

AGENDA

of the
Local Planning Panel
held in
Council Chambers,
Wingecarribee Shire Council Civic Centre,
68 Elizabeth Street, Moss Vale
on

Wednesday 26 February 2025

The meeting will commence at **2:00 pm**

**AGENDA OF THE LOCAL PLANNING PANEL
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Our Mission, Our Vision, Our Values

OUR MISSION

To create and nurture a vibrant and diverse community growing and working in harmony with our urban, agricultural and natural environments

OUR VISION

Leadership: *'An innovative and effective organisation with strong leadership'*

People: *'A vibrant and diverse community living harmoniously, supported by innovative services and effective communication with Council'*

Places: *'Places that are safe, maintained, accessible, sympathetic to the built and natural environment, that supports the needs of the community'*

Environment: *'A community that values and protects the natural environment enhancing its health and diversity'*

Economy: *'A strong local economy that encourages and provides employment, business opportunities and tourism'*

OUR VALUES

Integrity, trust and respect

Responsibility and accountability

Communication and teamwork

Service quality

{meeting-room}

Recording and Webcasting of Local Planning Panel Meetings

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The meeting must not be recorded by others.

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The Council Chamber has 24 Hour Video Surveillance.

1 OPENING OF THE MEETING

The Chairperson opened the meeting and welcomed members of the public and the press.

2 ACKNOWLEDGEMENT OF COUNTRY

The Chairperson acknowledged country:

“Wingecarribee Shire Council acknowledge the Gundungurra and Tharawal people as the traditional custodians of this land we now call the Wingecarribee Shire. I pay my respect to Elders both past, present and emerging. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today.”

3 APOLOGIES

Nil at time of print.

4 DECLARATIONS OF INTEREST

The provisions of Chapter 14 of the Local Government Act 1993 regulate the way in which nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest and the reasons for declaring such interest must be disclosed as soon as practicable after the start of the meeting.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions or voting on that matter and further require that the member vacate the meeting.

Council’s Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

5 PLANNING PROPOSALS

6 DEVELOPMENT APPLICATIONS

6.2 25/0414 – Alterations and Additions to a Dwelling House - 4 Suttor Road, Moss Vale

Report Author: Acting Coordinator Planning Assessment

Authoriser: Michael McCabe

PURPOSE

The purpose of this report is to consider Development Application No. 25/0414 for the Panel's consideration and recommends determination by APPROVAL.

Applicant	C Young
Landowner	JR Worthington
Zoning	R3 Medium Density Residential
Date Lodged	19 September 2024
Proposed Development	Alterations and additions to a dwelling house
Estimated Development Cost	\$350,000
Applicant's Consultants	CMY Planning Services Coble Stephens Architects SEEC
Notification Period	1 October 2024 to 15 October 2024
Number of Submissions	Nil
Political Donations	None declared
Reason for Referral to Panel	The applicant is a person who was a staff member of the Council within the previous three years as per the requirements of Council's Code of Conduct.
Assessing Officer	Kimberley Kavwenje – Consultant Planner

OFFICER'S RECOMMENDATION

- 1. THAT the Local Planning Panel approve Development Application No. 25/0414 for alterations and additions to a dwelling house, at 4 Suttor Road, Moss Vale, subject to the conditions detailed in Attachment 5 of this report.**

EXECUTIVE SUMMARY

- 1. Executive summary**

Development application (DA) No 25/0414 seeks development consent for alterations and additions to a dwelling house at 4 Suttor Road, Moss Vale.

The DA has been referred to several officers within Council, including the Development Engineers, Flood Engineer and Councils Assets team.

The owners of adjoining and affected neighbouring properties were notified of the proposed development in accordance with Council's Community Participation Plan. The notification period was from 1-15 October 2024. No submissions were received.

The proposal has been assessed using the heads of consideration listed in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* and is recommended for approval subject to the conditions listed in **Attachment 5**.

2 Site Description and Locality.

The subject site is located at 4 Suttor Road, Moss Vale (Lot 24 DP 707179). The site is located on the western side of Suttor Road and is regular in shape. The site has an area of 626sqm with a frontage of 13.715m to Suttor Road and a depth of 45.72m.

The site is relatively flat, experiencing a mild fall to the rear of the site.

The site presently accommodates a single storey weatherboard dwelling with a gable roof and covered front porch. The site also contains two (2) small timber sheds located in the rear yard. The site includes four (4) trees and is well-landscaped with established plants and garden at the rear.

Vehicular access to the site is via an existing gravel driveway adjacent to the southern side boundary.

The site is identified as flood prone land, being partially in a medium and low flood risk precinct within the Wingecarribee River Floodplain.

An existing 3m wide easement to drain sewer burdens the site.**Error! Reference source not found.**

The site is situated to the south of 6 Suttor Road, and to the north of 2 Suttor Road. Both adjoining properties feature single-storey dwellings. The locality is characterised by low density residential development with landscaped areas and tree canopy. There is also a small automotive repairs development to the south of the site. The site is located within an established residential area and is approximately 500m north of the Moss Vale town centre and 1km northeast of Moss Vale Train Station.



Figure 1: Aerial Image

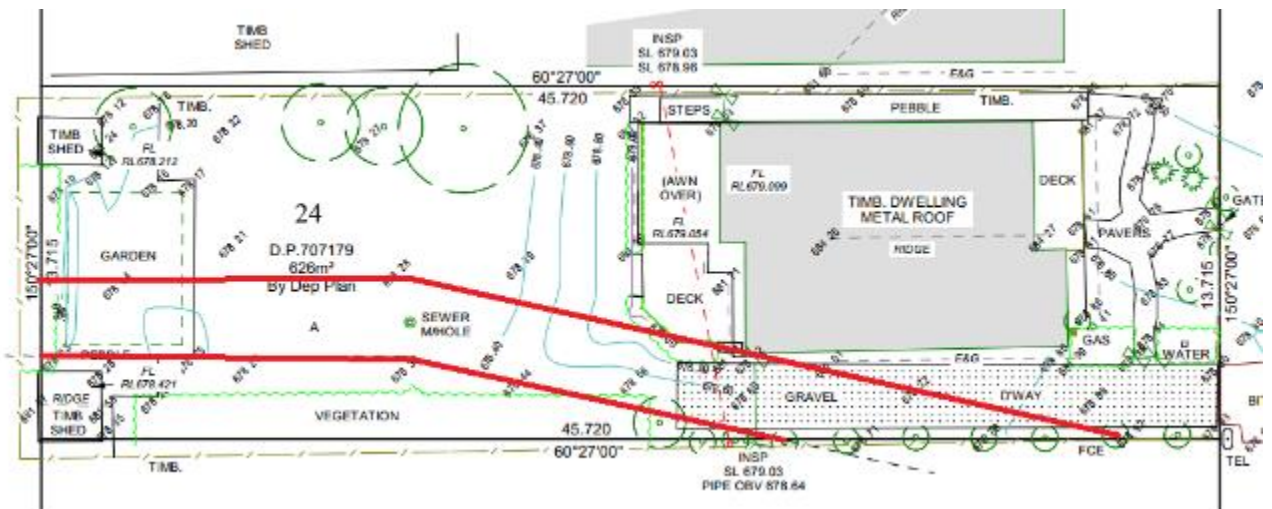


Figure 2: Survey of Site

The red outline shows the existing easement to drain sewage along the southern boundary and rear of the site. The easement is 3m in width. The red dotted line indicates the internal sewer. Markup by CPS.

A site inspection was undertaken on 17 October 2024. Refer to photographs below in Figures 3-7.



Figure 3: View of the site from Suttor Road. Source: CPS site inspection, 17.10.2024.



Figure 4: Eastern elevation of the dwelling as viewed from the rear yard.

Source: CPS site inspection, 17.10.2024.



Figure 5: Facing southwest towards the rear of the dwelling and two small sheds and garden which are proposed to be retained. Kitchen, setting and dining extension to be sited in the location of these buildings. Source: CPS site inspection, 17.10.2024.



Figure 6: Facing northwest towards the existing ancillary sheds and future location of the new kitchen, setting and dining extension. Various small trees and hedge located to the north of the extension. Source: CPS site inspection, 17.10.2024.



Figure 7: Facing east towards the minor demolition of existing rear deck to accommodate the proposed kitchen, setting and dining extension. Source: CPS site inspection, 17.10.2024.

3 Background

<i>Date(s)</i>	<i>Action(s)</i>
19/09/2024	Development Application (DA) lodged with Council.
27/09/2024	Council referred the DA to: <ul style="list-style-type: none"> ▪ Development Engineer ▪ Water & Sewer Engineer ▪ Floodplain Engineer <p><u>Note:</u> Refer to Section 9 of this report for final referral comments.</p>
01/10/2024 15/10/2024	– The DA was notified in accordance with Council’s Community Engagement Strategy for a period of 14 days. This included notifying the owners of adjoining neighbouring properties.
19/11/2024	Council referred the DA to: <ul style="list-style-type: none"> ▪ Assets <p><u>Note:</u> Refer to Section 9 of this report for final referral comments.</p>
05/12/2024	Development Engineering conditions provided including requirements from Council’s Floodplain Engineer.

13/12/2024	<p>Additional information requested.</p> <p>There were concerns with the sewer main at the rear of the proposed additions in which adjoining property 6 Suttor Road also relies upon. The existing connections need to be maintained to the existing DN150 sewer main. Connection to the trunk main will not be approved. As a result, the sewer main at the rear the property needs to be diverted around the additions.</p> <p>The sewer main diversion will require at minimum:</p> <ul style="list-style-type: none">• New access chambers (maintenance holes) at the connection to the existing DN150 sewer main and at the change of direction around the building;• A new terminal maintenance shaft at the end point (where connection to Lot 23 will be made)• New DN180 (150mm internal diameter) sewer mains diverting around the building.• The junction and service line to Lot 23 to be connected to the terminal maintenance shaft and extended just inside the property boundary.• Internal sanitary drainage pipes for Lot 23, will need to be extended to the new junction/service line. This removes the need for a 10m long Council sewer service line.
03/01/2025	<p>Additional information provided by applicant.</p> <p>Water & Sewer Engineering conditions provided.</p>

4 Proposed Development

Development consent is sought for alterations and additions to the existing dwelling. The proposed works are detailed below:

- Demolition of ancillary structures and minor dwelling elements:
 - Partial of existing rear deck
 - Minor elements of external dwelling walls to facilitate access to the extended elements
 - Lean-to roof
 - Defunct brick fireplace in the existing kitchen and flue
 - Internal walls.
- Rear ground floor additions FFL679.099 comprising:
 - Open plan containing new kitchen with pantry, dining and sitting room.
 - Addition of ensuite associated with bedroom 1.
 - Addition of storage within bedroom 2.
 - Works to existing bathroom.

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- Addition of gas fireplace to sitting/dining room.
- Provision of new openings to northern and southern elevation of existing dwelling.

Removal of two (2) existing silver Birch trees along the northern boundary as a result of the proposed additions. However, when the site was inspected, these trees had already been removed.

The proposed works are shown in Figures 8-10.

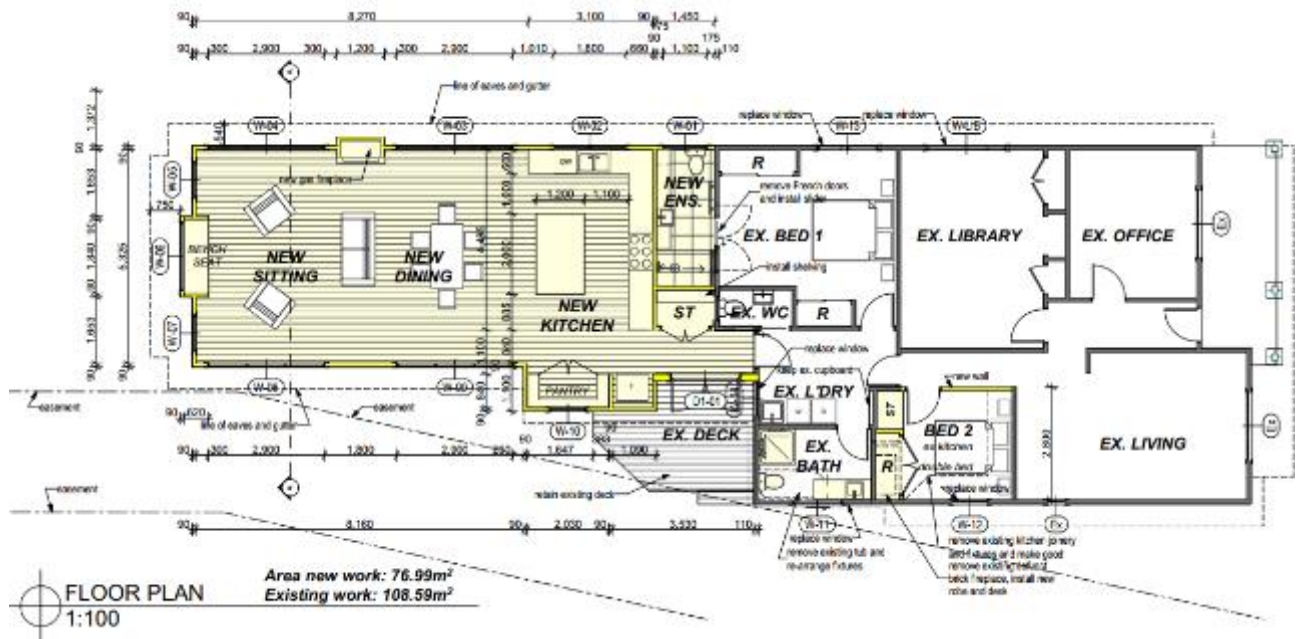


Figure 8: Proposed floor plan.
Source: Coble Stephens Architects, 14.08.2024.

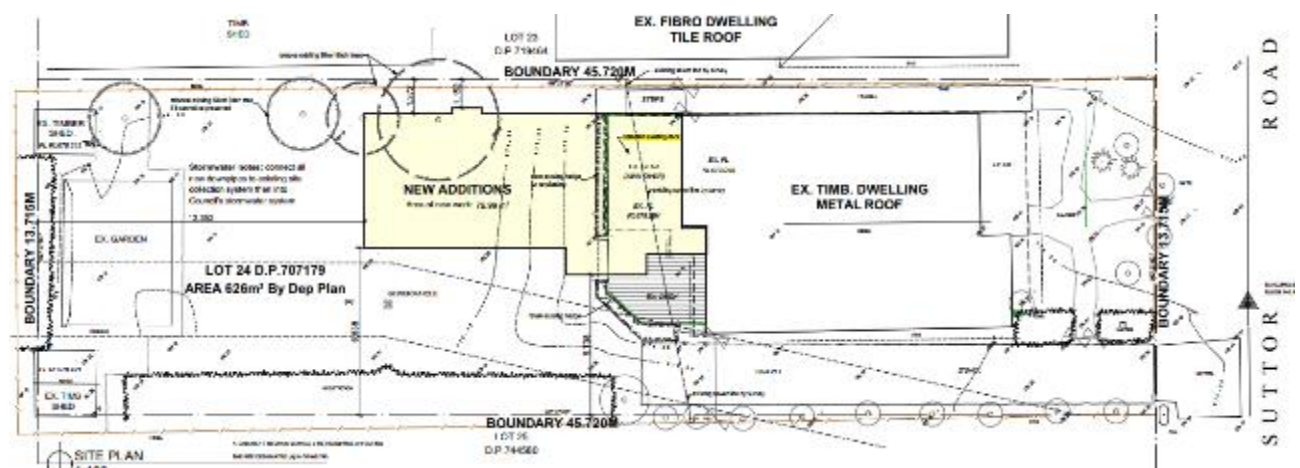


Figure 9: Proposed site plan, proposed additions shown in yellow.
Source: Coble Stephens Architects, 14.08.2024.



Figure 10: Proposed elevations, alterations and additions shown in colour.
Source: Coble Stephens Architects, 14.08.2024.

5 Notification

The owners of adjoining and affected neighbouring properties were notified of the proposed development in accordance with Council's Community Engagement Strategy. The notification period was from 1-15 October 2024. No submissions were received.

6 Relevant Environmental Planning Instruments

6.1 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of land

The aim of Chapter 4 of SEPP (Resilience and Hazards) 2021 is to ensure that a change of land use will not increase the risk to health, particularly in circumstances where a more sensitive land use is proposed.

Chapter 4 requires the consent authority to consider whether land is contaminated prior to granting consent to the carrying out of any development on that land, and to be satisfied that the land is suitable for the proposed use.

Council is satisfied that the land is not a site of possible contamination as it is within an established residential area with an existing dwelling house onsite, and therefore no further assessment of contamination is required.

6.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 6 Water catchments

The site is within the Warragamba Catchment and therefore Part 6.5 Sydney Drinking Water Catchment is applicable to the assessment of the application. The application is classified as a Module 1 development or the purposes of the Neutral or Beneficial Effect (NorBE) on Water Quality Assessment Guideline and therefore Council has delegated authority to determine water quality. A NorBE assessment was undertaken, and the proposal was found to have a neutral impact on the water quality of the Sydney Drinking Water Catchment, subject to compliance with the conditions.

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6.3 State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 2 Standards for residential development—BASIX

The development has an estimated cost of \$350,000 and therefore meets the threshold of \$50,000 to include a BASIX Certificate with the development application.

A satisfactory BASIX Certificate (A1756747) dated 22 July 2024 has been provided for this development and is included as part of the consent. It is noted that all the construction and glazing requirements listed in the certificate to be shown on the DA plans have been included on the plans submitted with this application.

6.4 Wingecarribee Local Environmental Plan 2010 (WLEP 2010)

Zoning:

The land is in Zone R3 – Medium Density Residential under WLEP 2010. The proposed alterations and additions to the existing dwelling house are not inconsistent with the objectives of the zone under WLEP 2010.

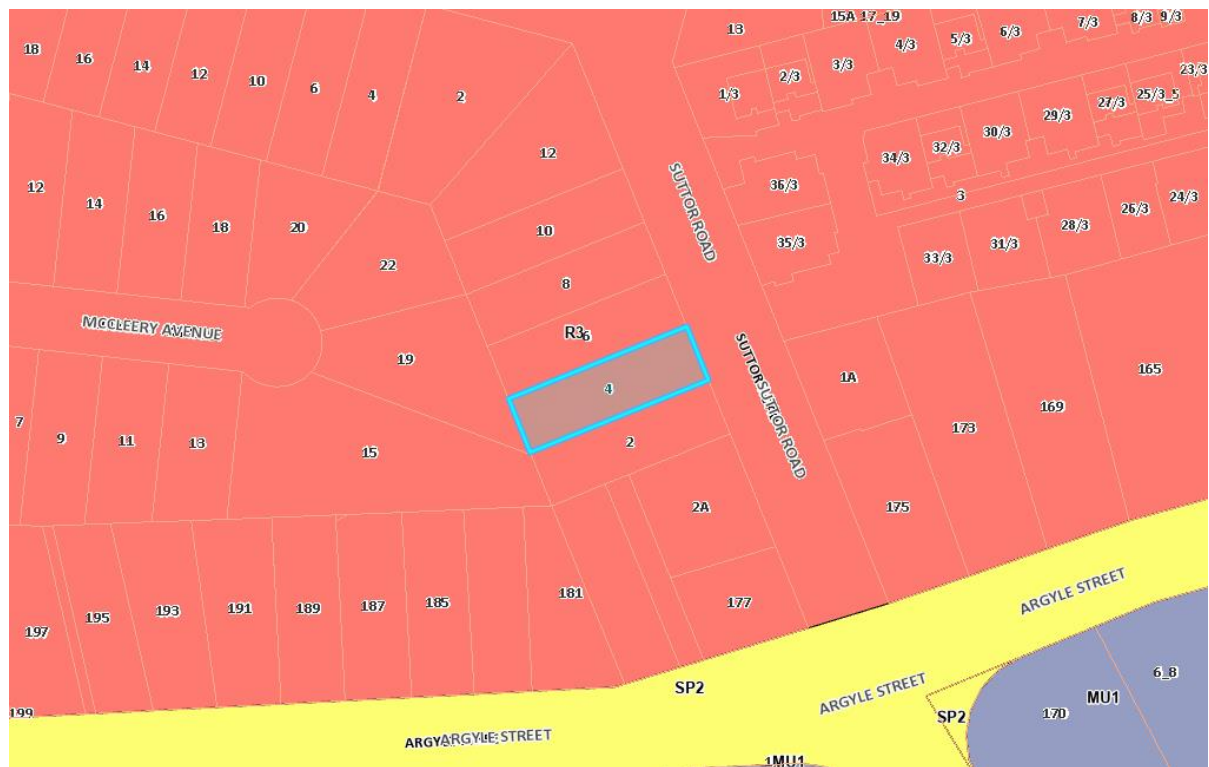


Figure 11: Zoning Map

Principal Development Standards and Other Provisions:

The following principal development standards and other provisions in WLEP 2010 are also relevant to the proposal:

Clause	Compliance with Requirements
2.3 Zone objectives and land use table	Yes – Dwelling houses are permitted with consent within the R3 Zone. The proposed development involves alterations and additions to an existing 'dwelling house,' which is a permissible form of development.

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Clause	Compliance with Requirements
	<p>This development aligns with the zone objectives by:</p> <ul style="list-style-type: none"> • The development addresses the community's housing needs within a medium-density environment. • The development diversifies housing types. As a single dwelling, it contributes to a variety of housing types within the R3 zone, which also allows for attached dwellings, boarding houses, and multi-dwelling housing. • The third objective is not relevant to the proposed development.
<p>2.7 Demolition requires development consent</p>	<p>Yes – Consent for the proposed demolition of the existing structures (rear deck) to facilitate the proposed development has been sought as part of this application.</p>
<p>5.21 Flood planning</p>	<p>Yes – The site is subject is flood affected (low and medium) and has been accompanied by a satisfactory Flood Risk Assessment prepared by SEEC. The proposed alterations and additions finished floor level is FFL679.099 and is set above the flood planning of RL678.90 AHD and acceptable.</p> <p>The development satisfies subclause (2) and (3) of this clause for the following reasons:</p> <ul style="list-style-type: none"> • The FFLs of the development will be above the identified flood level. Therefore, it will not result in structures that would divert flood waters or increase velocity of flood water to adjoining properties. • The excavation route is through the front of the site to Suttor Road and not through the flood affected areas towards the rear of the site. • The development will not adversely affect the environment. Standard conditions of consent are recommended relating to erosion and siltation. • The development incorporates appropriate measures to manage the risk to life in the event of a flood as outlined in the submitted flood impact assessment. • The development does not adversely impact the projected changes to flood behaviour because of climate change. <p>The development is compatible with the flood function and behaviour on the land.</p> <p>The application has been considered by Council's Flood Engineer and no concerns have been raised. It is noted the development includes a solid base below the additions and does not utilise piers in response to the raised floor level.</p>
<p>7.3 Earthworks</p>	<p>Yes – The proposed development requires minimal earthworks associated with achieving level ground and the creation of a subfloor level in the location of the proposed living area extension. These earthworks will not exceed 600mm. Standard excavation work is required for the engineering footings of the extended area.</p> <p>The earthworks are unlikely to disrupt or detrimentally effect the existing drainage pattern, soil stability. The site does not contain any Aboriginal objects or relics. The site is not located within proximity of any watercourse. The proposed works do not impact the amenity of adjoining properties and is unlikely to affect the future use or redevelopment of the site.</p>

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Clause	Compliance with Requirements
7.10 Public utility infrastructure	Yes – The site is located within an established residential area and presently accommodates a dwelling house. Public utility infrastructure that is essential for the proposed development is available.

7 Development Control Plans and Policies

7.1 Moss Vale Township Development Control Plan (DCP)

The Moss Vale Township DCP provisions are structured into two components: objectives and controls. The objectives provide the framework for assessment under each requirement and outline key outcomes that a development is expected to achieve. The controls contain both numerical standards and qualitative provisions. Any proposed variations from the controls may be considered only where the applicant successfully demonstrates that an alternative solution could result in a more desirable planning and urban design outcome.

The relevant provisions of the Moss Vale Township DCP are addressed below.

MOSS VALE TOWNSHIP DEVELOPMENT CONTROL PLAN			
SECTION	CONTROL	ASSESSMENT	COMPLIANCE
PART A – ALL LAND			
Section 4 Water Management			
A4.3 Development in Sydney's Drinking Water Catchment	The development shall have a neutral or beneficial effect on water quality. Development must meet or exceed the Neutral or Beneficial Effect (NorBE) test, and the water quality objectives contained in the Drinking Water Catchment.	NorBE assessment is satisfactory. Relevant conditions have been included in the notice of determination.	Yes Subject to conditions.
A4.4 Water Cycle Management Study	Less complex developments which represent minor risk to water quality (e.g., new single-storey dwellings, dual occupancy or secondary dwellings, alterations and additions to existing dwellings) in sewerred areas. Water Cycle Management Study required to include: a) Modelling using the Small-scale Stormwater Quality Model. b) Conceptual erosion and sediment controls to be applied during construction.	No Water Cycle Management Study has been provided. However, an adequate concept Stormwater Drainage Plan and Erosion and Sediment Control measures have been provided. Conditions have also been included, in the recommended conditions in Attachment 1, to minimise any construction impacts on water quality.	Yes
A4.5 Stormwater Management Plan	A Stormwater Management Plan report will be required by Council for all development that will result in: a) An increase in the	A satisfactory concept Stormwater Drainage Plan has been submitted.	Yes

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	impervious area of the site, or b) A change in the direction of overland flow.		
A4.6 Erosion and Sediment Control Plans	Where building or earthworks are proposed, an Erosion and Sediment Control Plan must be provided to Council.	Erosion and Sediment Control measures have been included on the Site Plan.	Yes
A4.7 Water Sensitive Urban Design	All development within the Shire is to utilise potable water efficiently. For residential dwellings, the requirements of BASIX ensures the development complies with NSW planning requirements to conserve water.	A valid BASIX Certificate for the proposed development has been submitted.	Yes
	Development should not occur within riparian buffer zones outlined in <i>Wingecarrabee Shire Council Local Environment Plan 2010 (Clause 7.5 Natural Resource Sensitivity – Water and related maps)</i> and vegetation within the riparian buffer distances is to be maintained and intact.	Proposed development does not occur within riparian buffer zones.	N/A
	All development within the shire must comply with the requirements of SEPP (Drinking Water Catchment) 2011 to ensure water quality exiting a site post development achieves a neutral or beneficial effect (NorBE) in comparison to pre-development water quality runoff.	A satisfactory NorBE assessment has been achieved.	Yes
	All developments within the Shire shall be designed in accordance with the WSUD part of Council's Engineering Design and Construction Specifications.	Development design deemed satisfactory.	Yes
Section 5 – Flood Liable Land			
A5.3 Requirement and Controls	The site is located within the Low and medium flood risk precincts, and the development is categorised as residential land use.		
A5.4 Controls for General Development	Generalise controls <ul style="list-style-type: none"> • Not danger to life or damage to property • Not increasing flood level • Not detrimentally 	The site is flood affected and has been accompanied by a satisfactory Flood Impact Assessment prepared by SEEC. The proposal has been designed with a floor level above the flooding	Yes Subject to conditions

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	<p>increase the potential flood effects on other development or properties</p> <ul style="list-style-type: none"> • Not result in significant impacts upon the amenity of an area • Compatible with the existing and planned streetscape and character of the locality • flooding impact assessment required 	<p>planning level. The proposal is considered satisfactory by Council's Flood Engineer.</p> <p>Reference should also be made to the assessment against the provisions of Clause 5.21 of WLEP above.</p>	
Section 7 – Subdivision, Demolition, Siting & Design			
A7.2 Demolition	No demolition may occur on property which is an Item of Heritage, or is located within a Heritage Conservation Area, without the consent of Council.	<p>Consent has been sought for the demolition of the existing rear deck and relevant structures.</p> <p>The site is not a heritage item nor located within an HCA.</p>	Yes
A7.3 Site Analysis	A satisfactory Site Analysis Drawing must be submitted.	A satisfactory Site Plan has been submitted which contains sufficient details relating to site constraints, the topography of the site, siting of the existing development and vegetation. The plans in addition to accompanying information including survey, stormwater plans, and flood impact assessment enables assessment of the development.	Yes
A7.4 Cut & Fill	Cut & fill is consistent with LEP, and development is stepped to accommodate contours of site.	<p>The site is relatively flat and proposes minor cut (not exceeding 600mm) associated with footings are proposed. Standard excavation work is required for the engineering footings.</p> <p>The extent of cut and fill is reasonable and does not alter the relationship of the dwelling with the adjoining properties.</p>	Yes
Section 9 – Construction Standards & Procedures			
A9.3 Building near or over Council Mains and Easements	The building of structures over/adjacent to Council's water, stormwater and sewerage assets will be considered in accordance with technical guidelines in the	<p>A 3-meter-wide sewage drainage easement encumbers the subject site.</p> <p>A standard condition of consent is recommended to</p>	<p>Yes</p> <p>Subject to conditions.</p>

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	Engineering Design and Construction Specifications, as well as councils set of standards drawings.	ensure the protection of Council assets, including the concrete encasement of the sewer main. Council's sewer and water Engineer have recommended specific conditions as follows: <ul style="list-style-type: none"> ▪ Condition 14. Water and Sewer Authority Conditions ▪ Condition 15. Building within Vicinity of Sewer Main ▪ Condition 38. Engineering Inspections by Council ▪ Condition 42. Asset Management ▪ Condition 43. Section 68 Local Government Act Final 	
A9.8 Stormwater Disposal	Connection to inter-allotment drainage line, kerb and guttering, road table drain or council's stormwater mains.	A satisfactory Concept Stormwater Drainage Plan has been submitted. Stormwater to be connected to new 2000L rainwater tank on northern side of site. Overflow to anti-scour device.	Yes
A9.12 Waste Management & Disposal	A Waste Management Plan is required for all demolition works and /or construction works (with a value greater than \$50,000).	Works value = \$350,000.00 A satisfactory Waste Management Plan has been submitted.	Yes
PART C – RESIDENTIAL ZONED LAND			
Section 1 – Introduction			
C1.5 Height of Buildings	Single Storey – 6 metres. (measured from natural ground level to roofline)	New rear wing = 5.16m The proposed extension is single storey, with the height and roof matching with the existing single storey rear element. The maximum height (front single storey portion) is unchanged.	Yes
C1.6 Building Materials	Materials and colours should be sympathetic with other dwellings within the vicinity. (a) The use of Zincolume is not permitted and galvanised steel may only be used with specific Council consent.	Materials are to match the existing dwelling to provide a seamless extension. Walls = horizontal weatherboards. Walls, posts, doors and	Yes

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		windows = Dulux white paint. Roof = Colorbond Surf mist corrugated roof sheeting.	
		Zincalume is not proposed. These materials are sympathetic to the surrounding area.	
	(b) A detailed exterior colour scheme must be presented to allow Council to assess the proposed colours against the existing streetscape.	A satisfactory Schedule of Finishes has not been provided. Ensure all colours and finishes are to match the existing dwelling.	Yes Subject to conditions.
Section 2 – Low Density Housing			
C 2.4 Development Density and Scale	Height, scale and appearance compatible with character of any existing buildings on the site and within the surrounding established built environment/streetscape.	The height and scale of the extension do not exceed the size of the existing dwelling. The appearance of the extensions is to match the dwelling. The works are not visible from the streetscape. The works are consistent with the scale of surrounding residential buildings.	Yes
	Ensure the visual and acoustic privacy of adjoining dwellings are protected.	The dwelling is well designed and landscaped with adequate setbacks from boundaries to ensure privacy.	Yes
	Ensure adjoining living areas and windows are located to minimise overshadowing and overlooking.	Adequate separation to minimise overlooking and overshadowing.	Yes
	Maximum Area of Development Footprint: Less than 2,000m² = 65%	Less than 2,000m² = 65% Lot size=626 m ² Development footprint (including dwelling, sheds) = 34.5% (215.92m ²). Landscaped open space = 47.1% (294.61m ²). Dwelling (with works) = 204.64m ² Shed (Northwestern corner) = 4.5m ² Shed (Southwestern corner) = 6.78m ²	Yes

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		Total = 215.92m²	
C2.5 Dwelling Orientation	New dwellings shall be orientated to ensure that key living areas and 50% of the primary private open space of that dwelling receive a minimum of 3 hours of direct sunlight on June 21st.	New living area will receive adequate sunlight, having a northern aspect. Private open space will receive at least 3 hours of sunlight on June 21st, having a northern aspect.	Yes
	The design of the main living areas shall open directly on to private open space to permit adequate sunlight and natural light into the dwelling.	The new main living area opens directly onto the rear private open space. The existing front verandah and windows provide direct access to the front private open space.	Yes
	Where possible, living areas should be oriented to the north, facing out over landscaped areas.	The new living/dining area is orientated to the north and faces out over the rear landscaped area.	Yes
	New development shall not reduce the solar access currently enjoyed in living areas and 50% of the primary private open space of adjacent dwellings so that they receive less than three (3) hours of direct sunlight on June 21st.	Adequate setbacks and a modest design ensure the solar access of neighbouring properties is not impeded upon.	Yes
C2.6 Front Setbacks	Consistent with dwellings setbacks immediately adjacent to the site and to those in the immediate vicinity / average range of neighbouring setbacks achieved by development.	Front setbacks are inconsistent. However, there are no proposed alterations to the front setback.	Yes
	Front Setback: Less than 900m² = 4.5m	The existing front setback (5.88m) to the dwelling is to remain unchanged.	Yes
C2.7 Side Setbacks	Side setbacks of new development will be generally consistent with those of immediately adjacent existing development.	Surrounding dwellings have varied side setbacks with elements further setback or closer to side boundaries. There is no consistent side setback.	Yes
	Where the side setbacks of immediately adjacent existing development are inconsistent, Council will assess the proposed setbacks of the new development on merit, taking into consideration potential impacts on:	A small section of the extension's northern setback exceeds the existing setback by approximately 298mm. However, most the extension's side setbacks match the existing setbacks.	Yes

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	<p>(i) The character of the existing streetscape.</p> <p>(ii) Privacy of the proposed dwellings and existing adjacent dwellings.</p> <p>(iii) Solar access to the proposed dwellings and existing dwellings.</p> <p>(iv) Building Code of Australia issues relating to Fire Safety.</p>	<p>The northern side setbacks of the extensions exceed the existing side setbacks of the dwelling. And the southern setback is retaining the existing southern side setback.</p> <p>As such, the character of the streetscape, and privacy and solar access impacts are not anticipated to be adversely impacted.</p>	
	<p>Side Setback: Less than 900 m² = 0.9m</p>	<p>Less than 900 m² = 0.9m</p> <p>North side to dwelling = 1.16m – 1.372m South side to dwelling = 5.738m – 6.838m</p>	Yes
C2.8 Rear Setbacks	<p>Rear setbacks of new development will be generally consistent with those of existing adjacent development.</p>	<p>The immediately surrounding rear setbacks are generally smaller than the DCP requirement. Immediately adjoining sites generally feature larger rear yards and smaller front yards.</p> <p>6 Suttor Road (side north) = 30.2m 19 McCleery Avenue (rear) = 9.1m 2 Suttor Road (side north) = 26.3m</p> <p>The proposed rear setback of 13.3m is smaller than the numerical requirement and 13m less than the neighbouring dwelling rear setback (2 Suttor Road).</p>	Yes
	<p>In the case of inconsistent rear setbacks in the immediate vicinity of the proposed development, Council will assess the proposed setbacks of the new development on merit, taking into consideration impacts on:</p> <p>(i) Existing vegetation and natural features on the site.</p> <p>(ii) Privacy of the proposed dwellings and existing dwellings.</p>	<p>Existing trees and landscaping on site, consistent with surrounding sites. Hedges and landscaping along rear boundary provides further separation and screening between sites.</p> <p>The privacy and solar access to neighbouring dwellings will not be adversely affected.</p>	Yes

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	<p>(iii) Solar access to the proposed dwellings and existing dwellings.</p> <p>Rear Setback: Less than 900 m² = 3m – 8m, depending on building height. 900 m² – 1,500m² = 5m – 12m, depending on building height. Over 1,500m² = 10m – 15m, depending on building height.</p> <p>*Applicants are advised that the minimum rear setback increases on a sliding scale once the building height at the rear of the dwelling exceeds 3.8m. In this case, the rear setback is calculated as the minimum rear setback for the relevant lot size plus three times the height of the rear of the dwelling which exceeds 3.8m.</p>	<p>Less than 900 m² = 3m – 8m, depending on building height.</p> <p>Minimum rear setback: $3 + (3 \times 0.54\text{m}) = 4.62\text{m}$</p> <p>Existing rear setback = 26.35m Proposed rear setback = 13.32m</p>	<p>Yes</p>
C2.9 Building Height	<p>The maximum height of a dwelling house shall not exceed two (2) storeys, with 'storey' being defined under the Building Code of Australia (BCA).</p>	<p>Extension elements are single storey and do not exceed the existing height of the dwelling.</p>	<p>Yes</p>
C2.10 Roof Forms	<p>Roof forms shall reflect those of the existing streetscape. It is noted that modern roofs tend to be pitched at around 22 degrees, which is not sympathetic with older residential forms where roof pitches tend to range from 27.5 - 33 degrees.</p>	<p>Roof pitch is to match the existing pitch, with new elements appearing as a continuation of the existing roof form.</p>	<p>Yes</p>
C2.12 Garaging & Driveways	<p>Minimum two (2) spaces behind the building line.</p>	<p>The existing dwelling does not have a garage or carport. There is an existing gravel driveway along the southern side boundary. The proposed additions does not alter the existing setback from the southern side boundary.</p> <p>The driveway is of sufficient length to enable parking of two (2) vehicles behind the building line.</p>	<p>Yes</p>
C2.13 Landscaped Open Space	<p>Minimum Area of Open Space: Less than 2,000m² = 35% or 90m² (whichever is the greater)</p>	<p>Landscaped open space = 47.1% (294.61m²). Development footprint</p>	<p>Yes</p>

**AGENDA OF THE LOCAL PLANNING PANEL
WEDNESDAY 26 FEBRUARY 2025**

	*The minimum open space area shown in the table represents the balance of the site after the maximum building footprint has been applied.	(including dwelling, sheds) = 34.5% (215.92m ²).	
Section 5 Ancillary Development			
C5.2 Garages, carports and other detached buildings containing non- habitable uses	The combined floor area of non-habitable buildings is limited to 120m ² for lots up to 2,000m ² .	The site contains two (2) existing sheds which has a floor area less than 120m ² . The existing sheds have rear setback that do not comply with the 600mm control requirement. These structures are existing and not proposed.	Yes
Section 14 - Northern Entrance Precinct			
C41.2 Preferred Development Outcomes for this Precinct	To achieve appropriate redevelopment Council prefers the following outcomes: (a) the appropriate amalgamation of smaller sites along Argyle Street to achieve a more cohesive building appearance. (b) the consolidation of sites along Argyle Street, between Valetta Street and Robertson Road to achieve a more efficient development pattern and to reduce the number of access points on to Argyle Street. Medium density, residential or mixed use development would be acceptable in this location in accordance with the maximum building height of 7 metres to the underside of the eaves. (c) appropriate amalgamation of properties on Elizabeth Street with adjacent sites fronting Argyle Street to provide opportunities for medium density residential development.	The site does not have a frontage to Argyle Street or Elizabeth Street and therefore amalgamation is not specifically required.	N/A
C14.3 Specific	New development complements the existing streetscape.	The height and scale of the extension do not exceed the size of the existing dwelling.	Yes

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Development Controls		The appearance of the extensions is to match the dwelling. The works are not visible from the streetscape. The works are consistent with the scale of surrounding residential buildings.	
	In-fill development occurs to the rear of existing development which makes a positive contribution to the streetscape.	This thoughtfully designed in-fill development project harmonizes with the existing streetscape, preserving the neighbourhood's unique character.	Yes
	Development does not impact on safe and efficient traffic flows along Argyle Street.	The proposed development would not cause any impacts on the existing traffic flows along Argyle Street.	Yes

7.2. Wingecarribee Contributions Plan

Developer contributions are not payable on the proposed development.

8 Environmental Assessment

The site has been inspected (17 October 2024) and the application has been assessed having regard to Section 4.15 of the *Environmental Planning and Assessment Act, 1979*, as amended.

Section 4.15 'Matters for Consideration	Comments
Section 4.15 (1)(a)(i) – Provision of any environmental planning instrument	See discussion in section 6 and key issues discussed earlier in this report.
Section 4.15 (1)(a)(ii) – Provision of any draft environmental planning instrument.	Nil
Section 4.15 (1)(a)(iii) – Provisions of any development control plan	The proposal is compliant with the objectives and controls of the Moss Vale Township DCP. See the relevant tables earlier in this report..
Section 4.15 (1)(a)(iiia) – Provision of any Planning Agreement or draft Planning Agreement.	Not applicable.
Section 4.15 (1)(a)(iv) – Provisions of the Regulations.	The relevant clauses of the Regulations have been satisfied.

**AGENDA OF THE LOCAL PLANNING PANEL
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Section 4.15 (1)(b) – The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.	The environmental impacts of the proposed development on the natural and built environment have been addressed in this report. The proposal will not result in detrimental social or economic impacts on the locality.
Section 4.15 (1)(c) – The suitability of the site for the development.	The site is considered suitable for the proposed development.
Section 4.15 (1)(d) – Any submissions made in accordance with the EP&A Act or EP&A Regulation.	Nil
Section 4.15 (1)(e) – The public interest.	The proposal has been assessed against the relevant planning instruments and is acceptable. The proposal is compliant with the principal development standards. The proposal does not result in adverse impacts upon adjoining properties. On this basis, the proposal is not considered to raise issues that would be contrary to the public interest.

9 Referral Comments

This DA was referred to the following officers within Council:

Internal Council Referrals:

Development Engineer:

No objection subject to recommended conditions of consent.

Sewer / Water Development Engineer:

No objection subject to recommended conditions of consent.

A condition is to be imposed with any consent granted requiring the concrete encasement of the existing sewer main.

The existing main currently runs underneath the rear verandah which is not compliant with Council's engineering specifications. The pipe was cured in place (relined) in 2021, so the condition of the existing pipe is considered 'as new' in the sense that Council has recently renewed it.

The reason for encasement is to make the main 'maintenance free' which means Council should not need to dig down to it and maintain it at any time during its design life. Note this is an industry standard requirement for sewer build overs.

Making the main maintenance free with encasement ensures that the solution complies with Council's engineering specifications.

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For the above reasons, encasement improves the current scenario and facilitates the applicants' proposal without the need for a sewer relocation.

Assets

The sewer main diversion will require at minimum:

- New access chambers (maintenance holes) at the connection to the existing DN150 sewer main and at the change of direction around the building;
- A new terminal maintenance shaft at the end point (where connection to Lot 23 will be made)
- New DN180 (150mm internal diameter) sewer mains diverting around the building.
- The junction and service line to Lot 23 to be connected to the terminal maintenance shaft and extended just inside the property boundary. Internal sanitary drainage pipes for Lot 23, will need to be extended to the new junction/service line. This removes the need for a 10m long Council sewer service line.

The above requirements have been resolved by Council's Sewer / Water Development Engineer recommended conditions of consent.

Flood Engineer

No objection subject to Council's Development Engineer recommended conditions of consent.

10 Conclusion

That Development Application No. 25/0414 for alterations and additions to a dwelling house, at 4 Suttor Road, Moss Vale, be determined by APPROVAL subject to the conditions detailed in **Attachment 5** of this report.

ATTACHMENTS

AGENDA OF THE LOCAL PLANNING PANEL WEDNESDAY 26 FEBRUARY 2025

Waste Management Plan

Introduction

This Waste Management Plan has been prepared to accompany the Application for:

Site: No 4 Suttor Rd Moss Vale (Lot 24 DP707179)

Development: Single Storey Alterations and Additions to a Dwelling House

Section 1 – Demolition Waste Management

The following section outlines:

- Proposed Location of **demolition waste** storage within the confines of the site, ensuring waste types are separated for recycling/use
- Point of waste collection vehicle access to the site.

Materials on Site		Destination of Materials		
Type of Material	Estimated Volume (m ³)	Recycling and/or Re-Use		Disposal
		On-site (specify proposed re-use or on-site recycling methods)	Off-site (specify contractor and recycling facility)	Off-site (specify contractor and landfill site)
Excavation materials (fill)	<1m ³			Local Resource Recovery
Green waste (organic materials)	1-2m ³	Mulched and re-used for landscaping		
Metals (specify)	1-2m ³		Local Resource Recovery if possible	Local Resource Recovery
Bricks	<1m ³			Local Resource Recovery
Concrete	<1m ³			Local Resource Recovery
Timber (specify)	<1m ³			Local Resource Recovery
Plasterboard	<1m ³			Local Resource Recovery
Hazardous (specify)	<1m ³			Local Resource Recovery
Asbestos	<1m ³			Local Resource Recovery
Other (specify)	Nil			

Section 2 – Construction Waste Management

The following section outlines:

- Proposed Location of **construction waste** storage within the confines of the site, ensuring waste types are separated for recycling/use
- Point of waste collection vehicle access to the site.

Materials on Site		Destination of Materials		
Type of Material	Estimated Volume (m ³)	Recycling and/or Re-Use		Disposal
		On-site (specify proposed re-use or on-site recycling methods)	Off-site (specify contractor and recycling facility)	Off-site (specify contractor and landfill site)


**AGENDA OF THE LOCAL PLANNING PANEL
WEDNESDAY 26 FEBRUARY 2025**

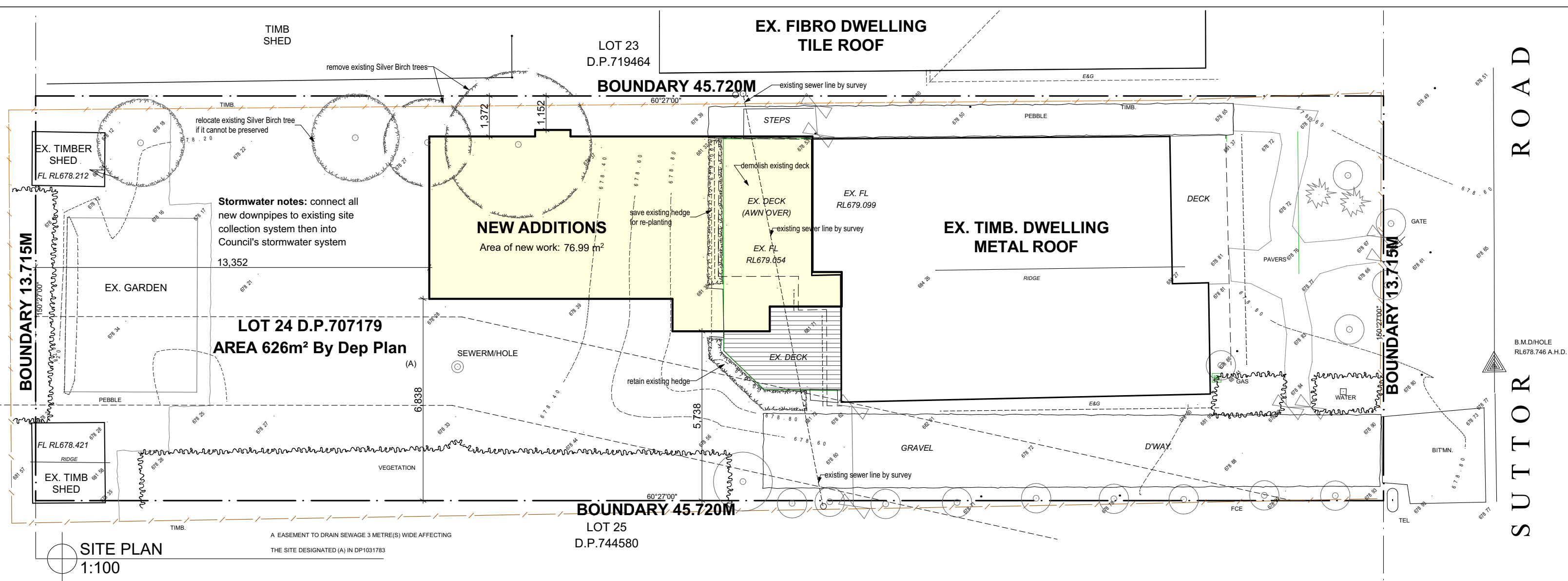
Materials on Site		Destination of Materials		
Excavation materials (fill)	<1m3	Minor earthworks – surface soil to be re-shaped during construction		
Green waste (organic materials)	Nil			
Metals (specify)	1-2m3			Off-cuts etc to be disposed of to Local Resource Recovery
Bricks	Nil			
Concrete	1-2m3			Concrete waste to be disposed of to Local Resource Recovery
Timber (specify)	<1m3			Off-cuts etc to be disposed of to Local Resource Recovery
Plasterboard	Nil			
Hazardous (specify)	Nil			
Asbestos	Nil			
Other (specify)	Nil			

Section 3 – On-going Operational Waste Management

Ongoing Use			
Residential Developments			
Waste Type	Estimated Quantity Generated (litres or m ³ per week)		
Recycling (yellow bin)	Less than a standard 240L bin		
Waste to landfill (red bin)	Less than a standard 240L bin		
Other waste (specify)	Green Waste - Less than a standard 240L bin		
Waste system proposed			
Standard Council kerbside collection to be used?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Commercial contractor collection to be used?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Number of bins, size and frequency of collection			
Bin Type	Number	Size (eg 80L, 120L, 240L, 660L)	Collection Frequency
Recycling (yellow bin)	1	240L	Fortnightly
Waste to landfill (red bin)	1	240L	Weekly
Other waste (specify)	1	240L	Fortnightly
Commercial, Industrial and Other Developments			
Waste Type	Est Quantity Generated (litres or m ³ per week)	Onsite Storage System Proposed (eg waste storage and recycling area, garbage chute, on-site composting compaction equipment)	
Waste to Landfill			
Recycling			
Standard Council kerbside collection to be used?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
Commercial contractor collection to be used?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
Waste system discussed with Council or service provider?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, provide contact name/s and details, and attach relevant correspondence:			

**AGENDA OF THE LOCAL PLANNING PANEL
WEDNESDAY 26 FEBRUARY 2025**

Collection system proposed:		
Individual mobile garbage bins (MGB's) for each premise:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Shared MGBs:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Shared bulk bins:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Individual bulk bins:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Applicant Declaration:		
<p>I declare that the Waste Management Plan and information detailed in it and supporting documents complies with the Council's requirements in relation to Waste Management I acknowledge that these documents may be made available to the public; appear on a public register; and/or appear on Council's website as required by law and in accordance with relevant Council policies. The land owner has been advised accordingly.</p>		
Applicant Signature:		
Date: 3 September 2024		



16.0 SOIL AND WATER MANAGEMENT

16.1 EXTENT OF WORKS

Incorporate requirements to comply with the New South Wales Clean Water Act, Soil Conservation Act, and other relevant legislation.

16.2 INTRODUCTION

Erosion and sediment control measures are to be implemented on the site. These works are to be maintained and/or varied as specified during the contract period unless the area they protect is rehabilitated via landscaping, turfing or other landscaping method.

16.3 LEGISLATION

The Clean Waters Act, 1970, as amended, prohibits a person polluting any waters as defined under the Act. No solid, liquid or gaseous matter is to be placed in a position where it is likely to fall, descend, be washed, be blown or percolate into unconfined surface water, a natural or artificial watercourse, drain, channel or gutter used to convey rainwater, stormwater, floodwater, or unpolluted water.

The Act is enforced under the Environment Offences & Penalties Act, 1989 with stiff penalties for offences ranging from "on the spot" infringement notices to fines for corporations and fines and/or imprisonment of individuals.

The contractor shall make all site workers and sub-contractors aware of their responsibilities to minimise the potential for soil erosion and pollution to downslope lands and waters.

16.4 GEOFABRIC "SILT" FENCING

Construct "silt" fencing on the upslope side of "clean water diversion banks" where shown on the Soil & Water Management Plan.

Excavate a 100mm wide x 200mm deep trench along each length of the proposed "silt" fence on the upslope side. Supply 1200mm long painted steel star pickets and drive each 600mm into the ground at maximum 2000mm centres in front of the trench. Fix F818 mesh x 500mm high to the star pickets where joins occur in mesh.

Provide geotextile fabric equal to "Bidim" as supplied by Geofabrics Australasia, Ph (02) 821 3277. Lay in trench and over mesh on the upslope side. Turn-down over top edge and tie at 1000mm centres both horizontally and vertically overall with 1.26mm tie wire. Fill and compact trench burying the fabric's bottom edge.

Repair "silt" fencing when required or as directed. Replace damaged or torn sections, straighten and/or redrive pickets and retie when the mesh or fabric comes adrift.

16.5 SEDIMENT TRAP

Construct sediment traps to the sizes and in the locations shown on Soil & Water Management Plan.

16.6 DIVERSION BANKS

Construct "clean water diversion banks" as shown on the Soil & Water Management Plan.

Incorporate a 300mm minimum deep spoon drain on the upslope side to carry water to the sediment trap. Diversion banks are to be repositioned if required as construction work proceeds.

16.7 TEMPORARY STRAW BALE BUNDS

Straw bales are to be used in temporary situations, i.e. whilst installing control measures or when a control measure has been partially or fully dismantled to permit building works to proceed.

Use only bales bound with wire and placed lengthwise in twin rows with straws parallel to the ground surface. Lay the bale flat and embed 100mm minimum into the downslope side. Secure each bale by driving two wooden stakes or steel pickets through the centre. The soil immediately upslope from the bale is to be compacted to prevent piping. Replace bales where deterioration or straw loss occurs.

16.8 EARTHWORKS

Earthworks are to be carried out in stages starting from the sediment trap and progressing upslope. Protect the immediate work area with temporary straw bale bunds.

Remove any topsoil layer as specified. Excavate or fill to finished ground level with allowance for topsoil and planting requirements. Construct any retaining structures as detailed and/or batter slopes to contain existing or filled ground. Rehabilitate surface drains where building works are delayed by more than 20 days.

16.9 STORMWATER DRAINAGE

Stormwater drainage lines and pits which are to be used for discharging sediment traps shall be installed during earthworks. The contractor is to allow in the tender for any additional works necessary to stormwater lines or to deepen any pit in order to suit the pipe's invert.

Where temporary access roads or delivery vehicular routes cross spoon drains, provide a 300mm dia concrete class "Y" pipeline under the access lane with mass concrete headwall either side. Maintain sufficient cover so that construction traffic does not crush the pipe. Where necessary, build up the surface level using compacted fill and taper back to finished ground level either side.

16.10 DRAIN REHABILITATION

All spoon drains shall be rehabilitated where building works are delayed by more than 20 days. Cover the surface with jute mesh or other biodegradable blanket. Bury each fabric length's top edge strip into a 150mm deep trench and tamp full with soil. Secure staples located 100mm below trench. Overlap top length 300mm over lower length and staple as before. Provide erosion stops comprising a fold in the fabric set down in a 150mm deep tapered silt trench with staples both sides, at 1500mm centres. Staple outside edges at 300mm centres where two or more strip widths are required, overlap 100mm and staple at 400mm centres. Staples shall be 8 gauge wire formed into a "U" shaped peg, 250mm long, with legs 40mm apart.

After wetting, spray the fabric in place with medium setting anionic bitumen emulsion in accordance with manufacturer's recommendation.

16.11 VARIATIONS TO CONTROL MEASURES

Allow in tender to relocate control measures from time to time to suit the construction programme and to permit building construction works to proceed whilst still maintaining adequate protection to downslope lands and waters.

16.12 MAINTENANCE

All sediment and erosion control measures shall be maintained in a satisfactory working order throughout the contract or up until such time as the area which they protect is rehabilitated.

The contractor shall inspect the site weekly to ensure that:

- Control measures operate effectively and to initiate repairs or maintenance as required.
- Spilled material is removed from hazard areas including likely areas of concentrated or high velocity flows such as spoon drains, gutters, paved areas and driveways.
- Traps when 10% capacity is trapped in the setting zone.
- Gravel or other filter materials are clean and have been reinstated or replaced to maintain effective performance.

All devices are to be inspected after each storm for structural damage or clogging by silt or other debris and to make prompt repairs or replacement.

16.13 FINAL SITE LANDSCAPING

Final site landscaping is to be undertaken as soon as possible in any precinct after building activities surrounding the buildings are completed.

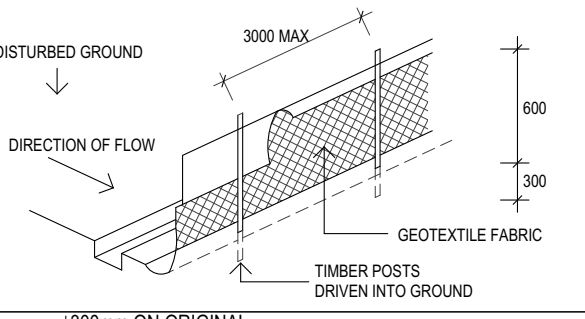
16.14 REINSTATEMENT

Remove all construction and materials used in these soil and water control measures from the site when they cease to perform effectively and are replaced, are damaged or are no longer required.

Reinstate the finished ground level around the works after it is determined that the areas they protect are satisfactorily rehabilitated. Fill spoon drains using approved compacted fill. Level banks and remove surplus soil.

SEDIMENT CONTROL NOTES

- ALL EROSION AND SEDIMENTATION CONTROL MEASURES, INCLUDING REVEGETATION AND STORAGE OF SOIL, SHALL BE IMPLEMENTED TO THE STANDARDS OF THE SOIL CONSERVATION SERVICE OF NSW.
- ALL DRAINAGE WORKS SHALL BE CONSTRUCTED AND STABILISED AS SOON AS POSSIBLE ONCE THE PROJECT COMMENCES.
- SEDIMENT TRAPS SHALL BE CONSTRUCTED AROUND ALL INLET PITS, CONSISTING OF 300MM WIDE X 300MM DEEP TRENCHES.
- ALL SEDIMENT BASINS AND TRAPS SHALL BE CLEARED WHEN THE STRUCTURES ARE A MINIMUM OF 80% FULL OF SOIL MATERIALS, INCLUDING DURING THE MAINTENANCE PERIOD.
- ALL DISTURBED AREAS SHALL BE REVEGETATED AS SOON AS THE RELEVANT WORKS ARE COMPLETED.
- SOIL AND STOCKPILES SHALL BE LOCATED AWAY FROM DRAINAGE LINES AND AREAS WHERE WATER MAY CONCENTRATE.
- FILTER SHALL BE CONSTRUCTED BY STRETCHING A GEOTEXTILE FILTER FABRIC (SILT MESH OR APPROVED EQUIVALENT) BETWEEN POSTS AT 3.0M CENTRES. THE FABRIC LOWER EDGE SHALL BE BURIED 150MM DEEP.



FIGURED DIMENSIONS TO BE USED IN PREFERENCE TO SCALING 1:200
ALL DIMENSIONS TO BE CHECKED ON SITE

NOTES
ALL DIMENSIONS TO BE CONFIRMED ON-SITE.
ALL TIMBER WORKS TO COMPLY WITH AS 1684
NATIONAL TIMBER FRAMING CODE.
ALL BRICKWORK TO COMPLY WITH AS 3700
MASONRY IN BUILDING.
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AMENDMENTS

REV	AMENDMENT	DATE	BY

CSA JOB NO. : 610-23-646

SCALES as shown No. IN SET 1 of 3

DATE 14-08-24 SHEET NUMBER

DRAWN BY A M S DA01

SCALE 0 1.0 2.0 3.0 4.0 5.0
THESE DRAWINGS HAVE BEEN PREPARED FOR CDC APPLICATION

coble stephens
architects

1 EAST STREET ■ MOSS VALE ■ NSW 2577
PO BOX 2072 ■ BOWRAL ■ NSW 2576
Ph 02 4869 5395 ■ Fax 02 4869 5495
cs.arch@bigpond.net.au
Andrew Coble Architects Registration 0022 Alison Stephens Architects Registration 0078

PROJECT :

**PROPOSED ALTERATIONS AND ADDITIONS
AT 4 SUTTOR ROAD
MOSS VALE**

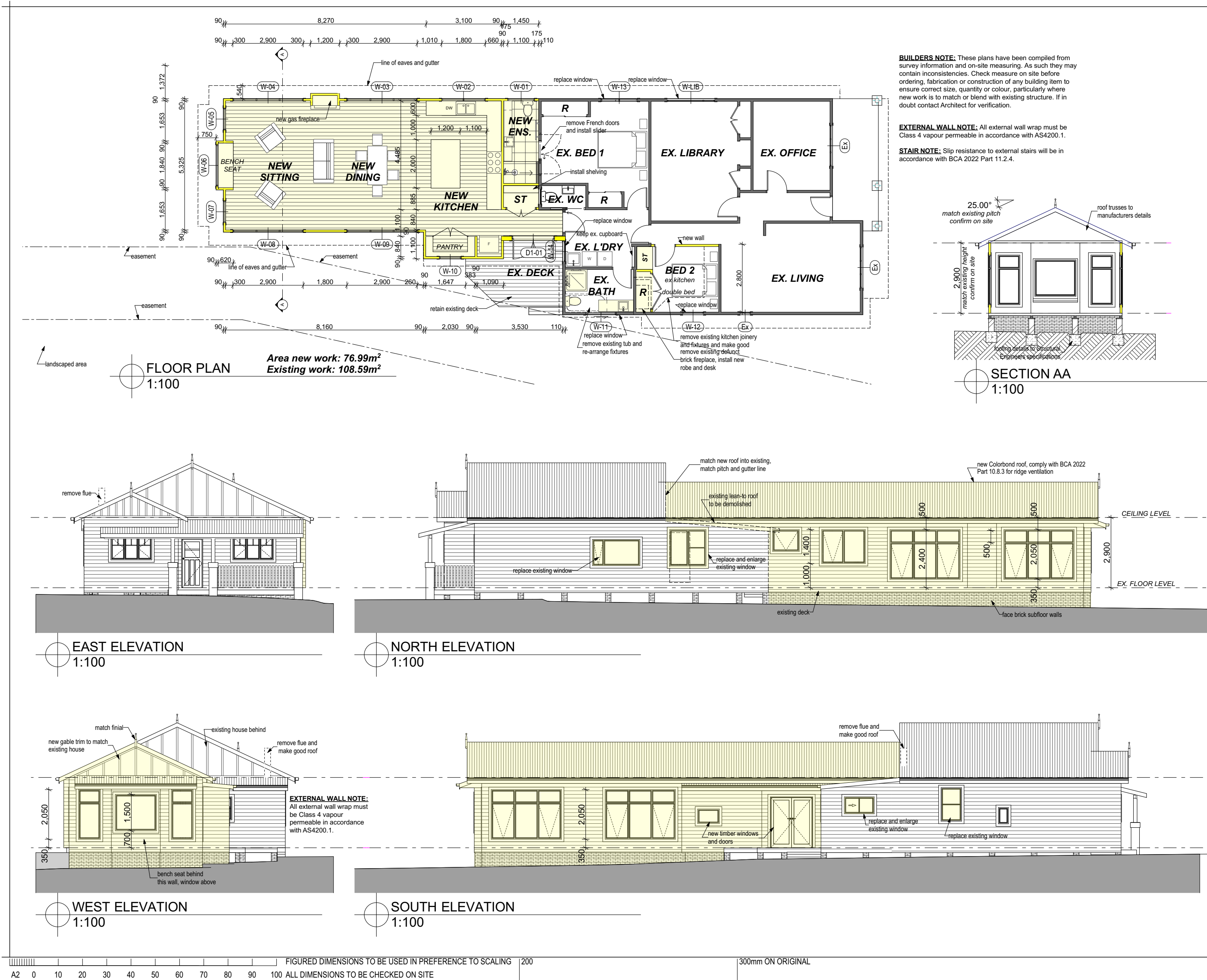
CLIENT :

MRS JAN WORTHINGTON

DRAWING :

SITE PLAN

Print date 14/08/2024



BUILDERS NOTE: These plans have been compiled from survey information and on-site measuring. As such they may contain inconsistencies. Check measure on site before ordering, fabrication or construction of any building item to ensure correct size, quantity or colour, particularly where new work is to match or blend with existing structure. If in doubt contact Architect for verification.

EXTERNAL WALL NOTE: All external wall wrap must be Class 4 vapour permeable in accordance with AS4200.1.

STAIR NOTE: Slip resistance to external stairs will be in accordance with BCA 2022 Part 11.2.4.

NOTES
ALL DIMENSIONS TO BE CONFIRMED ON-SITE.
ALL TIMBER WORKS TO COMPLY WITH AS 1684 NATIONAL TIMBER FRAMING CODE.
ALL BRICKWORK TO COMPLY WITH AS 3700 MASONRY IN BUILDING.
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AMENDMENTS

REV	AMENDMENT	DATE	BY

coble stephens
architects

1 EAST STREET ■ MOSS VALE ■ NSW 2577
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cs.arch@bigpond.net.au
Andrew Coble Architects Registration 6922 Alison Stephens Architects Registration 6678

PROJECT :
PROPOSED ALTERATIONS AND ADDITIONS
at
4 SUTTOR ROAD MOSS VALE

CLIENT :
MRS JAN WORTHINGTON

DRAWING :
FLOOR PLAN, ELEVATIONS, SECTION

CSA JOB NO. : **610-23-646**

SCALES as shown No. in SET **2 of 3**

DATE **14-08-24** SHEET NUMBER

DRAWN BY **A M S** **DA02**

SCALE 0 1.0 2.0 3.0 4.0 5.0

THESE DRAWINGS HAVE BEEN PREPARED FOR CDC APPLICATION

Print date 14/08/2024

FIGURED DIMENSIONS TO BE USED IN PREFERENCE TO SCALING 1200 300mm ON ORIGINAL
A2 0 10 20 30 40 50 60 70 80 90 100 ALL DIMENSIONS TO BE CHECKED ON SITE

BASIX[®]Certificate

Building Sustainability Index www.basix.nsw.gov.au

Alterations and Additions

Certificate number: A1756747

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 10/09/2020 published by the Department. This document is available at www.basix.nsw.gov.au

Secretary

Date of issue: Monday, 22 July 2024

To be valid, this certificate must be lodged within 3 months of the date of issue.



Project address	
Project name	Worthington Suttor Road
Street address	SUTTOR ROAD 4 - MOSS VALE 2577
Local Government Area	Wingecarribee Shire Council
Plan type and number	Deposited Plan 7071796
Lot number	24
Section number	-
Project type	
Dwelling type	Dwelling house (detached)
Type of alteration and addition	The estimated development cost for my renovation work is \$50,000 or more, and does not include a pool (and/or spa).
N/A	N/A
Certificate Prepared by <small>(please complete before submitting to Council or PCA)</small>	
Name / Company Name: Coble Stephens Architects	
ABN (if applicable): 63741102950	

**AGENDA OF THE LOCAL PLANNING PANEL
WEDNESDAY 26 FEBRUARY 2025**

BASIX Certificate number:A1756747

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Fixtures and systems	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Lighting			
The applicant must ensure a minimum of 40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent, or light-emitting-diode (LED) lamps.		✓	✓
Fixtures			
The applicant must ensure new or altered showerheads have a flow rate no greater than 9 litres per minute or a 3 star water rating.		✓	✓
The applicant must ensure new or altered toilets have a flow rate no greater than 4 litres per average flush or a minimum 3 star water rating.		✓	✓
The applicant must ensure new or altered taps have a flow rate no greater than 9 litres per minute or minimum 3 star water rating.		✓	

**AGENDA OF THE LOCAL PLANNING PANEL
WEDNESDAY 26 FEBRUARY 2025**

BASIX Certificate number:A1756747

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Construction			Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Insulation requirements					
The applicant must construct the new or altered construction (floor(s), walls, and ceilings/roofs) in accordance with the specifications listed in the table below, except that a) additional insulation is not required where the area of new construction is less than 2m2, b) insulation specified is not required for parts of altered construction where insulation already exists.			✔	✔	✔
Construction	Additional insulation required (R-value)	Other specifications			
suspended floor with enclosed subfloor: framed (R0.7).	R1.00 (down) (or R1.70 including construction)	N/A			
external wall: framed (weatherboard, fibro, metal clad)	R1.30 (or R1.70 including construction)				
flat ceiling, pitched roof	ceiling: R2.45 (up), roof: foil backed blanket (55 mm)	medium (solar absorptance 0.475 - 0.70)			

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Glazing requirements	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Windows and glazed doors			
The applicant must install the windows, glazed doors and shading devices, in accordance with the specifications listed in the table below. Relevant overshadowing specifications must be satisfied for each window and glazed door.	✓	✓	✓
The following requirements must also be satisfied in relation to each window and glazed door:		✓	✓
Each window or glazed door with improved frames, or pyrolytic low-e glass, or clear/air gap/clear glazing, or toned/air gap/clear glazing must have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below. Total system U-values and SHGCs must be calculated in accordance with National Fenestration Rating Council (NFRC) conditions. The description is provided for information only. Alternative systems with complying U-value and SHGC may be substituted.		✓	✓
For projections described in millimetres, the leading edge of each eave, pergola, verandah, balcony or awning must be no more than 500 mm above the head of the window or glazed door and no more than 2400 mm above the sill.	✓	✓	✓
Pergolas with polycarbonate roof or similar translucent material must have a shading coefficient of less than 0.35.		✓	✓
Pergolas with fixed battens must have battens parallel to the window or glazed door above which they are situated, unless the pergola also shades a perpendicular window. The spacing between battens must not be more than 50 mm.		✓	✓

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Glazing requirements							Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Windows and glazed doors glazing requirements									
Window/door number	Orientation	Area of glass including frame (m2)	Overshadowing height (m)	Overshadowing distance (m)	Shading device	Frame and glass type			
W1	N	1	0	0	eave/ verandah/ pergola/balcony >=450 mm	timber or uPVC, toned/ air gap/clear, (U-value: 3.64, SHGC: 0.42)			
W2	N	2.5	0	0	eave/ verandah/ pergola/balcony >=450 mm	timber or uPVC, toned/ air gap/clear, (U-value: 3.64, SHGC: 0.42)			
W3	N	5.6	0	0	eave/ verandah/ pergola/balcony >=600 mm	timber or uPVC, toned/ air gap/clear, (U-value: 3.64, SHGC: 0.42)			
W4	N	5.6	0	0	eave/ verandah/ pergola/balcony >=600 mm	timber or uPVC, toned/ air gap/clear, (U-value: 3.64, SHGC: 0.42)			
W8	S	5.6	0	0	eave/ verandah/ pergola/balcony >=450 mm	timber or uPVC, clear/ air gap/clear, (U-value: 3.67, SHGC: 0.59)			

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Glazing requirements							Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Window/door number	Orientation	Area of glass including frame (m2)	Overshadowing height (m)	Overshadowing distance (m)	Shading device	Frame and glass type			
W9	S	5.6	0	0	eave/ verandah/ pergola/balcony >=450 mm	timber or uPVC, clear/ air gap/clear, (U-value: 3.67, SHGC: 0.59)			
W10	S	0.5	0	0	none	timber or uPVC, clear/ air gap/clear, (U-value: 3.67, SHGC: 0.59)			
W11	S	0.8	0	0	none	timber or uPVC, clear/ air gap/clear, (U-value: 3.67, SHGC: 0.59)			
W12	S	1	0	0	none	timber or uPVC, clear/ air gap/clear, (U-value: 3.67, SHGC: 0.59)			
D1	S	3.7	0	0	eave/ verandah/ pergola/balcony >=900 mm	timber or uPVC, clear/ air gap/clear, (U-value: 3.67, SHGC: 0.59)			

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Glazing requirements							Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Windows and glazed doors glazing requirements									
Window/door number	Orientation	Area of glass including frame (m2)	Overshadowing height (m)	Overshadowing distance (m)	Shading device	Frame and glass type			
W5	W	1.8	0	0	eave/ verandah/ pergola/balcony >=900 mm	timber or uPVC, toned/ air gap/clear, (U-value: 3.64, SHGC: 0.42)			
W7	W	1.8	0	0	eave/ verandah/ pergola/balcony >=900 mm	timber or uPVC, toned/ air gap/clear, (U-value: 3.64, SHGC: 0.42)			
W14	W	0.8	0	0	eave/ verandah/ pergola/balcony >=900 mm	timber or uPVC, clear/ air gap/clear, (U-value: 3.67, SHGC: 0.59)			
W13	N	3.8	0	0	eave/ verandah/ pergola/balcony >=450 mm	timber or uPVC, toned/ air gap/clear, (U-value: 3.64, SHGC: 0.42)			
WLIB	N	2.1	0	0	eave/ verandah/ pergola/balcony >=450 mm	timber or uPVC, toned/ air gap/clear, (U-value: 3.64, SHGC: 0.42)			

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Glazing requirements							Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Window/door number	Orientation	Area of glass including frame (m2)	Overshadowing height (m)	Overshadowing distance (m)	Shading device	Frame and glass type			
W6	W	2.7	0	0	eave/ verandah/ pergola/balcony >=750 mm	timber or uPVC, toned/ air gap/clear, (U-value: 3.64, SHGC: 0.42)			

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Legend
In these commitments, "applicant" means the person carrying out the development.
Commitments identified with a  in the "Show on DA plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).
Commitments identified with a  in the "Show on CC/CDC plans & specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.
Commitments identified with a  in the "Certifier check" column must be certified by a certifying authority as having been fulfilled, before a final occupation certificate for the development may be issued.



Flood Risk Assessment

for Proposed Alterations and Additions
4 Suttor Road
Moss Vale

Prepared By:

Jason Armstrong
SEEC

18 September 2024
SEEC Reference - 24000361-FRA01_REV01

**AGENDA OF THE LOCAL PLANNING PANEL
WEDNESDAY 26 FEBRUARY 2025**



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Document Certification

This report has been developed based on agreed requirements as understood by SEEC at the time of investigation. It applies only to a specific task on the nominated lands. Other interpretations should not be made, including changes in scale or application to other projects. Any recommendations contained in this report are based on an honest appraisal of the opportunities and constraints that existed at the site at the time of investigation, subject to the limited scope and resources available. Within the confines of the above statements and to the best of my knowledge, this report does not contain any incomplete or misleading information.

Jason Armstrong AMIEAust
Senior Civil Designer
SEEC

18th September 2024

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1 Introduction

SEEC have been commissioned by Janet Worthington to provide this Flood Risk Assessment for the proposed dwelling at 4 Suttor Road, Moss Vale (The Site). This study has been prepared in accordance with the guidelines and recommendations set out by *New South Wales Government's 'Floodplain Management Manual'*, *Wingecarribee Shire Council's 'Moss Vale Township' Development Control Plan (2021)*, and the *Wingecarribee 'Local Environmental Plan (WLEP 2010).'*

Based on the information provided to SEEC, the proposed building works are located in a declared 'Flood Prone Area'. Council requires certain conditions to be met for the approval of developments in flood prone areas of the Wingecarribee Shire. This report describes:

- i. The procedures used to determine the effects of flooding on the proposed development;
- ii. The estimated flood level in the vicinity of the development; and
- iii. The suitability of the proposed development (based on Councils Development Control Plans and WLEP).

It also includes:

- i. A general description of the site and the surrounding area;
- ii. A general description of the associated catchment area;
- iii. A detailed explanation of the proposed work to be undertaken; and
- iv. Recommendations and conclusions for the development.

This flood risk assessment is based on a desktop study that involved a visual interpretation of the previously prepared *Wingecarribee Flood Study Update – Final Report (2022)*. In preparing this report, SEEC has relied upon, and presumed accurate, certain information (or absence thereof) provided by our client and other sources. Except as otherwise stated in the report, SEEC has not attempted to verify the accuracy or completeness of any such information. If the information is subsequently determined to be false, inaccurate, or incomplete then it is possible that the observations and conclusions as expressed in this report may change.

SEEC does not make any comment on the suitability to develop the site. We have provided flood information based on Council's supplied flood study and listed the planning controls required by Council. As the site is flood prone and below the flood planning level a flood action/ evacuation plan must be developed, and a structural assessment of the final dwellings/buildings must be completed.

2 Background

2.1 Location and General Topographical Details

The site is approximately 626m² in area and is situated within an existing residential zoned area (see **Figure 1**). The site contains an existing dwelling, covered rear deck, separate garden sheds and gravel access driveway from Suttor Road. The site is located approximately 700m north-east of the main centre of Moss vale.

The site has a slight cross fall to the west towards the rear boundary.

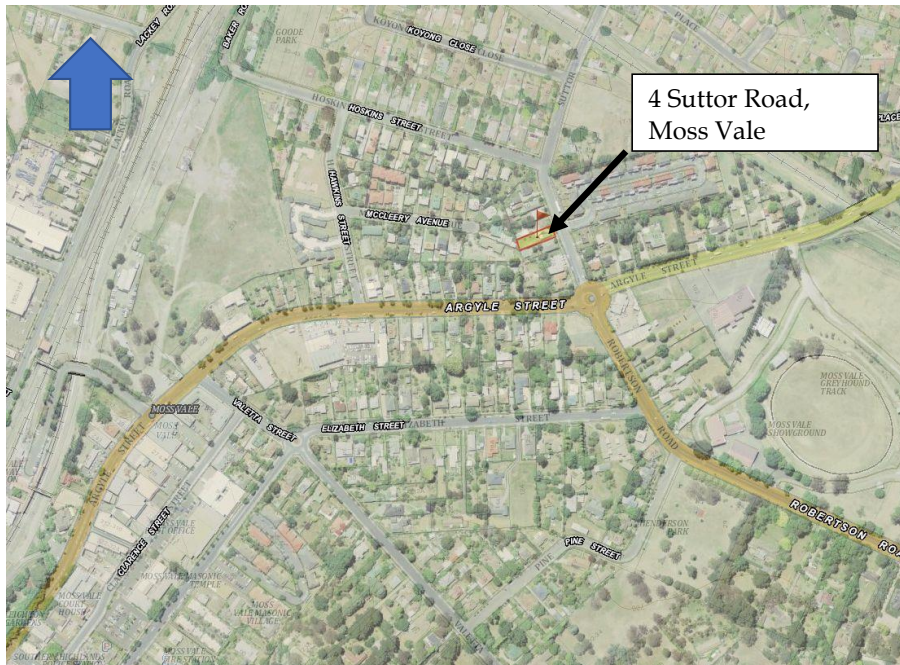


Figure 1 - Site Location

2.2 Catchment Details

The site is located within the catchment contributing to the Wingecarribee River flood plain. The Wingecarribee River was the subject of a flood study undertaken by WMA Water in 2022 called *Wingecarribee Flood Study Update – Final Report* which has since been adopted by

Flood Risk Assessment – 4 Suttor Road, Moss vale

Council for their flood planning. The subject property is shown in relation to the Flood Risk Precincts map from this study (**Figure 2**).

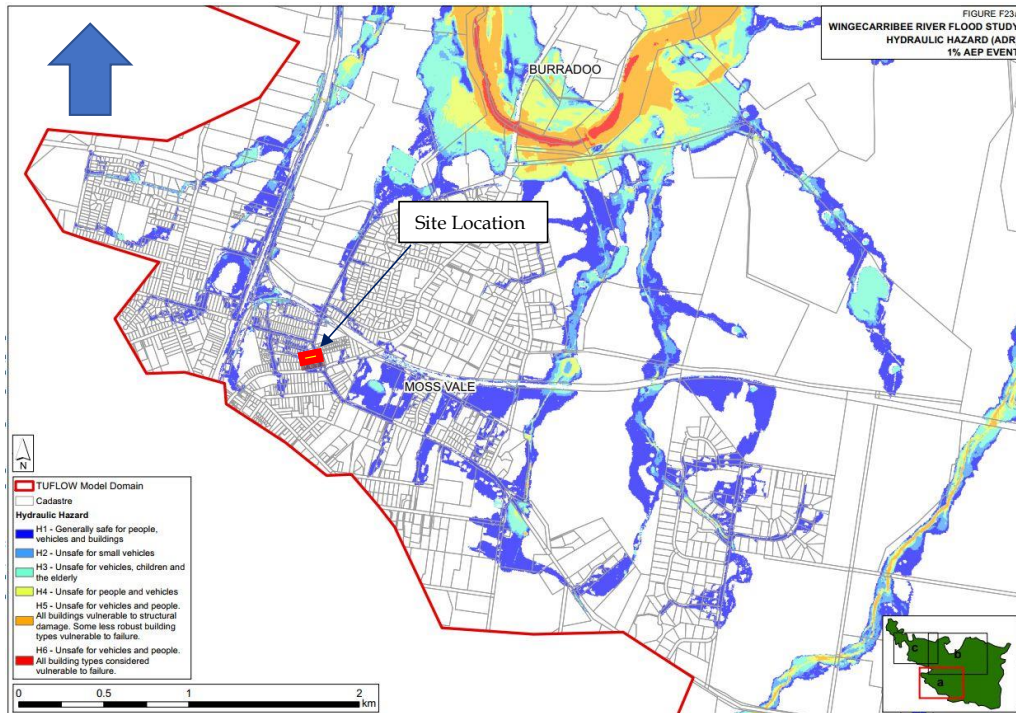


Figure 2 – Contributing Catchment Flood Extents

2.3 Flood Risk Categories and Flow Velocities

The site is located partially within medium flood risk and low flood risk precincts. This has been defined in accordance the *‘Wingecarribee Flood Study Update – Final Report (2022)’* and the accompanying Flood Certificate provided in **Appendix 2**.

The flood levels within the site have also been taken from the flood certificate issued by Council for the property (**Appendix 2**). All findings, results and conclusions presented in this Flood Risk Assessment are based on this information and are outlined as follows:

- i. The small area within the rear western portion of the property would be inundated by flood waters from a 1% AEP (100 year ARI) event. The 1% AEP (100 year ARI) flood level for this location is approximately 678.4m AHD based on the flood certificate. The Council flood mapping indicates that the flooding may be caused by inundation from a localised overland flow path from Argyle Street and Suttor Road.

Flood Risk Assessment – 4 Suttor Road, Moss vale

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-
- ii. The remaining portion of the site is located within the Low Flood Risk Precincts (outside of the 1% AEP extents).
 - iii. There are no flow velocities available in the literature for the portion of the property affected by the 1% AEP flood. The flood affected portion of the property is classified as being in a Medium Flood Risk precinct. In accordance with the Moss Vale Township Development Control Plan (DCP) this is described as being *“the property is inundated in a 100 year flood, however conditions are not likely to be hazardous”*.

Therefore flood velocities in this area are not expected to be high in accordance with Councils flood risk definition. General construction practices are expected to be adequate to resist the low flood forces from slow rising flood waters that may be expected as explained in **Section 4** of this report, however a structural assessment and design for expected flooding conditions as described in **Section 4** is recommended to confirm this.

3 Proposed Development

It is proposed to demolish the existing covered deck on the rear of the existing dwelling and extend the existing dwelling to provide a new kitchen dining and living area. Access to the site will be retained via the existing gravel driveway from Suttor Road.

3.1 Development in Relation to Flood Levels

The existing ground levels within the flood affected area at the vicinity of the proposed extension range from approximately 678.40m AHD to 678.80m AHD. The highest 1% AEP (100 year ARI) flood level adjacent to the proposed development is approximately 678.40m.

The Flood Planning Level (FPL) is equal to the 1% AEP flood level plus 0.5m freeboard. Therefore, the FPL is equal to 678.90m AHD (678.40m AHD + 0.5m). Therefore, the minimum floor level of the proposed dwelling is to be set above the FPL. The floor level of the proposed extension and existing dwelling is 679.099m AHD. This is approximately 0.2m above the required FPL.

Section 5 of this report outlines the planning controls related to this type of development and the methods to be employed by the developer to satisfy each of these controls.

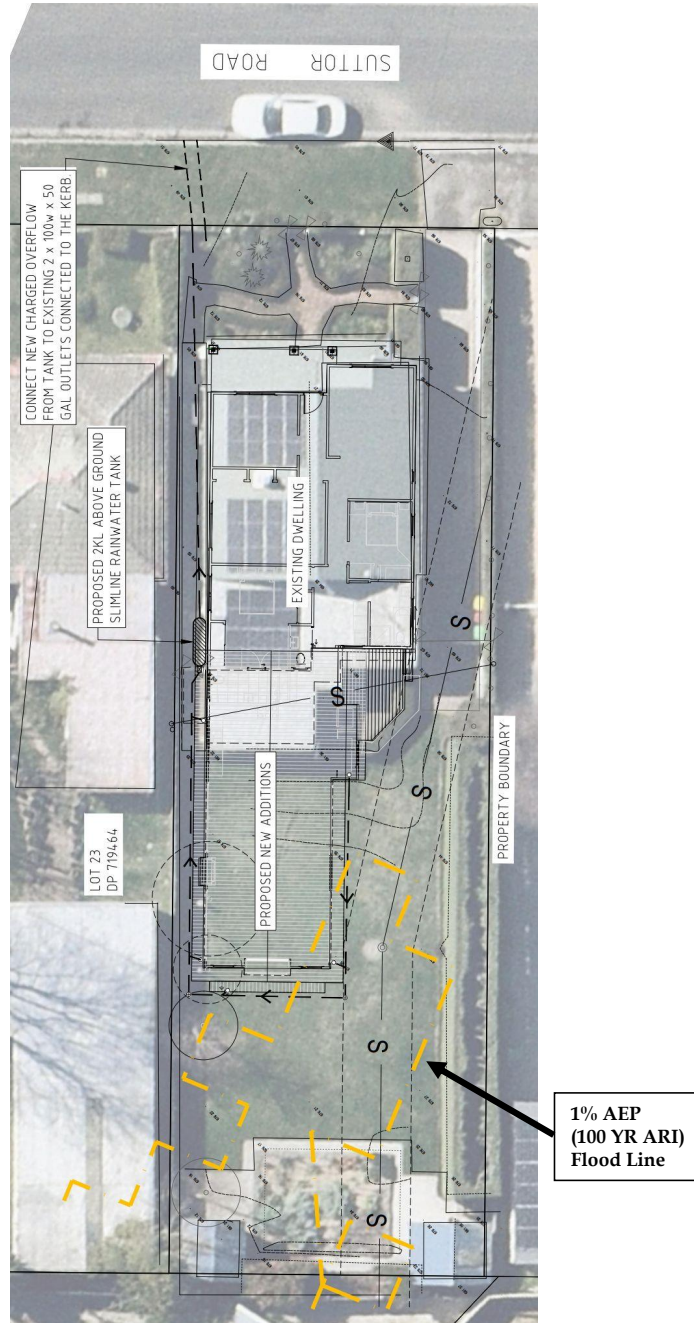


Figure 3 - Plan of Proposed Development

4 Flood Forces

There are several flood forces that must be considered when designing/building a structure in flood prone areas. The magnitudes of the flood forces depend on the height of the flood above the ground level where the structure is going to be positioned and the momentum or velocity of moving water. The flood forces described below (but not limited to) must be considered as a minimum by the building designer/ structural engineer when designing the building support structure and foundations. These forces are additional to other relevant loads that will affect the design of the structure and include Hydrodynamic Pressure, Hydrostatic Pressure, Short Duration Impact Forces and Debris Force.

The above-mentioned forces are to be considered for any new structures below the FPL level of 678.90m AHD.

The building design is to include the structural assessment of all flood forces for events up to and including the FPL. The assessment is to be undertaken by a suitably qualified structural engineer to confirm if the above forces are appropriate and include any additional forces needed to enhance the stability of any on-site buildings.

Consideration must also be given to floods greater than the 1% AEP (i.e. - Probable Maximum Flood - PMF) as described in the Moss Vale Township DCP.

Flood Risk Assessment – 4 Suttor Road, Moss vale

5 Planning Controls and Compliance

In reference to Section A5.3.3 of the *Wingecarribee Shire Council 'Moss Vale Township' DCP* the development is classed as residential development. The proposed development is located within Medium Flood Risk and Low Flood Risk precincts (**Appendix 2**). The following sections outline the planning controls in accordance with (**Figures 4 and 5** below), to be considered and how they are to be satisfied with respect to the subject development.

MOSS VALE TOWN PLAN DCP
PART A ALL LAND
SECTION 5 FLOOD LIABLE LAND



Planning Consideration	Prescriptive Controls																								
	Flood Risk Precincts (FRP's)																								
	Low Flood Risk					Fringe-Low Flood Risk					Medium Flood Risk					High Flood Risk									
	Critical Uses & Facilities	Sensitive Uses & Facilities	Residential	Commercial & Industrial	Recreation & Non-Urban	Concessional Development	Critical Uses & Facilities	Sensitive Uses & Facilities	Residential	Commercial & Industrial	Recreation & Non-Urban	Concessional Development	Critical Uses & Facilities	Sensitive Uses & Facilities	Residential	Commercial & Industrial	Recreation & Non-Urban	Concessional Development	Critical Uses & Facilities	Sensitive Uses & Facilities	Residential	Commercial & Industrial	Recreation & Non-Urban	Concessional Development	
Floor Level	3						3	2,6,7	5,6,7	1,6	4,7			2,6,7	5,6,7	1	4,7							1	4,7
Building Components	2						2	1	1	1	1			1	1	1	1							1	1
Structural Soundness	3						3	2	2	2	2			2	2	2	2							1	1
Flood Effects	2						2	2	2	2	2			2	2	2	2							1	1
Car Parking & Driveway Access	1,3,5,6,7						1,3,5,6,7	1,3,5,6,7	1,3,5,6,7	2,3,4,6,7	6,7,8			1,3,5,6,7	1,3,5,6,7	2,3,4,6,7	6,7,8							2,3,4,6,7	6,7,8
Evacuation	2						2	2	1 or 2	3	2			2	1 or 2	3	2							3	2
Management & Design	1,4,5						1,4,5	1	1,2,3,5	1,2,3,5	1,2,3,5			1	1,2,3,5	1,2,3,5	1,2,3,5							1,2,3,5	1,2,3,5

Figure 4 - Prescriptive Controls from Moss Vale Township DCP (2021)

Flood Risk Assessment – 4 Suttor Road, Moss vale

MOSS VALE TOWN PLAN DCP
PART A ALL LAND
SECTION 5 FLOOD LIABLE LAND



General Notes:



- a. Freeboard equals an additional height of 500mm.
- b. The relevant environmental planning instruments (generally the Local Environmental Plan) identify development permissible with consent in various zones in the LGA. Notwithstanding, constraints specific to individual sites may preclude Council granting consent for certain forms of development on all or part of a site.
- c. Filling of the site, where acceptable to Council, may change the FRP considered to determine the controls applied in the circumstances of individual applications.
- d. Refer to Section 4.3.6 of the DCP for planning considerations for proposals involving only the erection of a fence. Any fencing that forms part of a proposed development is subject to the relevant flood effects and Structural Soundness planning considerations of the applicable development category.
- e. Refer to Sections 4.3.5.2 and 4.3.5.3 of the DCP for special considerations such as for house raising proposals and development of properties identified for voluntary acquisition.
- f. Terms in *italics* are defined in the glossary of this plan and Schedule 2 specifies development categories. These development types are generally as defined within Environmental Planning Instruments applying to the LGA.

Floor Level

1. All floor levels to be no lower than the 5 year flood level plus freeboard unless justified by site specific assessment.
2. Habitable floor levels to be no lower than the 100 year flood level plus freeboard.
3. Habitable floor levels to be no lower than the PMF level. Non-habitable floor levels to be no lower than the PMF level unless justified by a site specific assessment.
4. Floor levels to be no lower than the design floor level. Where this is not practical due to compatibility with the height of adjacent buildings, or compatibility with the floor level of existing buildings, or the need for access for persons with disabilities, a lower floor level may be considered. In these circumstances, the floor level is to be as high as practical, and, when undertaking alterations or additions, no lower than the existing floor level.
5. The level of habitable floor areas to be equal to or greater than the 100 year flood level plus freeboard. If this level is not practical for a development in a Business zone, the floor level should be as high as possible.
6. Non-habitable floor levels to be equal to or greater than the 100 year flood level plus freeboard where possible, or otherwise no lower than the 5 year flood level plus freeboard unless justified by site specific assessment.
7. A restriction is to be placed on the title of the land, pursuant to S.88B of the Conveyancing Act, where the lowest habitable floor area is elevated above finished ground level, confirming that the undercroft area is not to be enclosed, where Council considers this may potentially occur.

Building Components & Method

1. All structures to have flood compatible building components below the 100 year flood level plus freeboard.
2. All structures to have flood compatible building components below the PMF level.

Structural Soundness

1. Engineer's report to certify that the structure can withstand the forces of floodwater, debris and buoyancy up to and including a 100 year flood plus freeboard, or a PMF if required to satisfy evacuation criteria (see below). In the case of alterations or additions to an existing development, the structure to be certified is that which is proposed to be newly constructed or otherwise required to be of a specified standard to satisfy other controls.
2. Applicant to demonstrate that the structure can withstand the forces of floodwater, debris and buoyancy up to and including a 100 year flood plus freeboard, or a PMF if required to satisfy evacuation criteria (see below). An engineer's report may be required.
3. Applicant to demonstrate that any structure can withstand the forces of floodwater, debris and buoyancy up to and including a PMF. An engineer's report may be required.

Flood Effects

1. Engineer's report required to certify that the development will not increase flood effects elsewhere, having regard to: (i) loss of food storage; (ii) changes in flood levels and velocities caused by alterations to the flood conveyance; and (iii) the cumulative impact of multiple potential developments in the floodplain.
2. The flood impact of the development to be considered to ensure that the development will not increase flood effects elsewhere, having regard to: (i) loss of food storage; (ii) changes in flood levels and velocities caused by alterations to the flood conveyance; and (iii) the cumulative impact of multiple potential developments in the floodplain. An engineer's report may be required.

Car Parking and Driveway Access

1. The minimum surface level of open car parking spaces or carports shall be as high as practical, and not below: (i) the 5 year flood level plus freeboard; or (ii) the level of the crest of the road at the location where the site has access; (whichever is the lower). In the case of garages, the minimum surface level shall be as high as practical, but no lower than the 5 year flood level plus freeboard.
2. The minimum surface level of open car parking spaces, carports or garages, shall be as high as practical.
3. Garages capable of accommodating more than 3 motor vehicles on land zoned for urban purposes, or enclosed car parking, must be protected from inundation by floods equal to or greater than the 100 year flood.
4. The driveway providing access between the road and parking space shall be as high as practical and generally rising in the egress direction.
5. Where the level of the driveway providing access between the road and parking space is lower than 0.3m below the 100 year flood, the following condition must be satisfied - the depth of inundation on the driveway during a 100 year flood shall not exceed: (i) the depth at the road; or (ii) the depth at the car parking space. (Refer to Schedule 3). A lesser standard may be accepted for single detached dwelling houses where it can be demonstrated that risk to human life would not be compromised.
6. Enclosed car parking and car parking areas accommodating more than 3 vehicles (other than on Rural zoned land) with a floor level below the 5 year flood level plus freeboard or more than 0.3m below the 100 year flood level, shall have adequate warning systems, signage and exits.
7. Restraints or vehicle barriers to be provided to prevent floating vehicles leaving a site during a 100 year flood.
8. Driveway and parking space levels to be no lower than the design ground/floor levels. Where this is not practical, a lower level may be considered. In these circumstances, the level is to be as high as practical, and, when undertaking alterations or additions, no lower than the existing level.

Note: a. A flood depth of 0.3m is sufficient to cause a small vehicle to float.
b. Enclosed car parking is defined in the glossary and typically refers to carports in basements.

Evacuation

1. Reliable access for pedestrians or vehicles required during a 100 year flood.
2. Reliable access for pedestrians or vehicles is required from the building, commencing at a minimum level equal to the lowest habitable floor level to an area of refuge above the PMF level, or a minimum of 20% of the gross floor area of the dwelling to be above the PMF level. In the case of alterations or additions to an existing development, this may require retro-fitting the existing structure if required to support a refuge above the PMF.
3. The evacuation requirements of the development are to be considered. An engineer's report will be required if circumstances are possible where the evacuation of persons might not be achieved within the effective warning time.

Management and Design

1. If this application involves subdivision, Applicant to demonstrate that potential development as a consequence of the subdivision, can be undertaken in accordance with this DCP.
2. Site Emergency Response Flood Plan required where floor levels are below the design floor level, (except for single dwelling-houses).
3. Applicant to demonstrate that area is available to store goods above the 100 year flood level plus freeboard.
4. Applicant to demonstrate that area is available to store goods above the PMF level.
5. No storage of materials below the design floor level which may cause pollution or be potentially hazardous during any flood.

Figure 5 – Moss Vale Flood Plain Matrix

5.1 Floor Level (Residential - Medium Flood Risk)

Requirement 2: "Habitable floor levels to be no lower than the 100 year flood level plus freeboard."

The existing dwelling and proposed extension are classed as a habitable buildings. Therefore, the floor level of the proposed extension is to be set at the same level as the existing house floor level which is above the flood planning level of 678.90m AHD (The existing and proposed floor level is 679.099m AHD).

Requirement 6: "Non-habitable floor levels to be equal to or greater than the 100 year flood level plus freeboard where possible, or otherwise no lower than the 5 year flood level plus freeboard unless specified by site specific assessment."

There are no non-habitable buildings proposed as part of this development, therefore this prescriptive control is not applicable.

Requirement 7: "A restriction is to be placed on the title of the land, pursuant to S.88B of the Conveyancing Act where the lowest habitable floor area is elevated above finished ground level, confirming that the undercroft is not enclosed, where Council considered that this may occur."

The undercroft of the proposed extension at the location of the 1% AEP flood extent is to be suspended above the ground and is not to be enclosed within this area.

5.2 Building Components (Residential – Medium Flood Risk)

Requirement 1: "All structures to have flood compatible building components below the 100 year flood level plus freeboard."

All building components below the FPL of 678.90m AHD must consist of flood compatible materials. This includes concrete suspended slab on concrete footings. Refer to the 'Moss Vale Township- DCP' Section 5 - Figure A5.4 'Flood Compatible Materials & Building Components' for additional details.

All steel members, wall cladding and any other steel components for buildings must be galvanised or be treated with suitable waterproof applications.

The building components must be designed to withstand inundation up to the 1% AEP + 0.5 m level with appropriate impact loads (e.g. debris, hydrostatic and hydrodynamic pressure etc).

Note, this assessment on building materials is for water inundation only and is not a structural assessment of the building/structure.

5.3 Structural Soundness (Residential - Medium Flood Risk)

Requirement 2: “Applicant to demonstrate that the structure can withstand forces of flood water, debris and buoyancy up to and including a 100 year flood plus freeboard, or a PMF if required to satisfy evacuation criteria. An engineers report maybe required.”

The proposed building and any ancillary structures are to be designed and constructed to withstand the described forces outlined above, simultaneously with all other loads applied to the building. Although council are unable to provide flood velocities for the site at this stage, a structural engineer should be engaged to ensure all structural members of future buildings can support combined loads from all relevant forces, as well as the following flood forces:

Pressure Loads -

The structure must be able to support water pressure loads applied to the buildings support piers, flooring and walls up to the flood planning level RL 678.90m.

Uniformly distributed

The structure must be able to support uniformly distributed loads over a depth of 0.3m applied up to the flood planning level RL 678.90m.

Impact Loads

The structure should be able to support impact loads (e.g. debris) applied up to the flood planning level RL 678.90m.

Buoyancy Loads

The structure should be able to withstand buoyancy loads by having a suitably designed sub-floor and footing tie-down system.

The flood forces described above are the design loads that the structure must be able to withstand. A qualified structural engineer is to be engaged to undertake the required design and specifications for the structural components of the building including all flood forces. This includes the forces as described in this report and any others deemed necessary by the structural engineer to provide stability in flood events up to FPL (including any scouring caused by the flood event).

5.4 Flood Effects (Residential - Medium Flood Risk)

Requirement 2: “The flood impact of the development to be considered to ensure that the development will not increase flood affects elsewhere, having regard to: (i) loss of flood storage: (ii) changes in flood levels and velocities caused by alterations to the flood conveyance: and (iii) the cumulative impact of multiple potential developments in the floodplain.”

In regard to each item:

(i) loss of flood storage – The proposed extension has a minor encroachment into the 1% AEP flood extents and is to be constructed above the existing ground (i.e. suspended) and have open sides (not enclosed) to allow the egress of flood waters into and out of the sub-floor area of the building. The sub-floor area would consist of piers or posts with a small cross-sectional area. It is not expected that this minor encroachment into the flood extent by the buildings support piers would have a detrimental effect on surrounding flood flows and levels. Obviously the only way to confirm this is to undertake expensive, time consuming flood modelling, therefore given the small encroachment we don't see this as being warranted.

(ii) changes in flood levels and velocities caused by alterations to the flood conveyance – The proposed development is to be designed to minimise changes to flood levels and velocities to minimise the potential impact to surrounding properties. A small rear portion of the proposed extension would be located within the 1% AEP flood extents and would be raised above the 1% AEP flood level with only structural supports below the flood level. Any structural components below the 1% AEP would need to be considered in the loss of flood storage described above.

(iii) the cumulative impact of multiple potential developments in the floodplain - The site is located among existing residential developments of similar size to that proposed. The proposal is in keeping with these surrounding existing developments. The majority of the surrounding areas are already fully developed within the upstream and downstream catchment and therefore already contribute to any further cumulative impact on the floodplain. A detailed flood model that includes all current and potential developments would be required to determine the cumulative impact and is not warranted for this small scale type development and does not form part of this flood risk assessment.

5.5 Car Parking and Driveway Access (Residential - Medium Flood Risk)

Requirement 1: “The minimum surface level of open car parking spaces, carports or garages, shall be as high as practical, and not below (i) the 5 year flood level plus freeboard; or (ii) the level of the crest of the road at the location where the site has access; (whichever is the lower).

There are no proposed new open car spaces or garages proposed for this development. Therefore this prescriptive control is not applicable.

Requirement 3: “Garages capable of accommodating more than 3 motor vehicles on land zoned for urban purposes, or enclosed car parking, must be protected from inundation by floods equal to or greater than the 100 year.”

There are no proposed garages accommodating 3 or more vehicles proposed for this development, therefore this prescriptive control is not applicable.

Item 5: “The driveway providing access between the road and parking space shall be as high as practical and generally rising in the egress direction.”

The existing driveway access is above the 100 year flood level and rising to the Suttor Road entry point therefore complying with this prescriptive control. An evacuation procedure outlined in **Section 6** of this report takes the driveway level into consideration.

Requirement 6: “Enclosed car parking and parking areas accommodating more than 3 vehicles (other than on rural zoned land) with a floor level below the 5 year level plus freeboard or more than 0.8m below the 100 year flood level, shall have adequate warning systems, signage and exits.”

There are no proposed garages accommodating 3 or more vehicles proposed for this development, therefore a flood warning system would not be required.

Requirement 7: “Restrains or vehicle barriers to be provided to prevent floating vehicles leaving a site during a 100 year flood.”

This prescriptive control is not applicable.

5.6 Evacuation (Residential - Medium Flood Risk)

Item 2: “Reliable access for pedestrians or vehicles is required from the building, commencing at a minimum level equal to the lowest habitable floor level to an area of refuge above the PMF level, or a minimum of 20% of the gross floor area of the dwelling to be above the PMF level. In the case of alterations or additions to an existing development, this may require retro-fitting the existing structure if required to support a refuge above the PMF”

It is proposed to evacuate the dwelling prior to a flood event rather than constructing a portion of the dwelling (mezzanine) above the PMF level. Refer to **Section 6** for information on proposed evacuation procedure.

Flood Risk Assessment – 4 Suttor Road, Moss vale

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5.7 Management and Design (Residential - Medium Flood Risk)

Item 1: “If this application involves subdivision, Applicant to demonstrate that potential development as a consequence of the subdivision, can be undertaken in accordance with this DCP.”

The proposal is not a subdivision, therefore this prescriptive control is not relevant to the proposal.

6 Evacuation

The following evacuation measures are required to be implemented by the owners:

- (i) Prepare a flood action/evacuation plan and display it in prominent positions (example given in Appendix 1).
- (ii) Induct all occupants in the flood action plan.
- (iii) Obtain literature on flood liable land from Council.
- (iv) Locate signs around the site identifying the site as being located in a flood hazard area.
- (v) Display a flood action guide suitably location in clear view with each proposed dwelling.
- (vi) Ensure the safety of all occupants during and after major flood events.

6.1 The Evacuation Route

It is best to avoid unnecessary travel unless it is advised by State Emergency Services (SES) that evacuation of the site is required. If evacuation of the site is required it would therefore be necessary to evacuate occupants to an evacuation centre specified by State Emergency Services within Moss Vale, possibly being the Moss Vale Town Centre. The most appropriate evacuation route would be south via Suttor Road, turning right onto Argyle Street, then left onto Valetta Street and right onto Clarence Street towards the town centre at a flood-free area above the PMF (Refer to **Figure 7**).

The evacuation route is well formed with sealed bitumen roads and away from major watercourse crossings. Although parts of the evacuation route could become affected with flood waters during a major storm event, it should remain accessible if evacuation is undertaken early in accordance with broadcast warnings discussed in **Section 6.2** below. Never drive into floodwater and follow the advice of authorities and adjust your route accordingly to avoid driving into danger.

6.2 Effective Warning Time

There are no known flood warning service specific for the surrounding local catchment, although the Bureau of Meteorology (BOM) issues severe weather warnings on their website and via local radio broadcasts.

Occupants are to monitor SES broadcasts during major storm events. This offers occupants some assistance of the severity and duration of storm events that may cause flooding.

All occupants of the dwelling are to consider evacuating the property early if advised by local SES operators. Evacuation from the site by all occupants to flood-free land would take approximately 10 to 15 minutes allowing time to co-ordinate children, pack valuables and pets etc. and including travel time. As the evacuation may involve families with small

children, additional time and caution will be required and must be considered in any evacuation plan.

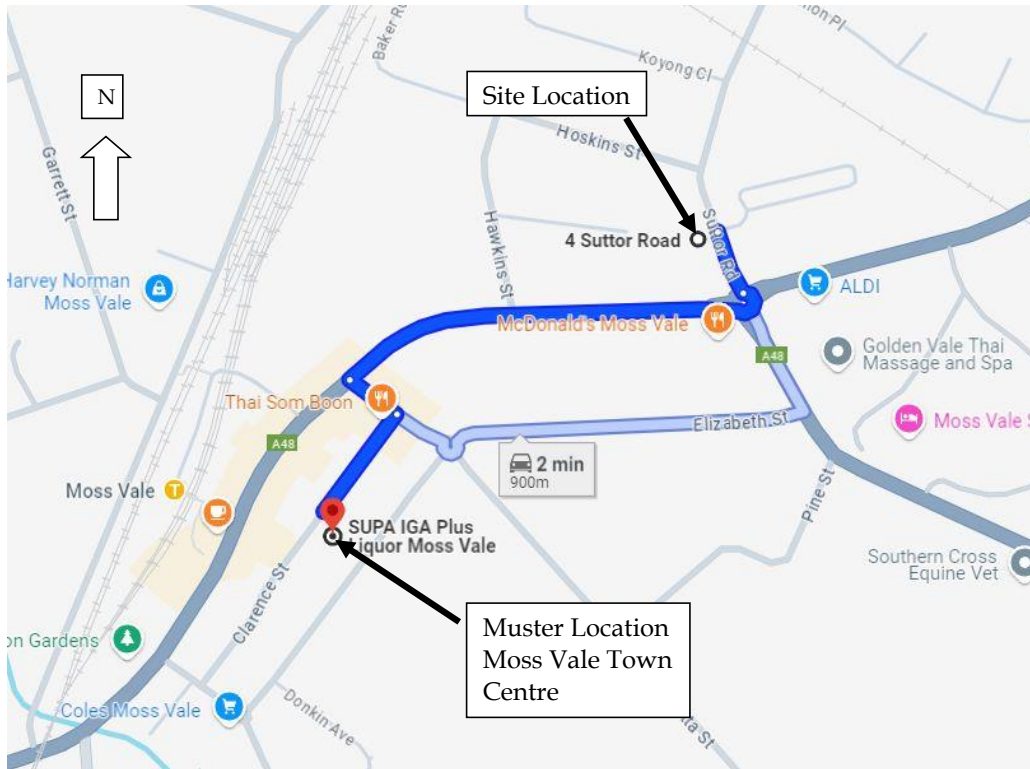


Figure 7 - Evacuation Route (Image Sourced from Google Maps)

7 Conclusions and Recommendations

This report has been prepared to determine the potential impact and associated flood risks of the proposed Development.

The minimum floor level of the dwelling and extension is to be set above the flood planning level of 678.90m AHD. The proposed extension is to be constructed with building components that would be adequate to withstand inundation up to the Flood Planning Level with minimal impact.

Evacuation from the site to flood-free land will be possible if sufficient warning time is provided and made in accordance with a flood evacuation plan measures outlined in **Section 6**.

The proposed development would be designed to have minimal impact on flood levels and flow velocities (suspended structures with minimal fill) and would be expected to have minimal impact on adjacent properties. If the proposed development is carried out in compliance with the planning controls discussed in **Section 5** of this report, then the development would be in compliance with Wingecarribee Shire Council's 'Moss Vale Township' Development Control Plan, specifically Section 5 'Flood Liable Land' and also in accordance with the NSW Government's 'Floodplain Management Manual.'

8 References

Brisbane City Council. Example Family Flood Action Guide. (Refer to Appendix 1)

Cobel Stephens Architects - Plans, Project No. 610-23-646, dated 14/08/24

NSW Government 'Floodplain Management Manual: The Policy and manual for Flood Liable Land' 2023.

Wingecarribee Shire Councils 'Moss Vale Township' Development Control Plan 2021

Wingecarribee 'Local Environmental Plan' 2010 - Clause 5.21

Wingecarribee Shire Council Flood Certificate for 4 Suttor Road, Moss Vale

WMA Water. Wingecarribee Flood Study Update – Final Report (2022).

9 Appendices

9.1 Appendix 1

Flood Action Guide

1 Know your local flood history and plan

What the terms "major", "moderate" and "minor flooding" mean to your area and at what "official river height" your home becomes isolated or inundated.

Details of local flood plan, whether you may need to evacuate and how to get to the nearest safe location.

2 Emergency kit - check list

- (i) A portable radio and torch with fresh or spare batteries and bulb.
- (ii) Candles and waterproof matches or a gas lantern.
- (iii) Reasonable stocks of fresh water and tinned or dried food.
- (iv) A first aid kit and basic first aid knowledge
- (v) Good supplies of essential medication.
- (vi) Strong shoes and rubber gloves.
- (vii) A waterproof bag for clothing and valuables (collect valuables/certificates and place them in the bag in a safe place).
- (viii) A list of your emergency contact numbers- SES.
- (ix) Name, address and contact numbers of owner
- (x) Name, address and contact numbers of occupier

3 Act on flood warnings

- (i) Listen to your local radio/TV for further information.
- (ii) Check that your neighbours know of the warning.
- (iii) Stack furniture and possessions above likely flood level, on beds and in roof (electrical items on top).
- (iv) Move garbage, chemicals, poisons, to a high place.
- (v) Secure objects that could float and cause damage ie. gas bottles.
- (vi) Protect/relocate valuable stock, animals and equipment.
- (vii) If on the land, move livestock to high ground, recover pumps and other equipment in the path of the flood.
- (viii) Check your car and fill it with fuel (have another means of escape if the car fails).
- (ix) Check emergency kit and fresh water stocks.

4 If you need to evacuate

You may be advised to evacuate by local authorities, but if you decide to leave of your own accord, tell Police or SES and your neighbours where you are going. In any case, you should take the following actions:

- (i) Empty freezers and refrigerators, leaving doors open (to avoid floating and subsequent damage).
- (ii) Collect and secure your personal valuables, papers, certificates, insurance policy details, photo albums, and family mementos.
- (iii) Turn off electricity, gas and water.
- (iv) Don't forget your emergency kit.
- (v) Notify SES
- (vi) Assemble at the location shown on the attached plan.

5 During and after the flood

- (i) Keep your emergency kit safe and dry.
- (ii) Check with SES or police in relation to returning to your house.
- (iii) Do not eat food which has been in contact with flood water, and even boil all tap water until all supplies have been declared safe.
- (iv) Don't use gas or electrical appliances that have been flood affected, until they have been safety checked.
- (v) Beware of snakes and spiders that may move to drier areas in your house.
- (vi) Avoid wading, even in shallow water, as it may be contaminated - if you must enter shallow flood water, wear solid shoes and check depth with a stick before proceeding.
- (vii) Check with Police or SES for safe routes before driving and don't enter water without checking depth and current.
- (viii) Do not enter fast moving water of any depth.
- (ix) Keep listening to your local radio and/or TV station and heed all warnings and advice.

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9.2 Appendix 2 – Flood Certificate for 4 Suttor Road, Moss Vale

Flood Certificate

File: PN 1416600; FLOOD25/020



Civic Centre, 68 Elizabeth St,
Moss Vale NSW 2577
PO Box 141, Moss Vale
02 4868 0888
mail@wsc.nsw.gov.au
ABN 49 546 344 354

Certificate Issued for Property:
Lot 24 DP 707179, 4 SUTTON ROAD MOSS VALE NSW 2577

Requested By:
Coble Stephens Architects P/L, 1 EAST STREET MOSS VALE NSW 2577

WMA Water Pty Ltd were engaged by Council to review the Wingecarribee River Flood Study. The Review Study has been completed and was adopted by Council on 20 July 2022. The Review of the Wingecarribee Flood Study report is the latest information to guide development in the catchment.

Any information regarding flooding is provided in good faith but on the basis that the Council of the Shire of Wingecarribee, its agents or employees are not liable to any person for any damage or loss which has occurred or may occur in relation to the person taking or not taking action in respect of the information.

Classification of Flood Risk

Council records indicate that the above property is located within the Wingecarribee River Floodplain and has been identified as being partially in a medium (yellow in the image) and low (light blue) flood risk precinct.

Land that is potentially subject to inundation is classified as low, fringe low, medium and/or high flood risk. Council has prepared a development control plan known as "Managing our Flood Risk" that provides details of flood related development controls that may be applicable. This Development Control Plan will be reviewed.

Estimated Flood Levels

1% AEP flood level is shown overleaf:

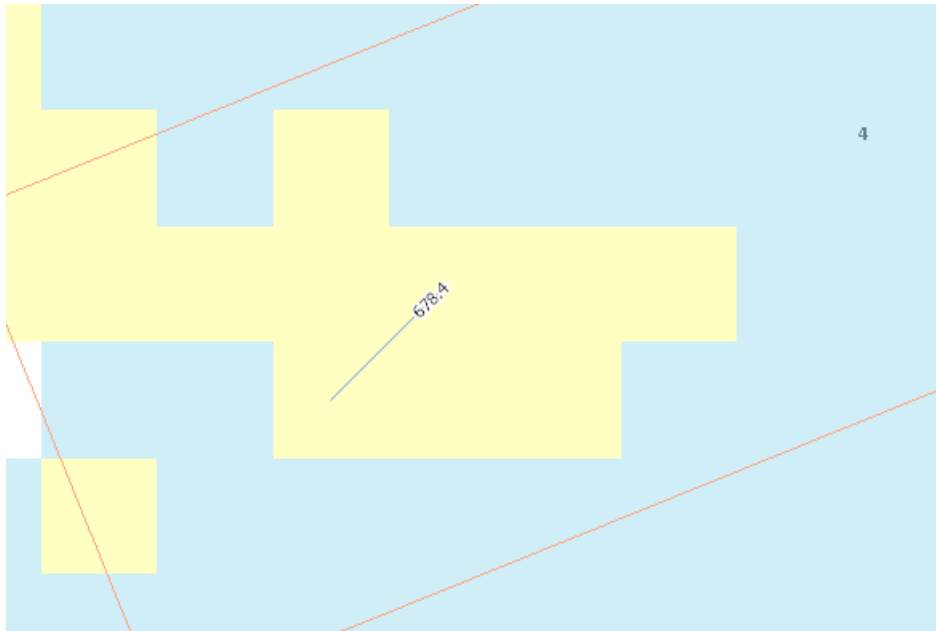
Issued by

Sha Prodhan
Floodplain & Stormwater Engineer
02/08/2024

Working with you

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WINGECARRIBEE - A COAL MINING FREE SHIRE



Plan Notes

- Plan NOT TO SCALE
- 100 year ARI flood levels may vary across a site.
- 100 year ARI flood levels are to Australian Height Datum
- Council no longer provides floor level information. The applicant is advised to engage a registered surveyor to determine floor levels.

Frequently Asked Questions

Why do flood levels change over time?

There is a chance that floods of various magnitudes will occur in the future. As the size of a flood increases, the chance that it will occur becomes rarer. Because some of these rare floods have never been experienced since European settlement, the height of future floodwaters is normally predicted using computer models. These computer models simulate flood levels and velocities for a range of flood sizes and flood probabilities. Given the importance of estimating flood levels accurately, Councils and the Office of Environment & Heritage engage experts to establish and operate the computer models.

From time to time the computer models are revised and predicted flood levels can change. The resultant change in flood levels however is normally very small. The reasons why the computer models are revised can include:

- new rainfall or ground topography information becomes available;
- new floods occur which provide additional data from which to fine-tune the models;
- better computer models become available as the science of flood modelling improves and computer capabilities increase; or
- flood mitigation works may have been carried out, or development within the catchment may have occurred, that was not previously simulated in the models.

How are these studies funded?

The flood studies are funded on a 2:1 basis between NSW Government and Councils. This funding arrangement is also available for the construction of flood mitigation works.

My property is in a Low Flood Risk Precinct. What does this mean?

Generally, it means that your property would not be inundated in a 100 year flood but still has a very slight chance of inundation from larger (i.e. rarer) floods. If you are a residential property owner, there will be virtually no change to how you may develop your property. However, there may be controls on the location of essential services such as hospitals, evacuation centres, nursing homes and emergency services.

My property is in a Fringe Low Flood Risk Precinct. What does this mean?

The classification of a 'Fringe Low Flood Risk Precinct' can differ slightly between Councils. Generally it means that your property is above the height of the 100 year flood level but not more than 0.5m above it. In this area you are just above the reach of the 100 year flood level but still within the freeboard of 0.5m which Council normally includes when setting minimum floor levels for flood prone properties.

My property is in a Medium Flood Risk Precinct. What does this mean?

The classification of a 'Medium Flood Risk Precinct' can differ slightly between Councils. Generally it means that your property is inundated in a 100 year flood, however conditions are not likely to be hazardous. If you are a residential property owner development controls will probably be similar to those that currently exist.

My property is in a High Flood Risk Precinct. What does this mean?

The classification of a 'High Flood Risk Precinct' can differ slightly between Councils. Generally it means that your property will be inundated in a 100 year flood and that hazardous conditions may occur. This could mean that there would be a possible danger to personal safety, able bodied adults may have difficulty wading to safety, evacuation by trucks may be difficult, or there may be a potential for significant structural damage to buildings. This is an area of higher hazard where stricter controls may be applied.

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Will my property value be altered if I am in a Flood Risk Precinct?

Any change in a Council's classification of properties can have some impact on property values. Nevertheless, Councils normally give due consideration to such impacts before introducing a system of flood risk classifications or any other classification system (e.g. bushfire risks, acid sulphate soil risk, etc). If your property is now classified as being in a Flood Risk Precinct, the real flood risks on your property have not changed, only its classification has altered. A prospective purchaser of your property could have previously discovered this risk if they had made enquiries themselves.

If you are in a Low Flood Risk Precinct, generally there may be controls on floor levels. Previous valuation studies have shown that under these circumstances, your property values will not alter significantly over the long term. Certainly, when a new system of classifying flood risks is introduced, there may be some short-term effect, particularly if the development implications of the precinct classification are not understood properly. This should only be a short-term effect however until the property market understands that over the long term, the Low Flood Risk Precinct classification will not change the way you use or develop your property.

Ultimately, however, the market determines the value of any residential property. Individual owners should seek their own valuation advice if they are concerned that the flood risk precinct categorisation may influence their property value.

My property was never classified as 'flood prone' or 'flood liable' before. Now it is in a Low Flood Risk Precinct. Why?

The State Government changed the meaning of the terms 'flood prone', 'flood liable' and 'floodplain' in 2001. Prior to this time, these terms generally related to land below the 100 year flood level. Now it is different. These terms now relate to all land that could possibly be inundated, up to an extreme flood known as the probable maximum flood (PMF). This is a very rare flood.

The reason the Government changed the definition of these terms was because there was always some land above the 100 year flood level that was at risk of being inundated in rarer and more extreme flood events. History has shown that these rarer flood events can and do happen (e.g. the 1990 flood in Nyngan, the 1996 flood in Coffs Harbour, the 1998 flood in Katherine, the 2002 floods in Europe, etc.).

Will I be able to get house and contents insurance if my house is in a Flood Risk Precinct?

In contrast to the USA and many European countries, flood insurance is generally not available for residential property in Australia. Following the disastrous floods in Coffs Harbour in November 1996 and in Wollongong in August 1998, some insurance companies are now offering very limited flood cover. The most likely situation is that your insurer does not offer you flood cover. If limited flood cover is offered, the classification of your property within a Flood Risk Precinct is unlikely to alter the availability of cover. Obviously insurance policies and conditions may change over time or between insurance companies, and you should confirm the specific details of your situation with your insurer.

Will I be able to get a home loan if my land is in a Flood Risk Precinct?

Most banks and lending institutions do not account for flood risks when assessing home loan applications unless there is a very significant risk of flooding at your property. The system of Flood Risk Precinct classification will make clear to all concerned, the nature of the flood risks.

Under the previous system, if a prospective lending authority made appropriate enquiries, they would have identified the nature of the flood risk and considered it during assessment of home loan applications. As a result, it is not likely that the classification of your property within a Flood Risk Precinct will alter your ability to obtain a home loan. Nevertheless, property owners who are concerned about their ability to obtain a loan should clarify the situation with their own lending authority.

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How have the flood risk maps been prepared?

Because some large and rare floods have often not been experienced since European settlement commenced, computer models are used to simulate the depths and velocities of major floods.

These computer models are normally established and operated by flooding experts employed by local and state government authorities. Because of the critical importance of the flood level estimates produced by the models, such modelling is subjected to very close scrutiny before flood information is formally adopted by a Council. Maps of flood risks (e.g. 'low', 'medium' and 'high') are prepared after consideration of such issues as:

- flood levels and velocities for a range of possible floods;
- ground levels;
- flood warning time and duration of flooding;
- suitability of evacuation and access routes; and
- emergency management during major floods.

What is the probable maximum flood (PMF)?

The PMF is the largest flood that could possibly occur. It is a very rare and improbable flood. Despite this, a number of historical floods in Australia have approached the magnitude of a PMF. Every property potentially inundated by a PMF will have some flood risk, even if it is very small. Under the State Government changes implemented during 2001, Councils must now consider all flood risks, even these potentially small ones, when managing floodplains. As part of the State Government changes, the definitions of the terms 'flood liable', 'flood prone' and 'floodplain' have been changed to refer to land inundated by the PMF.

What is the 100 year flood?

A 100 year flood is the flood that will occur or be exceeded on average once every 100 years. It has a probability of 1% of occurring in any given year. If your area has had a 100 year flood, it is a fallacy to think you will need to wait another 99 years before the next flood arrives. Floods do not happen like that. Some parts of Australia have received a couple of 100 year floods in one decade.

Why do Councils prepare floodplain management studies and plans?

Under NSW legislation, Councils have the primary responsibility for management of development within floodplains. To appropriately manage development, Councils need a strategic plan which considers the potential flood risks and balances these against the beneficial use of the floodplain by development. To do this, Councils have to consider a range of environmental, social, economic, financial and engineering issues. This is what happens in a floodplain management study. The outcome of the study is the floodplain management plan, which details how best to manage flood risks in the floodplain for the foreseeable future.

- Floodplain management plans normally comprise a range of works and measures such as:
- improvements to flood warning and emergency management;
- works (e.g. levees or detention basins) to protect existing development;
- voluntary purchase or house raising of severely flood-affected houses;
- planning and building controls to ensure future development is compatible with the flood risks; and
- measures to raise the community's awareness of flooding so that they are better able to deal with the flood risks they face.

Will the Flood Risk Precinct maps be changed?

Yes. All mapping undertaken by Council is subjected to ongoing review. As these reviews take place, it is conceivable that changes to the mapping will occur, particularly if new flood level information or ground topography information becomes available. However, this is not expected to occur very often and the intervals between revisions to the maps would normally be many years. Councils have a policy of reviewing and updating floodplain management studies and plans about every five years subject to funding availability. This is the likely frequency at which the maps may be amended.



ATTACHMENT 1

DRAFT CONDITIONS OF CONSENT

SCHEDULE 1 CONDITIONS OF DEVELOPMENT CONSENT

ADMINISTRATION CONDITIONS

1. Development Description

Development consent has been granted in accordance with this notice of determination for the purposes of alterations and additions to an existing dwelling house.

Reason: *To confirm the use of the approved development.*

2. Development in Accordance with Plans and Documents

The development shall be implemented in accordance with the approved plans and supporting documents set out in the following table except where modified by any conditions of development consent.

Plan Title / Supporting Document	Reference / Version	Prepared By	Dated
Site Plan	Job No. 610-23-646 Sheet No. DA01 Sheet 1 of 3	Coble Stephens Architects	14/08/2024
Floor Plan, Elevations, Section	Job No. 610-23-646 Sheet No. DA02 Sheet 2 of 3	Coble Stephens Architects	14/08/2024
BASIX Certificate	A1756747	Coble Stephens Architects	22/07/2024
Flood Risk Assessment Report	24000361-FRA01_REV01	SEEC	18/09/2024
Waste Management Plan	-	CMY Planning Services	03/09/2024

Reason: *To ensure the development is carried out in accordance with the approved plans and documentation.*

3. Inconsistency between documents

In the event of any inconsistency between the conditions of this consent and the drawings/documents referred to above, the conditions of this consent shall prevail to the extent of the inconsistency.

Reason: *To ensure that the development is undertaken in accordance with the submitted*

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25/0414, Lot 24 DP 707179

plans and documents (as amended).

4. Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989

- (a) That the work must be carried out in accordance with the requirements of the National Construction Code.
- (b) In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

This section does not apply –

- To the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, or
- To the erection of a temporary building, other than a temporary structure to which subsection (3) of applies.

Reason: *The condition is prescribed under Section 69 of the Environmental Planning and Assessment Regulation 2021.*

5. Erection of Signs

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

- (a) Showing the name, address and telephone number of the Principal Certifier (PC) 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 work site is prohibited.

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

Note: *This condition does not apply where:*

- Building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
- Crown building work certified to comply with the Building Code of Australia under Part 6 of the *Environmental Planning & Assessment Act 1979*.

Reason: *The condition is prescribed under Section 70 of the Environmental Planning and Assessment Regulation 2021.*

6. Notification of Home Building Act 1989 Requirements

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the Principal Certifier (PC) 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:

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- (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 under subclause (1) becomes out of date, further work must not be carried out unless the Principal Certifier (PC) for the development to which the work relates (not being the council) has given the council written notice of the updated information.

Reason: *The condition is prescribed under Section 69 of the Environmental Planning and Assessment Regulation 2021.*

7. Demolition Requirements

Demolition works shall be in accordance with the requirements of AS2601-2001 "The Demolition of Structures".

Amongst others, precautions to be taken shall include compliance with the requirements of the SafeWork NSW and Council's Water and Sewer Asset Protection, including:-

- (a) Protection of site workers and the general public.
- (b) Erection of hoardings where appropriate.
- (c) Asbestos removal handling and disposal where applicable by licensed contractors.
- (d) Ensuring only licensed demolition contractors are used as required pursuant to Occupational Health and Safety Legislation.
- (e) Appropriate precautions are taken in regard to lead based paints.

Reason: *To comply with statutory requirements.*

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

8. Application for a Construction Certificate (Building Works)

The applicant must apply for the Construction Certificate through the NSW Planning Portal to carry out the relevant building works in accordance with this consent.

The details to be included in the application for a Construction Certificate are:

- (a) Architectural plans and building specifications complying with the National Construction Code (NCC) relevant Australian Standards, and the development consent and conditions.
- (b) If Council or a private registered certifier issues the Construction Certificate, engineering details must be submitted for approval for all structural elements, including but not limited to, piers, footings, reinforced concrete slab, first floor joist layout, roof trusses, steel beams and the like. The details must be prepared by a qualified chartered professional practicing consulting structural engineer. Also a certificate from the engineer must be included

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certifying that the design fully complies with appropriate SAA Codes and Standards and the Building Code of Australia requirements.

Reason: *A requirement under the provisions of the Environmental Planning and Assessment Act 1979.*

Note: *Construction work may only commence upon the issue of a Construction Certificate, appointment of a Principal Certifier (PC), and lodgement of Notice of Commencement. Please submit the appointment of the Principal Certifier through the NSW Planning Portal.*

Please note that if demolition works forms part of the extent of works approved in the same application, then demolition must not commence prior to the issue of a Construction Certificate.

9. Section 68 Local Government Act 1993 Approvals

Prior to the issue of a Construction Certificate, an application under section 68 of the *Local Government Act 1993* shall be made to, and issued by, Wingecarribee Shire Council, for the following approvals:

- Carry out sewerage works
- Carry out water supply
- Carry out stormwater construction works

Reason: *A requirement under the provisions of the Local Government Act 1993.*

10. Long Service Levy Payments

The payment of a long service levy as required under Part 5 of the *Building and Construction Industry Long Service Payments Act 1986*, in respect to this building work, and in this regard, proof that the levy has been paid, is to be submitted to Council prior to the issue of a Construction Certificate.

Council acts as an agent for the Long Services Payment Corporation and the levy may be paid at Council's Office.

Reason: *Statutory requirement*

11. Developer to provide photos of damage to Council property

The developer must provide Council and the Principal Certifier (PC) with photos of any damage of Council property adjoining the development prior to the issue of the Construction Certificate.

Photos should include any damage to footpaths, road furniture, landscaping/trees, drainage, water, sewer, kerb and gutter and road pavement and the like.

Failure to identify existing damage will result in all damage detected after completion of the building work being repaired at the developer/owners/proponents expense.

The construction supervisor is responsible to ensure that all contractors, sub-contractors, and delivery trucks use a designated access point to prevent damage to Council's property. Repairs to damaged Council property are to be carried out by the contractor/builder to Council's specification and supervision prior to issue of any Occupation Certificate or Subdivision Certificate (as applicable).

Reason: *To ensure that Councils assets are protected.*

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12. Stormwater - Control of Peak Discharge

Adequate and suitable infrastructure shall be provided to ensure the peak discharge from the site is no greater than the pre-developed peak discharge. This infrastructure shall be designed in accordance with Council's Engineering Design Construction Specifications and Drawings. Calculations to demonstrate that the post-development peak discharge will not exceed the pre-development peak discharge shall be provided with the application for a Construction Certificate.

Any stormwater temporarily stored onsite shall be done in a manner that does not jeopardise public safety. In this regard the development shall provide a risk assessment with the Construction Certificate documentation.

Reason: *To ensure the peak discharge from the site is no greater than the pre-developed peak discharge.*

13. Erosion and Sediment Control Plan

An Erosion and Sediment Control Plan shall be prepared in accordance with Chapter 2 of the NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004) manual for sedimentation and erosion control plan by a suitably qualified person, and approved by Council prior to issue of the Construction Certificate.

The Erosion and Sediment Control Plan shall include scaled drawings and detailed specifications which can be referred to onsite by project management staff or project construction supervisor.

Items to be shown on the Plan shall include:

- (a) Locality of the site, a north point and scale.
- (b) Existing contours of the site including catchment area boundaries and indications of direction of fall.
- (c) Location of and basic description of existing vegetation.
- (d) Diversion of uncontaminated up-slope run-off around the disturbed sites.
- (e) Location of significant natural areas requiring special planning or management including waters, floodplains, seasonally wet areas, areas prone to ponding/water logging, unstable slopes etc.
- (f) Nature and extent of earthworks, including cut and fill roadworks.
- (g) Location of all soil and material stockpiles.
- (h) Location of site access, proposed roads and other impervious areas.
- (i) Existing and proposed drainage patterns.
- (j) Location and type of proposed erosion and sediment control measures.
- (k) Site rehabilitation proposals, including final contours.
- (l) Time of placement of sediment controls.
- (m) Staging of works and how the plan is to be implemented for each stage or activity on site.
- (n) Maintenance schedule.

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Reason: *To minimise soil erosion and sediment movement during construction and to comply with NorBE requirements.*

14. Water and Sewer Authority Conditions

Prior to issue of a Construction Certificate, the developer shall obtain approval from Council (as the Water Supply Authority and/or as required under Section 68 of the Local Government Act 1993) for the works to be undertaken by submitting adequate documentation including plans, calculations and specifications which justify that the required works are in accordance with all Council's standards and all other relevant codes and guidelines.

The application shall include provision to concrete encase the existing sewer main which is proposed to be built over, in accordance with Council's engineering design specifications.

Reason: *To ensure water and sewer reticulation are in accordance with Council's standards.*

15. Building within Vicinity of Sewer Main

Where a building is constructed within the zone of influence of the sewer main, the weight of the building shall be distributed away from the sewer main by pier and beam construction. The piers shall be designed by a suitably qualified experienced professional and chartered Engineer and shall be embedded on firm foundation at least 300mm below the zone of influence with a minimum horizontal clearance from the pipe of 600mm.

The area of influence of the sewer main is considered that area within the angle of repose of 45o for normal loam/clay/sand foundations, or 60o for rock foundations measured 600mm from the outside of the pipe from the trench bottom.

Notwithstanding the above, a building shall not be erected within 1.2m of the outside edge of a sewer manhole and unobstructed personal access of minimum width of 900mm shall be provided to any manhole located upon private property.

Reason: *To protect public infrastructure.*

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK

16. Construction Certificate

No work shall commence until a:

- (a) Construction Certificate is obtained from either the Wingecarribee Shire Council or a Registered Certifier; and
- (b) Construction Certificate lodged with Council obtained from a Registered Certifier (together with associated plans and documents) - a fee applies for this service.

Reason *Statutory requirement.*

17. Appointment of Principal Certifier (PC)

No work shall commence in connection with this Development Consent until:

- (a) A Construction certificate for the building work has been issued by:
 - (i) the consent authority; or
 - (ii) a Principal Certifier (PC); and

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- (b) the person having the benefit of the development consent has:
- (i) appointed a Principal Certifier (PC) for the building work, and
 - (ii) notified the Principal Certifier (PC) that the person will carry out the building work as an owner-builder, if that is the case, and
- (b1) the Principal Certifier (PC) has, no later than 2 days before the building work commences:
- (i) notified the Council of his or her appointment, and
 - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- (b2) the person having the benefit of the development consent, if not carrying out the work as an owner builder, has:
- (i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
 - (ii) notified the Principal Certifier (PC) of such appointment, and
 - (iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- (c) the person having the benefit of the development consent has given at least 2 days' notice to the Council of the person's intention to commence the erection of the building.

Reason: *To ensure that there is certainty as to the consent applying to the land.*

18. Notice of Commencement

No work shall commence until a notice of commencement form has been submitted (form will be attached with issue of a Construction Certificate or Subdivision Works Certificate or available from Council's website), giving the Principal Certifier (PC):

- (a) Not less than two (2) days' notice of the date on which it is proposed to commence work associated with this Development Consent.
- (b) Details of the appointment of a Principal Certifier (PC) (either Wingecarribee Council or another Registered Certifier).
- (c) Details of the Principal Contractor or Owner Builder:
 - Name
 - Builders Licence Number or Owner Builder Permit Number
 - Principal Contractor Company Name
 - Principal Contractor ABN
 - Address of Principal Contractor or Owner Builder
 - Email Address
- (d) Copy of the HBCF Insurance Certificate (if residential building works exceed \$20,000) or Owner Builder Permit.
- (e) Details demonstrating compliance with development consent conditions relevant prior to commencement of the development been satisfied.

Reason: *Statutory requirement.*

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19. Set Out Survey

The development shall be set out by a Registered Land Surveyor to ensure the correct location on the site in accordance with the approved site plan prior to the commencement of works.

Reason: *To ensure compliance with the approved plans.*

CONDITIONS TO BE SATISFIED DURING THE CONSTRUCTION PHASE

20. Approved Plans to be available on site

Endorsed Council approved plans, specifications, documentation and the consent shall be made available on site at all times during construction.

Reason: *To ensure compliance with approved plans.*

21. Building Materials & Colour Scheme

The use of Zinalume, galvanised iron, stainless steel, unetched zinc or copper is not permitted.

New external building materials and colours shall be recessive in the surrounding landscape as required by Councils Development Control Plan.

Reason: *To ensure that the new building is visually compatible with the existing environment.*

22. Imported 'Waste-derived' Fill Material

The only waste derived fill material that may be received at the development site is:

- Virgin excavated natural material (VENM) within the meaning of the *Protection of the Environment Operations Act 1997* (POEO); or
- Any other waste-derived material the subject of a resource recovery exemption under clauses 91 & 92 of the *Protection of the Environment Operations (Waste) Regulation 2014* that is permitted to be used as fill material

Note: *Any waste-derived fill material the subject of a resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the Principal Certifier (PC).*

The application of waste-derived material to land is an activity that may require a licence under the *Protection of the Environment Operations Act 1997*. However, a licence is not required if the only material applied to land is virgin excavated natural material or waste-derived material that is the subject of a resource recovery exemption under clauses 91 & 92 of the *Protection of the Environment Operations (Waste) Regulation 2014*.

Resource recovery exemptions are available on the NSW EPA website at <http://www.epa.nsw.gov.au/waste/>.

Reason: *To ensure that imported fill is of an acceptable standard for environmental protection purposes.*

23. Ground Levels

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Natural ground levels shall not be altered or adjusted other than shown on the approved plans or where varied by the conditions of consent without the prior consent of Council.

Finished ground levels shall be graded away from the buildings and adjoining properties must achieve natural drainage. The concentrated flows are to be dispersed down slope or collected and discharged to an approved storm water drainage system.

Reason: *To ensure that natural drainage of the property and adjoining properties is not affected.*

24. Erosion and Sediment Control Plan Compliance

All site works shall be carried out in accordance with the approved Erosion and Sediment Control Plan. Implementation of the Erosion and Sediment Control Plan shall be supervised by personnel with appropriate qualification and experience in erosion and sediment control.

Note: *In the event of non-compliance with the approved plan, Council Officers have the ability to issue Penalty Notices, being an on the spot fine and/ or orders.*

Reason: *To ensure that stormwater is appropriately disposed of.*

25. Retaining Walls and Drainage

If the soil conditions require it:

- (a) Retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil shall be provided, and
- (b) Adequate provision shall be made for drainage.
- (c) Any retaining walls which do not comply with the exempt development standards outlined in the *State Environmental Planning Policy (Exempt and Complying Codes) 2008*, are subject to a separate approval prior to the construction of the retaining wall.

Reason: *To ensure that soil is appropriate retained.*

26. Vehicular Access Point - Construction and Delivery Vehicles

A suitable entry point shall be nominated on site and utilised by construction and delivery vehicles. This entry point is to be located so that the possibility of damage to Council's property is minimised during construction. The access point shall be surfaced with all-weather materials of a minimum of 40mm in size. Ballast or crushed gravel (minimum of 40mm rock) for the full width of the kerb from the edge of the road to the property boundary.

Reason: *To reduce the possibility of damage to public property.*

27. Damage to Adjoining Properties

All precautions shall be taken to prevent any damage likely to be sustained to adjoining properties. Where damage occurs to adjoining property all necessary repair or suitable agreement for necessary repairs shall be undertaken by the applicant in consultation with, and with the consent of, the affected property owner.

Reason: *Structural safety.*

28. Prevention of Nuisance

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All possible and practical steps shall be taken to prevent nuisance to the inhabitants of the surrounding neighbourhood from windblown dust, debris and noise during the demolition, excavation and building works.

Reason: *Health and amenity.*

29. Approved Hours of Construction/Demolition

Construction and demolition activities shall be limited to the following hours:

DAY	HOURS
Monday to Saturday	7:00am to 5:00pm
Sunday	Nil
Public Holidays	Nil

Reason: *To ensure that the amenity of the surrounding area is not compromised as a result of the construction of the proposal.*

Note: *Any variation to these hours shall require Council consent via the lodgment of an application under section 4.55 of the Environmental Planning and Assessment Act 1979.*

30. Building Operations

Building operations such as brick cutting, washing tools or brushes and mixing mortar are not permitted on public roadways or footways or in any other locations which could lead to the discharge of materials into the storm water drainage system.

Reason: *To ensure that building materials are not washed into storm water drains.*

31. Maintenance of the Site

All materials and equipment shall be stored wholly within the work site.

Waste materials (including excavation, demolition and construction waste materials) shall be managed on the site and then disposed of at a waste management facility.

Any run-off and erosion control measures required shall be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.

During construction:

- (a) all vehicles entering or leaving the site shall have their loads covered, and
- (b) all vehicles, before leaving the site, shall be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.

At the completion of the works, the work site shall be left clear of waste and debris.

Reason: *Environmental amenity.*

32. Storage of Building Materials, Plant and Equipment

All building materials, plant and equipment are to be placed on the site of the development so as to ensure that pedestrian and vehicular access in public places is not restricted and also so that

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the road reserve is not damaged.

No storage, or placing of any building materials to occur on adjacent public roads or footpath areas in association with the construction, maintenance or use of the development or site.

Reason: *To ensure that pedestrian and vehicular access in public places is not restricted and also so that the road reserve is not damaged.*

33. Waste Management

The provision of a metal waste skip with self-closing lid or secure covering on-site for the duration of the construction to ensure that all wastes are contained on the site. The receptacle shall be emptied periodically to reduce the potential for rubbish to leave the site.

Sorting of waste materials shall occur on site in accordance with the approved Waste Management Plan.

Reason: *To ensure that all wastes generated from the construction of the development are contained on the site.*

34. Utility Services

If the work requires alteration to, or the relocation of, utility services on, or adjacent to, the lot on which the work is carried out, the work is not complete until all such works are carried out.

Reason: *To ensure that utilities are provided appropriately to the development.*

35. Floor Levels

Prior to pouring concrete for the ground floor slab, a report by a Registered Surveyor shall be submitted to Council by the applicant to confirm that the level of the finished floor level will be a minimum of 500mm above the 1% AEP Flood Level and will follow the approved Flood Risk Assessment Report by SEEC (Reference No. 24000361-FRA01-REV01, dated 18/09/2024).

Optional:

The 1% AEP Flood Level for the site is 678.40 metres AHD (Australian Height Datum).

Reason: *To ensure that the development is constructed in accordance with the consent and approved plans.*

36. Stormwater - Connection to Kerb

All stormwater connections to the kerb shall be done using minimum 2mm thick galvanised steel section in accordance with Wingecarribee Shire Council's Standard Drawing No SD102.

Reason: *To comply with Council standards.*

37. Stormwater – Discharge

All stormwater runoff from the development shall be collected within the property and discharged to an approved stormwater management system.

Reason: *To ensure that stormwater is appropriately disposed of.*

38. Engineering Inspections by Council

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24 hours prior to the covering of the following works, Council shall be notified by the licensed builder, owner builder or licensed plumber/drainier that the following works are ready for inspection:

- (i) Piers to distribute loading from structure away from sewer main.
- (ii) Sewer main encasement.

Note: *An accredited certifier may not be substituted for Council in respect of these inspections, as Council remains the sole responsible authority for these matters.*

Reason: *Statutory requirement.*

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

39. Occupation Certificate

In accordance with Section 6.9 of the *Environmental Planning and Assessment Act 1979*, an application for an Occupation Certificate, shall be made on completion of the works and the relevant application fee paid. All works specified in the development consent and approved Construction Certificate plans shall be completed and all development consent conditions complied with prior to the issue of the Occupation Certificate.

The Principal Certifier (PC) is required to be satisfied, amongst other things, that:

- All required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- Any preconditions to the issue of the certificate required by a development consent have been met.

Reason: *To comply with the provisions of the Environmental Planning and Assessment Act 1979*

Note: *A person must not commence occupation or use (or change of use where an existing building) of the whole or any part of a new building (within the meaning of Section 6.10 of the Environmental Planning and Assessment Act 1979 unless an Occupation Certificate has been issued in relation to the building or part.*

40. BASIX Commitments

Pursuant to Section 75 of the *Environmental Planning & Assessment Regulation 2021*, it is a condition of this consent that all the commitments listed in each relevant BASIX Certificate for the development are fulfilled prior to the issue of an Occupation Certificate.

In this condition:

- (a) Relevant BASIX Certificate means:
 - (i) a BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under Section 4.55 of the *Environmental Planning and Assessment Act 1979*, a BASIX Certificate that is applicable to the development when this development consent is modified); or
 - (ii) if a replacement BASIX Certificate accompanies any subsequent application for a Construction Certificate, the replacement BASIX Certificate; and
- (b) BASIX Certificate has the meaning given to that term in the *Environmental Planning & Assessment Regulation 2021*.

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Reason: *To ensure that all of the commitments of BASIX Certificate have been met.*

41. Stormwater Drainage

Prior to the issue of the Occupation Certificate:

- (a) Any regraded areas shall be free draining, away from the building, and shall not concentrate surface water onto adjoining properties.
- (b) Rainwater tank/s (2000 L) shall be sited and installed on site in accordance with the BASIX Certificate and plans submitted with the application. The rainwater tank shall have a 1000 L volume for rainwater storage and 1000 L volume for on-site detention. Overflow from the 2000 L rainwater tank and any additional stormwater drains shall be connected to the street kerb and gutter.
- (c) The plumber shall submit a Stormwater Drainage Diagram showing the "as built" installation of stormwater drainage works on the site.

Reason: *To comply with legislation.*

42. Asset Management

The developer shall provide a detailed summary of the Assets that will be handed to Council at the end of the maintenance period prior to the issue of the Occupation Certificate. The details shall be provided in a tabular form so as to allow Council to update its Assets register.

The assets to be identified include:

- Sewer encasement.

Reason: *To ensure appropriate asset management.*

43. Section 68 Local Government Act Final

The applicant is to ensure that the works associated with the Section 68 approval for this development be completed and inspected by Council prior to the issuing of any Occupation Certificate.

Reason: *To ensure that the development is completed as per this consent and the approved plans.*

44. Council Property

The applicant shall rectify any damage to Council property (including footpaths, road furniture, landscaping/trees, drainage, water, sewer, kerb and gutter, road pavement and the like) as a result of the development, prior to the issue of any Occupation Certificate at no cost to Council.

Reason: *To ensure that Councils assets are protected.*

45. Civil Engineering works and services

All civil engineering works and services are to be constructed in accordance with the Wingecarribee Shire Council Engineering Plans and Specifications, relevant Standards and approved engineering plans prior to the issue of the Occupation Certificate.

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Reason: *To ensure that the works and services are constructed in accordance with the approved plans.*

46. Certification of Internal Civil Works

On completion of the works and prior to the issue of the Occupation Certificate, certification from a professional engineer who has appropriate experience and competence in the relevant registered area of practice, shall be submitted to Council detailing that all the internal civil works (i.e. internal driveways, paths and stormwater drainage system, including any onsite detention) are in accordance with the approved plans and specifications.

Reason: *Asset management.*

47. Engineering Certification - Flood Compatible Development

Prior to issue of the Occupation Certificate, an Engineering Certification to the Principal Certifier shall be provided for any proposed development to occur within the area identified as inundated by the 1:100 year ARI event to ensure compliance with the following:

- a) Requirements of Council's Development Control Plan of Moss Vale.
- b) Requirements of Wingecarribee Local Environment Plan 2010, Clause 5.21.
- c) Recommendations from the approved Flood Risk Assessment Report by SEEC (Reference No. 24000361-FRA01-REV01, dated 18/09/2024).

Reason: *To ensure the development complies with flood standards.*

END OF CONDITIONS

6.2 Development Applications Greater Than 180 Days to be reported to the WLPP

Report Author: Manager Development Assessment and Regulation

Authoriser: Michael McCabe

PURPOSE

The purpose of this report is to provide the Wingecarribee Local Planning Panel with detail regarding the current Development Applications that exceed 180 days.

OFFICER'S RECOMMENDATION

THAT the Wingecarribee Local Planning Panel note the Development Applications that are currently being assessed which have exceeded 180 days since lodgement.

REPORT

The table, provided in Attachment 1, includes a list of DAs that are currently being assessed which have exceeded 180 days since lodgement which are to come to the Wingecarribee Local Planning Panel for determination.

A short commentary has been included against each Application. The table is being provided to the Wingecarribee Local Planning Panel for information and feedback.

ATTACHMENTS

1. ATTACHMENT 1 Wingecarribee Local Planning Panel 26 February 2025 [6.2.1 - 2 pages]

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ITEM 6.3 - ATTACHMENT 1 Wingecarribee Local Planning Panel 26 February 2025

DA No.	Address	Proposal	Est. date to WLPP	Advice to Chair	No. of Days at 19/02
22/0926	West Parade, Hill Top	Retail Premises, Take Away Food and Drink Premises	April. 25	Revised plans and information were received in August 2024. Under agency & referral/assessment.	1186
23/0202	Earl Street, Bowral	Building Envelope & Vegetation Removal	March. 25	Under final assessment following additional information & technical referrals.	917
23/1081	8 Hakea Street, Hill Top	Dwelling House, Tree Removal	April. 25	Further information requested – Due 20 December. Information remains outstanding	688
24/0574	451 Moss Vale Road, Bowral	Construction of Residential Flat Building (20 Dwellings)	March. 25	Under final assessment.	475
24/0847	21 Shepherd Street	Change an Existing Secondary Dwelling to a Detached Dual Occupancy & Strata Subdivision	March. 25	Under final assessment	433
24/1094	271 Exeter Road, Sutton Forest	Continued use of existing structures/facilities, proposed construction of Equine Facilities and the establishment of a Recreation Facility (outdoor) - Equestrian Centre	March. 25	Further Information Request issued 17 February 2025. Final assessment to be completed.	324

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24/1216	52 Kangaloon Road, Bowral	Subdivision of three existing lots into three new lots to facilitate the retention of an existing dwelling and Construction of 13 infill seniors living units	April. 25	Additional information received – currently being reviewed & assessed.	322
24/1430	64 Clemens Road, Woodlands	Demolition of Existing Building and Building Envelope for Dwelling	May. 25	Under final assessment	271

Total DA's – 8 (Previous month - 8)

Table – DAs to be determined by the Local Planning Panel that are over 180 days

6.3 Legal Matters Update

Report Author: Manager Development Assessment and Regulation
Authoriser: Michael McCabe

PURPOSE

The purpose of this report is to provide an update on the Class 1 Appeals in the Land and Environment Court against either the refusal of Development Applications by the Local Planning Panel or the deemed refusal of Development Applications that would, but for the appeal, have been sent to the Local Planning Panel for determination.

OFFICER'S RECOMMENDATION

THAT the:

1. Wingecarribee Local Planning Panel (WLPP) note this report and the memo, provided under separate cover, outlining the status of all Appeals relating to the determination or decision of the WLPP and deemed refusals which would, but for the appeal, have come before the panel for determination.

BACKGROUND

At the Wingecarribee Local Planning Panel (WLPP) Meeting on 25 September 2024, the WLPP determined to amend the operational guidelines. The adopted guidelines, as amended, with respect to appeals states:

"3.8 Control and Direction of Court Appeals

Pursuant to Section 2.20(8) of the EPA Act, the panel has delegated to Council's General Manager, Director Communities and Place and Manager Development Assessment and Regulation the functions of the panel under Section 8.15(4) of the EPA Act in respect of the control and direction of appeals subject to the following:

- (i) As required by Section 8.15(4) of the EP&A Act, Council is to give notice to the Panel Chair and Alternate Panel Chair (electronically) of all Appeals relating to the determination or decision of the Panel or any deemed refusal within seven (7) days of the appeal being served.*
- (ii) In the case of an Appeal relating to a determination or decision of the Panel that is contrary to a Council officer's development assessment report, either the General Manager, Director Communities and Place or Manager Development Assessment and Regulation will consult with the Chair of the Panel that made the determination or decision (or the Chair's nominee) as to the conduct of the Appeal within 5 business days of the notice of service of the appeal.*
- (iii) In the case of all Appeals relating to a determination or decision of the Panel, either the General Manager, Director Communities and Place or Manager Development Assessment and Regulation will keep the Panel Chair that made the determination or decision (or the Chair's nominee) informed as to major developments in, and the outcome of, the Appeal.*

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- (iv) *In the case of an appeal being lodged relating to a deemed refusal of a development application, that application shall be referred to the first practical meeting, following the date that the Appeal was served, for determination or decision by the Panel. If it is not practical to provide a report, the Chair (or Chair’s nominee) shall be consulted prior to any Statement of Facts and Contentions being filed with the Court. Should there be no opportunity to consult with, or a response to a draft Statement of Facts and Contentions no be received from, the Chair (or the Chair’s nominee) at least two business days prior to the date required for the filing of the Statement of Facts and Contentions the General Manager, Director Communities and Place or Manager Development Assessment and Regulation shall have delegation to settle the Statement of Facts and Contentions without consultation or a response.*
- (v) ***The Council shall circulate a memo to all Panel members quarterly on the status of all Appeals relating to the determination or decision of the Panel and deemed refusals which would, but for the Appeal, have come before the Panel. If an agreement under Section 34 of the Land and Environment Court Act has been made, the memo shall include reasons sufficient to demonstrate how the Panel’s determination was addressed in the Section 34 Agreement.”*** (our emphasis)

This report provides the quarterly status of all Appeals relating to the determination or decision of the Panel and deemed refusals which would, but for the Appeal, have come before the Panel.

REPORT

A list is provided below of the appeals, in the Land and Environment Court, against either the refusal of Development Applications by the Local Planning Panel or the deemed refusal of Development Applications that would, but for the appeal, have been sent to the Local Planning Panel for determination:

Council DA No.	Address	Proposed Development	Deemed Refusal/ Refusal/
21/1043	7 Reg Grundy Drive, Bundanoon	Twenty-three (23) lot subdivision	Refused by LPP – 28/06/2023
24/0673	22 Rosemary Crescent, Bowral	Demolition of Existing Dwelling and Associated Structures and Construction of Centrebased Childcare Facility (96 Children / Places) and Associated Landscaping, Stormwater and Car Parking Works	Refused by LPP – 05/07/2024
24/1319	2 Manor Rise, Bowral	Use of the existing dwelling house as a Group Home	Deemed refusal. However, DA was refused by LPP on 23 October 2024.

**AGENDA OF THE LOCAL PLANNING PANEL
WEDNESDAY 26 FEBRUARY 2025**

24/1487	159 Railway Avenue, Bundanoon	Forty (40) lot subdivision comprising 38 residential lots and two lots for public infrastructure, and associated works including earthworks, construction of two roads and a stormwater detention basin and landscaping	Deemed refusal. However, DA was refused by LPP on 23 October 2024.
24/1583	2 Holmhale Street, Bowral	Construction of a 90- place childcare centre	Deemed refusal. However, DA was refused by LPP on 27 November 2024.
25/ 0200	361-363 Bong Bong Street, Bowral	Demolition of existing building and construction of a medical centre and food and drink premises (café) with shop top housing and basement parking	Deemed refusal. However, DA is reported to the February LPP meeting for determination.

A memo is provided to the WLPP, under separate cover, providing an update on each of the above matters.

ATTACHMENTS

Nil

7 MEETING CLOSURE