

Wollongong Local Planning Panel Assessment Report | 13 December 2022

WLPP No.	Item No. 2
DA No.	DA-2022/329
Proposal	Residential - tree removal and construction of a six (6) unit multi-dwelling development
Property	3A Cooper Avenue WOONONA
Applicant	Mr Peter P Rasa – PRD Architects
Responsible Team	Development Assessment and Certification - City Centre Major Development Team (NL)
Prior WLPP meeting	N/A

ASSESSMENT REPORT AND RECOMMENDATION

Executive Summary

Reason for consideration by Local Planning Panel

The proposal has been referred to Local Planning Panel pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. The application is for contentious development having received greater than 10 submissions and is required to be determined by the Panel under Schedule 2(2) of the Local Planning Panels Direction of 30 June 2020.

Proposal

The proposal is for construction of a multi-dwelling housing development comprising 6 two storey three bedroom dwellings above a basement car park for 12 cars and at grade car visitor car parking for two vehicles adjacent to the entry.

Permissibility

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

Consultation

The proposal was notified in accordance with Council's Notification Policy and received 37 submissions which are discussed at section 2.9 of the assessment report.

Key assessment issues

- The proposal is integrated development requiring an Activity Approval under the Water Management Act and Department of Planning and Environment—Water were accordingly referred the application. They have yet to issue their General Terms of Approval and a condition of consent is recommended in regard to the approval under the Water Management Act being obtained prior to the issue of the Construction Certificate.
- Widening of Parraweena Way at the cost of the developer.
- Management of impacts of the proposed development on the land and any opportunities for rehabilitation of aquatic and riparian vegetation and habitat. A Flora and Fauna Report and Vegetation Management Plan have been submitted and reviewed by Council's Environment Officer who has recommended appropriate conditions of consent
- Submissions as discussed at 1.5 below.

RECOMMENDATION

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

1 APPLICATION OVERVIEW

1.1 PLANNING CONTROLS

The following planning controls apply to the proposal:

State Environmental Planning Policies:

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

Local Environmental Planning Policies:

- Wollongong Local Environmental Plan (WLEP) 2009

Development Control Plans:

- Wollongong Development Control Plan 2009

Other policies

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

1.2 DETAILED DESCRIPTION OF PROPOSAL

The proposal involves the construction of multi-dwelling development comprising basement car parking for 12 vehicles, with 6 two storey, three bedroom multi-dwelling units, two with two studies and the four with one study.

Two at grade visitor parking spaces are provided at eastern side of the site adjacent the entry

A waste bin enclosure is provided adjacent to the entry to the site and on-site servicing is achieved.

Access to the site is via Parraweena Way, an approximately 3.7m wide asphalt laneway without kerb and gutter.

Removal of the 1 Jacaranda (3) and 3 Maidens Wattles (18, 40, 41) as identified on the excerpt from the arborist report in Figure 1 below.

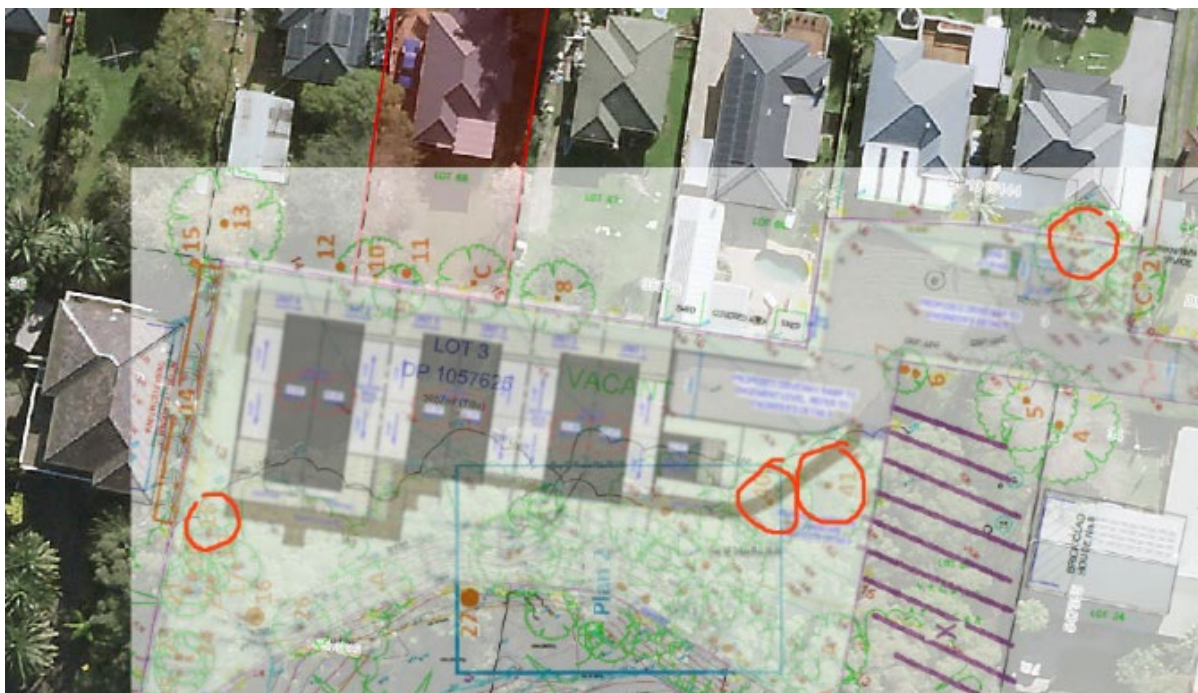


Figure 1: Location of trees to be removed

1.3 BACKGROUND

DA-2004/924 for construction of 8, two storey townhouses with attached double garages was withdrawn.

DA-2019/1014 for a multi-dwelling housing development comprising 6 x two (2) storey dwellings was rejected.

DA-2019/1423 for a multi-dwelling housing development comprising 6 x two (2) storey dwellings was withdrawn due to a large number of issues being identified which would have significantly delayed determination.

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 3A Cooper Avenue, Woonona and the title reference is Lot 3 DP 1057625.

The site has an area of 3,057m² and is irregular in shape with a general fall from north to south.

The northern portion of the site is clear of vegetation or structures and turfed, with the southern part of the site being densely vegetated with a watercourse running through it

Access to the site is via Parraweena Way an approximately 3.5m wide asphalt laneway without kerb and gutter.

Adjoining development is as follows:

- To the north are the rear yards of 6 dwelling houses with frontage to Cooper Avenue.
- East of the site is a vegetated section of a long block with frontage to Kialoa Road and then a dwelling house adjacent to Parraweena Way.
- To the south is a vegetated corridor containing a watercourse which is within the rear yards of residential blocks with frontage to Kialoa Avenue.

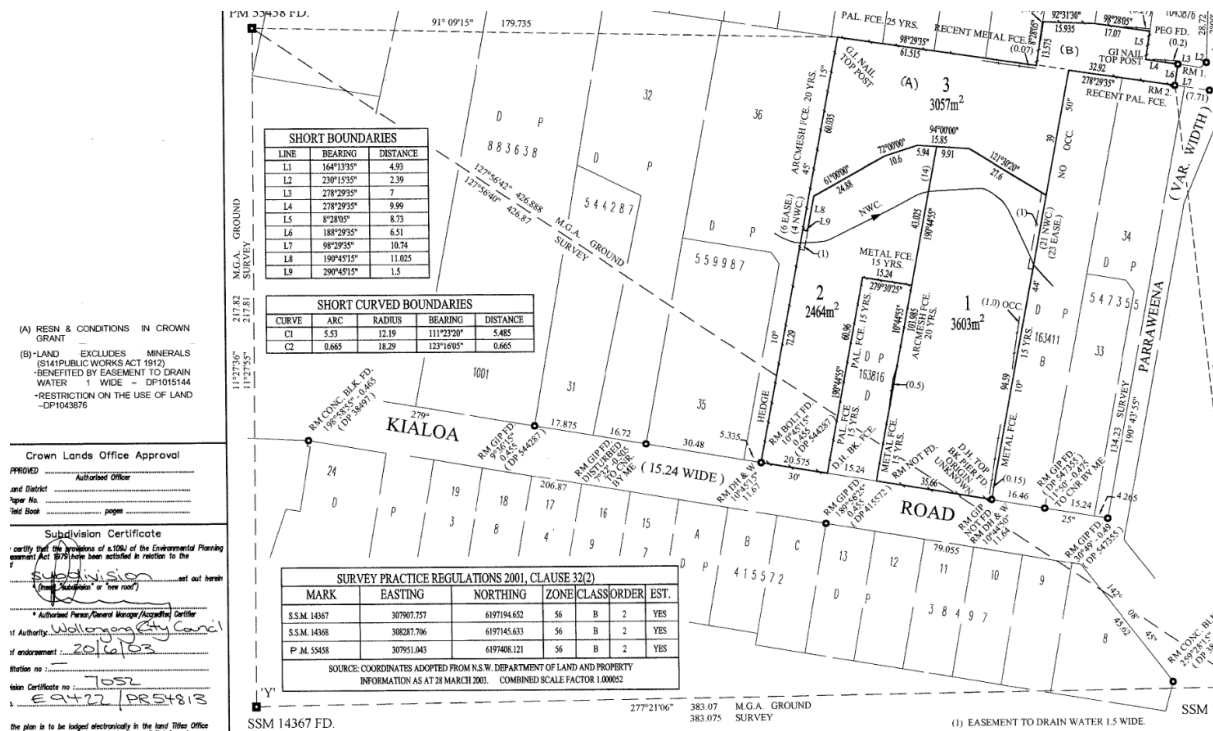
- West of the site is a large battleaxe block containing a single dwelling house situated in the north eastern corner with access from Kialoa Avenue

The locality is generally characterised by low density residential development.

Property constraints

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

- Acid sulphate soils: The site is identified as potentially containing class 4 and 5 acid sulfate soils.
- Flooding: The site is identified as being flood affected, with the Flood Risk Precinct Classification under Review.
- The site benefits from two drainage easements, one in the south western corner and one in the south eastern corner. The cleared area of the site contains "Reservation & Conditions in Crown Grant" and "Land Excludes Minerals" as illustrated below. The proposal seeks to utilise the western easement to connect stormwater runoff from the site to the watercourse.



1.5 SUBMISSIONS

The application was notified in accordance with Council's Community Participation Plan 2019. 37 submissions were received and the issues identified are discussed below.



Figure 3: Notification map

Table 1: Submissions

Concern	Comment
<p>Traffic/On-street parking/traffic safety - Cooper Street and Adams Parade are very narrow streets and do not have sufficient width for a vehicle to pass if there are cars parked on both sides of the road.</p> <p>It is especially difficult for garbage trucks and emergency vehicles. The laneway is also located on a 90 degree bend in the road where Adams Parade meets Cooper Ave. All the roads in this neighbourhood are narrow and each and every week when the garbage truck arrives all the residents have to move their cars to ensure the garbage truck can get through. This is an existing problem and it's only going to get worse as there are likely to be more cars on the street as a result of this proposal. I do not think the applicant has adequately addressed this waste collection issue in the SEE.</p>	<p>Cooper Street and Adams Parade have an overall width of approximately 7m which when cars are parked either side would preclude two directional traffic. Noting this, it is a low speed environment with reasonable sight lines. The additional traffic generated by six dwellings is not considered to be of a scale that would compromise the function or safety of these roads.</p> <p>Garbage trucks and emergency vehicles would already have to negotiate these streets and the development would not represent any significant increase to traffic movements associated with those vehicles.</p> <p>Garbage for the development is to be collected on site. The issues raised in relation to residents having to move vehicles is existing. It is unreasonable for the subject development to be responsible for or rectify this situation.</p>
<p>Overflow of visitor parking to the street.</p>	<p>The development provides a compliant number of visitor spaces on the site. It is also noted, there is a surplus of 4</p>

Concern	Comment
	residential spaces which will help to mitigate potential offsite parking.
Loss of wildlife habitat	The proposal has been supported by a Flora and Fauna Assessment Report prepared by a suitably qualified consultant. The report concluded that impact to threatened flora, fauna and ecological communities as a result of the proposed development would be minimal. The report has been reviewed by Council's Environment Officer who has recommended conditions of consent.
Overshadowing	The building footprint is located to the south of the adjoining dwellings along Cooper Street. There will be some overshadowing to the dwelling on the west however that site is large and the overshadowing would not significantly compromise solar access to that dwelling.
Privacy impacts	With regard to privacy, the living spaces of the proposal are located at ground floor level and separated from the boundary by landscaped areas. The upstairs rooms are bedrooms only and setback significantly from adjoining dwellings. Balconies proposed off the bedrooms at first floor level are however recommended to be removed. This is addressed via a condition of consent.
Acoustic impacts	Acoustic impacts from the occupants of the dwellings are not expected to be significant given the separation from adjoining dwellings.
View impacts	Whilst the outlook from dwellings on Cooper Street towards the riparian corridor will be obscured by the development, it is not reasonable to expect that this view is retained given it is directly through the site. Furthermore the proposal responds to the zoning and permitted built form on the subject land.
Widening of Parraweena Way will be out of character with the streetscape	<p>The proposal involves widening of Parraweena Way by approximately 1m in order to facilitate through movement of traffic and improve sight lines and manoeuvring at the entry to the site. A 900mm setback is retained to the adjoining boundary lines.</p> <p>The changes are considered to enhance the streetscape and provide improved traffic safety than the current situation.</p>
Increased traffic impacts	There will be an increase in traffic along Parraweena Way and the local road network as a result of the proposal however not to the degree that would compromise the functionality or safety of those streets. Council's Traffic Officer has reviewed the proposal in respect of this and has not raised any concern.
Traffic noise	The traffic generation from the development is not expected to have any significant noise impact.

Concern	Comment
Pedestrian safety along laneway which is a popular pedestrian link between Cooper Street and Woonona shops.	<p>Sight lines for vehicles entering and exiting the site are improved by removal of a fence and tree in the road reserve adjacent to the entry.</p> <p>Whilst there is no footpath, there is separation between vehicle and pedestrian traffic by way of the grassed verge either side of Parraweena Way.</p> <p>The traffic environment is slow moving and traffic volumes arising from the proposal are not large or expected to contribute to any significant traffic safety issues.</p>
Impacts to trees	<p>The proposal involves the removal of 1 Jacaranda and 3 Maidens Wattles as identified at Figure 1.</p> <p>An arborist report has been provided and reviewed by Council's Environment and Landscape Officers and no objection raised subject to appropriate conditions of consent.</p> <p>It is noted that two large blackbutts in the south western corner of the site were originally also proposed to be removed due to the location of a proposed OSD facility which has now been repositioned allowing retention of those trees.</p>
Visual impacts	<p>The proposal will alter the views looking south from the dwellings adjoining the site along Cooper Avenue.</p> <p>The impacts to views are not however unreasonable in the context of the zoning of the land and permitted heights and FSR under the applicable controls.</p>
The proposal exceeds the recommended single storey on a battleaxe control in the DCP	<p>Section 4 of Chapter B1 applies to the erection of all dwelling-house, dual occupancy, secondary dwelling, ancillary structures and semi detached dwellings within urban areas. The proposal is a multi-dwelling development covered by section 5. Notwithstanding, an assessment against the scale and likely amenity impacts of the built form has been undertaken and the proposal is not considered to result in unreasonable impacts as discussed elsewhere.</p>
The proposal does not provide for emergency access	<p>The proposal is accessible by a large vehicle and manoeuvring areas provided on site. The improvements to Parraweena Way will improve the current access arrangements.</p>
LEP height variation should not be supported.	<p>The originally proposed height variation has been removed and the maximum building height now complies with the LEP.</p>
The proposal does not meet the 18m minimum site width under the LEP	<p>The proposed building footprint is located within an area where the minimum site width of 18m is achieved.</p>

Concern	Comment
This development as well as a nearby proposed Land and Housing development may lead to the need to install 'No Parking' signs on one side of the road to ensure vehicles can get through. This would ensure traffic flow however it will reduce on-street parking which is not ideal.	Installation of no parking on any adjoining street is not a matter that would be within the scope of application to implement. This would be subject to broader Council and community consultation and consideration by Council's traffic Committee.
On-site parking for the development should be increased to reflect the lack of street frontage and limited capacity of the local street network.	The scale and nature of the proposal are not considered to warrant provision of additional parking, although a surplus of 4 residential spaces is provided. There may be the opportunity for additional visitor spaces on site however this would likely come at the cost of landscaping and/or compromise on-site servicing. The land is zoned to permit this type of development and the locality will likely see more medium density development over time in response for increased housing demand.
The proposed double garages should be designed to ensure plenty of storage for bulky items to ensure the future residents actually use their garages for parking purposes and not storage.	The garages are well in excess of the minimum dimensions and would readily accommodate two vehicles along with storage of larger items not accommodated within the dwellings themselves.
Any redevelopment of the laneway must ensure a compliant footpath is provided to ensure safety of pedestrians using the laneway to access to shops, schools, train station and beach.	The northern end of Parraweena Way is an area shared between motorists and pedestrians, however beyond the entry to the subject site, the laneway becomes a pedestrian only zone. The length of the lane would be utilised by 3 existing properties and the 6 additional dwellings proposed by the development. This is not a high traffic environment and the traffic speed is low. There are adequate sight lines and an opportunity for pedestrians to step off the asphalt either side of the widened lane.
The proposal should also ensure at least 1.5m landscape strip between the courtyards and boundary with properties along Cooper Street and be planted out with suitable species that are sufficient height to protect the privacy and visual amenity of the adjoining residents. This would also provide a landscape buffer/aesthetic outlook for these residents rather than looking straight at the back of a two storey building.	A compliant landscape buffer is provided to the boundaries.
Impact of waste bins being placed on Cooper Street to amenity of adjoining residents	The proposal provides for compliant on-site waste collection.

Concern	Comment
Potential for the development to better orient towards the riparian land to the south.	The ground floor living areas are oriented towards the north to better maximise solar access. There are views available to the residents from first floor studies and bedrooms. This design is considered to reasonably respond to the site characteristics.
Cumulative impacts such as waste collection, traffic impacts, on street parking.	The permitted land uses in the zone and lower density character of existing development will likely see an increase in applications for medium density built forms such as multi-dwelling or dual occupancies. Whilst cumulative impacts are a consideration there are not considered to be cumulative impacts that would warrant redesign or refusal of the application.
Drainage impacts to 22 Kialoa Road (west of the site)	Stormwater is proposed to be piped to the watercourse via an existing easement for drainage along the western boundary. The design has been reviewed as satisfying Council controls regarding stormwater disposal and adverse stormwater impacts to this property are not expected.
Inadequacy of OSD system and potential eroding of creek bank.	<p>The capacity and functionality of the OSD system has been reviewed by Council's Stormwater Officer and found to be satisfactory with regard to Council controls.</p> <p>With regard to the discharge point at the creek, it is a requirement that scour protection be provided.</p>
The proposed built form does not integrate with the streetscape, which is characterised primarily by single storey dwellings.	<p>It is noted that the medium density nature of the development is contrasting with the lower density form of the predominantly single storey dwellings in the locality.</p> <p>However, the applicable controls anticipate two storey forms (maximum 9m height permitted under the LEP) and medium density development (e.g. dual occupancies and multi-dwelling permitted in the R2 zone).</p> <p>It is noted the character statement for Woonona, Chapter D1 recommends Woonona "remain a relative low density residential suburb, except for along the Princes Highway and in close proximity to Woonona railway station where medium density housing in the form of townhouses and residential flat buildings will be encouraged". Woonona Train Station is approximately 350m walk away.</p> <p>Land in the locality could readily be redeveloped to two storey dwellings and dual occupancy style development currently and the area is not an identified heritage precinct or similar that would warrant more particular consideration to the built form.</p> <p>The scale of the development is also not considered to result in any unreasonable amenity impacts.</p>

Concern	Comment
C2.4 of the Building Code of Australia requires emergency vehicular access be provided from a public road. In this respect, the internal access road must have an unobstructed 6 metre width with no part of the building being more than 18 metres away from the access road. The minimum 6 metre wide access road shall be reserved for vehicular and pedestrian access only and not built upon or used for any other purpose.	<p>Parraweena Way is proposed to be widened to approximately 5.5m with a ~900mm setback to boundary fences either side.</p> <p>Whilst the driveway width within the access handle is 5.5m, the access handle to the site has an overall width of ~6.5m unobstructed.</p>
Impacts to riparian land and native wildlife	<p>The proposal involves removal of a small number of trees and seeks to utilise an existing stormwater easement to the watercourse. A Flora and Fauna Report concluded there would be no significant impacts to flora or fauna and a Vegetation Management Plan recommended weed management and regeneration measures be implemented. These reports have been reviewed by Council's Environment Officer and Landscape Officer who have recommended conditions of consent.</p>
Potential impact of the development to the creek including the removal of the trees will cause further de-stabilisation of the creek bank resulting in worsening flooding being experienced by the residents.	<p>The proposal involves the removal of 1 Jacaranda and 3 Maidens Wattles, none of which are close to the bank or likely to impact bank stability.</p> <p>Stormwater discharge is through an on-site detention system then piped to the watercourse via the existing drainage easement.</p> <p>A Flora and Fauna Assessment have been provided which has been reviewed by Council's Environment Officer as satisfactory.</p> <p>The stormwater management arrangement is supported by Council's Stormwater Officer.</p>
Prior unauthorised tree removal on the site.	<p>This is a separate matter managed by Council's regulatory division.</p>
Construction vehicles blocking access to adjoining properties	<p>The consent would not authorise obstruction of access to adjoining properties. A condition of consent will also require access to adjoining land to be maintained throughout the construction stage.</p>
Insufficient manoeuvring area for waste collection vehicles.	<p>The proposal has provided swept paths for a waste truck at the entry and within the site which illustrate a vehicle can manoeuvre into and out of the site in a forwards direction.</p>

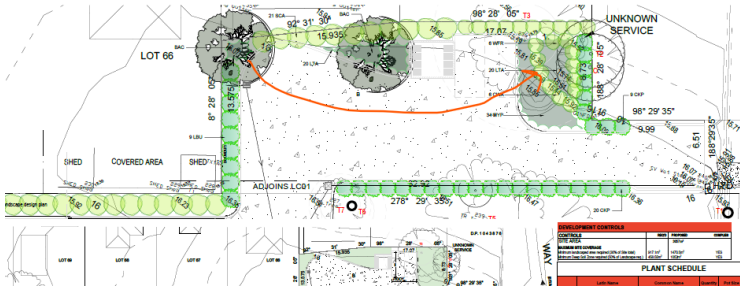
Concern	Comment
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Overflow of caravans, trailers or boats to the street.	Registered ancillary vehicles associated with the development may be parked on the street as per legislation. Any safety concerns or obstructions to traffic is a matter that can be regulated by Council’s Regulation and Enforcement division.
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The potential for residents to own such items is not a matter for consideration under Council’s controls.

It is noted that all units have large double garages and a surplus of residential car parking spaces to that required under the DCP. This would provide some opportunity for storage of some larger items such on site.

Planting of a flame tree 1m away from neighbours fence and pool	It is a recommended condition that this tree be relocated to the eastern end of the car park area adjacent to the visitor car parking spaces as illustrated below.
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Concern	Comment
Impacts to trees along the fence line of (13 Cooper Ave) from excavations, noting the Arborist report incorrectly notes trees as "C" being less than 3m tall.	<p>The Arborist report identifies three trees on 13 Cooper Avenue. Two Coastal Banksias and one as being exempt due to its size. One is subject to a minor encroachment and the other a major encroachment. The minor encroachment would not compromise that tree. The major encroachment would have the potential to impact on the vitality of that tree. Conditions of consent are recommended in regard to the stormwater pipe running along the northern boundary being flush with the basement wall in order to reduce excavation in close proximity to the impacted trees.</p> <p>Retention of all of these trees is considered important as they will provide an established privacy screen to the new development.</p>  
The proposal has an oversupply of resident car parking spaces.	<p>The site is within 400m of a railway station and the applicable rate for each dwelling under this chapter is 1.25 per dwelling (>110m² GFA) = 6 x 1.25 = 7.5(8)</p> <p>The proposal provides a double garage for each, being 12 spaces.</p> <p>The additional 4 spaces are included as GFA and do not result in the maximum FSR being exceeded.</p> <p>The over provision is not objected to given the lack of direct street frontage to the site and would mitigate potential off-site parking impacts.</p>
The Vegetation Management Plan (VMP) is out of date	An updated VMP has been provided.
Potential light spill from basement car park entry and external parking area.	Conditions of consent are recommended with regard to light and spill.

Concern	Comment
Potential security concerns from people accessing the rear of properties on Cooper Avenue from within the subject site.	That is something that could occur currently without the benefit of passive surveillance of residents of this development.
The development should be subject to geotechnical assessment.	The proposal has been reviewed by Council's Geotechnical Officer who has not raised concerns subject to conditions of consent.
Floodplain management has not been suitably addressed.	<p>The site is identified as flood affected however the entirety of the development proposal is significantly above and outside the flood extents.</p> <p>In regard to offsite flooding impacts, the development has been designed to comply with Council's flooding controls and includes on site detention to control flows to the watercourse during a storm event. Councils engineer has reviewed the proposal and found it satisfactory subject to conditions.</p>
Concern that the development is for social housing.	The developer is not a social housing provider.
The development would potentially encourage trespassing onto land to the south.	The land could currently be used in that way. The development of the site would introduce better passive surveillance and mitigate against unauthorised access. If safety remains a concern, a fence could be erected on the rear boundary of the property concerned.

1.6 CONSULTATION

1.6.1 INTERNAL CONSULTATION

Council's stormwater Officer, landscape, traffic, environment, and geotechnical officers have reviewed the application and are satisfied the proposal meets Council's controls subject to conditions of consent.

1.6.2 EXTERNAL CONSULTATION

Department of Planning and Environment—Water

DPIE – Water was referred the application however their response date has lapsed. The progress of their referral has been followed up on several occasions throughout the assessment however Council has repeatedly been advised of delays and a backlog of work without a specific timeframe for a response being provided.

In the absence of their response, the application is proposed to be recommended for determination with a condition of consent requiring a activity approval prior to the issue of the Construction Certificate.

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

2.1.1 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

Chapter 4 Remediation of land

4.6 Contamination and remediation to be considered in determining development application

The site is not identified as potentially contaminated and there are no past development approvals or land uses that would indicate contamination. A Detailed Site Investigation has been provided. That report recommended that the site can be made suitable for the proposed development subject to the below conditions which are included in the draft consent:

- Fill material encountered across the site from surface to between 0.3 and 0.5 m bgl, will require classification prior to disposal off-site, in accordance with the NSW Environmental Protection Authority, Waste Classification Guidelines Part 1: Classifying Waste, 2014. These materials should be disposed of at an appropriately licensed landfill facility.
- The removal of fill with bonded ACM should be undertaken under the supervision of a Raw Earth Environmental Scientist;
- Raw Earth recommend undertaking the remedial works including the removal of fill with bonded ACM at the site, under Class B asbestos controls. This includes undertaking asbestos air monitoring and providing a clearance certificate, once the removal of impacted fill material is completed; and
- In the event of any unexpected finds including the discovery of underground storage tanks, ACM, odorous and/or stained soil material during excavation activities, all site works must cease, and Raw Earth must be notified immediately for further investigation.

The requirements of clause 4.6 are considered to be satisfied and the site can be made suitable for the proposed use.

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

The proposal is BASIX affected development to which this policy applies. In accordance with 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.

2.1.3 SEPP (KOALA HABITAT PROTECTION) 2021

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

12 Development assessment process—other land

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

2.1.4 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Clause 1.4 Definitions

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

Part 2 Permitted or prohibited development

Clause 2.2 – zoning of land to which Plan applies

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

Clause 2.3 – Zone objectives and land use table

The objectives of the zone are as follows:

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

The proposal is satisfactory with regard to the above objectives.

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

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

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

Part 4 Principal development standards

Clause 4.3 Height of buildings

As lodged and notified, the application proposed a height departure between 220mm to 400mm. This was amended during assessment and the proposal now complies with the 9m height control permitted for the site.

Clause 4.4 Floor space ratio

Maximum FSR permitted: 0.5:1

Site area: 3,057m²

GFA: 517m² (ground) + 476 (first) + 72 (4 surplus parking spaces) = 1 065m²

FSR: 1 065/3,057m² = 0.35:1

The floor space ratio being under the maximum permitted complies with the control.

Part 5 Miscellaneous provisions

Clause 5.21 Flood planning

The land is identified as being flood affected (Flood Risk Precinct Classification under Review). It is noted the entirety of the development proposal is significantly above and outside the flood extents. Council's Stormwater Officer has reviewed the proposal in regard to this clause and has recommended conditions of consent. The proposal is considered to adequately have regard to the clause.

Part 7 Local provisions – general

Clause 7.1 Public utility infrastructure

A condition is proposed requiring approval from the relevant authorities for the connection of electricity, water and sewerage to service the site.

Clause 7.4 Riparian lands

The land immediately to the south of the site contains a riparian corridor to which stormwater is proposed to be disposed and for which an easement exists. The potential impacts of the proposed development on the land and any opportunities for rehabilitation of aquatic and riparian vegetation and habitat on that land have been considered. A Flora and Fauna Report and Vegetation Management Plan have been submitted and reviewed by Council's Environment Officer who has recommended appropriate conditions of consent. The application has been referred to DPIE Water as Integrated development under the Water Management Act. At the time of writing this report, the GTA has yet to be issued. Given the length of time that has lapsed since receipt of the application by DPIE Water, it is recommended a condition of consent be applied that the s90 approval be obtained prior to the issue of any Construction Certificate.

Clause 7.6 Earthworks

The proposal involves excavation for one level of basement car parking. Council's Geotechnical Officer has reviewed the proposal in this regard and has not raised any concerns subject to conditions. It is noted the excavations do not occur near any structures on adjoining sites.

Clause 7.14 Minimum site width

There is no objective of this control. The clause states:

- (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.*

The site is variable in width and depth with the access handle and visitor car parking area being between 7-15m and widening to ~17-45m in the western portion. The entirety of the building footprint is located within an area that has a minimum dimension of 18m. The proposal is not considered to result in a variation to this development standard.

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

None applicable

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

2.3.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

A full assessment against relevant WDCP 2009 Chapters can be found in the compliance tables at attachment 4. Variations are discussed below.

CHAPTER A1 – INTRODUCTION

8 Variations to development controls in the DCP

Side setbacks

(a) The control being varied;

Chapter B1, Section 5.4 Side and rear setbacks

The minimum side and rear setback is 0.8 x ceiling height and where balconies or windows of living areas face the rear boundary at first floor level or above: 1.0 x ceiling height.

Council may only consider granting a variation to the setback requirements where the following can be demonstrated to Council's satisfaction:

(a) The siting of the building satisfies the setback objectives; and

(b) Windows which are located on the side or rear boundary are primarily provided for natural light or ventilation purposes. This would include highlight windows with a minimum 1.7m sill, fixed obscure glass windows, glass bricks or windows with fixed louvres; and

(c) The amenity of the adjoining property is not unreasonably affected; and

(d) The design will result in a significant improvement in amenity for residents who will occupy the proposed dwelling.

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

On the western elevation, the setback at first floor is between 4.2m and 4.7m where the DCP would require 5.8m to 6.1m. Impacts are acceptable and not significantly greater than a compliant form as discussed below.

On the northern elevation, has a floor to ceiling of approximately 5.8-6.6m and would require between 4.6-5.2m setback from that boundary at first floor level. A 4.9m setback is provided.

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

The objectives of the control are as follows:

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

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

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

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

Overlooking and privacy are not of concern given screening and positioning of windows on the western elevation. Privacy from overlooking from the balconies towards the north has been raised as a concern in submissions and a condition recommended to remove the balconies at first floor level and replace them with windows. No significant views are impacted by the variation.

The variation does not result in solar access or daylight being compromised.

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

The variation is considered acceptable with regard to the likely impacts as discussed above.

2.3.2 WOLLONGONG CITY WIDE DEVELOPMENT CONTRIBUTIONS PLAN

Wollongong City-Wide Development Plan - City Wide

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

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

Contribution Amount = Cost of Works \$1,672,000 x 1% levy rate = \$16,720

Note: The proposed cost of development is calculated in accordance with clause 25J of the EP&A Regulations, however if a separate cost estimate is not provided with the DA, use the cost of works stated on the application.*

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

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

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

Environmental Planning and Assessment Regulation 2021

N/A

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

There are not expected to be adverse environmental impacts on either the natural or built environments or any adverse social or economic impacts in the locality.

The proposal is satisfactory with regard to the applicable planning controls as detailed in the body of this report. A small departure from WDCP2009 in relation to side setbacks is supported in this instance which is discussed above. Submissions received following notification are noted and can be addressed with conditions of consent where appropriate. Internal referrals are satisfactory subject to appropriate conditions of consent.

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

Does the proposal fit in the locality?

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

re the site attributes conducive to development?

There are no site constraints that would prevent the proposal.

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

See discussion at section 1.5.

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

The proposal is considered acceptable with regard to the likely impacts. It is permitted in the zone and satisfactory with regard to the zone objectives. The development generally complies with the relevant DCP controls with exception to side setbacks. The locality is generally low density in character, the

form and appearance of the development is not out of keeping. Submissions have been addressed. The proposal 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 54.15(1) of the Environmental Planning and Assessment Act 1979, the provisions of Wollongong Local Environmental Plan 2009 and all relevant Council DCPs, Codes and Policies.

The site is zoned R2 low Density Residential where multi dwelling housing is a permitted land use with development consent pursuant to the WLEP 2009. The development is consistent with the applicable provisions of the relevant planning instruments, including Wollongong LEP 2009.

The development is considered appropriate overall with regard to the applicable controls outlined in the Wollongong Development Control Plan 2009 (DCP). One variation to side setbacks is proposed and a variation request statement with justification has been provided by the applicant in accordance with Section 8 of Chapter A1 of WDCP 2009. This variation has been considered and is capable of support in this instance.

Referrals from are all satisfactory and submissions have been considered. Overall, It is considered that the proposed development is appropriately designed given the nature and characteristics of the site and will not adversely impact the character or amenity of the surrounding area.

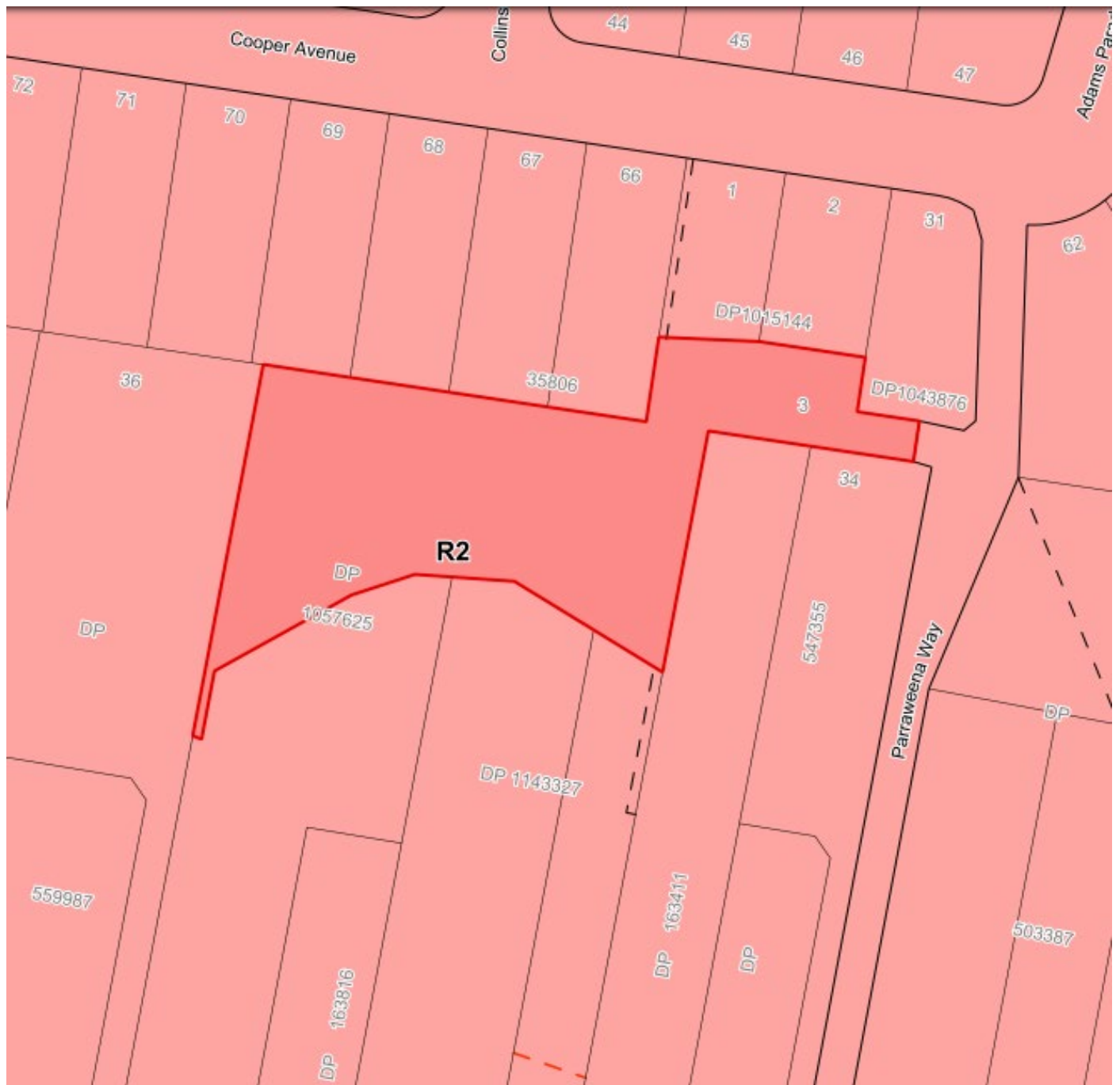
4 RECOMMENDATION

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

5 ATTACHMENTS

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

Attachment 2 -WLEP 2009 zoning map



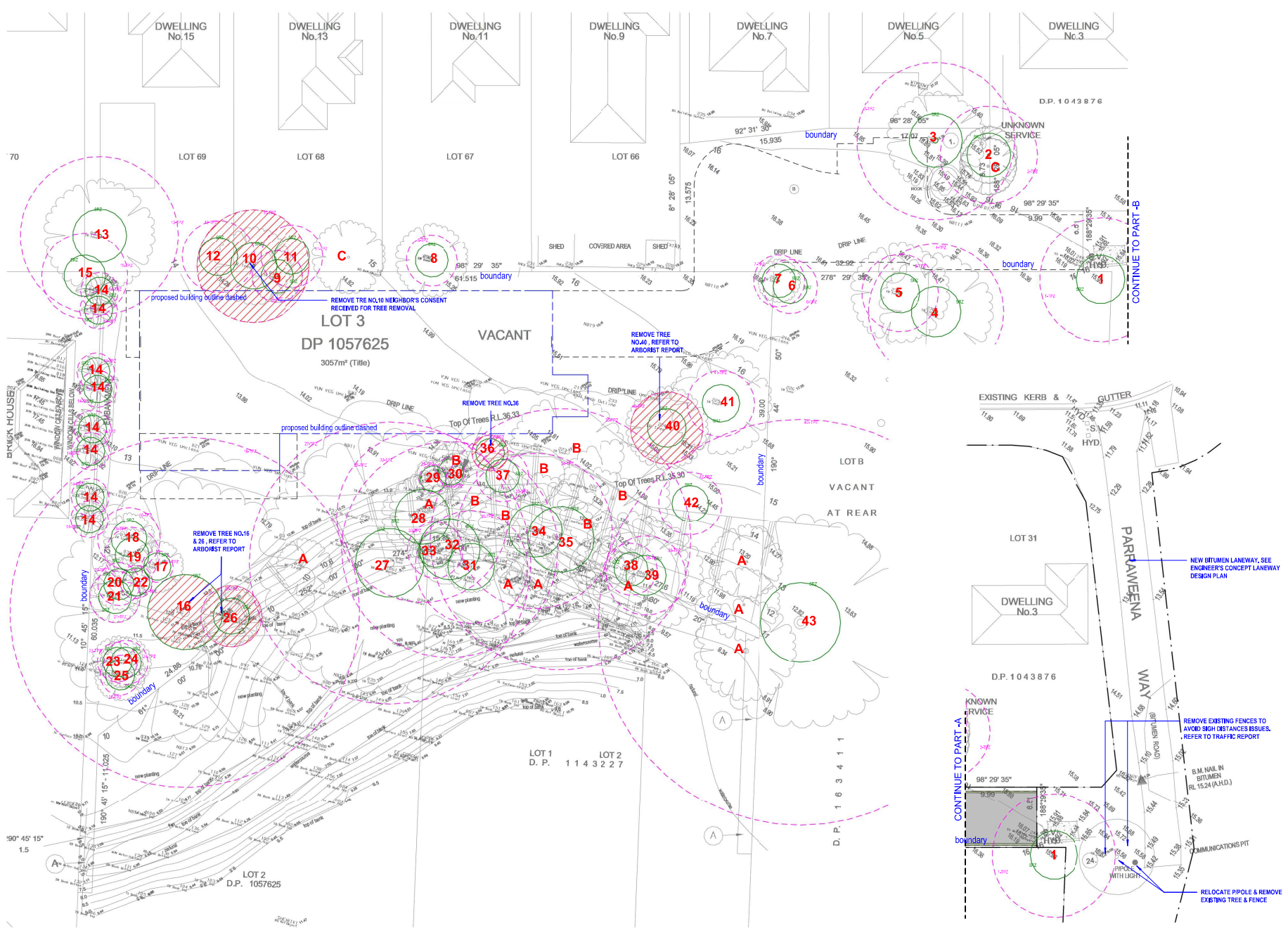
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PRELIMINARY



AMENDMENTS	Revision Description	Date	BY
A	ISSUE FOR DA SUBMISSION	07.12.2022	DC
B	RPI	22.08.2022	DC



1 EXISTING SITE & DEMOLITION PLAN (PART -A)
1:200

PROPOSED 6 X 3 BEDROOM TOWNHOUSES

3A COOPER AVENUE WOONONA

EXISTING AND DEMOLITION PLAN

2 EXISTING SITE & DEMOLITION PLAN (PART -B)
1:200

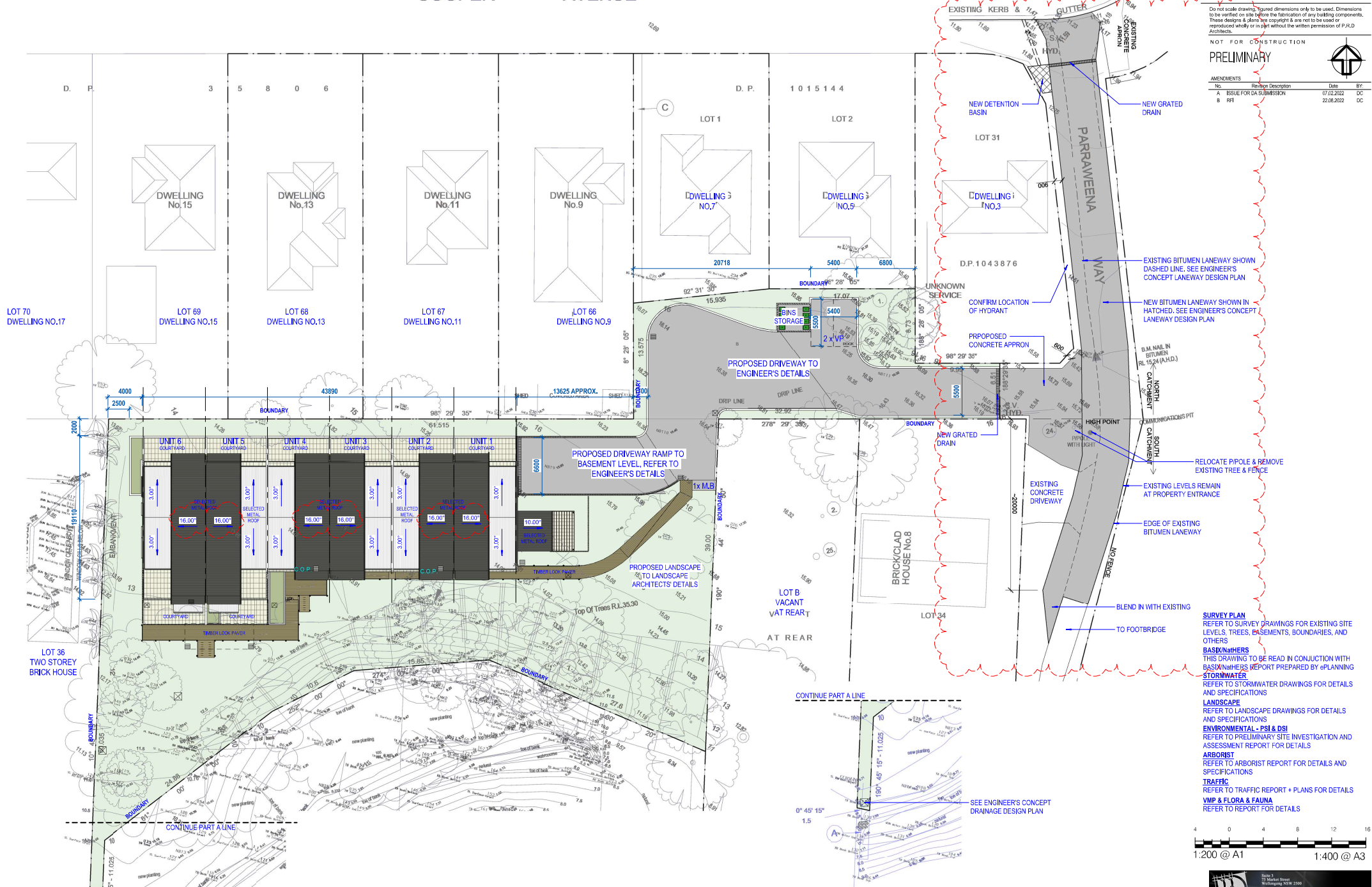
DREIZI CONSTRUCTIONS 21-25

DA-02 -B

- SURVEY PLAN**
REFER TO SURVEY DRAWINGS FOR EXISTING SITE LEVELS, TREES, EASEMENTS, BOUNDARIES, AND OTHERS
- BASIX/NIHRS**
THIS DRAWING TO BE READ IN CONJUNCTION WITH BASIX/NIHRS REPORT PREPARED BY ePLANNING
- STORMWATER**
REFER TO STORMWATER DRAWINGS FOR DETAILS AND SPECIFICATIONS
- LANDSCAPE**
REFER TO LANDSCAPE DRAWINGS FOR DETAILS AND SPECIFICATIONS
- ENVIRONMENTAL - PSI & DSI**
REFER TO PRELIMINARY SITE INVESTIGATION AND ASSESSMENT REPORT FOR DETAILS
- ARBORIST**
REFER TO ARBORIST REPORT FOR DETAILS AND SPECIFICATIONS
- TRAFFIC**
REFER TO TRAFFIC REPORT + PLANS FOR DETAILS
- VMP & FLORA & FAUNA**
REFER TO REPORT FOR DETAILS



22/08/2022 2:39:31 PM



FLOOR FINISHES NOTE:

GARAGE AREAS
 LIVING / DINING / LOUNGE AREAS
 ENTRY / STAIR / STUDY AREAS
 KITCHEN / LAUNDRY AREAS
 BATHROOM / ENSUITE / WC AREAS
 BEDROOM AREAS

• STEEL TROWELLED CONCRETE
 • TIMBER FLOORING
 • TIMBER FLOORING
 • TILED FLOOR
 • TILED FLOOR
 • CARPET

PROJECT INFORMATION

SITE AREA : 3057.00m²
 FSR MAX. : 1528.5m² (0.5:1)
 ZONING : R2
 HEIGHT LIMIT: 9M

BASEMENT CARPARKING
 GROUND FLOOR : 524.70m²
 FIRST FLOOR : 502.40m²
TOTAL : 1027.10m² (0.33:1)

NET UNIT FLOOR AREA

UNIT 1 : 169.70M² (GRD FLR 88.70M² + FFL 81.00M²)
 UNIT 2 : 154.20M² (GRD FLR 73.20M² + FFL 81.00M²)
 UNIT 3 : 154.30M² (GRD FLR 73.20M² + FFL 81.00M²)
 UNIT 4 : 154.20M² (GRD FLR 73.20M² + FFL 81.00M²)
 UNIT 5 : 181.60M² (GRD FLR 100.60M² + FFL 81.00M²)
 UNIT 6 : 181.60M² (GRD FLR 100.60M² + FFL 81.00M²)

SURVEY PLAN

REFER TO SURVEY DRAWINGS FOR EXISTING SITE LEVELS, TREES, EASEMENTS, BOUNDARIES, AND OTHERS

BASIN/WHITERS

THIS DRAWING IS TO BE READ IN CONJUNCTION WITH BASIN/WHITERS REPORT PREPARED BY ePLANNING

STORMWATER

REFER TO STORMWATER DRAWINGS FOR DETAILS AND SPECIFICATIONS

LANDSCAPE

REFER TO LANDSCAPE DRAWINGS FOR DETAILS AND SPECIFICATIONS

ENVIRONMENTAL - PSI & DSI

REFER TO PRELIMINARY SITE INVESTIGATION AND ASSESSMENT REPORT FOR DETAILS

ARBORIST

REFER TO ARBORIST REPORT FOR DETAILS AND SPECIFICATIONS

TRAFFIC

REFER TO TRAFFIC REPORT + PLANS FOR DETAILS

VMP & FLORA & FAUNA

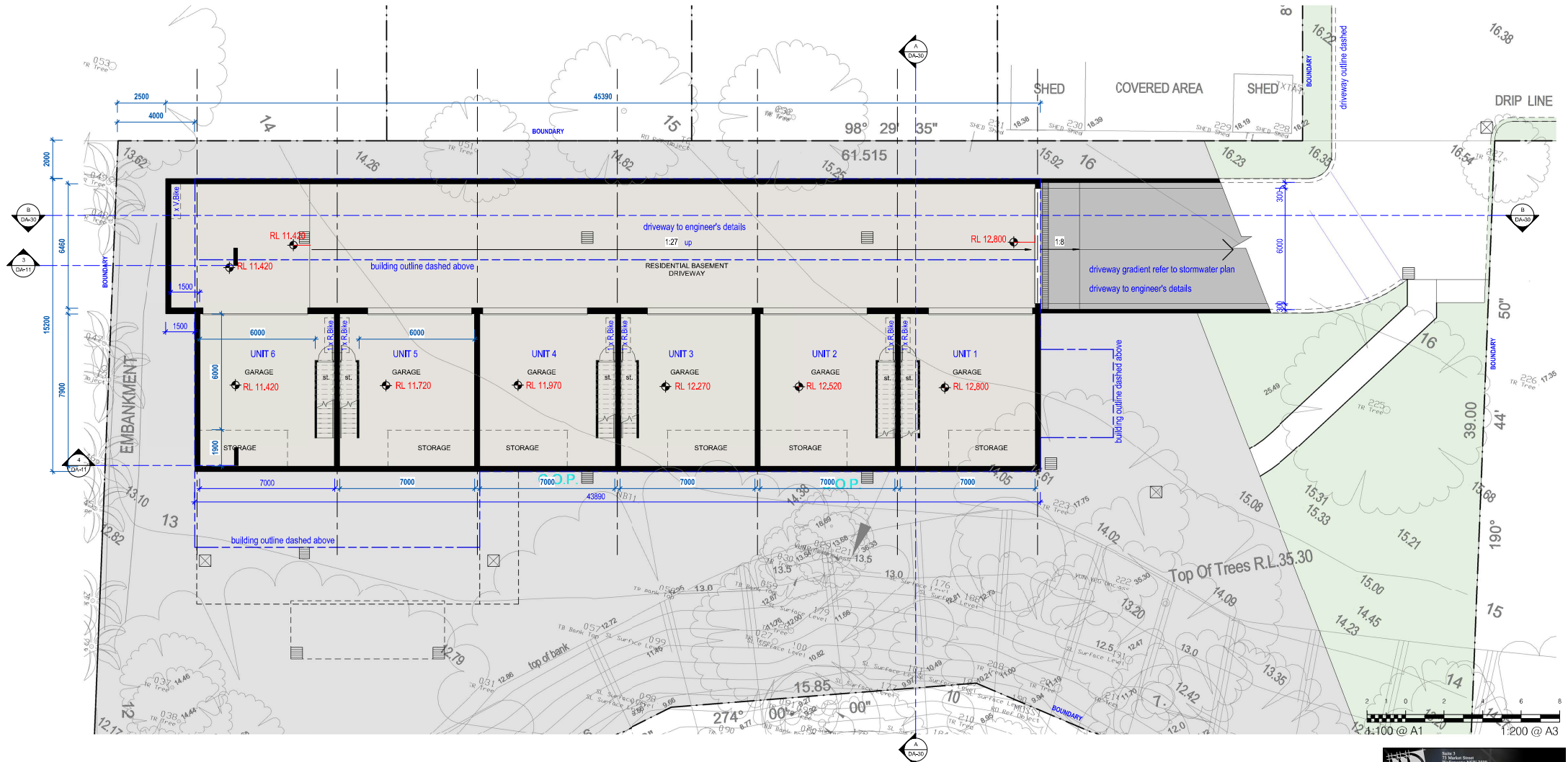
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B	RPI	22.08.2022	DC



PROPOSED 6 X 3 BEDROOM TOWNHOUSES

3A COOPER AVENUE WOONONA

BASEMENT FLOOR PLAN

DREIZI CONSTRUCTIONS 21-25

DA-08 -B



22/08/2022 2:40:47 PM

AMENDMENTS	Revision Description	Date	BY
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B	RPI	22.08.2022	DC



PROJECT INFORMATION

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UNIT 2 : 154.20M² (GRD FLR 73.20M² + FFL 81.00M²)
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UNIT 5 : 181.60M² (GRD FLR 100.60M² + FFL 81.00M²)
UNIT 6 : 181.60M² (GRD FLR 100.60M² + FFL 81.00M²)

FLOOR FINISHES NOTE:

- GARAGE AREAS : STEEL TROWELLED CONCRETE
- LIVING / DINING / LOUNGE AREAS : TIMBER FLOORING
- ENTRY / STAIR / STUDY AREAS : TIMBER FLOORING
- KITCHEN / LAUNDRY AREAS : TILED FLOOR
- BATHROOM / ENSUITE / WC AREAS : TILED FLOOR
- BEDROOM AREAS : CARPET

SURVEY PLAN

REFER TO SURVEY DRAWINGS FOR EXISTING SITE LEVELS, TREES, EASEMENTS, BOUNDARIES, AND OTHERS

BASIS/INHERS

THIS DRAWING TO BE READ IN CONJUNCTION WITH BASIS/INHERS REPORT PREPARED BY #PLANNING

STORMWATER

REFER TO STORMWATER DRAWINGS FOR DETAILS AND SPECIFICATIONS

LANDSCAPE

REFER TO LANDSCAPE DRAWINGS FOR DETAILS AND SPECIFICATIONS

ENVIRONMENTAL - PSI & DSI

REFER TO PRELIMINARY SITE INVESTIGATION AND ASSESSMENT REPORT FOR DETAILS

ARBORIST

REFER TO ARBORIST REPORT FOR DETAILS AND SPECIFICATIONS

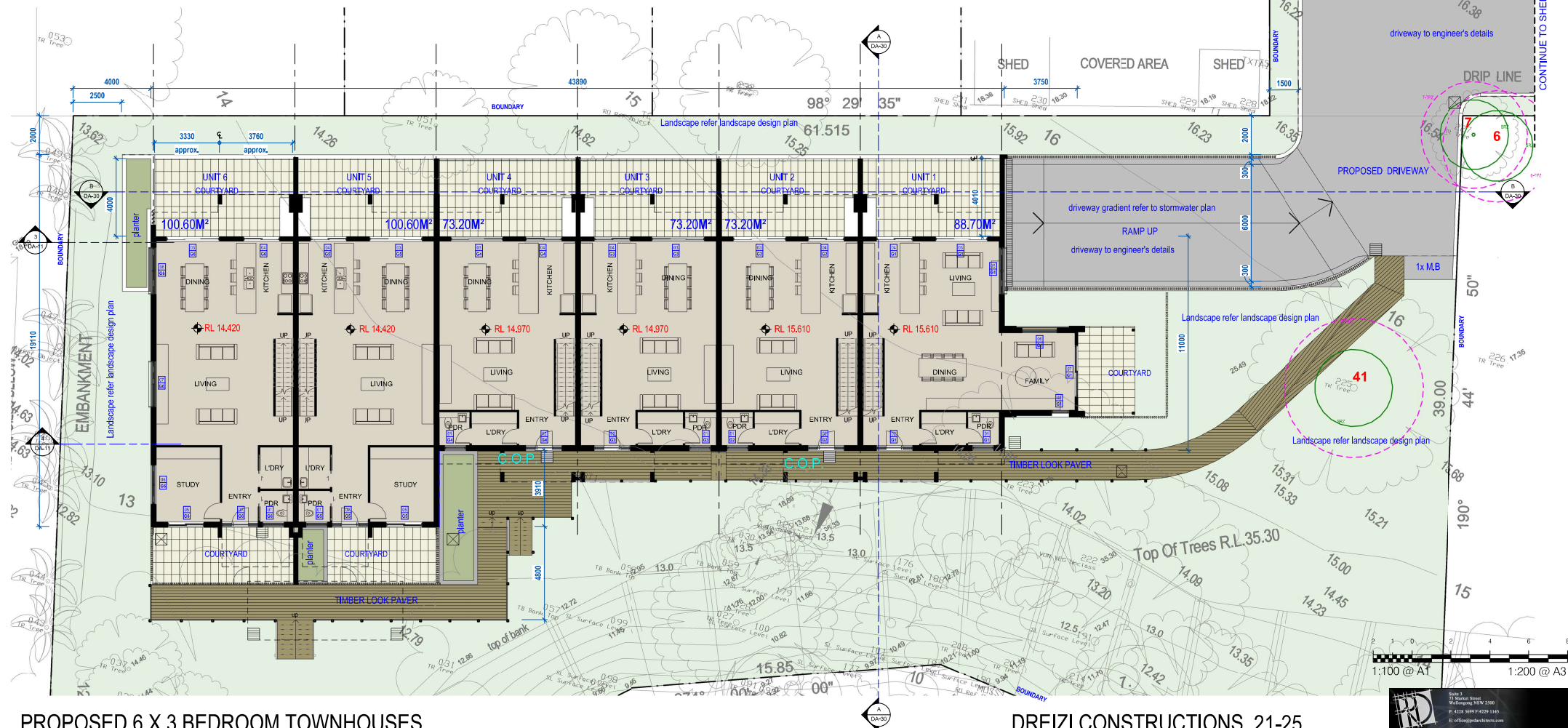
TRAFFIC

REFER TO TRAFFIC REPORT + PLANS FOR DETAILS

VMP & FLORA & FAUNA

REFER TO REPORT FOR DETAILS

② GRD FLR - FSR CALCULATION PLAN
1:200



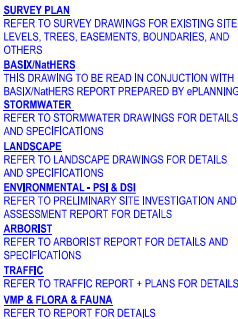
PROPOSED 6 X 3 BEDROOM TOWNHOUSES
3A COOPER AVENUE WOONONA

GROUND FLOOR PLAN - PART -A

DREIZI CONSTRUCTIONS 21-25

DA-09 -B



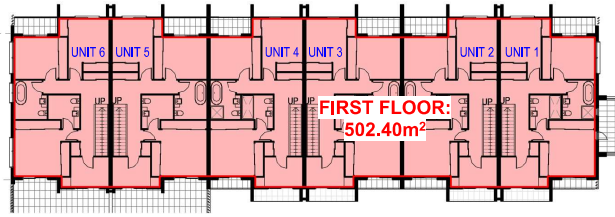


PRD
 Suite 3
 73 Market Street
 Wellington NSW 2500
 P: 6128 3699 F: 6128 1145
 E: info@prdarchitects.com



PRD ARCHITECTS

DA-10 -B



② 1ST FLR - FSR CALCULATION PLAN
1 : 200

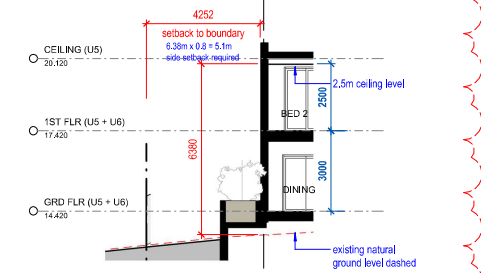
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 SITE AREA : 3057.00m²
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 BEDROOM AREAS : CARPET

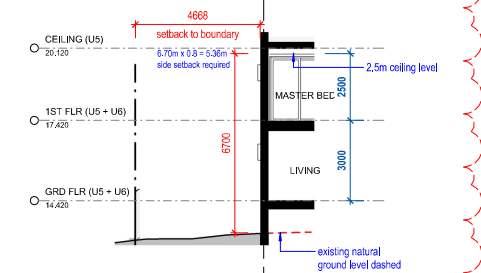
SURVEY PLAN
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BASKINATHERS
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STORMWATER
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LANDSCAPE
 REFER TO LANDSCAPE DRAWINGS FOR DETAILS AND SPECIFICATIONS
ENVIRONMENTAL - PSI & DSI
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ARBORIST
 REFER TO ARBORIST REPORT FOR DETAILS AND SPECIFICATIONS
TRAFFIC
 REFER TO TRAFFIC REPORT + PLANS FOR DETAILS
VMP & FLORA & FAUNA
 REFER TO REPORT FOR DETAILS

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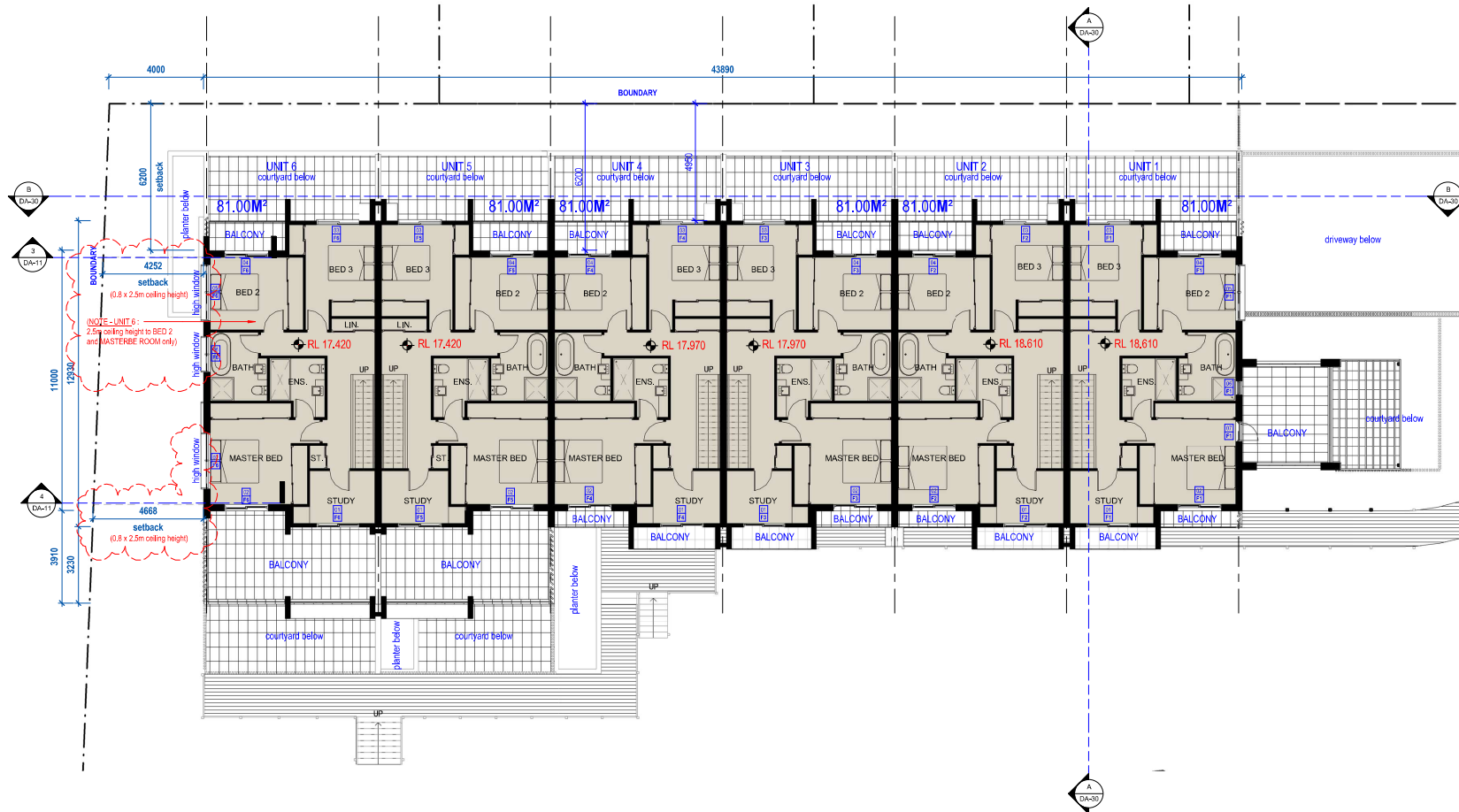
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PRELIMINARY			
AMENDMENTS	Revision Description	Date	BY
A	ISSUE FOR DA SUBMISSION	07.12.2022	DC
B	RFI	22.08.2022	DC



③ SECTION - WESTERN SIDE SETBACK 1
1 : 100



④ SECTION - WESTERN SIDE SETBACK 2
1 : 100



PROPOSED 6 X 3 BEDROOM TOWNHOUSES
 3A COOPER AVENUE WOONONA

1ST FLOOR PLAN

DREIZI CONSTRUCTIONS 21-25

DA-11 -B

2 1 0 2 4 6 8
 1:100 @ A1 1:200 @ A3



22/08/2022 2:41:30 PM

FINISHES SCHEDULE:



R1 Trimdek Roof cladding or similar - Colorbond Whitehaven



RF Trimdek Roof cladding or similar - Colorbond Woodland Grey



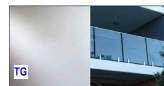
AL Aluminium door & window framing - Colorbond Woodland Grey



B1 Concrete Blockwall with surface seal - Natural finish



F1 Aluminium Feature vertical battens - Timber grain finish



TG Balcony Glass Balustrade - Translucent glass



GD Selected Main Security Garage door - Colorbond Woodland Grey



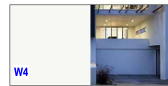
W1 Cemented Barestone Cladding - BARESTONE External / Original



W2 Aluminium Horizontal tongue & groove cladding - Timber grain finish



W3 Fibre Cement cladding or similar - Colorbond Woodland Grey



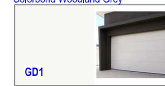
W4 Wall render finish or similar - Dulux Vivid White



W5 Trimdek Wall cladding or similar - Colorbond Woodland Grey



B Concrete Blockwall with surface seal - Natural finish



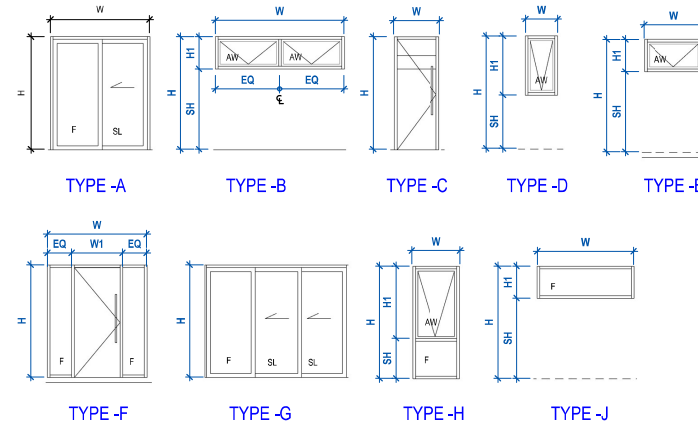
GD1 Selected Unit Sectional Garage door - Colorbond Whitehaven



1 EAST ELEVATION
1:100



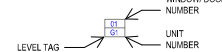
2 WEST ELEVATION
1:100



WINDOW/ DOOR OPENING SCHEDULE									
TYPE	LEVEL	UNIT(S)	WINDOW/DOOR#	H (height)	W (width)	SH (sill height)	H1 (height 1)	W1	COMMENTS
E	G	1,2,3,4	01	2100	1100	1500	600	-	AWNING
F	G	1,2,3,4	02	2100	1850	-	-	950	SLIDING DOOR + FIXED WINDOWS
G	G	1,2,3,4	03	2100	2700	-	-	-	SLIDING DOORS + FIXED WINDOW
A	G	1,2,3,4	04	2100	1850	-	-	-	SLIDING DOOR + FIXED WINDOW
B	G	1	05	2100	2400	1500	600	-	AWNING
J	G	1	06	2100	1800	1500	600	-	FIXED
A	G	1	07	2100	2700	-	-	-	SLIDING DOOR + FIXED WINDOW
H	G	1	08	2100	900	750	1350	-	AWNING + FIXED
A	G	5,6	05	2100	1850	-	-	-	SLIDING DOOR + FIXED WINDOW
B	G	6	06	2100	2000	1500	600	-	AWNING
B	G	6	07,08	2100	2400	1500	600	-	AWNING
A	F	1,2,3,4,5,6	01,02,03,04	2100	1850	-	-	-	SLIDING DOOR + FIXED WINDOW
B	F	1	05	2100	2400	1500	600	-	AWNING
D	F	1	06	2100	600	1000	1100	-	AWNING
C	F	1	07	2100	860	-	-	-	SLIDING
B	F	6	05,07	2100	2400	1500	600	-	AWNING
B	F	6	06	2100	1500	1500	600	-	AWNING

WINDOW & DOOR GLAZING SCHEDULE

KEY:



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SURVEY PLAN

REFER TO SURVEY DRAWINGS FOR EXISTING SITE LEVELS, TREES, EASEMENTS, BOUNDARIES, AND OTHERS

BASIX/NaHERS

THIS DRAWING TO BE READ IN CONJUNCTION WITH BASIX/NaHERS REPORT PREPARED BY ePLANNING

STORMWATER

REFER TO STORMWATER DRAWINGS FOR DETAILS AND SPECIFICATIONS

LANDSCAPE

REFER TO LANDSCAPE DRAWINGS FOR DETAILS AND SPECIFICATIONS

ENVIRONMENTAL - PSI & DSI

REFER TO PRELIMINARY SITE INVESTIGATION AND ASSESSMENT REPORT FOR DETAILS

ARBORIST

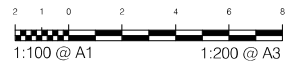
REFER TO ARBORIST REPORT FOR DETAILS AND SPECIFICATIONS

TRAFFIC

REFER TO TRAFFIC REPORT + PLANS FOR DETAILS

VMP & FLORA & FAUNA

REFER TO REPORT FOR DETAILS



PROPOSED 6 X 3 BEDROOM TOWNHOUSES

3A COOPER AVENUE WOONONA

EAST & WEST ELEVATIONS + WINDOWS/ DOORS SCHEDULE

DREIZI CONSTRUCTIONS 21-25

DA-20 -B



22/08/2022 2:41:40 PM

FINISHES SCHEDULE:



R1 Trimdek Roof cladding or similar - Colorbond Whitehaven



W1 Cemintel Barestone Cladding - BARESTONE External / Original



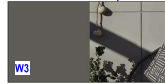
RF Trimdek Roof cladding or similar - Colorbond Woodland Grey



W2 Aluminium Horizontal tongue & groove cladding - Timber grain finish



AL Aluminium door & window framing - Colorbond Woodland Grey



W3 Fibre Cement cladding or similar - Colorbond Woodland Grey



B1 Wall render finish or similar - Dulux Vivid White



W4 Wall render finish or similar - Dulux Vivid White



F1 Aluminium Feature vertical battens - Timber grain finish



W5 Trimdek Wall cladding or similar - Colorbond Woodland Grey



TG Balcony Glass Balustrade - Translucent glass



B Concrete Blockwall with surface seal - Natural finish



GD Selected Main Security Garage door - Colorbond Woodland Grey



GD1 Selected Unit Sectional Garage door - Colorbond Whitehaven

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STORMWATER
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REFER TO LANDSCAPE DRAWINGS FOR DETAILS AND SPECIFICATIONS

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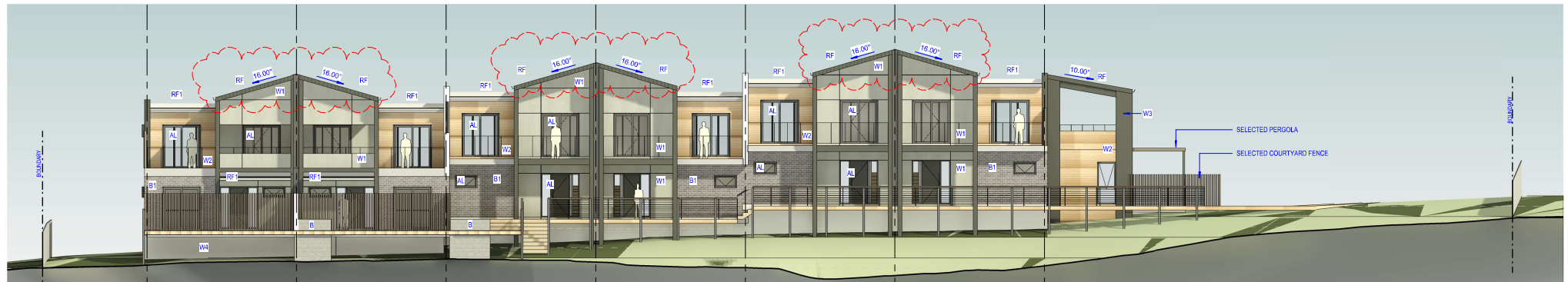
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PRELIMINARY

AMENDMENTS	No.	Revision Description	Date	BY
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B	1	RFI	22.08.2022	DC



1 NORTH ELEVATION
1 : 100



2 SOUTH ELEVATION
1 : 100

Scale 1:100 @ A1
Scale 1:200 @ A3

PROPOSED 6 X 3 BEDROOM TOWNHOUSES
3A COOPER AVENUE WOONONA

NORTH & SOUTH ELEVATIONS

DREIZI CONSTRUCTIONS 21-25

DA-21 -B



22/08/2022 2:41:52 PM

FINISHES SCHEDULE:

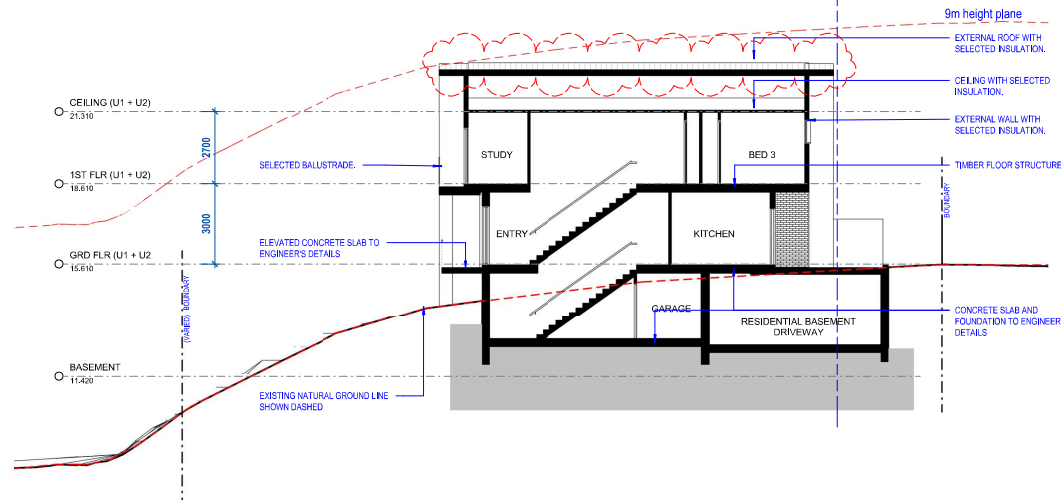
R1 Trimdek' Roof cladding or similar – Colorbond Whitehaven	RF Trimdek' Roof cladding or similar – Colorbond Woodland Grey	AL Aluminium door & window framing – Colorbond Woodland Grey	B1 Wall render finish or similar – Dulux Vivid White	F1 Aluminium Feature vertical battens – Timber grain finish	TG Balcony Glass Balustrade – Translucent glass	GD Selected Main Security Garage door – Colorbond Woodland Grey
W1 Cemintel Barestone Cladding – BARESTONE External / Original	W2 Aluminium Horizontal tongue & groove cladding – Timber grain finish	W3 Fibre Cement cladding or similar – Colorbond Woodland Grey	W4 Wall render finish or similar – Dulux Vivid White	W5 Trimdek' Wall cladding or similar – Colorbond Woodland Grey	B Concrete Blockwall with surface seal – Natural finish	GD1 Selected Unit Sectional Garage door – Colorbond Whitehaven

Do not scale drawing, figured dimensions only to be used. Dimensions to be verified on site before the fabrication of any building components. These designs & plans are copyright & are not to be used or reproduced wholly or in part without the written permission of P.R.D Architects.

NOT FOR CONSTRUCTION

PRELIMINARY

AMENDMENTS	Revision Description	Date	BY
A	ISSUE FOR DA SUBMISSION	07.02.2022	DC
B	RPI	22.08.2022	DC



SURVEY PLAN
REFER TO SURVEY DRAWINGS FOR EXISTING SITE LEVELS, TREES, EASEMENTS, BOUNDARIES, AND OTHERS

BASIX/NaHERS
THIS DRAWING TO BE READ IN CONJUNCTION WITH BASIX/NaHERS REPORT PREPARED BY ePLANNING

STORMWATER
REFER TO STORMWATER DRAWINGS FOR DETAILS AND SPECIFICATIONS

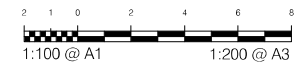
LANDSCAPE
REFER TO LANDSCAPE DRAWINGS FOR DETAILS AND SPECIFICATIONS

ENVIRONMENTAL - PSI & DSI
REFER TO PRELIMINARY SITE INVESTIGATION AND ASSESSMENT REPORT FOR DETAILS

ARBORIST
REFER TO ARBORIST REPORT FOR DETAILS AND SPECIFICATIONS

TRAFFIC
REFER TO TRAFFIC REPORT + PLANS FOR DETAILS

VMP & FLORA & FAUNA
REFER TO REPORT FOR DETAILS



PROPOSED 6 X 3 BEDROOM TOWNHOUSES
3A COOPER AVENUE WOONONA

SECTIONS

DREIZI CONSTRUCTIONS 21-25

DA-30 -B



22/08/2022 2:41:58 PM

ATTACHMENT 4 - 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

Section 4 provides general development controls which apply to the erection of all dwelling-house, dual occupancy, secondary dwelling, ancillary structures and semi-detached dwellings within urban areas. Section 5 provides controls for Attached dwellings and Multi-dwelling housing.

<i>Controls/objectives</i>	<i>Comment</i>
<u>4.1 Number of Storeys</u> <ul style="list-style-type: none">In R2 Low Density Residential zones, where development occurs within the 8m rear setback the development is limited to single storey, so as to not adversely impact on the amenity of the adjoining property.Landscaping may be required within the side and rear setbacks to mitigate the visual impact of the building form from adjoining properties.	<p>Noting section 4 of this chapter is not technically considered to apply, the building setback from the southern (rear) boundary exceeds 8m and adjoins the riparian corridor where no particular amenity impacts would be felt.</p> <p>The setback to the western boundary at first floor level is approximately 4.2m as shown below however this is more appropriately considered a side boundary.</p> <p>The proposal includes an approximately 2m wide landscape bed along the northern and western boundary adjacent the building footprint.</p>
<u>4.9 Fences</u> <ul style="list-style-type: none">Various.	<p>No fences are proposed.</p>
<u>4.11 Storage Facilities</u> <ul style="list-style-type: none">10m³ / 5m²	<p>Complies</p>
<u>4.12 Site Facilities</u> <ul style="list-style-type: none">To ensure that site facilities (such as clothes drying, mail boxes, recycling and garbage disposal units/areas, screens, lighting, storage areas, air conditioning units, rainwater tanks and communication structures) are effectively integrated into the development and are unobtrusive	<p>Suitable area is provided for clothes drying.</p> <p>Mail boxes are not shown on the plans however there is adequate area for them to be accommodated in a convenient location for delivery vehicles and residents. This is to be reflected in the conditions of consent.</p> <p>A secure waste enclosure is provided at the eastern end of the site close to Parraweena Way and suitable manoeuvring area provided for waste vehicles.</p> <p>Other facilities are considered to be readily accommodated.</p>

<i>Controls/objectives</i>	<i>Comment</i>
<p>4.13 Fire Brigade Servicing</p> <p>ensure that all dwellings can be serviced by fire fighting vehicles.</p>	On-site manoeuvring is provided for a the likely vehicle size that would be required to service the site.
<p>4.14 Services</p> <ul style="list-style-type: none"> encourage early consideration of servicing requirements, to ensure that all residential development can be appropriately serviced. 	The site can be adequately serviced.

5.0 Attached dwellings and multi -dwelling housing

Controls/objectives	Comment									
<u>5.1 Minimum Site Width Requirement</u> 18m minimum	The site is variable in width and depth, being below 18m for the access handle and the pinch point between the eastern part of the site where the visitor parking and waste storage facility is located and the western portion containing the dwellings. The entirety of the building footprint is however located within an area that has a minimum dimension of 18m.									
<u>5.2 Number of Storeys</u> Maximum of two (2) storeys in the R2 zone	Complies									
<u>5.3 Front Setbacks</u> 6m front setback	The proposal does not have a direct road frontage and as such this control does not apply.									
<u>5.4 Side and Rear Setbacks</u> <table><tr><th>Zone</th><th>Minimum side and rear setback</th><th>Minimum side and rear setbacks where balconies or windows of living areas face the rear boundary at first floor level or above</th></tr><tr><td>All zones</td><td>1.5m</td><td>1.5m</td></tr><tr><td>R2 Low Density Residential Zone</td><td>0.8 x ceiling height</td><td>1.0 x ceiling height</td></tr></table>	Zone	Minimum side and rear setback	Minimum side and rear setbacks where balconies or windows of living areas face the rear boundary at first floor level or above	All zones	1.5m	1.5m	R2 Low Density Residential Zone	0.8 x ceiling height	1.0 x ceiling height	See variation discussion at Chapter A1.
Zone	Minimum side and rear setback	Minimum side and rear setbacks where balconies or windows of living areas face the rear boundary at first floor level or above								
All zones	1.5m	1.5m								
R2 Low Density Residential Zone	0.8 x ceiling height	1.0 x ceiling height								
<u>5.5 Building Character and Form</u> (a) Articulate and fragment building walls that address the street and add visual interest. The appearance of blank walls or walls with only utility windows on the front elevation is not permitted. (b) Avoid expanses of any single material. (c) Utilise high quality and durable materials and finishes. (d) Entrances must be visible at eye level from the street and well lit. (e) For those dwellings adjacent to the street frontage, the habitable rooms must face the street. (f) Ensure entrances can accommodate the movement of furniture.	Satisfactory Satisfactory Satisfactory N/A Satisfactory									

<i>Controls/objectives</i>	<i>Comment</i>
(g) Air conditioning units must not be visible from the street. Space shall be allocated and shown on plans for air conditioning units in order to demonstrate that this can be achieved.	Satisfactory
(h) All residential buildings must be designed with building frontages and entries clearly addressing the street frontage. Dwellings adjacent to the street boundary must have individual entries from the street.	Complies
(i) For attached dwellings on corner sites, each frontage of the development must present as the primary street frontage.	N/A
(j) Where garages are proposed on the front elevation they must be articulated, unless it can be demonstrated that the garages will not visually dominate the streetscape appearance of the building.	N/A
<u>5.6 Access / Driveway Requirements</u>	
1. The development proposal must provide access to the site in accordance with the following controls:	The driveway design is acceptable. Council's Traffic Officer has reviewed the proposal in this regard and has not raised any concerns subject to conditions of consent.
(a) Paving colour, texture and material should be sympathetic with the character of the precinct and reflect a pleasant visual appearance.	
(b) Provide driveways to parking areas from lanes and secondary streets rather than the primary road or street, wherever practicable.	
(c) The number of access points to a development must be kept to a minimum.	
(d) Locate driveways taking into account any services within the road reserve, such as power poles, drainage inlet pits and existing street trees.	
(e) Long straight driveways should be avoided because these adversely dominate the streetscape and landscape. Curved driveways are more desirable. Landscaping between the buildings and the driveways is encouraged to soften the appearance of the hard surface.	
(f) All driveways must be located a minimum of 6 metres from the perpendicular of any intersection of any two roads.	
(g) Any driveway servicing a residential development is to be setback a minimum of 1.5m from any side property boundary.	
(h) Driveways are to be a maximum of 6m in width.	
(i) The design of driveway and crossovers must be in accordance with council's standard vehicle entrance designs.	

2. All vehicles within a multi dwelling development must provide vehicular manoeuvring areas to all parking spaces so vehicles do not need to make more than a single point turn to leave the site in a forward direction. Direct reversing onto the street will only be considered where the garage fronts a secondary road, carrying reduced traffic volume and all other requirements of the policy are met.

3. Driveway grades, vehicular ramp width/grades and passing bays must be in accordance with the relevant Australian Standard, being AS 2890.1.

4. Crossover and driveway widths relating must comply with the following:

No. Dwellings	Crossover Width	Driveway Width
1 to 2	Minimum 2.75m	Minimum 2.75m
3 to 5	3-4m combined	Minimum 3m
6 to 20	4 - 6m combined to within 6m internally of the front property boundary	Minimum 3m
21 to 50	6-8m combined	6m
> 50	3-4m each, separated	Minimum 3m each or 6m when combined

5. A minimum 6 metre wide driveway reserve/carriageway width is required for a battle-axe access handle upon a battle-axe lot.

5.7 Car Parking Requirements

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

Complies

2. Car parking areas should be designed to conveniently, efficiently and appropriately serve residents and visitors of the site. This can be achieved in the following ways:

(a) Ensuring that car parking areas are located close to entrances and access ways.

(b) Car parking areas to be secure yet easily accessible for all residents.

(c) Have clearly defined areas for visitor parking and disabled parking.

5.8 Landscaping Requirements

1. A minimum of 30% of the total site area must be provided as landscaped area. Landscaped area is defined in the Wollongong LEP 2009 as part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area. The landscaped area may also include landscaping on a podium, where that section of the podium is less or equal to than 1.2 metres in height and the minimum soil standards of this DCP (clause 6.11.2) are achieved. Any landscaped area on the site which

Complies

<i>Controls/objectives</i>	<i>Comment</i>
is less than 1.5 metres in width is not included within the landscaped area calculations.	
2. A minimum of two semi mature medium – large trees (minimum pot size 45L) are to be provided onsite in the landscaped area or deep soil zone and at least 3m from any existing or proposed dwelling, building or structure on the lot. In the instance where there is an existing mature tree/s onsite and these will be retained post development, only one additional semi mature medium – large tree is required.	Complies
3. Any landscaped or grassed areas within the front setback area will be included in the landscaped area calculations. Landscaping in this area must be in context with the scale and height of the multi dwelling housing development.	N/A
4. The required landscaped area must include a minimum 1.5 metre wide landscaping bed, which is provided along the side and rear boundaries of the site.	2m provided

Controls/objectives	Comment
<p>5. The following matters must be addressed within the submitted landscape plan:</p> <p>(a) Site landscaping must be integrated with the stormwater management controls. In particular, the location and nature of the on site stormwater detention basins should not conflict with landscaping areas and objectives.</p> <p>(b) Select appropriate species that are likely to survive in the specific environmental conditions of the site, orientation and microclimate.</p> <p>(c) Identify and retain where possible existing mature trees.</p> <p>(d) Garden beds to be mulched and be separated from driveways or open space areas by an appropriate border or edge.</p> <p>(e) The width of the landscape bed does not include kerbs or other hard borders or edges.</p> <p>(f) Where driveways are located parallel to a property boundary, a minimum 1.5m landscape strip is required adjacent to the driveway.</p> <p>(g) Landscaping to separate driveways from dwellings is also required to minimise the expanse of hardstand surfaces, define dwellings from common driveway areas and to promote variation in the alignment of driveway areas.</p> <p>(h) Manoeuvring areas immediately adjacent to the living/dining rooms of dwellings is not permitted.</p> <p>6. Street trees are required to be planted in accordance with the requirements contained in the Landscaping Chapter in Part E of this DCP.</p> <p><u>5.9 Deep Soil Planting</u></p> <p>1. The siting of the deep soil zone shall be determined following a Site and Context Analysis to investigate whether this area should be located:</p> <p>(a) Centrally within the site to allow for overlooking from dwellings within a development;</p> <p>(b) At the rear of the site to allow for separation from adjacent dwellings and to provide a continuous corridor of vegetation of native fauna; or</p> <p>(c) Elsewhere within a site to allow for retention of significant trees and attain maximum access to sunlight.</p>	<p>Satisfactory</p> <p>The site contains a large riparian area to the south which is to be maintained. This will provide a high level of amenity to residents of the development and is considered suitable to address this control.</p>

Controls/objectives	Comment
<p>2. A minimum of half of the landscaped area (i.e. 15% of the site) must be provided as a deep soil zone, where the deep soil zone is not located at the rear of the site. The deep soil zone may be located in any position on the site, other than forward of the building line, subject to this area having a minimum dimension of 6m. Alternatively, the deep soil may extend along the full length of the rear of the site, with a minimum width of 6m. The area of deep soil planting must be continuous to ensure that the deep soil planting area is a singular uniform area and is not fragmented.</p> <p>3. No structures, basement car parks, driveways, hard paving, decks, balconies or drying areas are permitted within the deep soil zone.</p> <p>4. The deep soil zone shall be densely planted with trees and shrubs. Where a multi dwelling housing development is to be strata titled, the deep soil zone may be retained within the common property or allocated to an individual unit entitlement, where such dwelling is directly adjacent.</p>	Complies
<p><u>5.10 Communal Open Space</u></p> <p>1. Developments with more than 10 dwellings must incorporate communal open space. The minimum size of this open space is to be calculated at 5m² per dwelling. Any area to be included in the communal open space calculations must have a minimum dimension of 5 metres. The communal open space must be easily accessible and within a reasonable distance from each dwelling be integrated with site landscaping, allow for casual social interaction, and be capable of accommodating recreational activities.</p> <p>2. Where a minimum of 15% of the site is provided as a deep soil zone, combined use of part of the deep soil zone as communal open space may occur. The combined communal open space/deep soil area may be grassed but must contain significant shade trees. A maximum of 1/3 of the required communal open space area may be combined with the deep soil zone.</p> <p>3. Areas of the communal open space should contain paving, children's playground equipment, barbeques, shade structures, swimming pools or the like, however these cannot be located within the deep soil zone.</p> <p>4. At least 50% of the communal open space area must receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on June 21.</p>	

Controls/objectives

Comment

5.11 Private Open Space

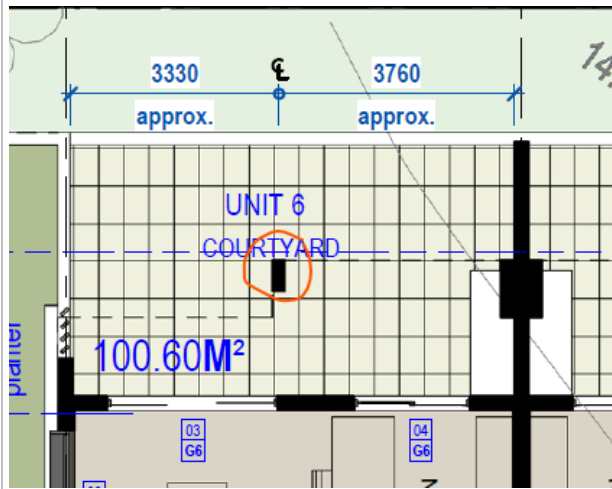
1. Private open space must be provided for each dwelling within an attached dwelling development in the form of a balcony, courtyard, terrace and/or roof garden.

Provided

2. Private open space for each dwelling within an attached dwelling housing development must comply with the following:

(a) Private open space must be provided at the ground level or podium level. The courtyard or terrace must have a minimum dimension of 4 metres x 5 metres. This area must be separated from boundaries by at least 1.5 metres with a vegetated landscaping bed and must not encroach upon deep soil zone landscaping areas. Where a level courtyard is not possible, a deck or split level courtyard must have a minimum depth of 3 metres.

The overall POS area for each unit exceeds the minimum area. It is noted that structural columns are located within that area as shown below



Whilst this is not ideal, the overall area and functionality of the POS areas is not considered to be significantly compromised. The areas would still readily accommodate outdoor furniture and other ancillary facilities such as clothes lines and barbeques.

(b) The primary private open area of at least 70% of the dwellings within a multi dwelling housing development must receive a minimum of three hours of direct sunlight between 9.00am and 3.00pm on June 21.

Complies

(c) Private open space areas (courtyards) must not extend forward of the front building setback by greater than 900mm.

Complies

(d) Private open space should be sited in a location, which provides privacy, solar access, and pleasing outlook and has a limited impact upon adjoining neighbours.

Satisfactory

(e) Design private open spaces so that they act as direct extensions of the living areas of the dwellings they serve.

Complies

(f) Clearly define private open space through use of planting, fencing or landscaping features.

Complies

<i>Controls/objectives</i>	<i>Comment</i>
<p>(g) Screen private open space where appropriate to ensure privacy.</p> <p>3. Where part of the private open space is also provided in the form of a balcony, the following requirements must also be met:</p> <p>(a) The primary balconies must not address side setbacks.</p> <p>(b) The balcony must have a minimum area of 8m² open space and a minimum width of 2 metres.</p> <p>(c) Balconies must be designed and positioned to ensure sufficient light can penetrate into the building at lower levels.</p> <p>(d) The total combined area of all balconies in a building must not exceed 25% of the building floor space.</p> <p>(e) Individual balcony enclosures are not supported. Balcony enclosures must form part of an overall building façade design treatment and should not compromise the functionality of a balcony as a private open space area</p> <p><u>5.12 Solar Access Requirements</u></p> <p>1. Windows to living rooms of adjoining dwellings must receive 3 hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>2. At least 50% of the private open areas of adjoining residential properties must receive at least 3 hours of sunlight between 9.00am and 3.00pm on June 21.</p> <p>3 The primary balcony of at least 70% of the dwellings within a multi dwelling housing development shall receive a minimum of three hours of direct sunlight between 9.00am and 3.00pm on June 21.</p> <p>4. Windows to north facing living rooms for each of the subject dwellings in the development must receive at least 3 hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>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.</p> <p>6. Shadow diagrams will be required for hourly intervals between 9.00 am and 3.00 pm for the 21 June winter solstice period which show the extent of overshadowing upon dwellings and rear private open space areas of adjoining dwellings. In certain cases, Council may require additional hourly interval shadow diagrams for the equinox period where it is necessary to determine the full extent of overshadowing upon the dwelling and /</p>	<p>Satisfactory</p> <p>There are balconies proposed at first floor level which face the rear yards of adjoining dwellings. Whilst the balconies are from bedrooms and not living spaces, the number of these would result in a perception of overlooking to the adjoining dwellings. Further, the setbacks of these balconies do not comply. It is conditioned that these be removed and replace with windows.</p> <p>Satisfactory</p> <p>Complies</p> <p>Complies</p> <p>Complies</p> <p>Complies</p> <p>Provided.</p>

<i>Controls/objectives</i>	<i>Comment</i>
<p>or private open space area of an adjoining property.</p> <p><u>5.13 Additional Control for Multi Dwelling Housing - Dwelling Mix and Layout</u></p> <p>1. Provide a mix of dwelling sizes and layouts within larger multi-dwelling developments having ten (10) or more dwellings. This could include both variation in the number of bedrooms and gross floor areas of apartments, variety in the internal design or incorporating one, two and three bedroom dwellings to accommodate various resident requirements.</p> <p>2. The selection of the number of bedrooms within developments shall be determined having regard to the sites context, geographic location and anticipated demographic characteristics.</p> <p>3. Dwellings should be designed with internal spaces, which are flexible and adaptable to resident's requirements. This should involve the efficient utilisation of available floor space to maximise useable room areas. Apartment layouts should also respond to the sites opportunities, including views and aspect</p> <p><u>5.14 Additional Control for Multi Dwelling Housing - Adaptable Housing</u></p> <p>1. Within a multi dwelling development incorporating more than six (6) dwellings, 10% of all dwellings (or at least 1 dwelling) must be designed to be capable of adaptation for disabled or elderly residents. Dwellings must be designed in accordance with the Australian Adaptable Housing Standard (AS 4299-1995), which includes "pre-adaptation" design details to ensure visitability is achieved.</p> <p>2. Where an adaptable dwelling is provided in the form of a villa and a double garage is required to be provided, Council will accept a single garage, which complies with the minimum adaptable car parking dimensions contained in the Traffic, Access, Parking and Servicing Chapter in Part E of this DCP. The single garage will be counted as two car parking spaces for the purpose of car parking calculations.</p> <p>4. The Development Application must be accompanied by certification from a suitably qualified and experienced Access Consultant which confirms that the adaptable dwellings are capable of being modified, when required by the occupant, to comply with the Australian Adaptable Housing Standard (AS 4299-1995).</p>	<p></p> <p>N/A</p> <p>Satisfactory</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>

Controls/objectives	Comment
<u>5.15 Additional Control for Multi Dwelling Housing – Crime Prevention through Environmental Design</u> See chapter E2	

CHAPTER D1 – CHARACTER STATEMENTS

Woonona

Woonona is likely to experience continued growth as a result of the developing residential release areas as well as the replacement of older dwelling stock with larger dwelling-houses.

Woonona should remain a relative low density residential suburb, except for along the Princes Highway and in close proximity to Woonona railway station where medium density housing in the form of townhouses and residential flat buildings will be encouraged.

Individually designed dwellings with a distinctive coastal character are encouraged for the eastern coastal part of Woonona. Balconies should be lightly framed in stainless steel and / or timber finishes, rather than of brick or masonry construction.

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

The Woonona retail and business centre functions as a large neighbourhood centre serving a predominantly residential area to the east and west of the Princes Highway. The role and function of this centre will continued to be focussed on providing daily convenience goods and services and only limited capacity to meet weekly shopping needs. Any new retail or business development in Woonona shall be contained within the confines of the existing business precinct.

The residential area between Hollymount Estate and south of Grey Street is recognised for its special “heritage” character and tree lined streets and hence, any alterations and additions to dwellings or new dwellings must be sympathetic with the character of this locality.

With regard medium density being encouraged along the Princes Highway and close to the train station, the zoning permits multi-dwelling development throughout the R2 zoned areas. The minimum 18m site dimension under the LEP is met and the proposal is acceptable with regard to the DCP controls. Woonona Train station is also approximately 350m away.

The form and appearance of the development is acceptable with regard to this chapter.

CHAPTER E1: ACCESS FOR PEOPLE WITH A DISABILITY

The proposal is not required to provide an accessible unit.

CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

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

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

6 Traffic impact assessment and public transport studies

6.1 Car Parking and Traffic Impact Assessment Study

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

6.2 Preliminary Construction Traffic Management Plan

The site is large and not constrained in a way that would justify preparation of a preliminary construction traffic management plan for the DA.

7 Parking demand and servicing requirements

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

The site is within 400m of a railway station and the applicable rate for each dwelling under this chapter is 1.25 per dwelling ($>110\text{m}^2$ GFA) = $6 \times 1.25 = 7.5(8)$

The proposal provides a double garage for each, being 12 spaces.

The additional 4 spaces are included as GFA and do not result in the maximum FSR being exceeded.

The over provision is not objected to given the lack of direct street frontage to the site and would mitigate off-site parking impacts.

The development complies with the visitor rate of 0.2 / dwelling = $0.2 \times 6 = 1.2(2)$.

7.2 Disabled Access and Parking

N/A

7.3 Bicycle Parking / Storage Facilities and Shower and Change Facilities

Each garage has generous storage area adjacent to it which would readily accommodate a number of bikes.

7.7 Car Parking Layout and Design

The layout and design of the car park has been assessed by Council's Traffic Officer as being satisfactory subject to conditions of consent.

7.8 Basement Car Parking

A minimum 2.4 metre headroom height is to be provided throughout any basement car parking and traffic circulation area.

The excavation has been reviewed by Council's Geotechnical Officer as being satisfactory subject to conditions.

Flood proofing of the basement has been reviewed by Council's Stormwater Officer as satisfactory.

8 Vehicular access

Vehicles can safely manoeuvre into and out of the site in a forward direction. Parraweena Way is proposed to be widened to facilitate vehicle passing.

9 Loading / unloading facilities and service vehicle manoeuvring

The development complies with AS 2890.2.

Waste servicing will occur on-site by a 10.5m waste vehicle and turning templates have been provided demonstrating that vehicle can enter and exit the site in a forwards direction.

10 Pedestrian access

The proposal is satisfactory with regard to pedestrian access into the site and along the frontage. A tree and fence within the road reserve adjacent to the driveway entry are to be removed to improve sight lines for vehicles exiting the site.

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

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

CHAPTER E6: LANDSCAPING

A Landscape Concept Plan prepared by a suitably qualified consultant has been provided.

That plan has been reviewed by Council's Landscape Officer and found to be satisfactory subject to conditions of consent.

CHAPTER E7: WASTE MANAGEMENT

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

There is no demolition.

Suitable waste storage and servicing arrangements have been provided.

CHAPTER E12 GEOTECHNICAL ASSESSMENT

The application has been reviewed by Council's Geotechnical Engineer in relation to excavation and particular site constraints and appropriate conditions have been recommended.

CHAPTER E13 FLOODPLAIN MANAGEMENT

A flood study and concept stormwater plan have been provided. Council's stormwater engineer has reviewed the proposal with respect to the provisions of this chapter and clause 7.3 of WLEP 2009 and has recommended conditions of consent.

CHAPTER E14 STORMWATER MANAGEMENT

Stormwater is proposed to be disposed of to the easement and watercourse. Council's stormwater engineer has reviewed the proposal with respect to the provisions of this chapter and has recommended conditions of consent.

Attachment 5 - DRAFT CONDITIONS FOR: DA-2022/329

For Office Use Only – Do Not Mail

Consent has been granted subject to the following conditions:

1. Approved Plans and Supporting Documentation

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

Plan No.	Revision No.	Plan Title.	Drawn By.	Dated
DA-02	B	Existing and Demolition Plan	PRD Architects	22 August 2022
DA-07	B	Site and Roof Plan	PRD Architects	22 August 2022
DA-08	B	Basement Floor Plan	PRD Architects	22 August 2022
DA-09	B	Ground Floor Plan Part A	PRD Architects	22 August 2022
DA-10	B	Ground Floor Plan Part B	PRD Architects	22 August 2022
DA-11	B	1st Floor Plan	PRD Architects	22 August 2022
DA-20	B	East & West Elevations + Windows / Door Schedule	PRD Architects	22 August 2022
DA-21	B	North & South Elevations	PRD Architects	22 August 2022
DA-30	B	Sections	PRD Architects	22 August 2022

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

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

General Conditions

2. General Conditions - Vegetation Management Plan Reporting

Six (6) monthly reports on the progress of the implementation of the Vegetation Management Plan – 3A Cooper Ave, Woonona, prepared by Narla Environmental and dated August 2022 as approved by this consent must be submitted to the Principal Certifying Authority and Council (in the event Council is not the Principal Certifying Authority for its records) until the end of the maintenance period as specified in this consent. Shortly after each report has been submitted, a joint site inspection with the relevant Council Principal Certifier and Environmental Assessment Officer and the contractor(s) engaged to implement the VMP must be arranged by the consent

holder to ensure the reporting is consistent with on ground works. Reports will be due within 14 days of 1 January and 1 July of each year.

3. General Conditions - Maintenance Period of Vegetation Management Plan

The maintenance period of the *Vegetation Management Plan – 3A Cooper Ave, Woonona, prepared by Narla Environmental and dated August 2022* as approved by this consent is to be a minimum of five (5) years starting from when Council has provided a Certificate of Practical Completion that the establishment phase (primary and secondary works) has been satisfactorily completed and ending when Council has provided a Certificate of Practical Completion that the performance targets have been met.

4. Tree Retention/Removal

The developer shall retain the existing tree(s) indicated on Landscape Concept Plan by Create Landscape Architects dated 11.08.2022 issue B and the Arboricultural Impact Assessment by Allied Tree Consultancy dated January 2022 consisting of tree(s) numbered 1, 2, 4-17, 19-25, 27-39, 42 and 43. In particular, this consent does not authorise removal of trees on adjoining land. Trees numbered 10, 11 and C on the Arborist Report are to be retained and any excavation and stormwater drainage set back from that boundary to mitigate impacts to those trees.

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

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

All recommendations in the Arboricultural Impact Assessment by Allied Tree Consultancy dated January 2022 page nos 22-24 are to be implemented including and not restricted to: remedial tree pruning, dead wood removal, fencing and signage, sediment buffer, stem protection, establishing tree protection zones and watering and root hormone application if required.

This consent permits the removal of trees numbered 3, 18, 40 and 41 as indicated on the Landscape Concept Plan by Create Landscape Architects dated 11.08.2022 issue B and the Arboricultural Impact Assessment by Allied Tree Consultancy dated January 2022. No other trees shall be removed without prior written approval of Council.

5. Geotechnical requirements

Foundation systems are to be designed for Class H or P soils. Other foundation systems may be acceptable if supported by appropriate geotechnical advice.

6. Construction Certificate

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

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

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

7. Occupation Certificate

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

8. Development Contributions

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

of \$16,720.00 (subject to indexation) must be paid to Council towards the provision of public amenities and services, prior to the release of any associated Construction Certificate.

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

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

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

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

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

Before the Issue of a Construction Certificate

9. Watercourse Approved Works - Controlled Activity Approval

Documentary evidence is to be submitted to the Principal Certifier prior to the issue of the Construction Certificate confirming that a Controlled Activity Approval under Section 91 of the Water Management Act 2000 has been obtained from the Department of Planning and Environment – Water for the proposal works

10. Parraweena Way – Detailed Civil Engineering Design – Council Land

A detailed civil engineering design shall be provided for the proposed road pavement widening and drainage works within the road reserve and/or Council Land. The detailed civil engineering design shall be prepared by a suitably qualified practicing civil engineer in accordance with the relevant Council engineering standards. The design plans shall be generally in accordance with the Concept Laneway Design by Gary Marsh and Associates Consulting Civil and Structural Engineers, Drawing Number 2109-03-03, Revision A, dated September 2021 and shall 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. 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.
- 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 Code. 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 Wollongong City Council's Development Engineering Manager prior to the issue of a Construction Certificate.

11. Car Parking and Access

The development shall make provision for a total of 12 residential car parking spaces, 2 visitor car parking spaces, 1 motorcycle parking space, 6 secure (Security Class B) residential bicycle spaces and 1 visitor bicycle space (Security Class C). This requirement shall be reflected on the Construction Certificate plans. Any change in above parking numbers shown on the approved DA plans shall be dealt with via a section 4.55 modification to the development. The approved car parking spaces shall be maintained to the satisfaction of Council, at all times.

12. Parking Dimensions

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

13. 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.

14. Bicycle Parking Facilities

Bicycle parking facilities must have adequate weather protection and provide the appropriate level of security as required by the current relevant Australian Standard AS 2890.3: Bicycle Parking Facilities and Austroads Guide to Traffic Management Part 11: Parking (Commentary 9: C9.2). In the absence of internal bicycle storage areas in private residential garages, the proposed external bicycle spaces are to have adequate weather protection, passive surveillance, and be secured within a lockable enclosure with access via a combination lock or communal key. This requirement shall be reflected on the Construction Certificate plans.

15. Vehicular Flow Signage

The provision of suitable barriers, line-marking and painted signage delineating vehicular flow movements within the car parking areas. These details shall be reflected on the Construction Certificate plans.

16. Relocation of tree

The Illawarra Flame Tree proposed at the northwestern corner of the external car parking area adjacent to Lot 66 is to be relocated to the garden bed on the western side of the visitor car parking and set back a minimum 2m from any boundary.

17. Tree Protection and Management

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

- a. Installation of Tree Protection Fencing - Protective fencing shall be 1.8 metre cyclone chainmesh fence, with posts and portable concrete footings. Details and location of protective fencing must be indicated on the architectural and engineering plans to be submitted to the Principal Certifier prior to release of the Construction Certificate.
- b. Installation of Tree Protection Fencing - A one (1) metre high exclusion fence must be installed around the extremity of the dripline of the tree/trees to be retained prior to any site works commencing. The minimum acceptable standard is a 3 strand wire fence with star pickets at 1.8 metre centres. This fence must be maintained throughout the period of construction to prevent any access within the tree protection area. Details of tree protection and its locations must be indicated on the architectural and engineering plans to be submitted to the Principal Certifier prior to release of the Construction Certificate.

18. Crime Prevention Through Environmental Design (CPTED) - Landscaping

In order to reduce the opportunities for "hiding places" the proposed landscaping must:

- a. Use shrubs/plants which are no higher than one (1) metre.

- b. The type of trees proposed must have a sufficiently high canopy, when fully grown, so that pedestrian vision is not impeded.
- c. Be set back 2 metres from the centre of the pathway.

This requirement shall be reflected on the Construction Certificate plans.

19. Landscaping

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

20. Certification for Landscape and Drainage

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

21. Landscape Maintenance Plan

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

22. Water/Wastewater Entering Road Reserve

Provision shall be made for a minimum 200mm wide grated box drain along the boundary of the property at the vehicular crossing/s to prevent surface water entering the road reserve. This requirement shall be reflected on the Construction Certificate plans.

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

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

- a. A plan of the wall showing location and proximity to property boundaries;
- b. An elevation of the wall showing ground levels, maximum height of the wall, materials to be used and details of the footing design and longitudinal steps that may be required along the length of the wall;
- c. 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.

24. Sizing of Drainage

All roof gutters, downpipes, pits, and pipelines draining roof areas and other impervious surfaces with no deliberate overflow path to the on-site stormwater detention (OSD) facility, shall be designed to cater for a 1 in 100 year ARI storm event in accordance with AS 3500.3: Plumbing

and Drainage (Stormwater Drainage). Details of gutter/downpipe/pipeline sizes and locations shall be reflected on the Construction Certificate plans.

25. Stormwater Drainage Design

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

- a. Be prepared by a suitably qualified civil engineer in accordance with Chapter E14 of Wollongong City Council's Development Control Plan 2009, Subdivision Policy, conditions listed under this consent, and generally in accordance with the concept plans lodged for development approval, prepared by Gary Marsh and Associates, Reference No. 2109-03-01 and No. 2109-03-02, issue E dated Sept 2021.
- b. Include details of the method of stormwater disposal. Stormwater from the development must be piped to natural watercourse.
- c. Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified engineer and be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties. The plan must indicate the method of disposal of all stormwater and must include rainwater tanks, existing ground levels, finished surface levels on all paved areas, estimated flow rates, invert levels and sizes of all pipelines.
- d. Overflow paths shall be provided to allow for flows of water in excess of the capacity of the pipe/drainage system draining the land, as well as from any detention storage on the land. Blocked pipe situations with 1 in 100 year ARI events shall be incorporated in the design. Overflow paths shall also be provided in low points and depressions. Each overflow path shall be designed to ensure no entry of surface water flows into any building and no concentration of surface water flows onto any adjoining property. Details of each overflow path shall be shown on the detailed drainage design.

26. On-Site Stormwater Detention (OSD) Design

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

- a. Must be prepared by a suitable qualified engineer in accordance with Chapter E14 of the Wollongong DCP 2009.
- b. Must include details of the Site Storage Requirement (SSR) and Permissible Site Discharge (PSD) values for the site in accordance with Section 102.2.4 of Chapter E14 of the Wollongong DCP2009.
- c. The OSD facility must be designed to withstand the maximum loadings occurring from any combination of traffic (with consideration to residential and heavy vehicles), hydrostatic, earth, and buoyancy forces. Details must be provided demonstrating these requirements have been achieved.
- d. The OSD facility shall incorporate a minimum 900mm x 900mm square lockable grate for access and maintenance purposes, provision for safety, debris control screen, and a suitably graded invert to the outlet to prevent ponding.
- e. Must include discharge control calculations (i.e. orifice/weir calculations) generally in accordance with Section 10.2.6 and 10.5.4 of Chapter E14 of the Wollongong DCP2009.
- f. Details of the orifice plate including diameter of orifice and method of fixing shall be provided.
- g. Must include details of a corrosion resistant identification plaque for location on or close to the OSD facility. The plaque shall include the following information and shall be installed prior to the issue of the occupation certificate:
 - The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.
 - Identification number DA 2022/329

- Any specialist maintenance requirements.
 - h. Must include a maintenance schedule for the OSD system, generally in accordance with Chapter E14 of the Wollongong DCP2009.
- 27. No Adverse Runoff Impacts on Adjoining Properties**
The design of the development shall ensure there are no adverse effects to adjoining properties or upon the land as a result of flood or stormwater runoff.
- 28. Flows from Adjoining Properties**
Flows from adjoining properties shall be accepted and catered for within the site. Finished ground and top of retaining wall levels on the boundary shall be no higher than the existing upslope adjacent ground levels. The above requirements must be clearly shown on construction certificate plans prior to the release of the construction certificate.
- 29. Removal of balconies**
The first-floor balconies on the northern elevation are to be removed and balcony doors replaced with windows.
- 30. Low impact lighting**
The external areas including the entry to the basement, visitor car parking and driveway are to be lit with low impact lights. A lighting plan is to be prepared and submitted to the Certifier indicating the location of all lights and demonstrating there will be no flood lighting directed towards any adjoining dwelling.
- 31. Mailboxes**
Mail boxes are to be conveniently and clearly situated within the car parking area close to the access driveway to the site.
- 32. Erosion and Sediment Control Plan**
Before the issue of a construction certificate, the applicant is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:
- Council's development control plan,
 - the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction' (the Blue Book), and
 - the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust).
- The applicant must ensure the erosion and sediment control plan is kept on-site at all times during site works and construction.

Before the Commencement of Building Work

33. Works in Road Reserve - Minor Works

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

The application form for Works within the Road Reserve – Section 138 Roads Act can be found on Council's website. The form outlines the requirements to be submitted with the application, to give approval to commence works under the Roads Act. It is advised that all applications are submitted and fees paid, 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.

34. Before the Commencement of Building Work - Pre-Clearing Fauna Survey

A pre-clearance survey shall be undertaken to identify any roosting or nesting fauna (including drays and hollows) which are present within all trees proposed for removal or trimming. This work shall be conducted by an appropriately qualified and experienced ecologist on the afternoons and evenings prior to any vegetation clearing to collect and relocate any fauna.

The pre-clearance survey shall include flagging of all trees approved for removal or trimming.

All appropriate licences with respect to harming native fauna shall be obtained prior to any clearing.

In the case where any non-threatened fauna are observed a qualified wildlife carer shall be contacted to remove and relocate the animal/s prior to the clearance of these trees. In the event that any nesting threatened species are observed, clearance works shall be put on hold to allow for the chicks/young to fledge the nest.

35. Before the Commencement of Building Work - Qualifications and Experience of Person(s) Implementing Vegetation Management Plan

Prior to the commencement of works, the consent holder must provide written evidence to Council's Principal Certifier that the ecological restoration contractor implementing the Vegetation Management Plan – 3A Cooper Ave, Woonona, prepared by Narla Environmental and dated August 2022 as approved by this consent has the following minimum qualifications and experience:

- Certificate III in Natural Area Restoration, or equivalent, and
- A minimum of 500 hours practical bushland regeneration experience under an experienced supervisor.

Supervisors are to have the following minimum qualifications and experience:

- A Certificate IV in Conservation and Land Management, or equivalent, and
- A minimum of 700 hours practical bushland regeneration experience.

36. 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.

37. Certification from Arborist - Adequate Protection of Trees to be Retained

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

38. 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.

39. Home Building Act Requirements

Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council) has given the Council written notice of the following information -

- a. In the case of work for which a principal contractor is required to be appointed -
 - i. the name and licence number of the principal contractor, and
 - ii. the name of the insurer by which the work is insured under Part 6 of that Act,
- b. In the case of work to be done by an owner-builder -
 - i. the name of the owner-builder, and
 - ii. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

40. Erosion and sediment controls in place

Before the commencement of any site or building work, the principal certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan, (as approved by the principal certifier) are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on site).

41. Signs On Site

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

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

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

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

While Building Work is Being Carried Out

42. Compliance with the Building Code of Australia

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

43. 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 (<https://www.safework.nsw.gov.au>).

44. Asbestos Clearance Certificate

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 works (or prior to the Occupation Certificate being issued).

45. Asbestos Waste Collection, Transportation and Disposal

Asbestos waste must be prepared, contained, transported and disposed of in accordance with SafeWork NSW and NSW Environment Protection Authority requirements. Asbestos waste must

only be disposed of at a landfill site that can lawfully receive this type of waste. A receipt must be retained and submitted to the Principal Certifier, and a copy submitted to Council (in the event that Council is not the Principal Certifier), prior to commencement of the construction works.

46. Acid Sulfate Soils

The Wollongong Local Environmental Plan 2009 Acid Sulfate Soils Map has identified that this property may be affected by Class 4 Acid Sulfate Soils. Acid Sulfate Soils contain iron sulfides which, when exposed to air due to drainage or disturbance, may produce sulfuric acid and release toxic quantities of iron, aluminium and heavy metals. The Acid Sulfate Soils Map is an indication only and you are advised that you may encounter acid sulfate soils during the excavation for the proposed development.

Any spoil material extracted or excavated from the foundations must be neutralised with commercial lime (calcium bicarbonate) by the addition of 10 kilograms of lime per 1 cubic metre of spoil material before it is disposed of or re-used on-site. Lime is to be added by evenly distributing over all exposed surface areas, drilled piers and footing trenches on the site, prior to pouring concrete.

After neutralisation, any excess soil intended for disposal must be chemically assessed in accordance with the NSW Environment Protection Authority's Waste Classification Guidelines Part 1: Classifying Waste before being disposed of at a waste management facility that can lawfully accept that waste. Council suggests the applicant refer to the Acid Sulfate Soils Assessment Guidelines contained in the Acid Sulfate Soils Manual, prepared by NSW Acid Sulfate Management Advisory Committee, August 1998 for further information.

47. While Building Work is Being Carried Out - New Information/Unexpected Finds

In the event that demolition and/or construction works cause the generation of odours or the uncovering of previously unidentified contaminants, hazardous materials or acid sulfate soils, works must immediately cease and the Principal Certifying Authority and Council (in the event that Council is not the Principal Certifying Authority) must be notified in writing within seven (7) days and an appropriately qualified environmental consultant appointed to undertake an assessment of the potential contaminant and works required to make the site safe from potential human health and environmental harm.

48. While Building Work is Being Carried Out - Imported Fill Material

Any imported fill material brought onto the site shall be virgin excavated natural material as defined by the NSW Environment Protection Authority, that is natural material such as clay, gravel, sand, soil or rock fines that has been excavated or quarried from areas that are not contaminated with manufactured chemicals, or with process residues, as a result of industrial, commercial, mining or agricultural activities, and that does not contain sulfidic ores or soils, or any other waste including fragments or filaments of asbestos. A certificate from a suitably qualified environmental consultant confirming the fill material is not contaminated shall be submitted to Council for its records.

49. Excess Excavated Material - Disposal

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

50. While Building Work is Being Carried Out - Removal of Native Vegetation

The removal and/or disturbance of indigenous vegetation on the property, including canopy trees, understorey and groundcover vegetation, is restricted to that approved as required to construct and maintain the approved development.

51. While Building Work is Being Carried Out - Removal of Hollow-Bearing Trees

Hollow-bearing trees or stags whose removal has been consented to shall be removed in as intact a condition as possible. These should be placed, under the supervision of the project ecologist, in areas of the site being regenerated under the VMP, to provide potential habitat for small terrestrial fauna.

52. While Building Work is Being Carried Out - Protection of Native Vegetation

Native vegetation beyond the development footprint and Asset Protection Zones shall be protected from further inappropriate disturbances particularly during the construction phase. No building materials, machinery or other items shall be stored in these areas to avoid physical damage to the vegetation there.

53. While Building Work is Being Carried Out - Implementation of Vegetation Management Plan

Vegetation management works must be carried out by the Council approved ecological restoration contractor in accordance with the *Vegetation Management Plan – 3A Cooper Ave, Woonona, prepared by Narla Environmental and dated August 2022* as approved by this consent and the conditions of this Consent.

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

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

55. Restricted Washing of Equipment or Disposal of Materials on any Tree Dripline Area

No washing of equipment and or the disposal of building materials such as cement slurry must occur within the drip line of any tree which has been nominated for retention of the site and adjacent property.

56. Treatment of any Tree Damage by a Supervised Arborist

Any damage inflicted on a tree during the construction phase which has been nominated for retention shall be treated by an approved arborist at the developer's expense.

57. Landscaping

Landscaping to the site is to comply with the principles of Appendix 4 of 'Planning for Bush Fire Protection 2019'.

58. Provision of Taps/Irrigation System

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

59. Podium Planting

All podium planting areas are to have a waterproofing membrane that can provide a minimum 10 year warranty on product. Protective boarding is to be installed to protect membrane from damage.

All podium planting areas to be provided with an adequate drainage system connected to the stormwater drainage system. The planter box is to be backfilled with free draining planter box soil mix.

If selected mulch is decorative pebbles/gravel, the maximum gravel pebble size is 10mm diameter.

60. Piping of Stormwater to Existing Stormwater Drainage System

Stormwater for the land must be piped natural watercourse.

61. 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.

62. Classification of Excavated Material

Fill material encountered across the site from surface to between 0.3 and 0.5 m bgl, will require classification prior to disposal off-site, in accordance with the NSW Environmental Protection Authority, Waste Classification Guidelines Part 1: Classifying Waste, 2014. These materials should be disposed of at an appropriately licensed landfill facility.

63. Asbestos

The removal of fill with bonded ACM should be undertaken under the supervision of a Raw Earth Environmental Scientist. Remedial works including the removal of fill with bonded ACM at the site is to be done under Class B asbestos controls. This includes undertaking asbestos air monitoring and providing a clearance certificate, once the removal of impacted fill material is completed.

64. Unexpected Finds

In the event of any unexpected finds including the discovery of underground storage tanks, ACM, odorous and/or stained soil material during excavation activities, all site works must cease, and Raw Earth must be notified immediately for further investigation.

65. Implementation of BASIX commitments

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

66. Waste management

While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.

Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:

- The contract details of the person(s) who removed the waste
- The waste carrier vehicle registration
- The date and time of waste collection
- A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill
- The address of the disposal location(s) where the waste was taken
- The corresponding tip docket/receipt from the site(s) to which the waste is transferred, notifying date and time of delivery, description (type and quantity) of waste.

Note: If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to the Order or Exemption and provide the records to the principal certifier and Council.

67. Procedure for critical stage inspections

While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.

68. Hours of Work

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

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

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

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

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

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

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

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

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

69. Construction noise

While building work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB9A) above background noise, when measured at any lot boundary of the property where the construction is being carried out.

70. Maintenance of access

Vehicular and pedestrian access through Parawweena Way to adjoining land owners and the public is to be maintained throughout construction.

Before the Issue of an Occupation Certificate

71. Before the Issue of an Occupation Certificate - Section 88B Instrument

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

- 1. Building envelope – restriction as to use – future dwellings are to be located within the designated building envelopes.
- 2. Vegetation protection zone – to be managed in accordance with the *Vegetation Management Plan – 3A Cooper Ave, Woonona, prepared by Narla Environmental and dated August 2022*.
- 3. Restriction as to use over Lot 3 DP 1057625 stating that the site is to be managed in accordance with the *Vegetation Management Plan – 3A Cooper Ave, Woonona, prepared by Narla Environmental and dated August 2022*.

72. Before the Issue of an Occupation Certificate - Building Exclusion Zone – Protection of Existing Vegetation

The submission of a Section 88B Instrument, which incorporates the following restriction as to use on the subject site/lot:

- 1. No building or other structure including services shall be placed or be permitted to remain within that part of the land marked on the plan and shown as Vegetation Protection Zone.
- 2. No excavation, compaction, or filling material shall be placed or be permitted to remain within that part of the land marked on the plan and shown as Vegetation Protection Zone.
- 3. No native vegetation shall be damaged or removed from any part of the land shown as Vegetation Protection Zone, without prior approval of Council.

The 88B Instrument shall also contain a provision that it may not be altered, modified or extinguished without the written consent of Wollongong City Council.

73. Before the Issue of an Occupation Certificate - 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 the Land and Property Information Office.

74. Before the Issue of an Occupation Certificate - Implementation of Vegetation Management Plan

Prior to issue of the Occupation Certificate, a Certificate of Practical Completion from Council for the establishment phase (primary and secondary works) of the *Vegetation Management Plan – 3A Cooper Ave, Woonona, prepared by Narla Environmental and dated August 2022* as approved by this consent must have been issued.

75. Completion of landscape and tree works

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

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

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

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

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

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

77. Retaining Wall Certification

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

78. Positive Covenant - On-Site Detention Maintenance Schedule

A positive covenant shall be created under the Conveyancing Act 1919, requiring the property owner(s) to undertake maintenance in accordance with the Construction Certificate approved On-Site Detention System and Maintenance Schedule (DA 2022/329).

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

79. On-Site Detention - Structural Certification

The submission of a certificate from a suitably qualified practising civil and/or structural engineer to the Principal Certifier 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.

80. Drainage

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

Reasons

The reasons for the imposition of the conditions are:

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