

# Wingecarribee Local Planning Panel Extraordinary 19 December 2024 Attachments

|   |            |
|---|------------|
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**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**ATTACHMENT 1**

**SCHEDULE 1 CONDITIONS OF DEVELOPMENT CONSENT**

**24/0923**

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**ADMINISTRATION CONDITIONS**

**1. Development Description**

Development consent has been granted in accordance with this notice of determination for the purposes of a Demolition of existing dwelling houses and ancillary structures, construction of a multi dwelling house comprising 8 dwellings and tree removal.

*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.

| <b>Plan Title / Supporting Document</b> | <b>Reference / Version</b>                 | <b>Prepared By</b> | <b>Dated</b> |
|---|--|--------------------|--------------|
| Site Plan                               | DA000<br>Issue D -Project<br>Number: 22055 | ELK Designs        | 22/11/2024   |
| Site Analysis Plan                      | DA010<br>Issue B -Project<br>Number: 22055 | ELK Designs        | 23/02/2024   |
| Site Context Analysis                   | DA012<br>Issue A -Project<br>Number: 22055 | ELK Designs        | 10/01/2024   |
| Demolition Plan                         | DA020<br>Issue B -Project<br>Number: 22055 | ELK Designs        | 23/02/2024   |
| Site Plan                               | DA020<br>Issue G -Project<br>Number: 22055 | ELK Designs        | 3/12/2024    |
| Site Coverage Plan                      | DA035<br>Issue D -Project<br>Number: 22055 | ELK Designs        | 5/12/2024    |
| Perspectives                            | DA040<br>Issue D -Project<br>Number: 22055 | ELK Designs        | 5/08/2024    |
| Ground Floor Plan                       | DA100<br>Issue D -Project<br>Number: 22055 | ELK Designs        | 3/12/2024    |
| First Floor Plan                        | DA110<br>Issue E -Project<br>Number: 22055 | ELK Designs        | 3/12/2024    |
| Roof Plan                               | DA150                                      | ELK Designs        | 5/08/2024    |

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| <b>Plan Title / Supporting Document</b> | <b>Reference / Version</b>              | <b>Prepared By</b> | <b>Dated</b> |
|---|---|--------------------|--------------|
|   | Issue C -Project Number: 22055          |                    |              |
| Elevations                              | DA300<br>Issue D -Project Number: 22055 | ELK Designs        | 31/10/2024   |
| Elevations                              | DA301<br>Issue C -Project Number: 22055 | ELK Designs        | 31/10/2024   |
| Elevations                              | DA302<br>Issue C -Project Number: 22055 | ELK Designs        | 5/08/2024    |
| External Finishes                       | DA350<br>Issue B -Project Number: 22055 | ELK Designs        | 23/02/2024   |
| Sections                                | DA400<br>Issue D -Project Number: 22055 | ELK Designs        | 5/08/2024    |
| Shadow Diagrams                         | DA900<br>Issue F -Project Number: 22055 | ELK Designs        | 3/12/2024    |
| Shadow Diagrams                         | DA901<br>Issue F -Project Number: 22055 | ELK Designs        | 3/12/2024    |
| 9 am Shadow Diagrams                    | DA902<br>Issue A -Project Number: 22055 | ELK Designs        | 31/10/2024   |
| 10 am Shadow Diagrams                   | DA903<br>Issue A -Project Number: 22055 | ELK Designs        | 31/10/2024   |
| 11 am Shadow Diagrams                   | DA904<br>Issue A -Project Number: 22055 | ELK Designs        | 31/10/2024   |
| 12 pm Shadow Diagrams                   | DA905<br>Issue A -Project Number: 22055 | ELK Designs        | 31/10/2024   |
| 1 pm Shadow Diagrams                    | DA906<br>Issue A -Project Number: 22055 | ELK Designs        | 31/10/2024   |
| 2 pm Shadow Diagrams                    | DA907<br>Issue A -Project Number: 22055 | ELK Designs        | 31/10/2024   |
| 3 pm Shadow Diagrams                    | DA908<br>Issue A -Project Number: 22055 | ELK Designs        | 31/10/2024   |
| Shadow Diagrams unit 7&8                | DA909<br>Issue C -Project Number: 22055 | ELK Designs        | 31/12/2024   |
| Sediment Control                        | DA960                                   | ELK Designs        | 23/02/2024   |

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24/0923, Lot 1 DP 522477 & Lot 211 DP 631550

| Plan Title / Supporting Document | Reference / Version                          | Prepared By                          | Dated            |
|----------------------------------|--|--------------------------------------|------------------|
|                                  | Issue B -Project Number: 22055               |                                      |                  |
| Landscape Plan                   | JoB Nn. KAN010722 Sheet 1-6                  | JK's GARDEN CREATIONS                | 13/11/2024       |
| BASIX Certificate                | Certificate number: 1362801M_02              | EVERGREEN ENERGY CONSULTANTS PTY LTD | 26 February 2024 |
| Waste Management Plan            | 6 – 8 Kangaloon Road, Bowral Issue Number: A | ELK Designs                          | Undated          |

**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 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



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- (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:
  - (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. Condition relating to shoring and adequacy of adjoining property

- (1) For the purposes of section 4.17(11) of the Act, it is a prescribed condition of development consent that if the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the person's own expense—
  - (a) protect and support the building, structure or work from possible damage from the excavation, and
  - (b) where necessary, underpin the building, structure or work to prevent any such damage.
- (2) The condition referred to in subclause (1) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land

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has given consent in writing to that condition not applying.

**Reason:** *The condition is prescribed under Section 74 of the Environmental Planning and Assessment Regulation 2021.*

## 8. Asbestos Removal - Demolition of Buildings

**Advice:** *These conditions of development consent are to be applied to work that may involve asbestos, in particular demolition and renovation or recladding or brick veneering works of buildings erected prior to 1987. Evidence acceptable to Council may be required to establish the construction date of a building or part of a building:*

- a) Demolition is to be carried out in accordance with the applicable provisions of Australian Standard AS2601-2001 - The demolition of structures.

**Note:** *Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.*

- b) The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site five (5) working days prior to demolition. Such notification shall state the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any) either side, immediately at the rear of, and directly opposite the demolition site. Demolition must not commence prior to the date stated in the notification.
- c) On demolition sites where buildings to be demolished are likely to contain asbestos, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The

sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos has been removed from the site to an approved waste facility.

- d) Demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".
- e) Demolition is to be completed within five (5) days of commencement at which time the applicant shall notify the Certifying Authority.
- f) Protective fencing is to be installed to prevent public access to the site.
- g) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a facility licensed by the NSW Environmental Protection Authority (EPA) to accept such waste provided to Council.

**Note:** *The person responsible for disposing of the above asbestos waste is to telephone the EPA on 131 555 or Council's Customer Service Department on (02) 4868 0888 to determine the location of a waste facility licensed to receive asbestos. Within 14 days of the completion of demolition works, the applicant must lodge with Council,*

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*all original weighbridge receipts issued by the receiving licensed waste facility as evidence of proper disposal.*

- h) Within 14 days of completion of demolition, the applicant shall submit to Council:
  - (i) an asbestos clearance certificate prepared by a WorkCover licensed asbestos assessor; and
  - (ii) a signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of actual weighbridge receipts for the recycling/disposal of all materials.

**Reason:** *To ensure that asbestos is disposed of to a licensed waste facility and is removed in accordance with safe work practices.*

### 9. Demolition Requirements

The existing buildings shall be demolished 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 Authority of New South Wales 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.
- (f) Water and Sewer Asset Protection

All water and sewer assets on the site or on adjacent road reserve or lands that may be affected by the demolition works are to be clearly identified on site and protected from damage.

The disposal of refuse is to occur at an approved location. Council will require documentary proof of destination for hazardous materials such as asbestos and contaminated soils and may request evidence on disposal of other demolition materials.

**Reason:** *To comply with statutory requirements.*

### 10. Compliance with Other Department, Authority or Service Requirements

The development must be carried out in strict accordance with all recommendations and requirements specified by the following agencies, as detailed in the attachments to this consent:

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- 1- Water NSW, DAR 24041-a1, dated 11 November 2024
- 2- Transport for NSW, CNR-68340, dated 10 September 2024
- 3- Endeavor Energy, CNR-68340, dated 1 May 2024.

**Reason:** *To ensure the work is carried out in accordance with the determination and the statutory requirements of other departments, authorities or bodies.*

## 11. Tree removal/ protection

- 1) This development consent approves the removal of all site trees and vegetation.
- 2) All adjoining trees and vegetation on neighbouring properties are protected and must not be harmed by above or below ground construction activities unless with the written consent of affected Owner's.
- 3) Trees T1, T2, T3, T8, T11, T13, T19, T21, T22 and T23 may be removed at the applicant's expense.
- 4) Trees T4, T5, T6, T7, T9, T10, T12, T14, T15, T16, T17, T18, T20, T24, T25, and T26 on neighbouring properties are protected and must not be harmed by above or below ground construction activities unless work is carried out strictly in accordance with AS 4970 - Protection of Trees on Development Sites and overseen by AQF level 5 Arborist.
- 5) All vegetative waste is to be mulched using a commercial mulcher and either be directed to a waste facility that is licensed to accept the waste, reused for landscaping purposes on site or used as per the NSW Environmental Protection Authority's Mulch Exemption 2016. The burning of tree waste or materials on site is prohibited.
- 6) Approved tree work must only be carried out by a fully insured and qualified Arborist with minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and all tree works including tree protections measures must be overseen by AQF level 5 Arborist.

**Reason:** *To ensure tree removal is carried out in accordance with approved plans and protected trees are unharmed during construction.*

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

### 12. Application for a Construction Certificate (Building Works)

The applicant shall apply to Council or a Principal Certifier (PC) for a Construction Certificate 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. A minimum of one dwelling shall be constructed to comply with not less than Class C level of Australian Standard 4299 – Adaptable Housing.
- (b) If Council or a private accredited certifier issues the Construction Certificate, engineering details must be submitted for approval for all structural elements, The details must be prepared by a qualified chartered professional practicing consulting structural engineer. Also a certificate from the engineer must be included certifying that the design fully complies with appropriate SAA Codes and Standards and the Building Code of Australia requirements.

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(c) If an alternative solution to the “deemed to satisfy” provisions of National Construction Code is proposed, the following details must be lodged:

- Performance requirements that the alternative solution intends to meet.
- Assessment methods used to determine compliance with the performance requirements, including if and how each performance objective impacts on other requirements of the BCA; and
- A statement about the person who prepared the alternate solution, indicating qualifications, experience, insurance details, and membership of an approved accreditation body.

**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 lodgment of Notice of Commencement.*

**Note:** *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.*

### 13. 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 water supply
- Carry out sewerage works
- Carry out stormwater drainage works.

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

### 14. Approval Required for Work within Road Reserve - Section 138 Roads Act 1993

Where works are proposed within the road reserve, the Developer must obtain approval from Council (as the Roads Authority and / or as required under Section 138 of the *Roads Act 1993*) prior to the issue of the Construction Certificate. Works within the road reserve may include activities such as erect a structure, dig up or disturb the surface of a public road, remove or interfere with a structure, or any other activities as defined within the *Roads Act 1993*.

The following details must be submitted to Council in order to obtain the Section 138 approval:

- A copy of approved design plans related to the development and proposed works to be undertaken.
- Traffic Control Plan (TCP) to provide protection for those within and adjacent to the work site, including the travelling and pedestrian public. The TCP must comply with the Roads and Traffic Authority's manual "Traffic Control at Work Sites". Warning and protective devices shall comply with the provisions of AS1742.3 - 2002 Traffic Control Devices for Works on Roads. The plan must be prepared and certified by a person holding the appropriate Roads and Traffic Authority accreditation, a copy of which is to be submitted with the plan.

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- Insurance details - Public Liability Insurance to an amount of \$20 million, to be held by applicant / contractor undertaking the works.

**Advice:** *Where works are required within a Classified Road, the Developer must obtain the concurrence and / or the approval of the Roads and Traffic Authority for engineering design plans, Traffic Control Plans and approvals under Section 138 of the Roads Act 1993.*

**Reason:** *Statutory requirement.*

### 15. 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.*

### 16. 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.*

### 17. Construction Management Plan

To undertake development works including demolition, earthworks and construction a Construction Management Plan (CMP) is required to be submitted and approved by Council prior to issue of the Construction Certificate. The CMP shall indicate measures to be implemented to protect the environment as well as public health, safety and convenience. The CMP must include the following:

- a) Details of site security;
- b) Off-street parking for employees, contractors and sub-contractors.
- c) Site access for construction vehicles and equipment purposes.
- d) Public safety in the use of roads and footpaths where development activities adjoin such facilities.

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- e) The storage and removal, on a regular frequency, of builder's rubble and waste by trade waste contractors.
- f) Provision for loading and unloading materials;
- g) Location of all building materials, structures, plant and equipment to be stored or placed within the construction site;
- h) How materials are to be loaded/unloaded and potential impact on Council infrastructure (including but not limited to footpaths and street trees)
- i) Public risk policies and management for all contractors' employees using or gaining access over public footpaths and roads.
- j) External lighting and security alarms proposed for the construction site.
- k) Firefighting measures to be available on site during development and construction.
- l) Sanitary amenities proposed on site during development and construction.
- m) Ensuring the safety of members of the public and Council staff who may have occasion to enter and be in attendance on the site;
- n) Details of management of storm water run-off and the propose sediment and erosion control measures including the location of any rubble grids;
- o) Details of any air and dust management;
- p) Details of noise and vibration controls;
- q) Anticipated staging and duration of works
- r) Provision of Traffic Management Plan (TMP) and Traffic Control Plans (TCP)

**Reason:** *To ensure the safety, amenity and protection of public infrastructure and the environment.*

### 18. Landscape plan

Prior to the issue of construction certificate an amended landscape plan must be submitted for approval with the following amendments:

- a) the plan must include three (3) canopy trees positioned in front of dwelling Unit1 and two (2) canopy trees in front of dwelling unit 2.
- b) the canopy trees must consist of tree species with mature heights greater than 6 metres and must be sourced in minimum 55 litre containers.

**Reason:** *To ensure that plants are suitable for the proposed dwelling type.*

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### 19. Adaptable Housing

Three (3) dwellings must be capable of being adaptable housing and achieve the performance requirements of AS 4299-1995 Adaptable Housing (or any subsequent version). These details including plans demonstrating compliance must be provided to the Principal Certifying Authority prior to the release of the Construction Certificate.

**Reason:** *To minimise any possible adverse environmental impacts of the proposed development.*

### 20. Section 7.11 Contributions (formerly Section 94)

Under Section 7.11 of the *Environmental Planning and Assessment Act 1979* (as amended), Council has satisfactorily determined that Development Contributions are applicable to this development consent, as the development is likely to require the provision of, or increase the demand for, public amenities and public services within the Wingecarribee Local Government Area.

The following Wingecarribee Shire Council Section 94 Developer Contributions Plans are applicable to the development:

- Roads & Traffic Management Facilities
- Resource Recovery Centre 2009
- Central Library Facility
- Section 94 Administration 2011 to 2031
- Open Space & Recreation Facilities

A "Developer Charges - Notice of Payment" is attached to the back of this consent, and outlines monetary contributions and unit rates applicable at the time of issue of this consent. The contributions listed in the Notice of Payment must be paid prior to the issue of the Construction Certificate.

All contributions are indexed quarterly in accordance with upward movements in the Consumer Price Index (All Groups, Sydney) as published by the Australian Bureau of Statistics ([www.abs.gov.au](http://www.abs.gov.au) <<http://www.abs.gov.au>>); Section 210 of the *Environmental Planning and Assessment Regulation 2021*; and Council's Developer Contributions Plans.

**Note:** *Copies of the Contributions Plans are available at Wingecarribee Shire Council's Administration building Moss Vale or are available for download from Council's website [www.wsc.nsw.gov.au](http://www.wsc.nsw.gov.au) <<http://www.wsc.nsw.gov.au>>.*

**Note:** *Payment of the attached contributions is to be by BANK CHEQUE OR CASH and is to be accompanied by the attached sheet entitled "Notice of Payment - Developer Charges & Section 94". Should the Applicant pay by personal or company cheque the plans subject to this approval will not be available for collection until such time as the cheque has been honoured (i.e. a minimum of 10 days).*

**Reason:** *To retain a level of service for the existing population and to provide the same level of service to the population resulting from new developments.*



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## 21. Water Management Act - Certificate of Compliance

A Certificate of Compliance under Division 5 of Part 2 of Chapter 6 of the *Water Management Act 2000* shall be obtained **prior to the issue of Construction Certificate**.

**Note:** *Section 64 of the Local Government Act 1993 authorises Council to issue Certificates of Compliance under Section 306 of the Water Management Act 2000. Section 64 of the Local Government Act 1993 also authorises Council to impose pre-conditions to the issuing of Certificates of Compliance.*

As a precondition to the issuing of a Certificate of Compliance Council requires the payment of Developer Charges **prior to the issue of Construction Certificate** as prescribed by Wingecarribee Shire Council's Development Servicing Plans:

- Water Supply Development Servicing Plan;
- Sewerage Development Servicing Plan; and
- Stormwater Development Servicing Plan.

A developer Charges - Notice of Payment is attached to the back of this consent and outlines monetary contributions and unit rates applicable at the time of issue of this consent.

The water, sewer and stormwater headworks levies are indexed quarterly in accordance with upward movements in the Consumer Price Index (All Groups, Sydney) as published by the Australian Bureau of Statistics ([www.abs.gov.au](http://www.abs.gov.au) <<http://www.abs.gov.au>>); and Council's Development Servicing Plans.

Copies of Development Servicing Plans are available at Wingecarribee Shire Council's Administration building Moss Vale or are available for download from Council's website [www.wsc.nsw.gov.au](http://www.wsc.nsw.gov.au) <<http://www.wsc.nsw.gov.au>>.

The Water and Sewerage Development Servicing Plans (DSP's) were adopted by Council and came into effect on 15 September 2017. The Stormwater DSP was adopted on 9 November 2010 and came into effect on 8 December 2010. The current charges under these Plans are listed as follows:

| CPI Period                    | Water DSP   | Sewer DSP   | Stormwater DSP |
|-------------------------------|-------------|-------------|----------------|
| 31 <sup>st</sup> January 2025 | \$13,361.73 | \$12,953.72 | \$4,373.99     |

Note: The charges shown above are amounts applicable during the stated time period. These amounts will be subject to adjustment quarterly in accordance with upward movements in the Consumer Price Index (CPI) once they become operational. The CPI is published quarterly by the Australian Bureau of Statistics, [www.abs.gov.au](http://www.abs.gov.au) <<http://www.abs.gov.au>>.

Should new DSP's be prepared, it is possible that the charges may increase significantly. Draft DSP's must be advertised by Council for a period of 30 days prior to adoption.

**Note:** *Payment of the above charges is to be by BANK CHEQUE OR CASH and is to be accompanied by the attached sheet entitled "Notice of Payment - Developer*

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*Charges & Section 94". Should the Applicant pay by personal or company cheque the plans subject to this approval will not be available for collection until such time as the cheque has been honoured (i.e., a minimum of 10 days).*

## **Compliance Certificate**

Compliance Certificate fees, in accordance with Council's Revenue Policy are as follows and shall be paid prior to the issue of the Construction Certificate:

Water \$255.00 + Sewer \$255.00 + Stormwater \$255.00 = \$765.00

Prior to final release, you will need to contact Council's Infrastructure Services Division for an inspection to ensure that Council will accept the infrastructure constructed. In response the Manager of Water and Sewer will specify requirements which will have to be met.

In the case of other forms of development, the Construction Certificate will not be issued until the *Water Management Act 2000* charges have been paid and/or secured.

**Reason:** *To retain a level of service for the existing population and to provide the same level of service to the population resulting from new developments.*

## **22. 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.*

## **23. Detailed Stormwater Drainage System Design**

Prior to the issue of the Construction Certificate, a detailed storm water hydraulic drainage plan for the disposal of storm water from the site, prepared in accordance with Council's Design Standards shall be submitted to Council and approved by Council's Development Engineer.

The stormwater plans will have to be updated and provide an underground centralised onsite detention system in accordance with the D09 – Stormwater Drainage (Design).

Should any changes be required to the approved storm water drainage plan, the amended design shall achieve equivalent performance standards in accordance with Design Specifications.

**Note:** *Construction Certificate Approval does not include approval for works external to the property or civil works.*

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Where the proposed design extends beyond the property boundary, separate approval under Section 138 of the Roads Act 1993, must be obtained from Council prior to the commencement of works.

The applicant is advised to contact Council for clarification of proposed works for which approval under Section 138 of the Roads Act 1993 applies.

**Reason:** *To ensure adequate storm water management.*

### 24. Carpark Design - Site Servicing

The car park shall be designed to accommodate the turning movements of the largest vehicle servicing the development. The car park design shall incorporate the following:

- a) The site shall accommodate the turning movements of the largest service vehicle.
- b) Service vehicles shall manoeuvre into and out of the site in a forward direction
- c) The front overhang, and swept path made by the service vehicle shall not obstruct car park traffic or encroach onto parking spaces.
- d) The vehicle swept path shall be reflected on the engineering design plans and shall demonstrate that the wheel paths do not encroach onto the surrounding landscaping areas.
- e) Loading and unloading of service vehicles shall be undertaken onsite with no intrusion onto the road system.
- f) The footpath crossing shall be splayed from the property boundary to the kerb line to accommodate the swept path made by the service vehicle.
- g) The Betula Pendula Alba (BPA) tree adjacent to the visitor parking space shall be relocated to ensure that its maturity canopy is entirely clear of the parking space.

**Reason:** *To ensure that the car parking area is constructed to Council requirements.*

### 25. Off Street Parking Provision

Three off-streetcar/visitor parking spaces suitably marked in accordance with the approved plans (unless elsewhere specified) shall be provided. Each space shall have minimum dimensions in accordance with Australian Standard AS2890.1 Off Streetcar Parking.

Details shall be submitted to the Accredited Certifier prior to the issue of a Construction Certificate showing compliance with this condition.

**Reason:** *To ensure adequate parking and access.*

### 26. Redundant Vehicular Crossings and Ancillary Works

Where new pavement, repair or reinstatement of footpath or other ancillary works such as kerb and gutter and storm water pit construction is proposed, the Applicant shall submit to Council application under Section 138 of the Roads Act 1993 (available from Council's Customer Services Centre) and pay the appropriate fees & charges prior to the issue of a Construction Certificate.

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All disused or redundant vehicle crossings and laybacks shall be removed and reinstated with concrete kerb and gutter or to the existing edging profile as specified by Council and the footpath area is to be restored to the satisfaction of Council's Development Engineer, prior to the issue of the Interim Occupation Certificate.

**Reason:** *To ensure that the car parking area is constructed to Council requirements.*

### 27. Water and Sewer Modelling

The developer shall undertake water and sewer modelling in accordance with Council's Water and Sewer Modelling Fact Sheet and incorporate recommendations made within the report into the engineering design submitted under Section 68 of the Local Government Act, 1993.

**Reason:** *To ensure the proposed development does not impact on Council's ability to provide minimum level of service to water and sewer customers.*

### 28. Water and Sewer Authority Conditions

Prior to issue of a Construction Works 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.

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

## CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK

### 29. 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.*

### 30. 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
- (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

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- (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.*

### 31. 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.*

### 32. 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.

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

### 33. Relocation of Sewerage

Prior to commencement of construction of the building, the existing sewer main shall be relocated. Relocation of sewer main is to be clear of buildings and all superseded mains and structures are to be removed from site.

**Reason:** *To protect public utilities.*

### 34. Protection of Trees

Neighbouring tree protection measures must be installed prior to the commencement of any earthworks, demolition, excavation or construction works in accordance with AS 4970 - Protection of Trees on Development Sites under the supervision of site arborist.

**Reason:** *To ensure protected vegetation is not damaged during construction.*

### 35. Erosion and Sediment Control Plan

To minimise soil erosion and sediment movement during construction, the following measures shall be implemented:-

- (a) Erosion and sediment controls are to be in place before the disturbance of any soils on the site, and are to be maintained during the works and for as long as necessary after the completion to prevent sediment and dirty water leaving the site and/or entering the surface water system outside the worksite boundaries.
- (b) Topsoil stripped from the construction site shall be stockpiled and protected from erosion until re-use during landscaping. Soil is to be retained within the property.
- (c) Stockpiles of construction and landscaping materials, and of site debris shall be located clear of drainage lines and in such a position that they are protected from erosion and do not encroach upon any footpath, nature strip or roadway.
- (d) Final site spoil shall be disposed of to conform to the specifications and standards quoted and to any conditions of approval of those measures and must comply with any relevant NSW Department of Planning and Environment requirements.
- (e) Trenches shall be backfilled, capped with topsoil and compacted to a level at least 75mm above adjoining ground level.
- (f) Vehicular access shall be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site is muddy. Where sediment is deposited on adjoining roadways the same shall be removed by means other than washing. All material is to be removed as soon as possible and the collected material is to be disposed of in a manner which will prevent its mobilisation.
- (g) All disturbed areas shall be progressively stabilised and/or revegetated so that no areas remain exposed to potential erosion damage for more than 14 days or such other period as may be approved after earthworks cease. All driveways and parking areas shall be stabilised with compacted sub-grade as soon as possible after their formation.

**Reason:** *To minimise soil erosion and sediment movement during construction*

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### 36. 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.*

### 37. Dilapidation Report

Before any site work commences, a dilapidation report must be prepared by a suitably qualified person detailing the structural condition of adjoining buildings, structures or works and public land, to the satisfaction of the Principal Certifier or Council.

Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the Principal Certifier or Council, that all reasonable steps were taken to obtain access to the adjoining properties.

No less than seven (7) days before any site work commences, adjoining building owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to Council (where Council is not the principal certifier) at the same time.

**Reason:** *To minimise any possible adverse environmental impacts of the proposed development.*

## CONDITIONS TO BE SATISFIED DURING THE CONSTRUCTION PHASE

### 38. Engineering Inspections by Council

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

- a) Works in relation to road reserves, footpath, kerb and gutter, road shoulder and drainage within public lands or road reserves.
- b) Final inspection of footpath, driveway, stormwater and utility construction works within the road reserve.
- c) Sewer

**Note:** *The subject building is not to be occupied until an Interim or Final Occupation Certificate is issued.*

**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.*

### 39. 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.*

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## 40. Stormwater - Construction

The applicant shall provide adequate storm water drainage infrastructure (pits/pipes/open channels/detention storage) for the conveyance of storm water passing through the site from upstream, and sourced from the development to a discharge outlet to be approved by Council. The point of discharge shall be clearly depicted and the legal right to discharge at that point to be justified. Status of the point of discharge is to be made clear (i.e. provision of drainage easements).

**Reason:** *To assist in the prevention of erosion of the site from storm water.*

## 41. 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.*

## 42. 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.*

## 43. Building Materials & Colour Scheme

The use of Zincolume, 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.*

## 44. 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



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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.*

### 45. Ground Levels

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.*

### 46. Retaining Walls

The cut and filled areas associated with the building work must be suitably retained or battered in accordance with the Bowral Development Control Plan.

Any retaining wall must be located wholly within the property, including footings and agricultural drainage lines. Construction of retaining walls or associated drainage work along common boundaries must not compromise the structural integrity of any existing structures.

**Reason:** *To minimise any possible adverse environmental impacts of the proposed development.*

### 47. 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.*

### 48. 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.*

### 49. 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.*

## 50. 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.*

## 51. 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.*

## 52. 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.*

## 53. 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 the road reserve is not damaged.

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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.*

## 54. Temporary Onsite Toilet

Toilet facilities shall be available or provided at the work site prior to the commencement of works and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

Each toilet shall:

- (a) be a standard flushing toilet connected to a public sewer, or
- (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- (c) be a temporary chemical closet approved under the *Local Government Act 1993*.

**Reason:** *To ensure that there are appropriate facilities on-site for construction workers.*

## 55. Construction Management Plan

All development activities and traffic movements shall be carried out in accordance with the approved Construction Management Plan.

All controls in the Plan shall be maintained at all times. A copy of the Plan must be kept on site at all times and made available to the Accredited Certifier and Council on request.

**Reason:** *Compliance with condition of consent.*

## 56. 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.*

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

### 57. 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:

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- 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.*

### 58. 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:
- 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
  - 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*.

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

### 59. Adaptable Housing

Certification must be provided from an appropriately qualified person demonstrating that three dwellings are capable of meeting the performance requirements of AS 4299-1995 Adaptable Housing (or any subsequent version).

**Reason:** *To ensure the development complies with the Development Control Plan.*

### 60. Lighting

Low-level artificial lighting shall be provided along the driveway to ensure safe access at night in accordance with AS/NZS 1158 Set: 2010 Lighting for roads and public spaces Set.

**Reason:** *To ensure the development complies with the Development Control Plan.*

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## 61. 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.*

## 62. Section 138 Roads Act Final

The applicant is to ensure that the works associated with the Section 138 approval for this development be completed and inspected by Council prior to the issue of any Occupation Certificate.

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

## 63. Multi Dwelling Housing

The following shall be completed prior to the issue of the Occupation Certificate:

### Letter Boxes and Street Numbers - Units

Separate letter boxes and street numbers for each unit being provided adjacent to the street frontage, to meet the specification of Australia Post and Council.

### Television Aerials

Only one common television aerial shall be installed for each building, to minimise visual "clutter" and maintain the amenity of the locality.

**Reason:** *To ensure that the property is easily identifiable and compliance with Councils development controls.*

## 64. 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.*

## 65. Landscaping Plan

Before the issue of an occupation certificate, all of the landscaping works approved by this development consent must be inspected by Council's tree management officer to ensure landscape works are satisfactory and in accordance with this development consent.

**Reason:** *To ensure that all approved landscaping works have been completed to an appropriate standard.*

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### 66. Lot consolidation

Prior to the issue of an Occupation Certificate, Lot 1 DP 522477 and Lot 211 DP 631550 must be consolidated and registered with Land Registry Services.

**Reason:** *To ensure the development is situated within a single legal parcel, enabling compliance with planning regulations and supporting effective site management.*

### 67. 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.

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

### 68. 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.*

### 69. Vehicle Access (Urban)

Access to the site shall be provided by means of a vehicle crossing as per Standard Drawing SD107 and SD123 approved by Council prior to the issue of the Occupation Certificate. A copy of the Standard Drawing can be obtained from Council's offices.

**Reason:** *To ensure that the driveway is constructed to Council's standard specification.*

### 70. 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

**Reason:** *To ensure appropriate asset management.*

### 71. Defects and Liability Bond for Public Assets - Civil Works

Prior to the issue of any Occupation Certificate the developer shall lodge a cash bond to cover the defects liability period of 24 months for any public infrastructure constructed by them which will be handed over to council. The liability period will commence from the date of issue of the Occupation Certificate. The security bond will be in an amount equal to 10% of the value of the total civil works with a minimum value of \$10,000 based on the civil costs supported by written

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evidence in accordance with Council's Bond Policy. The bond shall be assessed by Council for release after the 24-month period on formal request from the developer.

**Reason:** *To ensure appropriate warranty periods apply for defect liability.*

## 72. Construction of Sewer Sidelines

Sidelines and junctions shall be installed for sewer connections to the development by Council at the Developer's cost prior to the issue of the Occupation Certificate. Council's application form shall be completed by the applicant and the appropriate fee paid. If the sideline is to be extended from a sewer main in adjoining property, written permission of the affected landowner allowing work to be undertaken, shall be submitted with the application form.

**Reason:** *To ensure that the development is serviced.*

## 73. Construction of Water Service

An appropriately sized water service shall be installed to the development by Council at the applicant's cost prior to the issue of the Occupation Certificate. The two existing water services shall be decommissioned by Council. Council's application form shall be completed by the Developer and the appropriate fee paid.

**Advice:** A water meter should be installed prior to construction commencing.

**Reason:** *To ensure that the development is serviced.*

## 74. Redundant/Disused Sewer Services

The existing redundant/disused sewer junctions and private sanitary drains that serve the existing lots are to be disconnected and capped at the Applicant's expense prior to the issue of the Occupation Certificate.

**Reason:** *To prevent contamination and maintain the integrity of the sewer network.*

## 75. House Numbering

A street house number being 75mm on house and no less than 42mm on mailbox or rural address number (allocated by Council), shall be prominently displayed so that it is visible from the street/road prior to issue of the Occupation Certificate.

**Reason:** *To ensure that the property is easily identifiable.*

## CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE OF THE DEVELOPMENT

### 76. Landscaping

During occupation and ongoing use of the development, the approved landscaping must be perpetually maintained in a complete and healthy condition.

**Reason:** *To ensure that approved landscaping works are perpetually maintained to an appropriate standard*

## AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024

24/0923, Lot 1 DP 522477 & Lot 211 DP 631550

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### 77. Fencing

The developer shall maintain, at their expense, the 1.8m high fencing along the side and rear boundaries of the site, in accordance with the approved plans, to ensure the ongoing privacy of residents on the site and neighbouring properties.

**Reason** *To ensure compliance with Councils development controls.*

### 78. Noise from Air Conditioners

Air-conditioning units shall be installed in accordance with the requirements of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* Subdivision 3. The proposed use of the air conditioner shall not make an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*, and *Protection of the Environment Operations (Noise Control) Regulation 2000*.

**Reason:** *To ensure that noise emissions from the development satisfy legislative requirements and to prevent loss of amenity to the area.*

**END OF CONDITIONS**



**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**



Civic Centre, Elizabeth St. Moss Vale, NSW 2577.  
PO Box 141, Moss Vale. DX: 4961 Bowral.  
Ph: (02) 4868 0888 Fax: (02) 4869 1203  
wscmail@wsc.nsw.gov.au www.wsc.nsw.gov.au  
Office Hours: Mon-Fri 8.30am - 4.30pm

**Notice of Payment – Developer Charges & Section 7.11**

4 November 2024

*Sarah Blatchford*  
2 AILSA ROAD BROADMEADOW 2292

**Re:** 24/0923  
Lot 1 DP 522477& Lot 211 DP 631550  
6-8 KANGALON ROAD BOWRAL NSW 2576

**Development Description:** Demolition of existing dwelling houses and ancillary buildings, construction of a multi dwelling house comprising 8 dwellings and tree removal

Water, Sewerage and Stormwater Headworks charges are levied under Section 64 of the Local Government Act and Section 306 of the Water Management Act 2000. Other contributions are levied under Section 7.11 of the Environmental Planning and Assessment Act 1979 and Council's Contributions Plans.

| Contributions Levy                    | Units | Rate        | Amount Payable      |
|---------------------------------------|-------|-------------|---------------------|
| Administration (Shirewide)            | 6.00  | \$589.90    | \$3,539.37          |
| Central Library (Shirewide)           | 6.00  | \$521.24    | \$3,127.44          |
| Open Space & Community (Acquisition)  | 6.00  | \$108.78    | \$652.66            |
| Open Space & Community (Future Works) | 6.00  | \$1,941.70  | \$11,650.19         |
| Open Space & Community (Recoup)       | 6.00  | \$910.93    | \$5,465.55          |
| Resource Recovery Centre (Shirewide)  | 6.00  | \$309.38    | \$1,856.28          |
| Roads & Traffic (Shirewide - Future)  | 6.00  | \$3,405.01  | \$20,430.08         |
| Roads & Traffic (Shirewide - Recoup)  | 6.00  | \$19.05     | \$114.27            |
| S64 Sewer Compliance Certificate      | 1.00  | \$255.00    | \$255.00            |
| S64 Stormwater Compliance Certificate | 1.00  | \$255.00    | \$255.00            |
| S64 Stormwater (Bowral)               | 1.36  | \$4,373.99  | \$5,926.75          |
| S64 Sewerage (Shirewide)              | 6.00  | \$12,953.72 | \$77,722.29         |
| S64 Water Compliance Certificate      | 1.00  | \$255.00    | \$255.00            |
| S64 Water (Shirewide)                 | 6.00  | \$13,361.73 | \$80,170.36         |
| <b>Total</b>                          |       |             | <b>\$211,420.24</b> |

*Payments must be either in the form of cash, bank cheque or credit card (credit cards subject to 1% surcharge. Amex and Diners not accepted).*

**IMPORTANT** – The charges shown above are valid for payment until the date given below. After this period the charge will be indexed in accordance with the relevant Plan.

**DATE CHARGES ARE VALID TO – 31<sup>st</sup> January 2025**

Prepared by – *Parin Kolbadi*

Cashier Receipt No: \_\_\_\_\_

Total Paid: \_\_\_\_\_

Date Paid: \_\_\_\_\_

**A COPY OF THIS NOTICE MUST BE PRESENTED WHEN MAKING PAYMENT**

www.wsc.nsw.gov.au

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**



PO Box 398, Parramatta NSW 2124  
Level 14, 169 Macquarie Street  
Parramatta NSW 2150  
www.watnsw.com.au  
ABN 21 147 934 787

11 November 2024

Water NSW Ref: DAR 24041-a1  
Your Ref: 24/0923

General Manager  
Wingecarribee Shire Council  
PO Box 141  
MOSS VALE NSW 2577

Attention: Parin Kolbadi

Dear Sir/Madam

**Subject: Part 6.5 of SEPP (Biodiversity and Conservation) 2021  
DA 24/0923; Lot 1 DP522477 & Lot 211 DP631550; 6-8 Kangaloon Road, Bowral**

I refer to NSW Planning Portal referral received 1 May 2024 requesting the concurrence of Water NSW under Part 6.5 of *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (the SEPP) for a proposal for a multi-dwelling housing development consisting of consolidation of the two existing lots, demolition of existing dwellings and ancillary structures, removal of eight trees and construction of eight units. Water NSW received additional information on 18 October 2024.

The subject property, which has been inspected by Water NSW, is located within the Warragamba catchment which forms part of Sydney's water supply.

Water NSW considered the following documents in its assessment of the application:

- Statement of Environmental Effects prepared by Piper Planning (dated 12 January 2024)
- Architectural Plan prepared by Elk Designs (various dates), and
- Water Sensitive Urban Design Report incorporating MUSIC stormwater quality model and stormwater plans prepared by ZAIT Engineering Solution Pty Ltd (dated 2 August 2024).

Water NSW notes the following from its assessment of the application:

- no subdivision is proposed as part of this application
- the Bowral Sewage Treatment Plant (STP) is at capacity and is planned to be upgraded. Water NSW recommends that Occupation Certificates for the development shall not be granted until the upgraded Bowral STP has been commissioned, and
- given the existing site's levels and crossfall, and the invert of the kerb inlet along Tourist Drive, a below ground on-site stormwater detention system could not be accommodated. To address Council's requirements for on-site stormwater detention, each dwelling shall have a 5,000 litre above ground rainwater tank (for on-site detention), and a 4,000 litre below ground rainwater tank.

These matters have been addressed in the attached conditions.

Based on the site inspection and the information provided, Water NSW considers that the proposed development can achieve a neutral or beneficial effect (NorBE) on water quality provided appropriate conditions are included in any development consent and are subsequently implemented.

Water NSW concurs with Council granting consent to the application subject to the attached conditions.

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

Under section 6.64 (3) of the SEPP, Council must provide Water NSW with a copy of its determination of the application within 10 days of the determination.

If you wish to discuss this matter further, please contact Rizwana Rumman via email at [environmental.assessments@waternsw.com.au](mailto:environmental.assessments@waternsw.com.au).

Yours sincerely



**JURI JUNG**  
**Catchment Protection Manager**

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**



P0 Box 398, Parramatta NSW 2124  
Level 14, 169 Macquarie Street  
Parramatta NSW 2150  
www.waternsw.com.au  
ABN 21 147 934 787

**Water NSW's Concurrence Conditions  
DA 24/0923; Lot 1 DP522477 & Lot 211 DP631550; 6-8 Kangaloon Road, Bowral**

**General**

1. The development shall be implemented in accordance with the plans and supporting documents set out in the following table.

| Plan title                          | Reference                              | Vers/<br>Issue | Prepared By                        | Dated         |
|-------------------------------------|--|----------------|------------------------------------|---------------|
| Survey Plan                         | Project: 4267<br>Sheet 1 of 1          | 4267LEV        | T Grabara & Associates             | 4/04/2022     |
| Demolition Plan                     | Project: 22055<br>Drawing no: DA020    | B              | ELK Designs                        | 23/02/2024    |
| Site Plan                           | Project: 22055<br>Drawing no: DA030    | D              |                                    | 5/08/2024     |
| Ground Floor                        | Project: 22055<br>Drawing no: DA100    | C              |                                    | 5/08/2024     |
| First Floor                         | Project: 22055<br>Drawing no: DA110    | C              |                                    | 5/08/2024     |
| Roof Plan                           | Project: 22055<br>Drawing no: DA150    | C              |                                    | 5/08/2024     |
| Sediment Control                    | Project: 22055<br>Drawing no: DA960    | B              |                                    | 23/02/2024    |
| Construction Notes                  | Project: 22-3301<br>Drawing no: SW1.02 | D              | ZAIT Engineering Solutions Pty Ltd | 02/08/2024    |
| Proposed Site Drainage Plan         | Project: 22-3301<br>Drawing no: SW1.03 |                |                                    |               |
| Drainage Detail                     | Project: 22-3301<br>Drawing no: SW1.04 |                |                                    |               |
| Water Sensitive Urban Design        | Project: 22-3301<br>Drawing no: SW1.05 |                |                                    |               |
| Erosion & Sediment Control Plan     | Project: 22-3301<br>Drawing no: SW1.06 |                |                                    |               |
| Erosion & Sediment Control Details  | Project: 22-3301<br>Drawing no: SW1.07 |                |                                    |               |
| Landscape Plans                     | Project: KAN010722<br>Sheets 2 to 6    | C              | JK's Garden Creation               | 5/08/2024     |
| <b>Supporting Documents</b>         |  |                |                                    |               |
| Statement of Environmental Effects  | -                                      | B              | Piper Planning                     | 12/01/2024    |
| Water Sensitive Urban Design Report | Ref: 22-3301                           | -              | ZAIT Engineering Solution Pty Ltd  | 2 August 2024 |

No revisions to site layout or external works that will have impact on water quality, shall be permitted without the agreement of Water NSW.

*Reason for Condition 1 - Water NSW has based its assessment under the State Environmental Planning Policy (Biodiversity and Conservation) 2021 on this version of the development.*

## **AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024**

### **Sewer Infrastructure**

2. All dwellings shall be connected to Council's reticulated sewerage system and shall ensure that all new sewerage infrastructure is designed, located, and installed in accordance with Council's requirements and be to the satisfaction of Council.
3. No Occupation Certificate shall be issued unless the appointed Principal Certifier has received written certification from Wingecarribee Shire Council's Water & Sewer Services that the existing Bowral Sewage Treatment Plant and associated infrastructure has:
  - sufficient hydraulic capacity to accommodate and treat the additional wastewater load generated by that stage of the development, and/or
  - been upgraded and commissioned to treat additional wastewater load generated by the development.

*Reason for Conditions 2 & 3 - To ensure that the design and operation of the sewerage infrastructure is undertaken in a way that minimises the risk of sewage overflows to ensure a sustainable neutral or beneficial effect on water quality over the longer term, and that Bowral Sewage Treatment Plant has sufficient capacity.*

### **Stormwater Management**

4. All stormwater management measures, as specified in the Water Sensitive Urban Design Report and Proposed Site Drainage Plan set out in the Table of Condition 1, shall be incorporated in the final stormwater drainage plan. The final stormwater drainage plan shall:
  - be prepared prior to the issuance of a Construction Certificate and be approved by the Principal Certifier
  - include the following stormwater management measures:
    - pits, pipes and inlet filters (OceanGuard 200 or Water NSW endorsed equivalent)
    - rainwater collection and reuse systems (including onsite detention), and
    - a cartridge membrane filtration system (Jellyfish or Water NSW agreed equivalent)
  - be implemented.
5. The driveway shall be sealed and shall drain to stormwater pits fitted with inlet filters (OceanGuard 200 or Water NSW endorsed equivalent) and directed to Council's stormwater system via a cartridge membrane filtration system (Jellyfish or Water NSW agreed equivalent).
6. A rainwater collection and reuse system for each dwelling roof shall be installed that:
  - includes rainwater tanks with a minimum total capacity of 9,000 litres comprising:
    - a minimum 4,000 litre below ground rainwater tank above any volume required for mains top-up, and
    - a minimum 5000 litre above ground rainwater tank for onsite detention
  - ensures that roofs and gutters are designed to maximise the capture of rainwater in the tanks
  - ensures that the tanks are plumbed for reuse to toilets, laundry, and other non-portable purposes such as landscape irrigation, and
  - ensures that all rainwater tank overflow is directed to Council's stormwater system via the cartridge membrane filtration system (Jellyfish or Water NSW agreed equivalent).
7. No variation to stormwater treatment and management that will have any impact on water quality shall be permitted without the agreement of Water NSW.

## AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024

8. A suitably qualified stormwater consultant or engineer shall certify in writing to Water NSW and the Principal Certifier prior to the issuance of an Occupation Certificate for the development that all stormwater management measures have been installed as per these conditions of consent and are in a functional state.

### **Operational Environmental Management Plan**

9. An Operational Environmental Management Plan shall be prepared in consultation with Water NSW by a person with knowledge and experience in the preparation of such plans. The Plan shall:
  - be prepared prior to the issuance of an Occupation Certificate
  - be provided to the owner/s and subsequent residents of each dwelling and the site supervisor
  - include details on the location, description, and function of stormwater management structures such as pits, pipes, inlet filters (OceanGuard 200 or Water NSW agreed equivalent), cartridge membrane filtration system (Jellyfish or Water NSW agreed equivalent), rainwater collection and reuse systems, and any other stormwater structures and drainage works
  - outline the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all stormwater management structures, including the frequency of such activities
  - identify the individuals or positions responsible for inspection and maintenance activities including a reporting protocol and hierarchy
  - include checklists for recording inspections and maintenance activities, particularly for the cartridge membrane filtration system, and
  - be finalised after all comments made by WaterNSW during the consultation process have been appropriately resolved and incorporated in the final Operational Environmental Management Plan.
10. There shall be a public positive covenant under Section 88E of the *Conveyancing Act 1919*, the prescribing authority being Water NSW, placed over the consolidated lot (consolidation of Lot 1 DP522477 and Lot 211 DP631550) requiring that the rainwater collection and reuse systems, cartridge membrane filtration system, inlet filters and associated outlets be retained, protected, and maintained in accordance with the Operational Environmental Management Plan.

*Reason for Conditions 4 to 10 – To ensure that the stormwater quality management measures and structures for the proposed development have a sustainable neutral or beneficial impact on water quality over the longer term.*

### **Construction Activities**

11. A Soil and Water Management Plan shall be prepared for all works required in the development by a person with knowledge and experience in the preparation of such plans. The Plan shall:
  - incorporate the information included in the Erosion & Sediment Control Plan specified in the table of Condition 1
  - meet the requirements outlined in Chapter 2 of *NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004)*
  - be prepared prior to the issuance of a Construction Certificate of the development, and be to the satisfaction of the Principal Certifier, and

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

- include controls to prevent sediment or polluted water leaving the construction site or entering natural drainage lines or stormwater drain.
12. The Soil and Water Management Plan shall be implemented, and no works shall commence until effective erosion and sediment controls have been installed. The controls shall be regularly inspected, maintained, and retained until works have been completed and groundcover established.

*Reason for Conditions 11 & 12 – To manage adverse environmental and water quality impacts during the construction phase of the development to minimise the risk of erosion, sedimentation, and pollution within or from the site during this phase.*

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**Development Application and Planning Proposal Review  
NSW Planning Portal Concurrence and Referral**



| Authority                   | Authority's Reference | Agency Concurrence and Referral | Authority Contact | Authority Notification | Submission Due | Submission Made |
|-----------------------------|-----------------------|---------------------------------|-------------------|------------------------|----------------|-----------------|
| Wingecarribee Shire Council | 24/0923               | CNR-68340                       | Parin Kolbadi     | 1/05/2024              | 22/05/2024     | 1/05/2024       |

| Address                         | Land Title                         |
|---------------------------------|------------------------------------|
| 6 - 8 KANGALOO ROAD BOWRAL 2576 | Lot 1 DP 522477, Lot 211 DP 631550 |

**Scope of Development Application or Planning Proposal**

Demolition of existing single dwellings & ancillary structures. Construction of 8 unit multi-dwelling development, including 4 x 4 bedroom 2 storey units & 4 x 3 bedroom 2 storey units.

**Endeavour Energy's G/Net master facility model indicates:**

Within or adjacent to the property the electrical network used in the distribution / supply of electricity are:

| Electricity Infrastructure / Apparatus           | Statutory allocation (road verge / roadway*) | Easement (or other form of property tenure**) | Protected works***       | Freehold (adjoining or nearby) |
|--|--|---|--------------------------|--------------------------------|
| <b>Overhead Power Lines</b>                      |  |   |                          |                                |
| <input checked="" type="checkbox"/> Low voltage  | <input checked="" type="checkbox"/>          | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <input checked="" type="checkbox"/> High voltage | <input checked="" type="checkbox"/>          | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <input type="checkbox"/> Transmission voltage    | <input type="checkbox"/>                     | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <input checked="" type="checkbox"/> Pole / tower | <input checked="" type="checkbox"/>          | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <b>Underground Cables</b>                        |  |   |                          |                                |
| <input checked="" type="checkbox"/> Low voltage  | <input checked="" type="checkbox"/>          | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <input type="checkbox"/> High voltage            | <input type="checkbox"/>                     | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <input type="checkbox"/> Transmission voltage    | <input type="checkbox"/>                     | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <input type="checkbox"/> Streetlight / pillar    | <input type="checkbox"/>                     | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <b>Substation</b>                                |  |   |                          |                                |
| <input type="checkbox"/> Pole mounted            | <input type="checkbox"/>                     | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <input type="checkbox"/> Padmount                | <input type="checkbox"/>                     | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <input type="checkbox"/> Indoor                  | <input type="checkbox"/>                     | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <input type="checkbox"/> Zone                    | <input type="checkbox"/>                     | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <input type="checkbox"/> Transmission            | <input type="checkbox"/>                     | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <b>Other:</b>                                    | <input checked="" type="checkbox"/>          | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |

Low voltage extra low voltage up to 1,000 volts alternating current (a.c.).

High voltage above 1,000 volts a.c and less than 33,000 volts a.c. [33 kilovolts (kV)].

Transmission voltage 33 kV up to 132,000 volts a.c. (132 kV).

\*Rights provided in a public road or reserve. The allocation depends on the classification and date of roadway dedication.

\*\* Other form of property tenure includes but is not limited to restriction, covenant, lease, licence etc.

\*\*\*Protected works under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act 1995* (NSW).

Other: provide detail of electricity infrastructure / apparatus.



**Endeavour Energy**

ABN 11 247 365 823

T 133 718

Level 40-42, 8 Parramatta Square,  
10 Darcy Street Parramatta NSW 2150

PO Box 811, Seven Hills NSW 1730

[endeavourenergy.com.au](http://endeavourenergy.com.au)



## AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024

Relevant / applicable clause numbers from Endeavour Energy's standard conditions for Development Application and Planning Proposal Review indicated by ☒ .

| Condition                           | Advice                              | Clause No. | Issue                   | Detail  |
|-------------------------------------|-------------------------------------|------------|-------------------------|---|
| <input type="checkbox"/>            | <input type="checkbox"/>            | 1          | Adjoining Sites         | Adjoining or nearby development / use should be compatible with the use of Endeavour Energy's sites.  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 2          | Asbestos                | Area identified or suspected of having asbestos or asbestos containing materials (ACM) present in the electricity network.  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 3          | Asset Planning          | Applicants should not assume adequate supply is immediately available to facilitate their proposed development.   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 4          | Asset Relocation        | Application must be made for an asset relocation / removal to determine possible solutions to the developer's requirements.   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 5          | Before You Dig          | Before commencing any underground activity the applicant must obtain advice from the Before You Dig service.  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 6          | Bush Fire               | Risk needs to be managed to maintain the safety of customers and the communities served by the network.   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 7          | Construction Management | Integrity of electricity infrastructure must be maintained and not impacted by vehicle / plant operation, excessive loads, vibration, dust or moisture penetration. |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 8          | Contamination           | Remediation may be required of soils or surfaces impacted by various forms of electricity infrastructure.   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 9          | Demolition              | All electricity infrastructure shall be regarded as live and care must be taken to not interfere with any part of the electricity network.                          |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 10         | Dispensation            | If a proposal is not compliant with Endeavour Energy's engineering documents or standards, the applicant must request a dispensation.                               |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 11         | Driveways               | For public / road safety and to reduce the risk of vehicle impact, the distance of driveways from electricity infrastructure should be maximised.                   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 12         | Earthing                | The construction of any building or structure connected to or in close proximity to the electrical network must be properly earthed.                                |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 13         | Easement Management     | Preference is for no activities to occur in easements and they must adhere to minimum safety requirements.  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 14         | Easement Release        | No easement is redundant or obsolete until it is released having regard to risks to its network, commercial and community interests.                                |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 15         | Easement Subdivision    | The incorporation of easements into to multiple / privately owned lots is generally not supported.  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 16         | Emergency Contact       | Endeavour Energy's emergency contact number 131 003 should be included in any relevant risk and safety management plan.   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 17         | Excavation              | The integrity of the nearby electricity infrastructure shall not be placed at risk by the carrying out of excavation work.  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 18         | Flooding                | Electricity infrastructure should not be subject to flood inundation or stormwater runoff.  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 19         | Hazardous Environment   | Electricity infrastructure can be susceptible to hazard sources or in some situations be regarded as a hazardous source.  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 20         | Look up and Live        | Before commencing any activity near overhead power lines the applicant must obtain advice from the Look Up and Live service.  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 21         | Modifications           | Amendments can impact on electricity load and the contestable works required to facilitate the proposed development.  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 22         | Network Access          | Access to the electricity infrastructure may be required at any time particularly in the event of an emergency.   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 23         | Network Asset Design    | Design electricity infrastructure for safety and environmental compliance consistent with safe design lifecycle principles.   |

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

| Condition                           | Advice                              | Clause No. | Issue                   | Detail   |
|-------------------------------------|-------------------------------------|------------|-------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 24         | Network Connection      | Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 25         | Protected Works         | Electricity infrastructure without an easement is deemed to be lawful for all purposes under Section 53 'Protection of certain electricity works' of the <i>Electricity Supply Act 1995</i> (NSW). |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 26         | Prudent Avoidance       | Development should avert the possible risk to health from exposure to emissions from electricity infrastructure such as electric and magnetic fields (EMF) and noise.                              |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 27         | Public Safety           | Public safety training resources are available to help general public / workers understand the risk and how to work safely near electricity infrastructure.  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 28         | Removal of Electricity  | Permission is required to remove service / metering and must be performed by an Accredited Service Provider.   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 29         | Safety Clearances       | Any building or structure must comply with the minimum safe distances / clearances for the applicable voltage/s of the overhead power lines.   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 30         | Security / Climb Points | Minimum buffers appropriate to the electricity infrastructure being protected need to be provided to avoid the creation of climb points.   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 31         | Service Conductors      | Low voltage service conductors and customer connection points must comply with the 'Service and Installation Rules of NSW'.  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 32         | Solar / Generation      | The performance of the generation system and its effects on the network and other connected customers needs to be assessed.  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 33         | Streetlighting          | Streetlighting should be reviewed and if necessary upgraded to suit any increase in both vehicular and pedestrian traffic.   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 34         | Sustainability          | Reducing greenhouse gas emissions and helping customers save on their energy consumption and costs through new initiatives and projects to adopt sustainable energy technologies.                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 35         | Swimming Pools          | Whenever water and electricity are in close proximity, extra care and awareness is required.   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 36         | Telecommunications      | Address the risks associated with poor communications services to support the vital electricity supply network Infrastructure.   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 37         | Vegetation Management   | Landscaping that interferes with electricity infrastructure is a potential safety risk and may result in the interruption of supply.   |
| <b>Decision</b>                     |                                     |            |                         | Approve (with conditions)  |

**Environmental Services Team**

P 133 718  
E Property.Development@endeavourenergy.com.au

Level 40-42, 8 Parramatta Square, 10 Darcy Street  
Parramatta NSW 2150.

Dharug/Wiradjuri/Dharawal/Gundungurra/Yuin Country

[endeavourenergy.com.au](http://endeavourenergy.com.au) |    



Endeavour Energy respectfully acknowledges the Traditional Custodians on whose lands we live, work, and operate and their Elders past and present.

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**Reason(s) for Conditions or Objection (If applicable)**

- To ensure an adequate connection, the applicant will need to engage an Accredited Service Provider (ASP) of an appropriate level and class of accreditation to assess the electricity load and the proposed method of supply for the development.
- An extension or augmentation of the existing electricity distribution network may be required. Whilst there are distribution substations in the area which are likely to have some spare capacity, it is not unlimited and may not be sufficient to provide for the additional load from the proposed development.

Other factors such as the size and rating / load on the conductors and voltage drop (which can affect the quality of supply particularly with long conductor runs) etc. need to be assessed. However the extent of any works required will not be determined until the final load assessment is completed.

- Endeavour Energy’s network asset design policy is generally to progressively underground all new urban developments. All new cabling / reticulation infrastructure must be of an underground construction type. Where existing overhead construction is present on or in proximity of the site, it may require undergrounding as the development proceeds.
- The low voltage service conductor and customer connection point must comply with the ‘Service and Installation Rules of NSW’.
- The minimum required safety clearances and controls for building and structures (whether temporary or permanent) and working near overhead power lines must be maintained at all times. If there is any doubt whatsoever regarding the safety clearances to the overhead power lines, the applicant will need to have the safety clearances assessed by a suitably qualified electrical engineer / Accredited Service Provider (ASP).

Even if there is no issue with the safety clearances to the building and structures, consideration must be given to WorkCover (now SafeWork NSW) ‘Work Near Overhead Power Lines Code of Practice 2006’ eg. ordinary persons must maintain a minimum safe approach distance of 3.0 metres to all voltages up to and including 132,000 volts / 132 kilovolt (kV) and includes the following requirements for work near low voltage overhead power / service lines.

**TABLE 4**

**Approach distances for work near low voltage overhead service lines**

| Ordinary Persons (m) |                                    |   |  |                              |
|----------------------|------------------------------------|---|--|------------------------------|
| Hand held tools      | Operation of crane or mobile plant | Handling of metal materials (Scaffolding, roofing, guttering, pipes, etc) | Handling of non-conductive materials (Timber, plywood, PVC pipes and guttering, etc) | Driving or operating vehicle |
| 0.5                  | 3.0                                | 4.0   | 1.5  | 0.6                          |

- The planting of large / deep rooted trees near electricity infrastructure is opposed by Endeavour Energy. Existing trees which are of low ecological significance in proximity of electricity infrastructure should be removed and if necessary replaced by an alternative smaller planting. The landscape designer will need to ensure any planting near electricity infrastructure achieves Endeavour Energy’s vegetation management requirements.

## AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024

### **Endeavour Energy's G/Net master facility model.**

The advice provided regarding the extent of the electricity infrastructure on or near the site is based on a desk top review of Endeavour Energy's G/Net master facility model. This is a computer based geographic information system which holds the data on and is used to map the electricity network. The location, extent and type of any electricity infrastructure, boundaries etc. shown on the plan is indicative only. In addition it must be recognised that the electricity network is constantly extended, augmented and modified and there is a delay from the completion and commissioning of these works until their capture in the model. It only shows the Endeavour Energy electricity network and does not show electricity infrastructure belonging to other authorities or customers owned electrical equipment beyond the customer connection point / point of supply to the property.

### **Easement (or other form of property tenure).**

Title searches will confirm the current owners of a property and shows any registered interests affecting the property such as an easement. Not all interests eg. short term leases and licences are registered on the title. Not all easements for electricity infrastructure will necessarily benefit Endeavour Energy eg. there may be interallotment / easements appurtenant to the land particularly for low voltage service conductors / customer connections. For further advice please refer to Endeavour Energy's:

- Land Interest Guidelines for Network Connection Works.
- Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.

### **Condition or Advice**

With Endeavour Energy's Development Application and Planning Proposal Review process / system the intent of the 'Standard Conditions' being indicated as either a 'Condition' or 'Advice' essentially depends on the risk associated with the matter. If the matter is one that is likely or very likely to be an issue / needed to be addressed by the applicant and may require corrective action, then it is marked as a 'Condition'. If the matter is less likely and the consequences of the applicant not addressing it are lower or can be readily rectified, then it is marked as 'Advice'. If the matter is considered to be not applicable / relevant then it is not marked as either.

For example, the obtaining advice from the Before You Dig service in accordance with the requirements of the *Electricity Supply Act 1995* (NSW) and associated Regulations is a standard / regulatory requirement and will be generally indicated as 'Condition'. If the Site Plan from Endeavour Energy's G/Net Master Facility Model indicates there is no underground electricity infrastructure it will be indicated as 'Advice' as a precaution and in regard to any other underground utilities.

Not all of the matters may be directly or immediately relevant or significant to the Development Application or Planning Proposal. However, Endeavour Energy's preference is to alert proponents / applicants of the potential matters that may arise should development within closer proximity of the existing and/or required electricity infrastructure needed to facilitate the proposed development on or in the vicinity of the site occur. Even if a matter is not indicated a 'Condition' or 'Advice', applicants are encouraged to review all of the 'Standard Conditions' as some matters may not have been evident from the information provided with the Development Application and of which the applicant may have additional knowledge.

### **Decision**

In the NSW Planning Portal for the 'Agency response', as Endeavour Energy is not a concurring authority under the provision of the *Environmental Planning and Assessment Act 1979* (NSW), it does not 'Approve' or 'Refuse' a Development Application in the Portal. It will 'Approve (with conditions)' (which may 'Object' in the submission and detail the matters requiring resolution), or if all the matters in the submission are marked as for 'Advice', the outcome of the assessment will also be 'Advice'.

### **Objection**

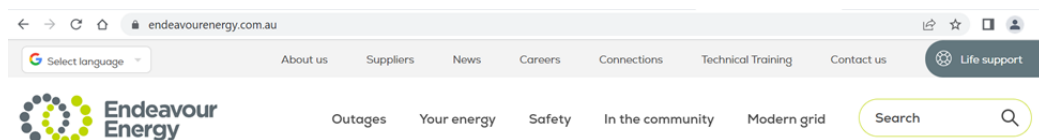
Endeavour Energy may object to a Development Application if the conditions may substantially impact the proposed development or regarded as a significant risk to the electricity distribution network. Although Council may be able to appropriately condition these matters, Endeavour Energy's recommendation is to address the matters prior to Council granting any consent. This can assist in avoiding the need to later seek modification of an approved Development Application.

Please note Endeavour Energy can only assess the Development Application based on the information provided by the applicant and Council. Due to time and resource constraints it is not possible to refer all development application notifications to the relevant internal stakeholders for review and advice or to request additional information from the applicant or Council. Applicants should be providing proper detailed plans of the electricity infrastructure / easements on or near the site and address the potential impacts of the proposed development thereon in the Statement of Environmental Effects. The provision of inadequate detail may result in Endeavour Energy objecting to the Development Application.

# AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024

## Further Advice

The 'Standard Conditions' include additional advice and contact details and further information is also available on Endeavour Energy's website at <https://www.endeavourenergy.com.au/>.



To resolve any objection or to seek further advice the following are the main contacts and can be reached by calling Endeavour Energy via Head Office enquiries on business days from 9am - 4:30pm on telephone: 133 718. For other matters the contact details are included in Endeavour Energy's standard conditions for Development Application and Planning Proposal Review. Whilst the Environmental Services Team are able to provide general advice, the resolution / approval of any matter/s rests with the relevant contact related to the matter/s.

| Branch / Section   | Matters  | Email  |
|--|--|--|
| Customer Network Solutions                               | Electricity supply or asset relocation who are responsible for managing the conditions of supply with the applicant and their Accredited Service Provider (ASP). | <a href="mailto:CWAdmin@endeavourenergy.com.au">CWAdmin@endeavourenergy.com.au</a>                       |
| Easements Officers                                       | Easement management or protected works / assets.   | <a href="mailto:Easements@endeavourenergy.com.au">Easements@endeavourenergy.com.au</a>                   |
| Property   | Property tenure eg. the creation or release of easements.  | <a href="mailto:network_property@endeavourenergy.com.au">network_property@endeavourenergy.com.au</a>     |
| Field Operations (to the relevant Field Service Centre). | Safety advice for building or working near electrical assets in public areas (including zone and transmission substations).                                      | <a href="mailto:Construction.Works@endeavourenergy.com.au">Construction.Works@endeavourenergy.com.au</a> |

**Please note Endeavour Energy's above contacts do not have access to the NSW Planning Portal. To resolve any matters direct contact should be made with the responsible contact. This will avoid double handling and possible delays in responding to the applicant / Council.**

## Accredited Service Providers

The Accredited Service Provider (ASP) scheme accredits organisations to perform contestable work on the NSW electricity distribution network. Contestable works are works that are required for the electricity distribution network provider to supply the load in the power lines where a new or altered connection is being requested.

Endeavour Energy is urging applicants / customers to engage with an ASP prior to finalising plans to in order to assess and incorporate any required electricity infrastructure as well as addressing safety issues such as safety clearances. In so doing the consideration can also be given to its impact on the other aspects of the proposed development. This can assist in avoiding the making of amendments to the plan or possibly the need to later seek modification of an approved development application.

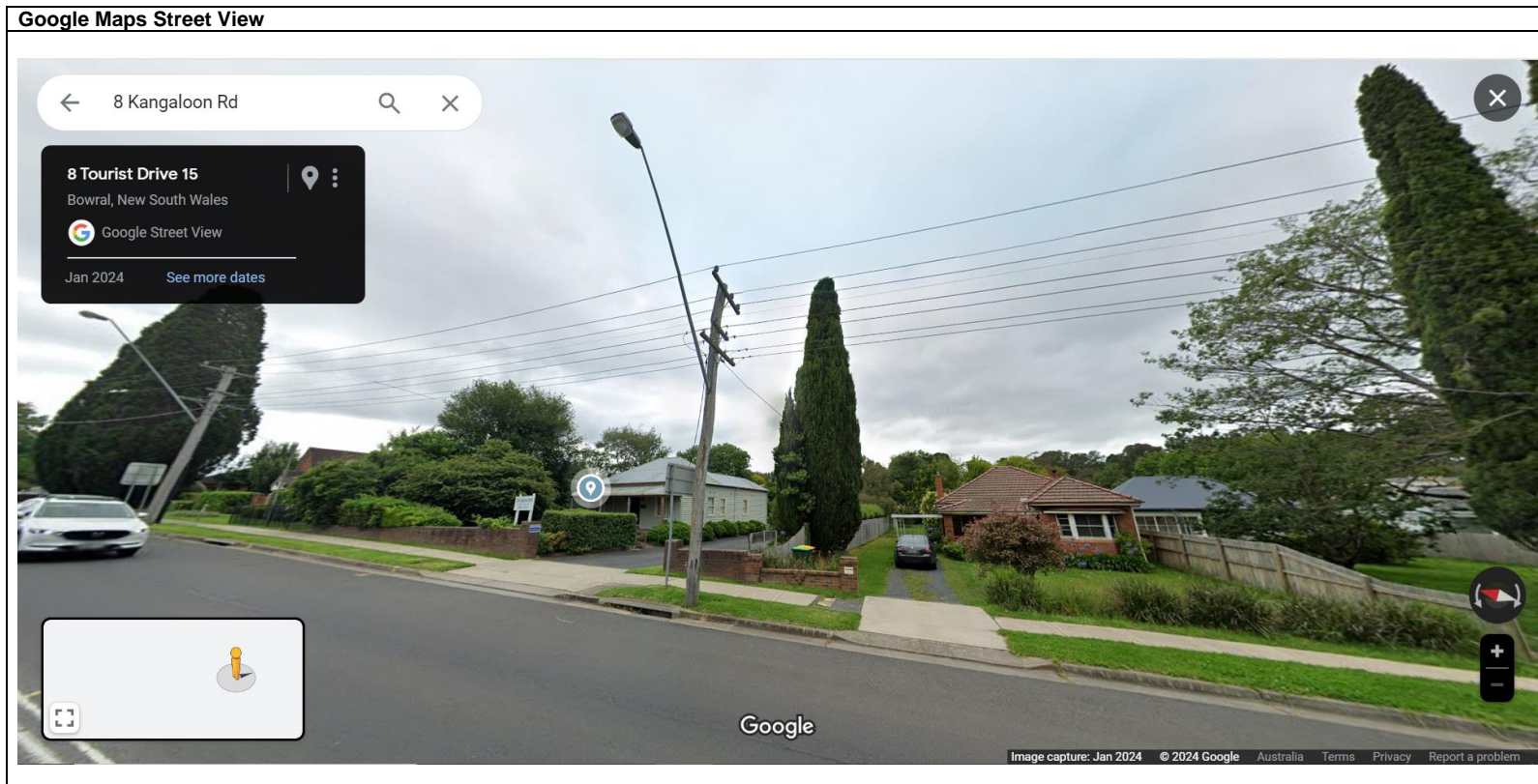
Details of the ASP Scheme which accredits organisations to perform contestable work on the NSW electricity distribution network are available via the following link to the Energy NSW website at <https://www.energysaver.nsw.gov.au/get-energy-smart/dealing-energy-providers/installing-or-altering-your-electricity-service>.

## Duty of Care

All individuals have a duty of care they must observe when working in the vicinity of electricity infrastructure. Before you do anything:

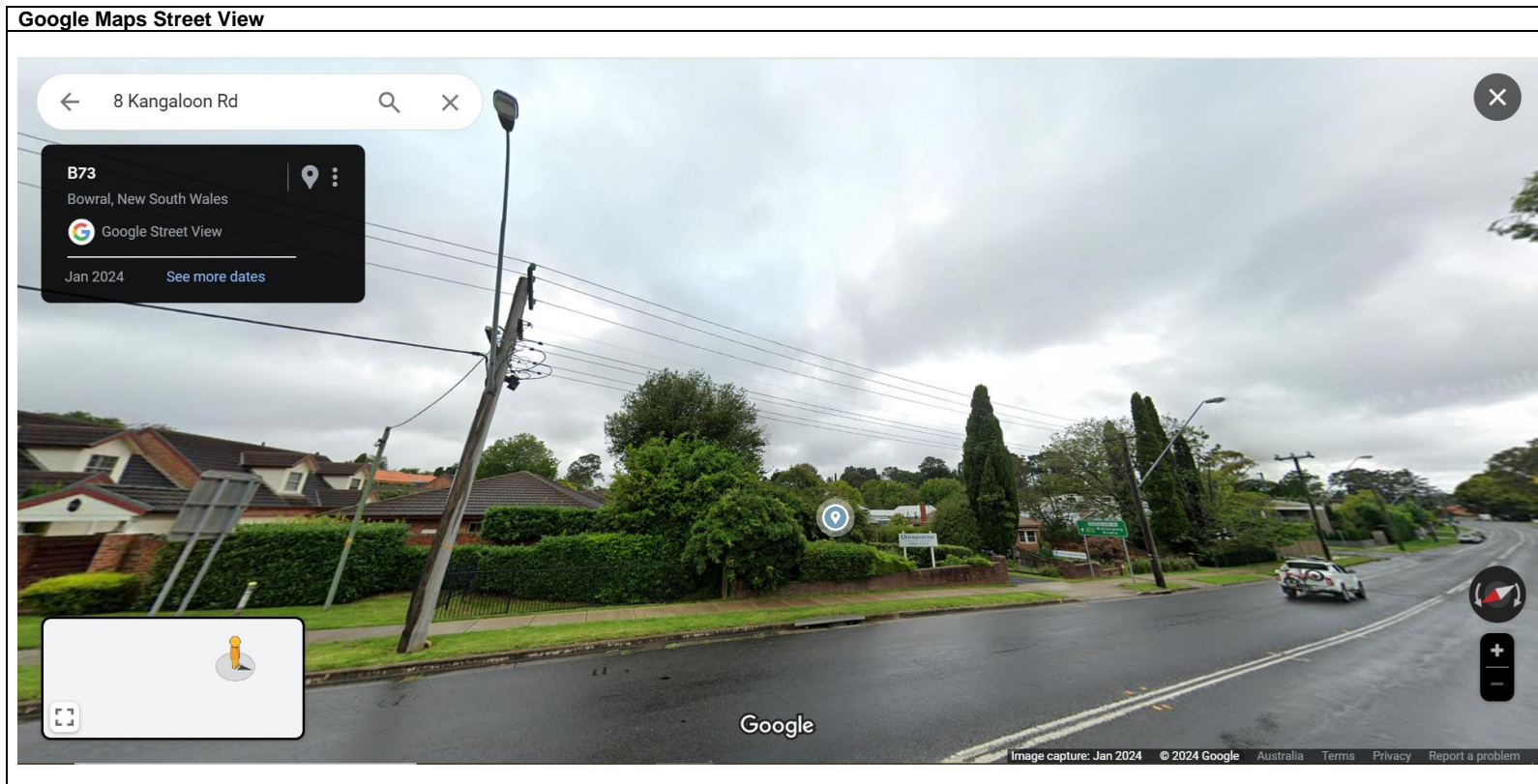
- 1) Contact Before You Dig and Look Up and Live to obtain the details of the electricity infrastructure on or near the site noting they are a guide only to what might be in the area and may not be entirely accurate.
- 2) Comply with the conditions and consider the advice provided above.
- 3) If needed contact Endeavour Energy on 133 718 or the contacts provided above for assistance.
- 4) **DO NOT** attempt any work near electricity infrastructure until all required approvals and safety measures are in place.
- 5) Proceed only if you have satisfied yourself it is safe.
- 6) Always remember, even the briefest contact with electricity at any voltage can have serious consequences to a person's health and safety and can be fatal.

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**





**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**



**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**Transport for NSW**



10 September 2024

TfNSW reference: STH24/00357/002  
Your reference: DA24/0923 - CNR-68340

Wingecarribee Shire Council  
By Email: [parin.kolbadi@wsc.nsw.gov.au](mailto:parin.kolbadi@wsc.nsw.gov.au)  
CC: [council@wsc.nsw.gov.au](mailto:council@wsc.nsw.gov.au)

Attention: Parin Kolbadi

**Eight (8) Residential Units – LOT 1 DP522477 & LOT 211 DP631550 6-8 Kangaloon Road, BOWRAL**

Dear Parin

Transport for NSW (TfNSW) is responding to the DA DA24/0923 referred on 19 August 2024.

TfNSW has reviewed the information and has no objections to the proposed development and issues its concurrence under insert *Section 138* of the *Roads Act 1993* provided the conditions in Attachment 1 are included in the development consent.

TfNSW notes that in determining the application under Part 4 of the *Environmental Planning & Assessment Act 1979* it is the consent authority's responsibility to consider the environmental impacts of any road works that are ancillary to the development (such as removal of trees, relocation of utilities, stormwater management, etc). Depending on the nature of the works, the Council may require the developer to submit a further environmental assessment for any ancillary road works.

On Council's determination of this matter, please forward a copy of the Notice of Determination to TfNSW. If you have any questions, please contact Emilija Quinn, Development Services Case Officer, on (02) 4064 0106 or email [development.south@transport.nsw.gov.au](mailto:development.south@transport.nsw.gov.au).

Yours faithfully

A handwritten signature in black ink, appearing to be "Nathan Boscaro".

**Nathan Boscaro**  
Team Leader, Development Services South

---

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Level 1, 101 Crown St (PO Box 477 2520) Wollongong NSW 2500  
193-195 Morgan Street (PO Box 484) Wagga Wagga NSW 2650

ABN 18 804 239 602  
[transport.nsw.gov.au](http://transport.nsw.gov.au)

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## Transport for NSW



### Attachment 1

#### **Eight (8) Residential Units – LOT 1 DP522477 & LOT 211 DP631550 6-8 Kangaloon Road, BOWRAL**

#### **Context**

TfNSW notes for this DA:

- The key state road is Kangaloon Road.
- Council is seeking advice from TfNSW to assist in its assessment under Section 138 of the Roads Act 1993.
- The development proposes to construction eight (8) residential units as set out in **Attachment 2**.
- The access to Kangaloon Road facilitates simultaneously entry and exit.
- Parking restrictions along the frontage of the property to facilitate kerbside waste collection and improve safe of the property access are imposed.

#### **Additional Comments**

The following matters should be considered by Council in their assessment of the Development Application:

- a) The swept paths provided (**Attachment 4**) indicate a vehicle may require additional manoeuvres when entering and exiting the garages. Council needs to be satisfied that alterations are not required to improve internal turning manoeuvres.

#### **Conditions**

##### **1. Prior to the issuing of the Construction Certificate, the developer must:**

- a) Demonstrate to the satisfaction of Council the post development storm water discharge from the subject site, if going into Kangaloon Road drainage system, does not exceed the pre-development application discharge.
- b) Amended the submitted plans to reflect parking restrictions along the frontage of the property, to the satisfaction of Council, to facilitate kerbside waste collection and improve safety of the access.
- c) Apply for Section 138 consent under the Roads Act, 1993 from Council for all works on Kangaloon Road.

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## AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024

### 2. Prior to commencing works within the road reserve, the developer must:

- a) Obtain Section 138 consent under the Roads Act, 1993 for the works on Kangaloon Road from Council.

Notes:

- *Provided Council is satisfied the works have been designed in accordance with the relevant Council standard, TfNSW issues its concurrence under Section 138 of the Roads Act, 1993.*

- b) Apply for, and obtain a Road Occupancy Licence (ROL) from the TfNSW Road Access Management Team via [OPLINK](#) prior to commencing roadworks or any other works that impact a travel lane of the Princes Highway.

Notes:

- *For information on the ROL process and to lodge an ROL application, please visit <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>*
- *The applicant will need to create an account (this may take a few days to register), before submitting the ROL application. The applicant must submit the ROL application 10 business days before commencing work. It should be noted that receiving approval for the ROL within this 10 business day period is dependent upon TfNSW receiving an accurate and compliant TMP.*
- *The application will require a Traffic Management Plan (TMP) to be prepared by a person who is certified to prepare Traffic Control Plans. Should the TMP require a reduction of the speed limit, a Speed Zone Authorisation will also be required from the TOU.*
- *An approved ROL does not constitute an approval to commence works until an authorisation letter for the works has been issued by TfNSW Project Manager.*

### 3. Prior to the issuing of the Occupation Certificate, the developer must:

- a) Design and construct the driveway on Kangaloon Road to the satisfaction of Council, generally in accordance with **Attachment 3** and Council standards.
- b) Physically close any other existing access points to Kangaloon Road by reinstating the kerb and gutter.
- c) Appropriate placement and installation of suitable parking restriction signage along the frontage of the property to the satisfaction of Council.

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**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

Transport for NSW



**Attachment 2**

**Eight (8) Residential Units – LOT 1 DP522477 & LOT 211 DP631550 6-8 Kangaloon Road,  
BOWRAL**

Site Plan

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**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

Transport for NSW



**Attachment 3**

**Eight (8) Residential Units – LOT 1 DP522477 & LOT 211 DP631550 6-8 Kangaloon Road,  
BOWRAL**

Civil Works Plan

---

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**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

Transport for NSW



**Attachment 4**

**Eight (8) Residential Units – LOT 1 DP522477 & LOT 211 DP631550 6-8 Kangaloon Road,  
BOWRAL**

Swept Paths

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# DEVELOPMENT APPLICATION 22055

MULTI DWELLING HOUSING - 6-8 KANGALOO ROAD, BOWRAL  
Kangaloon Rd Pty Ltd

**SCHEDULE OF DRAWINGS**

|       |  |
|-------|--|
| DA000 | COVER PAGE                                       |
| DA010 | SITE ANALYSIS PLAN                               |
| DA012 | SITE CONTEXT ANALYSIS                            |
| DA020 | DEMOLITION PLAN                                  |
| DA030 | SITE PLAN  |
| DA035 | SITE COVERAGE PLAN                               |
| DA040 | PERSPECTIVES                                     |
| DA042 | BUILDING HEIGHT ENVELOPE                         |
| DA043 | SIDE AND REAR SETBACK WITHIN SURROUNDING CONTEXT |
| DA100 | GROUND FLOOR                                     |
| DA110 | FIRST FLOOR                                      |
| DA150 | ROOF PLAN  |
| DA300 | ELEVATIONS                                       |
| DA301 | ELEVATIONS                                       |
| DA302 | ELEVATIONS                                       |
| DA350 | EXTERNAL FINISHES                                |
| DA400 | SECTIONS   |
| DA900 | EXTERNAL SHADOW DIAGRAMS                         |
| DA901 | EXTERNAL SHADOW DIAGRAMS                         |
| DA902 | 9AM SHADOW 3D                                    |
| DA903 | 10AM SHADOW 3D                                   |
| DA904 | 11AM SHADOW 3D                                   |
| DA905 | 12PM SHADOW 3D                                   |
| DA906 | 1PM SHADOW 3D                                    |
| DA907 | 2PM SHADOW 3D                                    |
| DA908 | 3PM SHADOW 3D                                    |
| DA909 | EXTERNAL SHADOW DIAGRAMS                         |
| DA960 | SEDIMENT CONTROL                                 |

Survey By: T GRABARA & ASSOCIATES  
Ref:4267 Date: 04/04/22



SUBJECT SITE



SITE LOCATION

FOR AUTHORITY APPROVAL ONLY  
NOT FOR CONSTRUCTION

PO Box 601 Kotara  
NSW 2289 Ph: 49524425  
Nominated Architect: Daniel Hadley 8209  
**Notes**  
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Verify all dimensions and levels on site and report any discrepancies prior to the commencement of work and any ordering of materials.  
Drawings are to be read in conjunction with all contract documents.  
Use figured dimensions only. Do not scale from drawings.  
ELK Design cannot guarantee the accuracy of content and format for copies of drawings issued electronically.  
The completion of the issue details checked and authorised section below in conformation of the status of the drawing. The drawing shall not be used for construction unless endorsed "For Construction" and authorised for issue.

**Consultants**

Surveyor  
T Grabara & Associates  
p: 0411 023 332  
e: tga@grabara.com.au

Town Planner  
Piper Planning Pty Ltd  
p: 0401660152  
e: piperplanning.com.au

Civil Engineer  
ZAIT Engineering Solutions  
p: 02 9630 3087  
e: zait.com.au

BASIX Consultant  
Evergreen Energy Consultants  
p: 0407 898 279  
e: joseph@evergreenec.com.au

Landscape Consultant  
JK's Gardencreations  
p: 0412582966  
e: gardenflora704@gmail.com

Arborist Consultant  
Arboriculture Consultancy  
p: 02 4880 1609  
e: info@arborconsult.com.au

| Issue | Description             | Date       |
|-------|-------------------------|------------|
| P5    | For Review              | 14/06/2023 |
| P6    | For Review              | 3/07/2023  |
| P7    | For Review              | 29/09/2023 |
| P8    | For Review              | 6/10/2023  |
| A     | Development Application | 10/01/2024 |
| B     | As Requested            | 23/02/2024 |
| C     | RFI                     | 31/10/2024 |
| D     | RFI                     | 22/11/2024 |

Project  
**MULTI DWELLING HOUSING**  
Location  
**6-8 KANGALOO ROAD**  
**BOWRAL**  
Client  
**Kangaloon Rd Pty Ltd**

Drawing  
**COVER PAGE**  
Scale  
@ A3  
DRAWN  
ATa

QA CHECKED  
JG

Drawing Number  
**DA000**  
Issue  
D  
Project Number  
**22055**





**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**



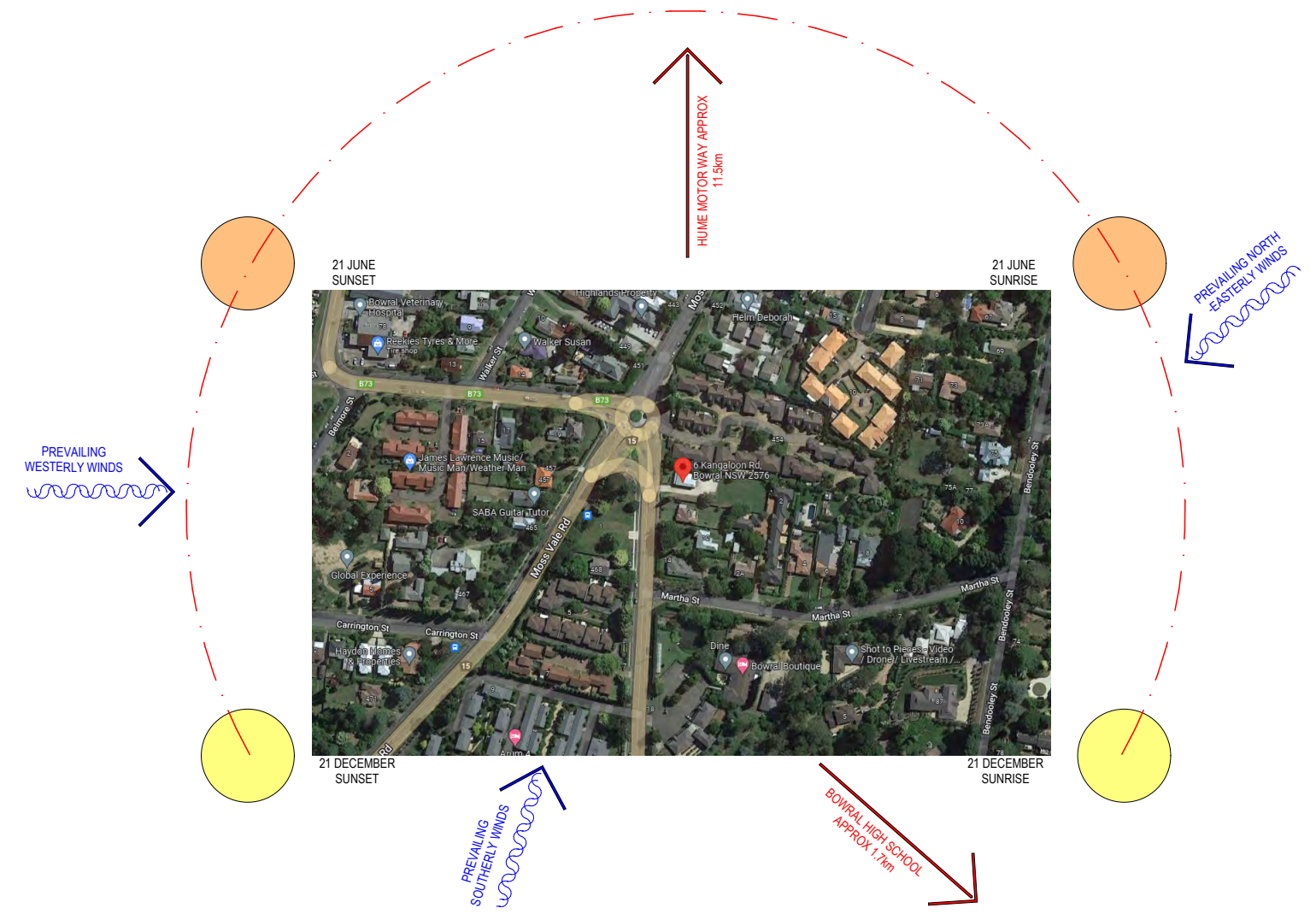
**Property Details**

Address: 6 KANGALOON ROAD BOWRAL 2576  
 Lot/Section: 1/-/DP522477  
 /Plan No:  
 Council: WINGECARRIBEE SHIRE COUNCIL

**Summary of planning controls**

Planning controls held within the Planning Database are summarised below. The property may be affected by additional planning controls not outlined in this report. Please contact your council for more information.

|                              |  |
|------------------------------|--|
| Local Environmental Plans    | Wingecarribee Local Environmental Plan 2010 (pub. 16-6-2010) |
| Land Zoning                  | R3 - Medium Density Residential: (pub. 28-3-2014)            |
| Height Of Building           | NA   |
| Floor Space Ratio            | NA   |
| Minimum Lot Size             | 700 m <sup>2</sup>   |
| Heritage                     | NA   |
| Land Reservation Acquisition | NA   |
| Foreshore Building Line      | NA   |
| Drinking Water Catchment     | Sub Catchment Boundaries<br>Subject Land                     |



**AVERAGE SETBACK**

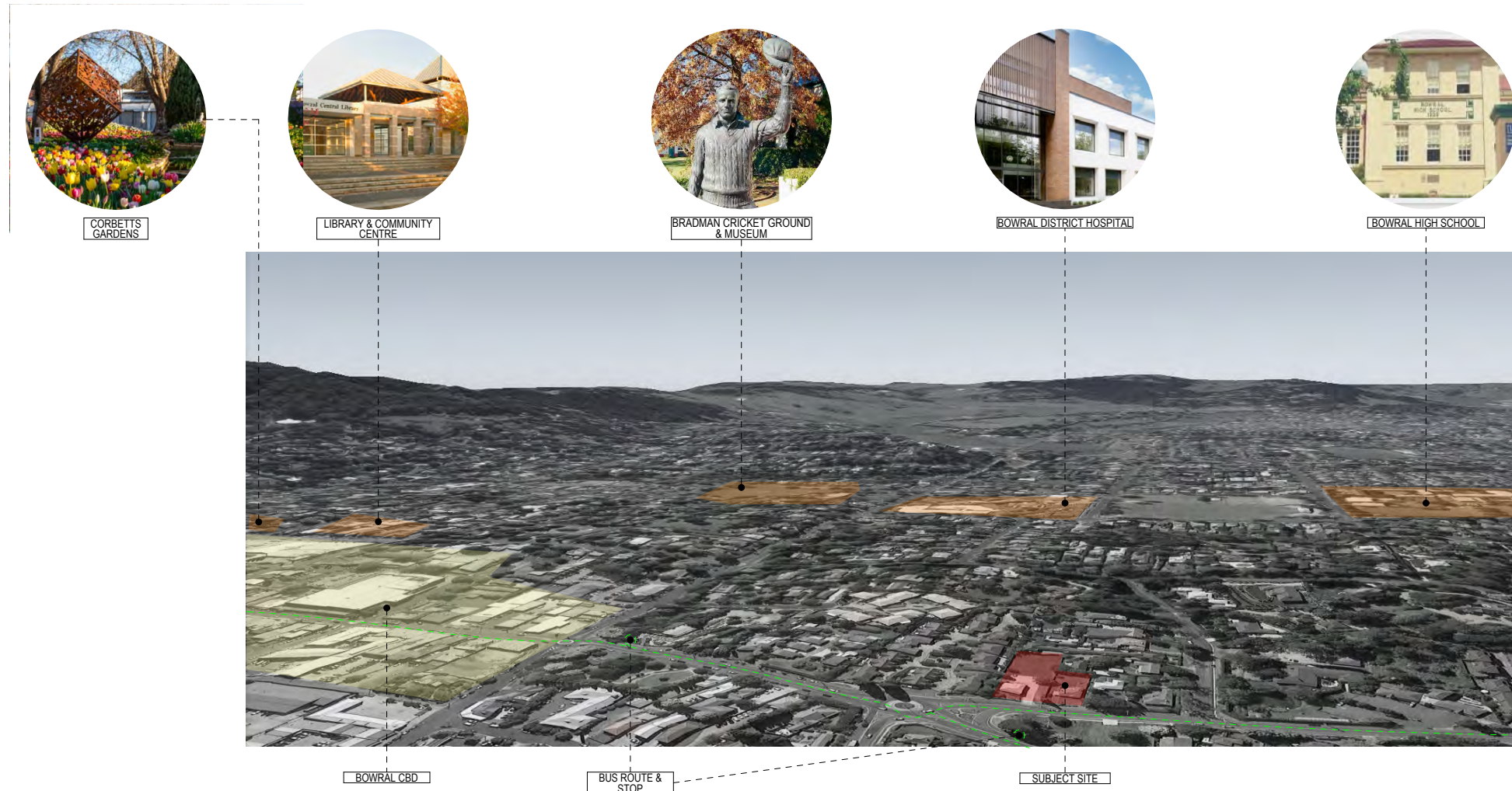


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|  |  |  |   |  |  |  |   |  |  |
|--|--|--|---|--|--|--|---|--|--|
| PO Box 601 Kotara<br>NSW 2289 Ph: 49524425<br>Nominated Architect: Daniel Hadley 8209<br><b>Notes</b><br>The information contained in the document is copyright and may not be used or reproduced for any other project or purpose.<br>Verify all dimensions and levels on site and report any discrepancies prior to the commencement of work and any ordering of materials.<br>Drawings are to be read in conjunction with all contract documents.<br>Use figured dimensions only. Do not scale from drawings.<br>ELC Design cannot guarantee the accuracy of content and format for copies of drawings issued electronically.<br>The completion of the issue details checked and authorised section below in conformation of the status of the drawing. The drawing shall not be used for construction unless endorsed "For Construction" and authorised for issue. |  | <b>Consultants</b><br>Surveyor<br>T Grabara & Associates<br>p: 0411 023 332<br>e: tga@grabara.com.au<br><br>Town Planner<br>Piper Planning Pty Ltd<br>p: 0401660152<br>e: piperplanning.com.au | Civil Engineer<br>ZWT Engineering Solutions<br>p: 02 9630 3087<br>e: zait.com.au<br><br>BASIX Consultant<br>Evergreen Energy Consultants<br>p: 0407 886 276<br>e: joseph@evergreenec.com.au | Landscape Consultant<br>JK's Gardencreations<br>p: 0412582966<br>e: gardenflora704@gmail.com<br><br>Arborist Consultant<br>Arboriculture Consultancy<br>p: 02 4888 1689<br>e: info@arborconsult.com.au | Issue Description Date<br>P2 For Review 12/05/2023<br>P3 For Review 15/05/2023<br>P4 For Review 1/06/2023<br>P5 For Review 9/06/2023<br>P6 For Review 14/06/2023<br>A Development Application 10/01/2024<br>B As Requested 23/02/2024  | Project<br><b>MULTI DWELLING HOUSING</b><br>Location<br><b>6-8 KANGALOON ROAD BOWRAL</b><br>Client<br>Kangaloon Rd Pty Ltd | Drawing<br><b>SITE ANALYSIS PLAN</b><br><br>Scale<br>@ A3<br>DRAWN<br>ATa<br><br>QA CHECKED<br>JG | Drawing Number<br><b>DA010</b><br><br>Issue<br>B<br><br>Project Number<br><b>22055</b> |  |
|  |  |  |   |  | PO Box 601 Kotara<br>NSW 2289 Ph: 49524425<br>Nominated Architect: Daniel Hadley 8209<br><b>Notes</b><br>The information contained in the document is copyright and may not be used or reproduced for any other project or purpose.<br>Verify all dimensions and levels on site and report any discrepancies prior to the commencement of work and any ordering of materials.<br>Drawings are to be read in conjunction with all contract documents.<br>Use figured dimensions only. Do not scale from drawings.<br>ELC Design cannot guarantee the accuracy of content and format for copies of drawings issued electronically.<br>The completion of the issue details checked and authorised section below in conformation of the status of the drawing. The drawing shall not be used for construction unless endorsed "For Construction" and authorised for issue. |  |   |  |  |



**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**



**SURROUNDING BUILT CONTEXT**

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PO Box 601 Kotara  
NSW 2289 Ph 49524425  
Nominated Architect: Daniel Hadley 8209  
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**Consultants**

Surveyor  
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e: tga@grabara.com.au

Town Planner  
Piper Planning Pty Ltd  
p: 0401660152  
e: piperplanning.com.au

Civil Engineer  
ZWT Engineering Solutions  
p: 02 9630 3087  
e: zael.com.au

BASIX Consultant  
Evergreen Energy Consultants  
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Arborist Consultant  
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p: 02 4883 1659  
e: info@arborconsult.com.au

| Issue | Description             | Date       |
|-------|-------------------------|------------|
| A     | Development Application | 10/01/2024 |

**Project**  
MULTI DWELLING HOUSING  
**Location**  
6-8 KANGALOO ROAD  
BOWRAL  
**Client**  
Kangaloon Rd Pty Ltd

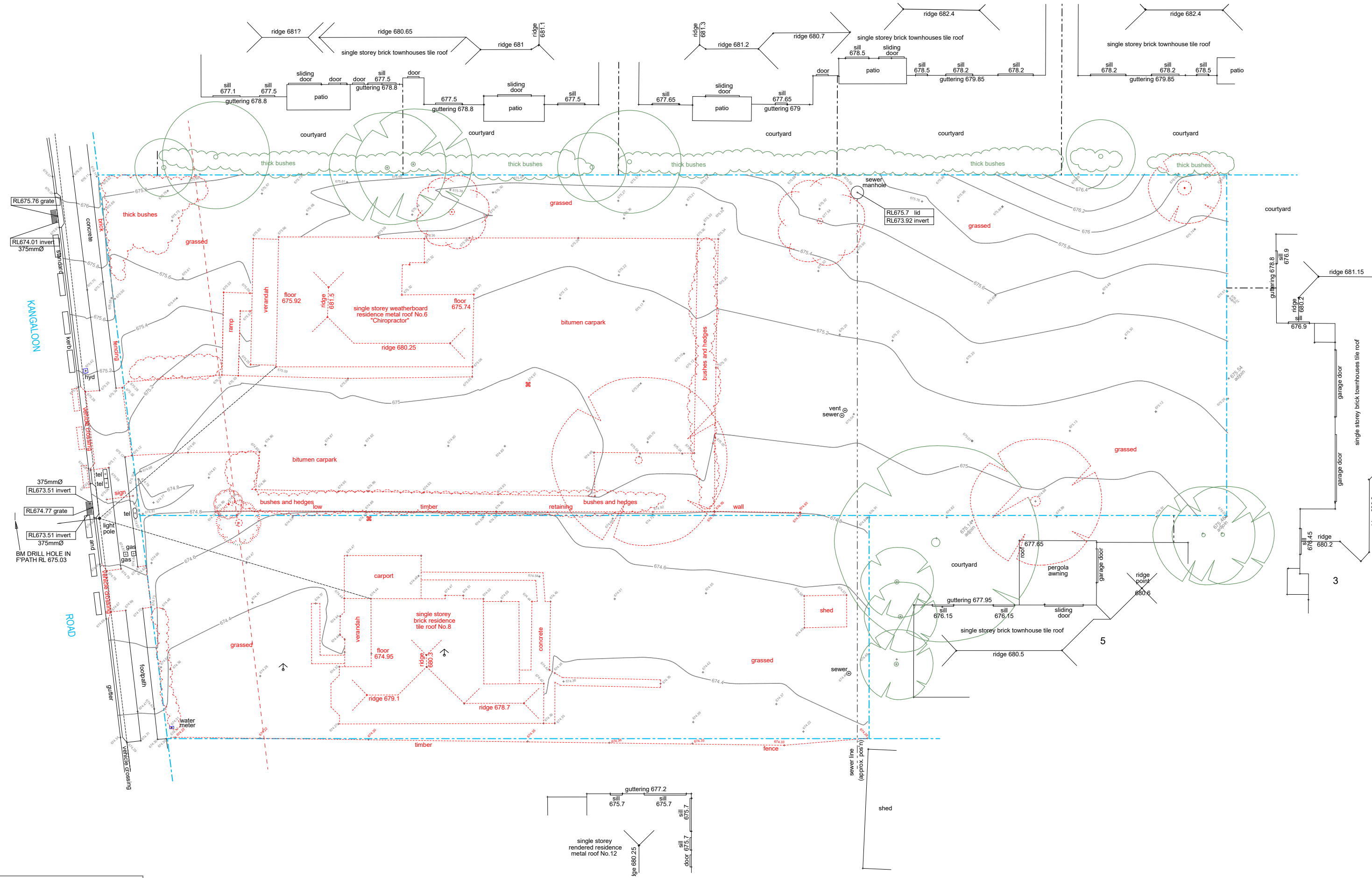
**Drawing**  
SITE CONTEXT ANALYSIS  
**Scale**  
@ A3  
**DRAWN**  
ATa

**QA CHECKED**  
JG

**Drawing Number**  
DA012  
**Issue**  
A  
**Project Number**  
22055

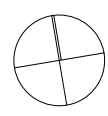






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PO Box 601 Kotara  
NSW 2289 Ph 49524425  
Nominated Architect: Daniel Hadley 8209  
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Aboriginal Consultancy  
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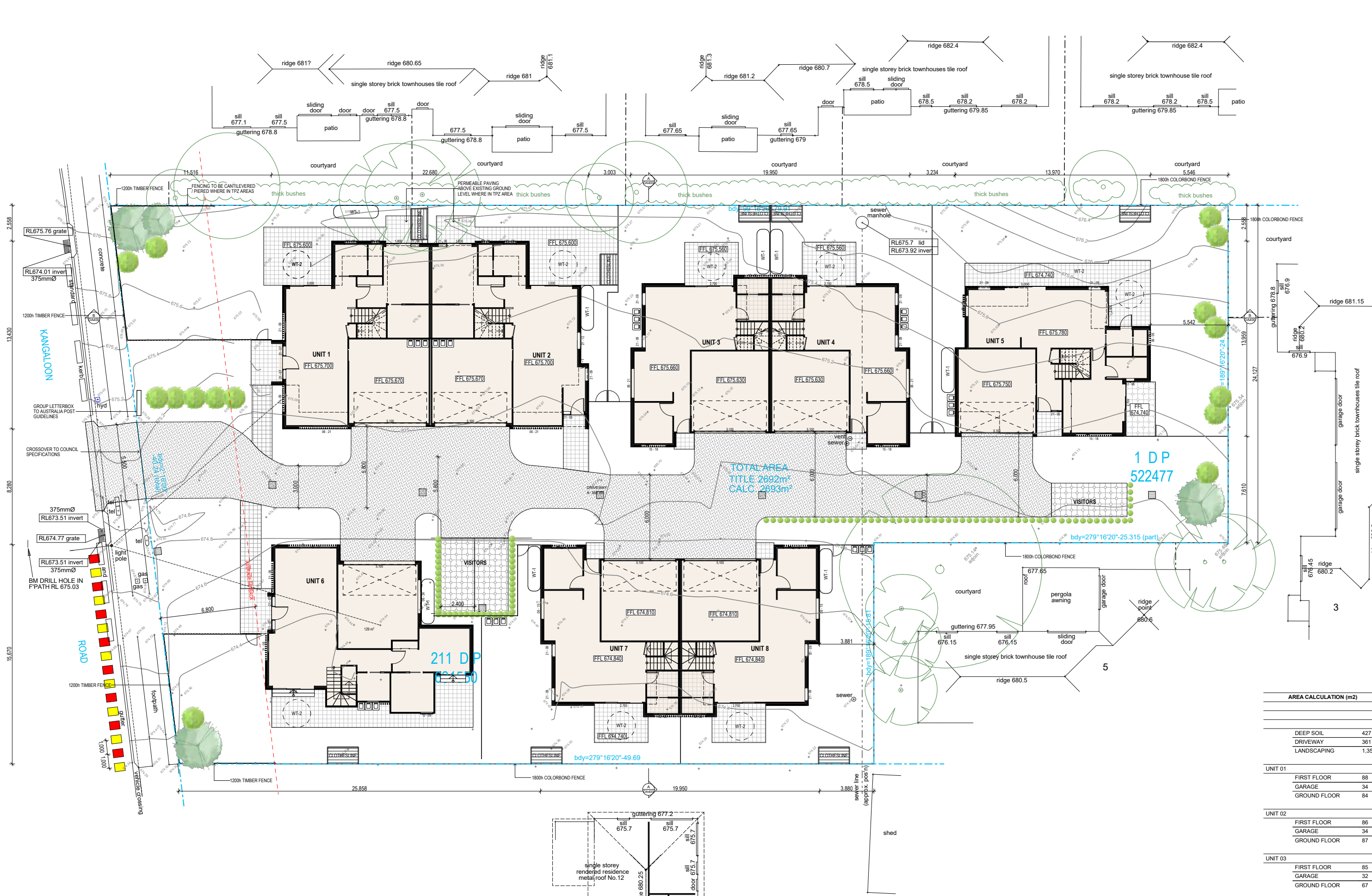
| Issue | Description             | Date       |
|-------|-------------------------|------------|
| P3    | For Review              | 12/05/2023 |
| P4    | For Review              | 15/05/2023 |
| P5    | For Review              | 1/06/2023  |
| P6    | For Review              | 9/06/2023  |
| P6    | For Review              | 14/06/2023 |
| P7    | For Review              | 3/07/2023  |
| A     | Development Application | 10/01/2024 |
| B     | As Requested            | 23/02/2024 |

Project  
**MULTI DWELLING HOUSING**  
Location  
**6-8 KANGALOO ROAD  
BOWRAL**  
Client  
**Kangaloon Rd Pty Ltd**

Drawing  
**DEMOLITION PLAN**  
Scale  
1:200 @ A2  
DRAWN  
ATa  
QA CHECKED  
JG

Drawing Number  
**DA020**  
Issue  
B  
Project Number  
**22055**





**AREAS**

|                             |                            |
|-----------------------------|----------------------------|
| SITE AREA                   | 2892m <sup>2</sup>         |
| FLOOR SPACE RATIO (MAX 0.6) | 0.49                       |
| TOTAL GFA                   | 1312m <sup>2</sup>         |
| LANDSCAPE                   | 1351m <sup>2</sup>         |
| DEEP SOIL                   | 425m <sup>2</sup><br>15.8% |

- SITE LEGEND**
- 4,000 LITRE ABOVE GROUND WATER STORAGE TANK TO ENGINEERS AND BASIC DETAILS
  - 4,000 LITRE UNDER GROUND WATER STORAGE TANK TO ENGINEERS AND BASIC DETAILS
  - RETAINING WALLS TO ENGINEERS SPECIFICATIONS & DETAILS
  - EXISTING TREE TO BE RETAINED
  - PROPOSED BUILDING FOOTPRINT
  - EXISTING BUILDING FOOTPRINT

- SITE NOTES**
1. GFA (GROSS FLOOR AREA) AS DEFINED BY THE LOCAL COUNCIL
  2. PLEASE REFER TO CONSULTING ENGINEERS DRAWINGS FOR STORMWATER DETAILS
  3. FOR ROADWAY, DRIVEWAY AND RETAINING WALL DESIGN & LEVELS REFER TO CIVIL ENGINEERS DOCUMENTATION
  4. DOWNPIPE POSITIONS ARE INDICATIVE ONLY. POSITION OF DOWNPIPES TO BE CONFIRMED BY HYDRAULIC ENGINEER OR BUILDER
  5. FOR LANDSCAPE DESIGN & FENCE LOCATIONS REFER TO LANDSCAPE DESIGNERS DOCUMENTATION

| AREA CALCULATION (m2) | AREA CALCULATION (m2) |
|-----------------------|-----------------------|
| DEEP SOIL             | 427                   |
| DRIVEWAY              | 361                   |
| LANDSCAPING           | 1,351                 |
| <b>TOTAL</b>          | <b>2,139</b>          |

| UNIT    | FIRST FLOOR | GARAGE | GROUND FLOOR |
|---------|-------------|--------|--------------|
| UNIT 05 | 104         | 33     | 137          |
| UNIT 01 | 88          | 34     | 122          |
| UNIT 02 | 98          | 34     | 132          |
| UNIT 03 | 85          | 32     | 117          |
| UNIT 04 | 85          | 32     | 117          |

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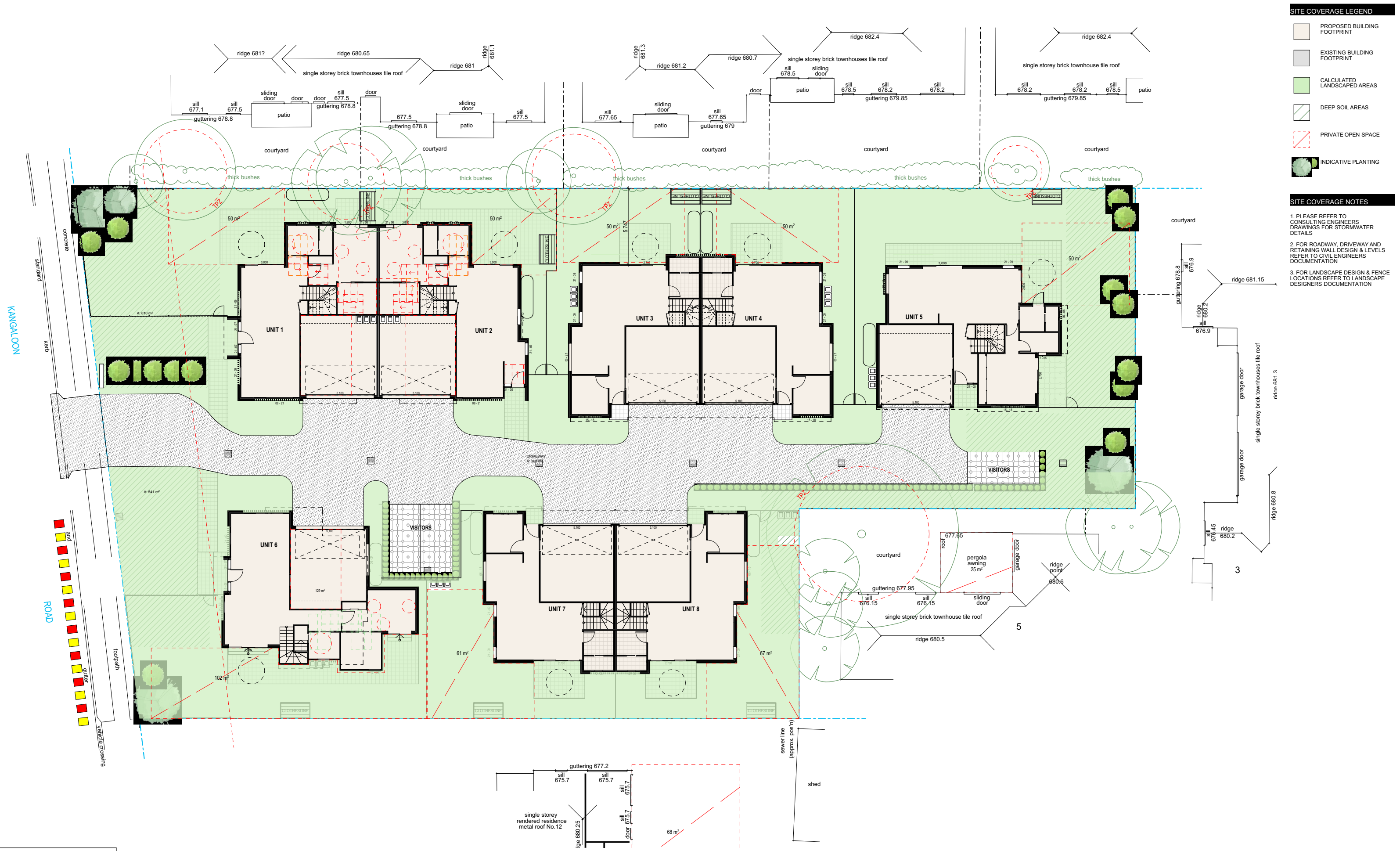
| Issue | Description | Date       |
|-------|-------------|------------|
| P27   | For Review  | 29/07/2024 |
| P28   | For Review  | 2/08/2024  |
| C     | RFI         | 5/08/2024  |
| D     | RFI         | 5/08/2024  |
| E     | RFI         | 31/10/2024 |
| P29   | For Review  | 22/11/2024 |
| F     | RFI         | 22/11/2024 |
| G     | RFI         | 3/12/2024  |

Project  
**MULTI DWELLING HOUSING**  
Location  
**6-8 KANGALOOON ROAD BOWRAL**  
Client  
**Kangaloon Rd Pty Ltd**

Drawing  
**SITE PLAN**  
Scale  
1:200 @ A2  
DRAWN  
ATA  
QA CHECKED  
JG

Drawing Number  
**DA030**  
Issue  
G  
Project Number  
**22055**





- SITE COVERAGE LEGEND**
- PROPOSED BUILDING FOOTPRINT
  - EXISTING BUILDING FOOTPRINT
  - CALCULATED LANDSCAPED AREAS
  - DEEP SOIL AREAS
  - PRIVATE OPEN SPACE
  - INDICATIVE PLANTING
- SITE COVERAGE NOTES**
1. PLEASE REFER TO CONSULTING ENGINEERS DRAWINGS FOR STORMWATER DETAILS
  2. FOR ROADWAY, DRIVEWAY AND RETAINING WALL DESIGN & LEVELS REFER TO CIVIL ENGINEERS DOCUMENTATION
  3. FOR LANDSCAPE DESIGN & FENCE LOCATIONS REFER TO LANDSCAPE DESIGNERS DOCUMENTATION

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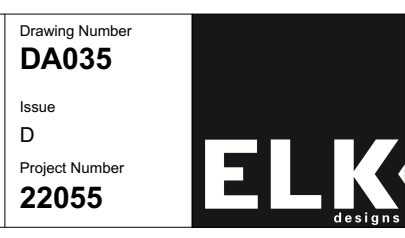
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| Issue | Description             | Date       |
|-------|-------------------------|------------|
| P24   | For Review              | 26/10/2023 |
| A     | Development Application | 10/01/2024 |
| B     | As Requested            | 23/02/2024 |
| P25   | For Review              | 26/07/2024 |
| P26   | For Review              | 29/07/2024 |
| P27   | For Review              | 2/08/2024  |
| C     | RFI                     | 5/08/2024  |
| D     | RFI                     | 5/12/2024  |

**Project**  
MULTI DWELLING HOUSING  
Location  
6-8 KANGALOO ROAD  
BOWRAL  
Client  
Kangaloon Rd Pty Ltd

**Drawing Number**  
DA035  
**Issue**  
D  
**Project Number**  
22055

**Drawing Title**  
SITE COVERAGE PLAN  
Scale  
1:200 @ A2  
DRAWN  
ATA  
QA CHECKED  
JG





VIEW FROM KANGALOO ROAD



VIEW FROM KANGALOO ROAD

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| Issue | Description             | Date       |
|-------|-------------------------|------------|
| P1    | For Review              | 30/09/2022 |
| P2    | For Review              | 9/06/2023  |
| P2    | For Review              | 14/06/2023 |
| P3    | For Review              | 3/07/2023  |
| A     | Development Application | 10/01/2024 |
| B     | As Requested            | 23/02/2024 |
| C     | For Review              | 2/08/2024  |
| D     | RFI                     | 5/08/2024  |

**Project**  
**MULTI DWELLING HOUSING**  
Location  
**6-8 KANGALOO ROAD**  
**BOWRAL**  
Client  
**Kangaloon Rd Pty Ltd**

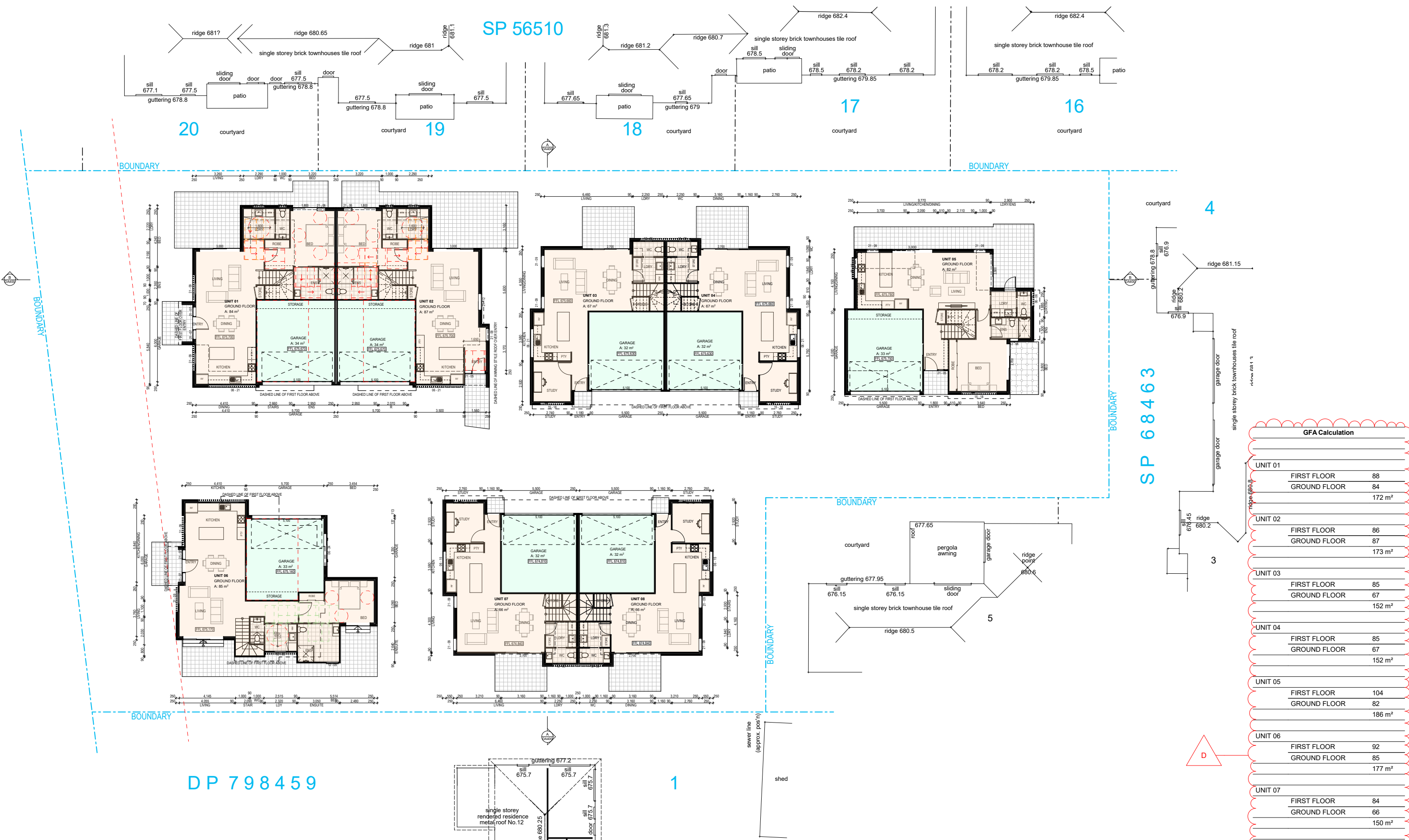
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**PERSPECTIVES**  
Scale  
@ A3  
DRAWN  
ATa

QA CHECKED  
JG

Drawing Number  
**DA040**  
Issue  
D  
Project Number  
**22055**

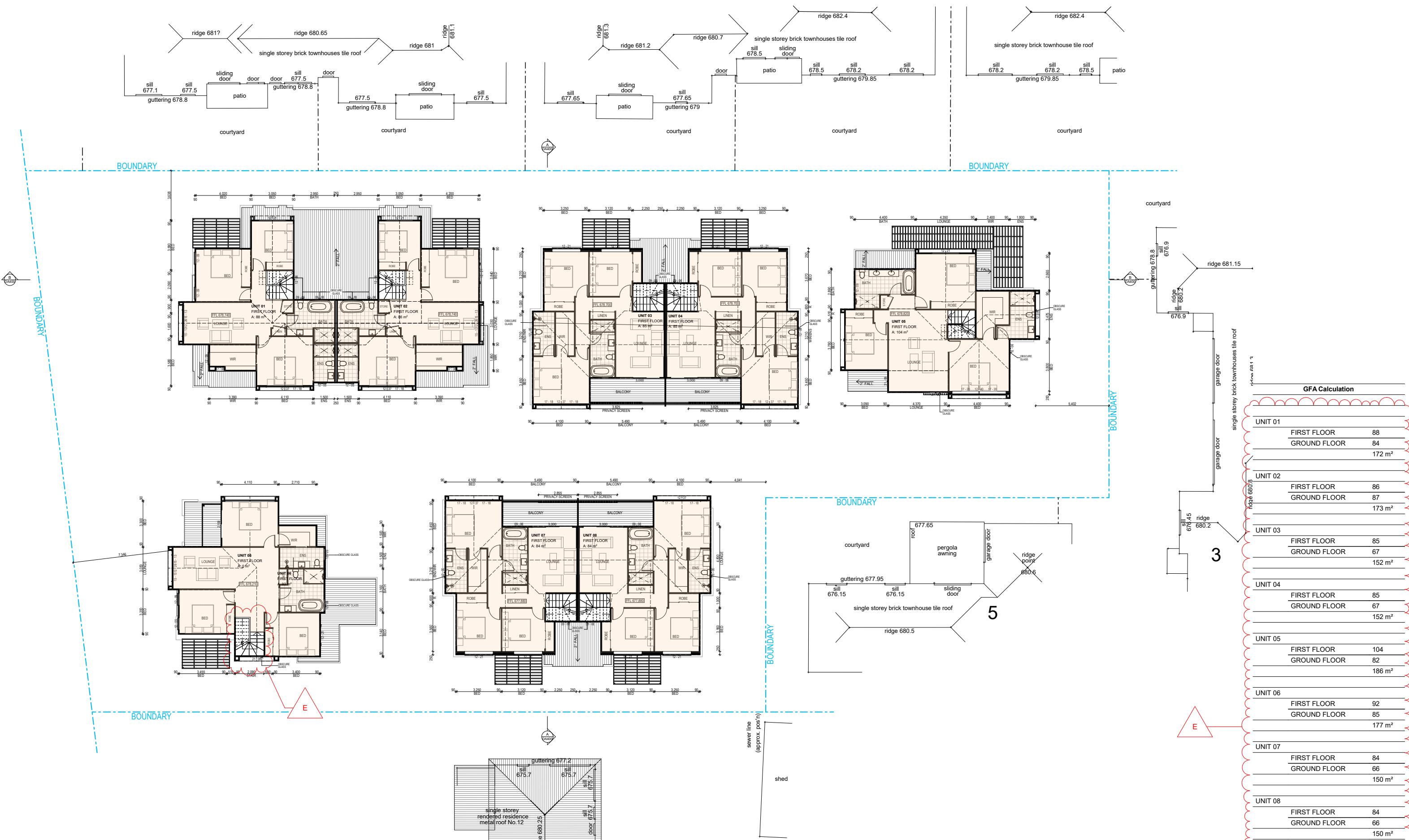






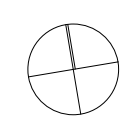
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|--|--|--|---|---|--|---|--|
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|--|--|--|---|---|--|---|--|



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| Issue | Description             | Date       |
|-------|-------------------------|------------|
| P22   | For Review              | 26/09/2023 |
| A     | Development Application | 10/01/2024 |
| B     | As Requested            | 23/02/2024 |
| P23   | For Review              | 26/07/2024 |
| P24   | For Review              | 2/08/2024  |
| C     | RFI                     | 5/08/2024  |
| D     | RFI                     | 31/10/2024 |
| E     | RFI                     | 31/12/2024 |

Project  
**MULTI DWELLING HOUSING**  
Location  
**6-8 KANGALOOON ROAD  
BOWRAL**  
Client  
**Kangaloon Rd Pty Ltd**

Drawing  
**FIRST FLOOR**  
Scale  
1:200, 1:1 @ A2  
DRAWN  
ATA  
QA CHECKED  
JG

Drawing Number  
**DA110**  
Issue  
**E**  
Project Number  
**22055**







**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**ELEVATION NOTES**

1. REFER TO EXTERNAL FINISHES FOR SELECTED MATERIALS AND COLOURS
2. REFER TO CONSULTING ENGINEERS DRAWINGS FOR STORMWATER DETAILS
3. FOR ROADWAY, DRIVEWAY AND RETAINING WALL DESIGN & LEVELS REFER TO CIVIL ENGINEERS DOCUMENTATION
4. DOWNPIPE POSITIONS ARE INDICATIVE ONLY. POSITION OF DOWNPIPES TO BE CONFIRMED BY BUILDER.
5. FOR LANDSCAPE DESIGN & FENCE LOCATIONS REFER TO LANDSCAPE DESIGNERS DOCUMENTATION



**E-01**  
NORTH ELEVATION  
1:200



**E-02**  
EAST ELEVATION  
1:200

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| Issue | Description             | Date       |
|-------|-------------------------|------------|
| P9    | For Review              | 1/08/2023  |
| P10   | For Review              | 26/09/2023 |
| P11   | For Review              | 29/09/2023 |
| P12   | For Review              | 26/10/2023 |
| A     | Development Application | 10/01/2024 |
| B     | As Requested            | 23/02/2024 |
| C     | RFI                     | 5/08/2024  |
| D     | RFI                     | 31/10/2024 |

Project  
**MULTI DWELLING HOUSING**  
Location  
**6-8 KANGALOO ROAD**  
**BOWRAL**  
Client  
**Kangaloon Rd Pty Ltd**

Drawing  
**ELEVATIONS**  
Scale  
1:200 @ A3  
DRAWN  
**ATa**

QA CHECKED  
**JG**

Drawing Number  
**DA300**  
Issue  
**D**  
Project Number  
**22055**





**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**ELEVATION NOTES**

1. REFER TO EXTERNAL FINISHES FOR SELECTED MATERIALS AND COLOURS
2. REFER TO CONSULTING ENGINEERS DRAWINGS FOR STORMWATER DETAILS
3. FOR ROADWAY, DRIVEWAY AND RETAINING WALL DESIGN & LEVELS REFER TO CIVIL ENGINEERS DOCUMENTATION
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5. FOR LANDSCAPE DESIGN & FENCE LOCATIONS REFER TO LANDSCAPE DESIGNERS DOCUMENTATION



**E-03**  
-  
**SOUTH ELEVATION**  
1:200



**E-04**  
-  
**WEST ELEVATION**  
1:200

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| Issue | Description             | Date       |
|-------|-------------------------|------------|
| P10   | For Review              | 29/09/2023 |
| P11   | For Review              | 6/10/2023  |
| P12   | For Review              | 26/10/2023 |
| A     | Development Application | 10/01/2024 |
| B     | As Requested            | 23/02/2024 |
| P13   | For Review              | 26/07/2024 |
| P14   | RFI                     | 5/08/2024  |
| C     | RFI                     | 31/10/2024 |

**Project**  
MULTI DWELLING HOUSING  
Location  
**6-8 KANGALOO ROAD  
BOWRAL**  
Client  
**Kangaloon Rd Pty Ltd**

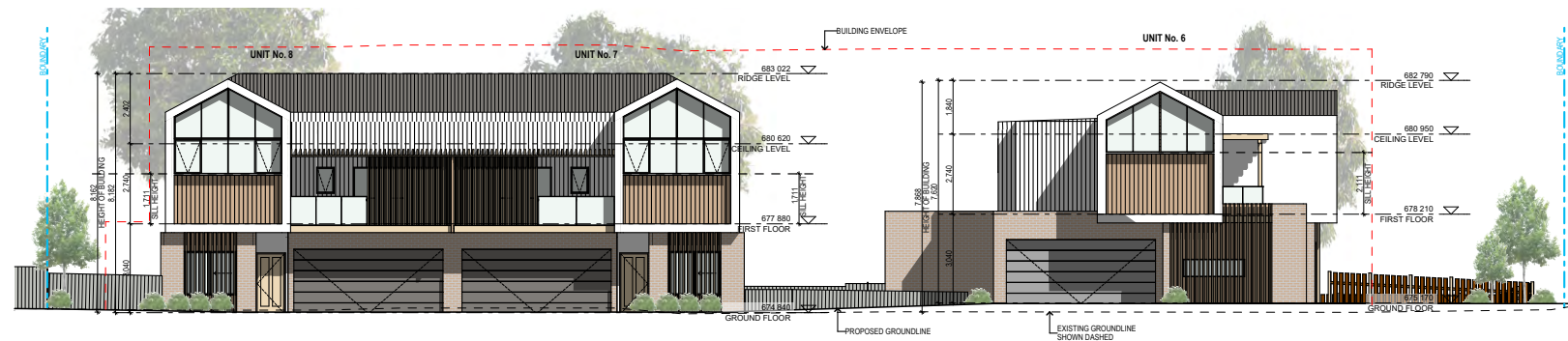
**Drawing**  
ELEVATIONS  
  
Scale  
1:200 @ A3  
DRAWN  
ATa

QA CHECKED  
JG

Drawing Number  
**DA301**  
Issue  
C  
Project Number  
**22055**



**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**



**E-05**  
-  
NORTH INTERNAL ELEVATION  
1:200



**E-06**  
-  
SOUTH INTERNAL ELEVATION  
1:200

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PO Box 601 Kotara  
NSW 2289 Ph 49524425  
Nominated Architect: Daniel Hadley 8209  
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e: gardenflora704@gmail.com  
Arborist Consultant  
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e: info@arborconsult.com.au

| Issue | Description             | Date       |
|-------|-------------------------|------------|
| P10   | For Review              | 1/08/2023  |
| P11   | For Review              | 29/09/2023 |
| P12   | For Review              | 26/10/2023 |
| A     | Development Application | 10/01/2024 |
| B     | As Requested            | 23/02/2024 |
| P13   | For Review              | 26/07/2024 |
| P14   | For Review              | 2/08/2024  |
| C     | RFI                     | 5/08/2024  |

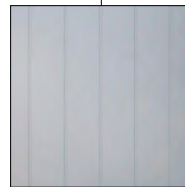
**Project**  
MULTI DWELLING HOUSING  
Location  
**6-8 KANGALOON ROAD  
BOWRAL**  
Client  
Kangaloon Rd Pty Ltd

**Drawing**  
ELEVATIONS  
Scale  
1:200 @ A3  
DRAWN  
ATa

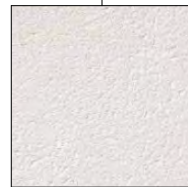
QA CHECKED  
JG

Drawing Number  
**DA302**  
Issue  
C  
Project Number  
**22055**





**WHITE EXTERNAL  
CLADDING**



**WHITE RENDER FINISH**



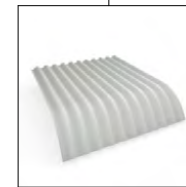
**AUSTRAL  
SAN SELMO RECLAIMED  
ORIGINAL**



**OAK TIMBER LOOK  
CLADDING**



**TIMBER LOOK BATTENS**



**LYSAGHT CUSTOM ORB  
WALLABY**

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e: info@arborconsult.com.au

| Issue | Description             | Date       |
|-------|-------------------------|------------|
| P1    | For Review              | 17/10/2022 |
| P2    | For Review              | 9/06/2023  |
| P2    | For Review              | 14/06/2023 |
| P3    | For Review              | 3/07/2023  |
| A     | Development Application | 10/01/2024 |
| B     | As Requested            | 23/02/2024 |

**Project**  
**MULTI DWELLING HOUSING**  
Location  
**6-8 KANGALOON ROAD  
BOWRAL**  
Client  
**Kangaloon Rd Pty Ltd**

**Drawing**  
**EXTERNAL FINISHES**  
Scale  
1:100 @ A3  
DRAWN  
ATa

QA CHECKED  
JG

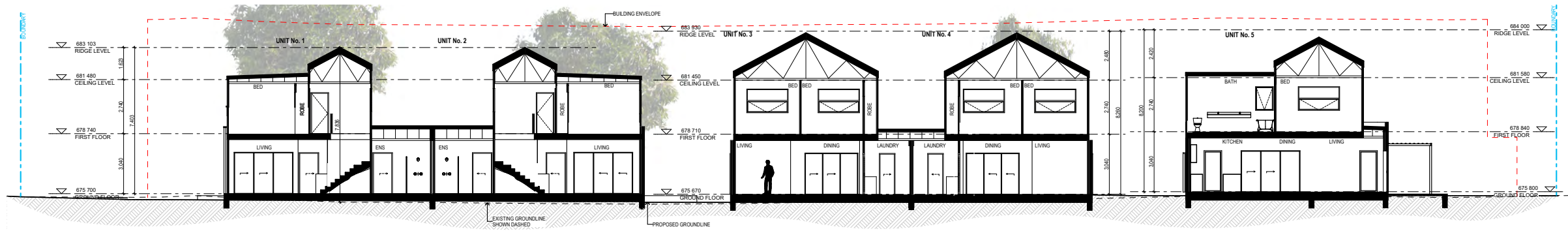
**Drawing Number**  
**DA350**  
**Issue**  
**B**  
**Project Number**  
**22055**







**A**  
SECTION AA  
1:200



**B**  
SECTION BB  
1:200

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|---|--|---|---|--|-------|-------------|------|----|------------|------------|----|------------|-----------|----|------------|-----------|----|------------|------------|---|-------------------------|------------|---|--------------|------------|---|------------|-----------|---|-----|-----------|--|---|--|--|
| Issue   | Description  | Date  |   |  |       |             |      |    |            |            |    |            |           |    |            |           |    |            |            |   |                         |            |   |              |            |   |            |           |   |     |           |  |   |  |  |
| P1  | For Review   | 21/10/2022  |   |  |       |             |      |    |            |            |    |            |           |    |            |           |    |            |            |   |                         |            |   |              |            |   |            |           |   |     |           |  |   |  |  |
| P2  | For Review   | 6/12/2022   |   |  |       |             |      |    |            |            |    |            |           |    |            |           |    |            |            |   |                         |            |   |              |            |   |            |           |   |     |           |  |   |  |  |
| P3  | For Review   | 1/08/2023   |   |  |       |             |      |    |            |            |    |            |           |    |            |           |    |            |            |   |                         |            |   |              |            |   |            |           |   |     |           |  |   |  |  |
| P4  | For Review   | 26/10/2023  |   |  |       |             |      |    |            |            |    |            |           |    |            |           |    |            |            |   |                         |            |   |              |            |   |            |           |   |     |           |  |   |  |  |
| A   | Development Application  | 10/01/2024  |   |  |       |             |      |    |            |            |    |            |           |    |            |           |    |            |            |   |                         |            |   |              |            |   |            |           |   |     |           |  |   |  |  |
| B   | As Requested   | 23/02/2024  |   |  |       |             |      |    |            |            |    |            |           |    |            |           |    |            |            |   |                         |            |   |              |            |   |            |           |   |     |           |  |   |  |  |
| C   | For Review   | 2/08/2024   |   |  |       |             |      |    |            |            |    |            |           |    |            |           |    |            |            |   |                         |            |   |              |            |   |            |           |   |     |           |  |   |  |  |
| D   | RFI  | 5/08/2024   |   |  |       |             |      |    |            |            |    |            |           |    |            |           |    |            |            |   |                         |            |   |              |            |   |            |           |   |     |           |  |   |  |  |

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

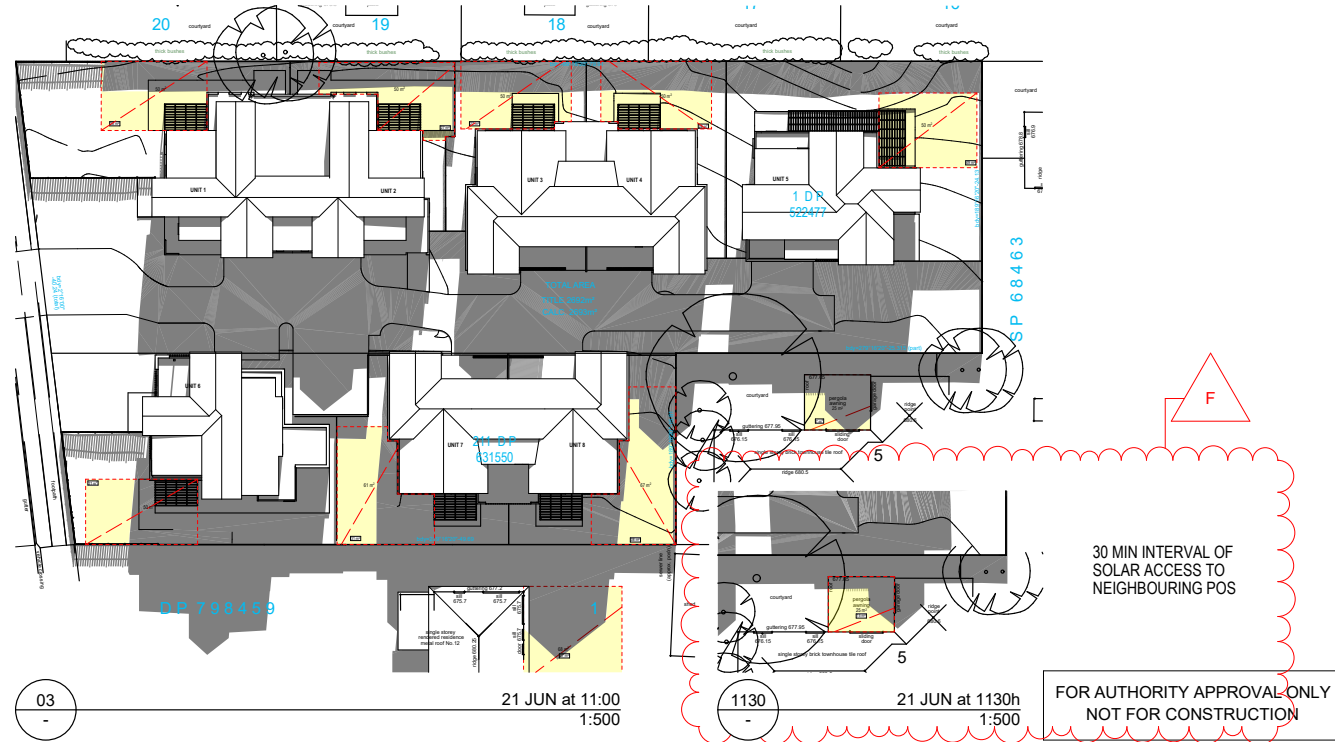
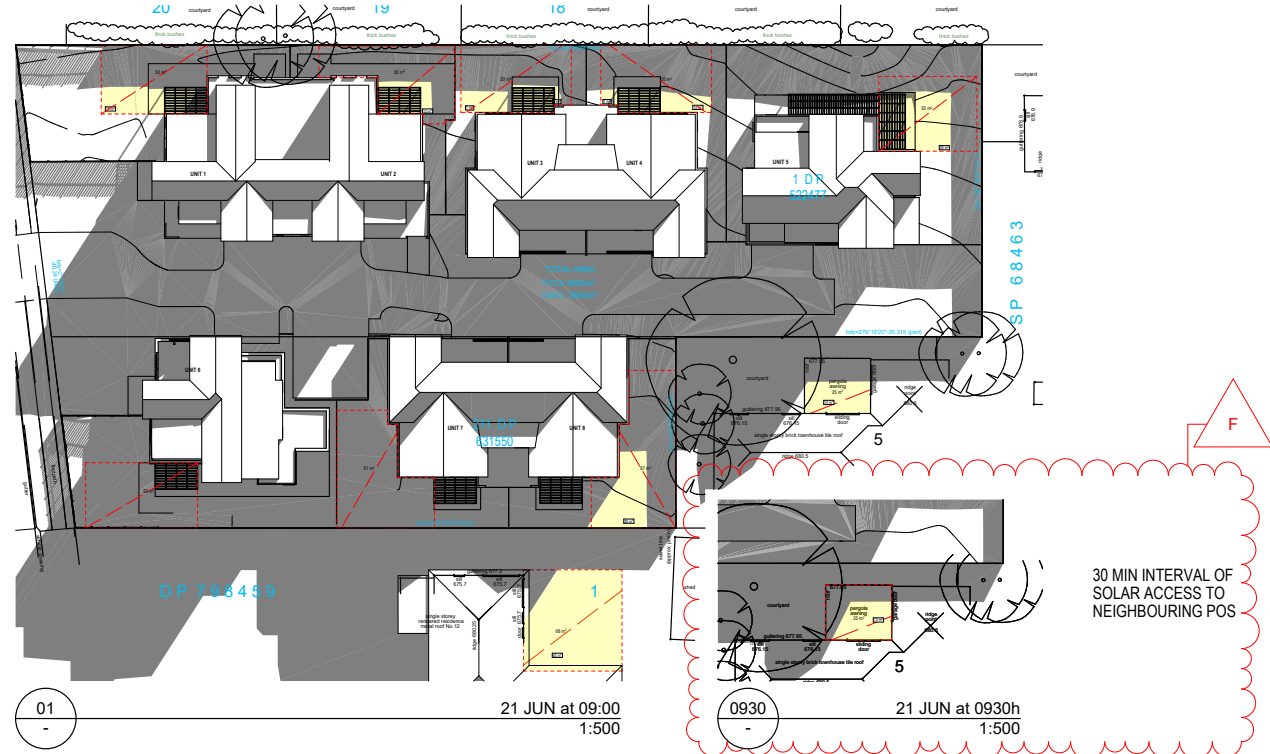
**SHADOW DIAGRAM LEGEND**

AREA OF OPEN SPACE  
ACHIEVING SOLAR  
ACCESS

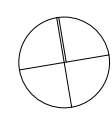
| SHADOW DIAGRAMS (SOLAR ACCESS ACHIEVED TO OPEN SPACE m2) |               |       |       |       |       |       |       |       |            |
|--|---------------|-------|-------|-------|-------|-------|-------|-------|------------|
| UNIT   | AREA REQUIRED | 09:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 | COMPLIANCE |
| UNIT 01  | 50m2          | 16    | 24    | 28    | 31    | 32    | 32    | 31    | Y          |
| UNIT 02  | 50m2          | 12    | 20    | 27    | 28    | 27    | 25    | 16    | Y          |
| UNIT 03  | 50m2          | 15    | 25    | 27    | 29    | 27    | 23    | 16    | Y          |
| UNIT 04  | 50m2          | 14    | 25    | 28    | 30    | 30    | 28    | 22    | Y          |
| UNIT 05  | 50m2          | 29    | 42    | 49    | 49    | 47    | 43    | 36    | Y          |
| UNIT 06  | 50m2          | 0     | 6     | 21    | 31    | 36    | 39    | 41    | Y          |
| UNIT 07  | 50m2          | 0     | 6     | 25    | 42    | 34    | 25    | 2     | Y          |
| UNIT 08  | 50m2          | 25    | 34    | 41    | 26    | 2     | 0     | 0     | Y          |

UNIT 7 (HOURS 10.45 - 13.45) & UNIT 8 (HOURS 09.10 - 12.10) DEMONSTRATED ON PAGE DA909

POS AMENDED



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| Issue | Description  | Date       |
|-------|--------------|------------|
| B     | As Requested | 23/02/2024 |
| P4    | For Review   | 26/07/2024 |
| P5    | For Review   | 29/07/2024 |
| C     | RFI          | 5/08/2024  |
| P6    | For Review   | 22/11/2024 |
| D     | RFI          | 22/11/2024 |
| E     | RFI          | 28/11/2024 |
| F     | RFI          | 3/12/2024  |

**Project**  
MULTI DWELLING HOUSING  
Location  
6-8 KANGALOOON ROAD  
BOWRAL  
Client  
Kangaloon Rd Pty Ltd

**Drawing**  
EXTERNAL SHADOW  
DIAGRAMS  
Scale  
1:500, 1:100 @ A3  
DRAWN  
ATa  
QA CHECKED  
JG

Drawing Number  
DA900  
Issue  
F  
Project Number  
22055



**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**



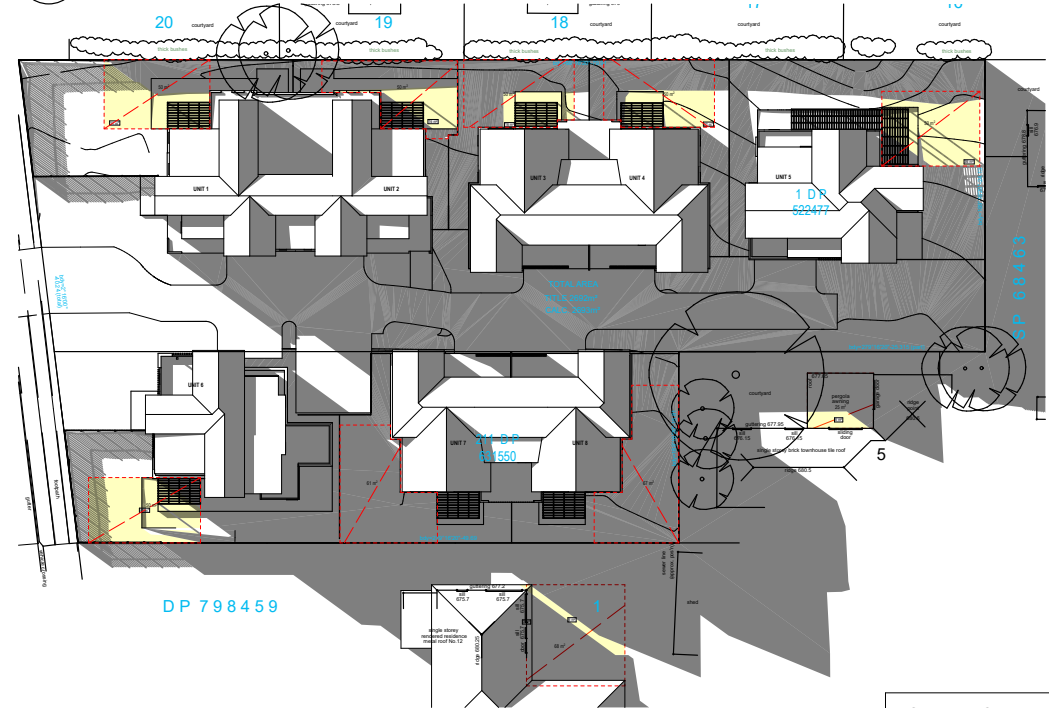
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1:500



06 - 21 JUN at 14:00  
1:500



05 - 21 JUN at 13:00  
1:500

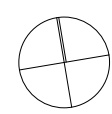


07 - 21 JUN at 15:00  
1:500

POS AMENDED

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| Issue | Description  | Date       |
|-------|--------------|------------|
| B     | As Requested | 23/02/2024 |
| P4    | For Review   | 26/07/2024 |
| P5    | For Review   | 29/07/2024 |
| C     | RFI          | 5/08/2024  |
| P6    | For Review   | 22/11/2024 |
| D     | RFI          | 22/11/2024 |
| E     | RFI          | 28/11/2024 |
| F     | RFI          | 3/12/2024  |

**Project**  
MULTI DWELLING HOUSING  
**Location**  
6-8 KANGALOON ROAD  
**BOWRAL**  
Client  
Kangaloon Rd Pty Ltd

**Drawing**  
EXTERNAL SHADOW  
DIAGRAMS  
Scale  
1:500 @ A3  
DRAWN  
ATa  
QA CHECKED  
JG

Drawing Number  
**DA901**  
Issue  
F  
Project Number  
**22055**





**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**SHADOW DIAGRAM LEGEND**

- AREA OF OPEN SPACE ACHIEVING SOLAR ACCESS
- WINDOWS ACHIEVING SOLAR ACCESS



9AM  
1:100

| 3D SHADOW DIAGRAM - 12 KANGALOON RD |      |       |       |       |       |       |       |
|-------------------------------------|------|-------|-------|-------|-------|-------|-------|
| AREA                                | 9:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 |
| KITCHEN/DINING                      | Y    | N     | Y     | Y     | N     | Y     | Y     |
| LIVING                              | N    | Y     | N     | N     | Y     | Y     | Y     |
| SUNROOM                             | N    | N     | N     | Y     | Y     | Y     | N     |

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Issue Description Date  
P1 3D Shadow Diagrams 30/10/2024  
A RFI 31/10/2024

Project  
**MULTI DWELLING HOUSING**  
Location  
**6-8 KANGALOON ROAD  
BOWRAL**  
Client  
**Kangaloon Rd Pty Ltd**

Drawing  
**9AM SHADOW 3D**  
Scale  
1:100 @ A3  
DRAWN  
ATa  
QA CHECKED  
JG

Drawing Number  
**DA902**  
Issue  
A  
Project Number  
**22055**



**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**SHADOW DIAGRAM LEGEND**

- AREA OF OPEN SPACE ACHIEVING SOLAR ACCESS
- WINDOWS ACHIEVING SOLAR ACCESS



| 3D SHADOW DIAGRAM - 12 KANGALOON RD |      |       |       |       |       |       |       |
|-------------------------------------|------|-------|-------|-------|-------|-------|-------|
| AREA                                | 9:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 |
| KITCHEN/DINING                      | Y    | N     | Y     | Y     | N     | Y     | Y     |
| LIVING                              | N    | Y     | N     | N     | Y     | Y     | Y     |
| SUNROOM                             | N    | N     | N     | Y     | Y     | Y     | N     |

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Issue Description Date  
P1 3D Shadow Diagrams 30/10/2024  
A RFI 31/10/2024

Project  
**MULTI DWELLING HOUSING**  
Location  
**6-8 KANGALOON ROAD  
BOWRAL**  
Client  
**Kangaloon Rd Pty Ltd**

Drawing  
**10AM SHADOW 3D**  
Scale  
1:111.11, 1:100 @ A3  
DRAWN  
ATa  
QA CHECKED  
JG

Drawing Number  
**DA903**  
Issue  
A  
Project Number  
**22055**





**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**SHADOW DIAGRAM LEGEND**

- AREA OF OPEN SPACE ACHIEVING SOLAR ACCESS
- WINDOWS ACHIEVING SOLAR ACCESS



11AM  
1:100

| 3D SHADOW DIAGRAM - 12 KANGALOON RD |      |       |       |       |       |       |       |
|-------------------------------------|------|-------|-------|-------|-------|-------|-------|
| AREA                                | 9:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 |
| KITCHEN/DINING                      | Y    | N     | Y     | Y     | N     | Y     | Y     |
| LIVING                              | N    | Y     | N     | N     | Y     | Y     | Y     |
| SUNROOM                             | N    | N     | N     | Y     | Y     | Y     | N     |

FOR AUTHORITY APPROVAL ONLY  
NOT FOR CONSTRUCTION

PO Box 601 Kotara  
NSW 2289 Ph: 49524425  
Nominated Architect: Daniel Hadley 8209  
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e: gardenflora704@gmail.com  
  
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Arboriculture Consultancy  
p: 02 4880 1689  
e: info@arborconsult.com.au

| Issue | Description        | Date       |
|-------|--------------------|------------|
| P1    | 3D Shadow Diagrams | 30/10/2024 |
| A     | RFI                | 31/10/2024 |

**Project**  
MULTI DWELLING HOUSING  
Location  
**6-8 KANGALOON ROAD  
BOWRAL**  
Client  
Kangaloon Rd Pty Ltd

**Drawing**  
11AM SHADOW 3D  
  
Scale  
1:100 @ A3  
DRAWN  
ATa

QA CHECKED  
JG

**Drawing Number**  
DA904  
**Issue**  
A  
**Project Number**  
22055



**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**SHADOW DIAGRAM LEGEND**

- AREA OF OPEN SPACE ACHIEVING SOLAR ACCESS
- WINDOWS ACHIEVING SOLAR ACCESS



12PM  
1:100

| 3D SHADOW DIAGRAM - 12 KANGALOO RD |      |       |       |       |       |       |       |
|------------------------------------|------|-------|-------|-------|-------|-------|-------|
| AREA                               | 9:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 |
| KITCHEN/DINING                     | Y    | N     | Y     | Y     | N     | Y     | Y     |
| LIVING                             | N    | Y     | N     | N     | Y     | Y     | Y     |
| SUNROOM                            | N    | N     | N     | Y     | Y     | Y     | N     |

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Issue Description Date  
P1 3D Shadow Diagrams 30/10/2024  
A RFI 31/10/2024

Project  
**MULTI DWELLING HOUSING**  
Location  
**6-8 KANGALOO ROAD  
BOWRAL**  
Client  
**Kangaloon Rd Pty Ltd**

Drawing  
**12PM SHADOW 3D**  
Scale  
1:100 @ A3  
DRAWN  
ATa  
QA CHECKED  
JG

Drawing Number  
**DA905**  
Issue  
A  
Project Number  
**22055**





**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**SHADOW DIAGRAM LEGEND**

- AREA OF OPEN SPACE ACHIEVING SOLAR ACCESS
- WINDOWS ACHIEVING SOLAR ACCESS



1PM  
1:100

| 3D SHADOW DIAGRAM - 12 KANGALOOON RD |      |       |       |       |       |       |       |
|--------------------------------------|------|-------|-------|-------|-------|-------|-------|
| AREA                                 | 9:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 |
| KITCHEN/DINING                       | Y    | N     | Y     | Y     | N     | Y     | Y     |
| LIVING                               | N    | Y     | N     | N     | Y     | Y     | Y     |
| SUNROOM                              | N    | N     | N     | Y     | Y     | Y     | N     |

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| Issue | Description        | Date       |
|-------|--------------------|------------|
| P1    | 3D Shadow Diagrams | 30/10/2024 |
| A     | RFI                | 31/10/2024 |

**Project**  
**MULTI DWELLING HOUSING**  
Location  
**6-8 KANGALOOON ROAD**  
**BOWRAL**  
Client  
**Kangaloon Rd Pty Ltd**

**Drawing**  
**1PM SHADOW 3D**  
Scale  
1:100 @ A3  
DRAWN  
ATa  
QA CHECKED  
JG

**Drawing Number**  
**DA906**  
**Issue**  
A  
**Project Number**  
**22055**



**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**SHADOW DIAGRAM LEGEND**

- AREA OF OPEN SPACE ACHIEVING SOLAR ACCESS
- WINDOWS ACHIEVING SOLAR ACCESS



2PM  
1:100

| 3D SHADOW DIAGRAM - 12 KANGALOO RD |      |       |       |       |       |       |       |
|------------------------------------|------|-------|-------|-------|-------|-------|-------|
| AREA                               | 9:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 |
| KITCHEN/DINING                     | Y    | N     | Y     | Y     | N     | Y     | Y     |
| LIVING                             | N    | Y     | N     | N     | Y     | Y     | Y     |
| SUNROOM                            | N    | N     | N     | Y     | Y     | Y     | N     |

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| Issue | Description        | Date       |
|-------|--------------------|------------|
| P1    | 3D Shadow Diagrams | 30/10/2024 |
| A     | RFI                | 31/10/2024 |

**Project**  
MULTI DWELLING HOUSING  
Location  
**6-8 KANGALOO ROAD  
BOWRAL**  
Client  
Kangaloon Rd Pty Ltd

**Drawing**  
2PM SHADOW 3D  
Scale  
1:100 @ A3  
DRAWN  
ATa  
QA CHECKED  
JG

**Drawing Number**  
DA907  
**Issue**  
A  
**Project Number**  
22055





**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**SHADOW DIAGRAM LEGEND**

- AREA OF OPEN SPACE ACHIEVING SOLAR ACCESS
- WINDOWS ACHIEVING SOLAR ACCESS



3PM  
1:100

| 3D SHADOW DIAGRAM - 12 KANGALOON RD |      |       |       |       |       |       |       |
|-------------------------------------|------|-------|-------|-------|-------|-------|-------|
| AREA                                | 9:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 |
| KITCHEN/DINING                      | Y    | N     | Y     | Y     | N     | Y     | Y     |
| LIVING                              | N    | Y     | N     | N     | Y     | Y     | Y     |
| SUNROOM                             | N    | N     | N     | Y     | Y     | Y     | N     |

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| Issue | Description        | Date       |
|-------|--------------------|------------|
| P1    | 3D Shadow Diagrams | 30/10/2024 |
| A     | RFI                | 31/10/2024 |

**Project**  
**MULTI DWELLING HOUSING**  
Location  
**6-8 KANGALOON ROAD  
BOWRAL**  
Client  
**Kangaloon Rd Pty Ltd**

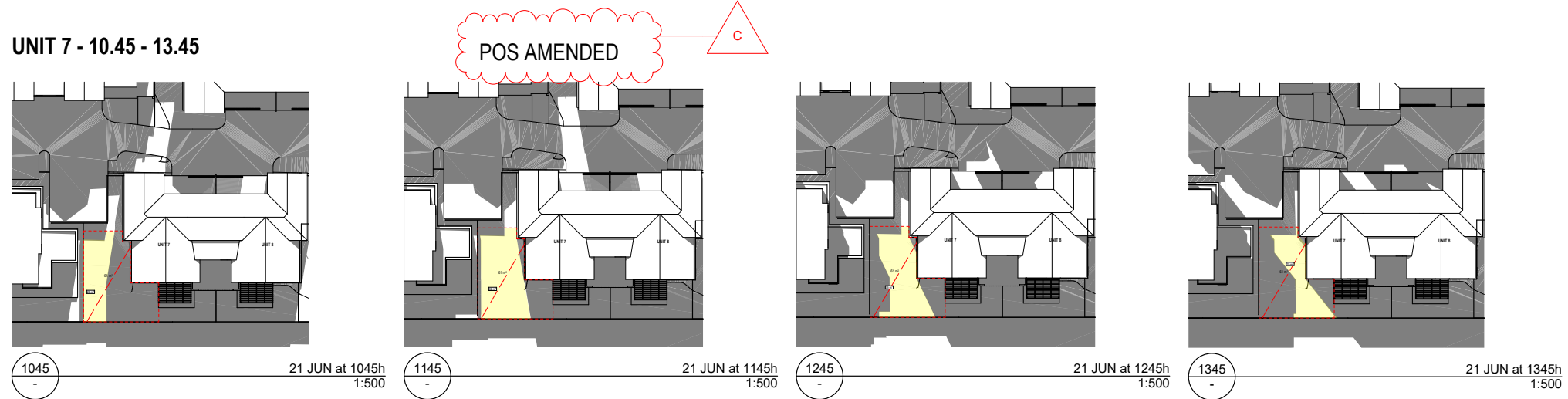
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**3PM SHADOW 3D**  
  
Scale  
1:100 @ A3  
DRAWN  
ATa

QA CHECKED  
JG

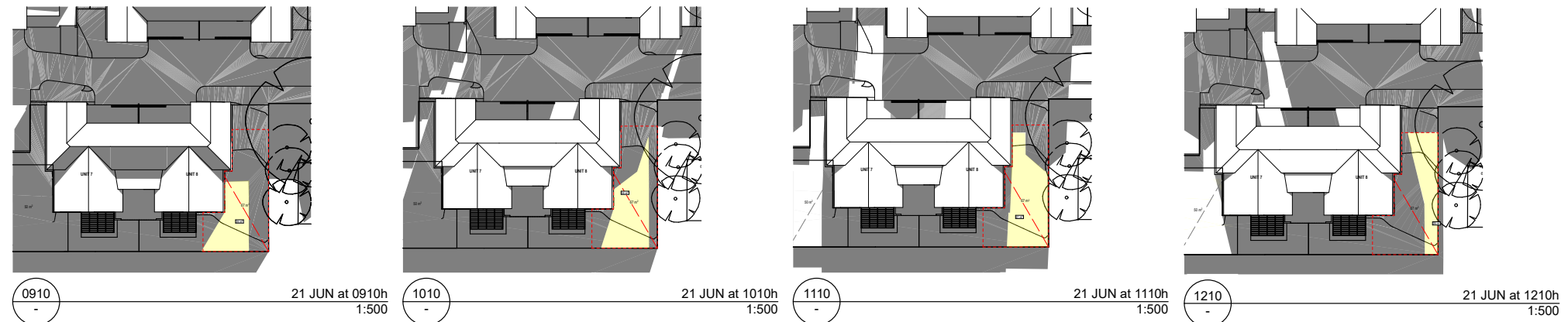
**Drawing Number**  
**DA908**  
**Issue**  
A  
**Project Number**  
**22055**



**UNIT 7 - 10.45 - 13.45**



**UNIT 8 - 09.10 - 12.10**



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|--|---|--|---|-------|-------------|------|----|------------|------------|---|-----|------------|---|-----|------------|---|-----|-----------|---|--|--|--|
| Issue  | Description   | Date   |   |       |             |      |    |            |            |   |     |            |   |     |            |   |     |           |   |  |  |  |
| P1   | For Review  | 22/11/2024   |   |       |             |      |    |            |            |   |     |            |   |     |            |   |     |           |   |  |  |  |
| A  | RFI   | 22/11/2024   |   |       |             |      |    |            |            |   |     |            |   |     |            |   |     |           |   |  |  |  |
| B  | RFI   | 28/11/2024   |   |       |             |      |    |            |            |   |     |            |   |     |            |   |     |           |   |  |  |  |
| C  | RFI   | 3/12/2024  |   |       |             |      |    |            |            |   |     |            |   |     |            |   |     |           |   |  |  |  |

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**Sediment and erosion control**

All erosion and sediment control measures to be installed prior to site disturbance.

The project manager to inform all contractors and sub-contractors of their obligations under the erosion and sediment control plan.

Topsoil from all areas that will be disturbed to be stripped and stockpiled at the nominated site.

All sediment control structures to be inspected by site supervisor after each rainfall event for structural damage and all trapped sediment to be removed to a nominated stockpile site.

Sediment and erosion control shall be effectively maintained at all times during the course of construction and shall not be removed until the site has been stabilised or landscaped to the superintendent's satisfaction.

A single all weather access way will be provided at the front of the property consisting of 50-75 aggregate or similar material at a minimum thickness of 150 laid over needle-punched geotextile fabric and constructed prior to commencement of works.

The contractor shall ensure that no spoil or fill encroaches upon adjacent areas for the duration of works.

The contractor shall ensure that kerb inlets and drains receiving stormwater shall be protected at all times during development. Kerb inlet sediment traps shall be installed along the immediate vicinity along the street frontage.

Sediment fencing shall be secured by post (where metal star pickets are used plastic safety caps shall be used) at 3000 intervals with geotextile fabric embedded 200 in soil.

All topsoil stripped from the site and stockpiled does not interfere with drainage lines and stormwater inlets and will be suitably covered with an impervious membrane material and screened by sediment fencing.

**Soil conservation**

Prior to commencement of construction provide 'sediment fence,' 'sediment trap' and washout area to ensure the capture of water borne material generated from the site.

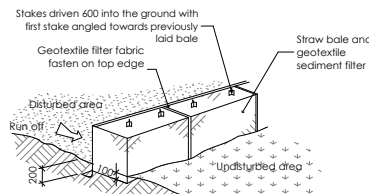
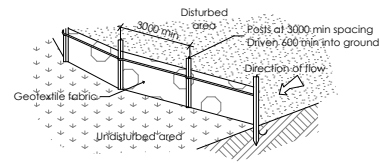
Maintain the above during the course of construction, and clear the 'sediment trap' after each storm.

**Sediment trap**

1000 x 1000 wide 500 deep pit, located at the lowest point to the trap sediment.

**Sediment fence**

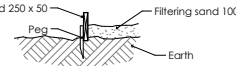
Provide sediment fence on down slope boundary as shown on plan. Fabric to be buried below ground at lower edge.



Drainage area 0.5 ha, max. slope gradient 1:2 max. slope length 50m.

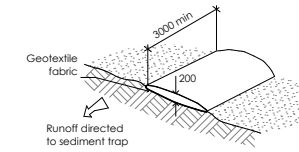
**Washout area**

to be 1800 x 1800 allocated for the washing of tool and equipment



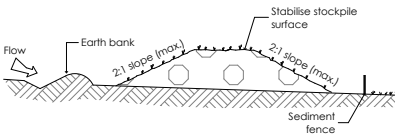
**Vehicle access to site**

Vehicle access to the building site should be restricted to a single point so as to reduce the amount of soil deposited on the street pavement.



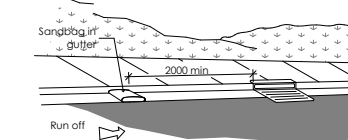
**Building material stockpiles**

All stockpiles of building material such as sand and soil must be protected to prevent scour and erosion. They should never be placed in the street gutter where they will wash away with the first rainstorm.



**Sandbag kerb sediment trap**

In certain circumstances extra sediment trapping may be needed in the street gutter.



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| Issue | Description             | Date       |
|-------|-------------------------|------------|
| P1    | For Review              | 21/10/2022 |
| P2    | For Review              | 29/09/2023 |
| A     | Development Application | 10/01/2024 |
| B     | As Requested            | 23/02/2024 |

Project  
**MULTI DWELLING HOUSING**  
Location  
**6-8 KANGALOO ROAD**  
**BOWRAL**  
Client  
**Kangaloon Rd Pty Ltd**

Drawing  
**SEDIMENT CONTROL**

Scale  
1:150 @ A3  
DRAWN  
ATa

QA CHECKED  
JG

Drawing Number  
**DA960**  
Issue  
B  
Project Number  
**22055**

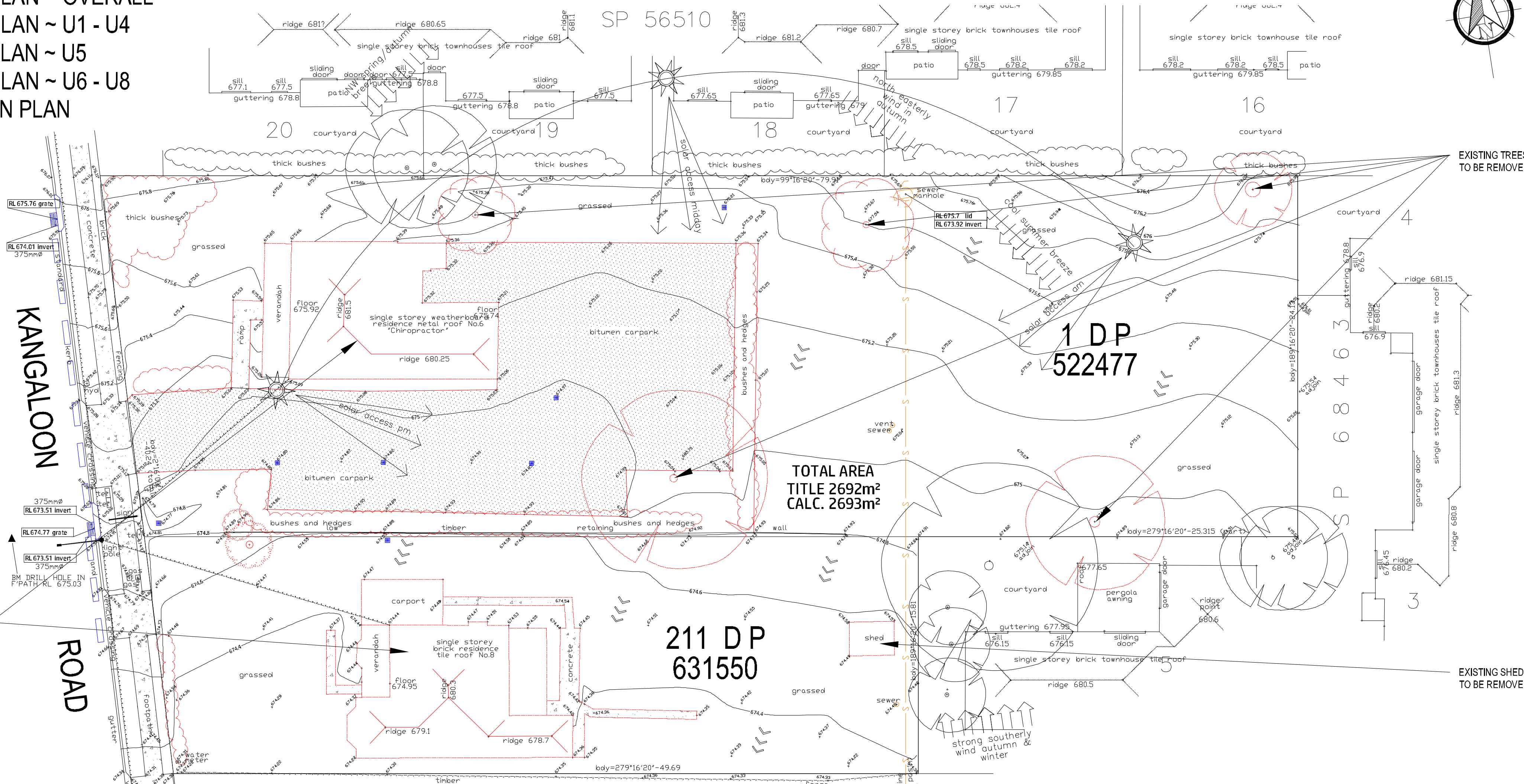




- SHEET 1 OF 6 SITE ANALYSIS PLAN
- SHEET 2 OF 6 LANDSCAPE PLAN ~ OVERALL
- SHEET 3 OF 6 LANDSCAPE PLAN ~ U1 - U4
- SHEET 4 OF 6 LANDSCAPE PLAN ~ U5
- SHEET 5 OF 6 LANDSCAPE PLAN ~ U6 - U8
- SHEET 6 OF 6 SPECIFICATION PLAN

**NOTES**

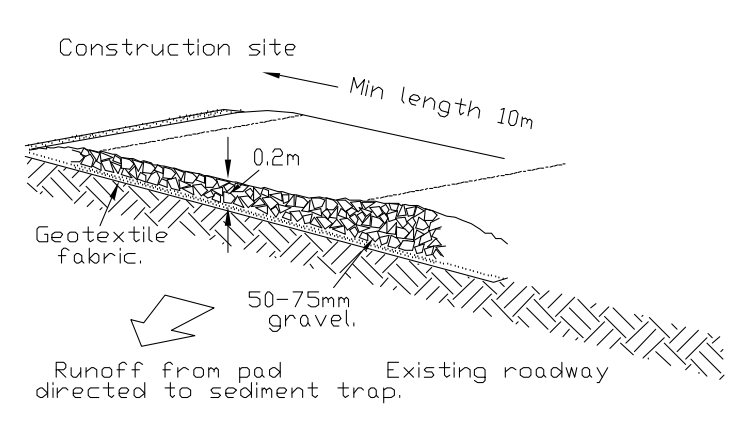
The lots have 2 existing residences and 1 shed to be removed with 5 existing trees to be removed also. The remainder of the lot is mainly bitumen with the rear being grass with odd shrubs through out the lot. The drainage lines are towards the South-west boundary with the soil being a gravel-clay base and a thin loam topsoil.



TOTAL AREA  
TITLE 2692m<sup>2</sup>  
CALC. 2693m<sup>2</sup>

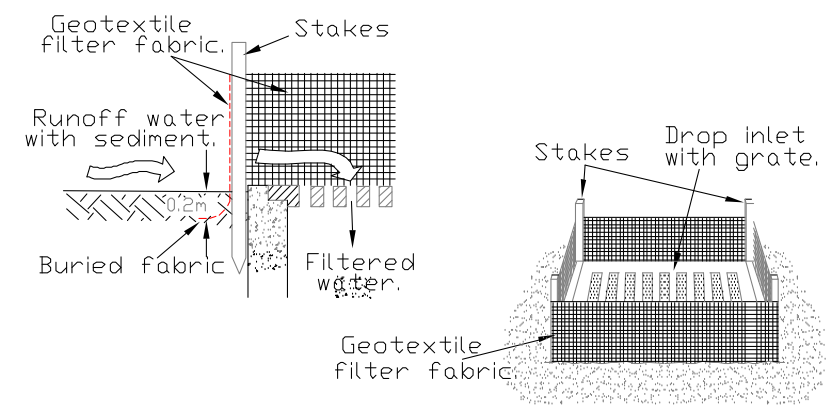
211 DP  
631550

1 DP  
522477

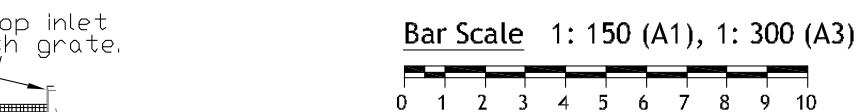


**TEMPORARY CONSTRUCTION EXIT**

MAINTENANCE:  
THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH PREVENTS TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS OF WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL GRAVEL AS CONDITIONS DEMAND AND REPAIR AND / OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS OF WAY MUST BE REMOVED.

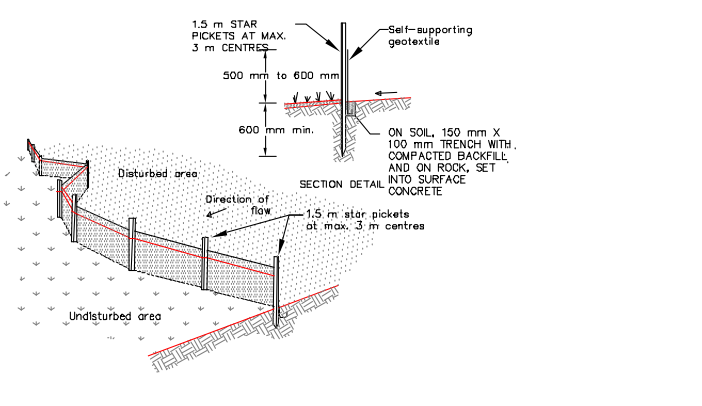


**Geotextile Filter Fabric Drop Inlet Sediment Trap.**



**SEDIMENT CONTROL FENCE**

**Construction Notes PLAN**  
1. CONSTRUCT SEDIMENT FENCE AS CLOSE AS POSSIBLE TO PARALLEL TO THE BOUNDARY OF THE LOT.  
2. USE A 100mm RADIUS ALONG THE CURVE OF THE FENCE FOR THE BENCH OF THE FENCE TO BE 200mm.  
3. THE DRAINAGE CAPACITY TO BE 100mm RADIUS OF FENCE WITH WIRE TIES OR AS DETERMINED BY GEOTECHNICAL ENGINEER.  
4. JOIN SECTIONS OF FABRIC AT A SUPPORT POST WITH A 100mm OVERLAP.



**SANDBAG KERB INLET SEDIMENT TRAP**

**EROSION AND SEDIMENT CONTROL NOTES**

**GENERAL INSTRUCTIONS**

- THIS PLAN IS TO BE READ IN CONJUNCTION WITH THE ENGINEERING PLANS, AND ANY OTHER PLANS OR WRITTEN INSTRUCTIONS THAT MAY BE ISSUED AND RELATING TO DEVELOPMENT AT THE SUBJECT SITE.
- THE SITE SUPERINTENDENT WILL ENSURE THAT ALL SOIL AND WATER MANAGEMENT WORKS ARE LOCATED AS INSTRUCTED IN THIS SPECIFICATION.
- ALL BUILDERS AND SUB-CONTRACTORS WILL BE INFORMED OF THEIR RESPONSIBILITIES IN MINIMISING THE POTENTIAL FOR SOIL EROSION AND POLLUTION TO DOWNSLOPE LANDS AND WATERWAYS.

**CONSTRUCTION SEQUENCE**

- THE SOIL EROSION POTENTIAL ON THIS SITE SHALL BE MINIMISED. HENCE WORKS SHALL BE UNDERTAKEN IN THE FOLLOWING SEQUENCE:
  - INSTALL SEDIMENT FENCES
  - UNDERTAKE SITE DEVELOPMENT WORKS IN ACCORDANCE WITH THE ENGINEERING PLANS, PHASE DEVELOPMENT SO THAT LAND DISTURBANCE IS CONFINED TO AREAS OF WORKABLE SIZE.

**EROSION CONTROL**

- DURING WINDY CONDITIONS, LARGE UNPROTECTED AREAS WILL BE KEPT MOST MOIST WITH WATER TO KEEP DUST UNDER CONTROL.
- FINAL SITE LANDSCAPING WILL BE UNDERTAKEN AS SOON AS POSSIBLE AND WITHIN 20 WORKING DAYS FROM COMPLETION OF CONSTRUCTION ACTIVITIES.

**FENCING**

- STOOPLES WILL NOT BE LOCATED WITHIN 2 METRES OF HAZARDOUS AREAS, INCLUDING AREAS OF CONCENTRATED OR HIGH VELOCITY FLOWS SUCH AS WATERWAYS, WHERE THEY ARE BETWEEN 2 AND 5 METRES FROM SUCH AREAS. SPECIAL SEDIMENT CONTROL MEASURES SHOULD BE TAKEN TO MINIMISE POSSIBLE POLLUTION TO DOWNSLOPE WATERS, E.G. THROUGH INSTALLATION OF SEDIMENT FENCING.

**OTHER MATTERS**

ACCEPTABLE RECEIPTS WILL BE PROVIDED FOR CONCRETE AND MORTAR SLURRIES, PAINTS, ACID WASHINGS, LIGHT-WEIGHT WASTE MATERIALS AND LITTER.

RECEPTORS FOR CONCRETE AND MORTAR SLURRIES, PAINTS, ACID WASHINGS, LIGHT-WEIGHT WASTE MATERIALS AND LITTER ARE TO BE EMPLOYED AS NECESSARY. DISPOSAL OF WASTE SHALL BE IN A MANNER APPROVED BY THE SITE SUPERINTENDENT.

**SITE INSPECTION & MAINTENANCE**

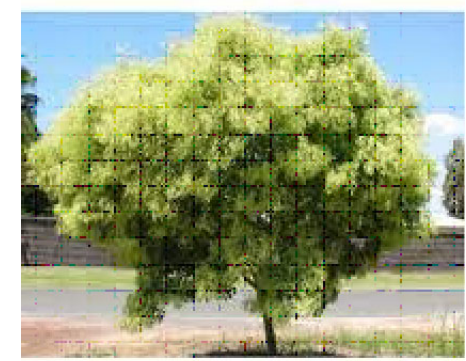
EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSPECTED AFTER RAINFALL EVENTS TO ENSURE THAT THEY OPERATE EFFECTIVELY. REPAIR AND MAINTENANCE SHALL BE UNDERTAKEN AS REQUIRED.

|  |  |  |  |   |   |  |
|--|--|--|--|---|---|--|
| <p>DATE BY AMENDMENT</p> <p>02.08.24 MS UPDATED TO ARCHITECTURAL PLANS - P26 DATED 22.07.2024</p> <p>05.08.24 MS UPDATED TO ARCHITECTURAL PLANS - C DATED 05.08.2024 - RFL</p> <p>13.11.24 MS UPDATED SWEEP PATHS EMAIL DATED 13.11.24</p> | <p>LANDSCAPE DESIGNER</p> <p><b>JK's GARDEN CREATIONS</b><br/>John A. Kime<br/>Mob. 0412582966<br/>email.gardenfora704@gmail.com<br/>Member ALLDM<br/>Diploma in Horticulture Landscape Design, Cert. Ag</p> | <p>10 KANWARY CLOSE,<br/>RAYMOND TERRACE, NSW. 2324</p> <p>IN ASSOCIATION WITH:</p> <p><b>tolero</b><br/>LANDSCAPE DESIGN</p> <p>Mishka Stembek<br/>P.O. BOX 203 RUTHERFORD NSW 2320<br/>Mob: 0422406889<br/>email: mishkas@optusnet.com.au<br/>Member ALLDM<br/>Diploma in Landscape Design</p> | <p>SITE ADDRESS</p> <p><b>MULTI DWELLING</b><br/>LOT 1, DP 522477 &amp;<br/>LOT 211 DP 631550<br/>6-8 KANGALOO ROAD<br/>BOWRAL</p> | <p>CLIENT</p> <p><b>KANGALOO RD PTY LTD</b></p> | <p>ARCHITECT-DRAFTSMAN</p> <p><b>ELK</b></p> <p>PO Box 801 Koloro<br/>NSW 2595 PH: 4854425<br/>Nominated Architect: Daniel Hudley 8209<br/>Member ALLDM<br/>Diploma in Architecture<br/>Member ALLDM<br/>Diploma in Architecture<br/>Member ALLDM<br/>Diploma in Architecture</p> | <p>DRAWN</p> <p>JK</p> <p>DATE</p> <p>20.11.2023</p> <p>SCALES</p> <p>1:150 @ A1<br/>1:300 @ A3</p> <p>CHECKED</p> <p>MS</p> <p>SHEET</p> <p>1 OF 6<br/>Site Analysis Plan</p> <p>JOB NO.</p> <p>KAN010722</p> |
|--|--|--|--|---|---|--|





Acer Palmatum Cultivar



Fraxinus griffithii



Betula pendula alba



Lagerstroemia indica 'tuscaraora'



Pistacia chinensis



Prunus blireana



Prunus cerasifera 'Nigra'



Ulmus parvifolia 'Todd'

| DATE     | BY | AMENDMENT   |
|----------|----|---|
| 02.08.24 | MS | UPDATED TO ARCHITECTURAL PLANS - P26 DATED 22.07.2024.    |
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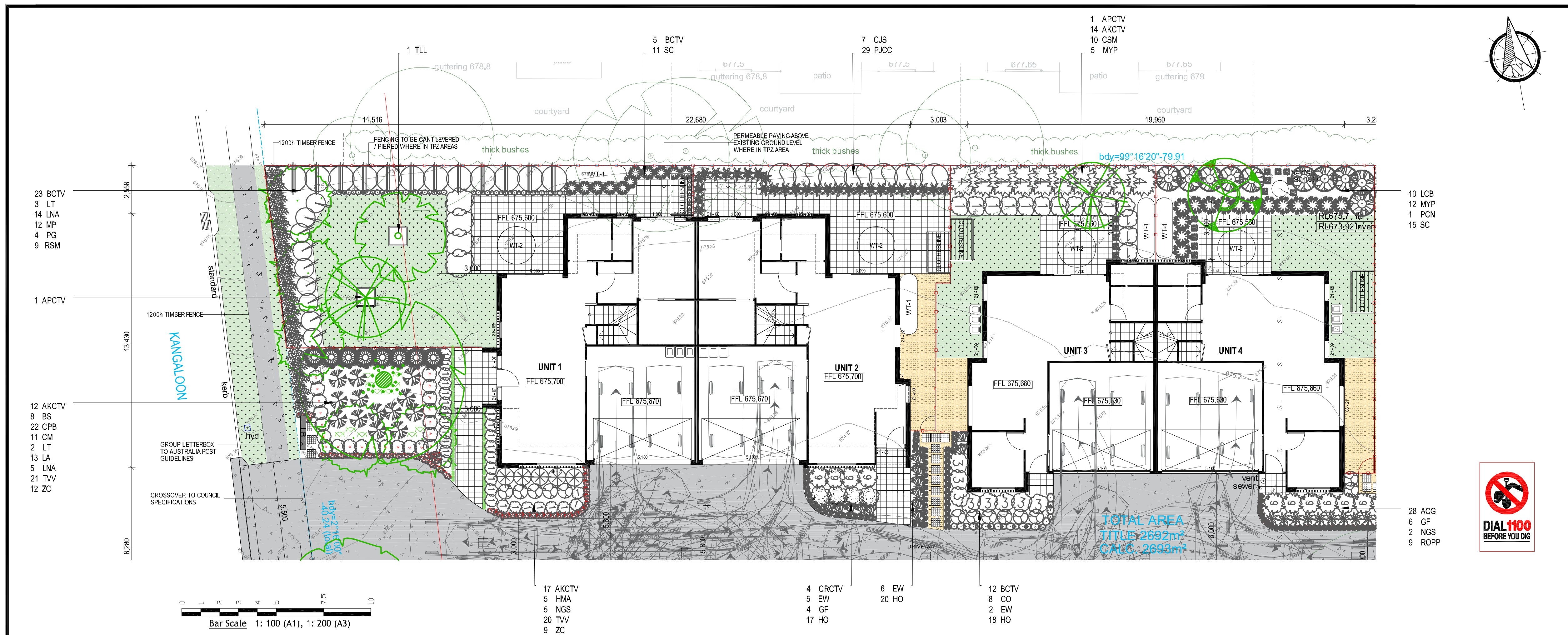
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CLIENT  
**KANGALOO RD PTY LTD**

ARCHITECT-DRAFTSMAN  
**ELK**  
PO Box 801 Kalam  
NSW 2209 Ph: 49504425  
Nominated Architect: Daniel Hadley 8209

| DRAWN   | DATE                 |
|---|----------------------|
| JK  | 20.11.2023           |
| SCALES 1:125 @ A1<br>1:250 @ A3                 | CHECKER MS           |
| SHEET 2 OF 6<br>Landscape Plan<br>Trees Overall | JOB No.<br>KAN010722 |





**LEGEND**

- CONCRETE PATHS & DRIVEWAY
- TURF - REFER TO SHEET 6 FOR DETAILS
- 100mm COMPACTED RHYOLITE TO SHADED AREAS - REFER TO SHEET 6 FOR DETAILS
- GARBAGE BINS
- CLOTHESLINES
- WATER TANKS
- 1.8M HIGH COLORBOND BOUNDARY FENCE AND DIVIDING FENCES PLUS RETURNS
- 1.2M HIGH SLATTED FRONT BOUNDARY FENCE
- EXTERNAL YARD TAP
- LETTERBOX
- 26.00 DENOTES DESIGN SPOT LEVELS
- RWH DENOTES RETAINING WALL TO ENGINEERS DETAILS
- 450 x 450 STEPPING PAVERS
- PRIVATE OPEN SPACE

**PLANT LEGEND ~ SHRUBS, GRASSES & GROUND COVERS**

- AGD ABELIA GRANDIFLORA DWARF
- ACG AJUGA CAITLIN'S GIANT
- AKCTV AZALEA KURUME CULTIVAR
- BCTV BERGENIA CULTIVAR
- BF BUXUS FAULKNER
- BS BUXUS SEMPERVIRENS
- CBJ CALLISTEMON 'BETTER JOHN'
- CSBE CAMELLIA SASANQUA 'BEATRICE EMILY'
- CJS CAMELLIA SASANQUA 'JENNIFER SUSAN'
- CSM CAMELLIA SASANQUA 'MINE-NO-YUKI'
- CPB CISTUS PURPUREUS 'BRILLIANCY'
- CO CORREA 'OMG'
- CRCTV CORREA REFLEXA CULTIVAR
- CM CONVULVULUS MAURITANICUS
- DSS DIANELLA SILVER STREAK
- DVP DODONAEA VISCOSA PURPUREA
- EW EUPHORBIA WILFENII
- GF GARDENIA FLORIDA
- GLO GREVILLEA 'LADY O'
- HMA HEBE MARIE ANTOINETTE
- HO HEUCHERA 'OBSIDIAN'
- LA LAVENDER 'AVONVIEW'
- LNA LONICERA NITIDA AUREA
- LCB LORAPETALUM BURGUNDY
- MP MURRAYA PANICULATA
- MYP MYOPORUM PARVIFOLIUM
- NGS NANDINA GULF STREAM
- PRR PHOTINIA RED ROBIN
- PJCC PIERIS JAPONICA 'CHRISTMAS CHEER'
- PGB PITTOSPORUM 'GOLF BALL'
- PGP PITTOSPORUM 'GREEN PILLAR'
- ROPP RAPHIOLEPSIS ORIENTAL PEARL PINK
- RSM RAPHIOLEPSIS SNOW MAIDEN
- RBL ROSMARINUS BLUE LAGOON
- SC SARCOCOCCA CONFUSA
- SPB SEDUM SPECTABILE 'BRILLIANT'
- TVV TULBAGHIA VIOLACEA 'VAREIGATA'
- VO VIBURNUM ODORATISSIMMA
- VIO VIOLACEA ODORATA
- ZC ZEPHYRANTHUS CANDIDA

**PLANT LEGEND ~ TREES**

- EXISTING STREET TREE
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- BPA BETULA PENDULA ALBA
- FG FRAXINUS GRIFFITHII
- LT LAGERSTROEMIA 'TUSCARORA'
- PC PISTACIA CHINENSIS
- PB PRUNUS BLIREANA
- PCN PRUNUS CERASIFERA 'NIGRA'
- TLL TRISTANIOPSIS LAURINA LUCSIOUS
- UPT ULMUS PARVIFOLIA 'TODD'

Refer to ELK Site Coverage Plan for Landscape Calculations

DRAWING TO BE READ IN CONJUNCTION WITH THE PLUS ASSOCIATED SHEETS ATTACHED ARCHITECTS-STORMWATER-ENGINEERS PLANS

| DATE     | BY | AMENDMENT   |
|----------|----|---|
| 02.08.24 | MS | UPDATED TO ARCHITECTURAL PLANS - P26 DATED 22.07.2024 |
| 05.08.24 | MS | UPDATED TO ARCHITECTURAL PLANS - C DATED 30.08.2024   |
| 13.11.24 | MS | UPDATED SWEEP PATHS EMAIL DATED 13.11.24              |

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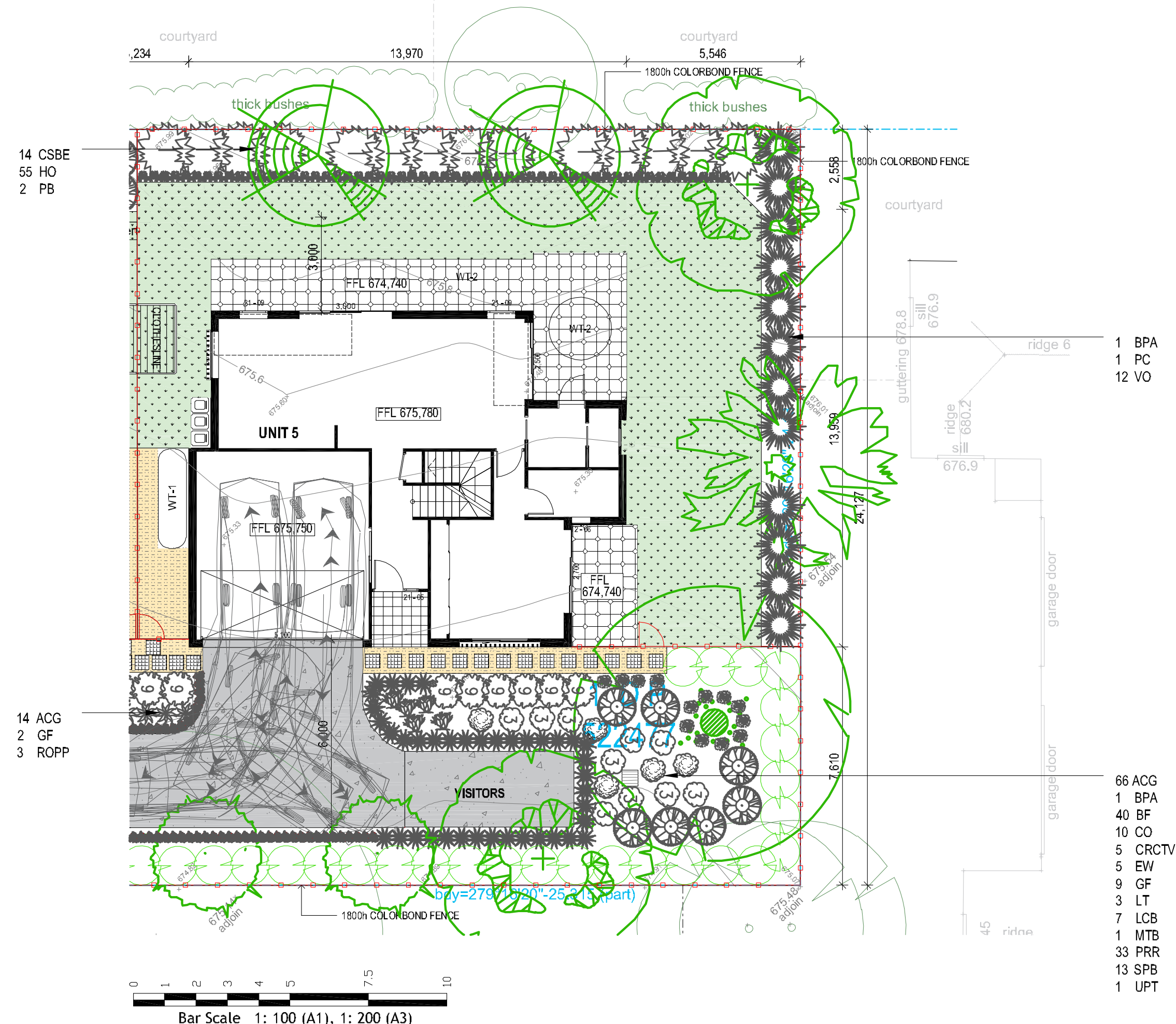
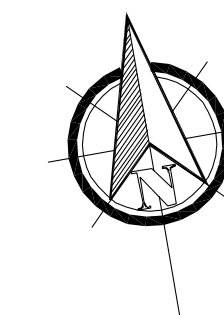
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CLIENT  
**KANGALOOON RD PTY LTD**

ARCHITECT-DRAFTSMAN  
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Nominated Architect: Daniel Hudley 8209  
Ph: 0422406888

| DRAWN  | DATE                 |
|--|----------------------|
| JK   | 20.11.2023           |
| SCALES 1:100 @ A1<br>1:200 @ A3                  | CHECKED MS           |
| SHEET 3 OF 6<br>Landscape Plan<br>~ Units 1 to 4 | JOB No.<br>KAN010722 |





**LEGEND**

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- TURF - REFER TO SHEET 6 FOR DETAILS
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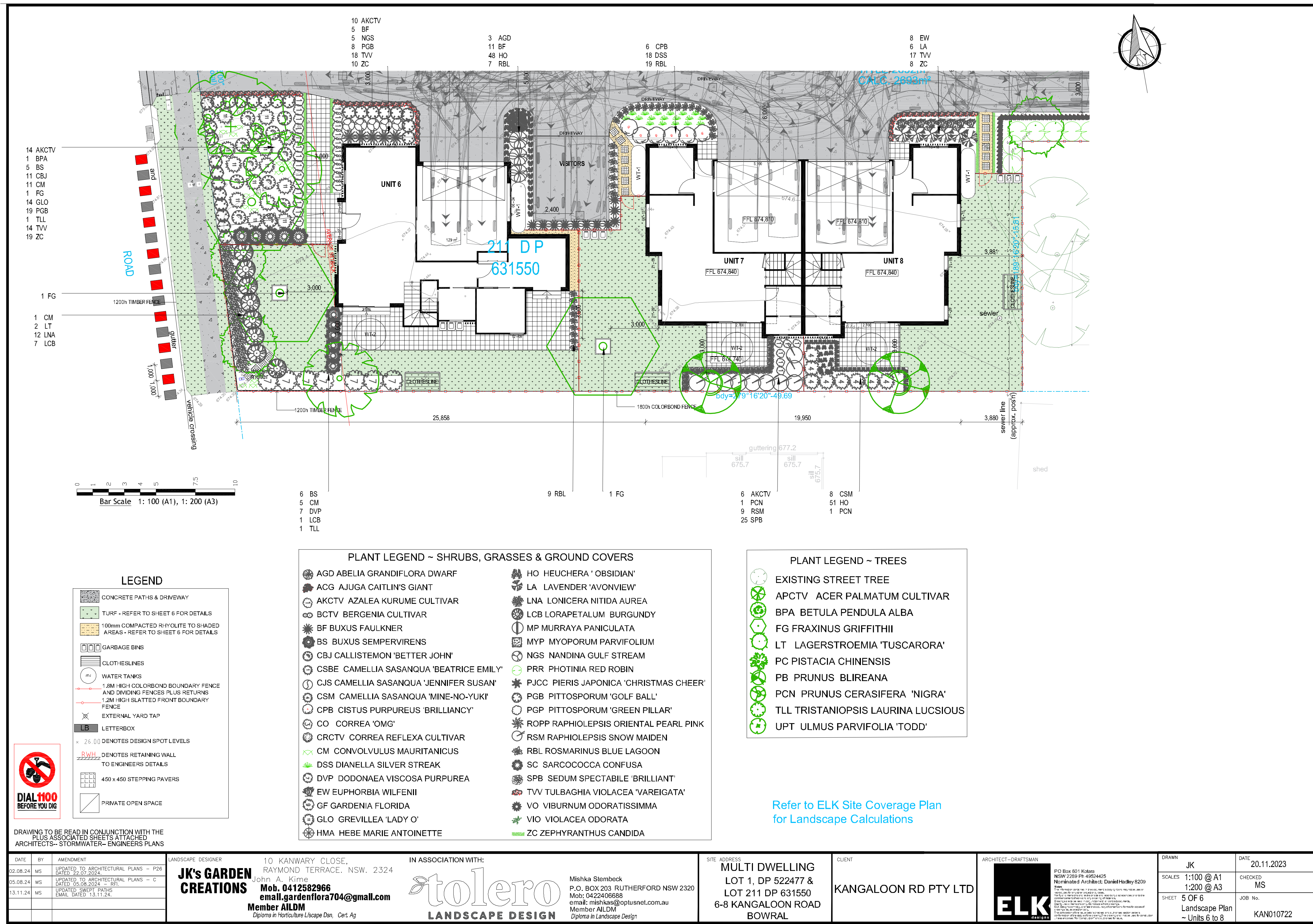
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Refer to ELK Site Coverage Plan for Landscape Calculations

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|          |    |  |  |   |  |                     |   |                |            |    |
|----------|----|--|--|---|--|---------------------|---|----------------|------------|----|
| DATE     | BY | AMENDMENT  | LANDSCAPE DESIGNER   | IN ASSOCIATION WITH:  | SITE ADDRESS   | CLIENT              | ARCHITECT--DRAFTSMAN  | DRAWN          | DATE       |    |
| 02.08.24 | MS | UPDATED TO ARCHITECTURAL PLANS - P26 DATED 22.07.2024.     | <b>JK's GARDEN CREATIONS</b><br>John A. Kirme<br>Mob. 0412582966<br>email.gardenflora704@gmail.com<br>Member AILDM<br>Diploma in Horticulture Landscape Design, Cert. Ag | <br>Mishka Stenbeck<br>P.O. BOX 203 RUTHERFORD NSW 2320<br>Mob: 0422406688<br>email: mishkas@optusnet.com.au<br>Member AILDM<br>Diploma in Landscape Design | MULTI DWELLING<br>LOT 1, DP 522477 &<br>LOT 211 DP 631550<br>6-8 KANGALOO ROAD<br>BOWRAL | KANGALOO RD PTY LTD | <br>PO Box 801 Kalamo<br>NSW 2269 Ph: 49524425<br>Nominated Architect: Daniel Hudley 8209 | JK             | 20.11.2023 |    |
| 05.08.24 | MS | UPDATES TO ARCHITECTURAL PLANS - C DATED 05.08.2024 - RFI. |  |   |  |                     |   | 1:100 @ A1     | CHECKED    | MS |
| 13.11.24 | MS | UPDATED SWEEP PATHS EMAIL DATED 13.11.24.                  |  |   |  |                     |   | 1:200 @ A3     |            |    |
|          |    |  |  |   |  |                     |   | 4 OF 6         | JOB No.    |    |
|          |    |  |  |   |  |                     |   | Landscape Plan | KAN010722  |    |
|          |    |  |  |   |  |                     |   | ~ Unit 5       |            |    |











# **STATEMENT OF ENVIRONMENTAL EFFECTS**

## Multiple Dwelling House Development

A REPORT PREPARED BY PIPER PLANNING FOR:

ELK Designs

6 – 8 Kangaloon Road, Bowral

Rev. B - 12/01/24

[www.piperplanning.com.au](http://www.piperplanning.com.au)





## DOCUMENT NOTES

| REVISION  | DATE     | NOTES              |
|-----------|----------|--------------------|
| PRELIM    | 25/10/22 | FOR QA REVIEW (AT) |
| DRAFT     | 31/10/22 | QA (AP)            |
| DRAFT II  | 16/11/22 | AT                 |
| DRAFT III | 3/10/23  | JC                 |
| DRAFT IV  | 03/10/23 | AP                 |
| REV A     | 21/12/23 | AP                 |
| REV B     | 12/01/24 | AP                 |

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## 1. INTRODUCTION

This Statement of Environmental Effects (SEE) relates to the premises known as No. 6 – 8 Kangaloon Road, Bowral. The document accompanies a Development Application for the demolition of existing structures and the construction of a multiple dwelling house development on behalf of ELK Designs.

This Statement is prepared in response to the plan detail available at the time of preparing the report. Noting some on-going consultation with the applicant, some minor changes may result to indices prior to lodgement.

This SEE and Development Application have been prepared in response to the statutory provisions applicable to the development.

## 2. PROPERTY DETAILS

### 2.1 SUMMARY

| Applicant              | ELK Designs  |
|------------------------|--|
| Property Address:      | Lot 1, DP 522477, H/N 6 Kangaloon Road, Bowral 2576.<br><br>Lot 211, DP 631550, H/N 8 Kangaloon Road, Bowral 2576          |
| Zone:                  | R3 Medium Density Residential  |
| Calculations           | Consolidated Site Area: 2693m <sup>2</sup><br>Development Gross Floor Area – 1303m <sup>2</sup><br>(according to plan set) |
| Existing Improvements: | Single dwelling houses with detached shed  |



## 2.2 SITE CONTEXT AND EXISTING IMPROVEMENTS

The subject allotments are located within a sub-urban setting, approximately 70m south-east of the Bowral Mixed Use Zone and approximately 250m south-west of the Bowral Local Centre. This urban interface setting seeks for a densified residential outcome, given its proximity to services and employment opportunities.

The development site is located within the R3 Medium Residential zone and is unaffected by bushfire risk or flood affectation.

The long axis of the development site is oriented to the east/west. The site displays slight topography across the building footprint. The subject premise currently displays two single dwelling house and associated outbuildings. All existing structures are to be demolished through the extent of the application.

The cottage upon No. 6 Kangaloon Road formerly operated as health consulting rooms. As such, it is benefited by a broad drive access, as well as vehicle circulation and parking spaces located centrally upon that allotment.

The development site is bounded by townhouse developments to the north and east, and single dwelling house development continuing south of the allotment. We highlight that a strong process of gentrification has been triggered in this locality through inherent land values, proximity to the town centre and proximity to connecting transport infrastructure. It is highly likely further gentrification will become more prevalent over time.

The site is bounded by the Kangaloon Road carriageway located to the west of the allotment.

Figure 1 outlines the location of the premise amongst the local context.



Figure 1: Development allotment within broader locality

**Subject Allotment**



### 3. DESCRIPTION OF PROPOSED DEVELOPMENT

#### 3.1 MULTIPLE DWELLING HOUSE DEVELOPMENT

The Applicant seeks to develop the allotment through the demolition of the existing single dwelling houses and ancillary structures, construction of a multiple dwelling house development.

The proposal seeks consent for three, semi-detached, two storey buildings and two free standing, single dwellings, one towards the southern extent of the allotment and the other towards the west. The two free standing single dwellings are afforded four bedrooms. The remaining dwellings are provided a mixture of three and four bedrooms, with ground floor study spaces. In presenting this form of development, the proposal directly adheres to the strategic intent for the Zone by way of a medium density residential outcome.

The development forms are oriented towards the shared central internal driveway. Open space elements are located to the north, east and west of the building elements. Shared access is provided centrally through the allotment, to each dwelling, enabling distinct address to each form. That access and circulation location generally adheres to the existing drive access and circulation which served the former health consulting rooms. This arrangement minimises intrusion to the setting and existing allotment attributes.

The design achieves generous front setbacks, which seek to provide an outcome consistent to the predominant street alignment. Strong landscape elements surrounding the built form facilitate optimised spatial separation to



side boundaries. This, in turn mitigates building dominance when viewed from the road corridor and adjoining premises.

All units are afforded ground level open space areas, connected to primary habitable living areas, with side orientation. In this manner, the design affords a high level of amenity within the spaces and privacy throughout the development.

The architectural form of the development is well considered. It presents a light palette, with balanced articulation and fenestration. Those elements mitigate upper-level massing and provide good quality solar access penetration through the development. This approach, combined with the extent of spatial separation between building elements enables a quality landscaped setting to be achieved around the development. The landscape design incorporates proportionally scaled plantings, which will achieve mature heights commensurate with building scale. Importantly, this will consolidate the existing development setting and contribute to the existing character of the Bowral township.

The gross floor area of the development proposes to be 1303m<sup>2</sup>. This is readily accommodated through appropriate spatial separation to boundaries and functional ground level arrangements. The overall maximum height of the development is 8.815m above natural ground level at the ridge of Unit 3. Landscaped area is 1346m<sup>2</sup>, being 50% of site area.

Figure 2 indicates the proposed site layout for the development.

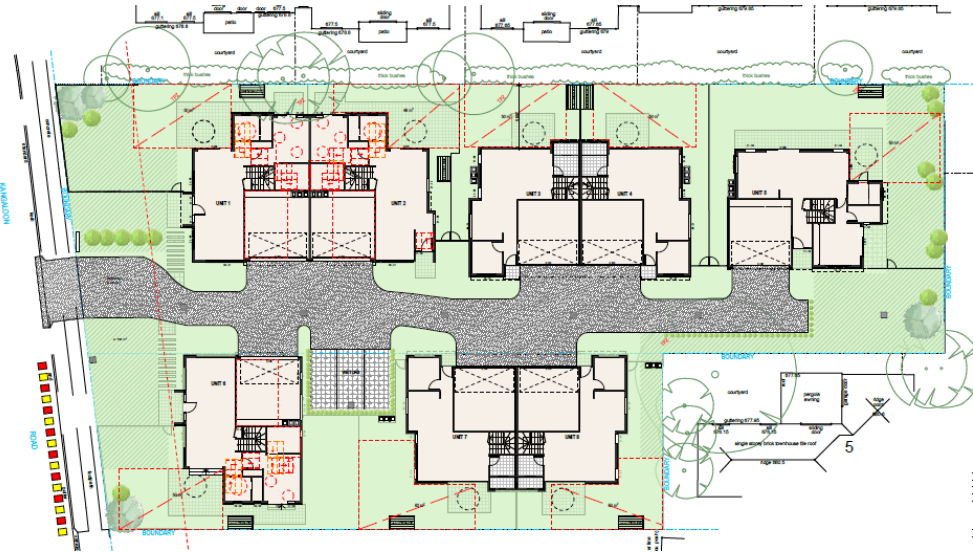


Figure 2: Proposed Site Layout





## 4. ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

### 4.1 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS)

I note the development is affected by the provisions of the State Environmental Planning Policy Resilience and Hazards 2021 (the SEPP), Section 4.6 – Matters to be Considered.

A review has been undertaken of historical aerial images of the premise back to 1970 (images below). Those indicate that the current site arrangements (consisting of the dwelling and ancillary structures) were in place in 1982. Aerial imaging also shows the existing dwelling was upon the site in 1970.

We note the surrounding levels of residential development evident in 1970 and the well-established subdivision pattern surrounding. We would consider that the residential use typology would have been in place well prior to 1970.

In response to the relevant considerations within the SEPP, we submit the following:

The premise has been in continuous occupation for a residential purpose for a significant period of time. The proposed development preserves residential occupation of the land;

The premise exists within an existing low density residential subdivision. That residential subdivision was established prior to 50 years ago. We understand that relevant development considerations in the subsequent period would have paid regard to the suitability of the land for residential occupation in terms of potential site contamination;



Site conditions display contiguous vegetation beyond those hard stand areas occupied by buildings, footpaths and the driveway. There is no evidence of material stockpiles, waste accumulation or historical agricultural purposes upon the lot;

A desktop review of aerial imaging of the locality determined that the low-density residential purpose has existed for a significant period of time. We could not determine any evidence of historical land uses that would have potentially resulted in contamination of the land.

On this basis and given the ongoing residential occupation of the land, Council should be satisfied that the land remains suitable for residential occupation.



Image One – 1982 Aerial image of the area surrounding 6-8 Kangaloon Road Bowral.





#### 4.2 WINGECARRIBEE LOCAL ENVIRONMENT PLAN 2010

##### Zone Provisions

The site is located in the R3 Medium Density Residential zone under the Wingecarribee Local Environmental Plan 2010 (LEP 2010).

According to the LEP, the objectives of the Zone are:

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

##### Comment

According to the LEP 2010, the proposed works incorporating eight dwelling house units upon the subject lots, each with distinct access at ground level, are defined as:

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

*Note. Multi dwelling housing is a type of residential accommodation—see the definition of that term in this Dictionary.*

The development of multiple dwelling houses is permissible within the zone subject to Council's consent.



An assessment of the proposed development against the relevant clauses of the Wingecarribee Local Environmental Plan 2010 finds that the proposed development supports the above intentions and will ultimately enhance the built environment and streetscape.

The provision of eight dwelling house units upon two existing lots is considered to provide a medium density residential outcome. The dwellings are well formed and appropriate to the needs of the community.

The dwelling forms are distinct within the development, providing a variety of orientations, positions, open space allocations and internal arrangements.

The proposed form is considered to complement the character displayed by redevelopment throughout the locality (in terms of architectural style, scale, and placement) and therefore is considered appropriate to the developing context. We submit that the proposal facilitates an appropriate yield within the site attributes, whilst affording an outcome consistent to DCP requirements.

The proposal seeks to reinforce an urban community that is compact, distinct, and diverse and includes a range of housing types and activities. We submit that the proposal is consistent to the objectives underpinning the Zone and should therefore be supported by Council.

#### Height of Buildings

The subject premises are not constrained by development standards in this regard.





Floor Space Ratio

The subject premises are not constrained by development standards in this regard.

Drinking Water Catchment

The subject allotment is identified under the Drinking Water Catchment Map as 'Drinking Water Catchment'. Stormwater runoff from the development will be directed to a Kerb inlet pit within the street infrastructure. The proposed use and intensity of use is permitted within the zone, with surrounding neighbouring premises displaying similar use typologies. It is not anticipated to have any impacts to drinking water and is compliant in this regard.



#### 4.3 BOWRAL TOWNSHIP DEVELOPMENT CONTROL PLAN 2010

##### **PART A – ALL LAND**

Vegetation Management – The development seeks to remove existing vegetation within the site to make way for the proposed multi dwelling forms. An existing tree towards the eastern rear will remain throughout the proposal.

We note that the subject site does not contain any significant environmental features that is conceived as sensitive to the development. The site is not located within an environmentally sensitive zone and is not subjected to environmental hazards such as bushfire risk or flooding. As such, the proposed tree removal is unlikely negatively impact the biodiversity values seen within the locality. All proposed landscaping will provide positive visual contributions towards the sub-urban streetscape and setting, especially with well-considered landscape inclusions by the front setback. Landscaping is also incorporated by the side and rear setbacks in order to visually buffer between the proposal and neighbouring premises.

A comprehensive landscape plan has been implemented into the proposal to offset the environmental loss of existing vegetation within the subject allotment. An arborist assessment report has been included along with this application.

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Subdivision, Demolition, Sitting and Design – The subject allotment displays a total lot area of 2693m<sup>2</sup>, being more than the minimum lot size of 700m<sup>2</sup> specified by the LEP 2010.

The proposal seeks to incorporate compliant building setbacks whilst following maximum building height provisions as prescribed in Section 3 of the DCP. The scale of the building remains similar with neighbouring residential buildings seen within the Bowral locality. The proposal will continue to retain



views within the locality and preserve solar access, privacy and neighbouring amenities adjoining the subject lot. The design is suitably oriented with private open spaces and habitable living areas obtaining appropriate solar access throughout the day. More discussion on building heights and setbacks are discussed in later sections of this report (Section 3).

Landscaping is specifically considered under Part C3.15 of the Bowral Town Plan DCP 2010. A considered landscape plan will be included along with this development application.

We note the western verge area adjoining the front boundary has minimal capacity of housing any street trees. The proposal mitigates this by providing landscaping to the front setback, minimising visual bulk from the dwellings to the street.

The proposal seeks to demolish all existing buildings within the subject allotment. We note the proposal is not located within vicinity of a heritage item or within a heritage conservation area. A waste management report will be submitted along with this application.

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Cut and Fill - The subject allotment displays an approximate 2m fall from the northern boundary to the southern boundary. As the subject allotment displays substantial area of 2693m<sup>2</sup>, the site topography is not considerably sloped and will not require excessive cut and fill. Clause 7.3 of the LEP mentions that consent is not required for cut and fill works less than 600mm.

The proposal articulates floor levels across the development in response to the existing topography of the land. The proposal requires a retaining wall adjoining the drive access, towards the rear of the lot. This wall is located clear of boundaries and accounts for appropriate landscape inclusions at the boundary interface.





The proposal also includes a retaining wall adjoining the southern side boundary, to the rear of Units 6-8. Here the proposal seeks consent for finished ground levels of between RL675.07 and RL674.74. The retaining wall will vary between 340m to 750 in height, which is considered conservative within the setting. The plan nominates a block wall (engineer designed) to the boundary. Given the wall is supporting filling, it can be erected to the site boundary, within the confines of the lot.

The proposal is considered consistent with Council's requirements.

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Safer by Design – The proposed multi dwelling housing development incorporates habitable living areas and west facing fenestrations as to provide capacity for casual surveillance at the public domain interface. Capacity for casual surveillance to the drive corridor is also afforded to all points by way of the dwelling entry arrangements and windows serving habitable living areas.

The proposal includes the incorporation of territorial definition (via built form placement, landscape elements and fencing), casual surveillance, and place activation/purpose (via clearly articulated purpose – fencing, private courtyards, and communal drive areas). We submit the proposal as compliant with Council's objectives in this regard.

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## PART C RESIDENTIAL ZONED LAND

### Section 3 – Medium Density Development

Site Amalgamation and Minimum Frontage Requirements – The proposal seeks to consolidate two existing lots and as such, directly adheres to the intent of this DCP provision. The site displays a consolidated frontage width of 40.24m to Kangaloon Road to the west.

The internal arrangement of the development is logical and orderly. The design is informed by required tree root protection zones to existing boundary plantings. It also provides consolidated landscape areas at the mid-block interface. As such, it enables consolidation of that mid-block area, being consistent to the intent of these DCP provisions.

It provides for a shared centralised drive access, which is an efficient design response. The development of multi-dwelling housing will have no capacity in limiting future developments of adjoining lots. The proposal does not negatively affect the amenity of the premise or neighbouring allotments, being compliant in this regard.

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Site Planning – The proposed development incorporates two dwellings with direct address to the street frontage. The placement and spatial separation of the dwellings are considered appropriate as they allow for consolidated landscape plantings to the street interface and to the side setback areas.

Those inclusions serve to allow for an appropriate overall visual outcome, by having the buildings within a landscape setting of proportional scale. The boundaries of the site are reinforced by this approach, which provides territorial reinforcement and consolidation of privacy. We draw Council's attention to the landscape design of Tolero Landscape Designs, which utilises



a consolidated area of lower-level plantings, combined with 18 trees at the street frontage. The landscape plan then incorporates extensive and to the sides of dwelling Units 1 and 6.



The design provides spatial separation between the drive and buildings, such that the presence of hardscape elements is of an appropriate proportion. The singular drive crossing is of minimal presence given the 41m frontage width of the site. Garage elements are setback well into the site, with dwelling entries having predominance. Terminating views along the drive are benefited by the consolidated landscape elements. On this basis, the drive and parking elements are not dominant, and the design is appropriately considered.

The development limits the number of dwellings more than 50m from the street frontage. Only one of the eight dwellings is more than 50m from the roadway. The dwelling has a very high levels of amenity (being entirely oriented to the north), have strong spatial separation to boundaries (being between 5m to 7.6m from all boundaries) and having large, private consolidated yard spaces. It is our experience that these unit typologies are more highly sought after due to their privacy and larger yard allocations and



so they do not have limited suitability or amenity by way of the increased setback to the roadway.

Visual and acoustic privacy of adjoining premises are appropriate, by way of the principal habitable living areas being located to the ground floor, with 1.8m boundary and internal fencing and good spatial separation to boundaries. The secondary first floor living areas are oriented to the internal drive or street frontage and so any overlooking capacity internally or externally is mitigated.

Good solar access is achieved for all proposed dwellings within the allotment and those existing adjoining premises. This is mainly facilitated through the extent of spatial separation provided and the reduced/articulated upper-level massing. Shadow diagrams on DA900 and DA901 demonstrate compliant levels of access both within the development and to adjoining premises.

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Density and Site Coverage – The subject allotment is located within Sub-Zone R3 – C and so a maximum floor space ratio of 0.6:1 is prescribed. The development lot displays an area of 2693m<sup>2</sup>. The proposed overall development displays a gross floor area of 1303m<sup>2</sup> and a resultant floor space ratio of 0.483:1, being quite conservative for medium density developments. We consider the clear balance in the development form, placement and allocation of deep soil landscape area around the development to be as substantial a consideration as the medium density outcome. On that basis, the design provides a balanced outcome, achieving a medium density development, appropriate to the character of the setting. The proposal is therefore compliant to DCP provisions in this regard.

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Street Presentation – The proposed dwelling units 1 and 6 are provided direct address to the street frontage. The dwelling entries are clearly legible from the public domain and the primary habitable living areas have direct capacity for casual surveillance to the public/private interface.

The landscape inclusions are integral to the function of Units 1 and 6. The design correctly balances 1.2m high batten fencing, with medium and low level plantings, that serve to balance privacy within the POS areas, whilst maintained visual connection to the dwelling entries. The architectural and landscape designs achieve an appropriate outcome in this regard.

As such, the proposal remains consistent with the streetscape pattern presented towards the Kangaloon Road corridor.

---

Front Setbacks – The proposed development seeks to follow the elements within the surrounding existing context and responds accordingly to harmonise and compliment the streetscape.

The subject allotment presents a street frontage towards the west, interfacing to the Kangaloon Road carriageway. The surrounding neighbouring allotments by the north and south presents an average street setback spanning between 6m – 26m. DCP provisions allow for front setbacks to be the average of existing setbacks displayed by adjoining dwellings when there is no consistent street setback.

The proposal seeks to provide a western street setback of 7.247m. We note that adjoining neighbours' display street setbacks that are substantially varied (by an approximate 20m difference). The design has sought to utilise an average across those established setbacks of the two-neighbouring premises (being 457-458 Moss Vale Road and 2B Martha Street Bowral) as depicted the image below.



In this manner, we submit that the development utilises relevant points of reference to establish a building line consistent to those evident in the setting. As such, we submit that the proposal is appropriate to its setting and should be supported by Council.

---

Side and Rear Setbacks – DCP provisions require side setbacks to be similar to those displayed by immediate adjoining premises. The adjoining multi dwelling house development to the north displays a consistent relationship to the common boundary, having a side setback of in the order of 4m. The adjoining multi dwelling house development to the east displays a side setback of 2m to the common boundary.





The proposal seeks consent for a balanced overall outcome, which commits a strong level of landscape area contribution around the building form. The ground level setbacks vary between 2.24m but are mostly in the order of 5.8m.

The reduced side setbacks are presented at Units 1 and 6, which are directly oriented to the street. As such, they relate to the adjoining northern and southern boundaries as traditional side setbacks. Within the streetscape setting, traditional street oriented dwellings display reduced side setbacks in the order of 2m to 3m. Dwellings to the rear of the street facing dwellings then retract to increased setbacks, such that POS elements and increased landscaping can be incorporated between those dwellings and the side boundaries. In this instance, the proposal correlates with that existing built form setting.

The proposed development has its building massing broken down and with strong proportional landscape elements surrounding the building forms, which correspond to the building scale. We submit that these setbacks allow for consolidation of the character of the area and for deep soil inclusions intermittently along these side boundaries. This will provide for consolidation of the existing character and setting.

Within the surrounding context, only the premise immediately to the east displays a common rear boundary. That premise displays two dwellings with rear boundaries, which display rear setbacks of 2m and 4m. The proposal displays rear boundaries to Units 5 and 8, having setbacks of 5.4m and 3.31, which is considered appropriate and consistent to the setting.

---

Building Height – DCP provisions require a maximum height of 9m for two-storey developments. The proposal seeks to provide a maximum height of



8.815m above existing ground levels (according to plan detail).

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Dwelling Orientation – The proposed dwellings allocate their living areas and principal private open spaces towards the northern side, or eastern and western elevations of the development footprints.

The proposal predominantly provides a minimum of 3 hours of solar access upon 50% of the POS elements during winter solstice, with the exception of Unit 8, which has a 4m<sup>2</sup> deficiency at midday.

Firstly, we highlight that the proposal occurs within an area identified for medium density development. Typically (as reflected in SEPP provisions for medium density development such as the SEPP 65 or SEPP Housing) the ability to achieve fully compliant solar access outcomes are acknowledged as being inversely proportional to development densities. SEPP 65 and SEPP Housing permit 70% compliance in terms of solar access.

Similarly, the planning principles acknowledge this situation. The levels of access obtained into Unit 8 occur across the immediate area adjoining the primary living areas at 9am, 10am and 11am. As such, the combined internal and external spaces achieve good levels of amenity.

Occupants of the space will be sitting and standing and we'd note that the later would be in sunlight, standing in various areas of the yard space. As such, the minor technical deficiency in sunlight at ground level will not impede the function or amenity of that space. The unit is also benefited by a north facing balcony, connected to a first floor living area.

Elsewhere, the development achieves levels of access substantially above the prescribed minimum.

Each principal private open space element is placed directly in conjunction with a habitable living area, allowing adequate solar access into the dwelling throughout the day.



Allocated window placement allows for good cross ventilation within each dwelling.

More than 50% of the principal private open space by the southern neighbouring premises are retained during winter solstice, being compliant in this regard. This is shown within shadow diagrams displayed within the DA plan set (DA900 – DA901).

We submit the proposal as compliant to DCP provisions in this regard.

---

Building Design – The proposed development is consistent in scale and form to wider examples of redevelopment throughout the locality. The design seeks to make use of existing site topography, minimising the need for excessive cut and fill. Roof pitch, fenestration and facades all correspond to the attributes of surrounding development.

The massing and elevation of the development represents an optimised form that is derived from both the measures of suitability contained in Council's DCP provisions, as well as broader reference to established built form character and the process of renewal evident in the locality.

All facades incorporate varied cladding treatments and fenestration with an overall light and neutral material palette that reflects elements from the surrounding streetscape. The articulation of the buildings along their lengths and offset alignment of the building footprint further serves to provide visual interest. On this basis, the design utilises elements that are readily evident amongst the surrounding built form context.

Neighbouring amenity is retained as a result of the well-considered design of the proposal, providing adequate setbacks to mitigate overshadowing and privacy impacts.

The design suitably enables a considered process of renewal, respectful of its environment and development context. The proposal is therefore considered



appropriate to the local context and character.

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Dwelling Mix – The proposal seeks to provide a mixture of dwelling sizes, providing two (2) four-bedroom dwellings, and six (6) three-bedroom dwellings. The proposed dwellings are arranged in accordance with the site orientation and lot size, maximising resident amenity and reducing negative impacts upon the streetscape. The dwellings are provided various orientations and yard space allocations, all with appropriate levels of amenity and function. We submit the proposal as compliant to Council’s objectives in this regard.

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Privacy – The proposed development primarily orients views from ground floor level living rooms to the rear and side yard spaces, which are suitably screened from adjoining yard spaces. Landscape plan details internal boundary fencing will be installed to 1.8m in height. On this basis, suitable levels of privacy will be achieved within the development.

Windows serving first floor sitting rooms are oriented towards the centrally placed shared driveway or Kangaloon Road. This would constrain viewing angles away from the northern, southern and eastern western neighbouring allotment and prevent possible privacy impacts to immediate residential dwellings. The arrangement is beneficial by allowing casual surveillance along the internal drive and the front boundary setback area. First floor balconies are oriented within the development and will incorporate screened elements, which serve to buffer privacy interfaces between these elements.

These elements are also serving secondary living spaces and so they will not be occupied for extended periods of time during daylight hours. As such, they will not give rise to privacy constraints in the same manner as primary open space areas and living areas.



Other fenestration upon the first floor relates to bedroom spaces, which is considered to be secondary and will be mainly unoccupied for extended periods of time and so they do not raise substantial privacy concerns. We submit the proposal as compliant in this regard.

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Materials and Colour – The proposed material palette reflects the elements portrayed within the surrounding context, remaining compatible with the streetscape. No zincalume or galvanised steel is used through the extent this application.

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Landscaped Open Space – A landscape plan has been prepared by Tolera Landscape Designs in support of the proposal and demonstrate landscaped areas being usable and attractive spaces for the purpose of outdoor recreation. The proposed landscape plan also demonstrates that these spaces contribute to a balance between built form and vegetation, incorporating designated planting within a cohesive landscape scheme. In this manner, the assigned landscape arrangement fulfils the primary objectives for landscaping within a medium density site.

The proposal incorporates a total landscaped area of 1346m<sup>2</sup>, being 50% of the total lot area (2693m<sup>2</sup>) being compliant with the DCP requirements. The overall site retains the ability to have areas of deep soil planting (434m<sup>2</sup>, 16%) and landscaping by the side setback to mitigate the building bulk to adjoining premises. Substantial landscape contributions are proposed to the western front setback, retaining positive visual appearance towards the Bowral locality.

We note the western verge area adjoining the front boundary has minimal capacity of housing any street trees. The proposal mitigates this by





providing landscaping to the front setback, minimising visual bulk from the dwellings to the street.

Each dwelling includes principal private open space by the northern, eastern and western setbacks, with direct connection with habitable living areas. Each area retains the capacity for passive outdoor recreation and entertainment for residential use. All proposed principal private open spaces allocate at least 50m<sup>2</sup> each with a minimum length of 5m. Each private open space retains appropriate levels of solar access while maintaining the amenities of neighbouring premises.

The proposed driveway is located central to the allotment with setbacks more than 1m from the northern and southern side boundaries, providing compliant setbacks from the driveway.

---

Car Parking – Double garages are proposed for each dwelling, fulfilling the requirements of 16 off street resident carparking spaces for 3–4-bedroom dwellings. The double garages are oriented towards the centrally placed driveway, mitigating presentation of these elements to the street.

We note the driveway presents a width of less than 25% of the street frontage width and remains compliant to the DCP. The chosen neutrally coloured material of the driveway continues to complement the Kangaloon Road streetscape.

The proposal includes three visitor carparking spaces balanced appropriately throughout the development, being consistent to DCP provisions. We note that the design represents a balanced distribution of building mass amongst landscape elements. The site is well connected to road networks and is in reasonable proximity to the town centre. The Kangaloon Road carriageway is broad and unimpeded in terms of street parking. The proposal is



consistent to DCP requirements in this regard.

---

Pedestrian Access – The design allows direct casual surveillance to the street interface to be provided via front facing windows relating to habitable living areas of Units 1 and 6. The design incorporates a clearly legible pedestrian connection to all units. Artificial lighting is to be provided by external common areas.

We submit the proposal as compliant in this regard.

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Waste Collection – Waste management will rely upon Council's kerbside collection services. Bin storage areas for all units are located behind the front building line and will be screened away from the streetscape. On this basis, we understand the proposal to be compliant with Council's requirements.

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Southern Entrance Medium Density Precinct – DCP provisions allow proposals within the R3-C subarea to develop residential flat buildings. The proposal seeks to develop a multi-dwelling housing, which continues to follow the medium density scale observed within the locality. Landscape plans demonstrate positive landscaping outcomes to the streetscape.

We do not anticipate substantial traffic impacts as a result of the development. A single access point from the Kangaloon Road corridor and the western front setback is retained.

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## 5. 4.15 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

### 5.1 OVERVIEW

In this Section, the proposed development has been assessed having regard to the relevant matters for consideration under Clause 4.15 of the Environmental Planning and Assessment Amendment Act, 1997, which a consent authority must consider in determining an application.

### 5.2 THE PROVISION OF ANY EPI

Consideration is given to the Wingecarribee LEP 2010 is discussed in Section 4.1.

### 5.3 THE PROVISION OF ANY DRAFT EPI

No applicable Draft applies.

### 5.4 ANY DEVELOPMENT CONTROL PLAN

Consideration of the Bowral Township Development Control Plan 2010 is discussed in Section 4.2.

### 5.5 ANY MATTERS PRESCRIBED BY THE REGULATIONS

Not applicable to this application.

### 5.6 LIKELY IMPACTS OF THE DEVELOPMENT

#### 5.6.1 Context and setting

The proposed development and use of the premises for a residential purpose will complement the surrounding context.



#### 5.6.2 Public domain

The proposal will have no impact on the public domain. No external works are proposed.

#### 5.6.3 Utilities

All installations will meet the requirements under the Australian Standards and the Building Code of Australia.

#### 5.6.4 Social and Economic impact in the locality

The proposed development will provide impetus and vitality to the locality and is therefore considered appropriate.

#### 5.6.5 Site design and internal design

The site is considered ideal for the needs of the proposal. The design suitably responds to the attributes of the site.

#### 5.6.6 Cumulative Impacts

The cumulative impact of the development on the character of the neighbourhood is expected to be negligible.

### 5.7 SITE SUITABILITY

The subject site is considered ideal to the requirements of the Applicant. No variation to site formation or infrastructure is required.

### 5.8 SUBMISSIONS

The Consent Authority will need to consider any submissions received in response to the public exhibition of the proposed development.





#### 5.9 THE PUBLIC INTEREST

There are no known Federal or State Government policy statements and/or strategies that are relevant to this particular case. We are not aware of any other circumstances that are relevant to the consideration of this development application.

### 6. CONCLUSION

The proposal is identified as Local Development under the terms of the Environmental Planning and Assessment Act 1979 and has been assessed against the requirements of Clause 4.15 of the Act, Wingecarribee Local Environmental Plan 2010 and Bowral Township's Development Control Plan 2010. In this regard, it is considered that the proposal satisfies the aims and objectives as well as the prescriptive requirements of the above controls.

The proposal will provide elevation, form and style consistent to that of strategic intent for the locality and in consideration of zoning objectives and facilities, the development is entirely appropriate.

As such, the proposal for the demolition of existing structures and the construction of a multiple dwelling house development upon the premise known as Lot 1, DP 566477 and Lot 211, DP 631550, No 6 – 8 Kangaloon Road, Bowral is an appropriate response to context, setting and planning instruments. Approval is recommended.

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**



PO Box 398, Parramatta NSW 2124  
Level 14, 169 Macquarie Street  
Parramatta NSW 2150  
www.waternsw.com.au  
ABN 21 147 934 787

11 November 2024

Water NSW Ref: DAR 24041-a1  
Your Ref: 24/0923

General Manager  
Wingecarribee Shire Council  
PO Box 141  
MOSS VALE NSW 2577

Attention: Parin Kolbadi

Dear Sir/Madam

**Subject: Part 6.5 of SEPP (Biodiversity and Conservation) 2021  
DA 24/0923; Lot 1 DP522477 & Lot 211 DP631550; 6-8 Kangaloon Road, Bowral**

I refer to NSW Planning Portal referral received 1 May 2024 requesting the concurrence of Water NSW under Part 6.5 of *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (the SEPP) for a proposal for a multi-dwelling housing development consisting of consolidation of the two existing lots, demolition of existing dwellings and ancillary structures, removal of eight trees and construction of eight units. Water NSW received additional information on 18 October 2024.

The subject property, which has been inspected by Water NSW, is located within the Warragamba catchment which forms part of Sydney's water supply.

Water NSW considered the following documents in its assessment of the application:

- Statement of Environmental Effects prepared by Piper Planning (dated 12 January 2024)
- Architectural Plan prepared by Elk Designs (various dates), and
- Water Sensitive Urban Design Report incorporating MUSIC stormwater quality model and stormwater plans prepared by ZAIT Engineering Solution Pty Ltd (dated 2 August 2024).

Water NSW notes the following from its assessment of the application:

- no subdivision is proposed as part of this application
- the Bowral Sewage Treatment Plant (STP) is at capacity and is planned to be upgraded. Water NSW recommends that Occupation Certificates for the development shall not be granted until the upgraded Bowral STP has been commissioned, and
- given the existing site's levels and crossfall, and the invert of the kerb inlet along Tourist Drive, a below ground on-site stormwater detention system could not be accommodated. To address Council's requirements for on-site stormwater detention, each dwelling shall have a 5,000 litre above ground rainwater tank (for on-site detention), and a 4,000 litre below ground rainwater tank.

These matters have been addressed in the attached conditions.

Based on the site inspection and the information provided, Water NSW considers that the proposed development can achieve a neutral or beneficial effect (NorBE) on water quality provided appropriate conditions are included in any development consent and are subsequently implemented.

Water NSW concurs with Council granting consent to the application subject to the attached conditions.

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

Under section 6.64 (3) of the SEPP, Council must provide Water NSW with a copy of its determination of the application within 10 days of the determination.

If you wish to discuss this matter further, please contact Rizwana Rumman via email at [environmental.assessments@waternsw.com.au](mailto:environmental.assessments@waternsw.com.au).

Yours sincerely



**JURI JUNG**  
**Catchment Protection Manager**

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**



P0 Box 398, Parramatta NSW 2124  
Level 14, 169 Macquarie Street  
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**Water NSW's Concurrence Conditions  
DA 24/0923; Lot 1 DP522477 & Lot 211 DP631550; 6-8 Kangaloon Road, Bowral**

**General**

1. The development shall be implemented in accordance with the plans and supporting documents set out in the following table.

| Plan title                          | Reference                              | Vers/<br>Issue | Prepared By                       | Dated                              |
|-------------------------------------|--|----------------|-----------------------------------|------------------------------------|
| Survey Plan                         | Project: 4267<br>Sheet 1 of 1          | 4267LEV        | T Grabara & Associates            | 4/04/2022                          |
| Demolition Plan                     | Project: 22055<br>Drawing no: DA020    | B              | ELK Designs                       | 23/02/2024                         |
| Site Plan                           | Project: 22055<br>Drawing no: DA030    | D              |                                   | 5/08/2024                          |
| Ground Floor                        | Project: 22055<br>Drawing no: DA100    | C              |                                   | 5/08/2024                          |
| First Floor                         | Project: 22055<br>Drawing no: DA110    | C              |                                   | 5/08/2024                          |
| Roof Plan                           | Project: 22055<br>Drawing no: DA150    | C              |                                   | 5/08/2024                          |
| Sediment Control                    | Project: 22055<br>Drawing no: DA960    | B              |                                   | 23/02/2024                         |
| Construction Notes                  | Project: 22-3301<br>Drawing no: SW1.02 | D              |                                   | ZAIT Engineering Solutions Pty Ltd |
| Proposed Site Drainage Plan         | Project: 22-3301<br>Drawing no: SW1.03 |                |                                   |                                    |
| Drainage Detail                     | Project: 22-3301<br>Drawing no: SW1.04 |                |                                   |                                    |
| Water Sensitive Urban Design        | Project: 22-3301<br>Drawing no: SW1.05 |                |                                   |                                    |
| Erosion & Sediment Control Plan     | Project: 22-3301<br>Drawing no: SW1.06 |                |                                   |                                    |
| Erosion & Sediment Control Details  | Project: 22-3301<br>Drawing no: SW1.07 |                |                                   |                                    |
| Landscape Plans                     | Project: KAN010722<br>Sheets 2 to 6    |                | C                                 |                                    |
| <b>Supporting Documents</b>         |  |                |                                   |                                    |
| Statement of Environmental Effects  | -                                      | B              | Piper Planning                    | 12/01/2024                         |
| Water Sensitive Urban Design Report | Ref: 22-3301                           | -              | ZAIT Engineering Solution Pty Ltd | 2 August 2024                      |

No revisions to site layout or external works that will have impact on water quality, shall be permitted without the agreement of Water NSW.

*Reason for Condition 1 - Water NSW has based its assessment under the State Environmental Planning Policy (Biodiversity and Conservation) 2021 on this version of the development.*



## **AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024**

### **Sewer Infrastructure**

2. All dwellings shall be connected to Council's reticulated sewerage system and shall ensure that all new sewerage infrastructure is designed, located, and installed in accordance with Council's requirements and be to the satisfaction of Council.
3. No Occupation Certificate shall be issued unless the appointed Principal Certifier has received written certification from Wingecarribee Shire Council's Water & Sewer Services that the existing Bowral Sewage Treatment Plant and associated infrastructure has:
  - sufficient hydraulic capacity to accommodate and treat the additional wastewater load generated by that stage of the development, and/or
  - been upgraded and commissioned to treat additional wastewater load generated by the development.

*Reason for Conditions 2 & 3 - To ensure that the design and operation of the sewerage infrastructure is undertaken in a way that minimises the risk of sewage overflows to ensure a sustainable neutral or beneficial effect on water quality over the longer term, and that Bowral Sewage Treatment Plant has sufficient capacity.*

### **Stormwater Management**

4. All stormwater management measures, as specified in the Water Sensitive Urban Design Report and Proposed Site Drainage Plan set out in the Table of Condition 1, shall be incorporated in the final stormwater drainage plan. The final stormwater drainage plan shall:
  - be prepared prior to the issuance of a Construction Certificate and be approved by the Principal Certifier
  - include the following stormwater management measures:
    - pits, pipes and inlet filters (OceanGuard 200 or Water NSW endorsed equivalent)
    - rainwater collection and reuse systems (including onsite detention), and
    - a cartridge membrane filtration system (Jellyfish or Water NSW agreed equivalent)
  - be implemented.
5. The driveway shall be sealed and shall drain to stormwater pits fitted with inlet filters (OceanGuard 200 or Water NSW endorsed equivalent) and directed to Council's stormwater system via a cartridge membrane filtration system (Jellyfish or Water NSW agreed equivalent).
6. A rainwater collection and reuse system for each dwelling roof shall be installed that:
  - includes rainwater tanks with a minimum total capacity of 9,000 litres comprising:
    - a minimum 4,000 litre below ground rainwater tank above any volume required for mains top-up, and
    - a minimum 5000 litre above ground rainwater tank for onsite detention
  - ensures that roofs and gutters are designed to maximise the capture of rainwater in the tanks
  - ensures that the tanks are plumbed for reuse to toilets, laundry, and other non-portable purposes such as landscape irrigation, and
  - ensures that all rainwater tank overflow is directed to Council's stormwater system via the cartridge membrane filtration system (Jellyfish or Water NSW agreed equivalent).
7. No variation to stormwater treatment and management that will have any impact on water quality shall be permitted without the agreement of Water NSW.

## **AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024**

8. A suitably qualified stormwater consultant or engineer shall certify in writing to Water NSW and the Principal Certifier prior to the issuance of an Occupation Certificate for the development that all stormwater management measures have been installed as per these conditions of consent and are in a functional state.

### **Operational Environmental Management Plan**

9. An Operational Environmental Management Plan shall be prepared in consultation with Water NSW by a person with knowledge and experience in the preparation of such plans. The Plan shall:
  - be prepared prior to the issuance of an Occupation Certificate
  - be provided to the owner/s and subsequent residents of each dwelling and the site supervisor
  - include details on the location, description, and function of stormwater management structures such as pits, pipes, inlet filters (OceanGuard 200 or Water NSW agreed equivalent), cartridge membrane filtration system (Jellyfish or Water NSW agreed equivalent), rainwater collection and reuse systems, and any other stormwater structures and drainage works
  - outline the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all stormwater management structures, including the frequency of such activities
  - identify the individuals or positions responsible for inspection and maintenance activities including a reporting protocol and hierarchy
  - include checklists for recording inspections and maintenance activities, particularly for the cartridge membrane filtration system, and
  - be finalised after all comments made by WaterNSW during the consultation process have been appropriately resolved and incorporated in the final Operational Environmental Management Plan.
10. There shall be a public positive covenant under Section 88E of the *Conveyancing Act 1919*, the prescribing authority being Water NSW, placed over the consolidated lot (consolidation of Lot 1 DP522477 and Lot 211 DP631550) requiring that the rainwater collection and reuse systems, cartridge membrane filtration system, inlet filters and associated outlets be retained, protected, and maintained in accordance with the Operational Environmental Management Plan.

*Reason for Conditions 4 to 10 – To ensure that the stormwater quality management measures and structures for the proposed development have a sustainable neutral or beneficial impact on water quality over the longer term.*

### **Construction Activities**

11. A Soil and Water Management Plan shall be prepared for all works required in the development by a person with knowledge and experience in the preparation of such plans. The Plan shall:
  - incorporate the information included in the Erosion & Sediment Control Plan specified in the table of Condition 1
  - meet the requirements outlined in Chapter 2 of *NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004)*
  - be prepared prior to the issuance of a Construction Certificate of the development, and be to the satisfaction of the Principal Certifier, and

**AGENDA OF THE LOCAL PLANNING PANEL  
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- include controls to prevent sediment or polluted water leaving the construction site or entering natural drainage lines or stormwater drain.
12. The Soil and Water Management Plan shall be implemented, and no works shall commence until effective erosion and sediment controls have been installed. The controls shall be regularly inspected, maintained, and retained until works have been completed and groundcover established.

*Reason for Conditions 11 & 12 – To manage adverse environmental and water quality impacts during the construction phase of the development to minimise the risk of erosion, sedimentation, and pollution within or from the site during this phase.*

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**Development Application and Planning Proposal Review  
NSW Planning Portal Concurrence and Referral**



| Authority                   | Authority's Reference | Agency Concurrence and Referral | Authority Contact | Authority Notification | Submission Due | Submission Made |
|-----------------------------|-----------------------|---------------------------------|-------------------|------------------------|----------------|-----------------|
| Wingecarribee Shire Council | 24/0923               | CNR-68340                       | Parin Kolbadi     | 1/05/2024              | 22/05/2024     | 1/05/2024       |

| Address                         | Land Title                         |
|---------------------------------|------------------------------------|
| 6 - 8 KANGALOO ROAD BOWRAL 2576 | Lot 1 DP 522477, Lot 211 DP 631550 |

| Scope of Development Application or Planning Proposal   |
|---|
| Demolition of existing single dwellings & ancillary structures. Construction of 8 unit multi-dwelling development, including 4 x 4 bedroom 2 storey units & 4 x 3 bedroom 2 storey units. |

| Endeavour Energy's G/Net master facility model indicates:   |  |   |                          |                                |
|---|--|---|--------------------------|--------------------------------|
| Within or adjacent to the property the electrical network used in the distribution / supply of electricity are: |  |   |                          |                                |
| Electricity Infrastructure / Apparatus  | Statutory allocation (road verge / roadway*) | Easement (or other form of property tenure**) | Protected works***       | Freehold (adjoining or nearby) |
| <b>Overhead Power Lines</b>   |  |   |                          |                                |
| <input checked="" type="checkbox"/> Low voltage   | <input checked="" type="checkbox"/>          | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <input checked="" type="checkbox"/> High voltage  | <input checked="" type="checkbox"/>          | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <input type="checkbox"/> Transmission voltage   | <input type="checkbox"/>                     | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <input checked="" type="checkbox"/> Pole / tower  | <input checked="" type="checkbox"/>          | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <b>Underground Cables</b>   |  |   |                          |                                |
| <input checked="" type="checkbox"/> Low voltage   | <input checked="" type="checkbox"/>          | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <input type="checkbox"/> High voltage   | <input type="checkbox"/>                     | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <input type="checkbox"/> Transmission voltage   | <input type="checkbox"/>                     | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <input type="checkbox"/> Streetlight / pillar   | <input type="checkbox"/>                     | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <b>Substation</b>   |  |   |                          |                                |
| <input type="checkbox"/> Pole mounted   | <input type="checkbox"/>                     | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <input type="checkbox"/> Padmount   | <input type="checkbox"/>                     | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <input type="checkbox"/> Indoor   | <input type="checkbox"/>                     | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <input type="checkbox"/> Zone   | <input type="checkbox"/>                     | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <input type="checkbox"/> Transmission   | <input type="checkbox"/>                     | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |
| <b>Other:</b>   | <input checked="" type="checkbox"/>          | <input type="checkbox"/>                      | <input type="checkbox"/> | <input type="checkbox"/>       |

Low voltage extra low voltage up to 1,000 volts alternating current (a.c.).  
High voltage above 1,000 volts a.c and less than 33,000 volts a.c. [33 kilovolts (kV)].  
Transmission voltage 33 kV up to 132,000 volts a.c. (132 kV).  
\*Rights provided in a public road or reserve. The allocation depends on the classification and date of roadway dedication.  
\*\* Other form of property tenure includes but is not limited to restriction, covenant, lease, licence etc.  
\*\*\*Protected works under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act 1995* (NSW).  
Other: provide detail of electricity infrastructure / apparatus.



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## AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024

Relevant / applicable clause numbers from Endeavour Energy's standard conditions for Development Application and Planning Proposal Review indicated by  .

| Condition                           | Advice                              | Clause No. | Issue                   | Detail  |
|-------------------------------------|-------------------------------------|------------|-------------------------|---|
| <input type="checkbox"/>            | <input type="checkbox"/>            | 1          | Adjoining Sites         | Adjoining or nearby development / use should be compatible with the use of Endeavour Energy's sites.  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 2          | Asbestos                | Area identified or suspected of having asbestos or asbestos containing materials (ACM) present in the electricity network.  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 3          | Asset Planning          | Applicants should not assume adequate supply is immediately available to facilitate their proposed development.   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 4          | Asset Relocation        | Application must be made for an asset relocation / removal to determine possible solutions to the developer's requirements.   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 5          | Before You Dig          | Before commencing any underground activity the applicant must obtain advice from the Before You Dig service.  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 6          | Bush Fire               | Risk needs to be managed to maintain the safety of customers and the communities served by the network.   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 7          | Construction Management | Integrity of electricity infrastructure must be maintained and not impacted by vehicle / plant operation, excessive loads, vibration, dust or moisture penetration. |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 8          | Contamination           | Remediation may be required of soils or surfaces impacted by various forms of electricity infrastructure.   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 9          | Demolition              | All electricity infrastructure shall be regarded as live and care must be taken to not interfere with any part of the electricity network.                          |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 10         | Dispensation            | If a proposal is not compliant with Endeavour Energy's engineering documents or standards, the applicant must request a dispensation.                               |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 11         | Driveways               | For public / road safety and to reduce the risk of vehicle impact, the distance of driveways from electricity infrastructure should be maximised.                   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 12         | Earthing                | The construction of any building or structure connected to or in close proximity to the electrical network must be properly earthed.                                |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 13         | Easement Management     | Preference is for no activities to occur in easements and they must adhere to minimum safety requirements.  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 14         | Easement Release        | No easement is redundant or obsolete until it is released having regard to risks to its network, commercial and community interests.                                |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 15         | Easement Subdivision    | The incorporation of easements into to multiple / privately owned lots is generally not supported.  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 16         | Emergency Contact       | Endeavour Energy's emergency contact number 131 003 should be included in any relevant risk and safety management plan.   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 17         | Excavation              | The integrity of the nearby electricity infrastructure shall not be placed at risk by the carrying out of excavation work.  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 18         | Flooding                | Electricity infrastructure should not be subject to flood inundation or stormwater runoff.  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 19         | Hazardous Environment   | Electricity infrastructure can be susceptible to hazard sources or in some situations be regarded as a hazardous source.  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 20         | Look up and Live        | Before commencing any activity near overhead power lines the applicant must obtain advice from the Look Up and Live service.  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 21         | Modifications           | Amendments can impact on electricity load and the contestable works required to facilitate the proposed development.  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 22         | Network Access          | Access to the electricity infrastructure may be required at any time particularly in the event of an emergency.   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 23         | Network Asset Design    | Design electricity infrastructure for safety and environmental compliance consistent with safe design lifecycle principles.   |



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| Condition                           | Advice                              | Clause No. | Issue                   | Detail   |
|-------------------------------------|-------------------------------------|------------|-------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 24         | Network Connection      | Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 25         | Protected Works         | Electricity infrastructure without an easement is deemed to be lawful for all purposes under Section 53 'Protection of certain electricity works' of the <i>Electricity Supply Act 1995</i> (NSW). |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 26         | Prudent Avoidance       | Development should avert the possible risk to health from exposure to emissions from electricity infrastructure such as electric and magnetic fields (EMF) and noise.                              |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 27         | Public Safety           | Public safety training resources are available to help general public / workers understand the risk and how to work safely near electricity infrastructure.  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 28         | Removal of Electricity  | Permission is required to remove service / metering and must be performed by an Accredited Service Provider.   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 29         | Safety Clearances       | Any building or structure must comply with the minimum safe distances / clearances for the applicable voltage/s of the overhead power lines.   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 30         | Security / Climb Points | Minimum buffers appropriate to the electricity infrastructure being protected need to be provided to avoid the creation of climb points.   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 31         | Service Conductors      | Low voltage service conductors and customer connection points must comply with the 'Service and Installation Rules of NSW'.  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 32         | Solar / Generation      | The performance of the generation system and its effects on the network and other connected customers needs to be assessed.  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 33         | Streetlighting          | Streetlighting should be reviewed and if necessary upgraded to suit any increase in both vehicular and pedestrian traffic.   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 34         | Sustainability          | Reducing greenhouse gas emissions and helping customers save on their energy consumption and costs through new initiatives and projects to adopt sustainable energy technologies.                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 35         | Swimming Pools          | Whenever water and electricity are in close proximity, extra care and awareness is required.   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 36         | Telecommunications      | Address the risks associated with poor communications services to support the vital electricity supply network Infrastructure.   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 37         | Vegetation Management   | Landscaping that interferes with electricity infrastructure is a potential safety risk and may result in the interruption of supply.   |
| <b>Decision</b>                     |                                     |            |                         | Approve (with conditions)  |

**Environmental Services Team**

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Endeavour Energy respectfully acknowledges the Traditional Custodians on whose lands we live, work, and operate and their Elders past and present.

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**Reason(s) for Conditions or Objection (If applicable)**

- To ensure an adequate connection, the applicant will need to engage an Accredited Service Provider (ASP) of an appropriate level and class of accreditation to assess the electricity load and the proposed method of supply for the development.
- An extension or augmentation of the existing electricity distribution network may be required. Whilst there are distribution substations in the area which are likely to have some spare capacity, it is not unlimited and may not be sufficient to provide for the additional load from the proposed development.

Other factors such as the size and rating / load on the conductors and voltage drop (which can affect the quality of supply particularly with long conductor runs) etc. need to be assessed. However the extent of any works required will not be determined until the final load assessment is completed.

- Endeavour Energy’s network asset design policy is generally to progressively underground all new urban developments. All new cabling / reticulation infrastructure must be of an underground construction type. Where existing overhead construction is present on or in proximity of the site, it may require undergrounding as the development proceeds.
- The low voltage service conductor and customer connection point must comply with the ‘Service and Installation Rules of NSW’.
- The minimum required safety clearances and controls for building and structures (whether temporary or permanent) and working near overhead power lines must be maintained at all times. If there is any doubt whatsoever regarding the safety clearances to the overhead power lines, the applicant will need to have the safety clearances assessed by a suitably qualified electrical engineer / Accredited Service Provider (ASP).

Even if there is no issue with the safety clearances to the building and structures, consideration must be given to WorkCover (now SafeWork NSW) ‘Work Near Overhead Power Lines Code of Practice 2006’ eg. ordinary persons must maintain a minimum safe approach distance of 3.0 metres to all voltages up to and including 132,000 volts / 132 kilovolt (kV) and includes the following requirements for work near low voltage overhead power / service lines.

**TABLE 4**

**Approach distances for work near low voltage overhead service lines**

| Ordinary Persons (m) |                                    |   |  |                              |
|----------------------|------------------------------------|---|--|------------------------------|
| Hand held tools      | Operation of crane or mobile plant | Handling of metal materials (Scaffolding, roofing, guttering, pipes, etc) | Handling of non-conductive materials (Timber, plywood, PVC pipes and guttering, etc) | Driving or operating vehicle |
| 0.5                  | 3.0                                | 4.0   | 1.5  | 0.6                          |

- The planting of large / deep rooted trees near electricity infrastructure is opposed by Endeavour Energy. Existing trees which are of low ecological significance in proximity of electricity infrastructure should be removed and if necessary replaced by an alternative smaller planting. The landscape designer will need to ensure any planting near electricity infrastructure achieves Endeavour Energy’s vegetation management requirements.

## AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024

### **Endeavour Energy's G/Net master facility model.**

The advice provided regarding the extent of the electricity infrastructure on or near the site is based on a desk top review of Endeavour Energy's G/Net master facility model. This is a computer based geographic information system which holds the data on and is used to map the electricity network. The location, extent and type of any electricity infrastructure, boundaries etc. shown on the plan is indicative only. In addition it must be recognised that the electricity network is constantly extended, augmented and modified and there is a delay from the completion and commissioning of these works until their capture in the model. It only shows the Endeavour Energy electricity network and does not show electricity infrastructure belonging to other authorities or customers owned electrical equipment beyond the customer connection point / point of supply to the property.

### **Easement (or other form of property tenure).**

Title searches will confirm the current owners of a property and shows any registered interests affecting the property such as an easement. Not all interests eg. short term leases and licences are registered on the title. Not all easements for electricity infrastructure will necessarily benefit Endeavour Energy eg. there may be interallotment / easements appurtenant to the land particularly for low voltage service conductors / customer connections. For further advice please refer to Endeavour Energy's:

- Land Interest Guidelines for Network Connection Works.
- Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.

### **Condition or Advice**

With Endeavour Energy's Development Application and Planning Proposal Review process / system the intent of the 'Standard Conditions' being indicated as either a 'Condition' or 'Advice' essentially depends on the risk associated with the matter. If the matter is one that is likely or very likely to be an issue / needed to be addressed by the applicant and may require corrective action, then it is marked as a 'Condition'. If the matter is less likely and the consequences of the applicant not addressing it are lower or can be readily rectified, then it is marked as 'Advice'. If the matter is considered to be not applicable / relevant then it is not marked as either.

For example, the obtaining advice from the Before You Dig service in accordance with the requirements of the *Electricity Supply Act 1995* (NSW) and associated Regulations is a standard / regulatory requirement and will be generally indicated as 'Condition'. If the Site Plan from Endeavour Energy's G/Net Master Facility Model indicates there is no underground electricity infrastructure it will be indicated as 'Advice' as a precaution and in regard to any other underground utilities.

Not all of the matters may be directly or immediately relevant or significant to the Development Application or Planning Proposal. However, Endeavour Energy's preference is to alert proponents / applicants of the potential matters that may arise should development within closer proximity of the existing and/or required electricity infrastructure needed to facilitate the proposed development on or in the vicinity of the site occur. Even if a matter is not indicated a 'Condition' or 'Advice', applicants are encouraged to review all of the 'Standard Conditions' as some matters may not have been evident from the information provided with the Development Application and of which the applicant may have additional knowledge.

### **Decision**

In the NSW Planning Portal for the 'Agency response', as Endeavour Energy is not a concurring authority under the provision of the *Environmental Planning and Assessment Act 1979* (NSW), it does not 'Approve' or 'Refuse' a Development Application in the Portal. It will 'Approve (with conditions)' (which may 'Object' in the submission and detail the matters requiring resolution), or if all the matters in the submission are marked as for 'Advice', the outcome of the assessment will also be 'Advice'.

### **Objection**

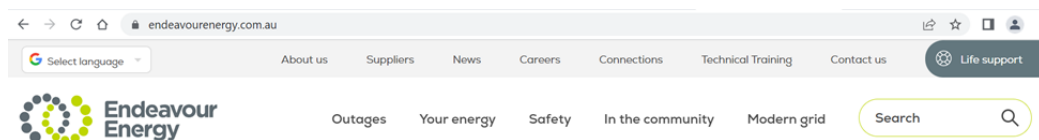
Endeavour Energy may object to a Development Application if the conditions may substantially impact the proposed development or regarded as a significant risk to the electricity distribution network. Although Council may be able to appropriately condition these matters, Endeavour Energy's recommendation is to address the matters prior to Council granting any consent. This can assist in avoiding the need to later seek modification of an approved Development Application.

Please note Endeavour Energy can only assess the Development Application based on the information provided by the applicant and Council. Due to time and resource constraints it is not possible to refer all development application notifications to the relevant internal stakeholders for review and advice or to request additional information from the applicant or Council. Applicants should be providing proper detailed plans of the electricity infrastructure / easements on or near the site and address the potential impacts of the proposed development thereon in the Statement of Environmental Effects. The provision of inadequate detail may result in Endeavour Energy objecting to the Development Application.

# AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024

## Further Advice

The 'Standard Conditions' include additional advice and contact details and further information is also available on Endeavour Energy's website at <https://www.endeavourenergy.com.au/>.



To resolve any objection or to seek further advice the following are the main contacts and can be reached by calling Endeavour Energy via Head Office enquiries on business days from 9am - 4:30pm on telephone: 133 718. For other matters the contact details are included in Endeavour Energy's standard conditions for Development Application and Planning Proposal Review. Whilst the Environmental Services Team are able to provide general advice, the resolution / approval of any matter/s rests with the relevant contact related to the matter/s.

| Branch / Section   | Matters  | Email  |
|--|--|--|
| Customer Network Solutions                               | Electricity supply or asset relocation who are responsible for managing the conditions of supply with the applicant and their Accredited Service Provider (ASP). | <a href="mailto:CWAdmin@endeavourenergy.com.au">CWAdmin@endeavourenergy.com.au</a>                       |
| Easements Officers                                       | Easement management or protected works / assets.   | <a href="mailto:Easements@endeavourenergy.com.au">Easements@endeavourenergy.com.au</a>                   |
| Property   | Property tenure eg. the creation or release of easements.  | <a href="mailto:network_property@endeavourenergy.com.au">network_property@endeavourenergy.com.au</a>     |
| Field Operations (to the relevant Field Service Centre). | Safety advice for building or working near electrical assets in public areas (including zone and transmission substations).                                      | <a href="mailto:Construction.Works@endeavourenergy.com.au">Construction.Works@endeavourenergy.com.au</a> |

**Please note Endeavour Energy's above contacts do not have access to the NSW Planning Portal. To resolve any matters direct contact should be made with the responsible contact. This will avoid double handling and possible delays in responding to the applicant / Council.**

## Accredited Service Providers

The Accredited Service Provider (ASP) scheme accredits organisations to perform contestable work on the NSW electricity distribution network. Contestable works are works that are required for the electricity distribution network provider to supply the load in the power lines where a new or altered connection is being requested.

Endeavour Energy is urging applicants / customers to engage with an ASP prior to finalising plans to in order to assess and incorporate any required electricity infrastructure as well as addressing safety issues such as safety clearances. In so doing the consideration can also be given to its impact on the other aspects of the proposed development. This can assist in avoiding the making of amendments to the plan or possibly the need to later seek modification of an approved development application.

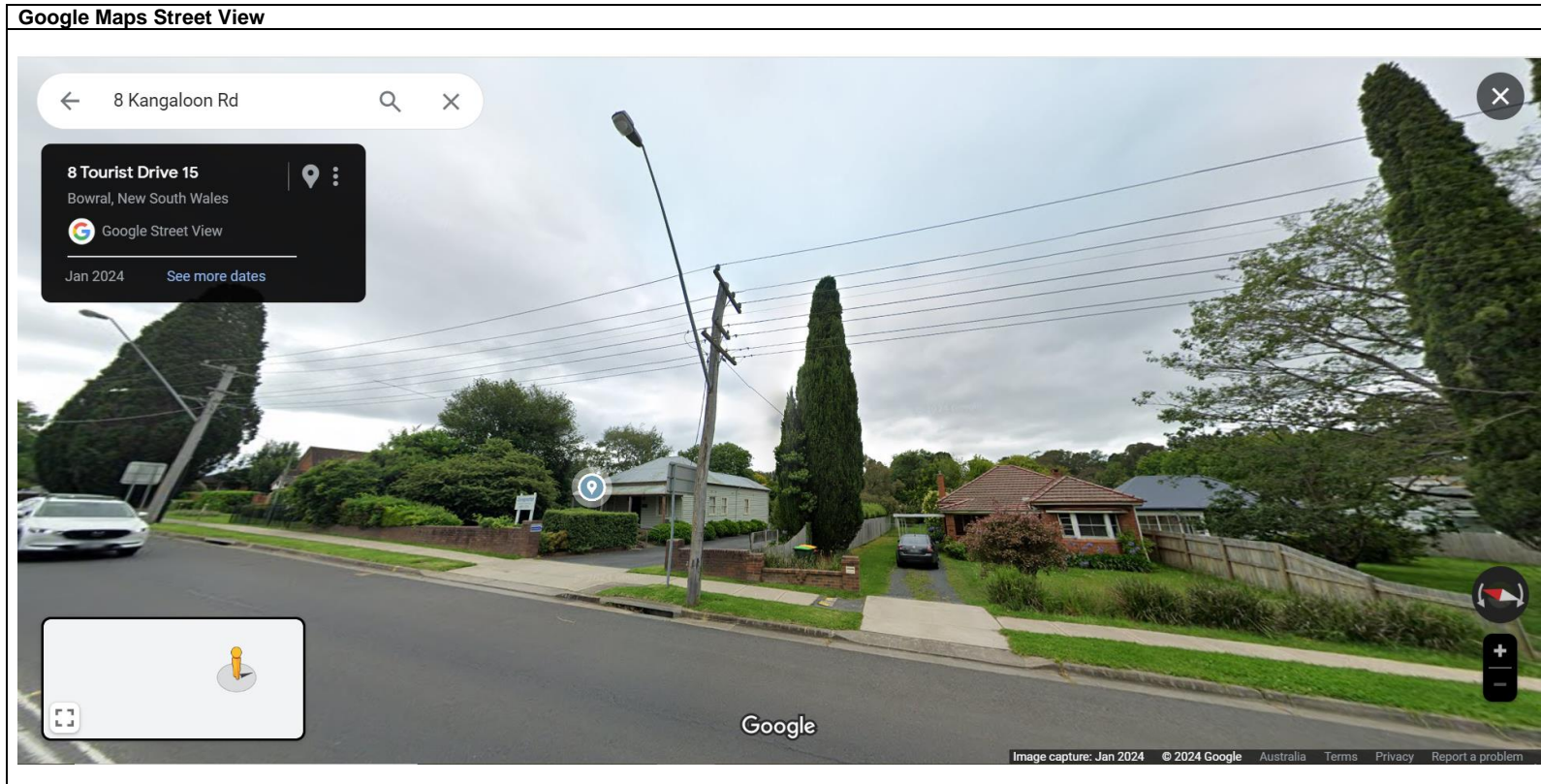
Details of the ASP Scheme which accredits organisations to perform contestable work on the NSW electricity distribution network are available via the following link to the Energy NSW website at <https://www.energysaver.nsw.gov.au/get-energy-smart/dealing-energy-providers/installing-or-altering-your-electricity-service>.

## Duty of Care

All individuals have a duty of care they must observe when working in the vicinity of electricity infrastructure. Before you do anything:

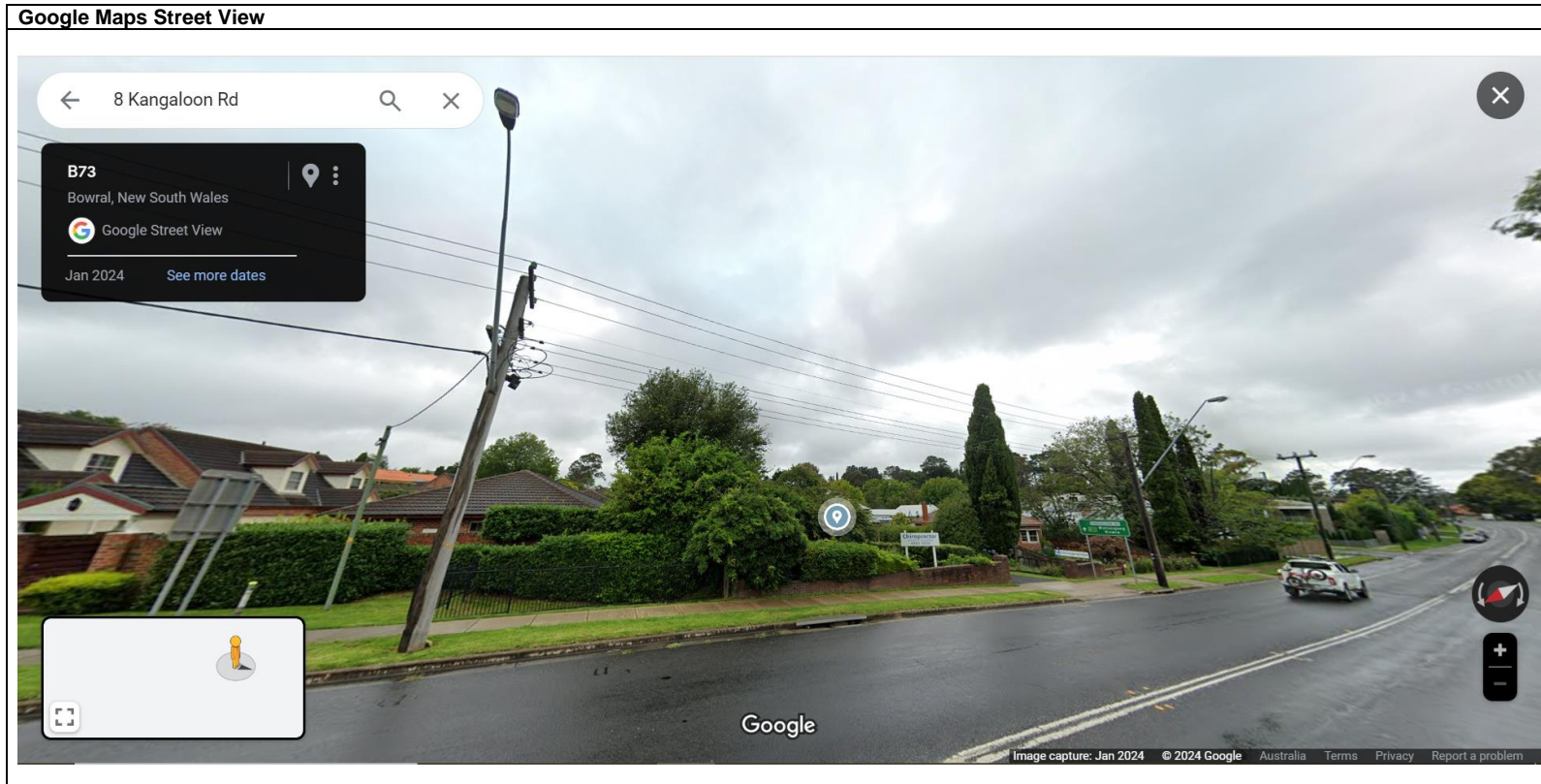
- 1) Contact Before You Dig and Look Up and Live to obtain the details of the electricity infrastructure on or near the site noting they are a guide only to what might be in the area and may not be entirely accurate.
- 2) Comply with the conditions and consider the advice provided above.
- 3) If needed contact Endeavour Energy on 133 718 or the contacts provided above for assistance.
- 4) **DO NOT** attempt any work near electricity infrastructure until all required approvals and safety measures are in place.
- 5) Proceed only if you have satisfied yourself it is safe.
- 6) Always remember, even the briefest contact with electricity at any voltage can have serious consequences to a person's health and safety and can be fatal.

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**





**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**



**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**Transport for NSW**



10 September 2024

TfNSW reference: STH24/00357/002  
Your reference: DA24/0923 - CNR-68340

Wingecarribee Shire Council  
By Email: [parin.kolbadi@wsc.nsw.gov.au](mailto:parin.kolbadi@wsc.nsw.gov.au)  
CC: [council@wsc.nsw.gov.au](mailto:council@wsc.nsw.gov.au)

Attention: Parin Kolbadi

**Eight (8) Residential Units – LOT 1 DP522477 & LOT 211 DP631550 6-8 Kangaloon Road, BOWRAL**

Dear Parin

Transport for NSW (TfNSW) is responding to the DA DA24/0923 referred on 19 August 2024.

TfNSW has reviewed the information and has no objections to the proposed development and issues its concurrence under insert *Section 138* of the *Roads Act 1993* provided the conditions in Attachment 1 are included in the development consent.

TfNSW notes that in determining the application under Part 4 of the *Environmental Planning & Assessment Act 1979* it is the consent authority's responsibility to consider the environmental impacts of any road works that are ancillary to the development (such as removal of trees, relocation of utilities, stormwater management, etc). Depending on the nature of the works, the Council may require the developer to submit a further environmental assessment for any ancillary road works.

On Council's determination of this matter, please forward a copy of the Notice of Determination to TfNSW. If you have any questions, please contact Emilija Quinn, Development Services Case Officer, on (02) 4064 0106 or email [development.south@transport.nsw.gov.au](mailto:development.south@transport.nsw.gov.au).

Yours faithfully

A handwritten signature in black ink, appearing to be "Nathan Boscaro".

**Nathan Boscaro**  
Team Leader, Development Services South

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## Transport for NSW



### Attachment 1

#### **Eight (8) Residential Units – LOT 1 DP522477 & LOT 211 DP631550 6-8 Kangaloon Road, BOWRAL**

#### **Context**

TfNSW notes for this DA:

- The key state road is Kangaloon Road.
- Council is seeking advice from TfNSW to assist in its assessment under Section 138 of the Roads Act 1993.
- The development proposes to construction eight (8) residential units as set out in **Attachment 2**.
- The access to Kangaloon Road facilitates simultaneously entry and exit.
- Parking restrictions along the frontage of the property to facilitate kerbside waste collection and improve safe of the property access are imposed.

#### **Additional Comments**

The following matters should be considered by Council in their assessment of the Development Application:

- a) The swept paths provided (**Attachment 4**) indicate a vehicle may require additional manoeuvres when entering and exiting the garages. Council needs to be satisfied that alterations are not required to improve internal turning manoeuvres.

#### **Conditions**

##### **1. Prior to the issuing of the Construction Certificate, the developer must:**

- a) Demonstrate to the satisfaction of Council the post development storm water discharge from the subject site, if going into Kangaloon Road drainage system, does not exceed the pre-development application discharge.
- b) Amended the submitted plans to reflect parking restrictions along the frontage of the property, to the satisfaction of Council, to facilitate kerbside waste collection and improve safety of the access.
- c) Apply for Section 138 consent under the Roads Act, 1993 from Council for all works on Kangaloon Road.

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## AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024

### 2. Prior to commencing works within the road reserve, the developer must:

- a) Obtain Section 138 consent under the Roads Act, 1993 for the works on Kangaloon Road from Council.

Notes:

- *Provided Council is satisfied the works have been designed in accordance with the relevant Council standard, TfNSW issues its concurrence under Section 138 of the Roads Act, 1993.*

- b) Apply for, and obtain a Road Occupancy Licence (ROL) from the TfNSW Road Access Management Team via [OPLINK](#) prior to commencing roadworks or any other works that impact a travel lane of the Princes Highway.

Notes:

- *For information on the ROL process and to lodge an ROL application, please visit <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>*
- *The applicant will need to create an account (this may take a few days to register), before submitting the ROL application. The applicant must submit the ROL application 10 business days before commencing work. It should be noted that receiving approval for the ROL within this 10 business day period is dependent upon TfNSW receiving an accurate and compliant TMP.*
- *The application will require a Traffic Management Plan (TMP) to be prepared by a person who is certified to prepare Traffic Control Plans. Should the TMP require a reduction of the speed limit, a Speed Zone Authorisation will also be required from the TOU.*
- *An approved ROL does not constitute an approval to commence works until an authorisation letter for the works has been issued by TfNSW Project Manager.*

### 3. Prior to the issuing of the Occupation Certificate, the developer must:

- a) Design and construct the driveway on Kangaloon Road to the satisfaction of Council, generally in accordance with **Attachment 3** and Council standards.
- b) Physically close any other existing access points to Kangaloon Road by reinstating the kerb and gutter.
- c) Appropriate placement and installation of suitable parking restriction signage along the frontage of the property to the satisfaction of Council.

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**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

Transport for NSW



**Attachment 2**

**Eight (8) Residential Units – LOT 1 DP522477 & LOT 211 DP631550 6-8 Kangaloon Road,  
BOWRAL**

Site Plan

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**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

Transport for NSW



**Attachment 3**

**Eight (8) Residential Units – LOT 1 DP522477 & LOT 211 DP631550 6-8 Kangaloon Road,  
BOWRAL**

Civil Works Plan

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Transport for NSW



**Attachment 4**

**Eight (8) Residential Units – LOT 1 DP522477 & LOT 211 DP631550 6-8 Kangaloon Road,  
BOWRAL**

Swept Paths

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**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**



# Memorandum

|              |  |
|--------------|--|
| To:          | Parin Kolbadi Development Assessment Planner |
| CC:          |  |
| From:        | Peter Bui – Consultant Development Engineer  |
| Subject:     | Referral Response from Development Engineer  |
| Date:        | 28 June 2024 (Updated 03 December 2024)      |
| File Number: | 24/0923                                      |

**APPLICATION:** 24/0923

**APPLICANT:** Sarah Blatchford

**OWNER:** KANGALOO ROAD PTY LTD, FAXCOM PTY LTD, YAHSEV PTY LTD,  
KANGALOO B HOLDINGS PTY LTD

**PROPERTY DESCRIPTION:** Lot 1 DP 522477  
Lot 211 DP 631550

**PROPERTY ADDRESS:** 6 KANGALOO ROAD BOWRAL NSW 2576

**PROPOSED DEVELOPMENT:** Demolition of existing single dwellings & ancillary structures. Construction of 8 unit multi-dwelling development, including 4 x 4 bedroom 2 storey units & 4 x 3 bedroom 2 storey units

Hi Parin,

Original RFI Item 1

Applicant to provide an updated stormwater management plan that includes a centralised detention system in accordance with Council's Engineering Design Specification. **This can be conditioned.** Before the Civil-Stormwater Engineer looks into the central detention system (also subject to locking in driveway configuration) we would like clarification around the wording "this can be conditioned". We take this as Council will condition the consent to include a Central Detention System and detailed design to be addressed at S68 stage.

Development Engineer Comments

This comment was included to inform you in advance of the requirements for Section 68. While the centralised detention system and detailed design can be included as conditions at the Section 68 Stage if requested, please note that if the centralised detention system is not achievable, a section 4.55 modification will be required.

Original RFI Item 2

Applicant to provide updated plans to maintain the internal driveway width 5.5m wide throughout the development, as per Council's Standard Drawing SD164 – *Private Road Residential Cross Section* for driveways servicing more than 3 lots. This will facilitate 2-way traffic.

Development Engineer Comments

This item will be further discussed at upcoming meeting early next week with Tula Bhattarai and Jon Shillito, as the development will be reviewed on a case-by-case basis. If you any additional items you would like me to raise during the meeting, please let me know.

- The internal swept paths have raised concern. All swept paths will ensure that all wheel paths will not encroach into the landscaping. This can be conditioned.
- Comments from the Council's Tree and Vegetation Officer have shown no major concerns with the 3 LT trees located at the rear boundary. The applicant will have to ensure that the BPA tree located at the rear boundary will be a minimum 1m from any concrete/hard surface infrastructure. This can be conditioned.



# Memorandum

## RECOMMENDATIONS

It is recommended that the DA is approved, subject to the below conditions.

- Please note that Condition 6 has been altered to include an underground detention system
- Please note that Condition 7 has been altered to include vehicular swept paths not encroaching to the landscaping and the BPA tree to be relocated away from the visitor parking space.

## SCHEDULE 1

### CONDITIONS OF DEVELOPMENT CONSENT

---

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

##### B009a

#### 1. 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.

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

##### B011

#### 2. 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:

- Stormwater Construction Works

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

##### B012

#### 3. Section 138 Roads Act 1993 Approval

Where works are proposed within the road reserve, the developer must obtain approval from Council (as the Roads Authority and/or as required under Section 138 of the Roads Act 1993) before any works are undertaken. Works within the road reserve may include activities such as erect a structure, dig up or disturb the surface of a public road, remove or interfere with a structure, or any other activities as defined within the Roads Act 1993.

The following details must be submitted to Council in order to obtain the Section 138 approval:

- A copy of approved design plans related to the development and proposed works to be undertaken.
- Traffic Control Plan (TCP) to provide protection for those within and adjacent to the work site, including the travelling and pedestrian public. The TCP must comply with the Roads and Traffic Authority's manual "Traffic Control at Work Sites". Warning and protective devices shall comply with the provisions of AS1742.3

# Memorandum



- 2002 Traffic Control Devices for Works on Roads. The plan must be prepared and certified by a person holding the appropriate Roads and Traffic Authority accreditation, a copy of which is to be submitted with the plan.
- Insurance details - Public Liability Insurance to an amount of \$20 million, to be held by applicant / contractor undertaking the works.

**Advice:** *Where works are required within a Classified Road, the Developer must obtain the concurrence and / or the approval of the Roads and Maritime Services for engineering design plans, Traffic Control Plans and approvals under Section 138 of the Roads Act 1993.*

**Reason:** *Statutory requirement.*

**B031**

## **4. Construction Management Plan**

To undertake development works including demolition, earthworks and construction a Construction Management Plan (CMP) is required to be submitted and approved by Council prior to issue of the Construction Certificate. The CMP shall indicate measures to be implemented to protect the environment as well as public health, safety and convenience. The CMP must include the following:

- a) Details of site security;
- b) Off-street parking for employees, contractors and sub-contractors.
- c) Site access for construction vehicles and equipment purposes.
- d) Public safety in the use of roads and footpaths where development activities adjoin such facilities.
- e) The storage and removal, on a regular frequency, of builder's rubble and waste by trade waste contractors.
- f) Provision for loading and unloading materials;
- g) Location of all building materials, structures, plant and equipment to be stored or placed within the construction site;
- h) How materials are to be loaded/unloaded and potential impact on Council infrastructure (including but not limited to footpaths and street trees)
- i) Public risk policies and management for all contractors' employees using or gaining access over public footpaths and roads.
- j) External lighting and security alarms proposed for the construction site.
- k) Firefighting measures to be available on site during development and construction.
- l) Sanitary amenities proposed on site during development and construction.
- m) Ensuring the safety of members of the public and Council staff who may have occasion to enter and be in attendance on the site;
- n) Details of management of storm water run-off and the propose sediment and erosion control measures including the location of any rubble grids;
- o) Details of any air and dust management;
- p) Details of noise and vibration controls;
- q) Anticipated staging and duration of works





# Memorandum

- r) Provision of Traffic Management Plan (TMP) and Traffic Control Plans (TCP)

**Reason:** *To ensure the safety, amenity and protection of public infrastructure and the environment.*

**B033**

## 5. 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.*

**B034**

## 6. Detailed Stormwater Drainage System Design

Prior to the issue of the Construction Certificate, a detailed storm water hydraulic drainage plan for the disposal of storm water from the site, prepared in accordance with Council's Design Standards shall be submitted to Council and approved by Council's Development Engineer.

The stormwater plans will have to be updated and provide an underground centralised onsite detention system in accordance with the D09 – Stormwater Drainage (Design).

Should any changes be required to the approved storm water drainage plan, the amended design shall achieve equivalent performance standards in accordance with Design Specifications.

**Note:** *Construction Certificate Approval does not include approval for works external to the property or civil works.*

Where the proposed design extends beyond the property boundary, separate approval under Section 138 of the Roads Act 1993, must be obtained from Council prior to the commencement of works.

The applicant is advised to contact Council for clarification of proposed works for which approval under Section 138 of the Roads Act 1993 applies.

**Reason:** *To ensure adequate storm water management.*

**B037**

## 7. Carpark Design - Site Servicing

The car park shall be designed to accommodate the turning movements of the largest vehicle servicing the development. The car park design shall incorporate the following:

- a) The site shall accommodate the turning movements of the largest service vehicle.
- b) Service vehicles shall manoeuvre into and out of the site in a forward direction
- c) The front overhang, and swept path made by the service vehicle shall not obstruct car park traffic or encroach onto parking spaces.



## Memorandum

- d) The vehicle swept path shall be reflected on the engineering design plans and shall demonstrate that the wheel paths do not encroach onto the surrounding landscaping areas.
- e) Loading and unloading of service vehicles shall be undertaken onsite with no intrusion onto the road system.
- f) The footpath crossing shall be splayed from the property boundary to the kerb line to accommodate the swept path made by the service vehicle.
- g) The *Betula Pendula Alba* (BPA) tree adjacent to the visitor parking space shall be relocated to ensure that its maturity canopy is entirely clear of the parking space.

**Reason:** *To ensure that the car parking area is constructed to Council requirements.*

**B041**

### **8. Off Street Parking Provision**

3 off-streetcar/visitor parking spaces suitably marked in accordance with the approved plans (unless elsewhere specified) shall be provided. Each space shall have minimum dimensions in accordance with Australian Standard AS2890.1 Off Streetcar Parking.

Details shall be submitted to the Accredited Certifier prior to the issue of a Construction Certificate showing compliance with this condition.

**Reason:** *To ensure adequate parking and access.*

**B039**

### **9. Redundant Vehicular Crossings and Ancillary Works**

Where new pavement, repair or reinstatement of footpath or other ancillary works such as kerb and gutter and storm water pit construction is proposed, the Applicant shall submit to Council application under Section 138 of the Roads Act 1993 (available from Council's Customer Services Centre) and pay the appropriate fees & charges prior to the issue of a Construction Certificate. All disused or redundant vehicle crossings and laybacks shall be removed and reinstated with concrete kerb and gutter or to the existing edging profile as specified by Council and the footpath area is to be restored to the satisfaction of Council's Development Engineer, prior to the issue of the Interim Occupation Certificate.

**Reason:** *To ensure that the car parking area is constructed to Council requirements.*

**B056**

### **10. Waste Management Plan - Construction Waste**

A Waste Management Plan shall be completed and submitted to Council for approval, prior to the issue of the Construction Certificate for the development.

Requirements of the approved Waste Management Plan shall be complied with during site preparation and throughout demolition and construction. Waste management and its storage must not pose a threat to public health or the environment.

**Reason:** *To minimise the amount of waste going to landfill.*

**B057**

### **11. Erosion and Sediment Control Plan**

## Memorandum



An Erosion and Sediment Control Plan shall be prepared in accordance with "Landcom's Blue Book" 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.

**Reason:** *To minimise soil erosion and sediment movement during construction.*

### CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF THE WORK

#### D014

##### 12. 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.*

#### C020

##### 13. Erosion and Sediment Control

Erosion and sediment control measures (as per the approved Erosion and Sediment Control Plan) shall be installed prior to the commencement of works.

**Reason:** *To ensure that sediment does not leave the site as a result of the construction of the development.*



# Memorandum

## CONDITIONS TO BE SATISFIED DURING THE CONSTRUCTION PHASE

D019

### 14. Engineering Inspections by Council

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

- a) Works in relation to road reserves, footpath, kerb and gutter, road shoulder and drainage within public lands or road reserves.
- b) Final inspection of footpath, driveway, stormwater and utility construction works within the road reserve.

**Note:** *The subject building is not to be occupied until an Interim or Final Occupation Certificate is issued.*

**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.*

D021

### 15. 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.*

D022

### 16. Stormwater - Construction

The applicant shall provide adequate storm water drainage infrastructure (pits/pipes/open channels/detention storage) for the conveyance of storm water passing through the site from upstream, and sourced from the development to a discharge outlet to be approved by Council. The point of discharge shall be clearly depicted and the legal right to discharge at that point to be justified. Status of the point of discharge is to be made clear (i.e. provision of drainage easements).

**Reason:** *To assist in the prevention of erosion of the site from storm water.*

D023

### 17. 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.*

D028

### 18. 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.



## Memorandum

**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.*

D034

### 19. Prevention of Nuisance

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 carrying out of works in the development.

**Reason:** *Health and amenity.*

D045

### 20. Construction Management Plan

All development activities and traffic movements shall be carried out in accordance with the approved Construction Management Plan.

All controls in the Plan shall be maintained at all times. A copy of the Plan must be kept on site at all times and made available to the Accredited Certifier and Council on request.

**Reason:** *Compliance with condition of consent.*

D054

### 21. 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.*

## CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE (DEVELOPMENT)

E002a

### 22. Section 138 Roads Act Final

The applicant is to ensure that the works associated with the Section 138 approval for this development be completed and inspected by Council prior to the issue of any Occupation Certificate.

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

E002b

### 23. 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 issue of any Occupation Certificate.

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





## Memorandum

E005

**24. 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.*

E017

**25. 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.

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

E018a

**26. 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.*

E021

**27. Vehicle Access (Urban)**

Access to the site shall be provided by means of a vehicle crossing as per Standard Drawing SD107 and SD123 approved by Council prior to the issue of the Occupation Certificate. A copy of the Standard Drawing can be obtained from Council's offices.

**Reason:** *To ensure that the driveway is constructed to Councils standard specification.*

---

Peter Bui  
**Consultant Development Engineer**

28 June 2024 (Updated 03 December 2024)

# **Memorandum**



**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

# Memorandum



|              |   |
|--------------|---|
| To:          | Parin Kolbadi Development Assessment Planner            |
| CC:          |   |
| From:        | Gabriel Sciannimanica, Water/Sewer Development Engineer |
| Subject:     | Water/Sewer Referral Response                           |
| Date:        | 08 May 2024   |
| File Number: | 24/0923   |

**APPLICATION:** 24/0923

**APPLICANT:** Sarah Blatchford

**OWNER:** KANGALOO ROAD PTY LTD, FAXCOM PTY LTD, YAHSEV PTY LTD,  
KANGALOO B HOLDINGS PTY LTD

**PROPERTY DESCRIPTION:** Lot 1 DP 522477  
Lot 211 DP 631550

**PROPERTY ADDRESS:** 6 KANGALOO ROAD BOWRAL NSW 2576

**PROPOSED DEVELOPMENT:** Demolition of existing single dwellings & ancillary structures. Construction of 8 unit multi-dwelling development, including 4 x 4 bedroom 2 storey units & 4 x 3 bedroom 2 storey units

Hi Parin,

A review of the Development Application has been completed with respect to water/sewer authority matters. Please note the following conditions.

**B047a~Water and Sewer Modelling**

The developer shall undertake water and sewer modelling in accordance with Council's Water and Sewer Modelling Fact Sheet and incorporate recommendations made within the report into the engineering design submitted under Section 68 of the Local Government Act, 1993.

Reason: To ensure the proposed development does not impact on Council's ability to provide minimum level of service to water and sewer customers.

**B049~Water and Sewer Authority Conditions**

Prior to issue of a Construction Works 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.

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



# Memorandum

## **C018~Relocation of Sewerage**

Prior to commencement of construction of the building, the existing sewer main shall be relocated. Relocation of sewer main is to be clear of buildings and all superseded mains and structures are to be removed from site.

Reason: To protect public utilities.

## **D019~Engineering Inspections by Council**

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) Sewer

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.

## **F014~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

Reason: To ensure appropriate asset management.

## **F014a~Defects and Liability Bond for Public Assets - Civil Works**

Prior to the issue of any Occupation Certificate the developer shall lodge a cash bond to cover the defects liability period of 24 months for any public infrastructure constructed by them which will be handed over to council. The liability period will commence from the date of issue of the Occupation Certificate.

The security bond will be in an amount equal to 10% of the value of the total civil works with a minimum value of \$10,000 based on the civil costs supported by written evidence in accordance with Council's Bond Policy. The bond shall be assessed by Council for release after the 24 month period on formal request from the developer.

Reason: To ensure appropriate warranty periods apply for defect liability.

## **F041 ~Construction of Sewer Sidelines**

Sidelines and junctions shall be installed for sewer connections to the development by Council at the Developer's cost prior to the issue of the Occupation Certificate.

Council's application form shall be completed by the applicant and the appropriate fee paid.

If the sideline is to be extended from a sewer main in adjoining property, written permission of the affected landowner allowing work to be undertaken, shall be submitted with the application form.

Reason: To ensure that the development is serviced.

## **F044~Construction of Water Service**

An appropriately sized water service shall be installed to the development by Council at the applicant's cost prior to the issue of the Occupation Certificate. The two existing water services shall be decommissioned by Council. Council's application form shall be completed by the Developer and the appropriate fee paid.

Advice: A water meter should be installed prior to construction commencing.

Reason: To ensure that the development is serviced.

# Memorandum



## **Redundant/Disused Sewer Services**

The existing redundant/disused sewer junctions and private sanitary drains that serve the existing lots are to be disconnected and capped at the Applicant's expense prior to the issue of the Occupation Certificate.

Gabriel Sciannimanica  
**Water/Sewer Development Engineer**

08 May 2024



**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**



# Memorandum

|              |  |
|--------------|--|
| To:          | Parin Kolbadi Development Assessment Planner   |
| CC:          |  |
| From:        | Charlene Ferguson, Team Leader Tree Management |
| Subject:     | Referral Response from Tree Management Team    |
| Date:        | 07 November 2024                               |
| File Number: | 24/0923  |

**APPLICATION:** 24/0923

**APPLICANT:** Sarah Blatchford

**OWNER:** KANGALOO ROAD PTY LTD, FAXCOM PTY LTD, YAHSEV PTY LTD, KANGALOO B HOLDINGS PTY LTD

**PROPERTY DESCRIPTION:** Lot 1 DP 522477  
Lot 211 DP 631550

**PROPERTY ADDRESS:** 6 KANGALOO ROAD BOWRAL NSW 2576

**PROPOSED DEVELOPMENT:** Demolition of existing single dwellings & ancillary structures. Construction of 8 unit multi-dwelling development, including 4 x 4 bedroom 2 storey units & 4 x 3 bedroom 2 storey units

**Reviewed Plans & Documents:**

- SoEE prepared by Piper Planning dated Jan 2024
- Architectural Plans, Issue B, by ELK designs dated Feb 2024
- Arborist Report prepared by Arboriculture Impact Assessment dated Dec 2023
- Amended Landscape Plan prepared by JK's Garden Creations dated Aug 2024 Rev.3
- RFI response dated Aug 2024

**Key Issues:**

- Proposed clearing of all site vegetation and resulting amenity impact
- Development impacts on neighbouring trees and vegetation
- Proposed landscape treatment lacks upper canopy provision

**Commentary/Discussion:**

I have reviewed the above plans and documents associated with the above DA for the proposed Demolition of existing dwelling house and detached outbuilding, construction of eight (8) independent and attached housing units and related landscaping. For any neighbouring trees, owner's acknowledgement and consent is required for any trees likely to be impacted by the proposed development.

**Trees:**

The AIA provides commentary and recommendations for twenty-six (26) trees:

- 10 trees are located on site require removal, 2 of which are listed Environmental Weeds of the Southern Highlands or does not meet the definition of a tree within Council's DCP.
- 16 trees are retainable and must be protected through a Tree Protection Plan as 7 trees are located on two neighbouring properties.

The report recommends the removal of 10 site trees and retention of 16 trees located within and on adjoining land, although as mentioned above, adjoining owner's consent is required.

# Memorandum

The findings in the arborists report can be supported with respect to the removal of all site trees on the basis of a combination of factors including low retention value, being a weed variety, located wholly within the building footprint of all dwellings or due to poor health and condition or are insignificant size or type.

With respect to the neighbouring trees, T4, T5, T6, T7, T9, T10, and T20 Council can not consent to a development that creates an impact on adjoining trees or vegetation without the consent of the respective owners. The encroachments are considered minor and these trees are retainable as any potential development impacts can be managed. See conditions below.

Below is a marked extract of AIA report showing the location of the neighbouring trees.



### Landscaping:

The amended landscape plan shows indicative tree and shrub plantings now located a minimum of 3m from the dwelling. The general layout of the landscape treatment is suitable for DA approval with conditions. See conditions below



## Memorandum

### Recommended Conditions:

#### General Conditions:

- 1) This development consent approves the removal of all site trees and vegetation.
- 2) All adjoining trees and vegetation on neighbouring properties are protected and must not be harmed by above or below ground construction activities unless with the written consent of affected Owner's.
- 3) Trees T1, T2, T3, T8, T11, T13, T19, T21, T22 and T23 may be removed at the applicant's expense.
- 4) Trees T4, T5, T6, T7, T9, T10, T12, T14, T15, T16, T17, T18, T20, T24, T25, and T26 on neighbouring properties are protected and must not be harmed by above or below ground construction activities unless work is carried out strictly in accordance with AS 4970 - Protection of Trees on Development Sites and overseen by AQF level 5 Arborist.
- 5) All vegetative waste is to be mulched using a commercial mulcher and either be directed to a waste facility that is licensed to accept the waste, reused for landscaping purposes on site or used as per the NSW Environmental Protection Authority's Mulch Exemption 2016. The burning of tree waste or materials on site is prohibited.
- 6) Approved tree work must only be carried out by a fully insured and qualified Arborist with minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and all tree works including tree protections measures must be overseen by AQF level 5 Arborist.

Reason: To ensure tree removal is carried out in accordance with approved plans and protected trees are unharmed during construction.

#### Prior to issue of CC:

- 1) Prior to the issue of construction certificate an amended landscape plan must be submitted for approval with the following amendments:
  - a) the plan must include three (3) canopy trees positioned in front of dwelling Unit1 and two (2) canopy trees in front of dwelling unit 2.
  - b) the canopy trees must consist of tree species with mature heights greater than 6 metres and must be sourced in minimum 55 litre containers.

Reason: To ensure that plants are suitable for the proposed dwelling type.

#### Prior to commencement:

- 1) Neighbouring tree protection measures must be installed prior to the commencement of any earthworks, demolition, excavation or construction works in accordance with AS 4970 - Protection of Trees on Development Sites under the supervision of site arborist.

Reason: To ensure protected vegetation is not damaged during construction.

#### Prior issue of OC:

- 1) Before the issue of an occupation certificate, all of the landscaping works approved by this development consent must be inspected by Council's tree management officer to ensure landscape works are satisfactory and in accordance with this development consent.

Reason: To ensure that all approved landscaping works have been completed to an appropriate standard

#### Ongoing use:

- 1) During occupation and ongoing use of the development, the approved landscaping must be perpetually maintained in a complete and healthy condition.

Reason: To ensure that approved landscaping works are perpetually maintained to an appropriate standard

---

Charlene Ferguson  
**Team Leader Tree Management**

07 November 2024

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

21/05/2024



Keith & Anthea Walker-Smith

Villa 5/2 Martha Street

Bowral NSW 2576

Telephone [REDACTED]

General Manager

Wingecarribee Shire Council

PO Box 141

Moss Vale 1577

Dear Sir/Madam,

**DEVELOPMENT APPLICATION NO 24/0923**

We register our strong objection to this DA; our grounds of objection are summarised as follows.

1. **Significant and unacceptable loss of privacy.**
2. **Significant and unacceptable loss of light.**
3. **Totally inappropriate style of architecture.**

We deal with each of these in detail and show where the Proposal is in error in its statements.

**1. Loss of privacy**

This is primarily the consequence of the Developer's adoption of a two-story design.

Our property is completely surrounded by the proposed development along the full length of our north and west boundaries. With a single-story design, the loss of privacy could be mitigated by the inclusion of appropriate height fencing and plant screening.

Pages 16 & 17 of the Statement of Environmental Effects (SEE) states that views will be maintained and neighbouring amenities will be preserved. **This is incorrect.**

Our views towards the west would be completely obliterated by an eight-meter-high wall in Unit 8 whilst our privacy is impacted by the kitchen and bathroom windows of this unit which look directly into our outdoor living area.

Page 27 of the SEE states that the orientation of windows in the first floor living areas will prevent possible privacy impact to immediate residential dwellings. **This is incorrect.**

The Unit 5 first floor living area, leading onto a balcony, looks directly south into our property; into our bedroom windows; into our living area windows and onto our outdoor living area. This results in a total loss of privacy in all these areas. Similarly, the windows in Unit 4 also look into our bedroom windows.

The statement that the secondary living areas will not be occupied for extended periods during daylight hours is disingenuous and nonsense. There can be no guarantee of this and personal experience has shown that an upstairs lounge is commonly used for daytime activities, particularly for stay home parents and retirees.

**2. Loss of light.**

Page 26 of the SEE states that more than 50% of the principal private open space in southern neighbouring premises will be retained. **This is incorrect.**

Our garden and outdoor living areas are severely compromised most of the day, at some times by almost 100%.

We consider the loss of light shown in the Shadow Diagrams, affecting our garden and our outdoor living area, would have significant detrimental impact on our garden and our quality of life. This is the direct result of the two-story design.

**3. Inappropriate scale and architectural style.**

Pages 26 & 27 states that the Proposal is appropriate to local context, scale and character. **This is incorrect.**

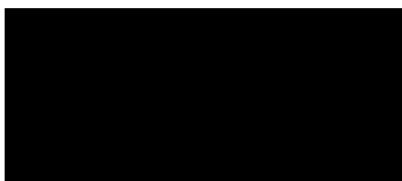
**ALL** adjoining properties are of single story and are all compatible with a Bowral character. Millerwood villas, where we live, all use the style of the original Bowral cottage at the front of the complex; all the recently built houses on the western side of Martha Street are weather board cottages in a Bowral style; Villas on the northern side of the Proposal are brick cottages with tile roofs and are compatible with a Bowral style.

We have lived in Berrima and Bowral for over 20 years of our retirement life and we love the traditional style of housing predominant in Bowral. This is also reflected by the many tourists visiting Bowral. The two-story modern design of this Proposal is appallingly different, it appears to be a computerised mix of shapes and textures of no particular style and, whilst it may be appropriate to coastal areas, has absolutely no resemblance to the traditional character of Bowral.

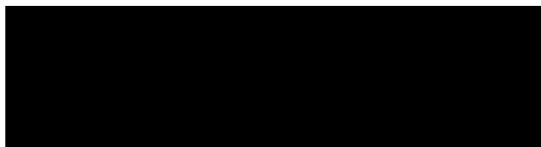
We request that this Proposal be rejected for the reasons we have given. The only design, in this particular location, which would be acceptable to us and, we believe, to the nine adjoining properties, would be a for single-story Proposal. This would largely mitigate our concerns.

We would welcome the opportunity for discussion with you or we can provide further information if you think this would be helpful.

Yours faithfully



J.Keith Walker-Smith



Anthea Walker-Smith



**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**From:** "Janet Ockenden" <[REDACTED]>  
**Sent:** Fri, 31 May 2024 14:32:51 +1000  
**To:** "Wingecarribee Shire Council" <[REDACTED]>  
**Subject:** Submission about Development Application No 24/0923  
**Attachments:** Submission from J Ockenden about DA 24-0923.pdf  
**Categories:** Sarah

Please find attached my submission about the above development application.

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

31 May 2024

Janet Ockenden

2/2 Martha Street

Bowral NSW 2576

General Manager,  
Wingecarribee Shire Council  
PO Box 141  
Moss Vale NSW 1577

**DEVELOPMENT APPLICATION NO 24/0923**

This is a submission about the abovementioned development application concerning the proposed multiple-dwelling development at 6-8 Kangaloon Road Bowral. I am making this submission as co-owner of one of the villas at 2 Martha Street Bowral (known as "Millerwood"), which adjoins the proposed development site. I am also concerned as Secretary of Millerwood's owners corporation about the impact of the proposed development on the common property.

I am opposed to the development as currently proposed for the following reasons.

**Inappropriate style and scale**

The proposed development is comprised of a series of 2 storey dwellings. All of the dwellings in adjoining properties are single storey dwellings. Also, newly built single storey houses on Martha Street have been careful to adopt a style in keeping with the Bowral heritage. The proposed development is therefore not in keeping with the style and scale of dwellings in its immediate vicinity. The buildings in the proposed development are bulky and out of proportion with the surrounding built environment.

**Loss of privacy for Millerwood residents**

The erection of 2 storey dwellings will significantly impact the privacy of residents of Millerwood. Building 5 will overlook at least 3 Millerwood villas, as well as significant portions of the common property, including gardens and the driveway.

The artist's impressions of the proposed development do not show any attempt to provide screening to protect the privacy of neighbouring properties or to soften the overwhelming impression of bulk created by the scale of the proposed buildings.

## **AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024**

### **Significant overshadowing of Millerwood common property and gardens**

It is clear from the shadow diagrams that there will be overshadowing, not only of several Millerwood villas, but of significant areas of the common property. This will impact not only the private garden areas of some Millerwood residents, but also the common garden areas in which residents take great pride and maintain at considerable expense. Presumably this impact would be greatly reduced if the proposed buildings adjoining Millerwood were each of a single storey.

### **Lack of appropriate landscaping**

Section 4.3 of the *Statement of Environmental Effects* submitted with the development application states that:

“The development seeks to remove existing vegetation within the site to make way for the proposed multi dwelling forms. An existing tree towards the eastern rear will remain throughout the proposal.”

The landscape plans only provide for the planting of trees at the street frontage of the development site. However, even the views shown on the architectural plans from Kangaloon Road do not display the promised trees for the frontage. All the significant vegetation shown in the artist’s impressions appear to be in adjoining properties. The greenery shown on the development site is predominantly ankle-high border plants.

### **Impact on wildlife habitat**

The removal of any significant vegetation should be carefully considered given the effect on native wildlife currently inhabiting existing vegetation in the immediate vicinity. I’ve observed wildlife, including possums and various native birdlife such as King parrots, in Millerwood. It is important to ensure any native species are not adversely impacted by the removal of significant vegetation in the proposed development. The proposal does not address this issue properly.

I trust that the Council will take my submission into account in accordance with the requirements of the *Environmental Planning and Assessment Act 1979*. Please do not hesitate to contact me if you have any questions about my submission.

Yours faithfully,



Janet Ockenden

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**



Mrs Monica Howard  
Villa 3/2 Martha Street  
Bowral NSW 2576

General Manger  
Wingecarribee Shire Council  
PO Box 141  
Moss Vale 2577

Dear Sir/Madam,

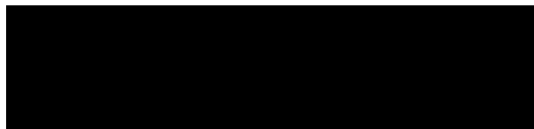
**DEVELOPMENT APPLICATION NO 24/0923**

I wish to register my objection to this Development Application.

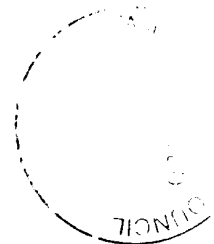
The style of the buildings is not in character with the neighbouring properties, including mine, and the two-story design allows windows to look directly into my Villa.

I object to this invasion of my privacy and my quality of life and ask that this proposal be rejected.

Yours faithfully



M.R. Howard



**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**From:** "[REDACTED]" <[REDACTED]>  
**Sent:** Tue, 04 Jun 2024 14:29:39 +1000  
**To:** "Wingecarribee Shire Council" <[REDACTED]>  
**Subject:** Lot 1 DP 522477  
**Attachments:** img20240604\_12381706.pdf  
**Categories:** Development Submissions

Please find attached letter re above development application



**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

04 /06/2024

Mr E & Mrs C Warth

37/9 Kangaloon Road

Bowral 2576



General Manager  
Wingecarribee Shire Council  
PO Box 141  
Moss Vale 2577

Dear Sir/Madam,

**DEVELOPMENT APPLICATION NO 24/0923**

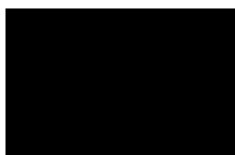
We are writing to object to this Development Application.

The architectural style of the proposed buildings is not compatible with that of the surrounding residences and would be inappropriate in this location.

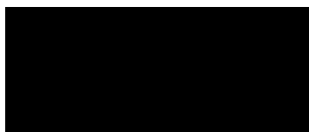
We also note that **all** the neighbouring residences are of single-story design; the proposed two-story design of this proposal would result in significant invasion of privacy for the adjoining residences. There would also be a loss of light adversely affecting adjoining gardens and outdoor living areas.

We request that this DA be rejected in favour of something more suited to this location.

Yours faithfully,



E. Warth



C. Warth

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**From:** "Donna Walker-Smith" <[REDACTED]>  
**Sent:** Tue, 4 Jun 2024 17:32:45 +1000  
**To:** "Wingecarribee Shire Council" <[REDACTED]>  
**Subject:** Objection to Development Application No 24/0923  
**Categories:** ECM;Development Submissions

*Dear Lisa Miscamble,*

*I am writing to you in regard to the DEVELOPMENT APPLICATION NO 24/0923*

*We object to the development on the grounds that:*

- o The proposed development does not fit within the established character of the area and is considered out of context for the locality.*
- o The proposed development results in a substantial impact on the privacy of the neighbouring houses*
- o The proposed development results in substantial overshadowing of adjoining buildings which will affect solar panels, privacy, and outdoor garden and living areas*
- o The proposed development results in substantial view impacts as a result of the design choice for the development. It is considered that the view impacts are detrimental*
- o The proposed development results in the impact of more stormwater run off and will cause flooding in the adjoining houses*
- o The proposed development results in the traffic being impacted and cause difficulties for the residents and harmful noise levels*
- o The proposed development results in the trees being removed which will affect the local environment and the habitat of local wildlife.*

*Thanks so much for listening to concerns*

*Kind regards*

*Donna Walker-Smith*

*4/6/24*



JENNIFER SIMONS  
VILLA 1/2 MARTHA ST.  
BOWRAL NSW 2576  
3rd June 2024

General Manager  
Wingecarribee Shire Council  
PO Box 141  
New Vale 1577

Dear Sir/Madam  
I am writing to state my objections to DA 24/0923  
with regard to the proposed development at 6-8  
Kangaroo Rd Bowral. I own Villa 1 at 2 Martha  
St (Mellorwood) which adjoins the multiple  
dwellings proposed for Kangaroo Road.

This development of two storey villas is  
out of keeping with the other houses which  
surround it. Whereas the other buildings are only  
a single storey each, this bulky development of  
eight villas will dominate and liberally  
over shadow the other homes. The erection of  
two storey villas threaten the privacy and  
light of the houses already there. The  
plans threaten the peace and privacy of our  
common gardens at Mellorwood, as well as  
directly impacting on the bottom three villas  
in our complex.

The destruction of vegetation on the proposed  
building site will have considerable impact on  
the wildlife of our area: currently echidnas and  
goatsuckers enjoy the nearby surrounds, as well as  
abundant wild life.

I hope the current DA will be rejected  
and a more suitable plan be adopted.

Yours faithfully,

(Da) Jennifer Simons

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**From:** "Susan Woods" <[REDACTED]>  
**Sent:** Wed, 5 Jun 2024 15:42:37 +1000  
**To:** "Wingecarribee Shire Council" <[REDACTED]>  
**Subject:** DA 24/0923 6 KANGALOOON ROAD BOWRAL - OBJECTION  
**Attachments:** council letter from the committee.docx  
**Categories:** Development Submissions

Please find attached the objection raised by the committee of strata plan SP 56510

The chairperson  
SP56510  
villa 17 / 454-458 Moss vale road Bowral  
[REDACTED]

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

5<sup>th</sup> June 2024

General Manager  
Wingecarribee Shire Council  
PO Box 141  
Moss Vale 1577

Dear Sir/Madam,

DEVELOPMENT APPLICATION NO 24/0923

We register our strong objection to this DA; our grounds of objection are summarised as follows.

1. Significant and unacceptable loss of privacy.
2. Significant and unacceptable loss of light.
3. Totally inappropriate style of architecture.

We deal with each of these in detail and show where the Proposal is in error in its statements

We deal with each of these in detail and show where the Proposal is in error in its statements.

1. Loss of privacy

This is primarily the consequence of the Developer's adoption of a two-story design. Our property at Rothwood Gardens is boarded on the northern side by the proposed development. With a single-story design, the loss of privacy could be mitigated by the inclusion of appropriate height fencing and plant screening.

Pages 16 & 17 of the Statement of Environmental Effects (SEE) states that views will be maintained and neighbouring amenities will be preserved. **This is incorrect.**

Our views towards the south, which has lovely green vista will be gone as there is virtually no plantings to screen out the imposing buildings nor the rear courtyards. The units will look directly into our outdoor living areas

Page 27 of the SEE states that the orientation of windows in the first floor living areas will prevent possible privacy impact to immediate residential dwellings. **This is incorrect.**

The statement that the secondary living areas will not be occupied for extended periods during daylight hours is disingenuous and nonsense. There can be no guarantee of this and personal experience has shown that an upstairs lounge is commonly used for daytime activities, particularly for stay home parents, retirees and those that work from home.

This also brings to mind the development appears to be catering to the younger demographic. This will bring in families with children and animals. This is not conducive to the life style of residents living in this part of Bowral.

1. Loss of light.

Page 26 of the SEE states that more than 50% of the principal private open space in southern neighbouring premises will be retained. **This is incorrect.**

Our garden and outdoor living areas have good light at present.



## AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024

We consider the loss of light shown in the Shadow Diagrams, affecting our garden and our outdoor living area, would have an impact on our garden and our quality of life. This is the direct result of the two-story design. Rothwood Gardens has a large central garden area and we would like to continue to receive considerable daily sunlight without interference from 2 storey buildings.

The Lack of trees a foliage will add to the lack of privacy.

The lack tress etc, will also reduce the bird life within our properties.

### 1. Inappropriate scale and architectural style.

Pages 26 & 27 states that the Proposal is appropriate to local context, scale and character. **This is incorrect.**

This project is totally out of the context of the Bowral style of living. They have had no consideration for the adjoining residents.

**ALL** adjoining properties are of single story and are all compatible with a Bowral character.

Rothwoods villas, have a combination of 2 storey and single level villas. This does take into account the design and living styles of neighbouring properties. This should have been considered when designing this development.

For instance, Single level design when the neighbouring property is a single level. This would reduce some of the privacy issues. This would also complement the houses on Kangaloon Road and Martha Street which are in the Bowral style of cottages.

The owners of Rothwood Gardens buy into the complex for its gardens and large common areas and is traditional style of housing predominant in Bowral. The two-story modern design of this Proposal is appallingly different, it appears to be a computerised mix of shapes and textures of no particular style and, whilst it may be appropriate to coastal areas, has absolutely no resemblance to the traditional character of Bowral.

We request that this Proposal be rejected for the reasons we have given. The only design, in this particular location, which would be acceptable to us and, we believe, to the nine adjoining properties, would be a for single-story Proposal. This would largely mitigate our concerns.

Rothwood Gardens residents have had to endure 5 or more new development within the immediate proximity over the past 4 years. The noise, traffic and air pollution has had various health effects on some of our residents. This development on our door step will impact the physical and mental help of our aging residents.

We urge the council to reject the application in its current design and adjust the application to a single level development.

Yours faithfully

The Chairperson  
The committee of  
The Owners Corporation SP 56510  
454-458 Moss Vale Road Bowral 2576

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**From:** "Darryl Miller" <[REDACTED]>  
**Sent:** Thu, 6 Jun 2024 09:38:59 +1000  
**To:** "Wingecarribee Shire Council" <[REDACTED]>  
**Subject:** Objection to DA 24/0923  
**Attachments:** Objection to DA 24.docx  
**Categories:** Jesse

General Manager  
Wingecarribee Shire Council

Please find attached an objection letter to DA 24/0923 – 6 Kangaloon Road Bowral 2576

Kind regards  
Darryl Miller

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

Objection to DA 24/0923 – 6 Kangaloon Road Bowral 2576

Darryl Miller  
106/25 Small Street  
Hampton, Victoria 3188

Owner  
16/454-458 Moss Vale Road  
Bowral NSW, 2576

6<sup>th</sup> June 2024

General Manager  
Wingecarribee Shire Council  
PO Box 141  
Moss Vale 2577

**Objection to Development Application No 24/0923 - 6 Kangaloon Road Bowral, 2576**

Dear General Manager

My objection to this development relates to the impact that approval of this development will have with relation to privacy concerns upon the existing surrounding residents.

All of the residences that border this proposed development on the northern and eastern boundary are of single storey construction with rear courtyards. The proposed development being of two storey construction will result in some windows in the proposed development providing direct visual access into the rear courtyards of the adjoining residences.

Therefore, I request that the following condition be applied to the proposed development:

*Any second storey window that allows for direct visual aspect to an adjoining property is to be fitted with fixed louvered metal screen that prevents a direct line of sight into any adjoining property.*

The fitting of the above mentioned, window screens is a requirement from many councils with regards to new developments as they maintain the privacy of adjoining residents whilst still allow free access of natural light and ventilation into the proposed development.

I feel that this a cost-effective solution for the developer to overcome the privacy concerns of adjoining residents.

Kind regards  
Darryl Miller

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**From:** "Susan Woods" <[REDACTED]>  
**Sent:** Wed, 5 Jun 2024 15:35:56 +1000  
**To:** "Wingecarribee Shire Council" <[REDACTED]>  
**Subject:** OBJECTION TO DA 24/0923 - 6 KANGALOO ROAD BOWRAL  
**Attachments:** council letter.docx  
**Categories:** Development Submissions

I have attached my letter of objection to the development

Regards  
Susan Woods  
resident 454- 458 moss vale road bowral.

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

3<sup>rd</sup> June 2024

General Manager  
Wingecarribee Shire Council  
PO Box 141  
Moss Vale 1577

Dear Sir/Madam,

DEVELOPMENT APPLICATION NO 24/0923

We register our strong objection to this DA; our grounds of objection are summarised as follows.

1. Significant and unacceptable loss of privacy.
2. Significant and unacceptable loss of light.
3. Totally inappropriate style of architecture.

We deal with each of these in detail and show where the Proposal is in error in its statements

We deal with each of these in detail and show where the Proposal is in error in its statements.

1. Loss of privacy

This is primarily the consequence of the Developer's adoption of a two-story design. Our property at Rothwood Gardens is boarded on the northern side by the proposed development. With a single-story design, the loss of privacy could be mitigated by the inclusion of appropriate height fencing and plant screening.

Pages 16 & 17 of the Statement of Environmental Effects (SEE) states that views will be maintained and neighbouring amenities will be preserved. **This is incorrect.**

Our views towards the south, which has lovely green vista will be gone as there is virtually no plantings to screen out the imposing buildings nor the rear courtyards. The units will look directly into our outdoor living areas

Page 27 of the SEE states that the orientation of windows in the first floor living areas will prevent possible privacy impact to immediate residential dwellings. **This is incorrect.**

The statement that the secondary living areas will not be occupied for extended periods during daylight hours is disingenuous and nonsense. There can be no guarantee of this and personal experience has shown that an upstairs lounge is commonly used for daytime activities, particularly for stay home parents, retirees and those that work from home.

This also brings to mind the development appears to be catering to the younger demographic. This will bring in families with children and animals. This is not conducive to the life style of residents living in this part of Bowral.

1. Loss of light.

Page 26 of the SEE states that more than 50% of the principal private open space in southern neighbouring premises will be retained. **This is incorrect.**

Our garden and outdoor living areas have good light at present.

## AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024

We consider the loss of light shown in the Shadow Diagrams, affecting our garden and our outdoor living area, would have an impact on our garden and our quality of life. This is the direct result of the two-story design. Rothwood Gardens has a large central garden area and we would like to continue to receive considerable daily sunlight without interference from 2 storey buildings.

The Lack of trees a foliage will add to the lack of privacy.

The lack tress etc, will also reduce the bird life within our properties.

### 1. Inappropriate scale and architectural style.

Pages 26 & 27 states that the Proposal is appropriate to local context, scale and character. **This is incorrect.**

This project is totally out of the context of the Bowral style of living. They have had no consideration for the adjoining residents.

**ALL** adjoining properties are of single story and are all compatible with a Bowral character.

Rothwoods villas, have a combination of 2 storey and single level villas. This does take into account the design and living styles of neighbouring properties. This should have been considered when designing this development.

For instance, Single level design when the neighbouring property is a single level. This would reduce some of the privacy issues. This would also complement the houses on Kangaloon Road and Martha Street which are in the Bowral style of cottages.

The owners of Rothwood Gardens buy into the complex for its gardens and large common areas and is traditional style of housing predominant in Bowral. The two-story modern design of this Proposal is appallingly different, it appears to be a computerised mix of shapes and textures of no particular style and, whilst it may be appropriate to coastal areas, has absolutely no resemblance to the traditional character of Bowral.

We request that this Proposal be rejected for the reasons we have given. The only design, in this particular location, which would be acceptable to us and, we believe, to the nine adjoining properties, would be a for single-story Proposal. This would largely mitigate our concerns.

Rothwood Gardens residents have had to endure 5 or more new development within the immediate proximity over the past 4 years. The noise, traffic and air pollution has had various health effects on some of our residents. This development on our door step will impact the physical and mental help of our aging residents.

We urge the council to reject the application in its current design and adjust the application to a single level development.

Yours faithfully

Susan Woods

17/454-458 Moss Vale Road Bowral 2576

[REDACTED]



**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**From:** "Rob Turner" <[REDACTED]>  
**Sent:** Thu, 6 Jun 2024 11:55:59 +1000  
**To:** "Wingecarribee Shire Council" <[REDACTED]>  
**Subject:** Objection - DA 24/0923  
**Attachments:** Objection Letter - WSC DA 24-0923.pdf  
**Categories:** Development Submissions

The General Manager,  
Wingecarribee Shire Council  
PO Box 141  
Moss Vale NSW 2576

Via Email

Dear Sir,

Attached is my Objection Letter concerning proposed Development  
Application No. 24/0923

Yours sincerely,

Robert Turner  
Villa 6 Rothwood Gardens  
454-458 Moss vale Road  
Bowral NSW 2576

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

Villa 6 Rothwood Gardens  
454-458 Moss Vale Road  
Bowral NSW 2576

6 June 2024

The General Manager  
Wingecarribee Shire Council  
PO Box 141  
Moss Vale 2577

Dear Sir,

**OBJECTION | DEVELOPMENT APPLICATION NO 24/0923**

I register my strong objection to this DA; my grounds of objection are summarised as follows:

1. Significant and unacceptable loss of privacy.
2. Significant and unacceptable loss of light.
3. Totally inappropriate style of architecture.

I deal with each of these in detail and show where the Proposal is in error in its statements.

**1. Loss of privacy**

This is primarily the consequence of the Developer's adoption of a two-story design. With a single-story design, the loss of privacy could be mitigated by the inclusion of appropriate height fencing and plant screening.

Pages 16 & 17 of the Statement of Environmental Effects (SEE) states that views will be maintained and neighbouring amenities will be preserved. **This is incorrect.**

Views towards the west would be completely obliterated by an eight-metre-high wall in Unit 8 whilst privacy is impacted by the kitchen and bathroom windows of this unit which look directly into neighbouring properties.

Page 27 of the SEE states that the orientation of windows in the first floor living areas will prevent possible privacy impact to immediate residential dwellings. **This is incorrect.**

The Unit 5 first floor living area, leading onto a balcony, looks directly south into neighbouring properties.

The statement that the secondary living areas will not be occupied for extended periods during daylight hours is disingenuous and nonsense. There can be no guarantee of this and personal experience has shown that an upstairs lounge is commonly used for daytime activities, particularly for stay home parents and retirees.

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**2. Loss of light.**

Page 26 of the SEE states that more than 50% of the principal private open space in southern neighbouring premises will be retained. **This is incorrect.**

Neighbouring garden and outdoor living areas are severely compromised most of the day, at some times by almost 100%.

I consider the loss of light shown in the Shadow Diagrams, affecting neighbouring gardens and outdoor living areas, would have significant detrimental impact on neighbouring gardens and quality of life. This is the direct result of the two-story design.

**3. Inappropriate scale and architectural style.**

Pages 26 & 27 states that the Proposal is appropriate to local context, scale and character. **This is incorrect.**

ALL adjoining properties are compatible with a Bowral character.

All the recently built houses on the western side of Martha Street are weather board cottages in a Bowral style; Villas on the northern side of the Proposal are brick cottages with tile roofs and are compatible with a Bowral style.

I have lived in the Bowral district for the past forty years. The two-story modern design of this Proposal is appallingly different.

The only design, in this particular location, which would be acceptable to me would be for a single-story Proposal. This would largely mitigate my concerns.

Yours sincerely,



Robert Turner

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**From:** "Susan Woods" <[REDACTED]>  
**Sent:** Fri, 7 Jun 2024 15:38:13 +1000  
**To:** "Wingecarribee Shire Council" <[REDACTED]>  
**Subject:** 6 Kangaloon Road Development - Objection 24/0923  
**Attachments:** Anne Hyde council letter.docx  
**Categories:** Development Submissions

I am forwarding this email on behalf of A Hyde as her internet is currently down due to the heavy rain etc the past few days.

Regards

S, Woods

## AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024

7<sup>th</sup> June 2024

General Manager  
Wingecarribee Shire Council  
PO Box 141  
Moss Vale 1577

Dear Sir/Madam,

DEVELOPMENT APPLICATION NO 24/0923

We register our strong objection to this DA; our grounds of objection are summarised as follows.

1. Significant and unacceptable loss of privacy.
2. Significant and unacceptable loss of light.
3. Totally inappropriate style of architecture.

We deal with each of these in detail and show where the Proposal is in error in its statements

We deal with each of these in detail and show where the Proposal is in error in its statements.

### 1. Loss of privacy

This is primarily the consequence of the Developer's adoption of a two-story design. Our property at Rothwood Gardens is boarded on the northern side by the proposed development. With a single-story design, the loss of privacy could be mitigated by the inclusion of appropriate height fencing and plant screening.

Pages 16 & 17 of the Statement of Environmental Effects (SEE) states that views will be maintained and neighbouring amenities will be preserved. **This is incorrect.**

Our views towards the south, which has lovely green vista will be gone as there is virtually no plantings to screen out the imposing buildings nor the rear courtyards. The units will look directly into our outdoor living areas

Page 27 of the SEE states that the orientation of windows in the first floor living areas will prevent possible privacy impact to immediate residential dwellings. **This is incorrect.**

The statement that the secondary living areas will not be occupied for extended periods during daylight hours is disingenuous and nonsense. There can be no guarantee of this and personal experience has shown that an upstairs lounge is commonly used for daytime activities, particularly for stay home parents, retirees and those that work from home.

This also brings to mind the development appears to be catering to the younger demographic. This will bring in families with children and animals. This is not conducive to the life style of residents living in this part of Bowral.

### 1. Loss of light.

Page 26 of the SEE states that more than 50% of the principal private open space in southern neighbouring premises will be retained. **This is incorrect.**

Our garden and outdoor living areas have good light at present.

## AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024

We consider the loss of light shown in the Shadow Diagrams, affecting our garden and our outdoor living area, would have an impact on our garden and our quality of life. This is the direct result of the two-story design. Rothwood Gardens has a large central garden area and we would like to continue to receive considerable daily sunlight without interference from 2 storey buildings.

The Lack of trees a foliage will add to the lack of privacy.

The lack tress etc, will also reduce the bird life within our properties.

### 1. Inappropriate scale and architectural style.

Pages 26 & 27 states that the Proposal is appropriate to local context, scale and character. **This is incorrect.**

This project is totally out of the context of the Bowral style of living. They have had no consideration for the adjoining residents.

**ALL** adjoining properties are of single story and are all compatible with a Bowral character.

Rothwoods villas, have a combination of 2 storey and single level villas. This does take into account the design and living styles of neighbouring properties. This should have been considered when designing this development.

For instance, Single level design when the neighbouring property is a single level. This would reduce some of the privacy issues. This would also complement the houses on Kangaloon Road and Martha Street which are in the Bowral style of cottages.

The owners of Rothwood Gardens buy into the complex for its gardens and large common areas and is traditional style of housing predominant in Bowral. The two-story modern design of this Proposal is appallingly different, it appears to be a computerised mix of shapes and textures of no particular style and, whilst it may be appropriate to coastal areas, has absolutely no resemblance to the traditional character of Bowral.

We request that this Proposal be rejected for the reasons we have given. The only design, in this particular location, which would be acceptable to us and, we believe, to the nine adjoining properties, would be a for single-story Proposal. This would largely mitigate our concerns.

Rothwood Gardens residents have had to endure 5 or more new development within the immediate proximity over the past 4 years. The noise, traffic and air pollution has had various health effects on some of our residents. This development on our door step will impact the physical and mental help of our aging residents.

We urge the council to reject the application in its current design and adjust the application to a single level development.

Yours faithfully

Anne Hyde  
20/454-458 Moss Vale Road Bowral 2576



**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**From:** "Nicola Kaye" <[REDACTED]>  
**Sent:** Mon, 17 Jun 2024 14:39:51 +1000  
**To:** "Wingecarribee Shire Council" <[REDACTED]>  
**Cc:** "[REDACTED]" <[REDACTED]>  
**Subject:** Attention: Ms Miscamble  
**Attachments:** N Kaye objection to DA Application 24 0923 (1).pdf  
**Importance:** High  
**Categories:** Jesse

**This message came from outside your organisation. Please be cautious with links and attachments in the email. If the email is suspicious, please report using the Mimecast Add-In Buttons**

Dear Ms Miscamble,

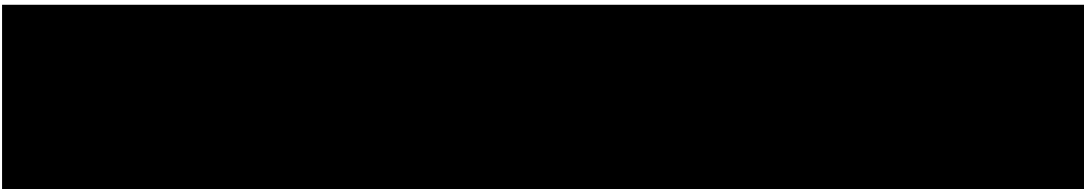
I write in reference to DA 24/0923, which has been submitted to Council for the construction of eight multi dwelling housing units at 6-8 Kangaloon Road, Bowral. My property is 12 Kangaloon Road, there is no number 10.

Please see attached copy of my submission that I lodged in relation to the DA. I wanted to bring this to your attention, given the potential implications on my property from its development potential under Council controls. It is a specific DCP control that Council prevents properties such as mine, from becoming isolated from their development potential.

On the basis of the DCP controls, it is my belief that Council should insist that the developer of DA 24/0923, demonstrate that they have made serious attempts to negotiate for the purchase of my land to be incorporated into their development.

It would be appreciated if you could ensure that this matter is given serious consideration in the assessment of the DA.

Kind regards,  
Nicola Kaye



**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

21 May 2024

N Kaye  
12 Kangaloon Rd.  
Bowral  
NSW 2576

The General Manager  
Wingecarribee Shire Council  
By email

Re: Application Number 24/0923

Dear Ms Miscamble,

I am the owner of 12 Kangaloon Rd., Bowral.

I have reviewed the above-mentioned application made by S Blatchford for an eight (8) multi-unit development proposed on the property adjoining mine (located at 6-8 Kangaloon Rd.).

I note that the properties adjoining mine to the rear and side are 2A and 2B Martha Street.

I note that the Development Control Plan: Bowral Township Development Control Plan ("DCP") has specific controls that are aimed at preventing a lot from becoming 'isolated' (see further below), ie when surrounding development creates a situation whereby a lot (that has less than the minimum required frontage of 25 metres for multi dwelling housing on its own) has no potential to feasibility combine with other lots to create the minimum required 25-metre frontage to qualify for multi dwelling housing.

My site will become isolated for the following reasons;

1. DA 24/0923 has been submitted to council for construction of eight multi dwelling housing units at 6-8Kangaloon Road; and
2. The properties at 2A and 2B Martha Street have recently been redeveloped. As set out below:

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**



I understand that the DCP controls aimed at preventing a lot isolation are;

**C3.2.4(e)**

Council would prefer to encourage site amalgamation of redevelopment to provide newer housing stock with the potential for more housing choice and the opportunity to provide an appropriate standard of infrastructure.

**C3.2.2(b)**

Council shall not grant consent to the carrying out of multi dwelling development unless it is satisfied that the area and configuration of the allotment on which the development is proposed is such that it:

(b) Does not unreasonably compromise the development potential of adjoining allotments.

An approval of the proposed development at 6-8 Kangaloon Rd., ensures the isolation of my lot, fails to allow the objectives of council, comprises the development of my property (which under C3.2.4(b) of the DCP confirms consent shall not be granted), and thereby affirm that an approval must not be permitted.

I appreciate your review of this critical matter.

Sincerely,

Nicola Kaye

[Redacted signature]

**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 construction of a retail / commercial building.

**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.

| <b>Title / Document</b>        | <b>Reference / Version</b>             | <b>Prepared By</b>             | <b>Dated</b> |
|--------------------------------|--|--------------------------------|--------------|
| Site Plan                      | 010 Revision F                         | HHPA Architects                | 16/08/2024   |
| Ground Floor Plan              | 011 Revision F                         | HHPA Architects                | 01/08/2024   |
| First Floor Plan               | 012 Revision F                         | HHPA Architects                | 01/08/2024   |
| Elevations                     | 013 Revision D                         | HHPA Architects                | 01/08/2024   |
| Elevations & Sections          | 014 Revision D                         | HHPA Architects                | 01/08/2024   |
| Stormwater Drainage Plans      | 20220102-DA-SW-DWG-05, No. S200 & S201 | Deboke Engineering Consultants | 18/07/2023   |
| Noise Impact Assessment Report | 20220288.1                             | Acoustic Logic                 | 13/04/2022   |

**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 plans and documents (as amended).*

**4. Concurrence – Water NSW**

The Concurrence issued by Water NSW, Reference No: DAR 22084-a2, dated 12 November 2024 are included as conditions of this consent and must be complied with.

**Reason:** *To ensure ongoing compliance.*

## **AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024**

### **5. Fit out and use**

No approval is expressed or implied for the fit out and use of the retail and commercial tenancies. The fit out and use of the individual retail and commercial tenancies within the commercial premises building is subject to the lodgement of a separate development application.

**Reason:** *To control the future development of the site.*

### **6. Food Premises**

The design, construction, fit-out and operation of any food premises shall comply with all applicable food legislation/regulation and standards, including:

- Food Act 2003;
- Food Regulation 2010;
- Food Standards Code;
- Australian Standard AS4674–2004 Design, Construction and Fit out of Food Premises; and
- Australian Standard AS1668.2-2012 The use of ventilation and airconditioning in buildings - Mechanical ventilation in buildings.

In the event that the design, construction and/or fit-out of food handling areas is inadequate for the food handling activities carried out on the premises, the Applicant will be required to undertake such works as is necessary to remedy any non-compliance with the above-mentioned legislation and Standards within a period determined by Council, for which separate prior development consent may be required.

**Reason:** *Compliance with legislation and standards.*

### **7. Signage Approval**

No approval is expressed or implied for any signage or advertising. A separate development application for any proposed signs or advertisements which are either externally fitted or applied, shall be subject to a separate Development Application. This does not apply to signs which are classified as being "Exempt Development" under *State Environmental Planning Policy (Exempt and Complying Development) 2008*.

**Reason:** *To ensure that the development is undertaken in accordance with the submitted plans and documents (as amended) and separate approval is sought for signage.*

### **8. Compliance with Building Code of Australia**

- (a) That the work must be carried out in accordance with the requirements of the National Construction Code.

**Reason:** *The condition is prescribed under clause 769 of the Environmental Planning and Assessment Regulation 2021.*

## AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024

### 9. 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 certifying authority 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.

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

### 10. Compliance with Disability Discrimination Act 1992

This approval does not protect or guarantee against a possible claim of discrimination (intentional or unintentional) under the *Disability Discrimination Act 1992*, and the applicant/owner is therefore advised to investigate their liability under this Act.

**Reason:** *To inform of relevant access requirements for persons with a disability.*

**Note:** *Disability (Access to Premises - Buildings) Standards 2010 -As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992*

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

### 11. 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,



## AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024

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

- (c) Essential services plan outlining the existing and proposed fire safety measures.
- (d) Plans detailing the layout, extent and location of key components of any required Hydraulic Fire Safety System/s (Fire Hydrant and Fire Hose Reels) including Specifications that describe the basis for the design, installation and construction and identify the provisions of the BCA upon which the design of the system is based. The Plans and Specifications shall both be endorsed by a competent fire safety practitioner (CFSP) as complying with the relevant provisions of the Building Code of Australia (BCA).
- (e) Disabled access provisions to common and public areas in accordance with AS1428 Design for Access and Mobility and the Premises Code.
- (f) If an alternative solution to the “deemed to satisfy” provisions of National Construction Code is proposed, the following details must be lodged:
  - Performance requirements that the alternative solution intends to meet.
  - Assessment methods used to determine compliance with the performance requirements, including if and how each performance objective impacts on other requirements of the BCA; and
  - A statement about the person who prepared the alternate solution, indicating qualifications, experience, insurance details, and membership of an approved accreditation body.

**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.*

**Note:** *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.*

### 12. 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.

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

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

**Reason:** *Statutory requirement*

**13. 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
- (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
- (c) 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
- (d) 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
- (e) the person having 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.*

**14. Water Management Act - Certificate of Compliance**

A Certificate of Compliance under Division 5 of Part 2 of Chapter 6 of the *Water Management Act 2000* shall be obtained prior to the issue of the relevant Construction Certificate.

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**Note:** Section 64 of the Local Government Act 1993 authorises Council to issue Certificates of Compliance under Section 306 of the Water Management Act 2000. Section 64 of the Local Government Act 1993 also authorises Council to impose pre-conditions to the issuing of Certificates of Compliance.

As a precondition to the issuing of a Certificate of Compliance, Council requires the payment of Developer Charges prior to the issue of the relevant Construction Certificate as prescribed by Council's Development Servicing Plans.

A Developer Charges - Notice of Payment is attached to the back of this consent and outlines monetary contributions and unit rates applicable at the time of issue of this consent.

The water, sewer and stormwater headworks levies are indexed quarterly in accordance with upward movements in the Consumer Price Index (All Groups, Sydney) as published by the Australian Bureau of Statistics ([www.abs.gov.au](http://www.abs.gov.au) <<http://www.abs.gov.au>>) and Council's Development Servicing Plans.

Copies of Development Servicing Plans are available at Wingecarribee Shire Council's Administration building Moss Vale or are available for download from Council's website [www.wsc.nsw.gov.au](http://www.wsc.nsw.gov.au) <<http://www.wsc.nsw.gov.au>>.

The Water and Sewerage Development Servicing Plans (DSP's) adopted by Council came into effect on 15 September 2017. The Stormwater DSP was adopted on 9 November 2010 and came into effect on 8 December 2010. The current charges under these Plans are listed as follows:

| <b>CPI Period</b>  | <b>Water DSP</b>   | <b>Sewer DSP</b>   | <b>Stormwater DSP</b> |
|--|--------------------|--------------------|-----------------------|
| <b>To 31<sup>st</sup> January 2025</b>   | <b>\$13,361.72</b> | <b>\$12,953.71</b> | <b>\$4,373.99</b>     |
| Note: The charges shown above are amounts applicable during the stated time period. These amounts will be subject to adjustment quarterly in accordance with upward movements in the Consumer Price Index (CPI) once they become operational. The CPI is published quarterly by the Australian Bureau of Statistics, <a href="http://www.abs.gov.au">www.abs.gov.au</a> < <a href="http://www.abs.gov.au">http://www.abs.gov.au</a> >. |                    |                    |                       |

Should new DSP's be prepared, it is possible that the charges may increase significantly. Draft DSP's must be advertised by Council for a period of 30 days prior to adoption.

**Note:** Payment of the above charges is to be by BANK CHEQUE OR CASH and is to be accompanied by the attached sheet entitled "Notice of Payment - Developer Charges & Section 94". Should the Applicant pay by personal or company cheque, the plans subject to this approval will not be available for collection until such time as the cheque has been honoured (i.e., a minimum of 10 days).

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### Compliance Certificate

Compliance Certificate fees, in accordance with Council's Revenue Policy, are as follows and shall be paid prior to the issue of the relevant Construction Certificate:

Water \$255 + Sewer \$255 + Stormwater \$255 = \$765

Prior to final release, you will need to contact Council's Infrastructure Services Division for an inspection to ensure that Council will accept the infrastructure constructed. In response, the Manager of Water and Sewer will specify requirements which will have to be met.

In the case of subdivision, the title plan of subdivision will not be certified and released by Council until the *Water Management Act 2000* charges have been paid and/or secured and the approval of Council has been obtained for all works related to this infrastructure.

In the case of other forms of development, the Construction Certificate will not be issued until the *Water Management Act 2000* charges have been paid and/or secured and the approval of Council has been obtained.

**Reason:** *To retain a level of service for the existing population and to provide the same level of service to the population resulting from new developments.*

### 15. Amendments to Approved Plans

The applicant shall make the following amendments to the approved plans prior to the issue of a Construction Certificate with amended plans to be submitted to Council's Director of Communities and Place or their delegate for approval.

- (a) The awning within the front setback and encroaching the Renwick Drive road reserve is to be removed to ensure the development is wholly contained within the property boundaries.

**Reason:** *To ensure impacts of the development are minimised in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.*

### 16. Landscape Plan

A Landscape Plan prepared by a suitably qualified professional to a scale of 1:100 or 1:200, conforming to all relevant conditions of consent shall be submitted to Council's Director of Communities and Place or their delegate for approval prior to the issue of the Construction Certificate.

The plan shall include the following information:

- Location of all existing and proposed landscape features including materials to be used;
- Delineate and identify all trees to be retained, removed or transplanted;
- Existing and proposed finished ground levels;

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- Top and bottom wall levels for both existing and proposed retaining and free standing walls and
- Detailed plant schedule which includes proposed species listed by botanical (genus and species) and common names, quantities of each species, pot sizes and the estimated size at maturity.
- Pot size at planting out stage
- Soil treatment prior to planting out, fertilizing and water maintenance schedule detailed.
- Additional street tree planting adjoining the frontage of the site in accordance with Council's Street Tree Master Plan.
- Tree Planting to meet design requirements of Council's Street Tree Implementation Plan page 29 or Page 30.
- Tree planting within the site to meet Water Sensitive urban design principles and requirements.
- Trees in car parks are given little opportunity to perform when planted in the compacted subgrade and confined in small spaces surrounded by kerbing. Those trees which do better have usually escaped the kerbed space and have roots upheaving the surrounding pavement. Ensure design allows for minimum soil volumes of proposed tree species at maturity include the use of root barrier in locations where infrastructure is unavoidable.

Consideration within the design should be given to the scale of planting in proportion to the proposed development, consistency with the existing landscape character of the area, potential views, solar access and privacy for neighbouring development.

**Reason:** *To ensure appropriate landscaping treatments are applied to facilitate amenity.*

### 17. Operational Waste Management Plan

To avoid any amenity impacts of bins being lined up in Whitfield Lane on waste collection day, a private waste contractor must be engaged to service waste collection onsite utilising the loading area driveway.

An Operational Waste Management Plan must be prepared by a suitably qualified Waste Consultant and be submitted with the application for the Construction Certificate. The Waste Management Plan must be prepared in accordance with *Section A9.12 Waste Management and Disposal, in Mittagong Township DCP* and include the following:

A Waste Management Plan for the operation of the commercial building shall be completed and submitted to Council for approval, prior to the issue of the Construction Certificate for the development. The waste management plan is to include the following details:

- Waste storage area size;
- Adequate bins provided for scale and nature of use;
- Collection details and size of waste trucks;
- Manoeuvring details of waste trucks; and
- Maintenance of waste area

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- Details of the Waste Contractor to be engaged for waste collection services

**Reason:** *To ensure waste management does not result in any adverse impact on the environment or amenity of the surrounding area.*

**Note:** *This involves a change to the Development Application plans as submitted to and approved by Council.*

*Any changes in this regard shall be reflected as amended plans to be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate for the proposed development.*

**Reason:** *To confirm and clarify the terms of Council's approval.*

### 18. Lighting

Details of external lighting to the car park and building exterior must be provided with the application for the Construction Certificate. External lighting must comply with:

- (a) Lighting at vehicle access points to the development must be provided in accordance with AS/NZS 1158 Set: 2010 Lighting for roads and public spaces Set.
- (b) AS 4282-1997 Control of the obtrusive effects of outdoor lighting, and
- (c) Be mounted, screened and directed in a way that it does not create a nuisance or light spill on to buildings on adjoining lots or public places.

**Reason:** *To ensure public safety and that the amenity of neighbouring properties is not compromised.*

### 19. Access for People with Disabilities

Access for people with disabilities shall be provided in accordance with the requirements of the Building Code of Australia, relevant Australian Standards and with regard to the *Disability Discrimination Act 1992*.

Prior to the issue of a Construction Certificate, the plans shall demonstrate compliance.

**Note:** *Disability (Access to Premises - Buildings) Standards 2010 - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.*

**Reason:** *To inform of relevant access requirements for persons with a disability.*

### 20. Disabled Toilets

Plans and details of the disabled toilet/s shall comply with the relevant Australian Standards, the Building Code of Australia, and with regard to the *Disability Discrimination Act 1992*.



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Prior to the issue of a Construction Certificate, the plans shall demonstrate compliance.

**Note:** *Disability (Access to Premises - Buildings) Standards 2010 - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992. The plans must be approved by the Accredited Certifier prior to issue of a Construction Certificate.*

**Reason:** *To inform of relevant access requirements for persons with a disability*

### **21. Acoustic impacts and mechanical equipment**

The applicant shall have a detailed review of the mechanical plant intended to be installed undertaken by a duly qualified acoustic professional to determine and apply appropriate measures and/or acoustic treatment for compliance with the noise emission criteria specified in Section 4.1 of the Noise Impact Assessment by Acoustic Logic (Ref: 20220288.1/1304A/R0/RG, Rev 0, dated 13/04/2022).

Details of acoustic measures incorporated are to be lodged with the application for the Construction Certificate.

**Reason:** *To prevent loss of acoustic amenity to the area.*

### **22. Damage Deposit for Council Infrastructure**

A damage deposit in accordance with Councils Bonds Policy shall be paid to Council prior to the issue of the Construction Certificate.

This damage deposit shall be refunded upon completion of all works, on the issue of the Final Occupation Certificate. Any costs associated with works necessary to be carried out to rectify any damages caused by the development, shall be deducted from the damage deposit.

Note: Full panel concrete footpath replacement in areas where connection to all services are required. This includes driveways and road concrete panels. This will stop differential settlement and maintain the integrity of council infrastructure and asset.

**Reason:** *Protection of Council infrastructure.*

### **23. 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.

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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.

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

### **24. 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 any of the following relevant approvals:

- Carry out water supply works
- Carry out stormwater drainage works
- Carry out sewer drainage works

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

### **25. Section 138 Roads Act 1993 Approval**

Where works are proposed within the road reserve, the developer must obtain approval from Council (as the Roads Authority and/or as required under Section 138 of the Roads Act 1993) before any works are undertaken. Works within the road reserve may include activities such as erect a structure, dig up or disturb the surface of a public road, remove or interfere with a structure, or any other activities as defined within the Roads Act 1993.

The following details must be submitted to Council in order to obtain the Section 138 approval:

- A copy of approved design plans related to the development and proposed works to be undertaken.
- Traffic Control Plan (TCP) to provide protection for those within and adjacent to the work site, including the travelling and pedestrian public. The TCP must comply with the Roads and Traffic Authority's manual "Traffic Control at Work Sites". Warning and protective devices shall comply with the provisions of AS1742.3 - 2002 Traffic Control Devices for Works on Roads. The plan must be prepared and certified by a person holding the appropriate Roads and Traffic Authority accreditation, a copy of which is to be submitted with the plan.
- Insurance details - Public Liability Insurance to an amount of \$20 million, to be held by applicant / contractor undertaking the works.

**Advice:** *Where works are required within a Classified Road, the Developer must obtain the concurrence and / or the approval of the Roads and Traffic Authority for engineering design plans,*

## **AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024**

*Traffic Control Plans and approvals under Section 138 of the Roads Act 1993.*

**Reason:** *Statutory requirement.*

### **26. Hoardings and Other Temporary Barriers on Council Property**

Council areas are required to have appropriate measures put in place to protect the public. A separate application under the *Roads Act 1993* along with details and appropriate fees be submitted to Council prior to the commencement of work. The application shall detail all hoardings, temporary barriers and various other arrangements proposed to be installed to protect the general public from potential disruption and/or injury and also how Council assets will be protected throughout the course of construction activities.

**Reason:** *To maintain public safety.*

### **27. 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.*

### **28. Graffiti**

External walls to the ground floor are to be finished with a graffiti resistant coating.

**Reason:** *To maintain the building and avoid long term graffiti*

### **29. Construction Management Plan**

To undertake development works including demolition, earthworks and construction a Construction Management Plan (CMP) is required to be submitted and approved by the Principal Certifier (PC) prior to issue of the Construction Certificate. The CMP shall indicate measures to be implemented to protect the environment as well as public health, safety and convenience. The CMP must include the following:

- a) Details of site security;
- b) Off-street parking for employees, contractors and sub-contractors.
- c) Site access for construction vehicles and equipment purposes.
- d) Public safety in the use of roads and footpaths where development activities adjoin such facilities.
- e) The storage and removal, on a regular frequency, of builder's rubble and waste by trade waste contractors.

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- f) Provision for loading and unloading materials;
- g) Location of all building materials, structures, plant and equipment to be stored or placed within the construction site;
- h) How materials are to be loaded/unloaded and potential impact on Council infrastructure (including but not limited to footpaths and street trees)
- i) Public risk policies and management for all contractors' employees using or gaining access over public footpaths and roads.
- j) External lighting and security alarms proposed for the construction site.
- k) Firefighting measures to be available on site during development and construction.
- l) Sanitary amenities proposed on site during development and construction.
- m) Ensuring the safety of members of the public and Council staff who may have occasion to enter and be in attendance on the site;
- n) Details of management of storm water run-off and the propose sediment and erosion control measures including the location of any rubble grids;
- o) Details of any air and dust management;
- p) Details of noise and vibration controls;
- q) Anticipated staging and duration of works
- r) Provision of Traffic Management Plan (TMP) and Traffic Control Plans (TCP)

**Reason:** *To ensure the safety, amenity and protection of public infrastructure and the environment.*

**30. 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*

### **31. Detailed Stormwater Drainage System Design**

Prior to the issue of the Construction Certificate, a detailed storm water hydraulic drainage plan for the disposal of storm water from the site, prepared in accordance with Council's Design Standards shall be submitted to Council and approved by Council's Development Engineer.

Should any changes be required to the approved storm water drainage plan, the amended design shall achieve equivalent performance standards in accordance with Design Specifications.

Note: Construction Certificate Approval does not include approval for works external to the property or civil works.

Where the proposed design extends beyond the property boundary, separate approval under Section 138 of the Roads Act 1993, must be obtained from Council prior to the commencement of works.

The applicant is advised to contact Council for clarification of proposed works for which approval under Section 138 of the Roads Act 1993 applies.

**Reason:** *To ensure adequate storm water management.*

### **32. Carpark Design - Site Servicing**

The car park shall be designed to accommodate the turning movements of the largest vehicle servicing the development. The car park design shall incorporate the following:

- a) The site shall accommodate the turning movements of the largest service vehicle.
- b) Service vehicles shall manoeuvre into and out of the site in a forward direction
- c) The front overhang, and swept path made by the service vehicle shall not obstruct car park traffic or encroach onto parking spaces.
- d) The vehicle swept path shall be reflected on the engineering design plans.
- e) Loading and unloading of service vehicles shall be undertaken onsite with no intrusion onto the road system.
- f) The footpath crossing shall be splayed from the property boundary to the kerb line to accommodate the swept path made by the service vehicle.

**Reason:** *To ensure that the car parking area is constructed to Council requirements*

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### **33. Accessible Car Parking Spaces**

One (1) of the car parking spaces provided as part of the total carparking spaces provided shall be reserved for disabled persons at all times.

These spaces shall be constructed and identified in accordance with Volume 1 of the National Construction Code (NCC) and AS/NZS 2890.6 - Parking Facilities; Off-street parking for people with disabilities.

Details to demonstrate compliance shall be submitted to and approved by the Principal Certifier (PC) prior to the issue of the Construction Certificate.

**Reason:** *To inform of relevant access requirements for persons with a disability.*

### **34. Off Street Parking Provision**

31 off-street car parking spaces suitably marked in accordance with the approved plans (unless elsewhere specified) shall be provided. Each space shall have minimum dimensions in accordance with Australian Standard AS2890.1 Off Street Car Parking.

Details shall be submitted to the Principal Certifier prior to the issue of a Construction Certificate showing compliance with this condition.

**Reason:** *To ensure adequate parking and access.*

### **35. Water and Sewer Authority Conditions**

Prior to issue of 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.

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

### **36. Waste Management Plan - Construction Waste**

A Waste Management Plan shall be completed and submitted to the Principal Certifier (PC) for approval, prior to the issue of the Construction Certificate for the development.

Requirements of the approved Waste Management Plan shall be complied with during site preparation and throughout construction. Waste management and its storage must not pose a threat to public health or the environment.

**Reason:** *To minimise the amount of waste going to landfill.*



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**37. Erosion and Sediment Control Plan**

An Erosion and Sediment Control Plan shall be prepared in accordance with "Landcom's Blue Book" for sedimentation and erosion control plan by a suitably qualified person, and approved by Principal Certifier (PC) 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.

**Reason:** *To minimise soil erosion and sediment movement during construction.*

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### 38. Network Connection – Endeavour Energy

Prior to the issue of a Construction Certificate, an appropriate application will need to be submitted to Endeavour Energy based on the maximum demand for electricity for connection of load.

**Reason:** *To ensure appropriate infrastructure is provided to the development.*

## CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK

### 39. 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 Principal 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.*

### 40. Principal Certifying Authority Sign

Prior to commencement of any work, signage must be erected in a prominent position on the work site identifying:

- (a) The Principal Certifier (PC) by showing the name, address and telephone number of the PCA;
- (b) The Principal Contractor by showing the Principal Contractor's name, address and telephone number (outside of work hours) for that person.
- (c) The sign must state that unauthorised entry to the work site is prohibited.

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

## **AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024**

This clause does not apply to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

**Advice:** *Where Council is the Principal Certifier, signage is available from Council.*

**Reason:** *Statutory requirement*

### **41. Construction Certificate**

No work shall commence until a:

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

**Reason:** *Statutory Requirement.*

### **42. 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.*

### **43. Relocation of Existing Services**

Where existing services are required to be relocated as a result of the development, an approval from the relevant authority is required prior to commencing work. The required relocation shall be completed by the developer at no cost of Council.

**Reason:** *Statutory requirement.*

### **44. Relocation of Sewerage**

Prior to commencement of construction of the building, the existing sewer main shall be relocated in accordance with the approved Section 68 plans. Relocation of sewer main is to be clear of all buildings, structures and services. All superseded mains and structures are to be removed from site.

**Reason:** *To protect public utilities.*

### **45. Concrete Driveway Construction Over Existing Water Main**

Where a concrete driveway is to be constructed over an existing potable water main, a minimum cover of 600mm shall be maintained at all times. No vibrating compaction shall be undertaken within the zone of influence of the existing water main.

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The Applicant shall positively identify the existing water main and confirm the location and depth of the existing water main prior to construction of the concrete driveway. The location and depth of the existing water main shall be provided on the submitted Section 68 plans for review and acceptance by Council.

**Reason:** *To protect public infrastructure.*

### 46. Erosion and Sediment Control

Erosion and sediment control measures (as per the approved Erosion and Sediment Control Plan) shall be installed prior to the commencement of works.

**Reason:** *To ensure that sediment does not leave the site as a result of the construction of the development.*

## CONDITIONS TO BE SATISFIED DURING THE CONSTRUCTION PHASE

### 47. 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 Certifying Authority (PCA).*

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.*

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**48. Structure not to be built over easements/infrastructure**

No portion of any structure shall be erected over any existing sillage or stormwater disposal drains and easements.

**Reason:** *To protect infrastructure.*

**49. Engineering Inspections by Council**

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

(j) Sewer main relocation/augmentations.

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*

**50. 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

**Reason:** *To ensure appropriate asset management.*

**51. Defects and Liability Bond for Public Assets - Civil Works**

Prior to the issue of any Occupation Certificate the developer shall lodge a cash bond to cover the defects liability period of 24 months for any public infrastructure constructed by them which will handed over to council. The liability period will commence from the date of issue of the Occupation Certificate.

The security bond will be in an amount equal to 10% of the value of the total civil works with a minimum value of \$10,000 based on the civil costs supported by written evidence in accordance with Council's Bond Policy. The bond shall be assessed by Council for release after the 24 month period on formal request from the developer.

**Reason:** *To ensure appropriate warranty periods apply for defect liability*

**52. Provision of Services**

A separate sewer connection and water service shall be provided to the development at the applicants expense prior to the issue of the Occupation Certificate.

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All property services shall be located within the lots that they serve in accordance with Wingecarrabee Shire Council Engineering Design and Construction Specifications, Drawings and relevant Standards.

The applicant shall provide to Council written confirmation of compliance.

**Reason:** *To ensure that all available services are provided to each lot within the subdivision.*

### **53. Construction of Sewer Sidelines**

A sideline and junction shall be installed for a gravity sewer connection to the development by Council at the Developer's cost prior to the issue of the Occupation Certificate.

Council's application form shall be completed by the applicant and the appropriate fee paid.

**Reason:** *To ensure that the development is serviced.*

### **54. Construction of Water Service**

A water service shall be installed to the development by Council at the applicant's cost prior to the issue of the Occupation Certificate. Council's application form shall be completed by the Developer and the appropriate fee paid.

Advice: A water meter should be installed prior to construction commencing.

**Reason:** *To ensure that the development is serviced.*

### **55. Ground Levels**

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.*

### **56. Excavations and Backfilling**

All excavations and backfilling associated with the erection or demolition of a building shall be executed safely and in accordance with appropriate professional standards properly guarded and protected to prevent them from being dangerous to life or property.

**Reason:** *To ensure the safety of life and property.*



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### **57. 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 appropriately retained.*

### **58. 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.*

### **59. 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.*

### **60. 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. 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.*

### **61. Stormwater – Construction**

The applicant shall provide adequate storm water drainage infrastructure (pits/pipes/open channels/detention storage) for the conveyance of storm water passing through the site from upstream and sourced from the development to a discharge outlet to be approved by Council. The point of discharge shall be

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clearly depicted and the legal right to discharge at that point to be justified. Status of the point of discharge is to be made clear (i.e., provision of drainage easements).

**Reason:** To assist in the prevention of erosion of the site from storm water.

**62. 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.*

**63. Engineering Inspections by Council**

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

- a) Works in relation to road reserves, footpath, kerb and gutter, road shoulder and drainage within public lands or road reserves.
- b) Final inspection of footpath, driveway, stormwater and utility construction works within the road reserve.

**Note:** *The subject building is not to be occupied until an Interim or Final Occupation Certificate is issued.*

**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.*

**64. Dust Control**

Where a dust nuisance is likely to occur, suitable screens and/or barricades shall be erected during the demolition, excavation and building works. If necessary, water sprays shall be used on the site to reduce the emission of dust.

Screening shall consist of minimum 2 metres height of shade cloth or similar material secured to a chain wire fence of the like.

**Reason:** *Environmental amenity*

**65. Approved Hours of Construction**

Construction activities shall be limited to the following hours:

| <b>DAY</b>         | <b>HOURS</b>     |
|--------------------|------------------|
| Monday to Saturday | 7:00am to 5:00pm |
| Sunday             | Nil              |
| Public Holidays    | Nil              |

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**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 lodgement of an application under Section 4.55 of the Environmental Planning and Assessment Act 1979.*

**66. 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.*

**67. 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*

**68. Temporary Onsite Toilet**

Toilet facilities shall be available or provided at the work site prior to the commencement of works and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

Each toilet shall:

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

- (a) be a standard flushing toilet connected to a public sewer, or
- (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- (c) be a temporary chemical closet approved under the *Local Government Act 1993*.

**Reason:** *To ensure that there are appropriate facilities on-site for construction workers.*

**69. Construction Management Plan**

All development activities and traffic movements shall be carried out in accordance with the approved Construction Management Plan.

All controls in the Plan shall be maintained at all times. A copy of the Plan must be kept on site at all times and made available to the Accredited Certifier and Council on request.

**Reason:** *Compliance with condition of consent.*

**70. 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.*

**71. 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.*

**72. Prevention of Nuisance**

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.*

## AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024

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

#### 73. 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 Certifying Authority 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.*

**Note:** *The applicant is to ensure that works associated with the Section 138 (Roads Act) approval and Section 68 (Local Government Act) approval are completed and inspected by Council.*

#### 74. Section 138 Roads Act Final

The applicant is to ensure that the works associated with the Section 138 approval for this development be completed and inspected by Council prior to the issue of any Occupation Certificate.

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

#### 75. 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 issue of any Occupation Certificate.

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

## **AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024**

### **76. 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.*

### **77. Works as Executed Drainage Diagram**

The applicant shall submit to Council a copy of the works as executed plans for the both internal and external drainage (Sewer Service Diagram) prior to the issue of an Occupation Certificate. These plans shall be drawn to scale including all relevant details in accordance with the requirements of the NSW Fair Trading. The requirements of the Plumbing Act are to be complied with also in this regard.

**Reason:** *So that Council may ensure that the construction is in accordance with Council's requirements, and so that a permanent record of the drainage details may be held by Council, to assist in future maintenance.*

### **78. 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.

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

### **79. Certification of Internal Civil Works**

On completion of the works and prior to the issue of the Occupation Certificate, certification from a practicing appropriately qualified engineer, 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.*

### **80. Food Premises Requirements**

Prior to the issue of an Occupation Certificate, any food premises shall be constructed, fitted-out and set up in accordance with all applicable food legislation/regulation and standards, including:

- Food Act 2003;
- Food Regulation 2010;
- Food Standards Code;
- Australian Standard AS4674–2004 Design, Construction and Fit out of Food Premises; and



## **AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024**

- Australian Standard AS1668.2-2012 The use of ventilation and airconditioning in buildings - Mechanical ventilation in buildings.

**Reason:** *Compliance with legislation and standards.*

### **81. Landscape Certification**

Certification is to be provided to the Principal Certifying Authority (PCA) from the designer of the landscape plan that all tree planting/landscape works have been carried out in accordance with the Council endorsed landscape plan. If Council is the PCA, the certification is to be submitted to Council prior to or at the final landscape inspection. If Council is not the PCA, a copy of the certification is to be provided to Council with the lodgement of the Occupation Certificate.

**Reason:** *To ensure that the landscaping is completed prior to occupation.*

### **82. Operational Plan of Management**

Prior to the issue of an Occupation Certificate, the applicant shall prepare and submit to Council for approval an Operational Plan of Management which addresses all operational and management procedures for the development, to ensure that all tenancies and uses operate safely and without disturbance to the surrounding locality. Matters to be addressed include (but are not limited to):

- a) hours of operation of the uses within the building;
- b) noise emissions generated by the use and mechanical plant to satisfy criteria set out in the EPA's Industrial Noise Policy 2000;
- c) management of deliveries, all loading and unloading operations associated with servicing the site must be carried out within the confines of the site, at all times and must not obstruct other properties / units or the public way;
- d) management measures to control vehicle activity;
- e) the emergency management of the movement of people within and surrounding the site;
- f) waste collection and maintenance of the site;
- g) security management – lighting, CCTV etc;
- h) the necessary operational and maintenance requirements of all landscaped areas onsite. Such requirements must ensure that all landscaping is maintained in perpetuity; and
- i) acoustic mitigation requirements.

**Reason:** *To ensure that the use can operate safely and without disturbance to the surrounding locality.*

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**83. Identification Survey**

An identification survey prepared by a Registered Land Surveyor shall be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate to demonstrate that all buildings and structures have been constructed entirely within the allotment boundary and in accordance with the approved plans.

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

**84. Vehicle Access (Urban)**

Access to the site shall be provided by means of a vehicle crossing as per Standard Drawing No SD108 and approved by Council prior to the issue of the Occupation Certificate. A copy of the Standard Drawing can be obtained from Council's offices.

**Reason:** *To ensure that the driveway is constructed to Council's standard specification.*

**85. Acoustic Attenuation**

Prior to the issue of the Occupation Certificate, certification is to be provided by an Acoustic Engineer verifying that the noise generated from the operation of the plant equipment and loading dock achieve the noise levels recommended in the approved Acoustic Report which forms part of the approved plans.

**Reason:** *To ensure noise levels do not adversely impact on adjoining residential neighbours.*

**86. Stormwater Drainage**

Prior to the issue of the Occupation Certificate:

- (a) Any regraded areas shall be free draining, away from the buildings, and shall not concentrate surface water onto adjoining properties.
- (b) Stormwater drainage works shall be carried out in accordance with the requirements outlined in the Section 68 approval.

**Reason:** *To comply with legislation.*

**CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE OF THE DEVELOPMENT**

**87. Use not to Commence**

The approved use shall not commence until the proposed development has been completed in accordance with this consent and issue of any other Council approvals which may be required.

**Reason:** *To ensure that the use of the site is lawful.*

## **AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024**

### **88. Operation of the Loading Dock – Deliveries and Waste Collection**

Loading dock deliveries and Waste Collection shall only occur between the hours of 7am to 9pm on Monday-Friday and 8am-9pm on Weekends and Public Holidays.

- All vehicular loading and unloading shall be carried out within the site to provide for safe off-street loading and unloading of vehicles servicing the site and to prevent interference with the use of the public road by vehicles and pedestrians.
- The underside of the ceiling in the loading dock area should incorporate absorptive lining material, equal to NRC 0.7;
- Trucks should utilise a non-tonal reversing beacon where possible; and
- A 3000mm high acoustic barrier is to be incorporated, as per the architectural drawings, along the northern boundary of the site, adjacent to the loading dock.

**Reason:** *To prevent loss of amenity to the area.*

### **89. Waste Collection**

The collection of waste shall only occur between the hours of 7am to 9pm on Monday-Friday and 8am-9pm on Weekends and Public Holidays.

**Reason:** *To prevent loss of amenity to the area.*

### **90. Waste Management Plan**

The approved Waste Management Plan shall be implemented during the ongoing operation of the development.

**Reason:** *To ensure that waste is managed in a sustainable manner.*

### **91. Operational Noise Levels**

The Applicant shall ensure operational noise levels for the development do not exceed the background level by more than 5 dB(A) at the nearest affected residential property. Without limiting the above, operational noise levels must also fall within the requirements of the acceptable noise amenity level for the area as specified by the NSW EPA *Noise Policy for Industry*. In the event that operational noise is identified as exceeding the requirements of this condition, the Applicant will be required to undertake such works as is necessary to remedy such exceedance within a period determined by Council.

**Reason:** *To prevent loss of amenity to the area.*

### **92. Management of Retail / Commercial Building**

The use of the building must be conducted in accordance with the Operational Plan of Management as approved by this Development Consent.

The Plan of Management must be:

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

- a) kept current and onsite at all times;
- b) reviewed and updated if there are any operational changes, and a copy supplied to Council.

**Note:** *Changes to the Plan of Management must remain consistent with the approved conditions of this consent.*

*The contact details of the nominated contact person responsible in responding to any issues or complaints raised by the community or Council are to be always displayed in a publicly visible location at the premises.*

*A copy of the Plan of Management is to be available upon request and held on site.*

**Reason:** *To prevent loss of amenity to the area and ensure ongoing compliance.*

**93. Annual Fire Safety Statement**

Each year, the owner of a building to which an essential fire safety measure is applicable shall cause the Council to be given an annual fire safety statement for the building. Such a fire safety statement:

- (a) shall deal with each essential fire safety measure in the building premises; and
- (b) shall be given within twelve months after the last such statement was given, or if no such statement was given, within twelve months after a final fire safety certificate was first issued for the building.

As soon as practicable after a final fire safety certificate is issued, the owner of the building to which it relates:-

- (a) shall cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of New South Wales Fire Brigades; and
- (b) shall cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be permanently displayed in the building.

**Reason:** *To ensure compliance with fire safety requirements.*

**94. Lighting**

All external lighting shall:

- (a) Comply with AS 4282-1997 Control of the obtrusive effects of outdoor lighting, and
- (b) Be mounted, screened and directed in a way that it does not create a nuisance or light spill on to buildings on adjoining lots or public places.
- (c) Lighting at vehicle access points to the development must be provided in accordance with AS/NZS 1158 Set: 2010 Lighting for roads and public spaces Set.

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**95. Car Parking**

31 car parking spaces including one (1) disabled car space are to be retained in the approved car parking area associated with the commercial building. 24 car parking spaces are to be allocated for the ground floor retail tenancies, 6 car parking spaces for the business/office uses of the first floor and one accessible car parking space for persons with disabilities.

**96. Parking - Signage**

All vehicle parking areas, service bays, driveways and turning areas shall be maintained clear of obstructions and be used exclusively for purposes of vehicle parking loading / unloading, and vehicle access respectively for the life of the development. Under no circumstances are such areas to be used for the storage of goods or waste materials.

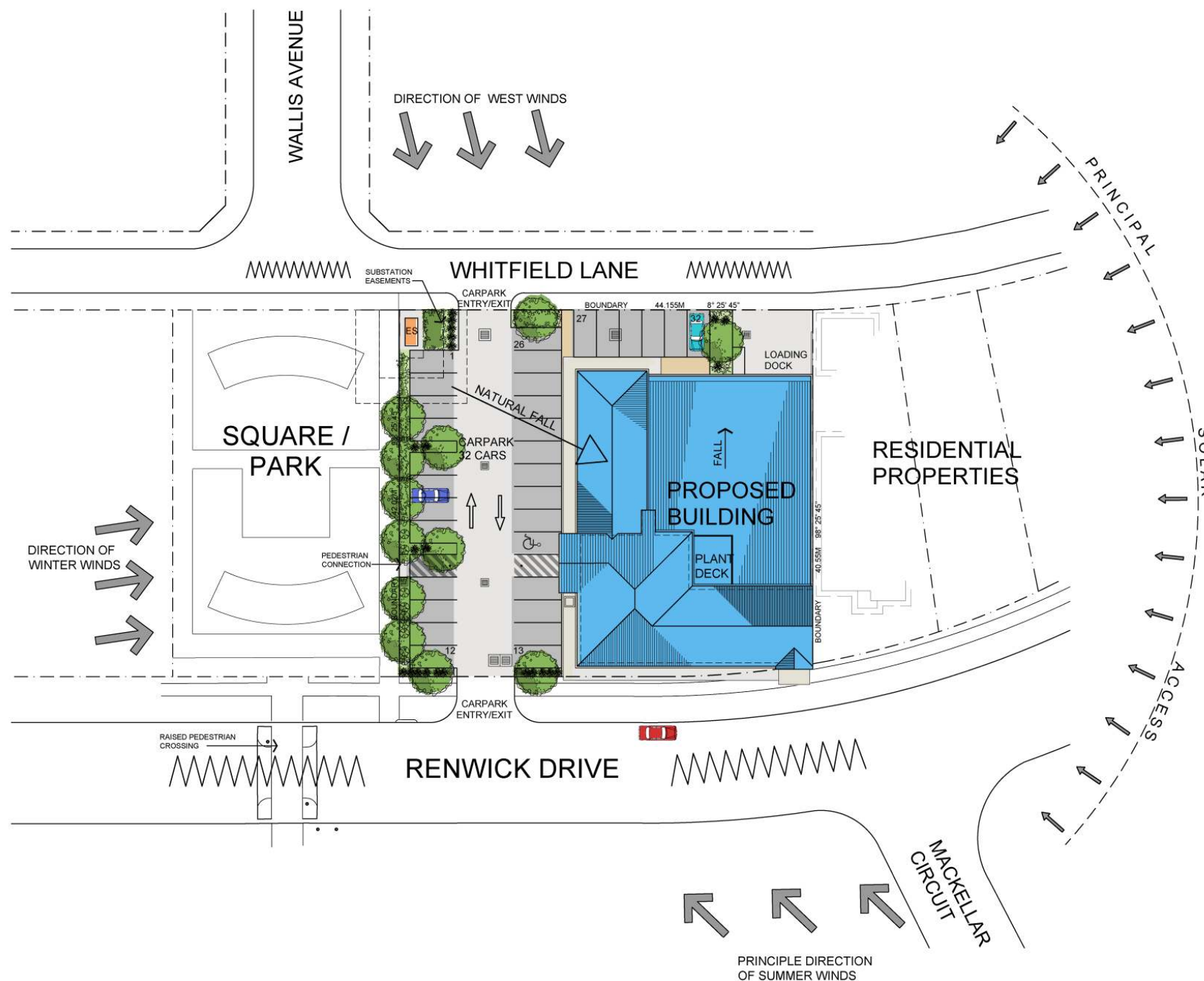
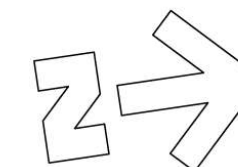
**END OF CONDITIONS**



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| No. | AMENDMENTS                        | Drawn | Date     |
|-----|-----------------------------------|-------|----------|
| A   | ISSUED FOR COUNCIL PRE DA MEETING | CA    | 19-01-22 |
| B   | ISSUED FOR DA                     | CA    | 06-05-22 |
| C   | GENERAL REVISION                  | JP    | 21-04-23 |
| D   | GENERAL REVISION                  | JP    | 30-10-23 |
| E   | GENERAL UPDATE                    | GG    | 24-11-23 |
| F   | ISSUED FOR REVIEW                 | JP    | 16-08-24 |

| AREA SCHEDULE    |                         |
|------------------|-------------------------|
| USE              | AREA (m <sup>2</sup> )  |
| GF RETAIL        | 715                     |
| FF COMMERCIAL    | 215                     |
| <b>TOTAL GFA</b> | <b>930m<sup>2</sup></b> |



LEGEND  
 ES EXISTING SUBSTATION  
 NOISE SOURCE  
 SIZE INDICATES SEVERITY

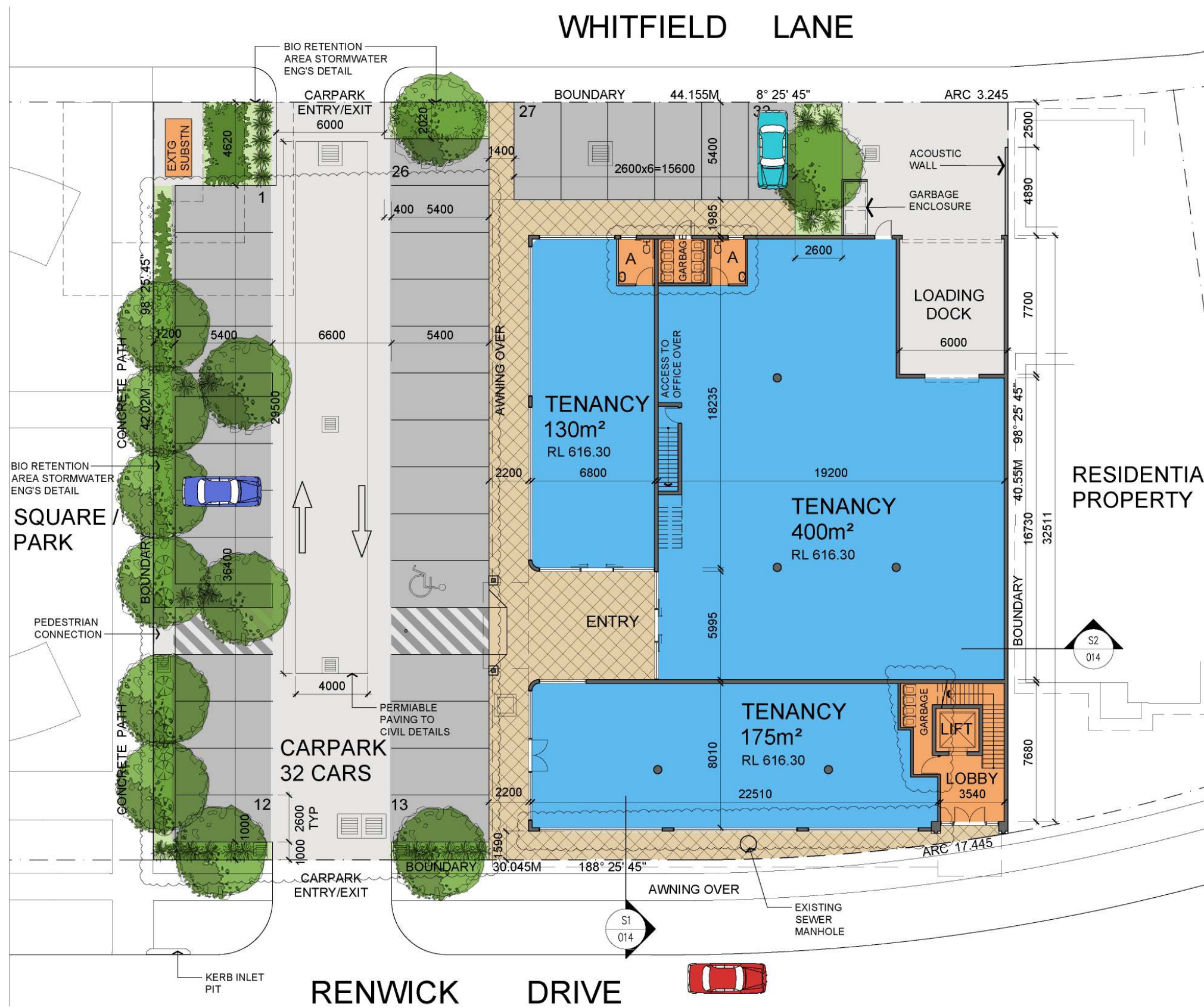
PROJECT  
**RENWICK  
 NEIGHBOURHOOD  
 CENTRE**

| CLIENT                               | SCALE      |
|--------------------------------------|------------|
|                                      | 1:500      |
| DRAWING                              | SHEET SIZE |
| <b>SITE ANALYSIS<br/>- SITE PLAN</b> | <b>A3</b>  |
| DRAWN                                | DATE       |
| CA                                   | JAN 22     |
| CHECKED                              | DATE       |
|                                      |            |

PROJECT No. 1129 | DRAWING No. 010 | ISSUE F

**Hely Horne Perry  
 Architects Pty Ltd**  
 A. B. N. 25 131 448 729  
 Email: mail@thpa.com.au Telephone (02) 0400 600 330  
 Nominated Architect: John Perry Reg. No. 8846

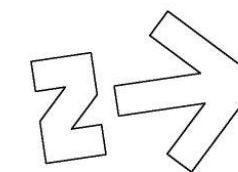




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| No. | AMENDMENTS                        | Drawn | Date     |
|-----|-----------------------------------|-------|----------|
| A   | ISSUED FOR COUNCIL PRE DA MEETING | CA    | 19-01-22 |
| B   | ISSUED FOR DA                     | CA    | 06-05-22 |
| C   | GENERAL REVISION                  | JP    | 21-04-23 |
| D   | GENERAL REVISION                  | JP    | 30-10-23 |
| E   | GENERAL UPDATE                    | GG    | 24-11-23 |
| F   | UPDATE FOR REVIEW                 | GG    | 01-08-24 |

| AREA SCHEDULE    |              |
|------------------|--------------|
| USE              | AREA (m²)    |
| GF RETAIL        | 705          |
| FF COMMERCIAL    | 225          |
| <b>TOTAL GFA</b> | <b>930m²</b> |



PROJECT  
**RENWICK NEIGHBOURHOOD CENTRE**

CLIENT SCALE

1:200  
SHEET SIZE  
**A3**  
DATE  
OCT 21  
DRAWN  
JP  
CHECKED

PROJECT No. DRAWING No. ISSUE

**1129 | 011 | F**

**Hely Horne Perry Architects Pty Ltd**

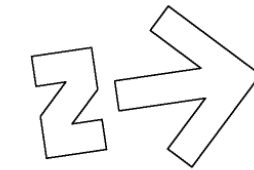
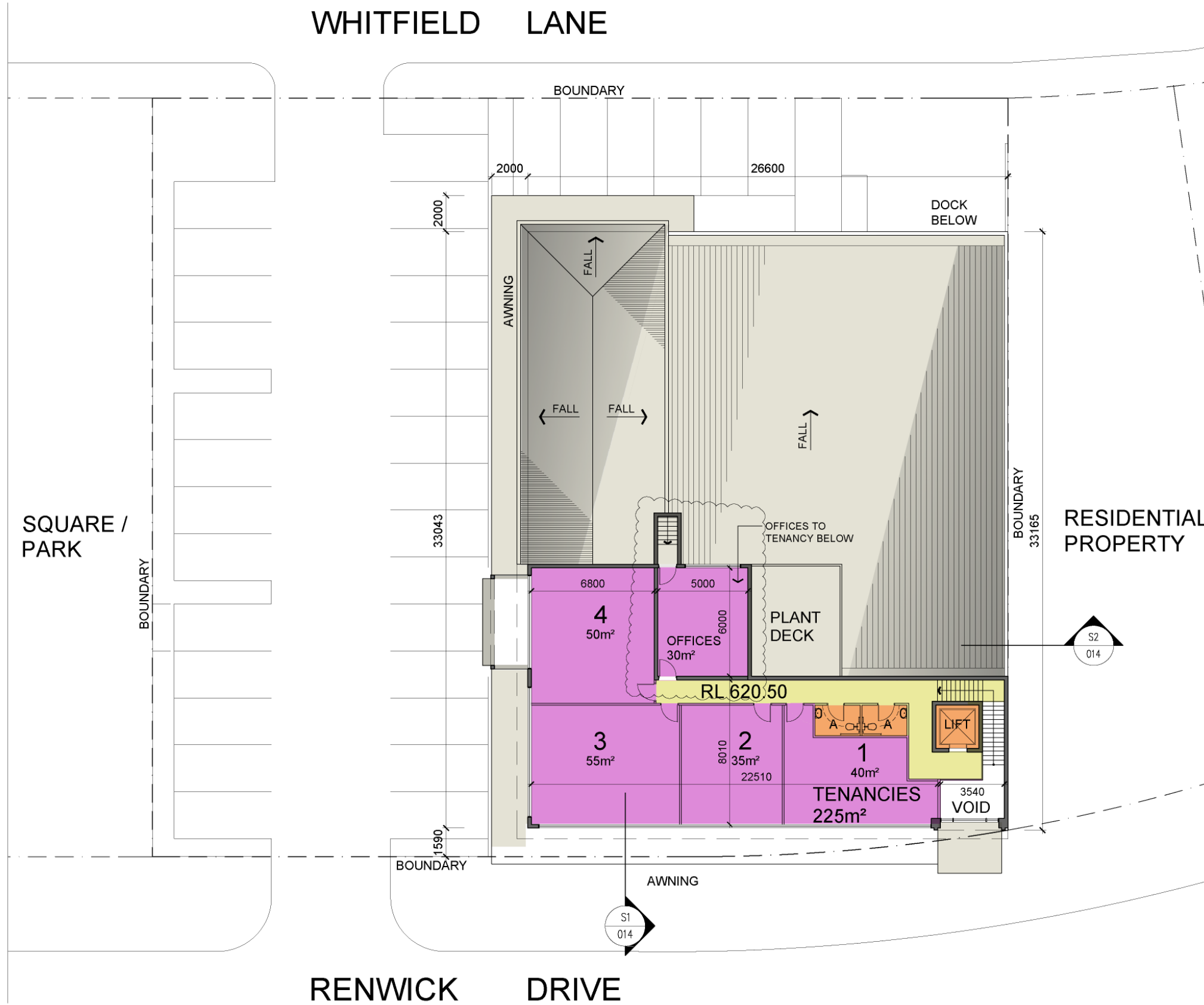
A. B. N. 25 131 448 729  
Email: mail@hhpa.com.au Telephone (02) 0400 600 330  
Nominated Architect: John Perry Reg. No. 8846





Architects • Project Managers

| No. | AMENDMENTS                        | Drawn | Date     |
|-----|-----------------------------------|-------|----------|
| A   | ISSUED FOR COUNCIL PRE DA MEETING | CA    | 19-01-22 |
| B   | ISSUED FOR DA                     | CA    | 06-05-22 |
| C   | GENERAL REVISION                  | JP    | 21-04-23 |
| D   | GENERAL REVISION                  | JP    | 30-10-23 |
| E   | GENERAL UPDATE                    | GG    | 24-11-23 |
| F   | UPDATE FOR REVIEW                 | GG    | 01-08-24 |



PROJECT  
**RENWICK NEIGHBOURHOOD CENTRE**

CLIENT

SCALE  
1:200

SHEET SIZE  
**A3**

DRAWING  
DATE  
OCT 21

DRAWN  
JP

CHECKED

PROJECT No. | DRAWING No. | ISSUE  
**1129 | 012 | F**

**Hely Horne Perry Architects Pty Ltd**

A. B. N. 25 131 448 729  
Email: mail@hhpa.com.au Telephone (02) 0400 600 330  
Nominated Architect: John Perry Reg. No. 8846

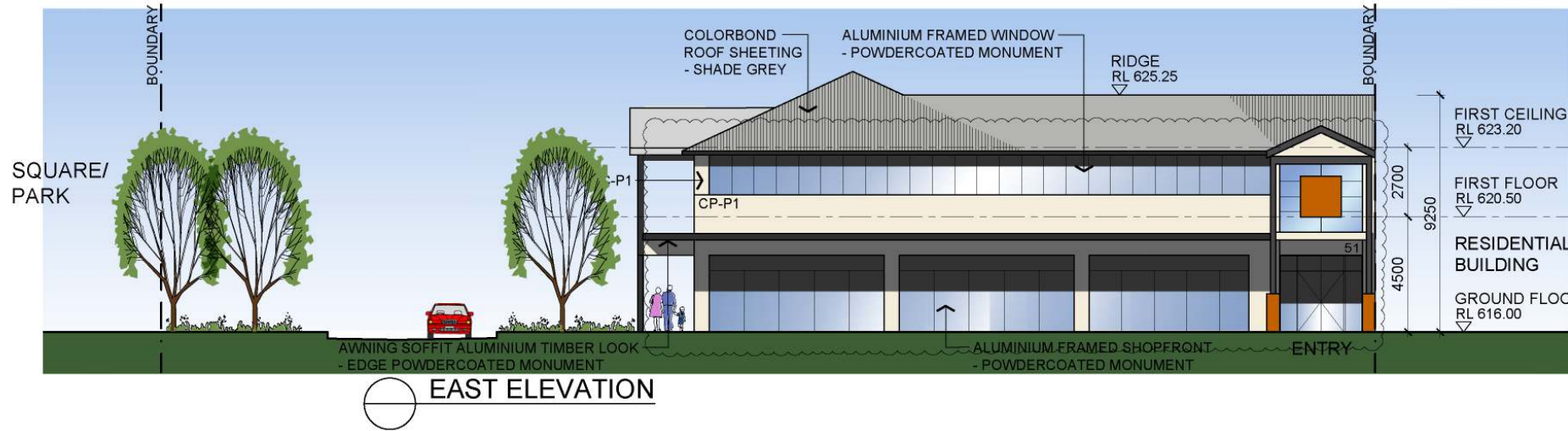


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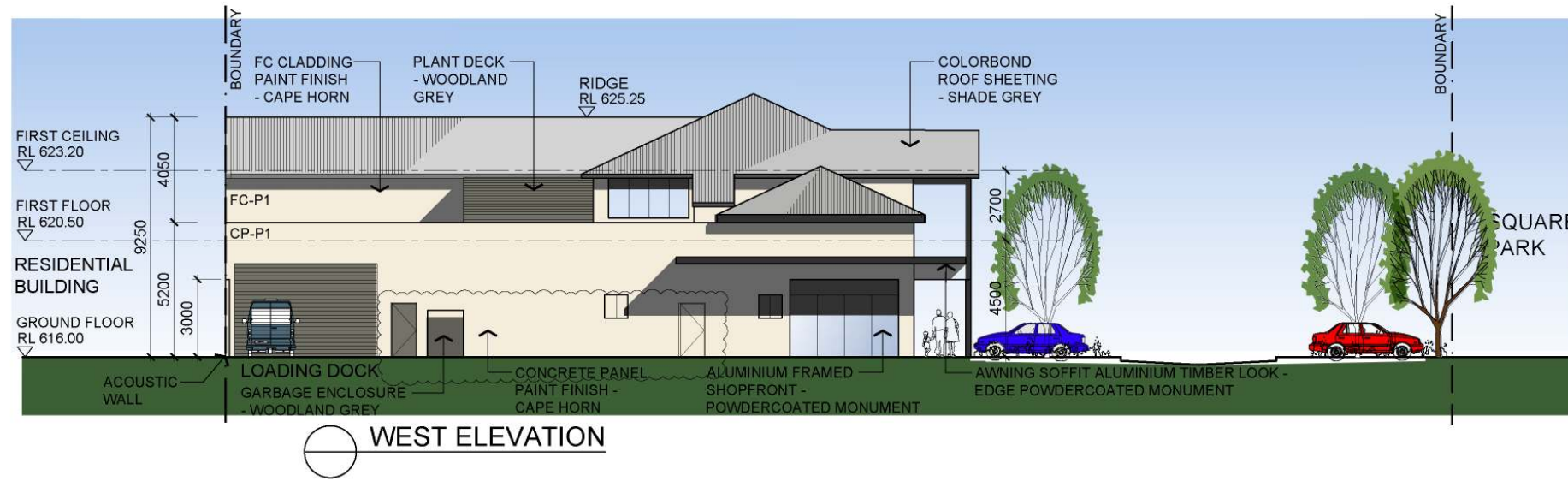
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|-----|-----------------------------------|-------|----------|
| A   | ISSUED FOR COUNCIL PRE DA MEETING | CA    | 19-01-22 |
| B   | ISSUED FOR DA                     | CA    | 06-05-22 |
| C   | GENERAL REVISION                  | JP    | 21-04-23 |
| D   | UPDATE FOR REVIEW                 | JP    | 01-08-24 |



**SOUTH ELEVATION**



**EAST ELEVATION**



**WEST ELEVATION**

**SCHEDULE OF FINISHES:**

- ROOF: PROFILED COLORBOND STEEL - SHADE GREY
- FEATURE AREAS AROUND ENTRY: PREFINISHED ALUMINIUM CLADDING - TERRACOTTA
- CONCRETE PANELS AND COLUMNS: HIGH BUILD PAINT WATTYL CAPE HORN: CP-P1
- FIRST FLOOR: FC CLADDING - HIGH BUILD PAINT WATTYL CAPE HORN: FC-P1
- WINDOW FRAME, FASCIA AND AWNING EDGE: POWDERCOATED MONUMENT
- SOFFIT ENTRY AND AWNING: PREFINISHED ALUMINIUM TIMBER LOOK
- PLANT DECK AND GARBAGE ENCLOSURE: WOODLAND GREY

**PROJECT**  
**RENEWICK NEIGHBOURHOOD CENTRE**

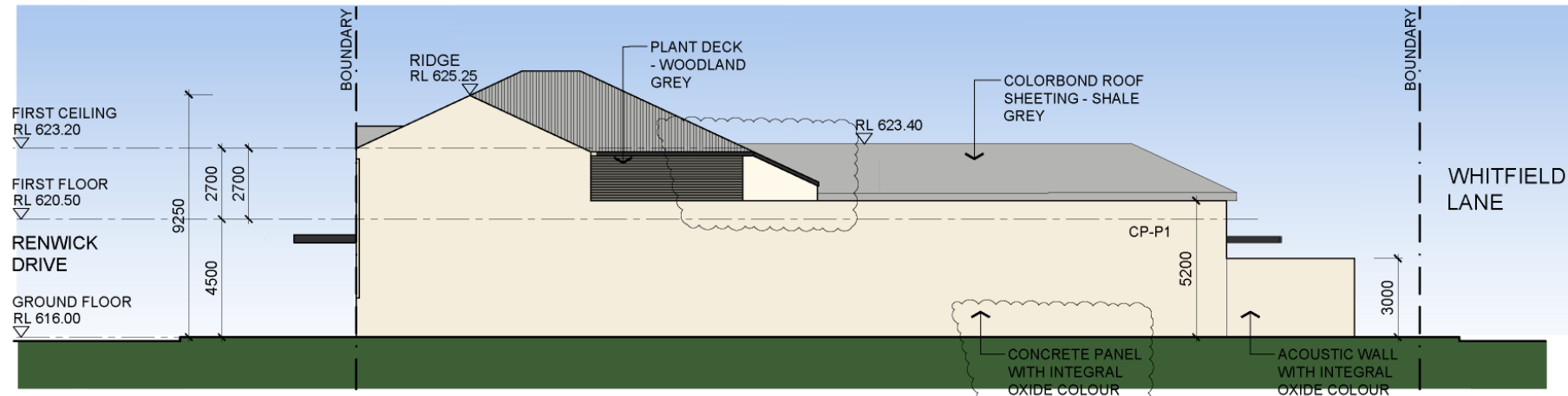
| CLIENT            | SCALE      |
|-------------------|------------|
|                   | 1:200      |
| DRAWING           | SHEET SIZE |
| <b>ELEVATIONS</b> | <b>A3</b>  |
| DRAWN             | DATE       |
| JP                | OCT 21     |
| CHECKED           | ISSUE      |
|                   |            |

PROJECT No. 1129 | DRAWING No. 013 | ISSUE D  
**Hely Horne Perry Architects Pty Ltd**  
A. B. N. 25 131 448 729  
Email: mail@hhpa.com.au Telephone (02) 0400 800 330  
Nominated Architect: John Perry Reg. No. 8846

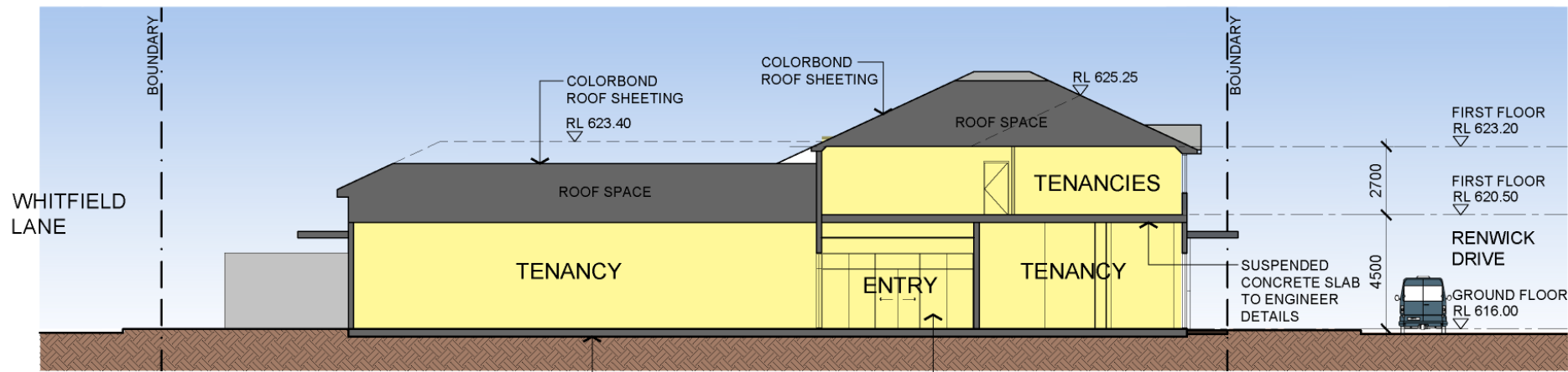


Architects • Project Managers

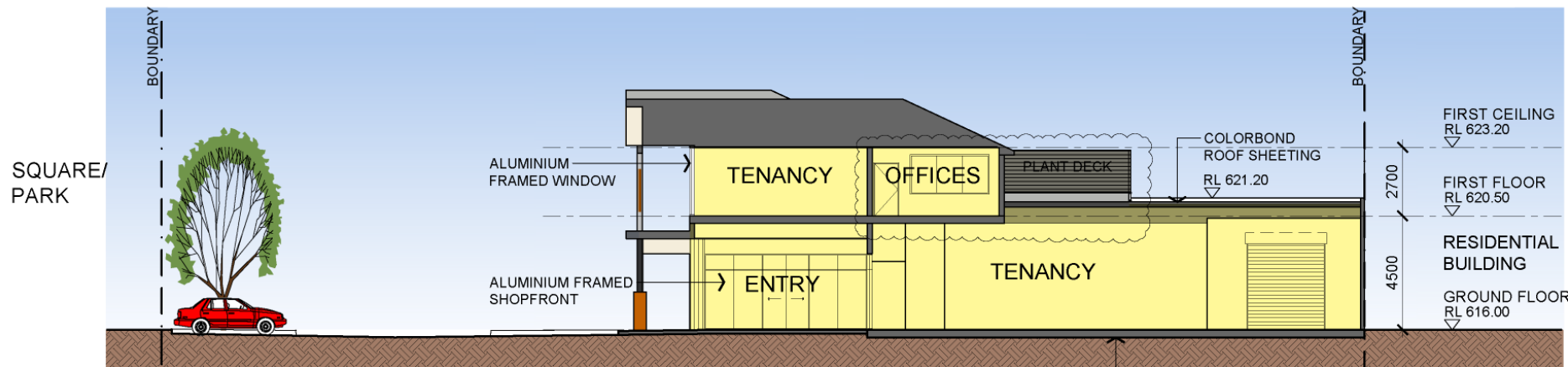
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|-----|-------------------|-------|----------|
| A   | ISSUED FOR DA     | CA    | 06-05-22 |
| B   | GENERAL REVISION  | JP    | 21-04-23 |
| C   | ADDITIONAL NOTES  | GG    | 23-11-23 |
| D   | UPDATE FOR REVIEW | GG    | 01-08-24 |



**NORTH ELEVATION**



**S1 SECTION A**



**S2 SECTION B**

**SCHEDULE OF FINISHES:**

- ROOF: PROFILED COLORBOND STEEL - SHADE GREY
- FEATURE AREAS AROUND ENTRY:  
PREFINISHED ALUMINIUM CLADDING - TERRACOTTA
- CONCRETE PANELS AND COLUMNS:  
HIGH BUILD PAINT WATTYL CAPE HORN: CP-P1
- FIRST FLOOR: FC CLADDING - HIGH BUILD PAINT WATTYL CAPE HORN: FC-P1
- WINDOW FRAME, FASCIA AND AWNING EDGE :  
POWDERCOATED MONUMENT
- SOFFIT ENTRY AND AWNING:  
PREFINISHED ALUMINIUM TIMBER LOOK
- PLANT DECK AND GARBAGE ENCLOSURE:  
WOODLAND GREY

**PROJECT**  
**RENWICK NEIGHBOURHOOD CENTRE**

| CLIENT | SCALE      |
|--------|------------|
|        | 1:200      |
|        | SHEET SIZE |
|        | <b>A3</b>  |
|        | DATE       |
|        | MAR 22     |
|        | DRAWN      |
|        | CA         |
|        | CHECKED    |

**ELEVATIONS & SECTIONS**

| PROJECT No. | DRAWING No. | ISSUE |
|-------------|-------------|-------|
| 1129        | 014         | D     |

**Hely Horne Perry Architects Pty Ltd**

A. B. N. 25 131 448 729  
Email: mail@hhpa.com.au Telephone (02) 0400 600 330  
Nominated Architect: John Perry Reg. No. 8846

**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**From:** [REDACTED]  
**Sent:** Wed, 18 Sep 2024 15:09:05 +1000  
**To:** "Wingecarribee Shire Council" <mail@wsc.nsw.gov.au>  
**Subject:** 25/0329 - submission for S8.2 Review of the Refusal of DA 22/1747 for Construction of Retail / Commercial Building  
**Categories:** Development Submissions

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Dear Council

I would like to make a submission on the proposed S8.2 Review of the Refusal of DA 22/1747 for Construction of Retail / Commercial Building at 56 Renwick Drive Renwick.

As a reference, I sit on Design Review and Design Excellence Panels and have had a tenure on the Local Planning Panel for the Camden LGA.

I own a dwelling at 5 Cupitt Street Renwick, this being the first time to have received any public notification of a DA to this site.

My comments are provided as much as I would for a design review panel submission to help formulate councils response.

As a resident, I was, at purchase, aware a commercial neighbourhood centre was proposed and therefore in support of an appropriate design response to the site.

1. BULK AND SCALE

A sensitive design approach to the site is required, considering its surrounding context, height restrictions and particularly as it is a transitional site to the adjacent residential dwelling zoning.

The proposed design layout creates a number of amenity and impacts to surrounding neighbours.

- The zero-boundary lot treatment to the site means to the immediate neighbour that there is no way in which to ameliorate the impact from the proposal and delivers a bulk and scale without any form of transition in the built form to the adjoining neighbour. A residential type setback would facilitate a more appropriate outcome
- The placement of the second storey form, which generally could be supported in an appropriate form, places the volume again against this neighbour's boundary to the north and amplifies the bulk and scale.
- A design approach that instead created a setback from the northern boundary, providing deep soil landscape treatment and placed the proposed second floor away from this interface would be a better outcome

2. WASTE MANAGEMENT



## **AGENDA OF THE LOCAL PLANNING PANEL THURSDAY 19 DECEMBER 2024**

The location of waste bins throughout the site no doubt is supported by a plan of management.

The practical application of this within the design results in a number of amenity issues:

- Waste bins to the upper floor lobby are in a concealed room with no clear way of providing ventilation other than via the lobby itself
- The Waste bins need to be managed on site to a central pickup point – presumably near the loading dock and no direct pathway is provided
- The external waste storage area to the loading dock will generate an ongoing issue with noise, wind blown mess and typically they becomes overloaded with cardboard material etc that is visually unappealing
- A design approach to resolve these issues would be to ensure access to all bins and waste pick up areas are managed within the site and within internally ventilated rooms. No external storage should be permitted. The Loading dock should not be hard against the neighbours boundary and placed more sensitively within the site context

### **3. SUSTAINABILITY**

The site sustainability credentials have the ability to be improved and amplified

- Bioretention swales should be fully designed, engineers can typically design a space devoid of plant material and the green treatment to the site as shown cannot be guaranteed to be delivered
- Permeable paving should be proposed to the entirety of the carpark, not just within the central corridor
- Solar panels to roofing should provide commitments to energy delivery and be embedded in the project
- Natural ventilation and minimisation of plant equipment should be provided
- Can the design not work around the existing street trees – the site is high unencumbered, and it seems remiss to just remove and replace. Design around it
- Rainwater tanks for irrigation.

### **4. SEVICING**

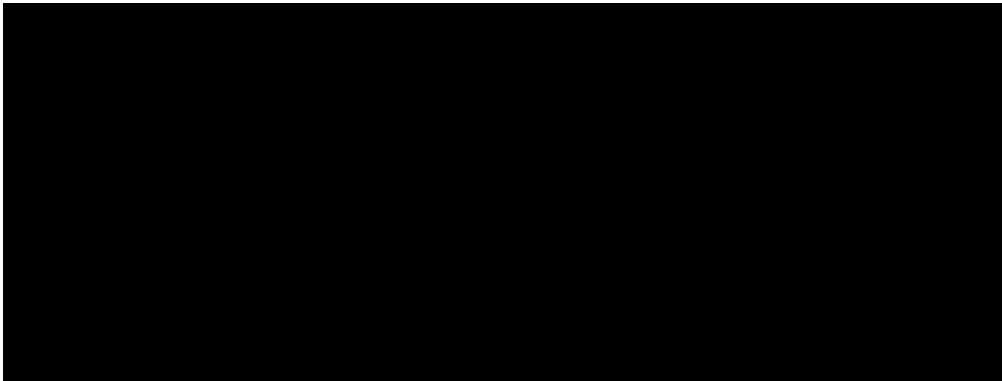
The submission is light on the detail for the servicing of the built form

- Signage – not located and clear placement with a signage strategy should be provided
- Fire hydrants/ was not able to locate but will impact on built form
- Pathway widths to upper level appear to require areas outside the boundary to enable a minimum path width
- No detail on interface to public domain – eg extra paving, treatments etc.
- Loading dock – extremely poor choice to place hard up against a neighbouring resident's boundary.
- Lighting. No details provided. Things like light wash and servicing of loading dock to laneway are going to impact on neighbouring residents and should be documented.

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- Provision for F& B tenancies. The proposal should facilitate the ability for extractor's etc for F& B tenants and design this into the form now to ensure, if required, it is sensitively delivered
- Plant equipment – has this had a preliminary design to ensure the space provide dis adequate? Considering this is likely to have extensive refrigeration and AC requirements
- Accessible parking – I would have anticipated the DCP required more than that provided.
- If parking is in excess of GFA then reduce this to add in further landscaping and shade trees

Thank you and appreciate the opportunity to submit



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**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**From:** [REDACTED]  
**Sent:** Mon, 14 Oct 2024 19:32:34 +1100  
**To:** "Wingecarribee Shire Council" <mail@wsc.nsw.gov.au>  
**Subject:** Feedback on Reference DA 25/0329 - to the GENERAL MANAGER  
**Attachments:** Proposals x2.pdf  
**Categories:** Development Submissions

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----- Forwarded message -----

**From:** Jane Fusi [REDACTED]  
**To:** Wingecarribee Shire Council <mail@wsc.nsw.gov.au>  
**Sent:** Monday 14 October 2024 at 07:29:18 pm AEDT  
**Subject:** Feedback on Reference DA 25/0329

To the manager,  
Re: Renwick Commercial Centre proposal, 51 Renwick Drive, Renwick 2575  
Portal Case ID PAN-451950

I would like to reinforce the comments made by D.Boone and D.Holt. I won't repeat the points but just say I firmly support all of their concerns.

I would like to comment that the notification process for this application was totally inadequate - a sign was erected on the site which lasted about 2 days then disappeared. We have older people in our community who live near to the building who have not had any communications from the developer and were not notified. They are not on Facebook, internet or have mobile phones to scan QR codes. Not good enough.

The current submission is missing a lot of documentation pertaining to the design of the building - as this was a concern for most of the respondents previously, it would be preferred to again know what the building is going to look like. There is no rendering of the currently proposed design in this submission, including elevations and facade.

Has it been considered (especially to the neighbour next door who is being overlooked) to flip the site 180 degrees so that the carpark is on the other side with trees and some privacy fencing along the fence line, and the building designed more sensitively to be approachable from two sides? The community centre has entrances on Renwick Drive and from the carpark behind. Why not for this building too? Why does it have to butt fully up against some poor neighbour who has to deal with running noises and bulk? How awful.

I've attached a reminder of the original Landcom plan, and the design from the previous application (as stated, we do not have a rendering like this in the current submission).

Keep the Renwick character and beauty alive.

Regards,



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THURSDAY 19 DECEMBER 2024**

# Original design



# Current proposal



**AGENDA OF THE LOCAL PLANNING PANEL  
THURSDAY 19 DECEMBER 2024**

**From:** [REDACTED]  
**Sent:** Fri, 13 Sep 2024 12:10:05 +1000  
**To:** "Wingecarribee Shire Council" <mail@wsc.nsw.gov.au>  
**Subject:** Feedback for application number 25/0329  
**Categories:** Development Submissions

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Hi team,

I received the notice of a resubmission and while I can see some improvements, there have not been clear elevations provided for each side, meaning we're unable to see a change in the design to be more in keeping with the suburb design requirements.

Will this be supplied prior to approval? If not, I don't see how council could approve this and the community would not be happy as well.

I also notice that the entrance off Renwick Drive allows two-way traffic, which could cause traffic issues, especially since it's not far past the bend and close to the crosswalk. This needs to be reassessed from a safety standpoint.

[REDACTED]

**AGENDA OF THE LOCAL PLANNING PANEL  
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**ATTACHMENT 1** Wingecarribee Local Planning Panel 19 December 2024

| <b>DA No.</b> | <b>Address</b>                  | <b>Proposal</b>   | <b>Est. date to WLPP</b> | <b>Advice to Chair</b>  | <b>No. of Days at 12/12</b> |
|---------------|---------------------------------|---|--------------------------|---|-----------------------------|
| 22/0926       | West Parade, Hill Top           | Retail Premises, Take Away Food and Drink Premises                                      | Jan. 25                  | Revised plans and information were received in August 2024. Under agency & referral/assessment.   | 1117                        |
| 23/0202       | Earl Street, Bowral             | Building Envelope & Vegetation Removal  | Jan. 25                  | Awaiting external agency advice (Water NSW & DPFI – Water)  | 848                         |
| 23/1081       | 8 Hakea Street, Hill Top        | Dwelling House, Tree Removal  | March. 25                | Further information requested – Due 20 December 2024.   | 619                         |
| 24/0189       | 33 Cordeaux Street, Willow Vale | Dwelling House, Secondary Dwelling  | Sep. 24                  | DA approved at September meeting and subject legal advice which has been received 18 November 2024 and distributed to the Panel for review. Pending final ok. | 458                         |
| 24/0574       | 451 Moss Vale Road, Bowral      | Construction of Residential Flat Building (20 Dwellings)                                | Feb. 25                  | Awaiting internal referrals and final assessment.   | 406                         |
| 24/0847       | 21 Shepherd Street              | Change an Existing Secondary Dwelling to a Detached Dual Occupancy & Strata Subdivision | Feb. 25                  | Additional information received – currently being reviewed & assessed.  | 364                         |

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|         |                                |  |           |   |     |
|---------|--------------------------------|--|-----------|---|-----|
| 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                 | Feb. 25   | Additional information received in October – currently being reviewed & assessed. Legal advice sought in November on the applicants land use position | 255 |
| 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                            | March. 25 | Additional information received – currently being reviewed & assessed.  | 253 |
| 24/0929 | 6 Kangaloon Road, Bowral       | Demolition of existing single dwellings & ancillary structures. Construction of 8 unit multi-dwelling development, including 4 x 4 bedroom 2 storey units & 4 x 3 bedroom 2 storey units | Dec. 24   | Report and recommendation in business December agenda for determination.  | 252 |
| 24/1430 | 64 Clemens Road, Woodlands     | Demolition of Existing Building and Building Envelope for Dwelling   | March. 25 | Additional information pending.   | 203 |

**Total DA's - 10**

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