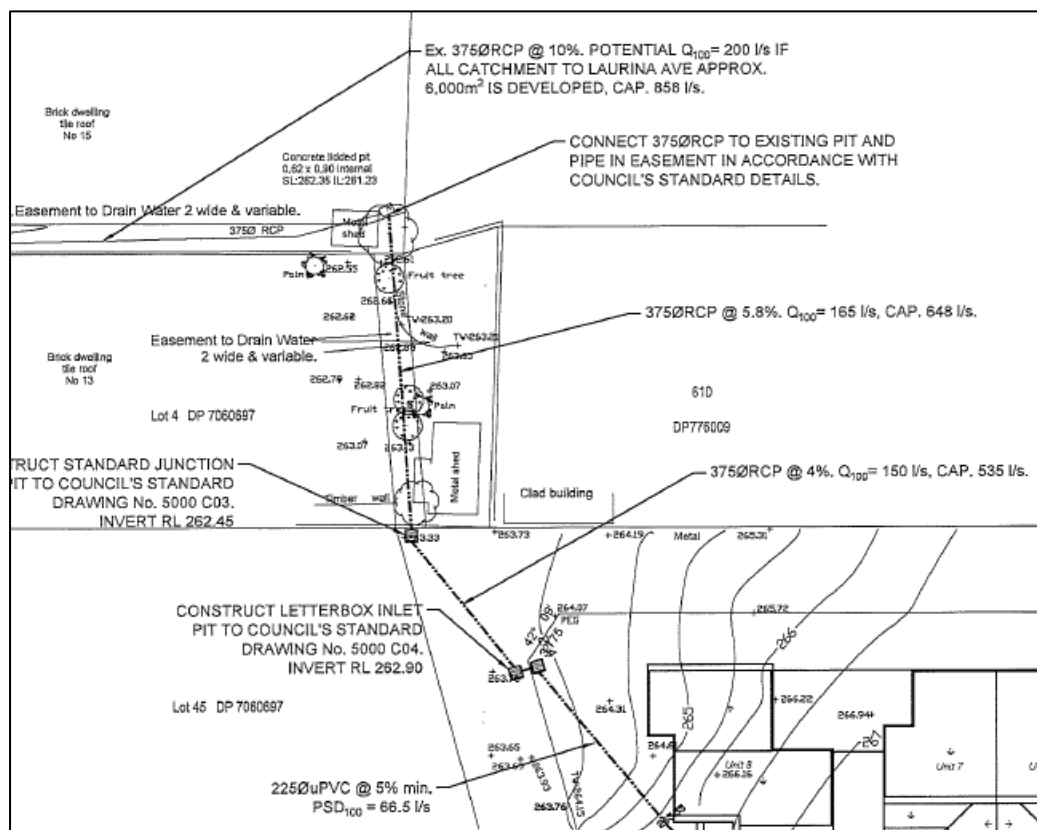
Deep soil zones are provided across the rear of the site whilst plantings to the front and side setbacks have been proposed to minimise any perceived adverse visual impacts. Eight (8) trees are also proposed to the front and rear setbacks. In addition, Council's Landscape Officer has conditioned that 3 street trees are to be provided to the Laurina Avenue street frontage where frontage works are required.

CHAPTER E7: WASTE MANAGEMENT

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

CHAPTER E14 STORMWATER MANAGEMENT

The proposed development has been assessed against the controls outlined in Chapter E14 of WDCP 2009. Stormwater disposal is achieved for the site via construction of a new stormwater pipe within the subject site, across the existing road reserve of Sawan Lane (unformed) and then across the existing drainage easement across the rear of Lot 4 & 5 DP 706067, 11 & 13 Rajani Road Helensburgh. (See excerpt of stormwater diagram below). Whilst the drainage easement across Lot 4 DP 706067 was legally established no stormwater pipe was installed hence the need for the pipe installation works to now be included as part of this application. Owners consent for lots 4 and 5 for these stormwater drainage works has been provided.



Management of stormwater is further enhanced with the requirement for Laurina Avenue road verge works to be undertaken with kerb and gutter and road pavement upgrades.

Council's Development Engineer has reviewed the application with regard to Chapter E14 and is satisfied subject to conditions.

CHAPTER E16 BUSHFIRE MANAGEMENT

The proposal is located within a bushfire prone area and as subdivision is proposed the application is identified as Integrated Development requiring a 100B authorisation pursuant to the Rural Fires Act 1997. A response was received from the NSW RFS on 25 November 2020 providing a 100B authorisation Bush Fire Safety Authority subject to conditions. This response will form part of any consent granted.

CHAPTER E17 PRESERVATION AND MANAGEMENT OF TREES AND VEGETATION

No trees are located onsite at the time of lodgement and assessment of the application. However, it is noted that eight (8) trees are proposed as part of the required landscape works for the site which will be included as recommended conditions of consent as provided at Attachment 3. In addition, Council's Landscape Officer has conditioned that three (3) street trees are to be provided to the Laurina Avenue street frontage where frontage works are required.

CHAPTER E19 EARTHWORKS (LAND RESHAPING WORKS)

The proposal would require minor site preparation works, which would not otherwise require development consent. The works are not expected to result in unreasonable impacts on environmental functions and processes, neighbouring properties or the features surrounding land. Conditions are recommended to manage impacts as provided at Attachment 3.

CHAPTER E20 CONTAMINATED LAND MANAGEMENT

See Section 2.2.1 above for details.

CHAPTER E21 DEMOLITION AND HAZARDOUS BUILDING MATERIALS MANAGEMENT

The submitted demolition plan indicates the removal of the all structures on the site. Conditions in relation to demolition management works, asbestos management, unexpected finds protocol and clearance certificate are recommended in this regard as provided at Attachment 3.

CHAPTER E22 SOIL EROSION AND SEDIMENT CONTROL

Conditions of consent are recommended in regard to appropriate sediment and erosion control measures to be in place during works as provided at Attachment 3.

2.4.2 WOLLONGONG CITY WIDE DEVELOPMENT CONTRIBUTIONS PLAN 2019

The estimated cost of works is >\$100,000 (\$2,486,000) and a levy of 1% is applicable under this plan as the threshold value is \$200,000. A condition is recommended in this regard, as provided at Attachment 3 to this report.

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

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

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

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

Conditions of consent are recommended with regard to demolition including asbestos management.

93 Fire safety and other considerations

Conditions of consent are recommended requiring compliance with the BCA/National Construction Code with regard to fire safety.

94 Consent authority may require buildings to be upgraded

Not applicable

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

Context and Setting:

In regard to the matter of context, the planning principle in Project Venture Developments v Pittwater Council [2005] NSWLEC 191 is relevant in that it provides guidance in the assessment of compatibility. The two major aspects of compatibility are physical impact and visual impact. In assessing each of these the following questions should be asked:

- Are the proposals physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.
- Is the proposals appearance in harmony with the buildings around it and the character of the street?

In response to the first question, matters such as overshadowing, privacy concerns, bulk scale and setbacks are relevant. The proposal is within the allowable Floor Space Ratio and Building Height for the site and proposes side and rear setbacks in excess of the minimum requirements with only minor front setback and solar access variations. The development will not result in unreasonable overshadowing of any adjoining property, or the development potential of any nearby site.

With regard to the visual impact, the development is not considered to be inconsistent with the desired future character of the area, as discussed throughout the report. The area is currently predominately made up of one and two storey dwelling houses, however, is likely to be subject to additional higher density development in time given the height and FSR maximums for the area, and age of some surrounding housing stock. The development would not be considered to result in an unreasonable visual impact.

In summary, the proposal has been assessed with regard to the amenity impacts from the development, the zoning, permissible height and FSR for the land, and existing and future character of the area, and is not considered to be incompatible with the context and setting or existing and future desired character of the local area.

Access, Transport and Traffic:

The development provides for the required number of car parking spaces and adequate manoeuvring areas. Council's Development Engineering Officer has considered the development with regard to impacts on the wider traffic network and raised no objections to the proposal.

Public Domain:

The development is considered to provide for a positive contribution to the public domain, with Units 1 and 5 presenting to Laurina Avenue as single storey dwellings. Presentation to the side and rear along Sawan Lane is also considered appropriate given the compliant setbacks and spatial separation from surrounding dwellings. The planting of trees within these front and rear setbacks further reduces and likely built form impact to the public domain.

Utilities:

The proposal is not envisaged to place an unreasonable demand on utilities supply. Existing utilities are adequate to service the proposal. Conditions are recommended in this regard as provided at Attachment 3.

Heritage:

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

Other land resources:

The proposal is considered to contribute to orderly development of the site and is not envisaged to impact upon any valuable land resources.

Water:

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

The proposal is not envisaged to have unreasonable water consumption.

Soils:

Contamination, excavation and filling of the site have been addressed as discussed throughout the report. The site is not identified as contaminated land and minimal earthworks are proposed.

Air and Microclimate:

The proposal is not expected to have negative impact on air or microclimate.

Flora and Fauna:

There is no vegetation removal required. The proposed landscape plan makes provision for eight (8) trees and dense planting throughout the development in compliance with WDCP 2009. In addition, Council's Landscape Officer has conditioned that 3 street trees are to be provided to the Laurina Avenue street frontage where frontage works are required.

Waste:

A condition is recommended requiring that an appropriate receptacle be in place for any waste generated during the construction. On street collection is proposed to be relied upon for the occupation of the development and is considered appropriate.

Energy:

The proposal would not be envisaged to have unreasonable energy consumption. See BASIX considerations at section 2.2.2 above.

Noise and vibration:

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

Natural hazards:

Council records list the site as bushfire affected. As such, a 100B authorisation pursuant to the Rural Fires Act 1997 was referred to the NSW. A response was received from the NSW RFS on 25 November 2020 providing a 100B authorisation Bush Fire Safety Authority subject to conditions. This response forms part of the draft conditions outlined at Attachment 3.

Technological hazards:

There are no technological hazards affecting the site that would prevent the proposal.

Safety, Security and Crime Prevention:

This application would not be expected to result in greater opportunities for criminal or antisocial behaviour.

Social Impact:

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

Economic Impact:

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

Site Design and Internal Design:

The application does not result in any departures from WLEP 2009 development standards as discussed throughout the report. The proposal does seek variations to development controls relating to requirements POS solar access and front setbacks. The requests have been considered and are considered capable of support in this instance, as discussed at section 2.4.1 above. Residential amenity, waste management, vehicular manoeuvring and pedestrian access have been accounted for in the design and site layout.

Construction:

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

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

Cumulative Impacts:

The proposal is not expected to result in negative cumulative impacts.

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

Does the proposal fit in the locality?

The design of the proposal is considered an appropriate response to the site constraints and is not expected to result in increased adverse impacts on the character of the locality or amenity of adjoining developments.

Are the site attributes conducive to development?

There are no site constraints that would prevent the proposal.

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

See Section 1.5 above.

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

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

3 CONCLUSION

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

It is considered that the applicant has provided adequate justification for the variations sought to WDCP 2009 as relates to requirements for POS solar access and front setbacks. The variations are considered capable of support.

All relevant internal and external referrals are conditionally satisfactory.

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

No adverse internal referral matters were raised, and there are no outstanding issues.

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

4 RECOMMENDATION

Development Application DA-2020/908 be approved, subject to the conditions contained in Attachment 3.

5 ATTACHMENTS

- 1 Architectural Plans, Landscape Plan and Drainage Plans
- 2 WDCP 2009 Variation request statements
- 3 Conditions
- 4 Site Photos



Note:
It is the responsibility of any Builder or Subcontractor quoting or undertaking any part of the works shown on these drawings to ensure that all work is carried out in accordance with the BCA, all relevant Australian Standards and all Codes and Regulations of Council and other Authorities. Builders and Subcontractors should also check and confirm all measurements on site and discuss any inconsistencies with the owner before commencing work.

Proposed Buildings

14 Laurina Avenue,
Helensburgh NSW 2508

Client Name - Mr D Paine

DA Application

Date : January 2021
Scale : 1:200
(for A3 sheets)
Rev:

Site Plan

Sheet No.
(for A3)

02 of 21





Existing
Garage

Note:
It is the responsibility of any Builder or Subcontractor quoting or undertaking any part of the works shown on these drawings to ensure that all work is carried out in accordance with the BCA, all relevant Australian Standards and all Codes and Regulations of Council and other Authorities. Builders and Subcontractors should also check and confirm all measurements on site and discuss any inconsistencies with the owner before commencing work.

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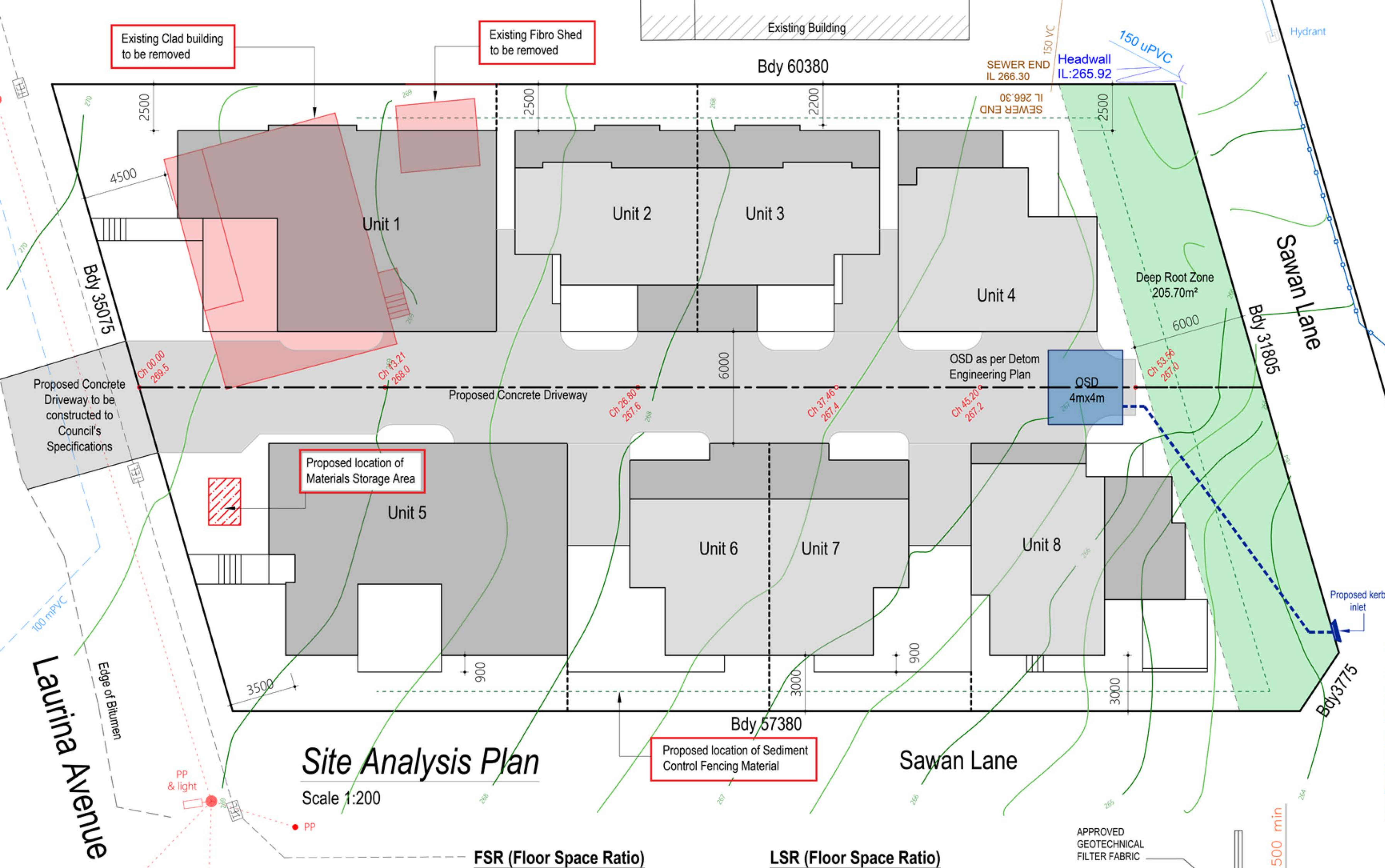
DA Application

Date : January 2021
Scale : 1:200
(for A3 sheets)
Rev:

Site Plan

Sheet No.
(for A3)

01 of 21



SEDIMENT CONTROL

All erosion and sediment control measures shall be implemented and maintained in accordance with councils specifications for civil works associated with subdivisions and developments and the department of land and water conversations urban erosion and sediment control field guide. All runoff and erosion controls shall be in place before commencement on site and continuously maintained during the course of construction. It is the responsibility of the contractor to ensure all measures are taken to prevent sediment erosion and pollution of down stream drainage systems.

FSR (Floor Space Ratio)

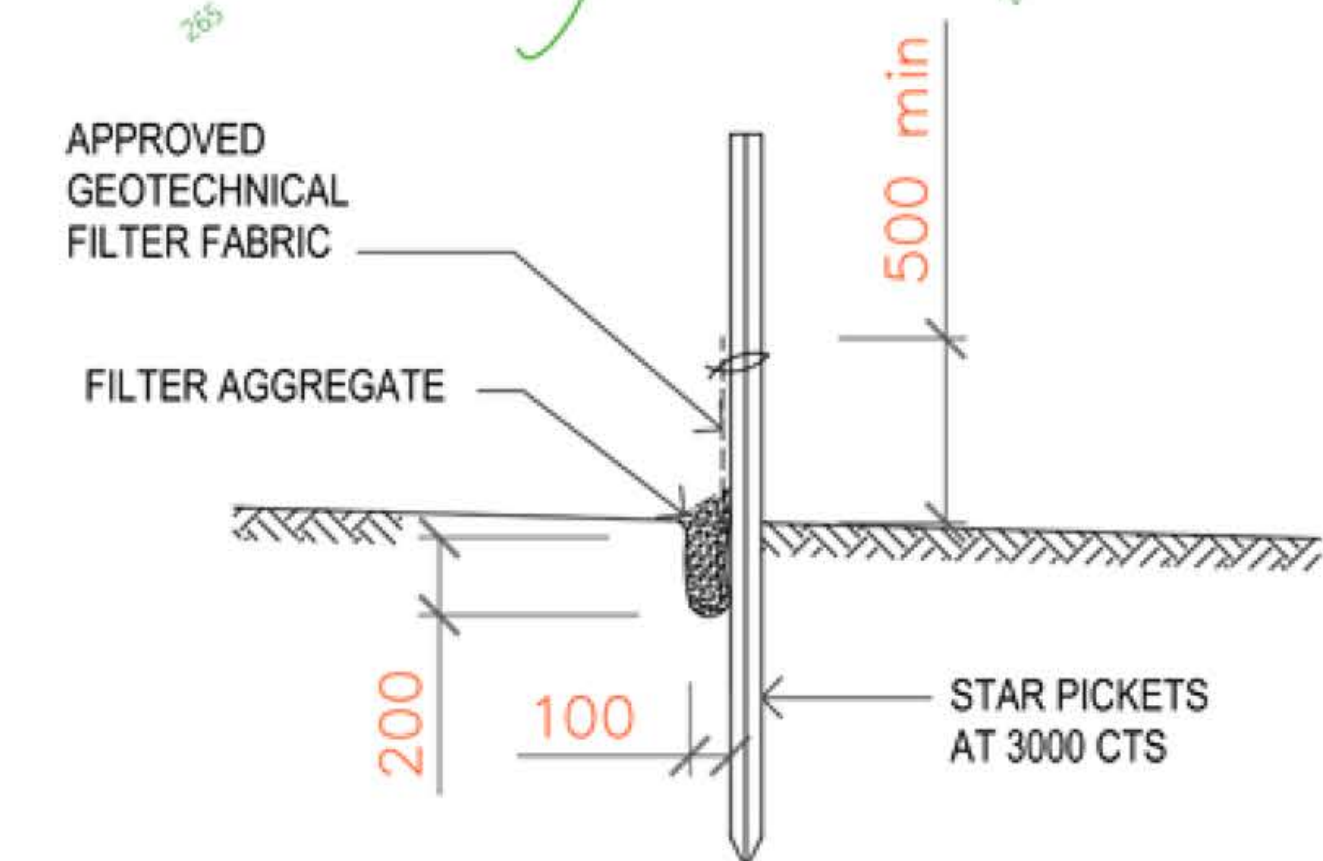
Existing Site Area = 2030.24m²

Area of Proposed Buildings = 987.18m²

Floor Space Ratio = Total Area / Existing Site Area
= 987.18m² / 2030.24m²
= 0.48:1 or 48.62%

LSR (Floor Space Ratio)

Existing Site Area	= 2030.24m ²
Area of Proposed Buildings	= 835.36m ²
Area of Proposed Driveways	= 350.71m ²
Area of Proposed Patios/Decks	= 186.36m ²
Total Area	= 1372.43m ²
Floor Space Ratio	= Total Area / Existing Site Area
	= 657.81m ² / 2030.24m ²
	= 0.32:1 or 32.40%

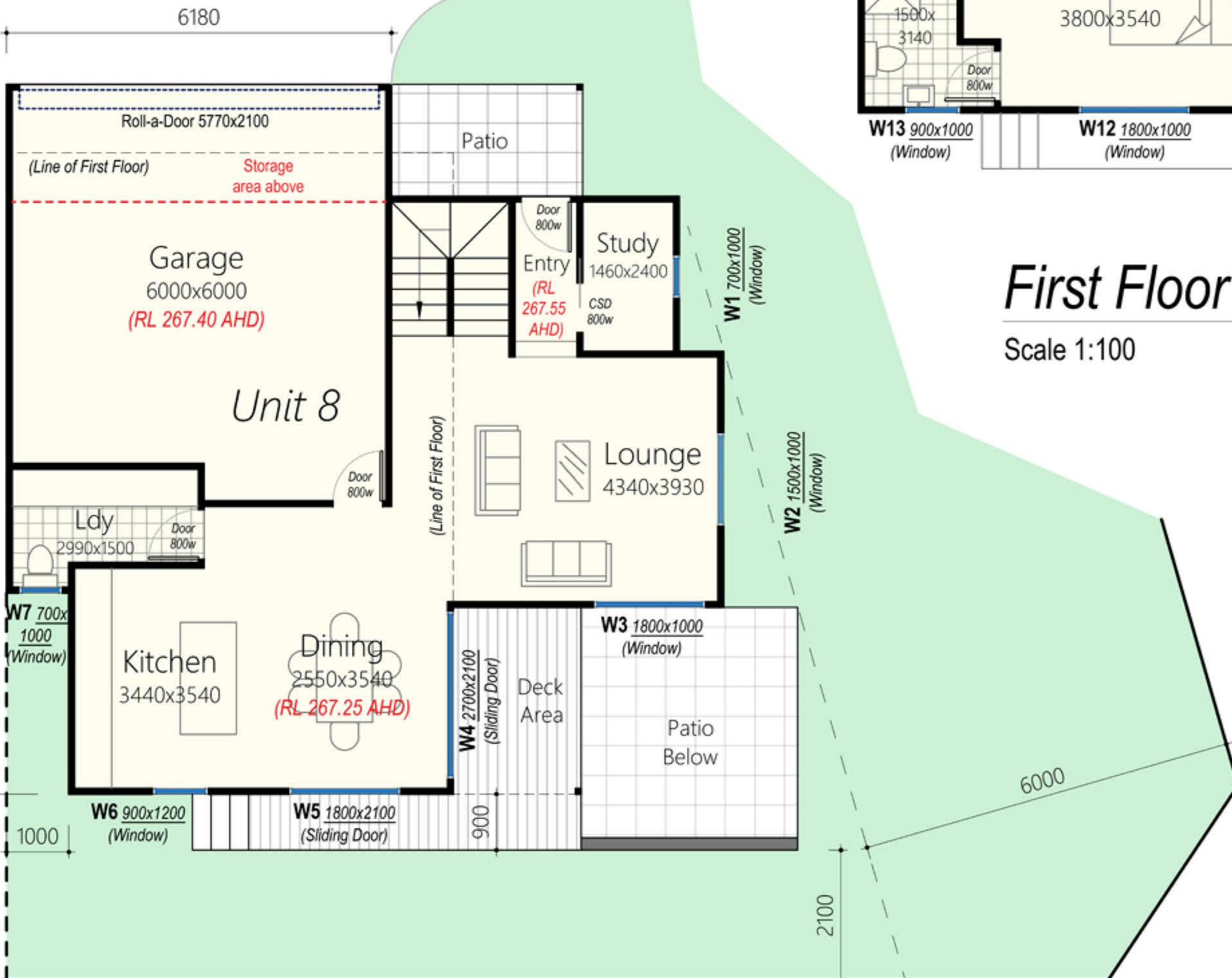


SILT FENCE BARRIER DETAIL

Unit 8

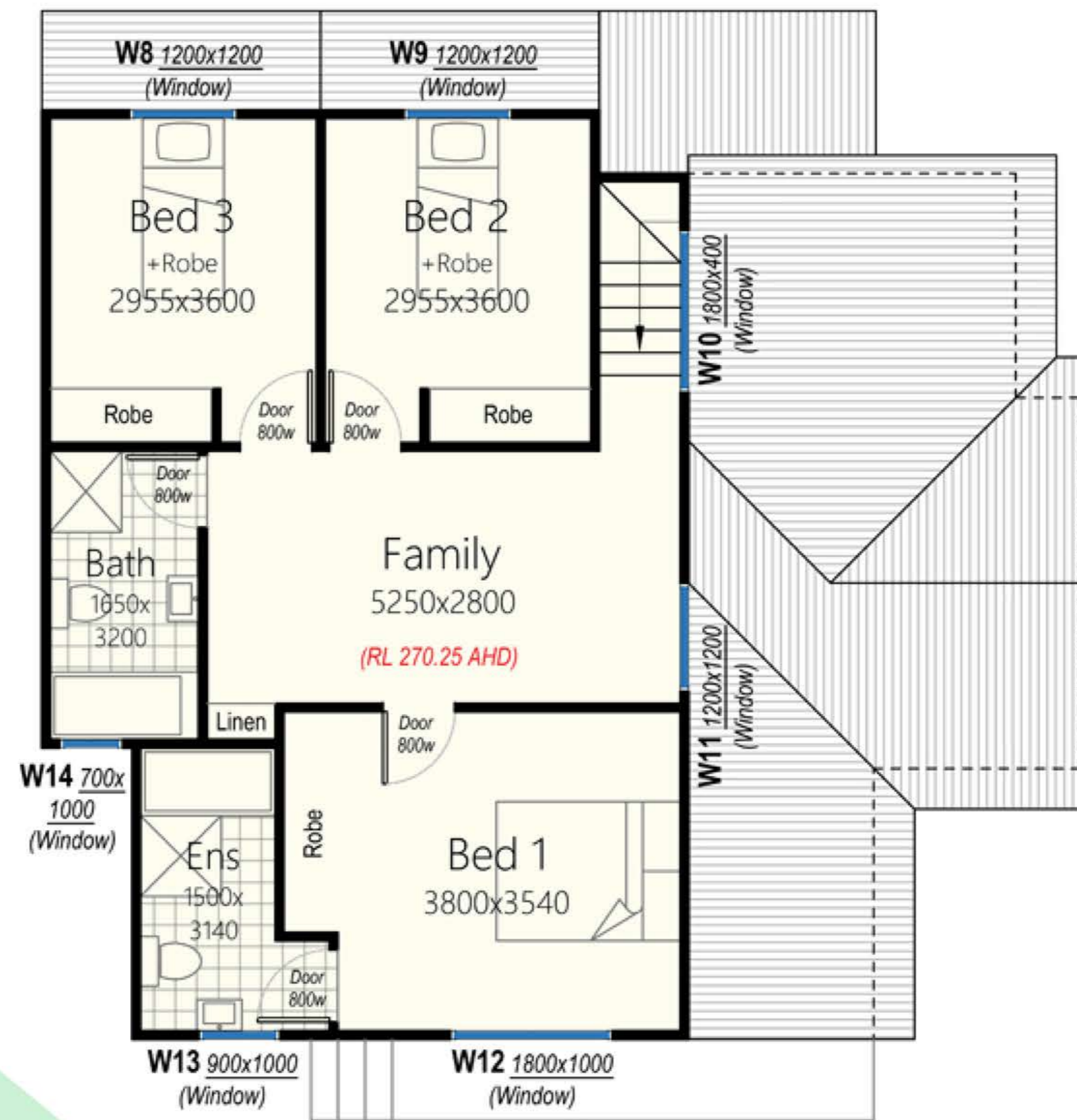
Floor Space Calculations

Sub Floor	= 31.28m ²
Ground Floor	= 103.60m ²
First Floor	= 69.92m ²
Sub Total	= 204.80m ² (minus garage 36m ²)
Total	= 168.80m ²



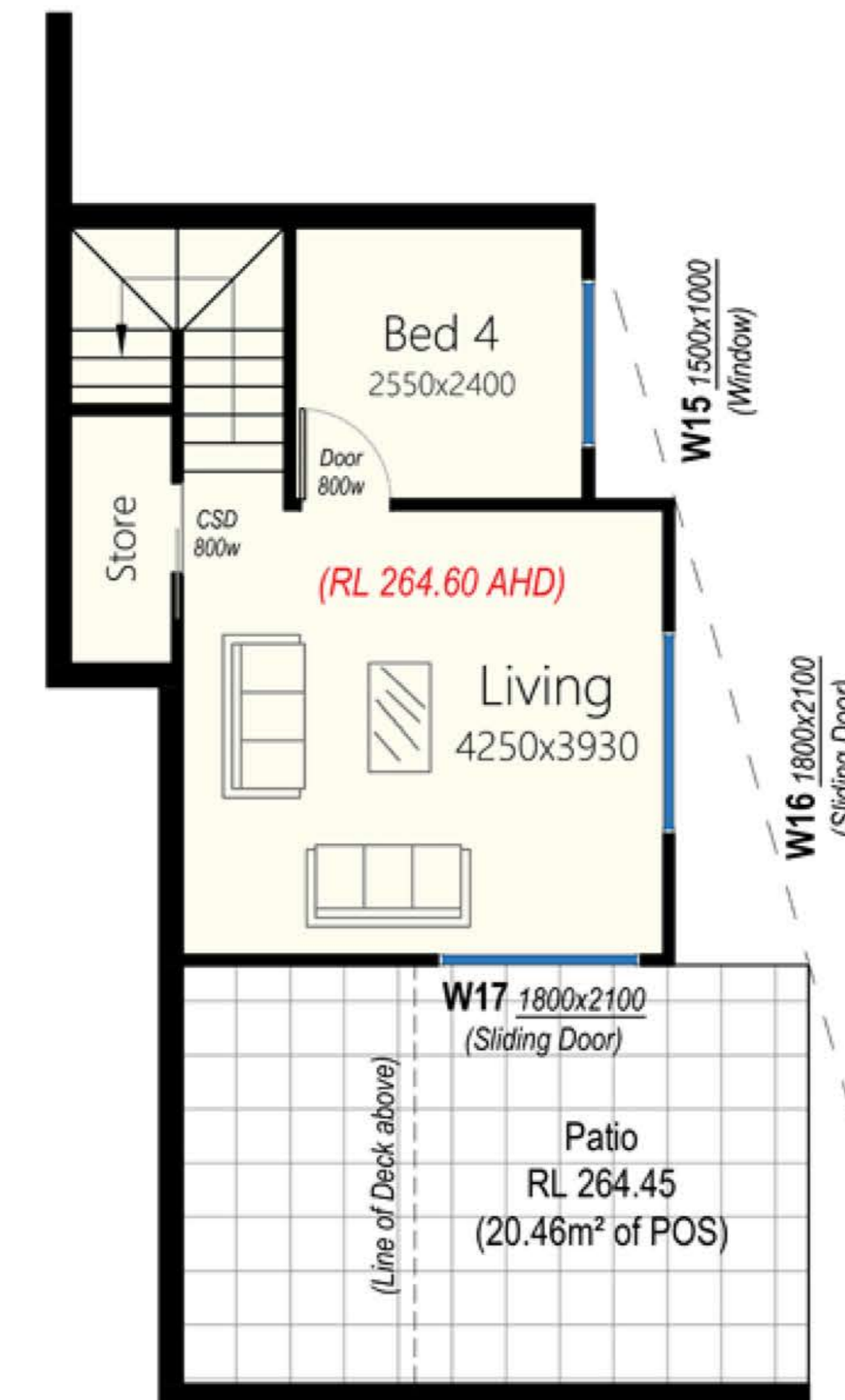
Ground Floor Plan

Scale 1:100



First Floor Plan

Scale 1:100



Sub Floor Plan

Scale 1:100



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Proposed Buildings

14 Laurina Avenue,
 Helensburgh NSW 2508

Client Name - Mr D Paine

DA Application

Date : January 2021
 Scale : 1:100
 (for A3 sheets)
 Rev:

Unit 8 Floor Plans

Sheet No.
 (for A3)

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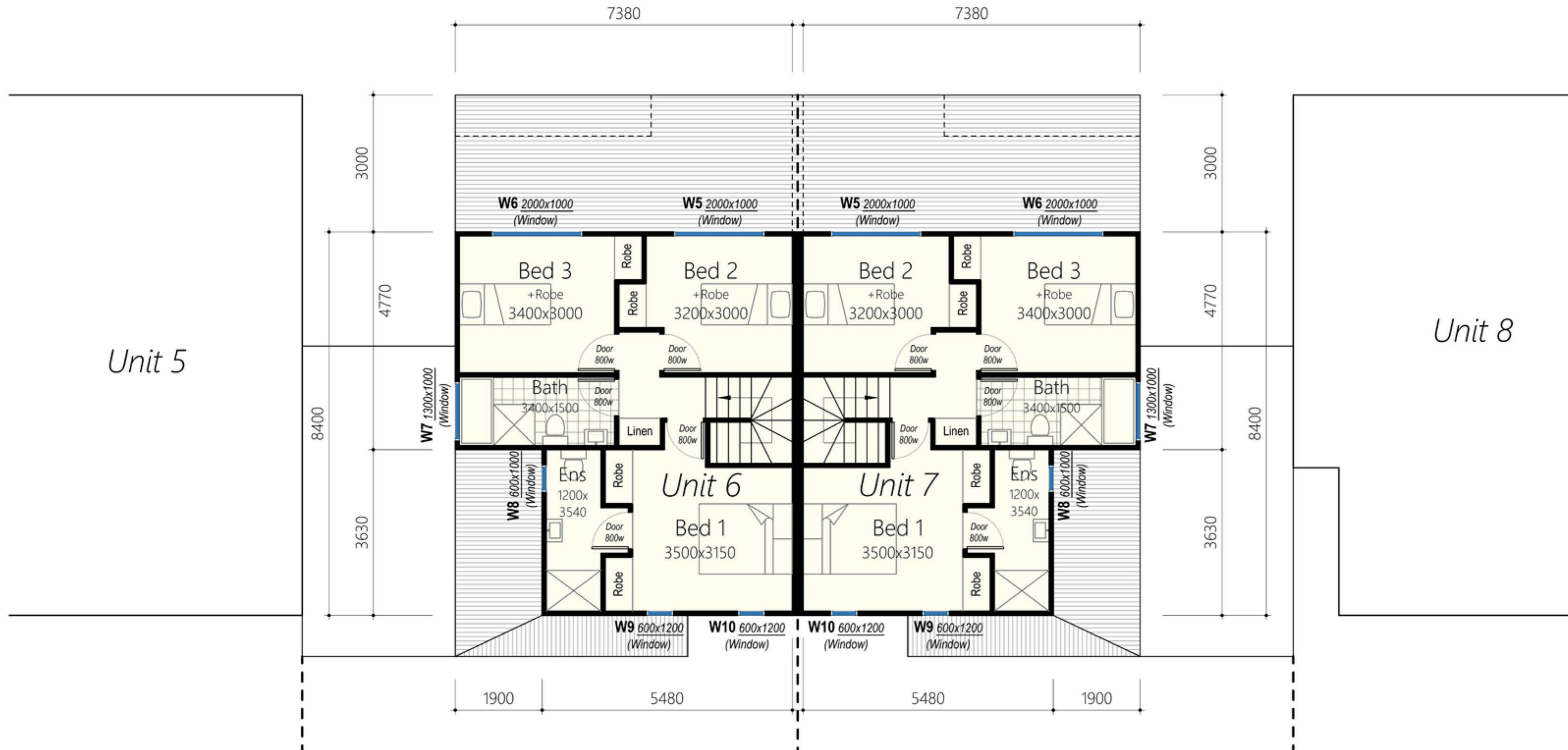
DA Application

Date : January 2021
Scale : 1:100
(for A3 sheets)
Rev:

Unit 6 & 7 Floor Plans

Sheet No.
(for A3)

09 of 21



First Floor Plan (Units 6 & 7)

Scale 1:100

Unit 6

Floor Space Calculations

Ground Floor = 73.37m²
 First Floor = 53.09m²
 Sub Total = 126.46m² (minus garage 18m²)
 Total = 108.46m²

Unit 7

Floor Space Calculations

Ground Floor = 73.37m²
 First Floor = 53.09m²
 Sub Total = 126.46m² (minus garage 18m²)
 Total = 108.46m²



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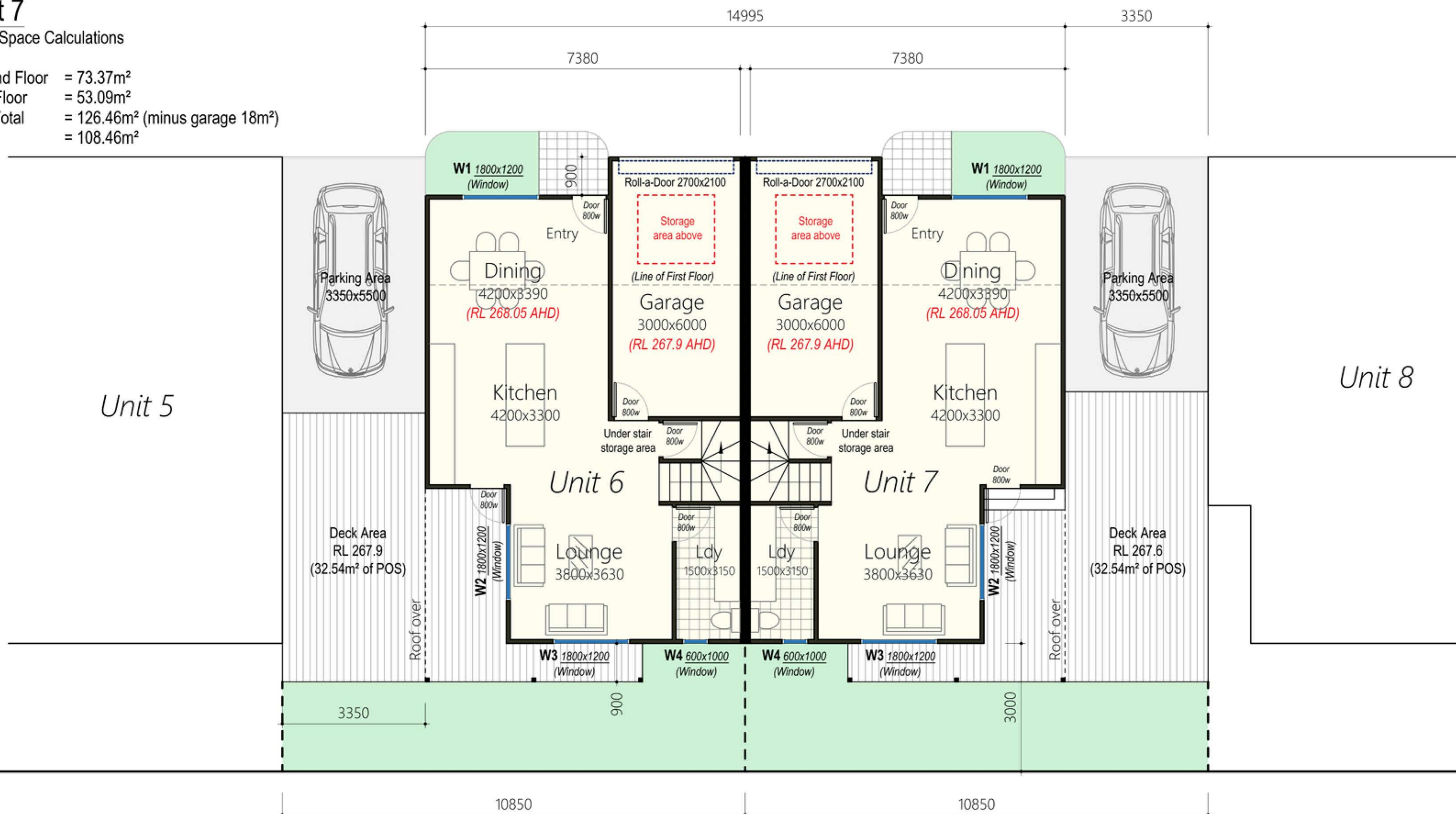
DA Application

Date : January 2021
 Scale : 1:100
 (for A3 sheets)
 Rev:

Unit 6 & 7 Floor Plans

Sheet No.
 (for A3)

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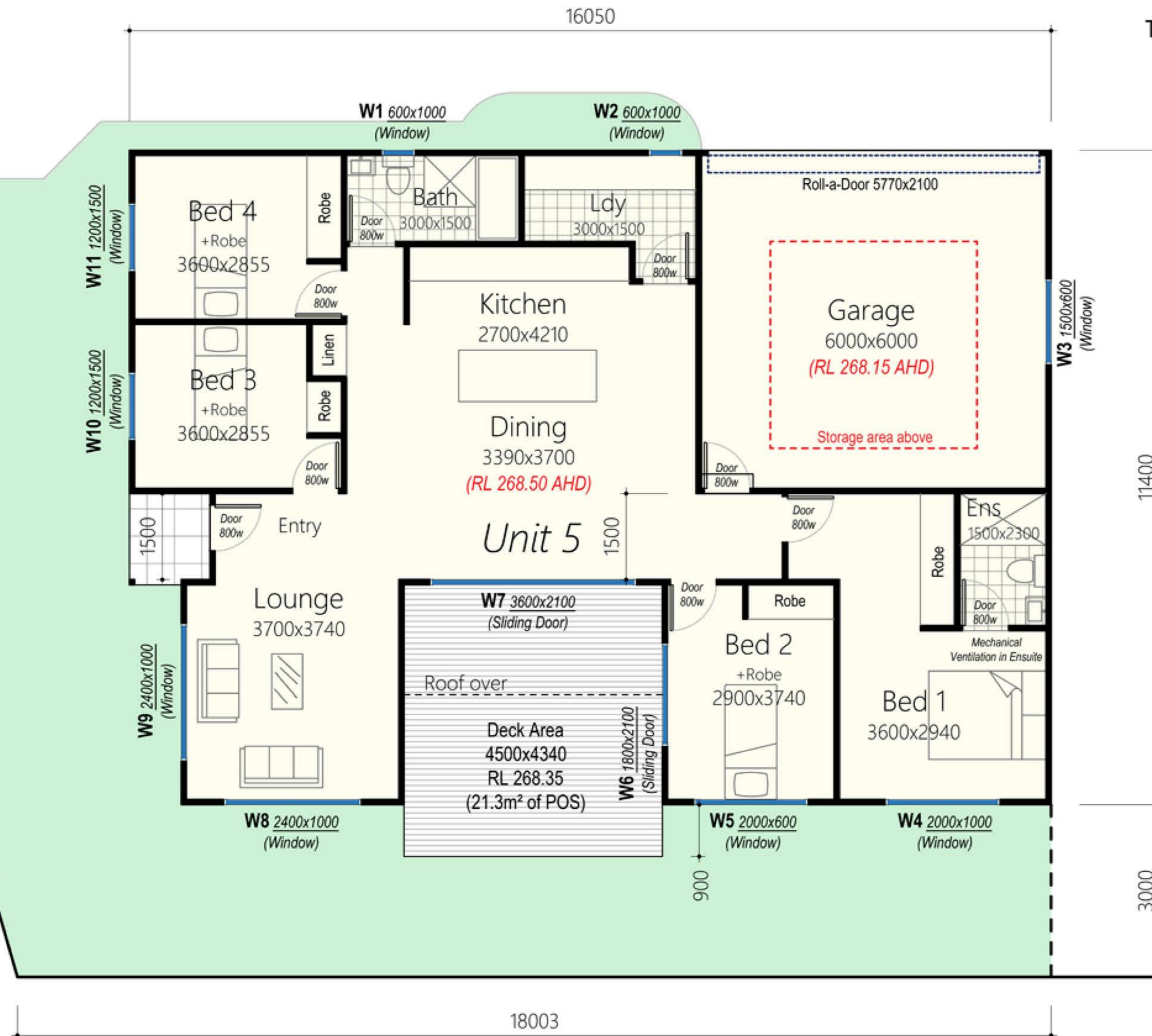
Ground Floor Plan (Units 6 & 7)

Scale 1:100

Unit 5

Floor Space Calculations

Floor	= 160.10m ²
Sub Total	= 160.10m ² (minus garage 36m ²)
Total	= 124.10m ²



Floor Plan

Scale 1:100



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Scale : 1:100
(for A3 sheets)
Rev:

Unit 5 Floor Plans

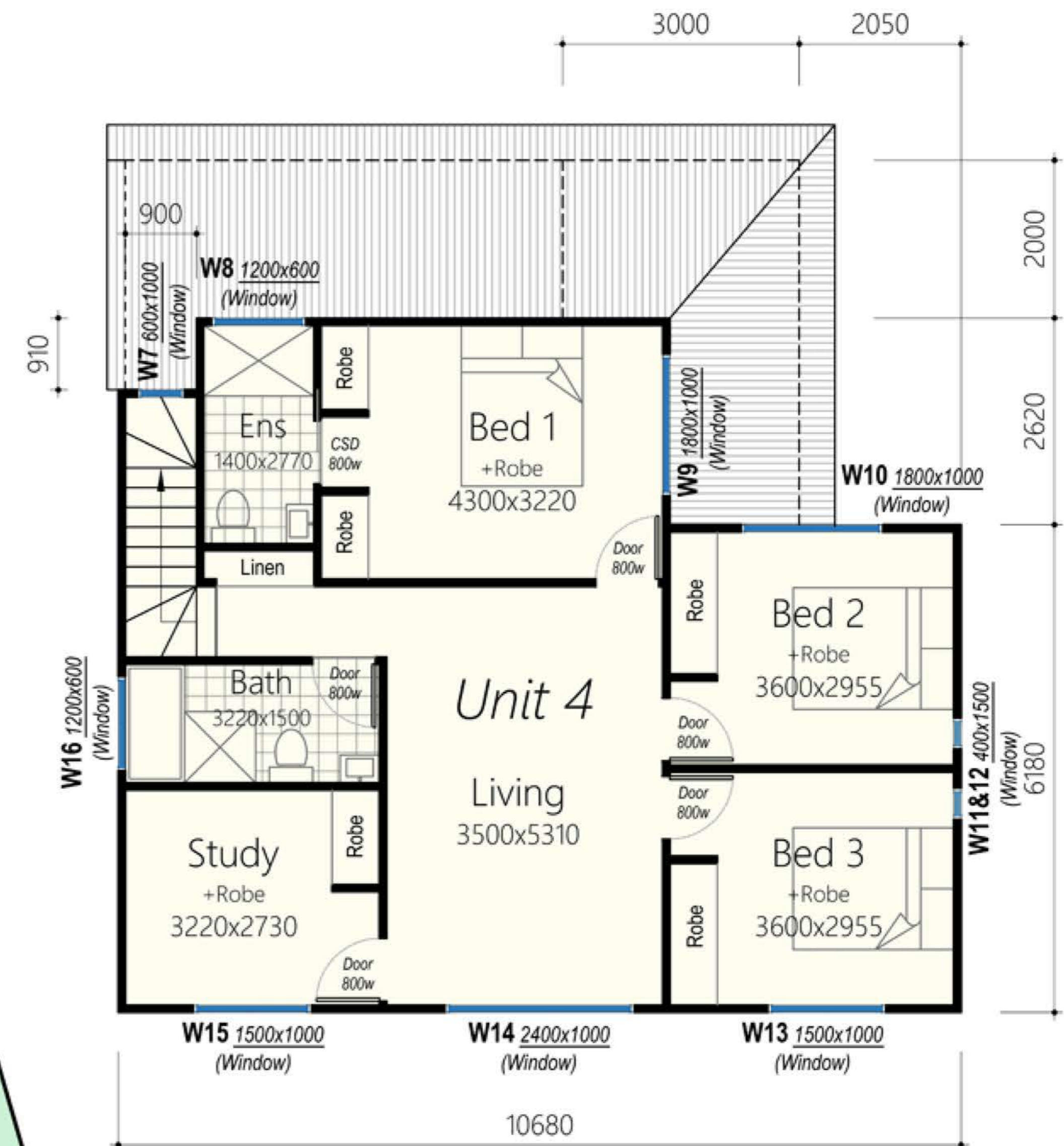
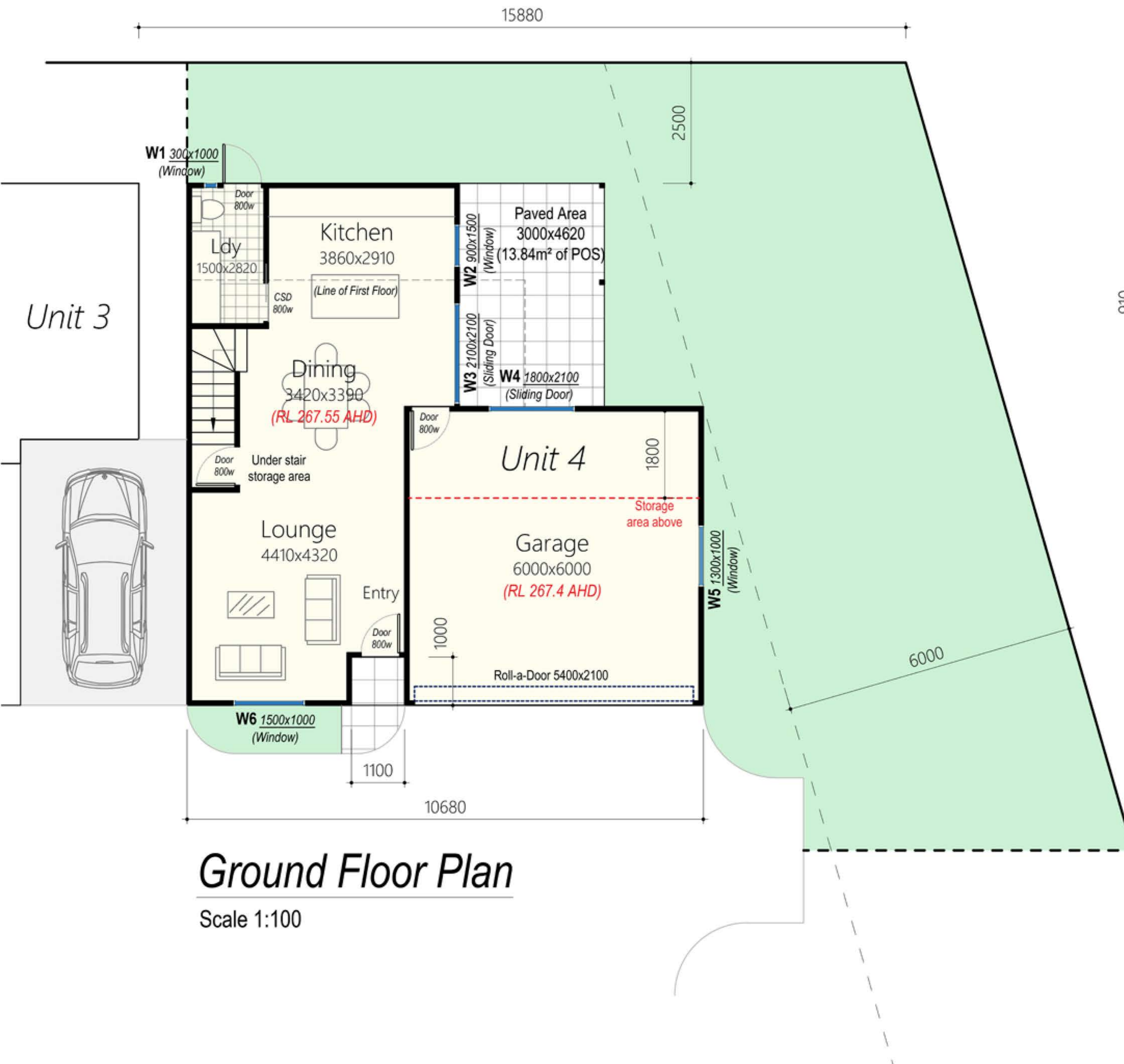
Sheet No.
(for A3)

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Unit 4

Floor Space Calculations

Ground Floor	= 90.90m ²
First Floor	= 83.41m ²
Sub Total	= 174.31m ² (minus garage 36m ²)
Total	= 138.31m ²



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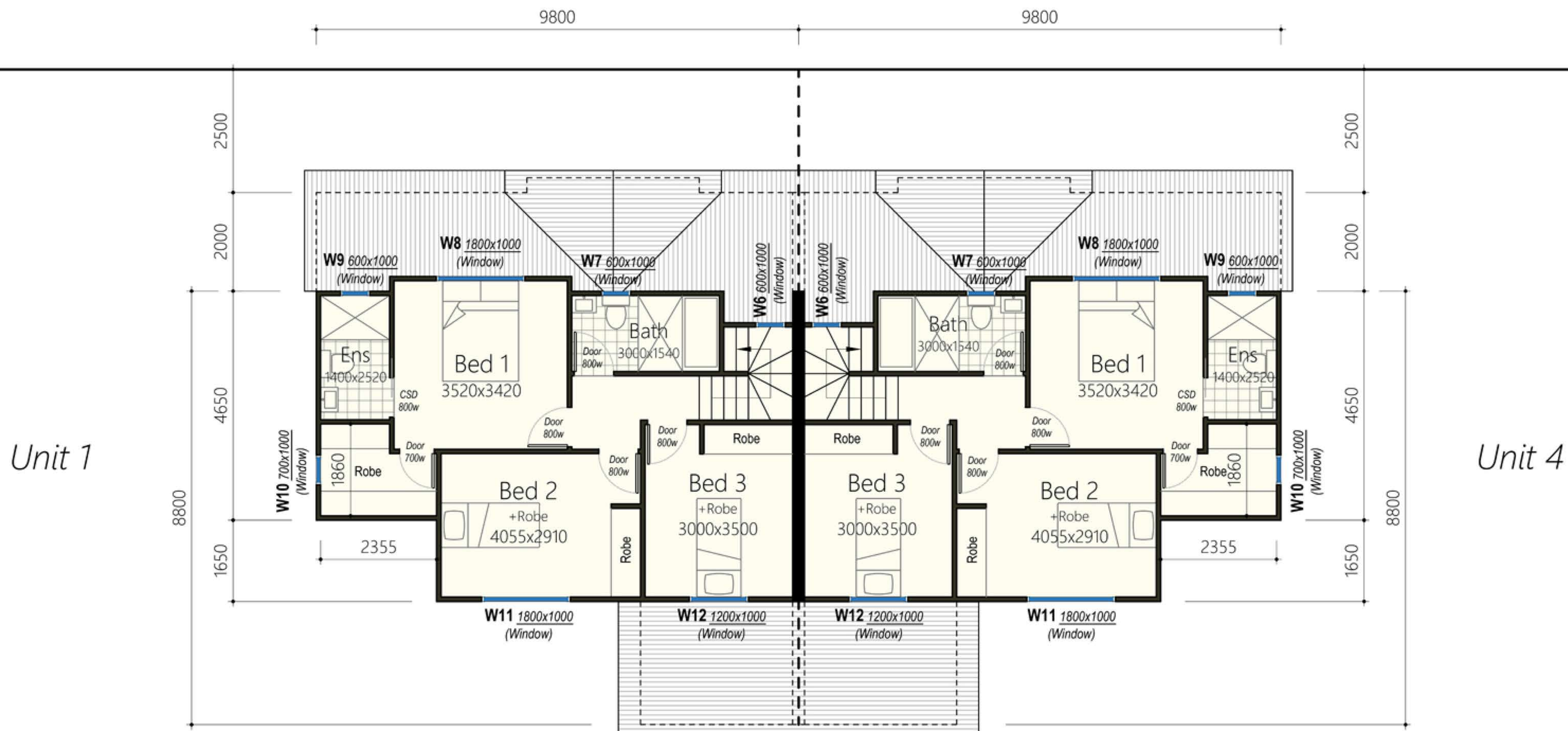
DA Application

Date : January 2021
Scale : 1:100
(for A3 sheets)
Rev:

Unit 4 Floor Plans

Sheet No.
(for A3)

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First Floor Plan (Units 2 & 3)

Scale 1:100

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Date : January 2021
Scale : 1:100
(for A3 sheets)
Rev:

Unit 2 & 3 Floor Plans

Sheet No.
(for A3)

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Unit 2

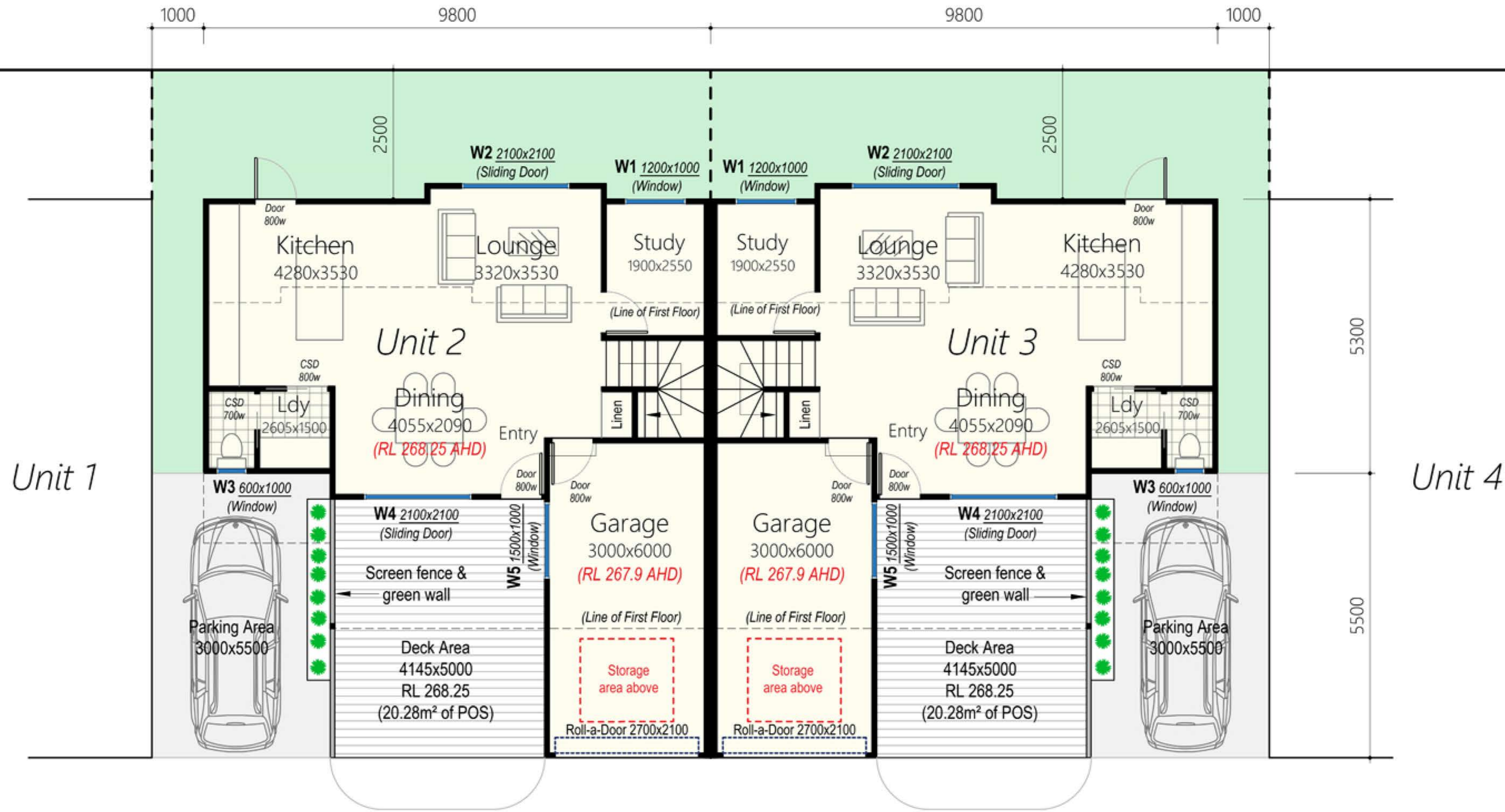
Floor Space Calculations

Ground Floor = 71.42m²
 First Floor = 57.16m²
 Sub Total = 128.58m² (minus garage 18m²)
 Total = 110.58m²

Unit 3

Floor Space Calculations

Ground Floor = 71.42m²
 First Floor = 57.16m²
 Sub Total = 128.58m² (minus garage 18m²)
 Total = 110.58m²



Ground Floor Plan (Units 2 & 3)

Scale 1:100

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Date : January 2021
 Scale : 1:100
 (for A3 sheets)
 Rev:

Unit 2 & 3 Floor Plans

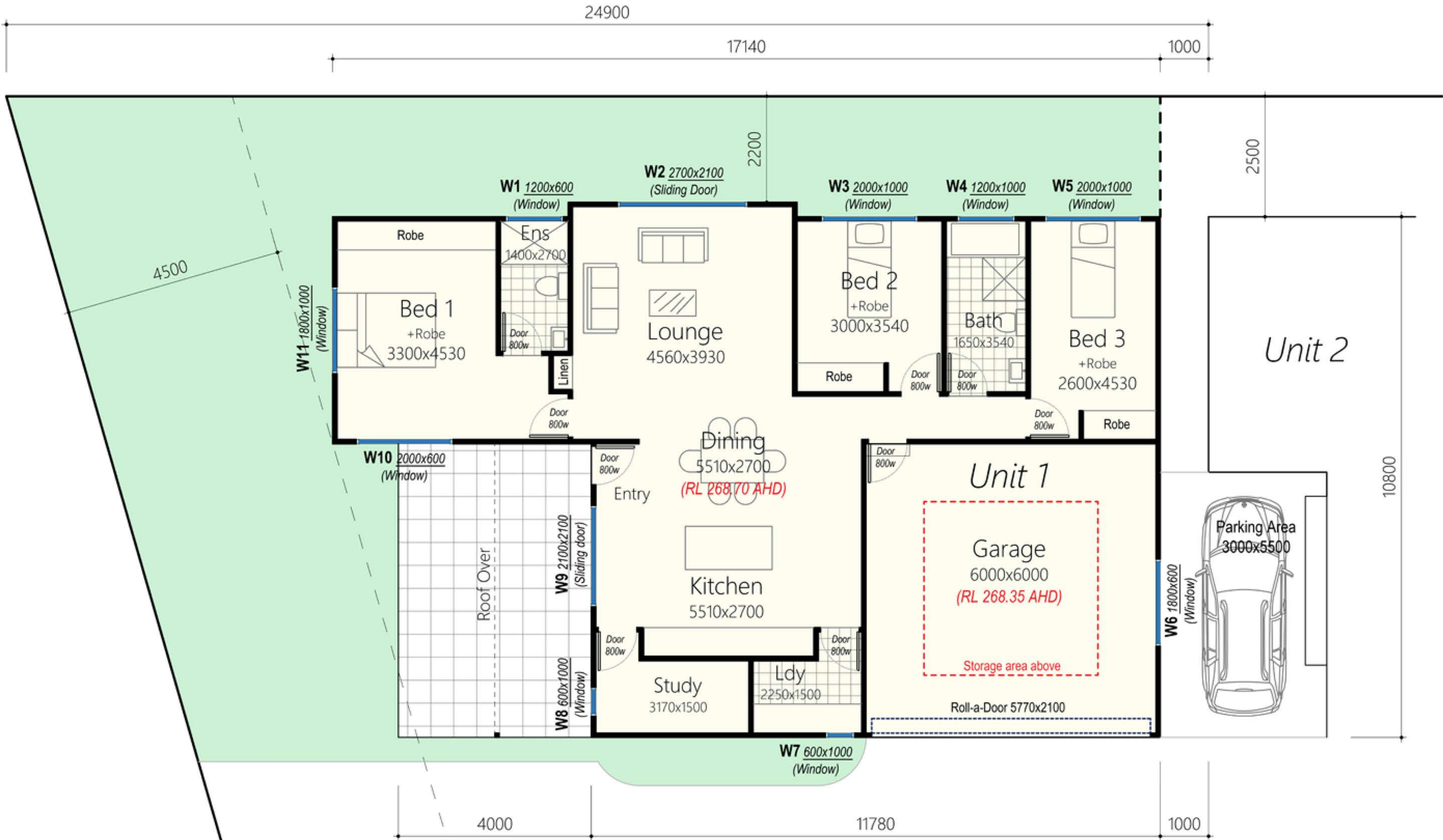
Sheet No.
 (for A3)

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Unit 1

Floor Space Calculations

Floor	= 153.89m ²
Total	= 153.89m ² (minus garage 36m ²)
Total	= 117.89m ²



Floor Plan

Scale 1:100

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(for A3 sheets)
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Unit 1 Floor Plans

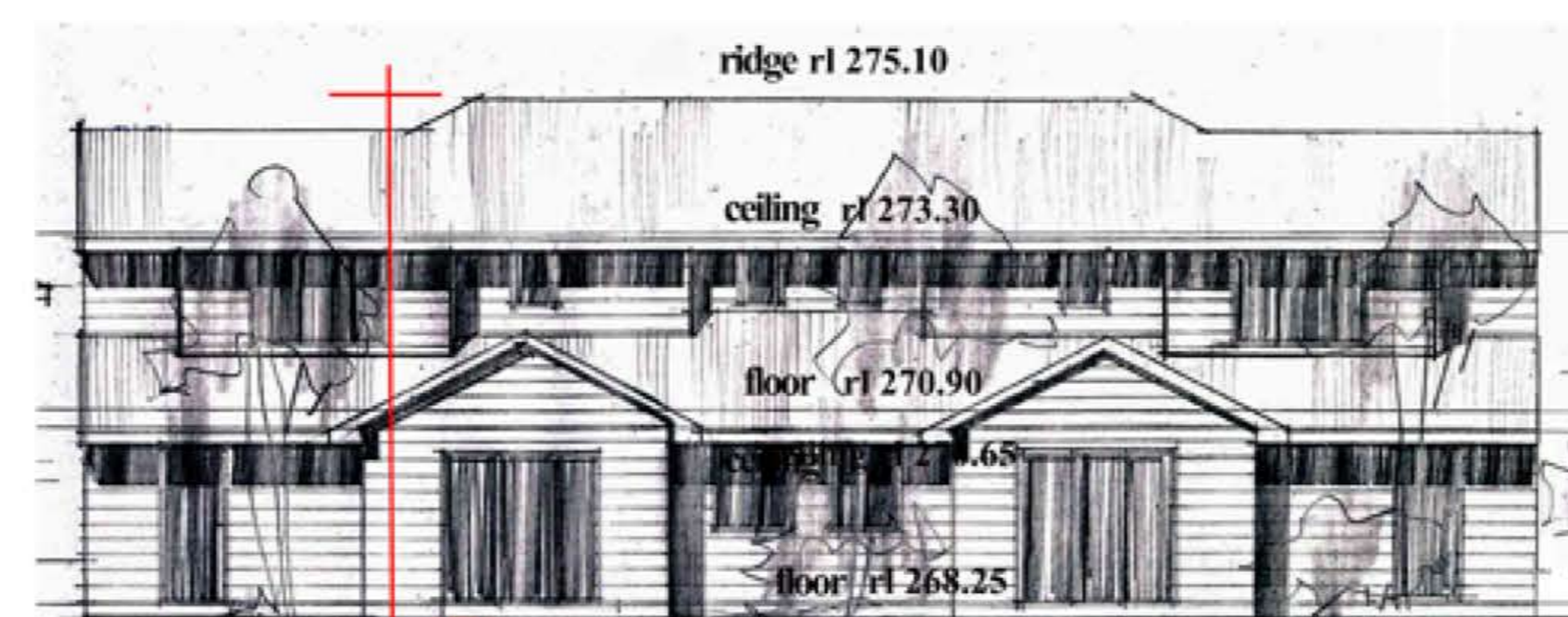
Sheet No.
(for A3)
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SIDE BOUNDARY SETBACKS UNITS 1-4 ALONG SOUTHERN BOUNDARY

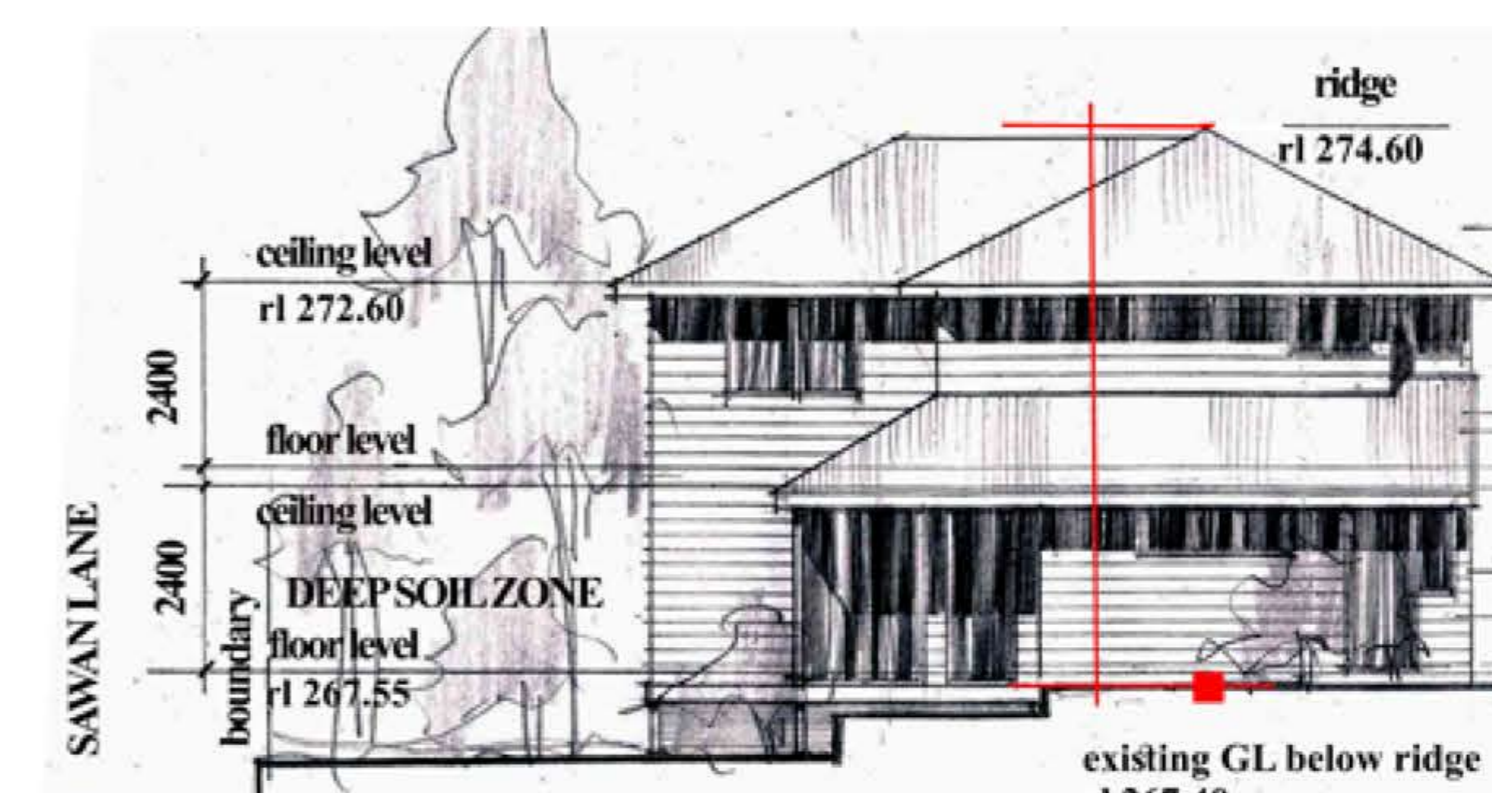


existing GL below ridge
rl. 268.90
max building height
rl 274.30 - 268.90 = 5.4m.

UNIT 1

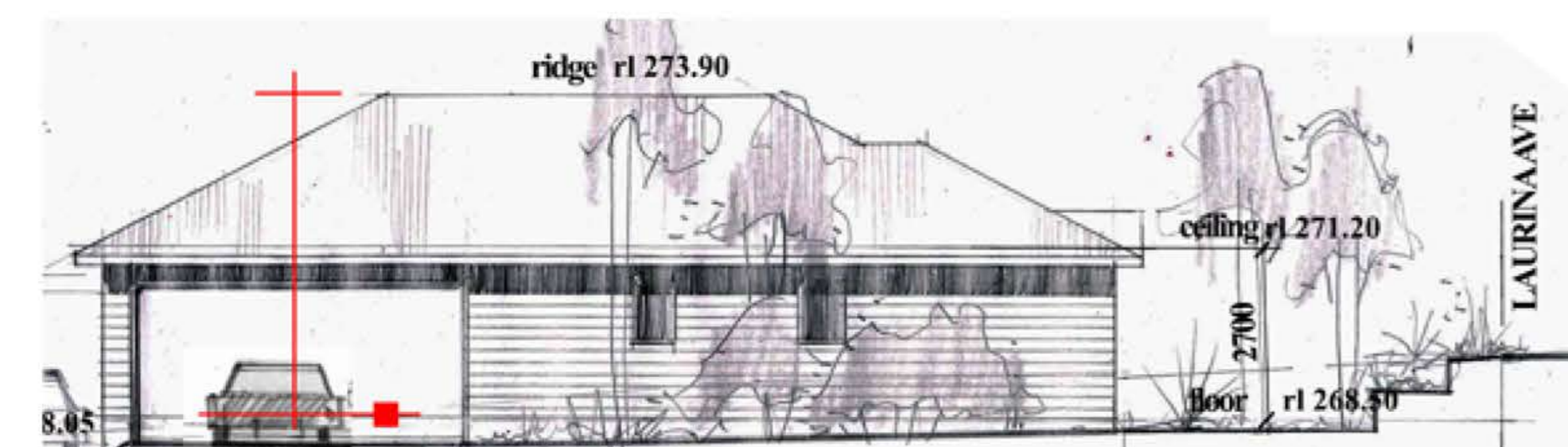


existing GL below ridge
rl 267.90
max. building height
rl 275.10 - 267.90 = 7.20m.

UNITS 2 + 3

existing GL below ridge
rl 267.40
max building height
rl 274.60 - 267.40 = 7.2m

UNIT 4

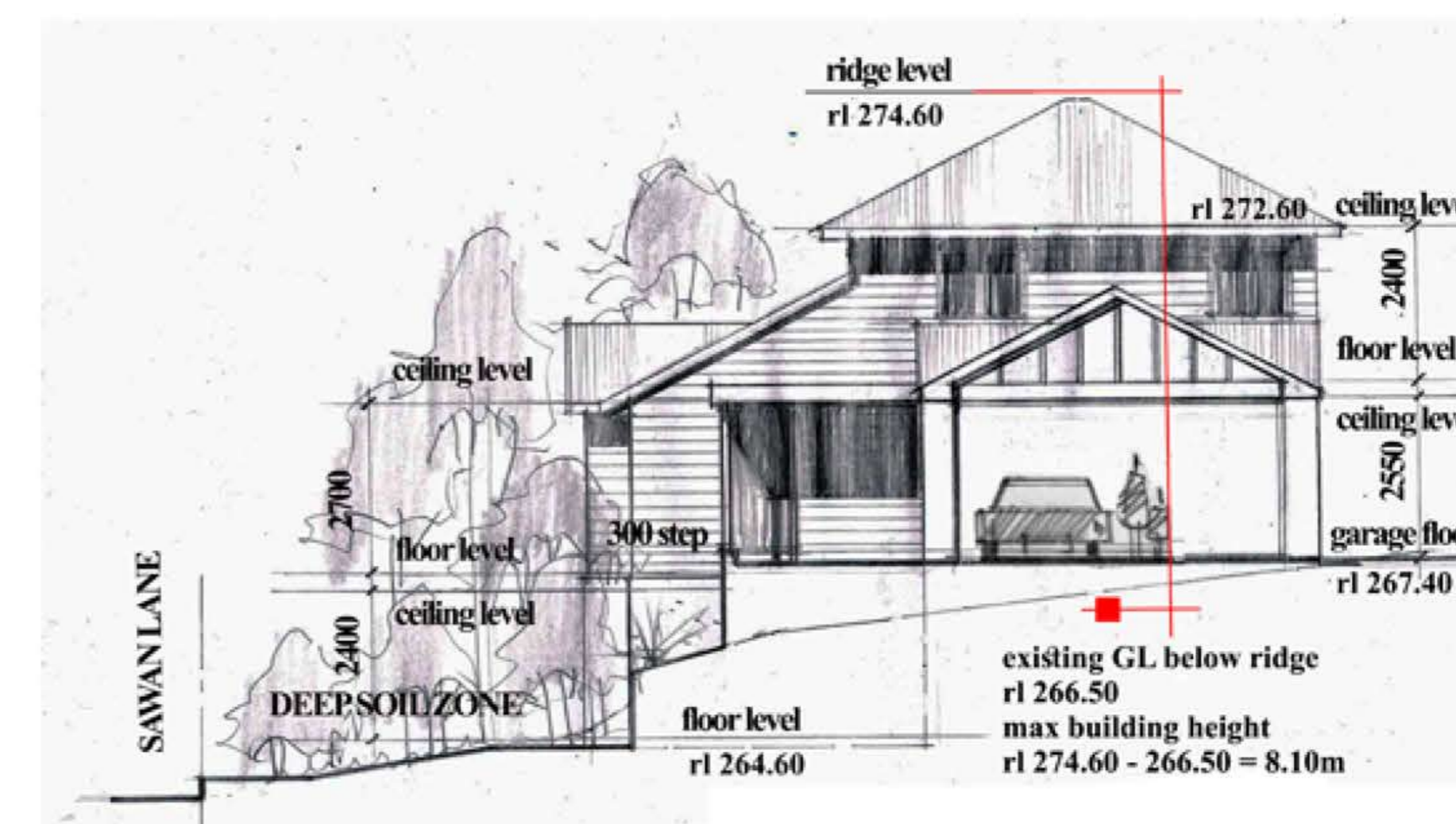


existing GL below ridge
rl 268.60
max building height
rl 273.90 - 268.6 = 5.30m

UNIT 5



existing GL below ridge
rl 267.50
max building height
rl 275.05 - 267.50 = 7.55m

UNITS 6 + 7

existing GL below ridge
rl 266.50
max building height
rl 274.60 - 266.50 = 8.10m

UNIT 8

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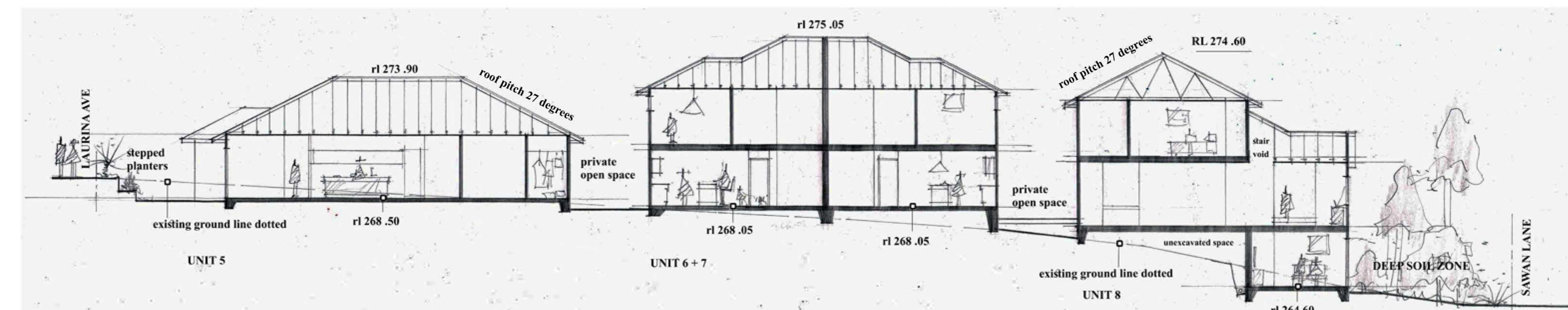
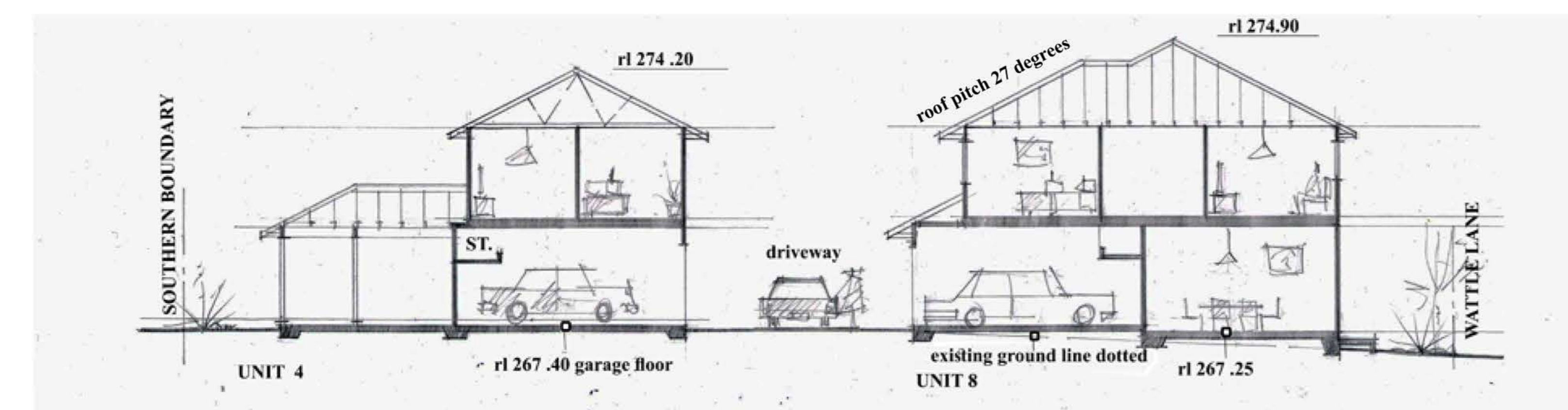
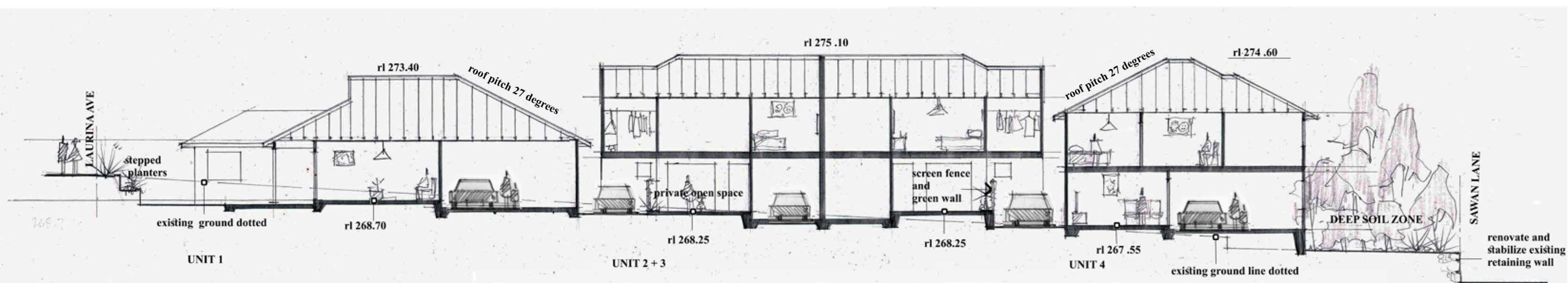
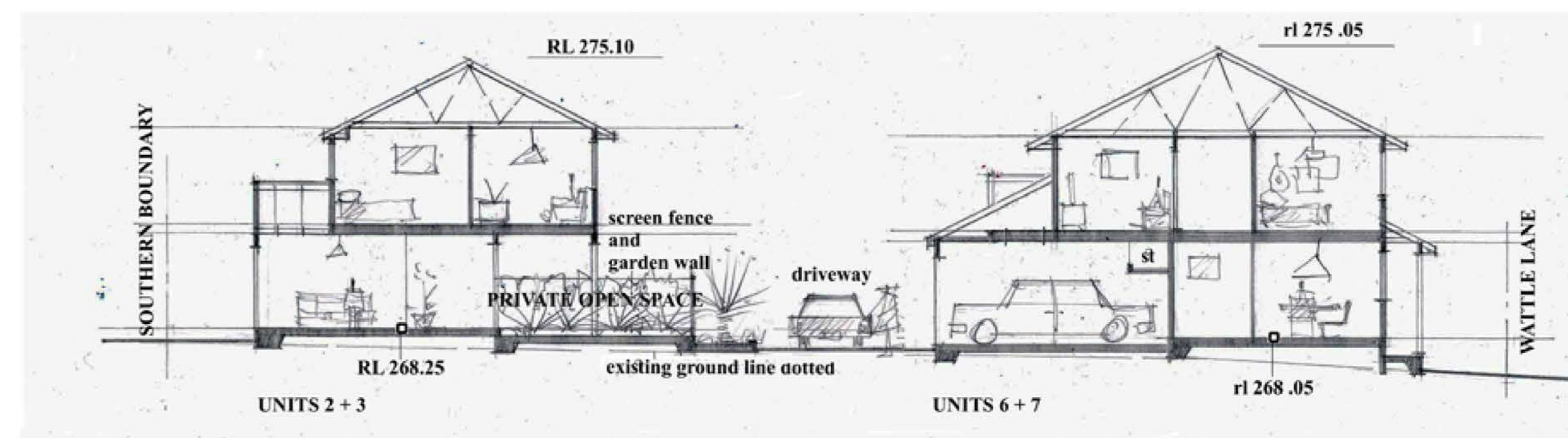
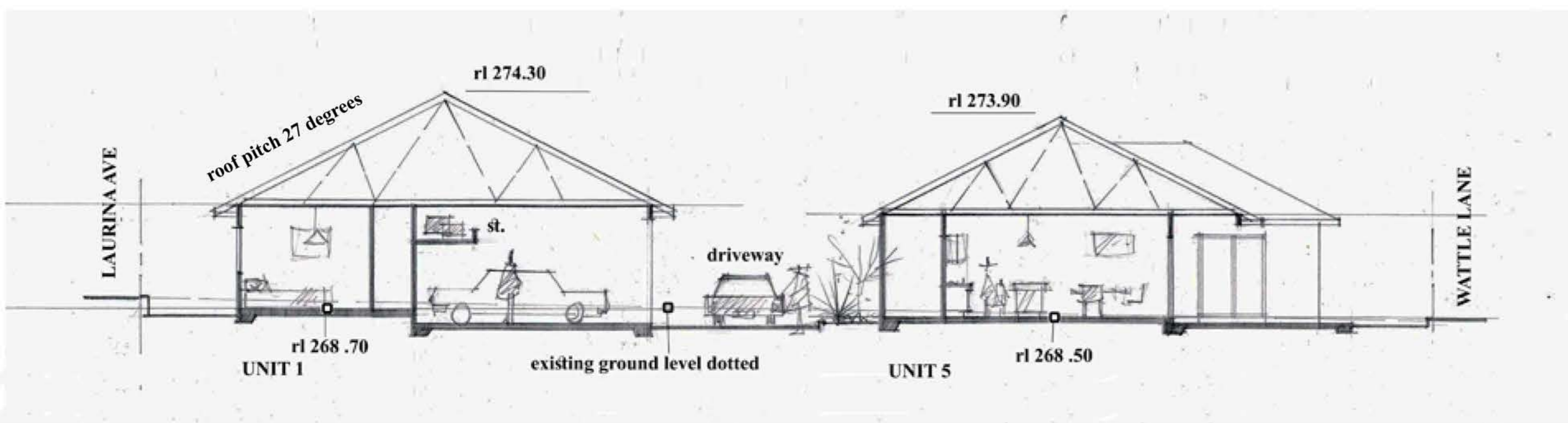
DA Application

Date : January 2021
Scale : 1:500
(for A3 sheets)
Rev:

Side boundary setbacks & building heights

Sheet No.
(for A3)

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HELENSBURGH
Design Services

Email : lechowicz@bigpond.com
ABN : 72377547105

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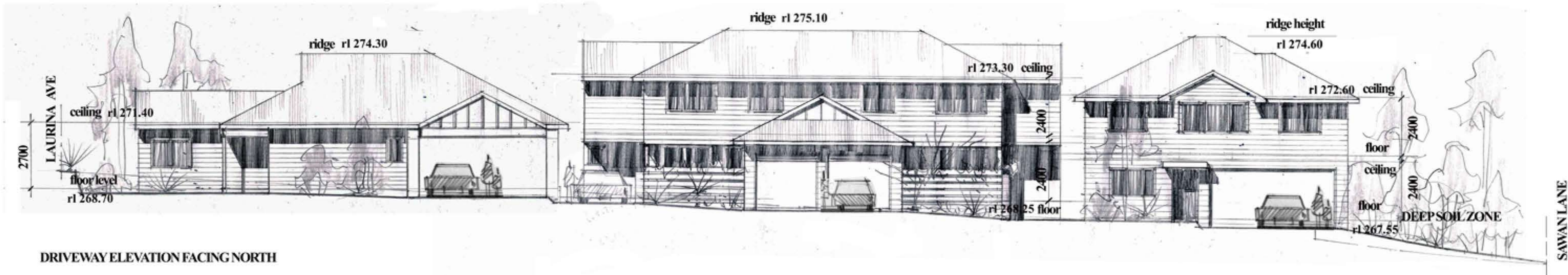
DA Application

Date : January 2021
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Rev:

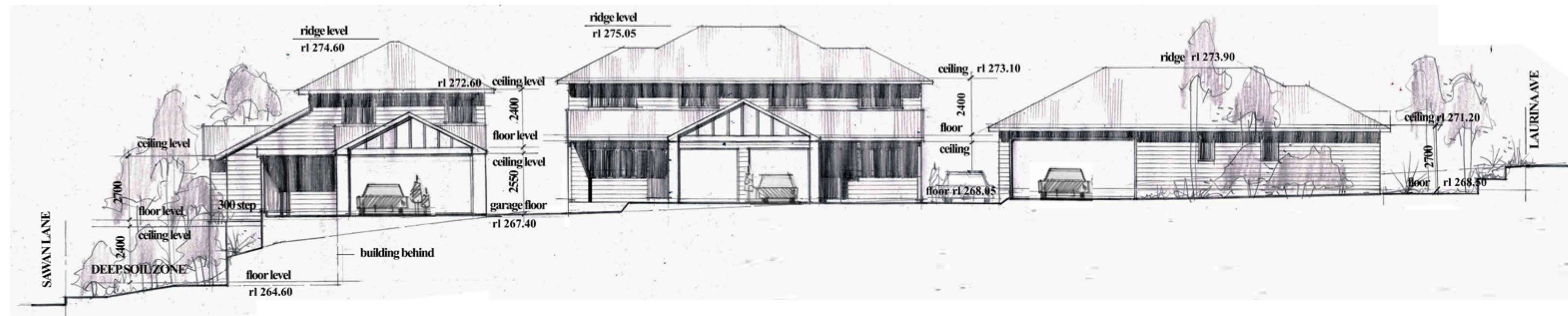
Site Sections

Sheet No.
(for A3)

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DRIVEWAY ELEVATION FACING NORTH



DRIVEWAY ELEVATION FACING SOUTH

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Proposed Buildings

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Helensburgh NSW 2508

Client Name - Mr D Paine

DA Application

Date : January 2021
Scale : 1:500
(for A3 sheets)
Rev:

Driveway Elevations

Sheet No.
(for A3)

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WATTLE LANE STREETVIEW



LAURINA AVE STREETVIEW



SAWAN LANE STREETVIEW



VIEW ALONG SOUTHERN BOUNDARY

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Proposed Buildings

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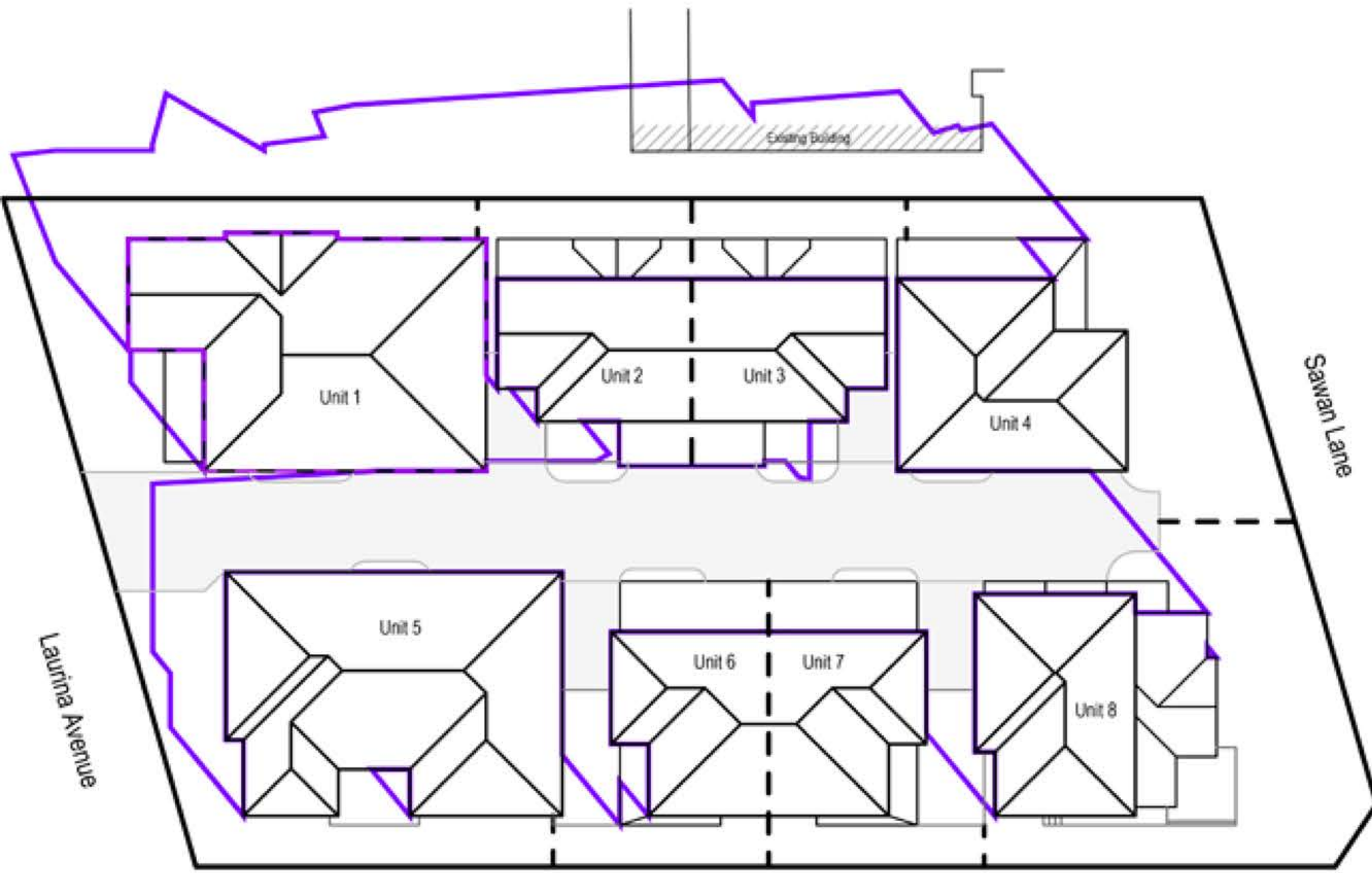
DA Application

Date : January 2021
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(for A3 sheets)
Rev:

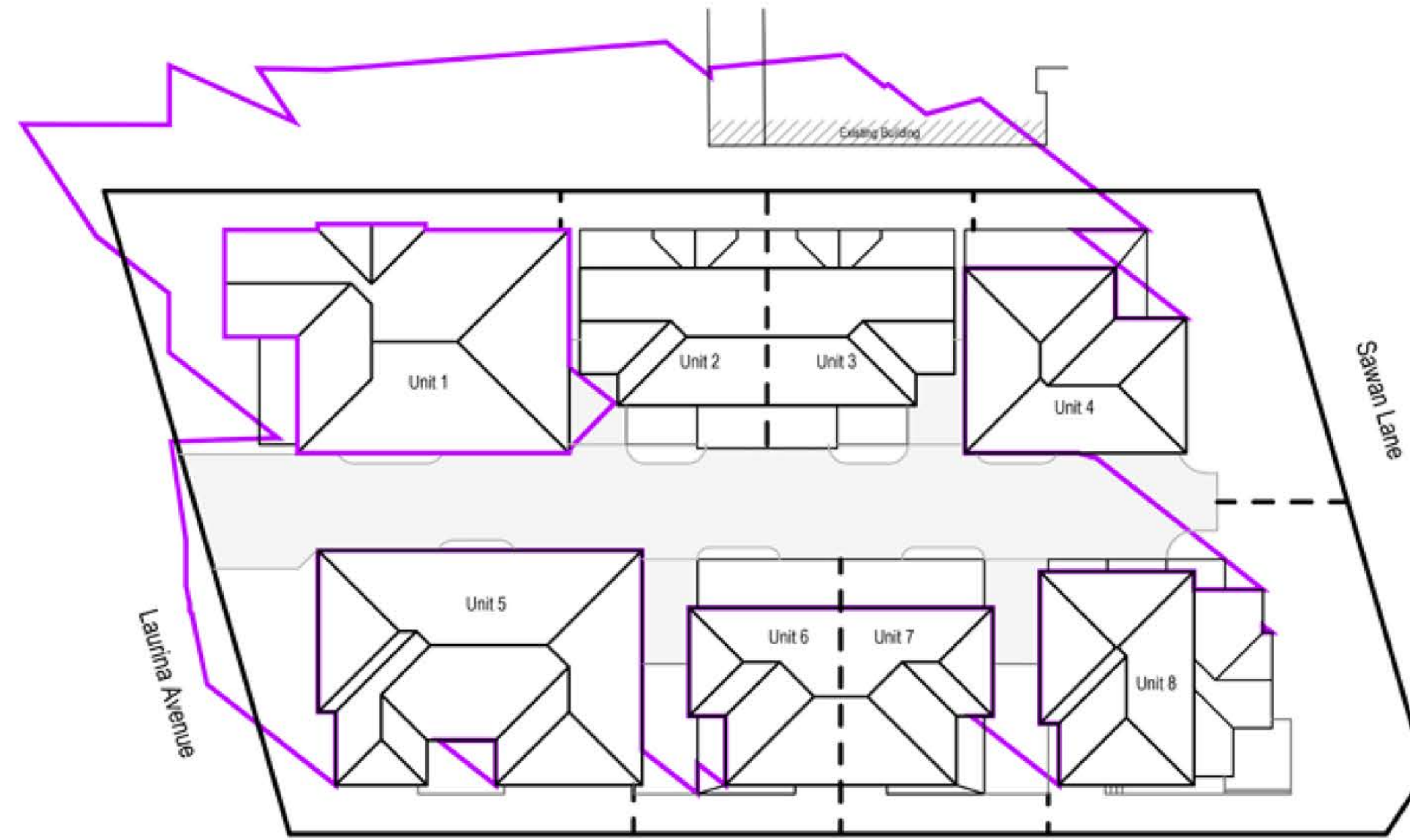
Street view Elevations

Sheet No.
(for A3)

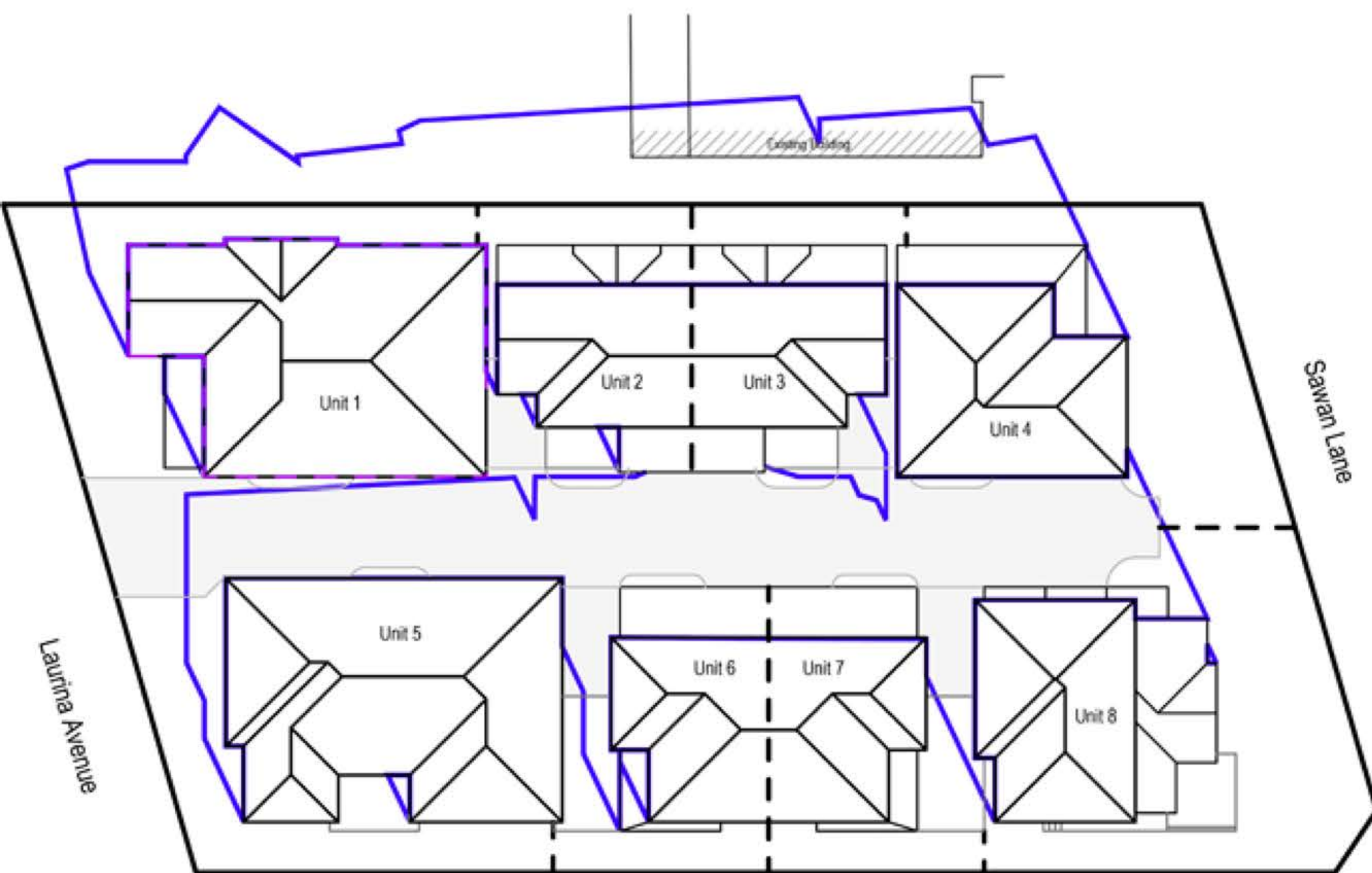
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Shadows for 2pm



Shadows for 3pm



Shadows for 1pm

Shadow Legend

1pm ———
2pm ———
3pm ———

Shadow Diagrams - June 22nd

Scale 1:500

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Scale : 1:500

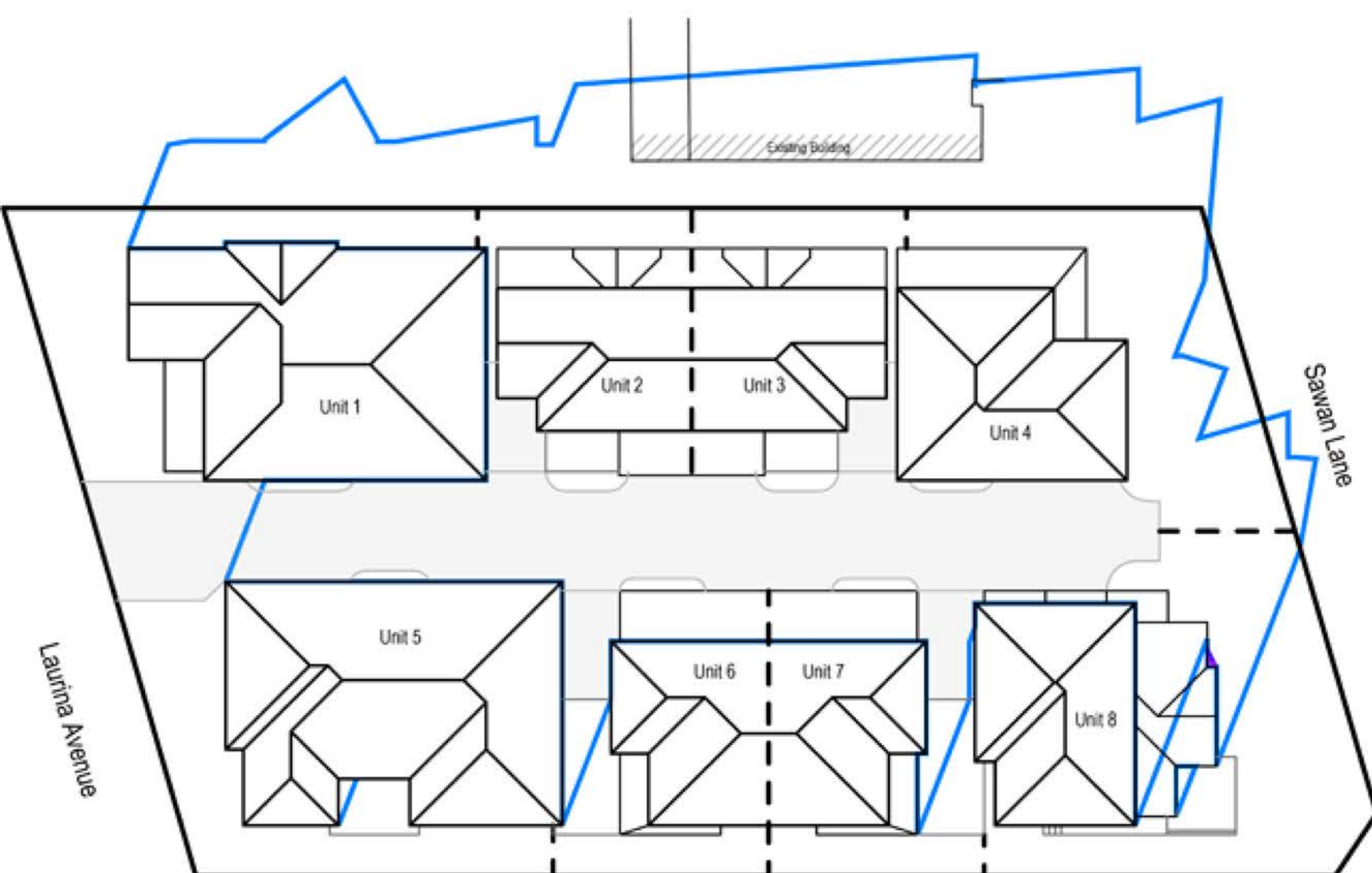
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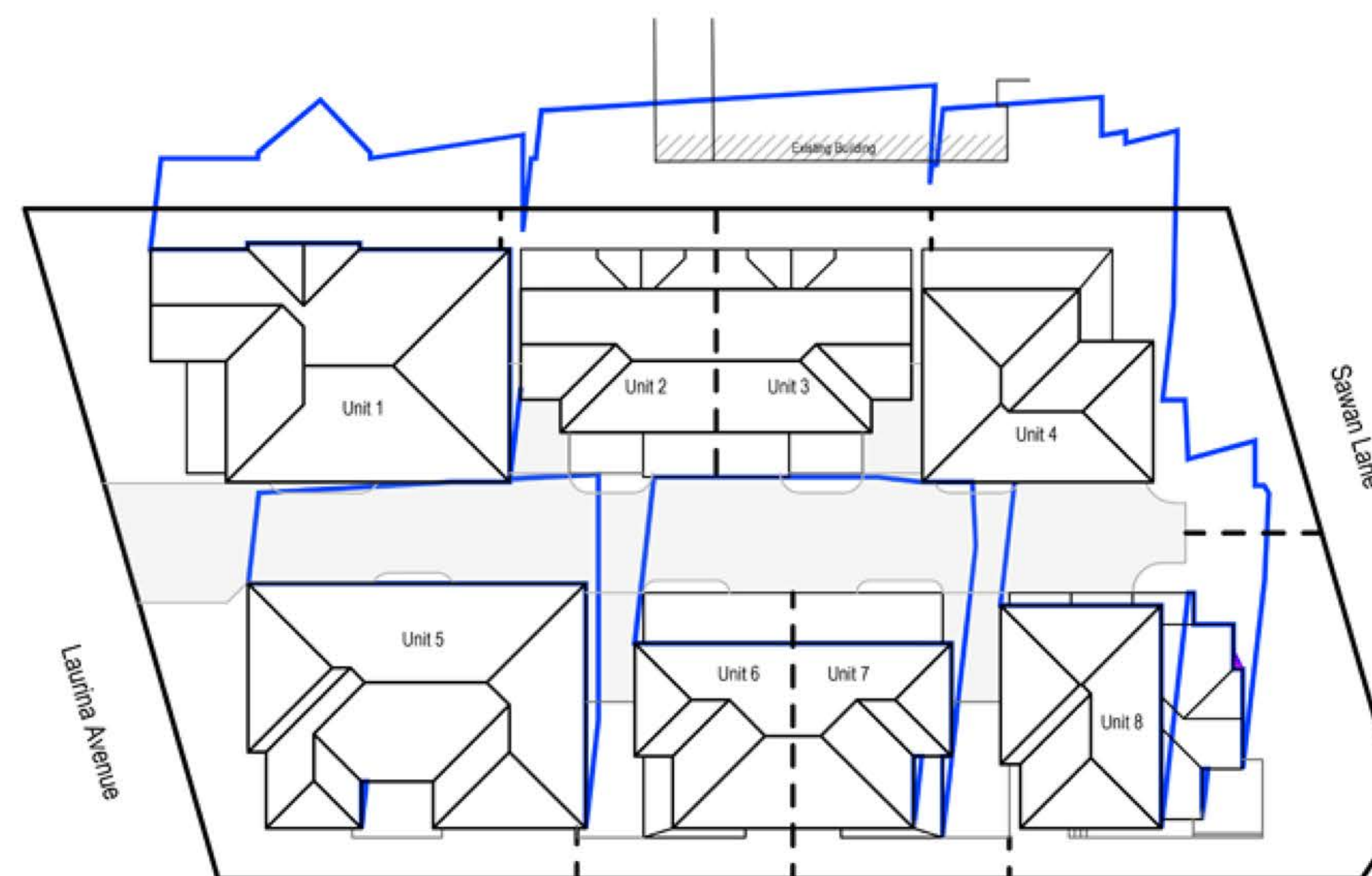
Shadow Diagrams

Sheet No.
(for A3)

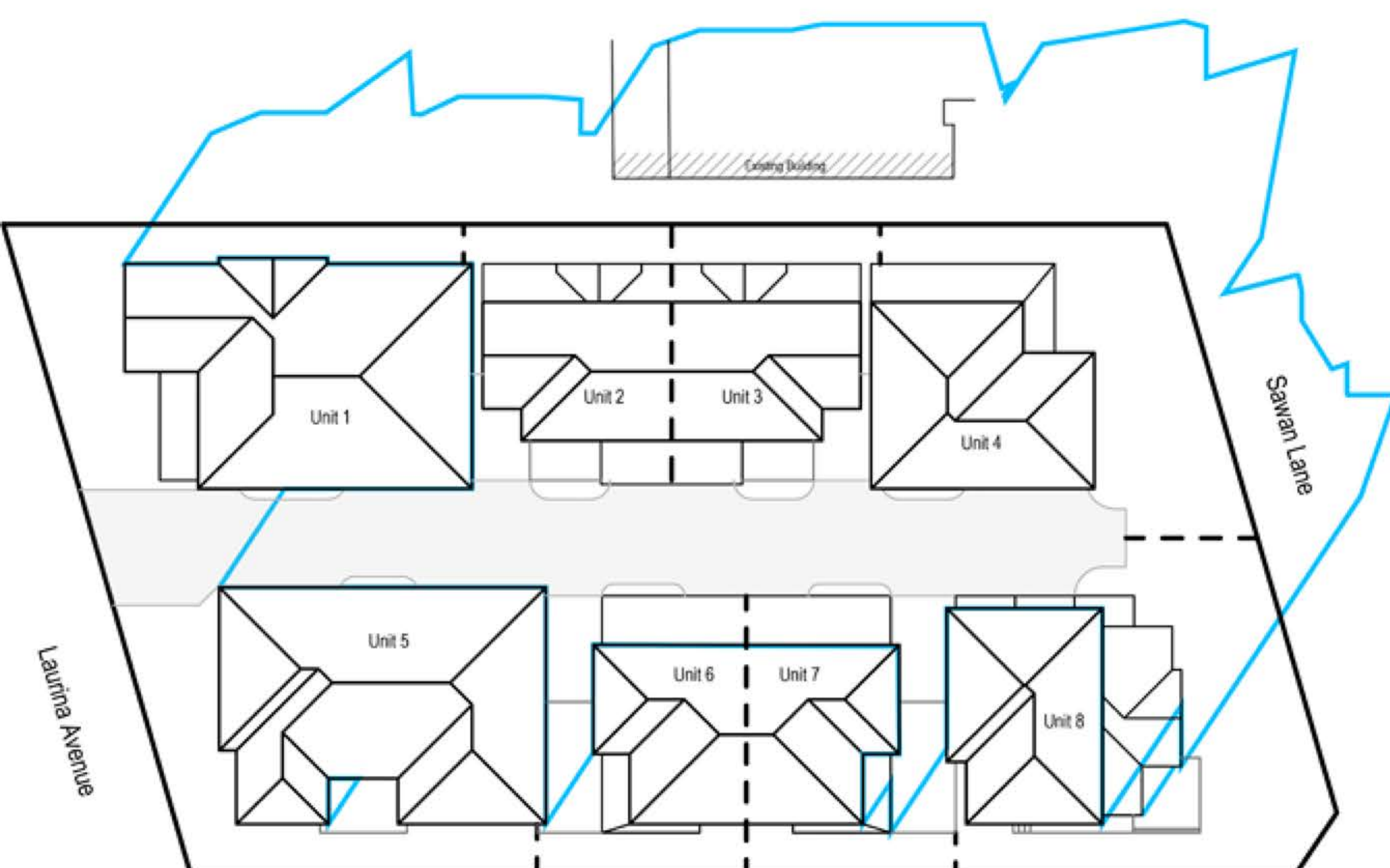
17 of 21



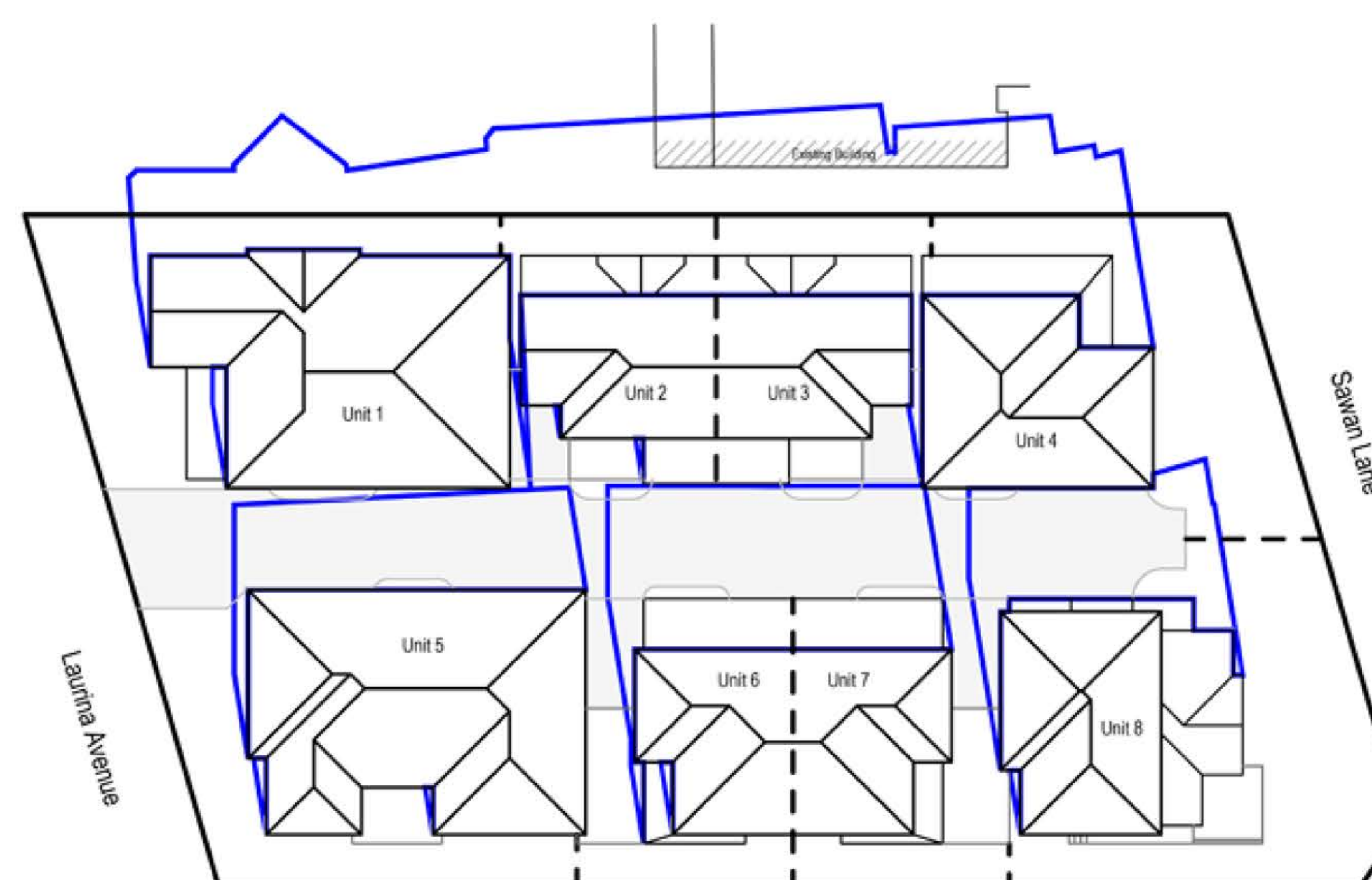
Shadows for 10am



Shadows for 11am



Shadows for 9am



Shadows for 12pm

Shadow Legend

9am	
10am	
11am	
12pm	

Shadow Diagrams - June 22nd

Scale 1:500

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Proposed Buildings

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Scale : 1:500

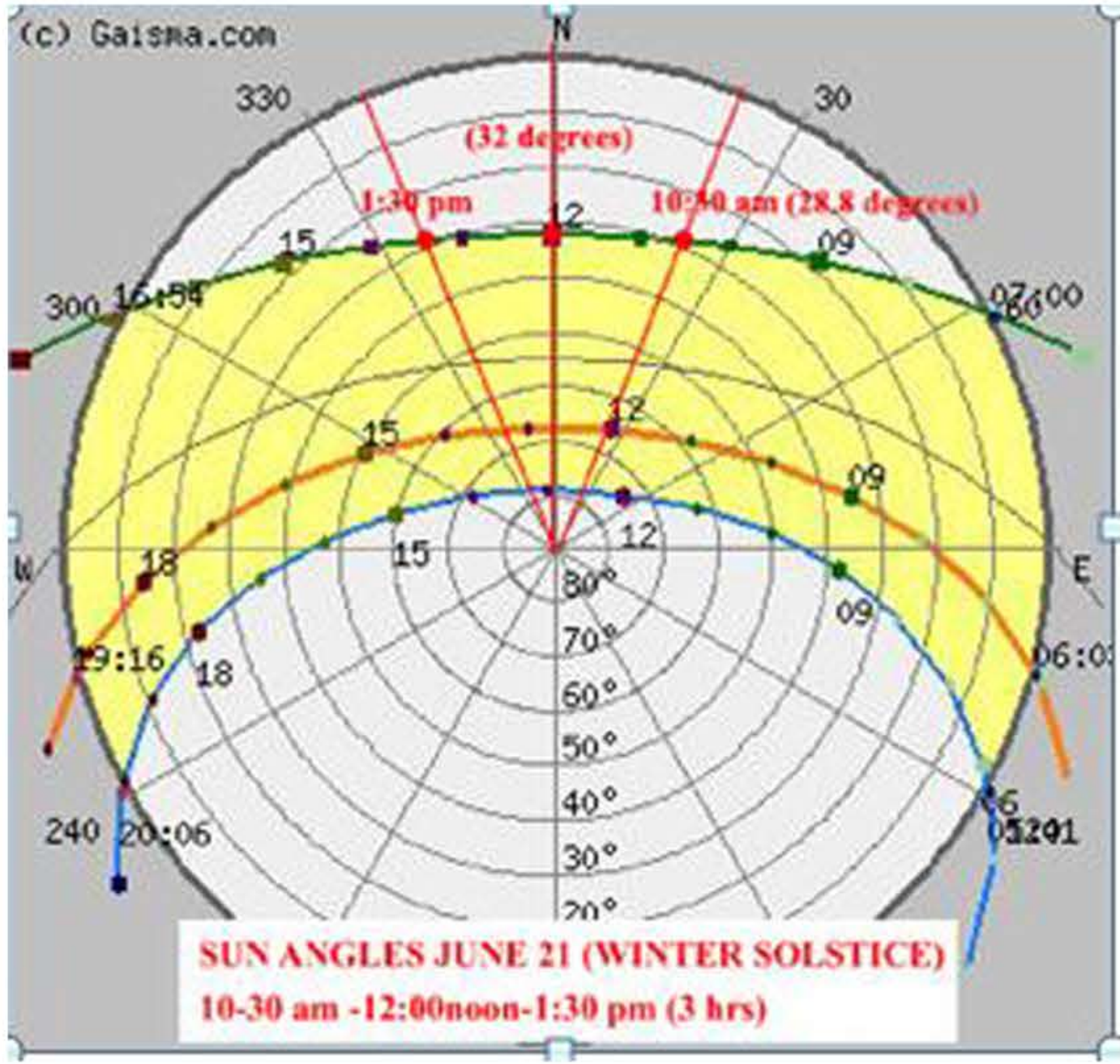
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Rev:

Shadow Diagrams

Sheet No.
(for A3)

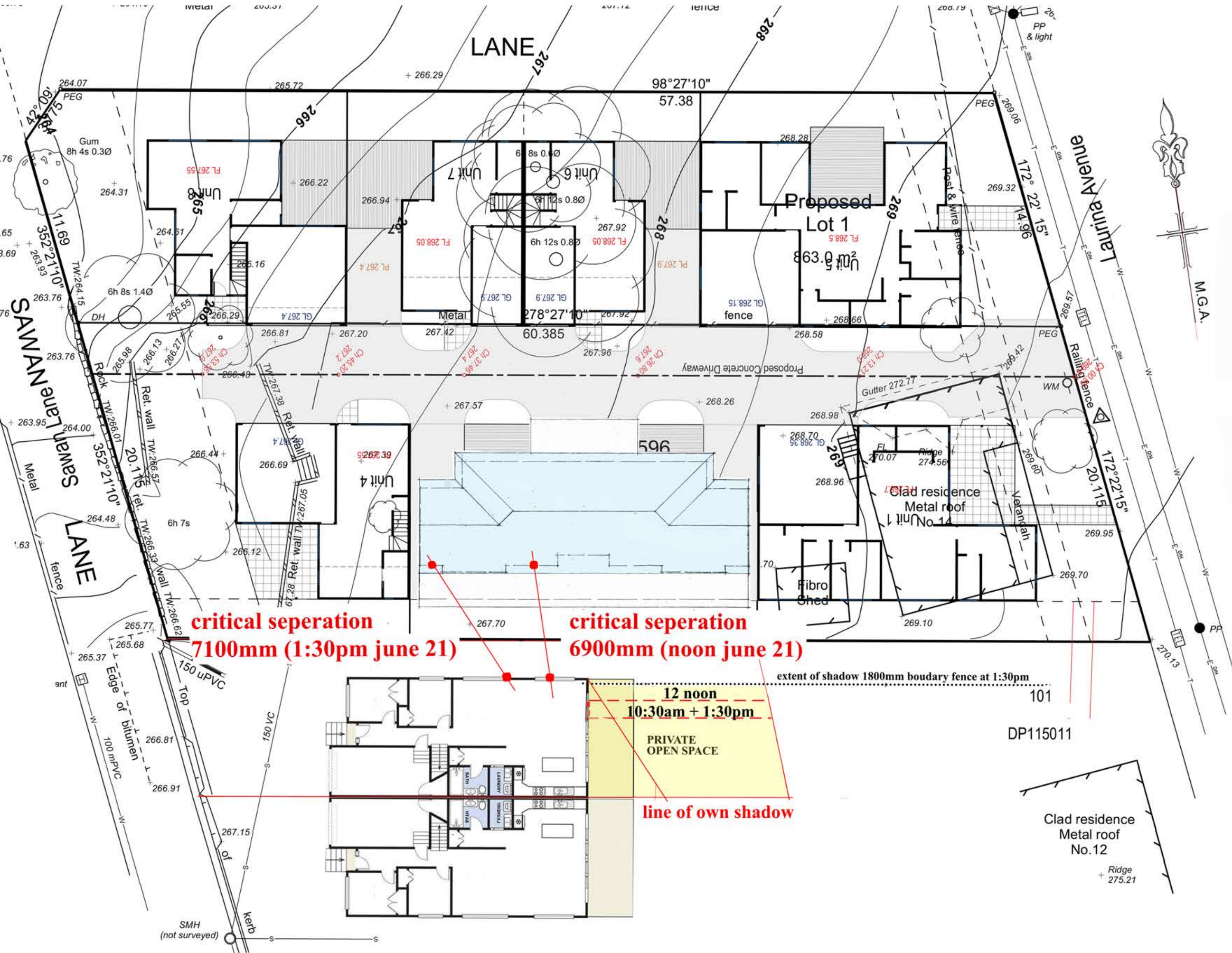
16 of 21



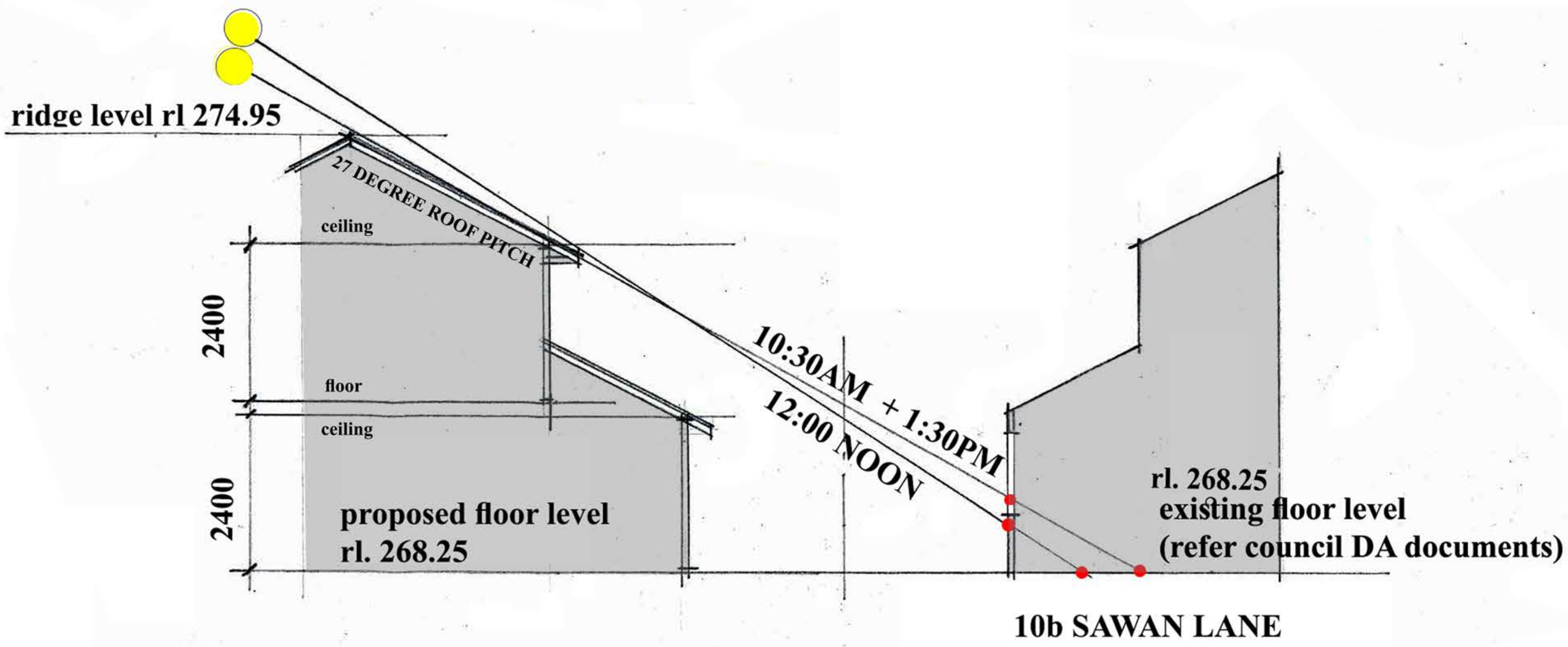
JUNE 21

SYDNEY	ALTITUDE	BEARING
9:00 am	18° 57' 30'	42° 34' 56
10:00	26° 19' 55'	29° 59' 53
10:30	29° 06' 13	22° 53' 12
11:00	31° 08' 23'	15° 17' 25'
12:00	32° 42' 53'	00° 00' 00'
1:00	30° 47' 39'	343° 09' 04
1:30	28° 36' 12'	335° 38' 40'
2:00	25° 41' 43'	328° 22' 06'
3:00 pm	18° 06' 22	316° 11' 16

SUN ANGLES FOR SYDNEY 33° 52' S (LATITUDE) 151° 12' E (LONGITUDE)



sun angles to give 3hrs. solar access



SOLAR ACCESS 10B SAWAN LANE

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Scale :

(for A3 sheets)

Rev:

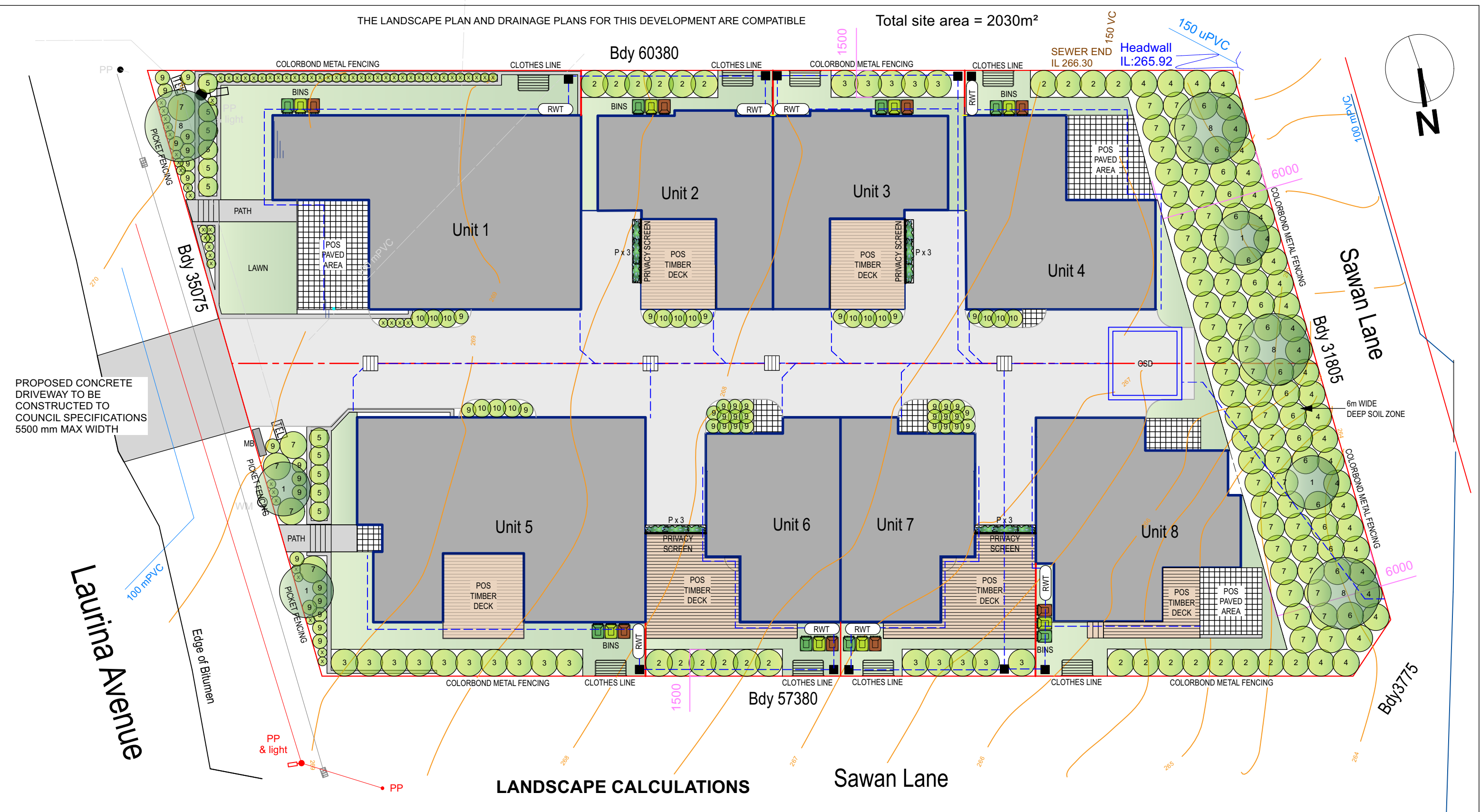
**Solar access 10B
Sawan Lane**

Sheet No.
(for A3)

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THE LANDSCAPE PLAN AND DRAINAGE PLANS FOR THIS DEVELOPMENT ARE COMPATIBLE

Total site area = 2030m²



LANDSCAPE CALCULATIONS

TOTAL SITE AREA = 2034.24 sq.m
LANDSCAPE AREA (MIN. 1.5m WIDE) = 660.76 sq.m (32.48%)
DEEP SOIL ZONE (MIN. 6.0m WIDE) = 205.78 sq.m

LANDSCAPE DESIGN AS PER RFS APZ GUIDELINES & PETERSON
BUSHFIRE EXPERT CONSULTING SERVICES RECOMMENDATIONS

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NO.	DATE	REVISION DETAILS	BY
A	09/03/21	REVISED LAYOUT	MS

PROJECT
LANDSCAPE DESIGN CC ISSUE
ADDRESS
14 LAURINA AVENUE, HELENSBURGH

CLIENT
MR D PAINE

PROJECT #	MS2020207
DWG DATE	09 / 03 / 2021
SCALE @ A3	1 : 200
DRAWN BY	MARK SPENCE
FILE NAME	MS2020207
PAGE #	PAGE 1 OF 2



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

PO Box 739, Wollongong NSW 2520
Phone: (02) 42273650 / 0421642763
Email: markspence@optusnet.com.au

ABN: 54 132 590 517



LANDSCAPE PLANTING SCHEDULE					
BOTANIC NAME	COMMON NAME	(H) x (W)	SIZE	QTY	STAKING
1 Backhousia myrtifolia	Grey Myrtle	4 m x 3 m	45 litre	4	YES
2 Viburnum 'Dense Fence'	Dense Fence Viburnum	2.5 m x 1.5 m	200 mm	24	NO
3 Camellia sasanqua	Camellia (hedged)	3 m x 1.5 m	200 mm	20	NO
4 Syzygium australe 'Resilience'	Resilience Lilly Pilly	3 m x 1.5 m	200 mm	29	NO
5 Syzygium 'Allyn Magic'	Allyn Magic Lilly Pilly	1 m x 1 m	200 mm	11	NO
6 Lomandra hystrix 'Katie Belles'	Katie Belles Lomandra	1.5 m x 1.5 m	200 mm	19	NO
7 Myoporum parvifolia	Creeping Boobialla	0.2 m x 1.5 m	200 mm	55	NO
8 Elaeocarpus reticulatus	Blueberry Ash	8 m x 4 m	45 litre	4	YES
9 Agapanthus orientalis Blue	Blue Agapanthus	0.5 m x 0.8 m	150 mm	49	NO
10 Banksia 'Birthday Candles'	Birthday Candles Banksia	0.5 m x 1 m	200 mm	14	NO
P Pandorea pandorana	Wonga Vine	Climber	200 mm	12	NO
X Lomandra 'Lime Tuff'	Lime Tuff Lomandra	0.5 m x 0.5 m	150 mm	64	NO

LANDSCAPE CALCULATIONS

TOTAL SITE AREA = 2034.24 sq.m
LANDSCAPE AREA (MIN. 1.5m WIDE) = 660.76 sq.m (32.48%)

DEEP SOIL ZONE (MIN. 6.0m WIDE) = 205.78 sq.m

PLANTING AND LANDSCAPE MAINTENANCE REQUIREMENTS

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

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

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

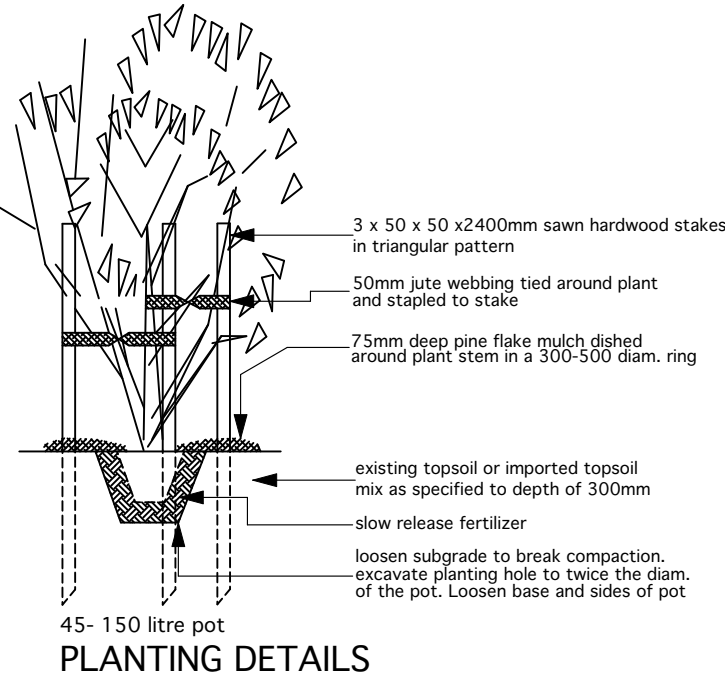
TURF - Turf shall be quality kikuyu or buffalo grass that is weed, pest and disease free. Turf shall be maintained at regular intervals with fortnightly cutting during the growing season and monthly cutting during the cooler months. Cutting height shall ensure that the turf is not scalped or damaged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

LAWN EDGING - Lawn areas that join garden beds and built structures shall be edged using a 110mm brick laid upon a 75mm depth concrete footing. Alternately, 75mm x 25mm hardwood timber edging may be used. Timber edging must be pegged and nailed to ensure the integrity of the timber edging is maintained.

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

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

LANDSCAPE DESIGN AS PER RFS APZ GUIDELINES & PETERSON
BUSHFIRE EXPERT CONSULTING SERVICES RECOMMENDATIONS



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









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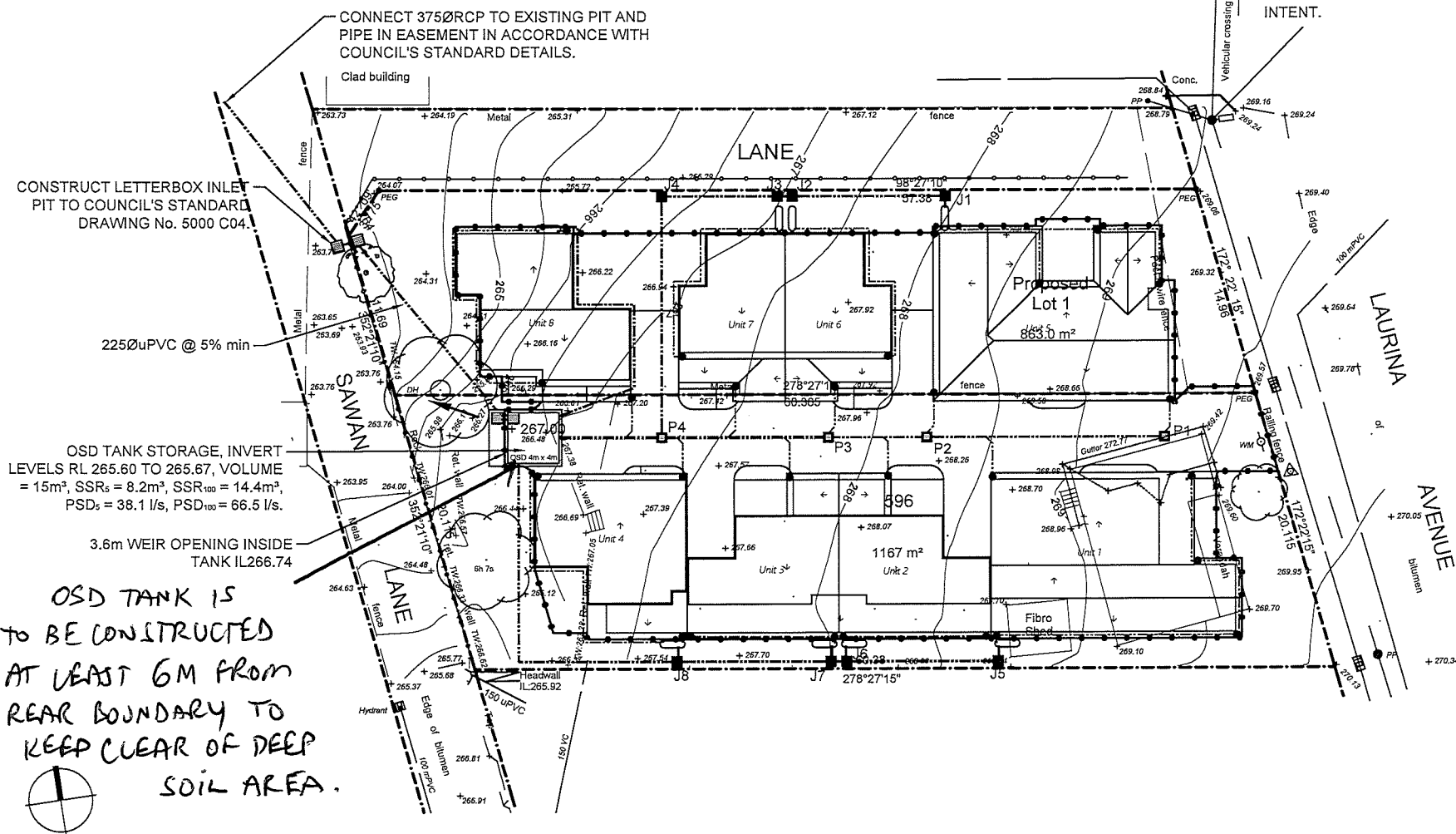
NO.	DATE	REVISION DETAILS	BY	PROJECT	CLIENT	PROJECT #	MS2020207
A	09/03/21	REVISED LAYOUT	MS	LANDSCAPE DESIGN CC ISSUE	MR D PAINE	DWG DATE	09 / 03 / 2021
				ADDRESS		SCALE @ A3	1 : 200
				14 LAURINA AVENUE, HELENSBURGH		DRAWN BY	MARK SPENCE
						FILE NAME	MS2020207
						PAGE #	PAGE 2 OF 2

LEGEND

	EXISTING CONTOURS		NEW 450SQ STORMWATER PIT		OSD STORAGE TANK
67.04	SURFACE LEVEL		DOWN PIPE		450 SQUARE JUNCTION PIT
+ 10.40	NEW SURFACE LEVEL		NEW STORMWATER PIPE		BOUNDARY
	150 WIDE GRATED DRAIN		Q ₁₀₀ OVERFLOW PATH		SILT STOP FENCE

NOTES:

1. ALL PIPES LAID AT 1% U.N.O. AND SIZED TO CATER FOR 1 IN 100 YEAR ARI.
2. ROOF DRAINAGE SIZED TO CATER FOR 1 IN 100 YEAR ARI AND FITTED WITH GUTTERGUARD OR SIMILAR.
3. CONNECT DOWNPIPES TO WATER TANKS IN ACCORDANCE WITH BASIX REQUIREMENTS. DISCHARGE OVERFLOW TO OSD FACILITY.
4. CONCEPT STORMWATER MANAGEMENT SHOWN FOR DEVELOPMENT APPLICATION AND SUBJECT TO DETAILED DESIGN MAINTAINING DESIGN INTENT.



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Job No
Date June 2020

survey
Dennis Smith Surveys
Ref 11939-1
Date 14-02-2019

c DWG C5 ADDED
b SAWAN LANE CONNECTION
a DA
issue description

01.03.21 dwg no. C2
31.07.20 datum AHD scale 1:300 U.N.O.
21.07.20 drawn D. Tenhave DipCCD
date review R. Tenhave MIEAust CPEng NER

CONCEPT STORMWATER PLAN
PROPOSED BUILDINGS
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CONSTRUCTION NOTES

DRAWING SCHEDULE

DWG NO.	ISSUE	DATE	DWG TITLE
C1	C	01.03.21	CONSTRUCTION NOTES
C2	C	01.03.21	CONCEPT STORMWATER PLAN
C3	C	01.03.21	DRAINAGE CALCULATIONS
C4	C	01.03.21	DRAINAGE DETAILS
C5	C	01.03.21	DRAINAGE DETAILS

MAINTENANCE SCHEDULE:

IT IS THE RESPONSIBILITY OF THE OWNER TO ENSURE THAT THE FOLLOWING MAINTENANCE IS CARRIED OUT BY A SUITABLY QUALIFIED CONTRACTOR AT THE INTERVALS SPECIFIED.

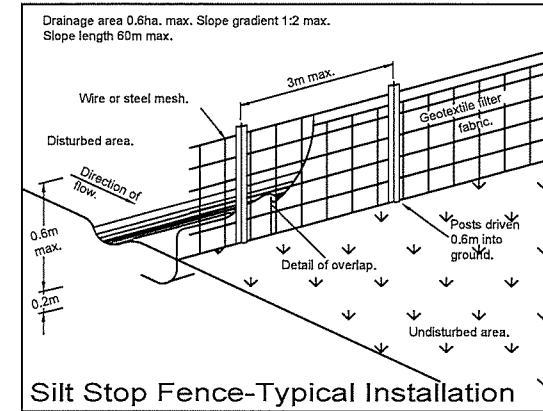
1. EVERY SIX MONTHS REMOVE GRATE AND INSPECT FOR DAMAGE. WHILE GRATE IS REMOVED REMOVE DEBRIS SCREEN AND CLEAN. INSPECT AND CLEAN ORIFICE, REMOVE ANY SEDIMENT FROM PIT SUMP, REPLACE DEBRIS SCREEN AND GRATE.
2. EVERY SIX MONTHS INSPECT TRIBUTARY AREA AND REMOVE ANY MATERIAL LIKELY TO CAUSE BLOCKAGES OF DRAINAGE SYSTEM.
3. EVERY SIX MONTHS INSPECT, CLEAN AND CHECK DRAINAGE SYSTEM FOR BLOCKAGES. FLUSH OUTLET PIPE WITH CLEAN WATER TO CONFIRM FREE DRAINING.
4. ANNUALLY CHECK ATTACHMENT OF ORIFICE TO PIT WALL AND CHECK ORIFICE DIAMETER AND CONDITION, RENEW AS NECESSARY.
5. ANNUALLY CHECK DEBRIS SCREEN FOR DAMAGE AND CORROSION AND CHECK ATTACHMENT TO PIT WALL. REPAIR/RENEW AS NECESSARY.
6. ANNUALLY INSPECT ALL DRAINAGE STRUCTURES FOR DAMAGE AND CONTACT ENGINEER TO INSPECT AND ADVISE REMEDIAL WORKS TO BE CARRIED OUT.
7. ANNUALLY INSPECT STORAGE AREAS FOR SUBSIDENCE LIKELY TO INDICATE LEAKAGES. REPAIR ANY LEAKAGES AND RESTORE STORAGE AREAS TO CORRECT LEVELS.
8. ANNUALLY COMPARE STORAGE VOLUME TO WORKS AS EXECUTED PLANS, IF VOLUME LOSS IS GREATER THAN 5% ARRANGE FOR STORAGE TO BE RECONSTRUCTED TO REPLACE VOLUME LOST. COUNCIL TO BE NOTIFIED PRIOR TO UNDERTAKING ANY WORKS.
9. INSPECT ENTIRE DRAINAGE SYSTEM FOR DAMAGES AND BLOCKAGES AFTER ALL MAJOR STORM EVENTS AND RECTIFY A.S.A.P.

DRAINAGE NOTES:

1. ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH WOLLONGONG CITY COUNCIL'S SPECIFICATIONS AND AS3500.3.
2. THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL ARCHITECTURAL AND OTHER CONSULTANTS' DRAWINGS AND SPECIFICATIONS AND WITH SUCH OTHER WRITTEN INSTRUCTIONS AS MAY BE ISSUED DURING THE COURSE OF THE CONTRACT.
3. ALL DISCREPANCIES SHALL BE REFERRED TO THE ENGINEER FOR RESOLUTION BEFORE PROCEEDING WITH THE WORK.
4. DIMENSIONS SHALL NOT BE OBTAINED FROM SCALING FROM THESE DRAWINGS.
5. SETTING OUT DIMENSIONS SHALL BE VERIFIED BY THE BUILDER.
6. THE CONTRACTOR SHALL LOCATE AND LEVEL ALL EXISTING SERVICES PRIOR TO THE COMMENCEMENT OF CONSTRUCTION AND MAKE ARRANGEMENTS WITH THE RELEVANT AUTHORITY TO RELOCATE OR ADJUST IF NECESSARY.
7. THE CONTRACTOR SHALL NOT ENTER UPON NOR DO ANY WORK WITHIN ADJOINING LANDS WITHOUT THE PERMISSION OF THE SUPERINTENDENT.
8. THE CONTRACTOR SHALL CHECK ALL EXISTING LEVELS PRIOR TO THE COMMENCEMENT OF WORKS. ALL NEW WORK SHALL MAKE SMOOTH CONNECTION TO EXISTING.
9. ALL PIPES SHALL BE LAID ON 1% MINIMUM GRADE U.N.O.
10. PROVIDE VEHICULAR CROSSING TO COUNCIL'S SPECIFICATION WHERE SHOWN (IF APPLICABLE).
11. THE CONTRACTOR SHALL MAINTAIN SERVICES AND ALL WEATHER ACCESS AT ALL TIMES TO ADJOINING PROPERTIES.
12. MINIMUM COVER TO PIPES 100mm ADJACENT TO DWELLING, 300mm IN LANDSCAPED AREAS AND 450mm IN AREAS SUBJECT TO VEHICLE LOADINGS U.N.O.
13. CONSTRUCTION OF ALL DRAINAGE WORKS IS TO COMMENCE FROM THE LOWEST POINT.
14. ALL DOWNPIPES ARE TO BE CONNECTED TO STORMWATER PIPES. ALL DOWNPIPES ARE SHOWN DIAGRAMMATICALLY ONLY AND THE POSITION OF DOWNPIPES SHALL BE CONFIRMED ON SITE.

SEDIMENT & EROSION CONTROL:

1. THE CONTRACTOR SHALL IMPLEMENT EROSION AND SEDIMENT CONTROL MEASURES TO THE COUNCIL'S SPECIFICATION PRIOR TO THE COMMENCEMENT OF CONSTRUCTION AND DURING CONSTRUCTION.
2. ALL EROSION AND SEDIMENT CONTROL DEVICES SHALL BE MAINTAINED IN A SATISFACTORY WORKING ORDER DURING THE CONSTRUCTION PERIOD. INSPECTIONS OF THESE DEVICES SHALL BE CARRIED OUT AFTER EACH STORM, REPAIRS AND/OR DE-CLOGGING SHALL BE CARRIED OUT TO ENSURE PROPER OPERATION OF THE DEVICE.
3. STORAGE OF MATERIALS AND EQUIPMENT WITHIN SEDIMENT CONTROLLED AREAS.
4. REMOVE SILT STOP FENCING AND DRAINAGE STRUCTURE SEDIMENT CONTROL TRAPS AFTER VEGETATION IS ESTABLISHED.



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Job No
Date June 2020

survey
Dennis Smith Surveys
Ref 11939-1
Date 14-02-2019

c DWG C5 ADDED
b SAWAN LANE CONNECTION
a DA
issue description

01.03.21
31.07.20
21.07.20
date
dwg no. C1
datum AHD
drawn D. Tenhave
review R. Tenhave
scale 1:300 U.N.O.
DIPCCD
MIEAust CPEng NER

CONSTRUCTION NOTES
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DRAINAGE CALCULATIONS

STEP 1 EXISTING TO PROPOSED

PLAN DATA

SITE AREA (m ²)	2030	F1 ₅	1.011
TRIBUTARY AREA (m ²)	1434	F1 ₁₀₀	1.010
EX. IMPERVIOUS AREA (m ²)	74	F2	1.11
DEV. IMPERVIOUS AREA (m ²)	1406	F3	0.19
I (mm/hr) (WCC DCP E14 A2)	89	F4	0.61

GRAPHS

OSD REQD.

PSD ₅ (l/s)	38.1
PSD ₁₀₀ (l/s)	66.5
SSR ₅ (m ³)	9.0
SSR ₁₀₀ (m ³)	15.7

STEP 2 NATURAL TO EXISTING

F1 ₅	0.989
F1 ₁₀₀	0.994
F2	1.11
F3	0.02
F4	0.61

PSD ₅ (l/s)	37.2
PSD ₁₀₀ (l/s)	65.4
SSR ₅ (m ³)	0.8
SSR ₁₀₀ (m ³)	1.3

STEP 3 FINAL OSD REQUIRED

SSR ₅ (m ³)	9.0 - 0.8 = 8.2
SSR ₁₀₀ (m ³)	15.7 - 1.3 = 14.4
PSD ₅ (l/s)	38.1
PSD ₁₀₀ (l/s)	66.5

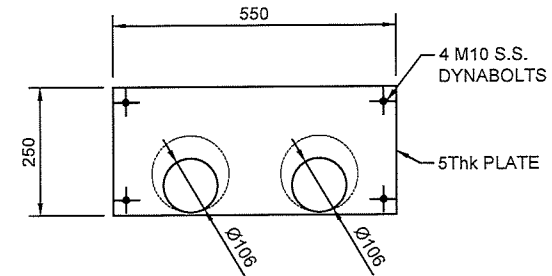
ORIFICE & WEIR SIZE

PSD₅ = 38.1 l/s, PSD₁₀₀ = 66.5 l/s
 WL₅ = 266.28m AHD, WL₁₀₀ = 266.76m AHD
 CENTRE ORIFICE = 265.65m AHD, C = 0.61
 H₅ = 0.63m, H₁₀₀ = 1.11m
 5 YEAR HEAD GOVERNS DISCHARGE
 $Q = CA(2gh)^{0.5}$
 $0.0381 = 0.61 \times A \times (2 \times 9.8 \times 0.63)^{0.5}$
 $A = 0.01775\text{m}^2$, PROVIDE TWIN ORIFICE OPENINGS
 $A / 2 = 0.00888\text{m}^2$, $\varnothing D = 106\text{mm}$
 CHECK FLOW THROUGH ORIFICES FOR 100 YEAR HEAD
 $Q = 0.61 \times 0.01775 \times (2 \times 9.8 \times 1.11)^{0.5} = 0.0505\text{m}^3/\text{s} = 50.5 \text{ l/s}$

 CHECK WEIR DEPTH FOR 3.6m WIDE OVERFLOW WEIR,
 WEIR FLOW = 66.5 - 50.5 = 16 l/s
 $H = (0.0160 / (1.7 \times 3.6))^{0.67} = 0.019\text{m} = 19\text{mm}$
 WEIR FLOW IF ORIFICE BLOCKS = $(0.0665 / (1.7 \times 3.5))^{0.67} = 0.050\text{m} = 50\text{mm}$

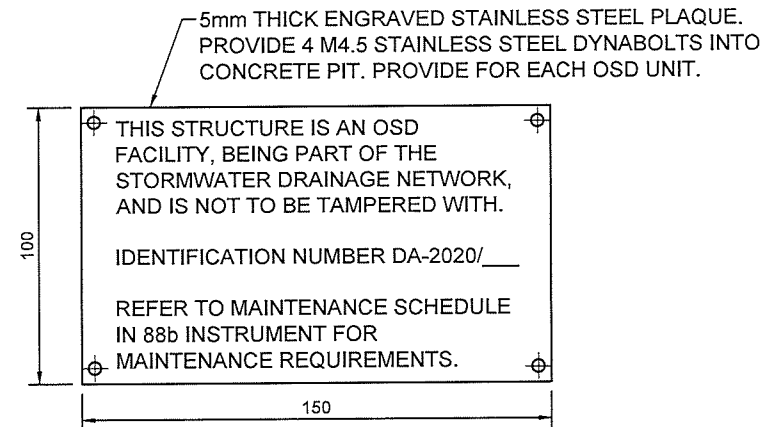
 WEIR FLOW LEVEL = 266.76 - 0.02 = 266.74m AHD

 FREEBOARD TO FLOORS 7 & 8 = 267.55 - 266.76 = 0.79m > or = 0.2m O.K.



ORIFICE PLATE

SCALE 1:10



IDENTIFICATION PLAQUE

N.T.S.

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 @ lechowicz@bigpond.com
 Job No
 Date June 2020

survey
 Dennis Smith Surveys
 Ref 11939-1
 Date 14-02-2019

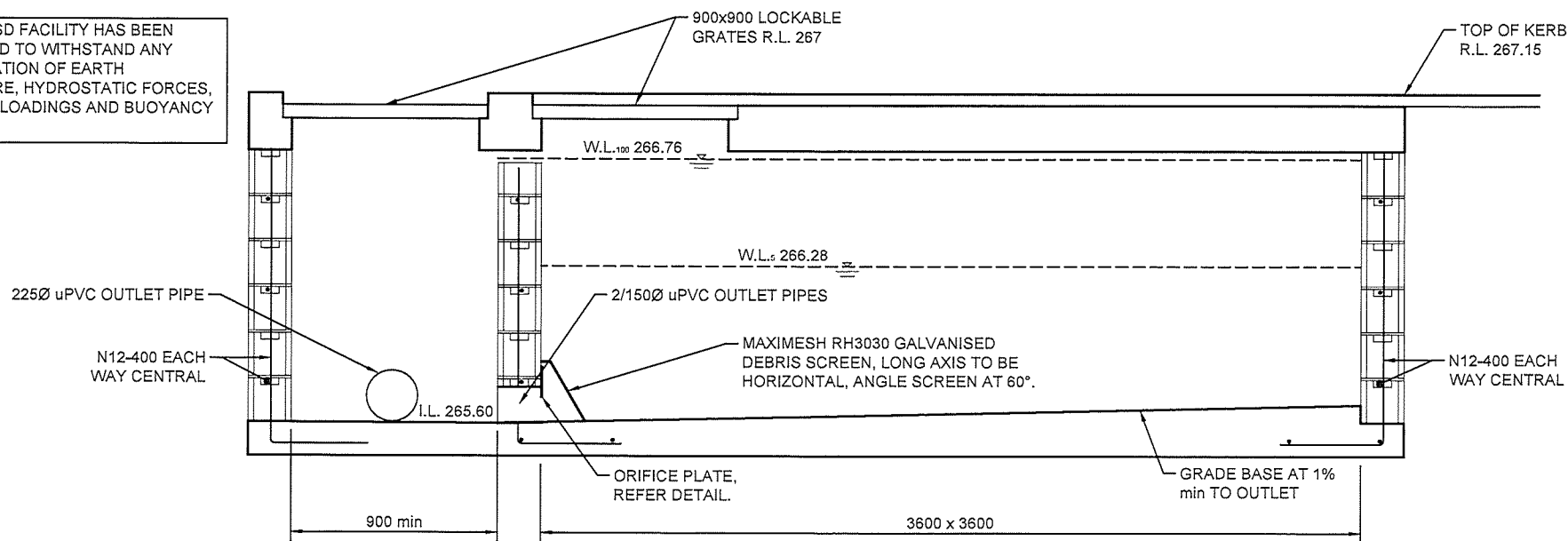
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b	SAWAN LANE CONNECTION	31.07.20	datum AHD	scale 1:300 U.N.O.
a	DA	21.07.20	drawn D. Tenhave DipCCD	
	issue description	date	review R. Tenhave MIEAust CPEng NER	

DRAINAGE CALCULATIONS
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 D PAINE

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NOTE: OSD FACILITY HAS BEEN DESIGNED TO WITHSTAND ANY COMBINATION OF EARTH PRESSURE, HYDROSTATIC FORCES, TRAFFIC LOADINGS AND BUOYANCY FORCES.



CROSS SECTION THROUGH OSD STORAGE
SCALE 1:20

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Ref 11939-1
Date 14-02-2019

c DWG C5 ADDED
b SAWAN LANE CONNECTION
a DA
issue description

job no. 20058
01.03.21 dwg no. C4
31.07.20 datum AHD scale 1:300 U.N.O.
21.07.20 drawn D. Tenhave DipCCD
date review R. Tenhave MIEAust CPEng NER

DRAINAGE DETAILS
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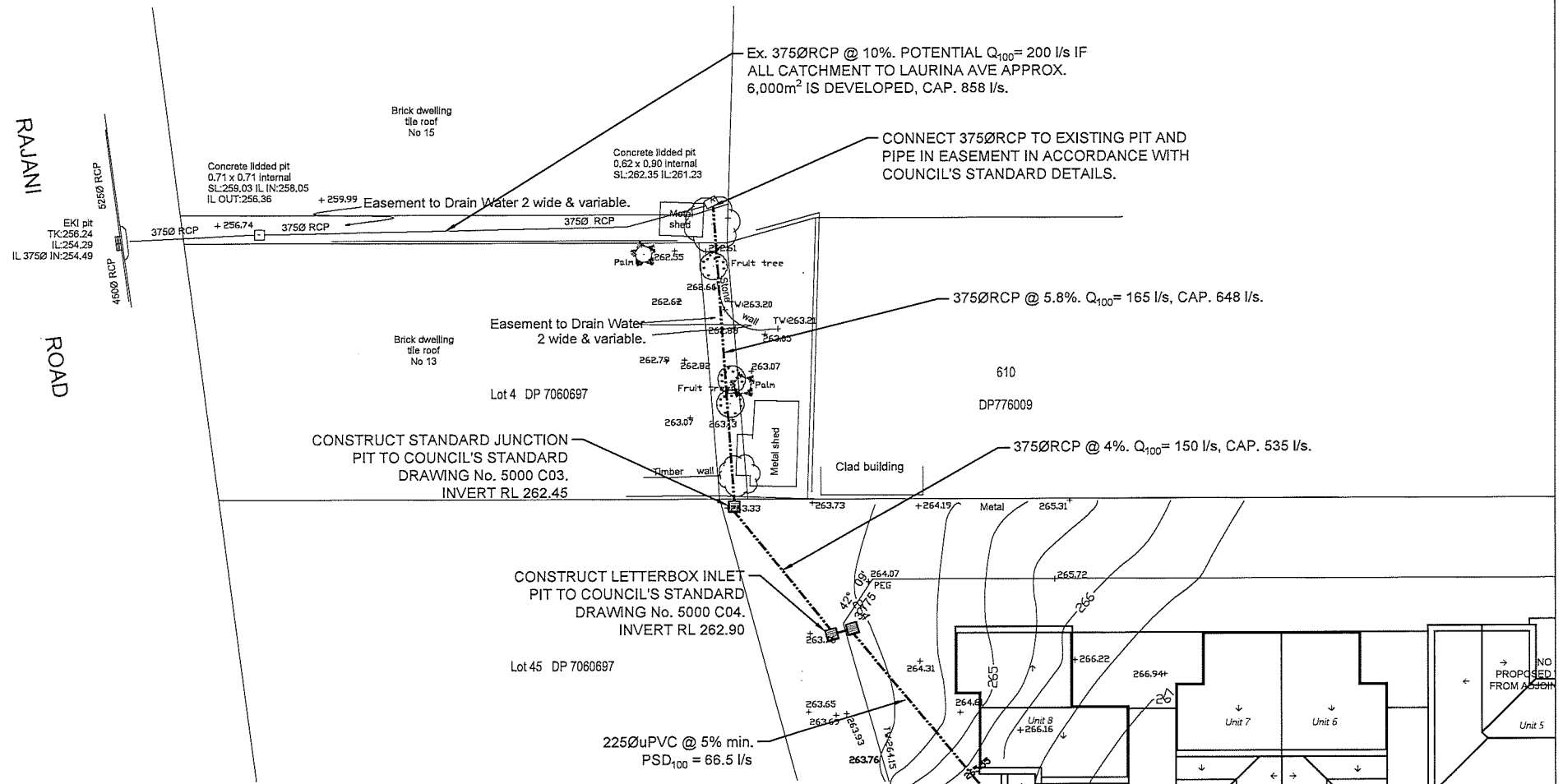


LEGEND

	EXISTING CONTOURS		NEW 450SQ STORMWATER PIT		OSD STORAGE TANK
	SURFACE LEVEL		DOWN PIPE		450 SQUARE JUNCTION PIT
	NEW SURFACE LEVEL		NEW STORMWATER PIPE		BOUNDARY
	150 WIDE GRATED DRAIN		Q ₁₀₀ OVERFLOW PATH		SILT STOP FENCE

NOTES:

1. ALL PIPES LAID AT 1% U.N.O. AND SIZED TO CATER FOR 1 IN 100 YEAR ARI.
2. ROOF DRAINAGE SIZED TO CATER FOR 1 IN 100 YEAR ARI AND FITTED WITH GUTTERGUARD OR SIMILAR.
3. CONNECT DOWNPIPES TO WATER TANKS IN ACCORDANCE WITH BASIX REQUIREMENTS. DISCHARGE OVERFLOW TO OSD FACILITY.
4. CONCEPT STORMWATER MANAGEMENT SHOWN FOR DEVELOPMENT APPLICATION AND SUBJECT TO DETAILED DESIGN MAINTAINING DESIGN INTENT.



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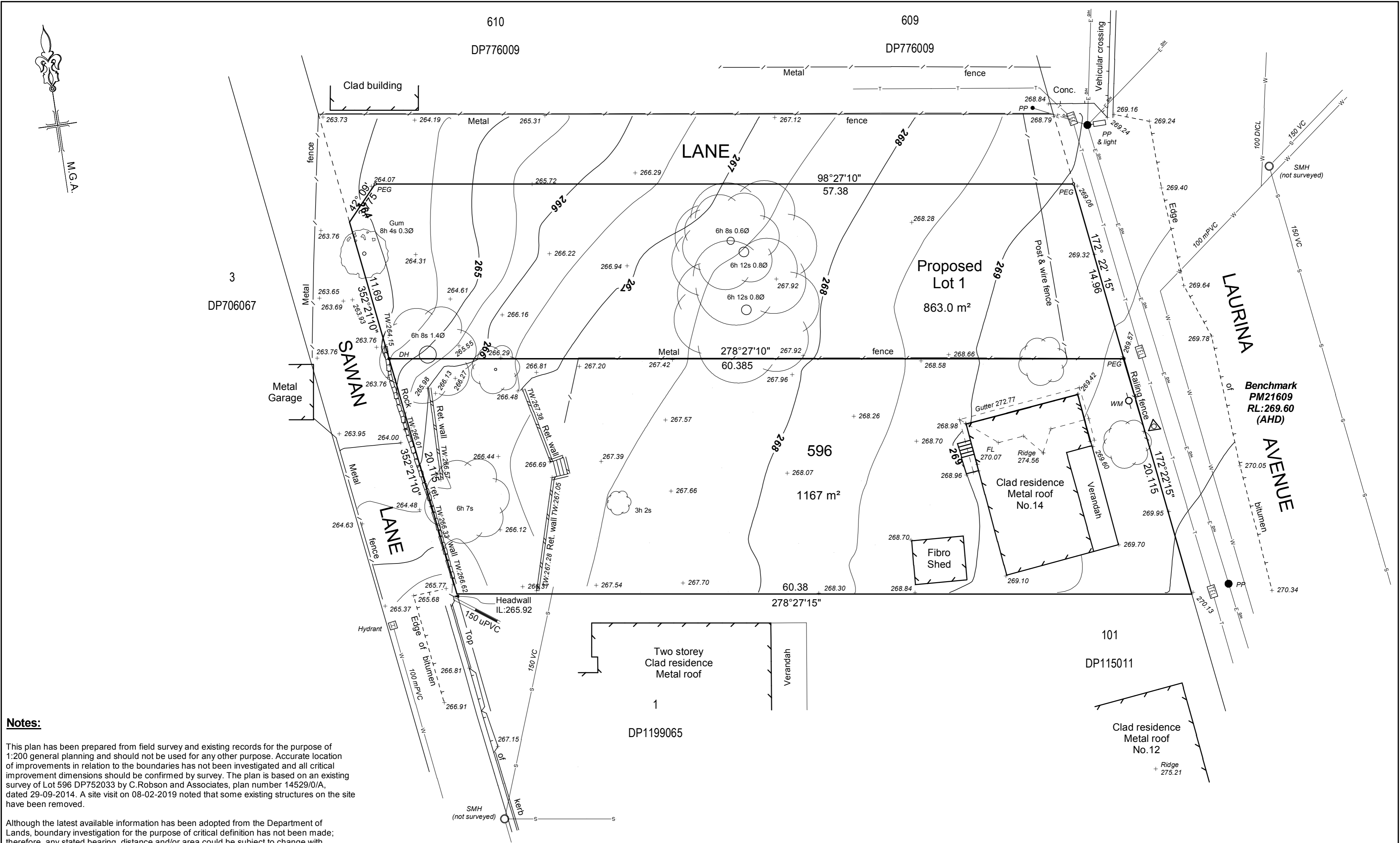
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Notes:

This plan has been prepared from field survey and existing records for the purpose of 1:200 general planning and should not be used for any other purpose. Accurate location of improvements in relation to the boundaries has not been investigated and all critical improvement dimensions should be confirmed by survey. The plan is based on an existing survey of Lot 596 DP752033 by C.Robson and Associates, plan number 14529/0/A, dated 29-09-2014. A site visit on 08-02-2019 noted that some existing structures on the site have been removed.

Although the latest available information has been adopted from the Department of Lands, boundary investigation for the purpose of critical definition has not been made; therefore, any stated bearing, distance and/or area could be subject to change with further investigation. If boundary critical excavation/construction or design of buildings/extensions are to be undertaken further investigation is recommended.

Contours shown are interpolated at 0.5m intervals and are an indication of land form only. Spot levels should be adopted in preference to contours.

Services have been located where possible, underground services are interpreted from the records of the relevant authority unless stated as 'located'. The relevant authority should be contacted and all services accurately located prior to any excavation/construction works or design of buildings/extensions. Please call 1100 or visit www.1100.com.au for 'Dial Before You Dig' service location plans.

Roof profile and tree details are approximate only.

**DENNIS
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PLAN: Contour and detail survey plan
ADDRESS: 14 & 16 Laurina Avenue, Helensburgh
TITLE: Prop Lot 1 (Wattle St) and Lot 596 DP752033
CLIENT: Bochow Holdings

ORIENTATION:
Map Grid of Australia
Origin: DP1150119
DATUM: A.H.D.
Origin: PM21609

P.R.: 11939-1
SCALE: 1:200
DATE: 14-02-2019
SHEET 1 of 1 (A2)
Drawn: A.P. Check: M.S.

Statement of Variation (variation to front setback)

January 2021

14 Laurina Ave Helensburgh NSW.

This Statement of variation is in support of a variation to the primary setback of proposed multi unit housing development at Laurina Avenue Helensburgh NSW.



Clause 5.3 Front Setbacks WDCP 2009

5.3.2 Development Controls to this proposal

- 1. A 6m setback requirements applies from the front property boundary to the front façade of the building.*
- 2. On corner allotments a minimum setback of 3m to the secondary street frontage from the dwelling façade must be provided.*
- 3. Balconies, front courtyard fences and other building extrusions may be set back up to 900mm closer than the required front or secondary setback.*

Introduction:

The subject site is zoned R2 and suitable for a variety of building types including multi unit housing, dual occupancy or single residential development.

The existing building is a single storey older style clad cottage with corrugated steel roof and will be demolished to allow for consolidation and further development.

The site adjacent (south side) is of similar age and construction with setback approx. 2.5m.

The existing building is setback approx 4.5m. (refer below)

Sawan Lane and Wattle Lane are unformed and do not present with any particular style or conformity in regard to setback and streetscape.



Extent of variation to this proposal:

Demolish existing clad residence amalgamate both sites and construct a multi unit housing development consisting of 2x single storey villas and 6 x 2 storey townhouse (total 8) arranged around a central driveway.

Setbacks generally conform to DCP requirements save for the single storey villas which are the subject of this variation.

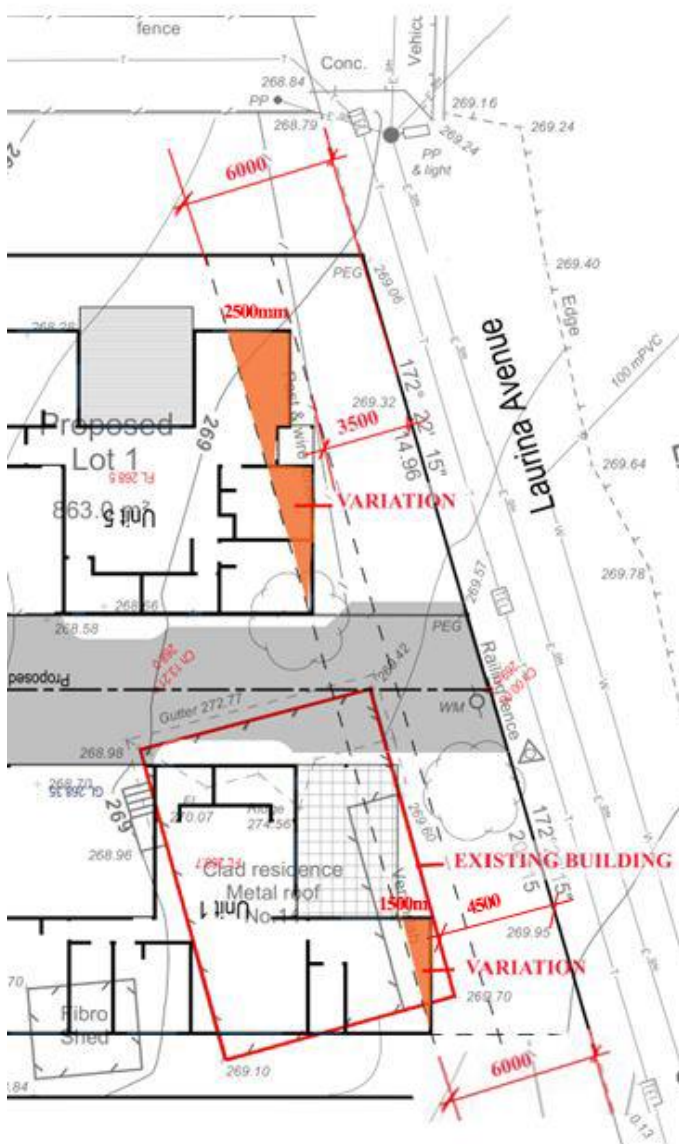
Villa (unit 1)

A variation with diminishing value from nil variation to 1500mm with minimum setback of 4500mm. (refer dia below) and located substantially within the shadow mask of the existing building.

Villa (unit 5)

A variation with diminishing value from nil variation to 2500mm with minimum setback of 3500mm. (refer dia below)

Unit 5 locates where currently avacant and unformed lane “Wattle lane” forms the streetscape.



The unique circumstances of the site and the historical development of this area of Helensburgh with varying setback dimension and haphazard orientation result mainly from the oblique nature of street alignment. The general setbacks immediate to the site vary considerably in both dimension and orientation with common setbacks of 4.5m, 2.5m, 6m.

The variation as indicated is compatible with the existing streetscape and character of the immediate area and will allow for the continuation of the existing single storey street pattern given that the existing buildings to be replaced are of similarly scale and setback.

Objectives :

4.2.1 Objectives

(a) To reinforce the existing character of the street and locality by acknowledging building setbacks.

The existing character is established by the single storey residential buildings immediate to the site and with varying and existing setbacks of 4500mm. and 2500mm.

The proposed setbacks of varying dimension indicated will maintain the current existing street pattern.

(b) To ensure that buildings are appropriately sited, having regard to site constraints.

The older style traditional building types are generally sited in response to the orientation of the site boundary to Laurina Ave and the prevailing trends at the time.

The proposed traditional style buildings are similarly sited with the sought after degree of variation.

(c) To ensure building setbacks are representative of the character of the area.

The proposed building are certainly representative of the traditional style and character of the area and are designed in similar architectural style, building materials and roof forms which reinforce their location and reflect on the historical nature and character of Helensburgh.

The proposed setbacks are representative of the current setbacks and orientation immediate to the site.

(d) To provide for compatibility in front setbacks to provide unity in the building line.

The minimum existing and proposed setback is 3500mm. with the adjacent building reducing even further to approx. 2500mm.

Further afield setbacks continue to vary in both their dimension and orientation so that no identifiable pattern is evident save for the existing variety of existing setbacks.

Keeping the setbacks at around the same measurement will provide a uniformity of current setback in this locality.

(e) To ensure that setbacks do not have a detrimental effect on streetscape or view corridors.

There are no view corridors of relevance to this site and the proposed reduced setbacks in conformity with the existing setbacks will not have any detrimental impacts on this locality.

(f) To ensure that hard stand areas can be provided in front of garage without imposing on movement corridors (pathways, cycle ways and road reserves).

All vehicle ingress and egress are in forward direction from an internal central driveway.

Justification + conclusion:

The site is fairly unique in that it is bounded by 3 street frontages with general frontages within Laurina Avenue varying slightly from the standard setback of 6m.

The irregular shaped blocks of land immediate to the site do not allow for any consistent setback or identifiable streetscape rhythm to be generated.

Setbacks vary between 2.5m to 6.5m immediate to the site at different points and orientation (refer below)



Sawan Lane and Wattle Lane are generally unformed at the site boundaries and present as vacant land or the rear portions of adjacent blocks save for the relatively new dual occupancy adjacent where the setback is 6m.

The proposed setback to Sawan Lane is 6m and forms the Deep soil area of the proposal so that building bulk will be consistent with the adjoining building.

Both developments existing and proposed meet the 6m setback requirement at Sawan Lane. Wattle Lane (previously Wattle Street and crown land) is unformed and does not present with any building facade or bulk which could be considered to form a streetscape.

Laurina Avenue is a mixture of older style buildings and newer more contemporary buildings which are gradually replacing the older stock as indicated in Helensburgh Character Statement. To this end it is proposed to maintain a traditional style single storey presentation to Laurina Avenue similar in style and bulk to the existing which should maintain the existing character towards this end of Laurina Avenue.



Single storey traditional style housing at this end of Laurina Avenue.

Unit 1 is single storey and setback within the envelope of the existing single storey building. Unit 5 also single storey has a varying setback with a small triangular portion setback approx. 3.5 metres increasing to 6m as required (refer diagram above).

Presentation to Laurina Avenue is of 2 single storey traditional style clad buildings with metal roofs replacing similar single storey clad building with no real negative impact on existing streetscape.

There is no identifiable consistent setback immediate to the site which is a corner site with Wattle Lane and Sawan Lane which are both unformed and not likely to support development. Consequently the main determinants of the street pattern are the existing buildings within Laurina Avenue which are varied in setback and architectural style.

The proposed single storey presentation will maintain the streetscape value as currently exists without negative impacts.

3 Boronga Close, Bangor 2234 N.S.W.

tel : 04 50021447 (m)

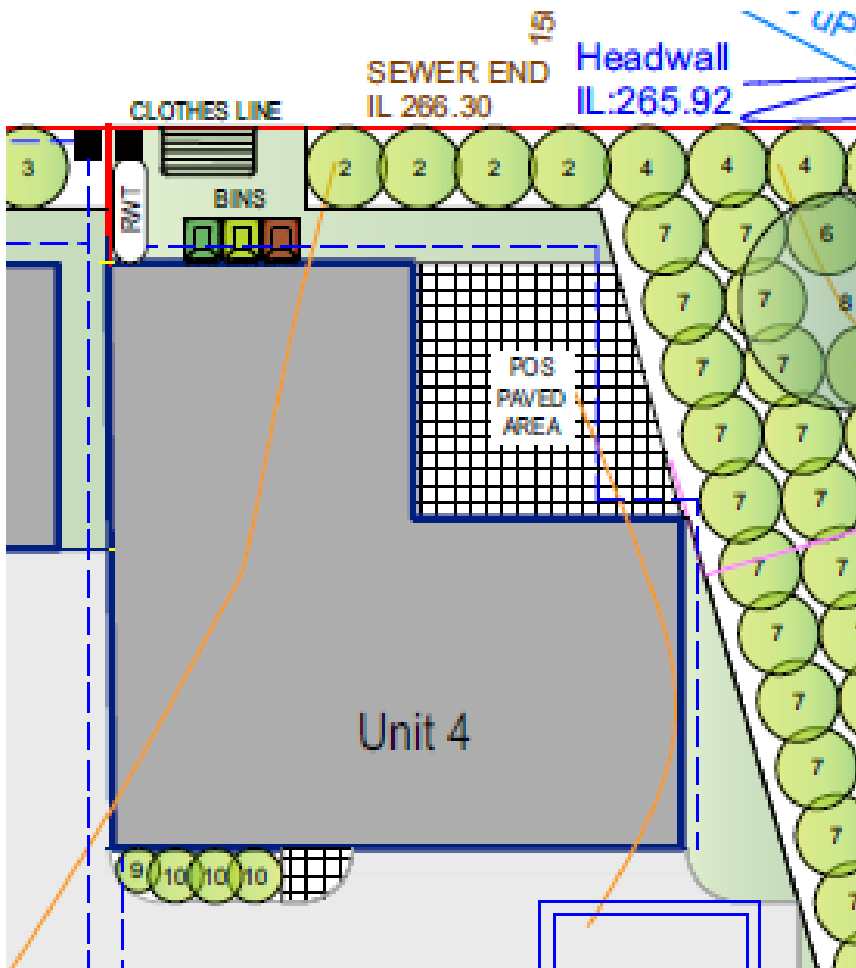
Email: smollica@bigpond.net.au

Statement of Variation (Solar Access Requirements)

June 2021

14 Laurina Ave Helensburgh NSW.

This Statement of variation is in support of a variation to the solar access controls of proposed multi unit housing development (specifically unit no.4.) at Laurina Avenue Helensburgh NSW.



Clause 5.12 Solar Access Requirements WDCP 2009

5.12.2 (5) *Development Controls to this proposal*

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.

Introduction:

The proposed development comprises 8 no. units in varying configuration with majority North facing Private open space area with compliant solar access save for unit 4 which is the subject of this variation .

Private Open Space of Unit 4 has a South West orientation and is surrounded by landscape and turf areas beyond the nominated Private open space area of 25sq.m. which is generally paved. Shadow diagrams indicate solar access to parts of the POS but short of the 3 hr. requirement of DCP controls.

Extent of variation to this proposal:

Solar access for the relevant times during the winter solstice are summarised below:

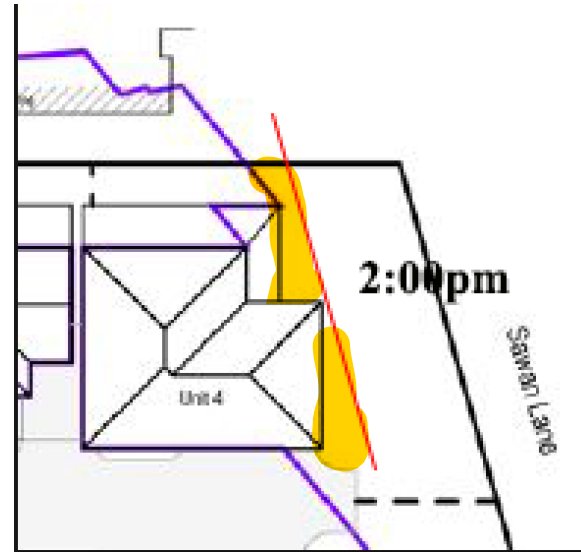
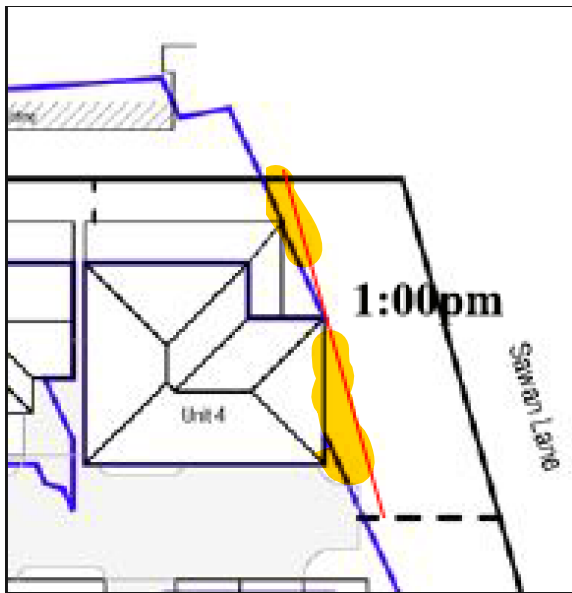
12 noon1:00pm



Between 12 noon and 1:00 pm the sun strikes the western extremity with very minimal penetration into the POS area.

The surrounding landscaped area of the deep soil zone and a small portion adjacent to the garage receive full sun.

1:00pm.....2:00pm

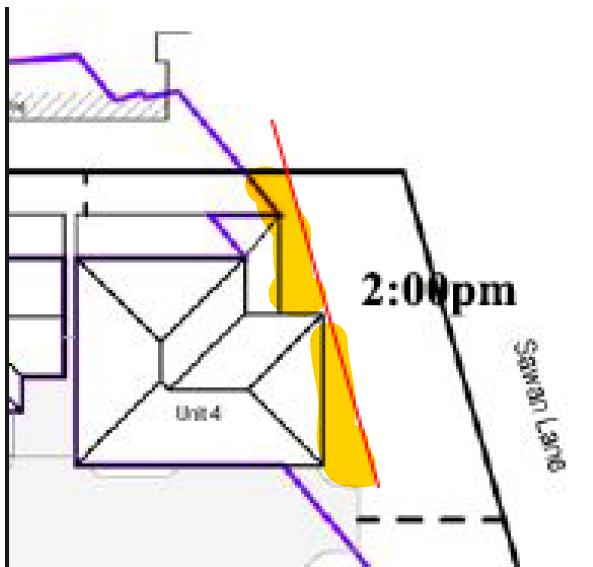


Between 1:00pm and

Between 1:00:pm and 2:00pm the sun strikes the western extremity with 50% penetration into the POS area occurring at around 2:00pm.

The surrounding landscaped area of the deep soil zone and a small portion adjacent to the garage receive full sun.

2:00pm.....3:00pm



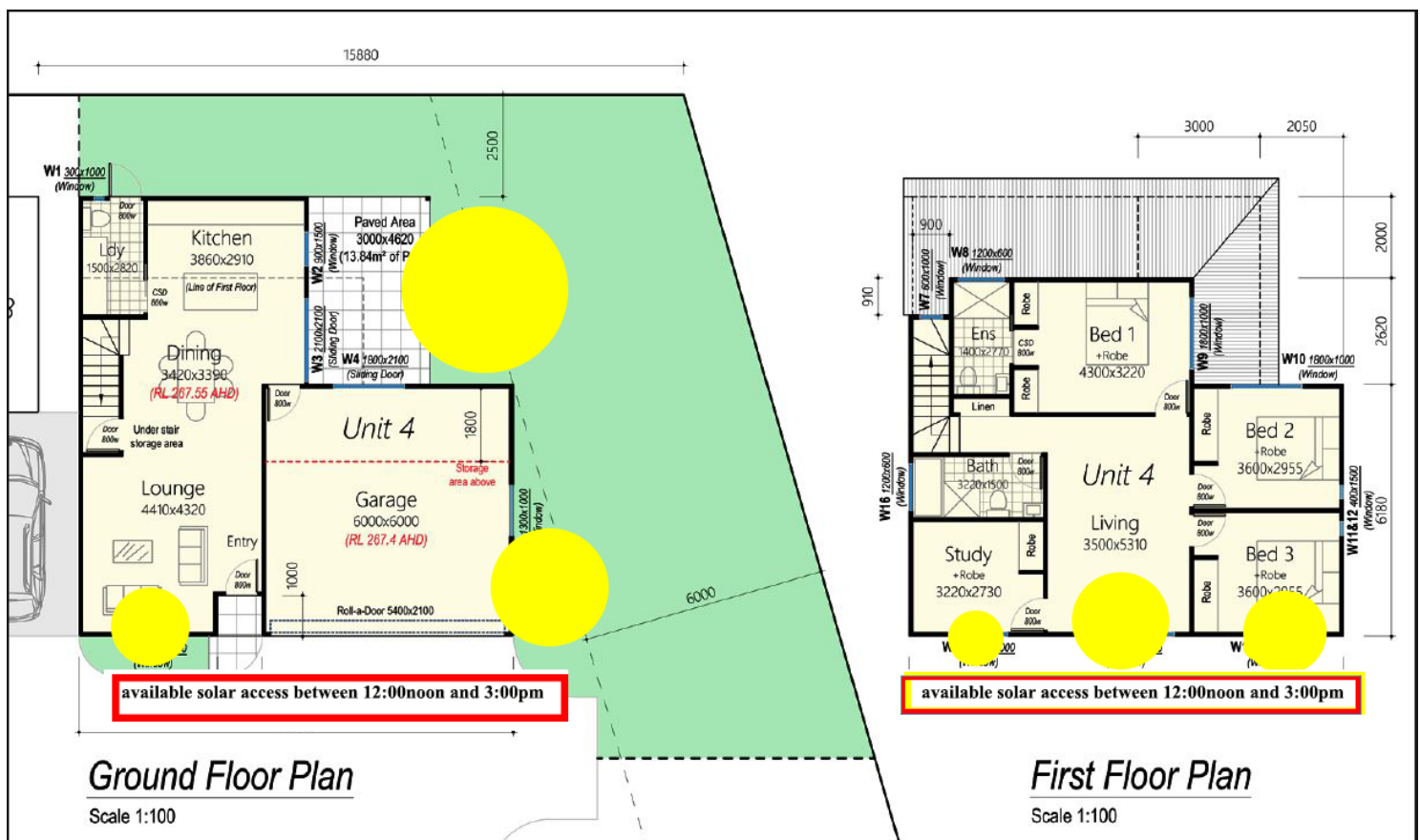
Between 2:00pm and 3:00pm the sun strikes the western extremity with in excess of 50% penetration into the POS area.

The surrounding landscaped area of the deep soil zone and a small portion adjacent to the garage receive full sun.

Unit 4 design:

The design of unit 4 has 2 living areas and multiple rooms at level 1 (study + bed3) which will receive sunlight for the majority of the day between 9:00am and 3:00pm particularly the upper floor areas which will be above vertical cutoff angles.

Mentioned previously a small area adjacent to the garages and the landscape area surrounding the POS will receive in excess of 3 hrs as required so that at some time during the day solar access in excess of 3 hrs will be available in varying amounts depending on location internally or external to the building. (refer diagram below).

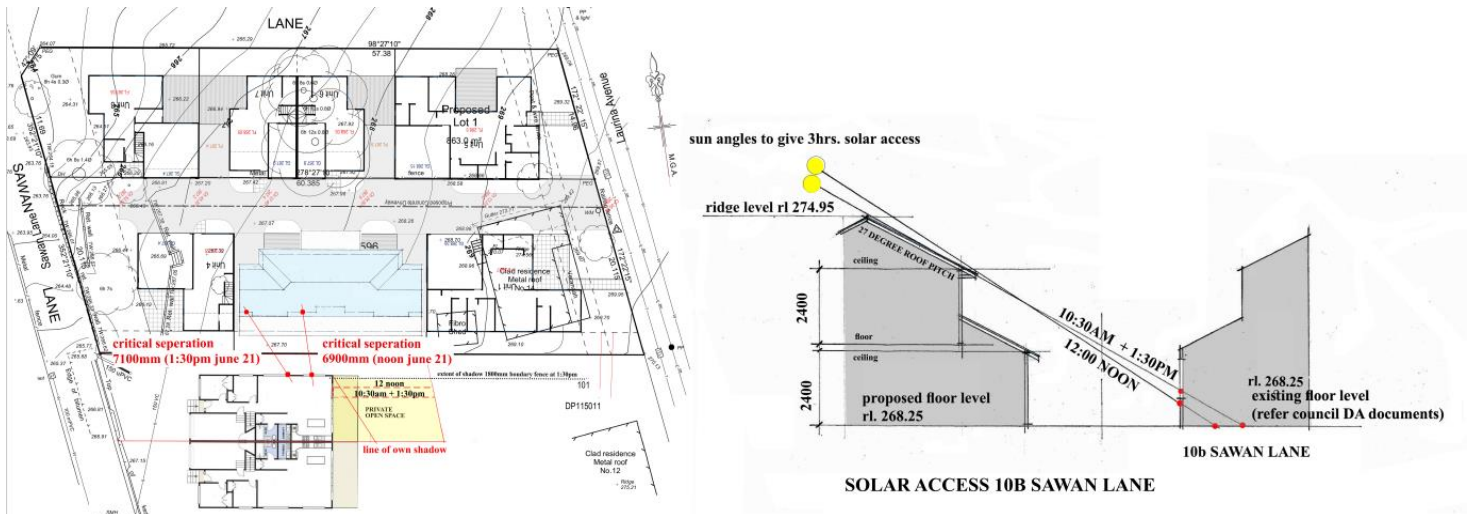


Objectives : 5.12 Solar Access Requirements

5.12.1 Objectives

(a) To minimise the extent of loss of sunlight to living areas and private open space areas of adjacent dwellings.

Proposed increased setbacks to level 1 and matching floor levels to adjacent buildings minimises the loss of sunlight so that windows and private open space areas of adjacent dwellings are not compromised and will receive in excess of 3hrs direct sunlight.
(refer DA document below)



(b) To maximise solar access into living rooms and private open space of dwellings in the subject development.

Living areas and private open space areas for all dwellings save for unit 4 are north facing and generally receive in excess of 3hrs direct and continuing sunlight at winter solstice representing the worst case.

Unit 4 which is the subject of this variation similarly has north facing living areas receiving maximum sunlight while portions of POS areas receive varying amounts of sunlight. Unit 4 has the benefit of surrounding landscape areas which in conjunction with POS will meet the requirements for solar access.

(c) To use a consistent sunlight access assessment approach for the assessment of solar access issues.

Shadow diagrams and related other drawings provide consistent assessment tools which have been used to determine solar access to private open space and living rooms indicated in this variation.

Justification + conclusion:

In this development the majority of units (7 out of 8) or 87.5% of units will receive in excess of 3 hrs sunlight into living and private open space areas in compliance with DCP requirements. Unit 4 will receive in excess of 3 hrs sunlight into internal Living areas and multiple other rooms particularly at level 1, which fall below vertical cut off angles and consequently will be in sunlight for the majority of the day but certainly between 9:00am and 3:00pm. at winter solstice representing the worst case.

POS solar requirements are partially met to 50% of the nominated outdoor private open space areas in varying amounts with the benefit of access to surrounding landscape and parts of the deep soil zone additional to 25 sq.m.

In combination a full 3hrs. solar access is available to the residents of unit 4 at some part of the nominated open space areas and certainly internal living areas and will not adversely affect adjoining residential development.

On balance given the circumstances , orientation and contour of the site, as well as size and location of adjoining residences Solar Access is considered to be within acceptable limits.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'Norman Mollica', with a small dot above the 'i' in 'Mollica'.

Norman Mollica

ATTACHMENTS 3 CONDITIONS: DA-2020/908

Consent has been granted subject to the following conditions:

The development proposed is integrated development and approval is required from the approval bodies listed below:

NSW Rural Fire Service (RFS)

Pursuant to Section 100B – authorisation under the Rural Fires Act 1997 – General Terms of Approval issued by the NSW RFS dated 25 November 2020 as attached shall form part of this Notice of Determination.

Conditions imposed by Council as part of this Integrated Development Consent are:

Approved Plans and Specifications

- 1 The development shall be implemented substantially in accordance with the details and specifications set out on Drawing sheet 01 to 14 dated January 2021 prepared by Helensburgh Design Services 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 a Registered Certifier prior to work commencing.

A Construction Certificate certifies that the provisions of Clauses 139-147 of the Environmental Planning and Assessment Regulation 2000 have been satisfied, including compliance with all relevant conditions of Development Consent and the Building Code of Australia.

Note: The Certifier must cause notice of its determination to be given to the consent authority, and to the Council, by forwarding to it, within two (2) days after the date of the determination, the plans and documentation referred to in clause 142 (2) of the Environmental Planning and Assessment Regulation 2000.

- 4 **Disability Discrimination Act 1992**

This consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992.

It is the responsibility of the applicant to guarantee compliance with the requirements of the Disability Discrimination Act 1992. The current Australian Standard AS 1428.1:2009 – Design for Access and Mobility is recommended to be referred for specific design and construction requirements, in order to provide appropriate access to all persons within the building.

- 5 **Mailboxes**

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

- 6 **Occupation Certificate**

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

- 7 **Tree Management**

The developer shall retain existing trees on adjacent properties indicated on survey by Dennis Smith Dwg No PR1193-1 dated 14 February 2019.

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

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

Tree Protection measures to be implemented including and not restricted to: site induction, compliance documentation, modified footings, sub surface utility siting, crown lifting, remedial tree pruning, deadwooding, fencing and signage, sediment buffer, stem protection, establishing tree protection zones (TPZ) and watering and root hormone application if required. Soil levels within the TPZ must remain the same.

The developer shall remove existing trees/vegetation on site.

Prior to the Issue of the Construction Certificate

- 8 The driveway, car parking areas and unit entrances shall incorporate 'low impact' floodlighting to ameliorate any light spillage and/or glare impacts upon surrounding properties. The final design details of the proposed lighting system shall be reflected on the Construction Certificate plans. The installation of the lighting system shall be in accordance with the approved final design.

9 **Obscure Glazing for all Bathroom and WC Windows**

The first floor bathroom and WC windows for each dwelling in the development shall be frosted or opaque glass. This requirement shall be reflected on the Construction Certificate plans.

10 **Present Plans to Sydney Water**

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

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

Visit www.sydneywater.com.au or telephone 13 20 92 for further information.

11 **Endeavour Energy Requirements**

The submission of documentary evidence from Endeavour Energy to the PC is required confirming that satisfactory arrangements have been made with Endeavour Energy for the provision of electricity supplies to the development, prior to the release of the Construction Certificate.

Note: Applications should be made to Customer Connections – South Coast, Endeavour Energy PO Box 811 Seven Hills NSW 1730.

12 **Telecommunications**

The submission of documentary evidence from an approved telecommunications carrier to the PC confirming that underground telecommunication services are available for this development is required prior to the issue of the Construction Certificate.

13 **Fencing**

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

- a where a screen wall faces the road, pedestrian walkway, reserve or public place that wall shall be constructed of a decorative, painted timber picket fence, maximum 1200mm high;
- b rear and side property boundaries (behind the building line) and private rear courtyards are to be provided with minimum 1.8metre high brick, timber lapped and capped, palisade or colorbond fences;
- c any new fences or screens constructed on the site shall be of a type that will not obstruct the free flow of surface runoff from adjoining properties and be compatible with stormwater drainage requirements; and;

- d comply with the principles in Appendix 4 of Planning for Bush Fire Protection 2019, Standards for Asset Protection Zones (NSW Rural Fire Service), recommendations included in Bushfire Assessment report by David Peterson Ref. No. 18161 dated 7 August 2020;
- e existing stone walls to be repaired and renovated;
- f rural post and rail fencing to be incorporated; and
- g fencing to suit character of local area.

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

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

15 **Structures Adjacent to Driveway**

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

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

- 17 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.

18 **Landscaping**

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

- a planting of indigenous plant species typical of the Illawarra Region such as: *Syzygium smithii* (formerly *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, *Brachychiton acerifolius* Illawarra Flame Tree. A further list of suitable suggested species for the Helensburgh area 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;
- d any proposed hard surface under the canopy of an existing trees shall be permeable and must be laid such that the finished surface levels match the existing level. Permeable paving is to be installed in accordance with the manufacturer's recommendations;
- e the developer shall ensure that proposed planting is child friendly and must **not** include any of the types of plants listed below: **i)** plants known to produce toxins; **ii)** plant with high allergen properties; **vi)** any weed or potential weed species;
- f each unit to have deciduous tree incorporated;
- g existing stone blockwork to be reused on site as feature walling;
- h where turf is proposed adjacent to built structures and garden beds the applicant shall install a 110mm wide brick mowing edge with concrete footing to minimise maintenance;
- i Agapanthus to be substituted with suitable native groundcover/grass;
- j any fill material should not cover topsoil. Topsoil shall be removed, stockpiled, ameliorated and replaced over any fill material to a minimum depth of 100mm;
- k Advanced (min. 400lt pot size) tree to be incorporated at end of gun-barrel driveway within Deep Soil Zone;

- l Small feature tree to be incorporated within larger garden beds adjacent to driveway such as Magnolia Teddy Bear;
- m with limited existing open space consideration be given for incorporating 'green walls' with the use of trellis and climbing plants trained over to make use of bare vertical walls and fencing along boundaries and as privacy screens;
- n all landscaping to the site is to comply with the principles in Appendix 4 of Planning for Bush Fire Protection 2019 (PBP 2019), *Standards for Asset Protection Zones* (NSW Rural Fire Service) and recommendations in Bush Fire Assessment Report by David Peterson Ref. No. 18161 dated 7 August 2020; and;
- o street trees to be shown.

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

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

- 20 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 PC prior to release of the Construction Certificate.

21 **Compensatory Planting**

The developer must make compensatory provision for the trees required to be removed as a result of the development. In this regard, seven (7 No.) 200 litre container advanced mature plant stock shall be placed within the property boundary of the site in appropriate locations. The suggested species are to be selected from the following list: *Elaeocarpus reticulatus* Blueberry ash, *Livistona australis* Cabbage palm tree, or *Brachychiton acerifolius* Illawarra Flame Tree. A further list of suitable suggested species may be found in Wollongong Development Control Plan 2009 – Chapter E6: Landscaping.

22 **Tree Protection Measures**

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 1.8metre 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 PC 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.

The submission of a final Site Plan to the PC indicating required tree protection fencing is required, prior to the release of the Construction Certificate.

23 **Provision of a Fire Hydrant**

The provision of a fire hydrant in accordance with AS2419.1 (2005) Fire Hydrant Installations and any requirements of the NSW Rural Fire Service and/or NSW Fire Brigades. The final details of the location of the fire hydrant shall be reflected on the Construction Certificate plans prior to the issue of the Construction Certificate.

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

The submission of engineering plans and supporting documentation of all proposed retaining walls greater than one (1) metre to the PC for approval prior to the issue of the Construction Certificate.

The retaining walls shall be designed by a suitably qualified and experienced civil and/or structural engineer. The required engineering plans and supporting documentation shall include the following:

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

25 **Property Addressing Policy Compliance**

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

26 **Street Trees**

The developer must address the street frontage by installing street tree planting. The number and species for this development are three (3 No.) *Tristanopsis laurina* 'Luscious' 200 litre container size, in accordance with AS 2303:2018 Tree stock for landscape use. Street trees are to be installed in accordance with Wollongong Development Control Plan 2009 – Chapter E6: Landscaping. 'Dial Before You Dig' must be consulted prior to any excavation on site. Pot holing must be carried out to determine service location. Tree pits must be adequately mulched, plants installed and staking installed to the satisfaction of WCC Manager of Works. Staking is to consist of min. 3 x 2400 x 50 x 50mm hardwood stakes driven min 600mm into firm ground. Hessian webbing is to be utilised to secure plant stock to industry standard.

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

27 **Stormwater Drainage Design**

A detailed drainage design for the development must be submitted to and approved by the PC prior to the release of the Construction Certificate. The detailed design is to form part of the construction certificate drawings. The detailed drainage design must satisfy the following requirements:

- a be prepared by a suitably qualified civil engineer in accordance with Chapter E14 of Wollongong City Council's Development Control Plan 2009, Subdivision Policy, conditions listed under this consent, and generally in accordance with the concept plan/s lodged for development approval, prepared by Detom Design (job no: 20058, rev: C, dated 1 March 2021).
- b include details of the method of stormwater disposal. Stormwater from the development must be piped to Council's existing stormwater drainage system.
- c Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified engineer and be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the

development or adjoining properties. The plan must indicate the method of disposal of all stormwater and must include rainwater tanks, existing ground levels, finished surface levels on all paved areas, estimated flow rates, invert levels and sizes of all pipelines,

- d Overflow paths shall be provided to allow for flows of water in excess of the capacity of the pipe/drainage system draining the land, as well as from any detention storage on the land. Blocked pipe situations with 1 in 100 year ARI events shall be incorporated in the design. Overflow paths shall also be provided in low points and depressions. Each overflow path shall be designed to ensure no entry of surface water flows into any building and no concentration of surface water flows onto any adjoining property. Details of each overflow path shall be shown on the detailed drainage design.

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

The design and details of the OSD system must be provided in conjunction with the detailed drainage design and approved by the PC 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 10.2.4 of Chapter E14 of the Wollongong DCP 2009
- c The OSD facility must be designed to withstand the maximum loadings occurring from any combination of traffic (with consideration to residential and heavy vehicles), hydrostatic, earth, and buoyancy forces. Details must be provided demonstrating these requirements have been achieved.
- d The OSD facility shall incorporate a lockable grate for access a minimum 900mm x 900mm square and maintenance purposes, provision for safety, debris control screen, and a suitably graded invert to the outlet to prevent ponding.
- e Must include discharge control calculations (i.e. orifice/weir calculations) generally in accordance with Section 10.2.6 and 10.5.4 of Chapter E14 of the Wollongong DCP 2009.
- f Details of the orifice plate including diameter of orifice and method of fixing shall be provided.
- g Must include details of a corrosion resistant identification plaque for location on or close to the OSD facility. The plaque shall include the following information and shall be installed prior to the issue of the occupation certificate:
 - The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.
 - Identification number DA-2020/908;
 - Any specialist maintenance requirements.
- h Must include a maintenance schedule for the OSD system, generally in accordance with Chapter E14 of the Wollongong DCP 2009.

29 **Council Footpath Reserve Works – Driveways and Crossings**

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

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

30 **Driveway Width**

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

31 **Laurina Avenue – Detailed Civil Engineering Design – Council Land**

A detailed civil engineering design shall be provided for the proposed kerb and gutter and road verge works within the road reserve. Barrier kerb and gutter and compliant verge design is required for the full frontage of the development lot extending to the driveway layback of 16 Laurina Avenue. Road pavement will be required from the kerb and gutter to the existing pavement, the pavement design must conform with the existing. The details must be submitted to and approved through the Frontage Works application found on Council's website. The detailed civil engineering design shall be prepared by a suitably qualified practicing civil engineer in accordance with the relevant Council engineering standard and must include:

- a Levels and details of all existing and proposed infrastructure/services such as kerb and gutter, public utility, pits, poles, fencing, stormwater drainage, adjacent road carriageway crown, street signs (clearly identifying the type of sign) and footpath levels - and shall extend a minimum of 5 metres beyond the limit of works.
- b Footpath longitudinal sections, and cross-sections at 10 metre intervals as well as including building entrance points and transitions to existing at the property boundary demonstrating compliance with the latest versions of AS 1428.1, AS/NZS 2890.1, the Disability Discrimination Act and the AUSTROAD road design standards.
- c Where any adjustments to public utilities are proposed the applicant shall submit documentary evidence that they have the consent of the owner of the public utility authority.
- d All construction must be in accordance with the requirements of Council's Subdivision Policy. Evidence that this requirement has been met must be detailed on the engineering drawings.
- e Details are to be provided regarding the type of materials used for construction. They should conform to the adjacent road reserves.

The detailed civil engineering design and supporting documentation shall be submitted to and approved by Council prior to the issue of a Construction Certificate.

32 **Drainage Works within Existing Easement Benefited by Council**

A detailed design for the proposed drainage works within the existing easement (over Lot 4 and Lot 5 of DP 706067) benefitted by Council, including pit and pipeline connecting to Council's existing underground drainage system in Rajani Road must be prepared by a suitably qualified civil engineer in accordance with the relevant Council engineering standards. The design plans shall be generally in accordance with concept plan/s lodged for development approval, prepared by Detom Design (job no: 20058, rev: C, dated: 1 March 2021 and shall include the following:

- a Levels and details of all existing and proposed infrastructure/services such as kerb and gutter, public utility, pits, poles, fencing, stormwater drainage, adjacent road carriageway and footpath levels, and shall extend a minimum of 5 metres beyond the limit of works.
- b Rubber ring jointed concrete pipes must be used for all road area stormwater pipelines and within the existing easement benefitted by Council where no pipe exists. Pipelines shall have a minimum diameter of 375 mm.
- c Engineering details of the proposed pit and pipe stormwater drainage system within Council's road reserve, including a hydraulic grade line analysis and longitudinal section of the proposed system showing calculated flows, velocity, pits, pipe size/class, grade, inverts and ground levels. Each proposed pit must be constructed generally in accordance with Wollongong City Council's Engineering Standard Drawings.
- d All new drainage pits shall be in accordance with the current version of Wollongong City Council's Engineering Standard Drawings. The proposed pit in Council's road reserve must not conflict with any existing or proposed vehicular accessway.
- e Where any adjustments to public utilities are proposed the applicant shall submit documentary evidence that they have the consent of the owner of the public utility authority.
- f All construction must be in accordance with the requirements of Council's Subdivision Code.
- g Evidence that the above requirements have been met must be detailed on the engineering drawings.

The detailed design and supporting documentation shall be submitted and approved by Council through the Frontage Works application prior to the issue of the Construction Certificate. The

Laurina Avenue road works and the drainage works can be included in the same frontage works application.

33 **Dilapidation Survey**

A dilapidation survey and report shall be submitted to the PC.

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 PC prior to the issue of a Certificate of Practical Completion for Subdivision works.

34 **Development Contributions**

Pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979 and the Wollongong City-Wide Development Contributions Plan, a monetary contribution of \$24,860.00 (subject to indexation) must be paid to Council towards the provision of public amenities and services, prior to the release of any associated Construction Certificate.

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

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

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

Where:

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

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

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

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

The following payment methods are available:

METHOD	HOW	PAYMENT TYPE
Online	http://www.wollongong.nsw.gov.au/applicationpayments Your Payment Reference: 1258818	• Credit Card
In Person	Wollongong City Council Administration Building - Customer Service Centre Ground Floor 41 Burelli Street, WOLLONGONG	• Cash • Credit Card • Bank Cheque
PLEASE MAKE BANK CHEQUE PAYABLE TO: Wollongong City Council (Personal or company cheques are not accepted)		

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

Prior to the Commencement of Works

35 **Appointment of PC**

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

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

The PC must determine when inspections and compliance certificates are required.

36 **Sign – Supervisor Contact Details**

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

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

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

37 **Temporary Toilet/Closet Facilities**

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

Each toilet provided must be:

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

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

38 **Structural Engineer's Details**

Structural engineer's details for all structurally designed building works such as reinforced concrete footings, reinforced concrete slabs and structural steelwork must be submitted to the PC, prior to the commencement of any works on the site.

39 **Enclosure of the Site**

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

40 **Demolition Works**

All demolition works shall be carried out in accordance with Australian Standard AS 2601:2001: The Demolition of Structures or any other subsequent relevant Australian Standard and the requirements of 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 PC. 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.

41 **Notification to SafeWork NSW**

The demolition licence holder who proposes demolition of a structure or part of a structure that is loadbearing or otherwise related to the physical integrity of the structure that is at least six metres in height, involving load shifting machinery on a suspended floor, or involving the use of explosives must notify SafeWork NSW in writing at least five (5) calendar days before the work commences.

- 42 **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.
- 43 **Waste Management**
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 reusable materials.
- 44 **Survey Report – Siting of Development within Property Boundaries**
A survey report prepared by a registered surveyor is required to be submitted to the PC to ensure that the proposed development is located on the correct allotment and at the approved distances from the boundary. This must be verified by pegging the site prior to commencement of works.
- 45 **Public Liability Insurance**
All contractors working in Council's road reserve and/or public reserve areas shall take out public liability insurance for a minimum amount of \$10 Million. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Written evidence of this insurance shall be supplied to the PC and Council (in the event that Council is not the PC) prior to the commencement of any such works in any road reserve or public reserve area.
- 46 **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.
- 47 **Tree Protection Implementation**
The existing trees are to be retained upon the subject property and any trees on adjoining properties shall not be impacted upon during the excavation or construction phases of the development. This will require the installation and maintenance of appropriate tree protection measures, including (but not necessarily limited to) the following:
- a installation of Tree Protection Fencing - Protective fencing shall be 1.8 m cyclone chainmesh fence, with posts and portable concrete footings;
 - b 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.
- The tree protection fencing shall be installed prior to the commencement of any demolition, excavation or construction works and shall be maintained throughout the entire construction phases of the development.
- 48 **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.
- 49 The depth and location of all services (ie stormwater, gas, water, sewer, electricity, telephone, etc) must be ascertained and reflected on the plans and supporting documentation issued for construction.
- 50 **Notification to Council of any Damage to Council's Infrastructure**
Council must be notified in the event of any existing damage to any of Council's infrastructure including, but not limited to the road, kerb and gutter, road shoulder, footpath, drainage structures and street trees fronting the development prior to the commencement of work. Adequate protection must be provided to Council infrastructure prior to work commencing and during the construction period. Any damage to Council's assets shall be restored in a satisfactory manner prior to the issue of the Occupation Certificate.

51 **Construction Management Plan**

The submission of a Construction Management Plan is to be submitted to the PC prior to the issue of the Construction Certificate. This plan shall address what measures will be implemented for the protection of adjoining properties and traffic management of construction vehicles.

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

- a proposed ingress and egress points for vehicles to/from the construction site;
- b proposed pedestrian management whilst vehicles are entering/exiting the construction site;
- c proposed measures to be implemented for the protection of all roads and footpath areas surrounding the construction site from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like;
- d proposed method of loading and unloading excavation machines, building materials formwork and the erection of any part of the structure within the site;
- e proposed areas within the site to be used for the storage of excavated material, construction materials and waste containers during the construction period;
- f proposed method of support of any excavation, adjacent to adjoining buildings or structures and the road reserve. The proposed method of support is to be certified by an accredited certifier in Civil Engineering; and
- g proposed measures to be implemented, in order to ensure that no soil/excavated material is transported on wheels or tracks of vehicles or plant and deposited on the roadway.

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

- 52 The arrangements and costs associated with any adjustment to a public utility service shall be borne by the applicant/developer. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the applicant/developer. The submission of documentary evidence to the PC which confirms that satisfactory arrangements have been put in place regarding any adjustment to such services is required prior to any works commencing on site.

53 **Relocation of State Survey Marks**

In accordance with Surveying and Spatial Information Regulations, 2017 a person must not remove, damage, destroy, displace, obliterate or deface any survey mark unless authorised to do so by the Surveyor General. In this regard any proposed construction work that may affect a State Survey Mark cannot be undertaken until a registered surveyor is engaged to arrange its relocation, in accordance with the requirements of the NSW Land Registry Services.

54 **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.

55 **Protection of Public Infrastructure**

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

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

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

56 **Tree Protection**

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

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

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

During Demolition, Excavation or Construction

57 **Survey Certificate**

The submission of a Survey Certificate to the PC at footings and/or formwork stage (whichever occurs first) confirming:

- a the set out of the boundaries of the site,
- b actual siting of the buildings and
- c siting levels comply with the approved plans.

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

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

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

59 **Protection of Public Places**

If the work involved in the erection or demolition of a building involves the enclosure of a public place or is likely to cause pedestrian/vehicular traffic in a public place to be obstructed or rendered inconvenient, or have the potential for conflict between pedestrians and vehicles:

- a A hoarding or fence must be erected between the work site and the public place;
- b an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place;
- c the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in a public place;
- d safe pedestrian access must be maintained at all times;
- e any such hoarding, fence or awning is to be removed when the work has been completed.

60 **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 PC and Council. No work is permitted on public holidays or Sundays.

Allowable construction activity noise levels must be within the limits identified in the NSW EPA Interim Construction Noise Guidelines (ICNG) July 2009. ICNG are also applied for blasting, rock hammer and drilling, external plant and equipment.

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

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

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

- 61 The lighting of the premises must be directed so as not to cause nuisance to the owners or occupiers of adjoining premises or to motorists on adjoining or nearby roads.

62 **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.

- 63 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.

64 **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> >).

65 **Asbestos Clearance Certificate**

The internal floor area affected or likely to be affected, by scattering of asbestos pieces, particles or fibres during demolition or cutting into the building, is to be cleaned by vacuuming by a contractor approved by SafeWork NSW. A Clearance Certificate to certify that the site area is free of asbestos is to be submitted to Council by a licensed asbestos assessor within fourteen (14) days of the completion of renovations (or prior to the Occupation Certificate being issued).

66 **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 PC, and a copy submitted to Council (in the event that Council is not the PC), prior to commencement of the construction works.

67 **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.

- 68 The building site must be kept free of rubbish at all times. All refuse capable of being wind blown must be kept in a suitable waste container.

69 **BASIX**

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

A relevant BASIX Certificate means:

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

70 **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.

71 **Pipe Connections**

All pipe connections to existing stormwater drainage systems within the road reserve shall be constructed flush with the pit wall in accordance with good engineering practice. The developer shall ensure that the condition of the existing stormwater drainage system is not compromised and that the service life of the existing stormwater drainage system is not reduced as a result of the connection.

Prior to the Issue of the Occupation Certificate

72 **Lot Consolidation**

Prior to the issue of any Occupation Certificate, the two subject Lots, being Lot 596 DP 752033 and Lot 1 DP 1251631 are to be consolidated.

73 **Access Certification**

Prior to the occupation of the building, the PC must ensure that a certificate from an “accredited access consultant” has been issued certifying that the building complies with the requirements of AS 1428.1.

74 **A Section 73 Certificate must be submitted to the PC prior to occupation of the development/release of the plan of subdivision.**

75 **Drainage**

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

76 **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 OSD system on the lot(s) burdened without the prior consent in writing of the authority benefited. The expression ‘OSD 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 PC for endorsement prior to the issue of the Occupation Certificate and the use of the development.

- 77 **Retaining Wall Certification**
The submission of a certificate from a suitably qualified and experienced structural engineer or civil engineer to the PC 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 PC.
- 78 **Occupation Certificate**
An Occupation Certificate must be issued by the PC prior to occupation or use of the development. In issuing an Occupation Certificate, the PC 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.
- 79 **BASIX**
An Occupation Certificate must not be issued unless accompanied by the BASIX Certificate applicable to the development. The PC must not issue the final Occupation Certificate unless satisfied that selected commitments have been complied with as specified in the relevant BASIX Certificate. NOTE: Clause 154B of the Environmental Planning and Assessment Regulation 2000 provides for independent verification of compliance in relation to certain BASIX commitments.
- 80 **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 OSD System and Maintenance Schedule (application number to be referenced).

The instrument, showing the positive covenant must be submitted to the PC for endorsement prior to the issue of the Occupation Certificate and the use of the development.
- 81 **On-Site Detention – Structural Certification**
The submission of a certificate from a suitably qualified practising civil and/or structural engineer to the PC is required prior to the issue of the Occupation Certificate. This certification is required to verify the structural adequacy of the on-site detention facility and that the facility has been constructed in accordance with the approved Construction Certificate plans.
- 82 **Bush Fire – Compliance Certificate**
A Compliance Certificate shall accompany any Occupation Certificate for Bush Fire construction works as have been completed, verifying that the development has been constructed in accordance with the relevant Bush Fire Attack Level (BAL) requirements of the Development Consent and Construction Certificate.
- 83 **Works-As-Executed (WAE) Plans - Works within Council Easement**
The submission of a WAE plan for approved drainage works within the existing easement (over Lot 4 and Lot 5 of DP 706067) benefitted by Council must be submitted to and approved by Council's Development Engineering Manager, prior to the release of the Occupation Certificate. The WAE plans shall be certified by a registered surveyor indicating that the survey is a true and accurate record of the works that have been constructed. The WAE dimensions and levels must also be shown in red on a copy of the approved Construction Certificate plans. The WAE plans must include:
- a Final locations and levels for all works associated with the development within Council land.
 - b The plan(s) must include, but not be limited to, the requirements stated in Chapter E14 of the Wollongong DCP 2009.
- 84 **CCTV of Works in Council Easement**
All stormwater pipes within the Council easement over Lot 4 and Lot 5 of DP 706067 must be inspected by CCTV. A copy of the CCTV inspection must be submitted to Council's Development Engineering Manager for assessment prior to the issue of the Occupation Certificate. Below standard work must either be replaced or repaired to Council's satisfaction prior to the issuing of the Occupation Certificate.
- 85 **Completion of Engineering Works**

The completion of all engineering works within the Council easement must be in accordance with the conditions of this consent and any necessary work to make the construction effective must be to the satisfaction of Council's Manager Development Engineering. The total cost of all engineering works shall be fully borne by the applicant/developer and any damage to Council's assets shall be restored in a satisfactory manner, prior to the issue of the Occupation Certificate.

86 **Completion of Landscape Works on Council Owned or Controlled Land**

The Developer must complete all landscape works required within Council's road reserve, or other Council owned or controlled land, in accordance with the conditions of this consent. The total cost of all such landscape works shall be fully borne by the Developer and any damage to Council's assets shall be the subject of restoration works sufficient to restore the asset to its previous state and configuration previous to the commencement of works. Evidence that this requirement has been met must be satisfied prior to the issue of the Occupation Certificate.

87 **Arborist Verification – Street Tree Installation**

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

- The tree stock complies with AS 2203:2018 Tree Stock for Landscape Use.
- The tree pits have been constructed and the trees installed in accordance with the requirements of the Wollongong City Council City Centre Public Domain Technical Manual and arboricultural best practice.

Prior to the Issue of the Subdivision Certificate

88 **Occupation Certificate Prior to Subdivision Certificate**

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

Fire Hydrant

A fire hydrant must be provided to the subdivision in accordance with the *Fire Hydrants for Minor Residential Development, Version 2 dated 1 September 2016 produced by NSW Fire & Rescue*. Documentary evidence of compliance with these guidelines is required to be submitted to the PC prior to the issue of the Subdivision Certificate. A plumber's certificate showing that the fire hydrant has been provided must be submitted to the PC prior to the issue of the Subdivision Certificate. The location of the fire hydrant must be shown on the WAE drawings.

89 **Existing Easements**

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

90 **Existing Restriction as to Use**

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

91 **Encroaching Pipes**

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

For all drainage easements proposed over the subject lots, a works as executed/survey plan of all stormwater drainage within the site is to be submitted with the Subdivision Certificate Application to confirm this.

92 **Encroaching Services**

A minimum one (1) metre wide easement for services must be created over any encroaching utility service.

93 **Section 88B Instrument**

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

- a Easement for services;
- b easement for drainage;
- c drainage easement over overflow paths;

- d restriction-as-to-user over the 'OSD system' which prohibits its alteration and/or removal;
- e positive covenant that requires maintenance to be in accordance with the Construction Certificate approved On-Site Detention System and Maintenance Schedule – (DA-2020/908);
- f easement for encroachment;
- g rights of access;
- h party wall.

94 **88B Instrument Easements/Restrictions**

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

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

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

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

Operational Phases of the Development/Use of the Site

96 **Loading/Unloading Operations/Activities**

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

97 **Maintenance of Inner Protection Area**

The Inner Protection Area must be maintained, at all times as follows:

- There shall be minimal fine fuel at ground level which could be set alight by a bush fire. Leaves and vegetation debris should be removed.
- Use of non combustible ground surfaces such as gravel roads, paved areas, in-ground pools, etc is acceptable.
- Lawn areas shall be maintained low cut and clear.
- Areas under fences, fence posts, gates and trees shall be raked and kept clear of fine fuel.
- Gutters, roofs and roof gullies shall be kept free of leaves and other debris.
- Verandahs, decks, carports, etc shall not be used to store combustible materials and shall be kept free of leaves and other debris.
- Areas within courtyards shall be maintained free of leaves and other debris.
- Climbing species are avoided to walls and pergolas;
- Reticulated or bottle gas services shall be installed and maintained in accordance with AS 1596.
- Gas cylinder relief valves shall be directed away from the building and away from any hazardous materials such as firewood, etc.

- Trees may be retained within the IPA where:
 - tree canopy cover should be less than 15% at maturity;
 - trees at maturity should not touch or overhang the building;
 - lower limbs should be removed up to a height of 2m above the ground;
 - the canopy is discontinuous such that tree canopies should be separated by 2 to 5m;
 - they are smooth barked species or, if rough barked, shall be maintained free of decorticated bark and other ladder fuels (rough barked species are not encouraged);
 - create large discontinuities or gaps in the vegetation to slow down or break the progress of fire towards a building should be provided;
 - shrubs should not be located under trees;
 - shrubs should not form more than 10% ground cover;
 - clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;
 - no part of a tree shall be closer to a power line than the distances set out in the current edition of “Planning for Bush Fire Protection”.
 - the use of local native plants with features that minimise the extent to which they contribute to the spread of bush fires is encouraged within the above constraints.



NSW RURAL FIRE SERVICE

Wollongong City Council
Locked Bag 8821
WOLLONGONG DC NSW 2500

Your reference: (CNR-11964) DA-2020/908
Our reference: DA20200910003300-Original-1

ATTENTION: Andrew Kite
ATTENTION:

Date: Wednesday 25 November 2020

Dear Sir/Madam,

Integrated Development Application
s100B - Subdivision - Strata Title Subdivision
14 Laurina Av Helensburgh NSW 2508, 596//DP752033, 596//DP752033, 1//DP1251631

I refer to your correspondence dated 08/09/2020 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions:

General Conditions

1. The development proposal is to comply with the subdivision layout identified on the draft, undated drawing prepared by Dennis Smith Surveyors numbered 11939-SP.

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

2. At the issue of a subdivision certificate, the entire site must be managed as an inner protection area (IPA). The IPA must comprise:

- Minimal fine fuel at ground level;
- Grass mowed or grazed;
- Trees and shrubs retained as clumps or islands and do not take up more than 20% of the area;
- Trees and shrubs located far enough from buildings so that they will not ignite the building;
- Garden beds with flammable shrubs not located under trees or within 10 metres of any windows or doors;

1

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

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- Minimal plant species that keep dead material or drop large quantities of ground fuel;
- Tree canopy cover not more than 15%;
- Tree canopies not located within 2 metres of the building;
- Trees separated by 2-5 metres and do not provide a continuous canopy from the hazard to the building; and,
- Lower limbs of trees removed up to a height of 2 metres above the ground.

Construction Standards

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

Units 1,2,3,5,6 and 7:-

3. New construction must comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2018 Construction of buildings in bush fire-prone areas or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014 as appropriate and Section 7.5 of Planning for Bush Fire Protection 2019.

Units 4 and 8 (rear units):-

4. New construction must comply with sections 3 and 6 (BAL 19) Australian Standard AS3959-2018 Construction of buildings in bush fire-prone areas or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014 as appropriate and Section 7.5 of Planning for Bush Fire Protection 2019.

Water and Utility Services

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

5. Water, electricity and gas are to comply with Table 5.3c of 'Planning for Bush Fire Protection 2019', including the installation of a hydrant within 70 metres of the furthest point of the proposed buildings.

Landscaping Assessment

The intent of measures is for landscaping. To achieve this, the following conditions shall apply:

6. Landscaping of the site should comply with principles of Appendix 5 of 'Planning for Bush Fire Protection 2019'.

General Advice – Consent Authority to Note

Council is advised that the hydrant located in Sawan Lane was considered unsatisfactory for bush fire assessment purposes due to the inadequate access for fire fighting vehicles.

For any queries regarding this correspondence, please contact Stephen Dubois on 1300 NSW RFS.

Yours sincerely,

Martha Dotter
Team Leader, Dev. Assessment & Planning
Planning and Environment Services



NSW RURAL FIRE SERVICE

BUSH FIRE SAFETY AUTHORITY

Subdivision – Strata Title Subdivision

14 Laurina Av Helensburgh NSW 2508, 596//DP752033, 596//DP752033, 1//DP1251631

RFS Reference: DA20200910003300-Original-1

Your Reference: (CNR-11964) DA-2020/908

This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

This authority confirms that, subject to the General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under *s100b of the Rural Fires Act 1997*.

Martha Dotter

Team Leader, Dev. Assessment & Planning
Planning and Environment Services

Wednesday 25 November 2020

ATTACHMENT 4 – SITE PHOTOS



1- Sawan Lane - View south



2 - From Sawan Lane - View northeast



3 - Sawan Lane - View south adjoining No. 10B Sawan Lane



4 - View of 10B Sawan Lane



5 - Laurina Ave Frontage - View Northwest



6 - Laurina Ave Frontage - View Southwest



7 - Laurina Ave - Streetscape