

ORDINARY MEETING OF COUNCIL TO BE HELD ON TUESDAY, 4 APRIL 2006 AT 7.00PM LEVEL 3, COUNCIL CHAMBERS

AGENDA** ** ** ** **

NOTE: For Full Details, See Council's Website – www.kmc.nsw.gov.au under the link to Business Papers

APOLOGIES

DECLARATIONS OF INTEREST

CONFIRMATION OF REPORTS TO BE CONSIDERED IN CLOSED MEETING

ADDRESS THE COUNCIL

NOTE: Persons who address the Council should be aware that their address will be

tape recorded.

DOCUMENTS CIRCULATED TO COUNCILLORS

CONFIRMATION OF MINUTES

Minutes of Extraordinary Meeting of Council

File: S02131

Meeting held 27 March 2006, commencing at 6.00pm

Minutes to be circulated separately

Minutes of Extraordinary Meeting of Council

File: S02131

Meeting held 27 March 2006, commencing at 7.00pm

Minutes to be circulated separately

Minutes of Ordinary Meeting of Council

File: S02131

Meeting held 28 March 2006 Minutes to be circulated separately

MINUTES FROM THE MAYOR

PETITIONS

REPORTS FROM COMMITTEES

Minutes of Ku-ring-gai Traffic Committee

File: S02110

Meeting held 23 March 2006

Minutes numbered KTC3 to KTC4

GENERAL BUSINESS

- i. The Mayor to invite Councillors to nominate any item(s) on the Agenda that they wish to have a site inspection.
- ii. The Mayor to invite Councillors to nominate any item(s) on the Agenda that they wish to adopt in accordance with the officer's recommendation and without debate.

GB.1 12 to 18 Boyd Street, Turramurra - Demolition of 3 Dwelling Houses & Construction of 2 Residential Flat Buildings Comprising a Total of 47 Units & Basement Car Parking for 66 Vehicles

File: DA1108/05

Ward: Comenarra

Applicant: Steve Donnellan

Owner: Jatinder Kumar Mukhi & Prem Mukhi, Dianne Loise Ellis, Mr John and Ellen Fahey

To determine development application No 1108/05, which seeks consent for the demolition of 3 residential dwelling houses and construction of 2 residential flat buildings comprising a total of 47 units and basement car parking for 66 vehicles.

060404-OMC-Crs-03411.doc\2

1

Recommendation:

Approval.

GB.2 27 Warrimoo Avenue, St Ives - Carport & Front Fence

111

File: DA0984/05

Ward: St Ives

To refer the application back to Council following a site meeting and seek Council's determination of the development application

Recommendation:

That the additional information be noted, and the application be refused.

GB.3 Review of Council's Investment Policy

130

File: S03537

To review Council's Investment Policy to ensure that it complies with The Local Government Act (1993) and regulations and maximises returns on Council's funds.

Recommendation:

That Council adopt the revised Investment Policy attached to this report.

EXTRA REPORTS CIRCULATED AT MEETING

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

NM.1 Stationmaster's Cottage In Roseville

139

File: S03309

Notice of Motion from Councillor M Shelley dated 27 March 2006.

I move that:

"An amendment to the scheduled use of the Stationmaster's Cottage in Roseville located on Pacific Highway Roseville be drafted by staff and a report be brought back to Council to

allow for greater commercial use of the site under the KPSO than garden store and that such a report be brought back to Council within one month."

BUSINESS WITHOUT NOTICE - SUBJECT TO CLAUSE 14 OF MEETING REGULATION

QUESTIONS WITHOUT NOTICE

INSPECTIONS COMMITTEE - SETTING OF TIME, DATE AND RENDEZVOUS

** ** ** ** ** ** ** ** ** ** ** **

Environmental Planning & Assessment Act 1979 (as amended)

Section 79C

1. Matters for consideration - general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- a. The provisions of:
 - i. any environmental planning instrument, and
 - ii. any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and
 - iii. any development control plan, and
 - iv. any matters prescribed by the regulations,

that apply to the land to which the development application relates,

- b. the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- c. the suitability of the site for the development,
- d. any submissions made in accordance with this Act or the regulations,
- e. the public interest.

DEVELOPMENT APPLICATION

SUMMARY SHEET

REPORT TITLE: 12 TO 18 BOYD STREET,

TURRAMURRA - DEMOLITION OF 3

DWELLING HOUSES AND

CONSTRUCTION OF 2 RESIDENTIAL FLAT BUILDINGS COMPRISING A

TOTAL OF 47 UNITS AND

BASEMENT CAR PARKING FOR 66

VEHICLES

WARD: Comenarra $DEVELOPMENT APPLICATION N^{O}$: 1108/05

SUBJECT LAND: 12 to 18 Boyd Street, Turramurra

APPLICANT: Steve Donnellan

OWNER: Jatinder Kumar Mukhi & Prem Mukhi,

Dianne Loise Ellis, Mr John and Ellen

Fahey

DESIGNER: Jones Sonter Architect

PRESENT USE: Residential

ZONING: Residential 2(d3)

HERITAGE: No

PERMISSIBLE UNDER: Ku-ring-gai Planning Scheme Ordinance

COUNCIL'S POLICIES APPLICABLE: KPSO - LEP 194, DCP31 - Access,

DCP40 - Waste Management, DCP43 -

Car Parking, DCP47 - Water

Management

COMPLIANCE WITH CODES/POLICIES: Yes

GOVERNMENT POLICIES APPLICABLE: SEPP55, SEPP65, SEPP1

COMPLIANCE WITH GOVERNMENT POLICIES: Yes

DATE LODGED: 29 September 2005

40 DAY PERIOD EXPIRED: 8 November 2005

PROPOSAL: Demolition of 3 dwelling houses and

construction of 2 residential flat buildings

comprising a total of 47 units and basement car parking for 66 vehicles

RECOMMENDATION: Approval

Ordinary Meeting of Council - 4 April 2006

1 / 2 12 to 18 Boyd Street, Turramurra DA1108/05 17 March 2006

Item 1

DEVELOPMENT APPLICATION N^o 1108/05

PREMISES: 12-18 BOYD STREET, TURRAMURRA PROPOSAL: DEMOLITION OF 3 DWELLING HOUSES

AND CONSTRUCTION OF 2 RESIDENTIAL FLAT BUILDINGS COMPRISING A TOTAL

OF 47 UNITS AND BASEMENT CAR

PARKING FOR 66 VEHICLES

APPLICANT: STEVE DONNELLAN

OWNER: JATINDER KUMAR MUKHI & PREM

MUKHI, DIANNE LOISE ELLIS, MR JOHN

AND ELLEN FAHEY

DESIGNER JONES SONTER ARCHITECT

PURPOSE FOR REPORT

To determine development application No 1108/05, which seeks consent for the demolition of 3 residential dwelling houses and construction of 2 residential flat buildings comprising a total of 47 units and basement car parking for 66 vehicles.

EXECUTIVE SUMMARY

Issues: • Heritage

Traffic

• Communal open space

Adequacy of SEPP 1 objection

Submissions: 23 submissions.

Pre-DA: 6 May 2005.

Land & Environment Court

Not applicable.

Appeal:

Recommendation: Approval.

HISTORY

Site history:

The site is currently used for residential purposes. The following matters are of relevance to the subject site.

Rezoning history:

The site was rezoned to Residential 2(d3) as part of LEP194 which was gazetted on 28 May 2004. The rezoning was at the direction of Assisting Minister for Planning, Dianne Beamer. It conferred upon the site a development potential of five (5) storeys.

Development application history:

There is no former DA history associated with the site.

August 2005 Pre-DA meeting. Issues raised were front setbacks, impact on

adjoining heritage property, traffic impacts, and building heights.

29 September 2005 DA lodged.

10 October 2005 Stop-the-clock letter issued requesting Landscape Plan at 1:100 and

deep soil landscape plan.

12 October 2005 Response from applicant providing information requested by Council.

14 October 2005 DA notified to surrounding properties for a period of 28 days in

accordance with Council's Notification DCP.

21 December 2005 Letter to applicant requesting further clarification of heritage impacts.

13 January 2005 Meeting with applicant to discuss Urban Design consultant's

recommendations and other concerns.

31 January 2006 Additional information submitted from applicant, including more

detailed shadow diagrams, response on heritage concerns raised

including view diagrams and clarification of information,

supplementary traffic impact details, amended landscape plan showing additional communal area, details on resolution of privacy concerns,

and map showing walking distance to railway station.

THE SITE AND SURROUNDING AREA

The site

Zoning: Residential 2(d3) Visual Character Study Category: 1920-1945

Legal Description: Lot 8 in DP 214733 (No. 12 Boyd Street), Lot 2 in DP

26828 (No. 16 Boyd Street) and Lot 1 in DP 26828 (No.

18 Boyd Street), Turramurra

Bush Fire Prone Land: No
Endangered Species: No
Urban Bushland: No

1 / 4 12 to 18 Boyd Street, Turramurra DA1108/05 17 March 2006

Item 1

Contaminated Land: No

The site is comprised of three contiguous properties being Nos 12 to 18 Boyd Street, Turramurra. Together they form an irregularly-shaped parcel with a total area of 3,399m². The frontage to Boyd Street (southern boundary) is 98.205m; the side boundary adjoining the SRA reserve (east boundary) is 65.95m; the rear boundary a large land holding adjacent the Pacific Highway (north boundary) is 77.86m, and the boundary to the west is 10.295m.

The site has a significant slope (average of approximately 20%) in two directions, from north to south and from west to east, with an approximate 15m change of level. Vehicle access is provided at the lower end of the site, at the point where there is an existing driveway.

There are three existing one/two storey brick/timber residences on the site, one on each of the 3 lots which front Boyd Street.

The "Hillview" property which adjoins to the north (described in detail below) includes a long driveway connecting to Boyd Street built at an angle. This results in a tapered shared boundary with the subject site, down to a minimum of 10m at the western end of Lot 8 and the irregularity in shape has had considerable impact on the design of the proposed development.

The landform of each lot has been significantly altered by the cuttings into the hillside along the north side of the site and extensive benching of the land to provide flat ground on which to build the existing houses.

To the east of the site, is an SRA reserve accommodating the main northern railway line connecting with Hornsby and the North Coast.

The site is well-vegetated with 51 trees.

Surrounding development:

The surrounding area is a mix of community uses, low and medium density residential, the railway line, and nearby commercial development which forms part of the Turramurra Town Centre.

The Draft Heritage-listed homestead known as "Hillview" to the north of the site is part of a grouping of buildings which form part of a community health centre run by the NSW Department of Health. The land is zoned part Residential 2d and part County Road Widening. Refer **zoning extract** at **Attachment 2**.

To the west of the site, is the rear driveway entry to "Hillview" from Boyd Street.

To the east, is a State Rail Authority (SRA) reserve. The railway line is approximately 20m from the eastern boundary of the site.

To the south, directly across Boyd Street, are two (2) residential lots also zoned 2(d3) which are likely to be developed for 5-storey residential flat buildings. Diagonally opposite to the south-west,

is an existing medium density residential development and to the south-east are residential lots in Jersey Street zoned 2(c2) which are also capable of further redevelopment for townhouses and villas.

Along the southern boundary of the site, Boyd Street descends downhill from west to east.

THE PROPOSAL

The proposed development involves the following:

- Demolition of existing dwellings and associated structures;
- A residential flat development consisting of two apartment blocks connected at ground level by a common landscape court and underground car parking levels, with access toward the lower end of the site, near the south-east corner. The smaller western block contains 13 x 2 bedroom apartments and a 1 x 3 bedroom penthouse apartment. The larger east block, with its massing stepped down the site, contains 4 x 1 bedroom apartments, 20 x 2 bedroom apartments and 9 x 3 bedroom apartments; and
- 2 basement levels containing visitor and resident car parking, wash bay, secure storage compartments, plant rooms, pump rooms and a garbage/recycling room.

Of the 51 existing trees, 14 trees are proposed to be removed and 37 retained. A further 25 canopy trees are to be planted. The development is to be extensively landscaped with 65% of the site available for landscaping.

The design responds to the particular constraints of the site, namely steep topography, irregular site shape, trees and the need to control the impact on the adjoining heritage property "Hillview".

CONSULTATION - COMMUNITY

In accordance with Council's Notifications DCP, owners of surrounding properties were given notice of the application. Submissions were received from:

- 1. A K M C Cabrera of 5 Boyd Street
- 2. Stephen Landstra, Unit 4/6 Boyd Street
- 3. Mrs Nancy Ward of 3/6 Kissing Point Road
- 4. Elizabeth Swinton of 21/10 Kissing Point Road
- 5. Mr Hans Bandler, 45 Kissing Point Road
- 6. Jennifer Lloyd, Unit 9/10 Kissing Point Road
- 7. Mrs Gillian Lord of 14/10 Kissing Point Road
- 8. Mrs R Fowler of 13/10 Kissing Point Road
- 9. Mr J Walter of 25/10 Kissing Point Road
- 10. Mary Couch of 19/10 Kissing Point Road
- 11. J I Fenton of 22/10 Kissing Point Road
- 12. Chris Sainsbury, 9 Jersey Street
- 13. Pippa E Cotton of 3 Jersey Street
- 14. Robert E Cotton of 3 Jersey Street

- 15. Sue Smith of 30/2 Jersey Street
- 16. Dr Jingjie Guo of 10/2 Jersey Street
- 17 Christine Manias of 9/2 Jersey Street
- 18. Wei Shang of 10/2 Jersey Street
- 20. Sue Kossew of 50B Warragal Road
- 21. Marie Wade of 14A Illoura Lane
- 22. Michele Pymble, Chairman of SP51023 "Tara Glen", 2 Jersey Street
- 23. P D Dodd PO Box 13 Turramurra

The submissions raised the following issues:

The proposed 5-storey development is an overdevelopment - it should be reduced by half the proposed number of units and lowered in height and number of storeys

The proposal complies with the standards in the LEP for site cover, landscaping, parking, height and number of storeys etc but exceeds the FSR standard in DCP55 by 270m2 or approximately 2-3 units. The proposed FSR is 1.38:1. As this is a DCP control, the additional FSR can be permitted without the need for a SEPP 1 objection.

The proposed development is aesthetically incompatible with the present low-rise structures.

The rezoning of the subject site under LEP194 to a Residential 2(d3) zone confers a development potential pursuant to the development standards and controls set out in LEP194 and DCP55. In accordance with this statutory planning instrument and Council's DCP 55, sites within the 2(d3) zones have the potential to be developed for the purposes of residential flat buildings to a maximum height of five storeys. The intent of rezoning for multi-unit development is to establish high density living in proximity to transport nodes.

The development complies with the prescribed controls of LEP194. In particular, maximum height, number of storeys, site coverage, setbacks, deep soil landscaping and large tree planting consistent with the established landscaped character of the area has been achieved. To this end, the scale and bulk of the proposed development, is as anticipated for the area and compliance with relevant LEP controls indicates appropriate transition in scale to adjoining development, as likely to occur in the future.

The application has also been considered in relation to its context near a draft heritage item.

The proposed development will impact on the significance of the heritage item Hillview.

Hillview is a draft heritage item and not gazetted at this stage. Notwithstanding the draft status of this listing, the application was accompanied by a Heritage Impact Report which concludes that there will be no detrimental impact upon the significance of the draft heritage item. This is mainly because the subject site is below the level of the site of Hillview and associated buildings, and the proposed development has been designed with a separation of over 25m from Hillview.

Views and outlook from the main guesthouse of Hillview would be completely obscured.

The issue of view loss has been carefully considered by both the applicant's heritage consultant and Council's Heritage Advisor.

The maximum roof ridge height of the proposed buildings is RL180.8, which is significantly lower than the roof ridge height of Hillview at RL187.79 or eave height at RL184.08. Thus, distant views from the site of Hillview to the City will be retained. A person standing on the upper floor balcony at Hillview has an approximate eye level of RL 182.5. There will be some loss of view from this verandah, but much of this existing view is already taken up with mature trees. There is only one main view corridor which will be only partly impacted upon.

Proposed development is an overdevelopment of the small site, resulting in traffic chaos. Boyd Street is a narrow suburban street (10m) which already carries through-traffic from and to Kissing Point Road. It acts as parking for commuters who live in South Turramurra, plus overflow parking for the existing surrounding unit complexes. Additionally, it is a pick up point for school children and commuters, averaging 360 vehicle movements during am and pm peak hours.

To add to the ever-increasing volume of traffic, there is the Hillview Community Centre which has, on average, 100 car movements per day just from people attending health classes.

A traffic report by Transport and Traffic Planning Associates has been submitted with the application. This report concludes that the existing road system has sufficient capacity to accommodate the additional traffic associated with the development. An additional and likely maximum of 11-28 vehicle trips per hour will be generated, based on vehicle generation rates known for high-medium density developments and taking into account the traffic generation of the three existing dwellings on the site.

The report states that:

"The projected traffic generation will be 'within keeping' of the surrounding residential development and will not act to create any discernible traffic increase let alone any significant (or unacceptable) traffic congestion or conflict either at the vehicle access point or at adjacent intersections. There will be no apparent 'compound' traffic circumstances (ie with other development in the immediate area) due to nature and extent of the existing medium density development and other development constraints."

Further consultation with the Traffic Consultant has also established that, although some queuing does occur along Kissing Point Road approaching Pacific Highway at times during the weekday morning peak, the traffic signals operate in a manner which generally discharges the queue. Also, there are no residual queues occurring in either Boyd Street or Catalpa Crescent.

The minor additional traffic generation of the development spread over the available routes will represent an extremely low number of vehicle trips which will occur northwards along Kissing Point Road.

Access during the period of construction will be difficult as there is no footpath on the other side of Boyd Street

There will be a degree of inconvenience during construction, but it will be short term. If the DA is approved, the retention of pedestrian access across the frontage will be conditioned. (See condition No. 120)

Concern regarding construction traffic in Boyd Street, particularly at the intersection of Boyd Street and Kissing Point Road, and access to and from the site given that Boyd Street is a narrow road (10m width) and the corner of Boyd and Jersey Street is a sharp corner.

A Construction and Traffic Management Plan and a dilapidation report on neighbouring properties and public property are required as recommended conditions of consent (see Conditions 120 and 122). The construction period will mean some temporary disruption to existing traffic flows in Boyd Street, and Kissing Point Road.

Consideration should be given to restricting the hours of parking for sections of Boyd Street and part of Jersey Street.

Restriction of hours of parking is a matter which will need to be considered as part of future improvements and upgrading of the Turramurra Town Centre. The suggestion will be passed on to Council's Traffic Engineer.

At the bottom of Boyd Street, virtually opposite No. 18 of the proposed development and where Boyd Street joins Jersey Street, is a 'blind' corner. Concern is expressed over traffic safety at this corner.

Council's Engineer has not expressed concern over this issue but it may be necessary in future to consider some traffic slowing devices in Boyd Street to accommodate the additional traffic from the proposed and other similar developments likely to be built over the next few years. Again, this is a matter for the Traffic Engineer to consider as part of planning for the Turramurra Town Centre.

Where will visitors, trade and services vehicles park?

The development provides for visitor spaces in the basement.

Will a one-way system be implemented in Boyd Street?

There is no proposal by Council at this stage to make Boyd Street a one-way street.

Privacy of surrounding residents will be severely affected.

The development will not cause adverse privacy impacts on any existing developments in the area, due to the nature of the site, its context and the distance that separates it from the closest existing residential developments.

There is currently a park located on the Pacific Highway named "The Lookout". The planned development would result in a number of changes to the park as it currently stands. The peaceful outlook would no longer be there and local residents enjoying the use of the park would look directly into the newly built residences – new owners of the development will have little privacy.

"The Lookout" is on the other side of the Railway Reserve over 40m from the north-eastern corner of the development site and will not be detrimentally affected by the development. Large trees at "The Lookout" already block valley views from most sections of the park.

This area is not a Pacific Highway Corridor

The land has been rezoned as part of "the corridor" to facilitate higher density residential development.

Increase in crime rates

Multi-unit dwellings result in an increase in activity levels, but one cannot assume that crime levels will also increase.

Adjoining properties will be subject to overshadowing

Shadow diagrams have been submitted with the application which indicate that there will be minimal impact on surrounding properties. The shadows fall mostly over Boyd Street and impact only small sections of nearby residential properties, with no shadows falling on dwellings. The shadow diagrams are contained in **Attachment 7.**

Concerns over adequacy of stormwater drainage of the site, including during construction.

The stormwater drainage aspects of the application have been considered by Council's Development Engineer, who concludes that the stormwater drainage of the site is acceptable. With regard to construction, various conditions of consent are recommended to ensure no adverse impact arising from sedimentation and drainage flow. (**Refer Conditions Nos 55 to 69, 132 to 133, 135to 137, 141 and 142).**

CONSULTATION - WITHIN COUNCIL

Urban Design Consultant

Council's Urban Design Consultant, Mr Russell Olsson, commented on the proposal as follows:

SEPP 65 Design Assessment

1.0 Design Review

Principle 1: Context

SEPP 65: Good design responds and contributes to its context ... responding to context involves identifying the desirable elements of a location's current character, or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies.

Comment:

The built form context is comprised of –

- Hillview, a heritage listed homestead, which is situated directly north of the site on a hill. The site is to the south on land which slopes down from "Hillview" to Boyd Street.
- Turramurra Town Centre which includes the train station and a major supermarket.
- Turramurra Forest (park) located west of site and Queens Park north east of site.
- State Rail Authority (SRA) Reserve to the east. The railway line is approximately 20 metres from the sites eastern boundary.
- 2 sites zoned 2(d3) on the southern side of Boyd Street are and sites to the west of Jersey Street are zoned 2(c2).
- North Haven retirement village on the northern side of railway line.

The Residential 2 (d3) zoning of this site and adjoining sites establishes the future scale of development on these sites as being 5 storeys maximum. This zoning establishes a future difference in height and bulk in relation to the existing heritage item to the north the site. The scope available for minimising the impact of the proposed 5 and 6 storey development.

Principle 2: Scale

SEPP 65: Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings. Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing transition proposed bulk and height needs to achieve the scale identified for the desired future character of the area.

Comment:

As the site slopes steeply from north to south the West Block consists of 5 storeys to the south and 5 storeys to the north.

The East Block is 6 storeys. LEP 194 Clause 25K allows for additional building height with slopes of more than 15%. Compliance with this control is to be checked by Council Planners.

Principle 3: Built form

SEPP 65: Good design achieves an appropriate built form for a site and the buildings purpose, in terms of building alignments, proportions, building type and the manipulation of building element.

Comment:

The LEP 194 Clause 25L requires a 9m setback from the boundary of the "Hillview" Estate for the third and fourth storey. This has been complied with.

The setback from the railway line is 5m and not 6m as required in the DCP 55, but as this is a boundary with a railway line and not another building site, this is acceptable.

The applicants have minimised the setbacks from the north western boundary with "Hillview" and the north eastern boundary of the railway line and it appears that a setback greater than 12m from Boyd Street is unachievable whilst having 35% site cover. Therefore the proposed front setback is acceptable.

The Residential Flat Design Code guidelines recommend a minimum distance of 12m between windows to habitable rooms.

There are windows and balconies less than 12m apart between the East and West Blocks but privacy screens have been provided on the balconies which increases the visual privacy to these apartments.

SEPP 65: Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoorspace, efficient layouts, and service areas, outlook and ease of access for all age groups and degrees of mobility.

The amenity of all the apartments is acceptable, with the exception of the visual privacy issues described in Built Form.

Principle 4: Density

SEPP 65: Good design has a density appropriate to its site and its context in terms of floor space yields (or numbers of units or residents).

The controls within LEP 194 which control density are site coverage, top floor coverage and Clause 25K regarding sloping sites. The density is acceptable if these have been complied with. The site coverage is 35% of the site. The top floors of the East and West Blocks occupy 60% of the floor area of the lower floors.

Principle 5: Resource, energy and water efficiency

SEPP 65: Sustainability is integral to the design process. Aspects include layouts and built form, passive solar design principles, soil zones for vegetation and re-use of water.

More than 70% of living rooms/balconies in apartments will receive greater than 2 hours sunlight between 9am and 3pm in mid-winter. There are 6 south facing apartments which

equates to more than 10% of apartments, the maximum recommended in the Residential Flat Design Code. As the shape of the site makes it difficult to achieve, this is considered acceptable.

More than 25% of kitchens are located on external walls as recommended in the Residential Flat Design Code.

More than 65% of apartments are naturally ventilated as recommended in the Residential Flat Design Code.

Principle 6: Landscape

SEPP 65: Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.

Comment:

The landscape design is acceptable.

Principle 7: Amenity

On the heritage item is limited to the siting of the proposed buildings, the setbacks and quality of landscape within the setbacks and the architectural form and character of the buildings.

The relationship to the existing context is acceptable.

Principle 8: Safety and security

SEPP 65: Good design optimises safety and security, both internal to the development and for the public domain. This is achieved by maximising activity on the streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.

There are no perceived safety and security issues.

Principle 9: Social dimensions

SEPP 65: Good design responds to the social context and needs of the local community in terms of lifestyles, affordability and access to social facilities.

New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood, or, in the case of precincts undergoing transition, provide for the desired future community.

The mix of apartments is acceptable.

Principle 10: Aesthetics

SEPP 65: Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements f the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.

The aesthetic quality of the development is acceptable.

2.0 Conclusion and recommendations

It is recommended that:

- perpendicular projecting blade walls be provided for units E6, E9, E10, E13, E14, E16, E17, E20, E21, E24, E25, E28, E29 and E31 to overcome privacy issues.
- the additional building height of the East Block be checked by Council Planners.
- windows between habitable rooms that are less than 12m apart. It is recommended that perpendicular projecting blades walls should be provided to overcome this issue. The units affected are E6, E9, E10, E13, E14, E16, E17, E20, E21, E24, E25, E28, E29 and E31.

Comment:

The above recommendations have been accepted by the applicant and have been incorporated into **Condition 98.**

Landscaping

Council's Landscape and Tree Assessment Officer, Geoff Bird, commented on the proposal as follows:

"The site is characterised by an established landscape setting with mature trees and shrubs and grassed areas. The site is dominated by existing tree plantings associated with 'Hillview' and mature Cedrus deodar (Himalayan Cedar) centrally located on site.

A total of fifty one (51) trees have been identified as being located on or associated with the site. The proposed development will result in the site being cleared of existing trees and vegetation through the central core of the site to accommodate the proposal result in significant amounts of excavation, due to the steeply sloping site. Existing trees located adjacent to the Boyd St frontage and the western site corner are to be retained. The most visually significant tree to be removed is the mature Cedrus deodar (Himalayan Cedar) centrally located on site. Although the tree's removal is not desired, its location, in conjunction with the steep sloping nature of the site, will result in the necessity for its removal. The tree, although seen from 'Hillview', and complementary to the tree plantings of

'Hillview', is not of an age to be part of the original landscape setting for 'Hillview'. Landscape Services raises no objections to the nominated tree removal subject to adequate tree replenishment for the site.

As proposed the landscape works will result in an additional twenty five tall canopy trees being planted throughout the site. These, in addition to existing trees being retained, exceed Council's minimum tree replenishment requirements as required by DCP55.

Deep soil

By the applicant's calculations, the proposed development will have a deep soil landscape area of 1 706.93sqm or 50.2% of the total site area, which numerically complies with LEP194 requirements. Landscape Services agrees with the areas included within the deep soil calculable area.

Landscape plan

The landscape plan submitted with the application will result in the site being massed planted with a mix of native and exotic shrubs and ornamental grasses beneath a canopy of predominantly native tree species. The steepness of the site presents challenges, particularly at the rear, to satisfy the landscape intent of LEP194 and to adequately retain proposed and existing ground levels. Subject to some minor plant species changes, which will be conditioned, the landscape plan can be supported.

Drainage plan

Landscape Services raises no objections to the proposed drainage works as indicated on the Basement Storm Water Management Plan submitted with the application, as the proposed works have taken into consideration existing trees and landscape features being retained.

The application can be supported by Landscape Services with conditions. Refer Conditions 70 to 82, 111 to 113, and 124 to 128.

Engineering

Council's Engineering Assessment Team Leader, Kathy Hawken, has commented on the proposal as follows:

The application is for the demolition of the existing three dwellings and the construction of a residential flat building comprising 47 units ($10 \times 3br$, $33 \times 2br$ and $4 \times 1br$).

Strata subdivision is not indicated on the application form, so subdivision conditions have not been included.

The application is supported, subject to conditions.

Water management

The development has gravity drainage to the street drainage system. The concept design shows that runoff can be conveyed to the street and not directly to the watercourse/depression within the railway corridor to the east.

The concept stormwater plan and the Statement of Environmntal Effects both indicate that retained roofwater (47m³, that is, 1000 litres per unit) is to be re-used for toilet flushing, clothes washing, car washing and irrigation.

On site detention of $51m^3$ is also shown. All these are as required by DCP 47. Water quality measures as outlined in Chapter 8 will be required and these can be shown on the Construction Certificate drawings.

A drainage easement is shown across No. 12, from the Hillcrest site at the rear. No information is given regarding a possible pipe in this easement, and no outlet or drainage structures are visible. The works are clear of the easement and a condition is recommended that measures be taken to protect the easement during the course of the works.

Traffic generation

The development is expected to generate some 28 vehicle trips per peak hour. The report states "the projected traffic generation will not act to create any discernible traffic increase let alone any significant (or unacceptable traffic congestion or conflict either at the vehicle access point or at adjacent intersections". Traffic flows in Kissing point Road are relatively moderate given its sub-arterial status.

Parking and vehicular access

The site is within 400 metres of Turramurra Station, so 47 resident and 12 visitor parking spaces are required. The dimensions and grades of the carpark comply with AS2890.1:2004.

The construction of kerb and gutter has not been recommended for this development, as it would be in isolation.

The location of the proposed vehicular crossing is not finalised because details were not shown on the architectural plans and the traffic report did not consider the crossing. The location is generally over the existing crossing to No. 18 but it would require widening to the east to meet the driveway inside the property and this would necessitate the removal of at least one street tree. I am satisfied that there are not sight distance issues if the crossing is adjusted to preserve the trees, so details for the works can be provided before Construction Certificate issue. Council's approval as the Roads Authority will be required. The conditions include this.

Waste collection

A generous waste storage area is provided on Basement Level 1. Access and headroom are available for the small waste collection vehicle. No doors or gates are shown which would impede access.

Construction management

Boyd Street outside the site has "No Parking" on the opposite side, but parking is available along the site frontage. It is likely that a Works Zone will be required. Employee parking will need to be on site and later in the completed basement, or employees will be competing with commuters for on street spaces. The arrangements can be detailed in the Traffic Management Plan to be submitted prior to commencement of works.

Geotechnical investigation

The geotechnical information submitted consists of a letter based on a review of existing information and the development plan.

A site inspection indicates that externally the three existing dwellings appear to be in good condition (ie no cracking to brickwork). However, ground movement around No. 12, including rotation of the driveway at the front of the house and the path and steps around the eastern side, indicate the possibility of instability, perhaps due to uncontrolled fill. The banks at the rear of the site, being heavily overgrown, could not be inspected.

Although the letter is based on an expectation of 6 metres of excavation (probably because only two basement levels are proposed), the sections indicate excavation up to 10 metres below existing ground level, and at the rear and west of the site, further retaining structures closer to the boundaries.

A subsurface investigation will be required before the commencement of any works on the site and it would be prudent for a walkover by the geotechnical engineer before commencement of demolition, since the driveway to No. 12 appears not to have the structural capacity for heavy equipment.

Matters to be addressed in the pre-demolition report are

- Access for demolition of No 12. and
- Stability of existing retaining structures during demolition.

Matters to be addressed in the report prepared prior to bulk excavation are:

- Excavation methods
- Excavation sequence
- Vibration trials and monitoring
- Potential for adverse jointing
- Dilapidation survey
- Stability of any existing retaining structures to remain

- Retaining structures, temporary and permanent, for support of adjoining properties
- Frequency of inspections during excavation
- Groundwater issues.

Refer to Conditions 55 to 69, 105 to 110, and 131 to 143.

Heritage Advisor

The following is the consideration of Council's Heritage Advisor:

Demolition of existing buildings

The site currently contains three post war houses. They are not considered to have heritage significance and there is no objection to demolition. Recording of the existing houses is recommended, consistent with standard conditions for all other similar applications. Due to the extensive rezoning under LEP 194, Ku-ring-gai is currently going through major change with demolition of many existing buildings for medium density flat development. Photographic recording is an important conservation technique and contributes to our understanding and appreciation of our culture.

Heritage framework

UCA

The site directly adjoins the National Trust UCA No 21 – Kissing Point Road. The UCA is a relatively small precinct that includes some early estates such as "Hillview" and "Ingleara", Federation and Inter War commercial buildings along the Pacific Highway and a mix of later mainly single storey residential development. It is noted that Council has not reviewed UCA 21.

Nearby heritage items

There are several heritage items in the immediate vicinity including the following:

- shops at 1358 Pacific Highway;
- former Commonwealth Bank at 1356 Pacific Highway;
- "Hillview" and outbuildings at 1334 Pacific Highway;
- 8 Kissing Point Road;
- "Leppington" at 9 Kissing Point Road;
- 11 Kissing Point Road; and
- "The Chalet" at 15 Kissing Point Road.

Due the relative isolation of the subject site from the other nearby heritage items which are grouped around the corner of Kissing Point Road and the Pacific Highway and the sloping topography, there would be little impact on the majority of the nearby heritage items. However, there would be impacts on "Hillview".

1 / 18 12 to 18 Boyd Street, Turramurra DA1108/05 17 March 2006

Item 1

"Hillview" is currently an item in draft LEP 19. Draft LEP 19 was finalised by Council at its meeting on 15 October 2002 and the draft plan was forwarded to the Department on 2 December 2002. The Department has not advised Council when the draft plan will be gazetted. As Council has finalised the draft plan, potential impacts from the proposed development should be considered as it directly adjoins the subject site.

Heritage impacts

UCA

UCA 21 is mainly focused on Kissing Point Road and the Pacific Highway. Due to the remoteness of this site from the UCA it is considered that there would be very limited impacts on it.

Nearby heritage items

This site is visually isolated from most of the heritage items "within the vicinity" but adjoins the draft item "Hillview". The item is considered to have State heritage significance, mainly due to its potential to demonstrate the life style of the Upper North Shore at the turn of the century and its relative intactness. The hilltop setting and the spectacular views from it contribute to its significance.

The property comprises three main buildings, including a former single storey dwelling along the Pacific Highway and two storey stables building both built about 1890 and a larger two storey building at the rear of the site built in 1913. The later building is sited on the top of a ridge and was built as a guest house to take advantage of the substantial views to the south and south west. The property has been used for several different uses over its life including a residence, a guest house, flats and a boarding house. It has been used as a health facility since 1973.

In inspection of Hillview was made in December 2005 as part of the assessment. Access to the interior and rear balconies was available. Views to the south and west is available from rooms within the building and from the balconies at the rear of the building. The view is relatively broad due to its location at the top of a ridge and shape of the valley which opens out from the site. Individual houses within the view corridor are almost invisible as they are built below the tree canopy and do not visually intrude into the view corridor.

The proposed development is designed as two buildings separated by an open space about 12m wide. The buildings are partially set into the slope of the site and for this reason the apparent height when seen from Hillview is reduced. The roof of the proposed development (RL 180.80) is about 7m below the ridge height of Hillview (RL 187.79). It is difficult to estimate how much of the view from Hillview would be lost as the eye level on the top floor of Hillview is not provided by the applicant but assuming a roof height of 5m and a floor to ceiling height of 3m, the eye level would be close to the level of the proposed roof (RL 181.29). It is expected that the roof of the proposed development would block some views

from Hillview but some of the broader, more distant, views to the south and west would not be lost. It is relevant to note that because Hillview is used as a health facility views from the building are not critical for the success of the facility but would be more important if its use were to revert back to residential. It is considered that there would be very limited views if any from Hillview between the east and west block of the proposed development because the proposed development is set at an angle to Hillview and balconies and planters intrude into the space.

The large two storey building at Hillview is about 15m from the boundary with the subject site and the minimum separation from a heritage item required in DCP 55 is exceeded. Due to the fall of the site, it is considered that the proposed development would not visually dominate the heritage item. The architectural character of the proposed development is contemporary and there is no confusion with the Federation elements of the heritage item. There is variety in the materials and textures and the colours are relatively recessive (grey, brown and red) which would assist in reducing its visual impact. It is worth noting that Hillview has a frontage to the Pacific Highway as well as Boyd Street and that the Pacific Highway elevation was formerly the main entry. With widening of the highway, the fence and gates were relocated on the site and vehicular entry is from Boyd Street. The Pacific Highway elevation is not affected by the proposed development. Given the guidelines in DCP 55, the application is considered satisfactory.

Conclusions and recommendations

There is no objection to demolition of the existing buildings however photographic recording should be undertaken before work commences on the site.

The site is adjacent to a UCA, but due to the relative isolation of this site from the UCA, the proposed development is not considered to have any substantial impacts on it.

There are several heritage items nearby, mainly grouped around the corner of the Pacific Highway and Kissing Point Road. "Hillview" is a large site with access to the Pacific Highway and Boyd Street. There would be minimal impacts to the majority of nearby heritage items due to separation however there would be impacts on Hillview which is adjacent to the site. The impacts primarily relate to loss of views from the Federation building which was originally built as a guest house to take advantage of the views. Given that the use of Hillview is now institutional, rezoning of the land via LEP 194 and the guidelines developed in DCP 55, the proposed development is considered to have acceptable impacts on the heritage significance of Hillview.

A copy of the view diagrams showing the roof height of the proposed development and relevant viewing position from a south-facing balcony of Hillview are provided at **Attachment 10.**

Refer to Condition 83 which requires archival recording of the present state of the site and existing buildings.

CONSULTATION – OUTSIDE COUNCIL

As the site adjoins a railway corridor, the application was referred to Rail Corp Property. RailCorp does not object to the development provided certain conditions are imposed to protect railway infrastructure. **Refer Conditions 84 to 96.**

STATUTORY PROVISIONS

State Environmental Planning Policy No 1

The applicant has submitted a SEPP1 objection to Clause 25L Zone Interface of the Ku-ring-gai Planning Scheme Ordinance. The nature and assessment of this objection is detailed in the section relating to non-compliance with a standard in the KPSO, ie non-compliance with zone interface (clause 25L), further in this report.

State Environmental Planning Policy No 55 - Contaminated Lands

The provisions of SEPP55 require Council to consider the potential for a site to be contaminated. The subject site has a history of residential use and, as such, is unlikely to contain any contamination. Therefore, further investigation in not warranted in this case.

State Environmental Planning Policy No 65 - Design quality of residential flat development

SEPP 65 aims to improve the design quality of residential flat buildings across NSW and to provide an assessment framework and design code for assessing 'good design'.

A Design Verification Statement has been submitted by the registered Architect Kim Jones of Jones Sonter Architects, in accordance with the requirements of the Policy.

Part 2 sets out design principles against which design review panels and consent authorities may evaluate the merits of a design. This section is to be considered in addition to the comments of Council's *Urban Design Consultant* above. The proposal has been assessed against the heads of consideration specified in SEPP 65, as follows:

Principle 1: Context:

The site is located only 300m from Turramurra Town Centre and railway station, and has been rezoned for 2(d3) development, as have adjoining properties to the north-east and south-west. The property across the road also has a zoning of 2(d3) and will eventually be redeveloped at a similar scale to this development.

The core objectives of LEP 194 and DCP 55 are to create buildings which are placed within a landscaped setting. The topography and location of the site, with many mature trees, facilitates the realization of this objective.

Principle 2: Scale:

The development meets the prescribed building envelope requirements of LEP194, including building height, deep soil landscaping, site coverage and setbacks. Its scale is considered acceptable.

Principle 3: Built form:

The sites to the north-east are zoned 2(c). Zoning transition development controls apply to the north-western boundary of the site and the proposed development has been set back 9m from the boundary and therefore complies with these controls.

The front and side boundary setbacks are acceptable in terms of privacy and create sufficient space and landscape to provide a landscaped setting for the building.

The proposed built form, comprising two buildings, is responsive to the irregular shape of the site and its steep topography.

Principle 4: Density:

The development exceeds the floor space control in DCP 55 by 274m², having a floor space ratio of 1.38:1 instead of 1.3:1, as provided for within DCP 55.

The proposed density is appropriate to the site, having regard to development guidelines contained in LEP 194 and DCP 55 and the envisaged future character and density of the area.

The additional floor space has been achieved through the application of Clause 25K of the LEP which provides for a sixth storey on a site with a greater than 15 % slope.

Notwithstanding the higher floor space ratio, the new development is considered to provide a satisfactory level of amenity in its design for both occupants and the adjoining public domain. The building sits within a well-landscaped setting with appropriate separation provided to the adjoining draft heritage item Hillview and adequate consideration given to retention of views from this adjoining property.

There are no LEP or DCP standards or controls seriously compromised by the additional floorspace and the overall design of the development is of a high quality.

Principle 5: Resource, energy and water efficiency:

Greater than 90% of the apartments achieve 3 hours sunlight to living areas. Greater than 60% of apartments have natural cross ventilation (43 of 47). The lift lobby is naturally lit and ventilated on each floor. Water retention and detention tanks are provided.

Building West has an unusual triangular shape with each face being 32m long. The maximum depth through the north-south axis of the triangle is 28m. The recommended building depth in the SEPP 65 Residential Flat Design Code, is 18m, but is not considered to apply in this case. The

objective of this guideline is to achieve natural ventilation and sunlight to building interiors. This building is able to meet the other standards regarding percentage of cross-ventilated apartments and sunlit living areas/balconies. This is achieved as no face of the building is excessively long.

Principle 6: Landscape:

The proposal provides for 50% of the site being a deep soil zone and complies with the prescribed standard in LEP 194.

The proposed landscaping is consistent with the desired future character of the area, maintaining existing large canopy trees at the site perimeters which will soften the buildings and contribute to the streetscape.

Principle 7: Amenity:

The proposed units will have good solar access and visual and acoustic privacy. Terraces and balconies are reasonably functional in terms of adjacency to living areas, although variably sized, ranging from 10² to 15.5m² with larger balconies to the larger dwellings and penthouses. Each individual unit has its own entry lobby and secure internal access to the basement car park by lift or stairs.

There are two communal open spaces, one in the area between the buildings occupying 380m² and a second space of 160m² at the south-eastern corner of the site.

Principle 8: Safety and security:

Good design optimises safety and security, both internally and externally by maximising overlooking to public areas and allowing passive surveillance.

The development addresses the street and provides pedestrian connection and reasonable passive surveillance. The development is acceptable with respect to Principle 8.

Principle 9: Social dimensions:

Development should respond to lifestyles, affordability and local community needs, providing a mixture of housing choices.

The proposal provides housing for a mixture of income levels, family structures and accessibility levels and is consistent with both SEPP 65 and DCP 55 in this regard.

Principle 10: Aesthetics:

The two buildings - Building East and Building West are well-articulated in their form. They will make an interesting contribution to the skyline when viewed from certain points along the Pacific Highway such as the pedestrian bridge over the railway line, from sections of Jersey Street, and looking down Boyd Street.

The asymmetry of the two differently-shaped buildings and proposed façade articulation, are emphasised and enhanced by changes in materials and colours.

External materials comprise a combination of stone, glass, timber and steel, which are considered acceptable architectural compositions, creating a modern development in natural and recessive colour tones.

Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River

SREP 20 applies to land within the catchment of the Hawkesbury Nepean River. The general aim of the plan is to ensure that development and future land uses within the catchment are considered in a regional context. The Plan includes strategies for the assessment of development in relation to water quality and quantity, scenic quality, aquaculture, recreation and tourism.

The development has the potential to impact on water quality and volumes to the catchment. Appropriate conditions will be imposed in relation to stormwater management to ensure limited impact upon water courses.

Residential Flat Building Code

The considerations contained in the Residential Flat Design Code are as follows:

Relationship of development to local context

The development comprises two buildings

The development has been designed to respond carefully to the irregular shape and steep topography of the site, and to retain significant trees around the site's perimeter.

The development is proposed over 3 existing allotments and will require consolidation. Council's Development Engineer has recommended a suitable condition. **Refer Condition No 99.**

The height, building depths, separations, setbacks and landscaping are considered satisfactory and have been assessed in more detail under DCP55 assessment of this report.

Site analysis

A satisfactory site analysis was submitted, indicating the merits of the development in regards to the design layout, landscape response, access and parking and overall building performance in respect of energy sustainability. These requirements have also been supported by specialist reports addressing impacts of the proposed development on the subject site and surrounding locality.

In terms of site configuration, the proposal will ensure adequate areas for private and common open space and deep soil landscaping.

The orientation of the development ensures adequate solar access to habitable areas and private open space, both internally and to adjoining residential development, with an appropriate frontage provided to Boyd Street.

• Building design

The proposed development is satisfactory in terms of its internal layout, natural ventilation and solar access. A compliant 90 % (44 of 47) of the apartments receive a minimum of 3 hours solar access during the winter solstice, with 100% of the common open space receiving at least 3 hours solar access during this period. Also, 90% of the apartments achieve a NatHERS rating of 4.5 stars.

All other relevant matters under "Building Design" have been assessed elsewhere in the report and are satisfactory.

Ku-ring-gai Planning Scheme Ordinance (KPSO)

COMPLIANCE EARLY		
COMPLIANCE TABLE		
Development standard	Proposed	Complies
Site area (min): 2400m ²	$3399m^2$	YES
Deep landscaping (min): 50%	50.2% or 1706.93m ²	YES
Street frontage (min): 30m	98.205m	YES
Site coverage (max): 35%	1190.2 or 35%	YES
Top floor area (max): 60% of	East Block 59.6%	YES
level below	West Block 60%	YES
Storeys and ceiling height (max): 5 storeys and 13.4m, subject to Clause 25K which allows 25% to have an extra storey and be above the 13.4m height limit IF the site has a slope of greater than 15% (thereby permitting 6 storeys and maximum height 16.4m)	Part 5 storeys and part 6 storeys. West block has an area of 24.9% in excess of 5 storeys and height 13.4m (max height achieved is 14.068m); and East block has an area of 17.3% in excess of 5 storeys and height 13.4m (max height achieved is 13.724m)	YES
Car parking spaces (min): 12 (visitors) 47 (residents) 59 total	12 visitor spaces 54 resident spaces 66 total	YES YES YES
Zone interface setback (min): 9m to 3 rd and 4 th floors	9m provided to zone interface with "Hillview" 5m provided to zone interface with railway land	YES NO

COMPLIANCE TABLE		
Development standard	Proposed	Complies
Manageable housing (min):	5 units - 10%	YES
10% or 5 units	W2, W4, W14, E32, E33	
Lift access: required if greater	Provided.	YES
than three storeys	All lifts service all floors including basement	
-	levels.	
Front setback control	10-12m	YES
Lift access required if greater	Provided to both buildings	YES
than 3 storeys		

Non-compliance with Clause 25L Zone interface setback

The objective of this clause is to provide a transition in the scale of buildings between certain zones. As such, the issue is one which relates to visual bulk and the relationship between a new building and an existing building in a zone which has or may have buildings of a different type and scale. To achieve the stated clause objective, clause 25L(2) requires that the third and fourth storey of any building on lands within zone 2(d3) must be set back at least 9m from any boundary of the site of the building with land (other than a road) that is not within Zone No. 2 (d3).

There are no buildings in the rail corridor in the vicinity of the subject site which could be impacted by the development and a SEPP1 objection has been submitted which concludes that the provision of the 9m setback at the stated upper levels is unnecessary and unwarranted in the circumstances. Rail Corp did not express any concerns relating to the reduced setbacks of the development to the common boundary in terms of impact on infrastructure.

In the circumstances, acoustic performance of the proposed building is also a relevant consideration in terms of setback distance, and a further submission by the acoustic consultant has confirmed that the reduced distance does not impact detrimentally on the acoustic environment of the building. More detail in relation to acoustics at the reduced setbacks is provided in the section on noncompliance with setbacks, further in this report.

The third and fourth levels are set back at distances from the boundary with the rail corridor of 5 and 7.2 metres, respectively (to the edge of any balcony) with habitable rooms setback at a minimum of 7.2m at both levels.

The following is an assessment of the adequacy of the SEPP1 objection using criteria established in the Land and Environment Court.

whether the planning control in question is a development standard

The 9m setback to the 3^{rd} and 4^{th} storey of a development as required by Clause 25L(2) is a development standard.

the underlying objective or purpose behind the standard

The objective of the standard is to provide a transition in the scale of buildings between certain zones.

There are no buildings in the rail corridor in the vicinity of the subject site which are affected by the development such that the purpose of the standard is not compromised in any manner.

whether compliance with the development standard is consistent with the aims of the policy and, in particular, whether compliance with the development standard hinders the attainment of the objectives specified in S.5(A)(i), (ii), (iii) and (iv) of the EPA Act

The variation sought to the side setback of the 3rd and 4th storey of the development to the rail corridor boundary would not hinder the attainment of the relevant planning objectives stated in s.5(a) of the Act or the objectives for the standard in the KPSO because:

- there is a distance of more than 20m to the actual railway line;
- there are no buildings in the rail corridor in the vicinity of the subject site which are affected by the development or to which a transition in scale, as specified in clause 25L(2), would be relevant;
- there are no discernible acoustic benefits in setting back the 3rd and 4th floors of the development a distance of 9m from the railway corridor boundary, this has been confirmed in a supplementary acoustic report supplied by the applicant;
- there are no other amenity benefits gained by setting back the 3rd and 4th floors of the development at a distance of 9m to the railway corridor boundary

whether compliance with the development standard is unreasonable or unnecessary in the circumstances of the case

For the reasons given above, it would be unreasonable and unnecessary for Council to insist upon strict compliance with the standard given that the objects specified in s.5(A)(i) - (iv) of the EPA Act and the relevant objectives in the KPSO would be achieved despite the numerical non-compliance.

It is therefore concluded that the SEPP1 objection is sound given that its underlying objectives have been satisfied.

A copy of the SEPP1 objection and associated supplementary acoustic report is provided at **Attachment 11.**

Residential zone objectives and impact on heritage:

The development satisfies the objectives for residential zones as prescribed in clause 25D.

POLICY PROVISIONS

Development Control Plan No 55 - Railway/Pacific Highway Corridor & St Ives Centre

COMPLIANCE TABLE		
Development control	Proposed	Complies
Part 4.1 Landscape design:	•	· ·
Deep soil landscaping (min)		
• Concentrated area of 150m ² per 1000m ² of site area = 510m ²	2 concentrated landscaped spaces, one in the centre and towards rear of the site (380m²) and a second area (160m²) in the south-eastern corner (total of 540m²)	YES
No. of tall trees required (min): 12 trees	5 existing canopy to be retained, and 22 new canopy trees to be planted	YES
Part 4.2 Density:		
Building footprint (max): • 35% of total site area	35%	YES
Floor space ratio (max): • 1.3:1	1.38:1	NO
Part 4.3 Setbacks:		
Street boundary setback		
 (min): 10-12 metres (<40% of the zone occupied by building footprint) 	10-12m 32% of the building footprint occupies the 10m-12m front setback zone	YES YES
Rear boundary setback (min): • 6m • 9m to zone interface • 10m separation to a heritage item	Units are 9m to northern boundary Building separation to Hillview is 25m	YES YES
 15m for 3 and 4 storey to a heritage item Street setback – development not to be closer to the street than the adjacent heritage item 	This control is considered not to be applicable in the circumstances as the land adjacent to subject site is a driveway to the heritage item situated at the top of the hill.	N/A
Side boundary setback (min): • 6m	5m to railway land	NO

COMPLIANCE TABLE		
Development control	Proposed	Complies
Ground floor private terraces/courtyards setback 8m from front boundary	8-9m	YES
% of total area of front		
setback occupied by		
private courtyards (max):		
• 15%	5.9%	YES
Part 4.4 Built form and artic	culation:	
Façade articulation:		
• Wall plane depth >600mm	Facades to the public domain are articulated	YES
• Wall plane area <81m ²	All elevations comply	YES
Built form:		
• Building width < 36m	East block = 27m West block = 28m	YES
Balcony projection < 1.2m	West block units feature trapezoidal balconies which project up to more than 4.5m (3.3m in excess of 1.2m), but these form architectural features to this triangularly-shaped building	NO
Part 4.5 Residential amenity		
Solar access: • >70% of units receive 3+ hours direct sunlight in winter solstice	90%	YES
 >50% of the principle common open space of the development receives 3+ hours direct sunlight in the winter solstice 	The communal space (south-eastern corner) will receive the 3 hours + of sunlight.	YES
• <15% of the total units are single aspect with a western orientation	9%	YES
Visual privacy: Separation b/w windows and balconies of a building and any neighbouring building on site or adjoining site:	No residences adjoin the subject site.	YES

COMPLIANCE TABLE		
Development control	Proposed	Complies
Storeys 1 to 4 • 12m b/w habitable rooms • 9m b/w habitable and non-habitable rooms • 6m b/w non-habitable rooms	There are no opposing living room and bedroom windows or bedroom and bedroom windows across the central courtyard with less than 12m building separation. There are some offset windows to balconies where privacy could be a problem, and blade walls to windows are to be provided. Refer Condition 98.	YES YES
 5th Storey 18m b/w habitable rooms 13m b/w habitable and non-habitable rooms 9m b/w non-habitable rooms 	No windows facing each other	YES YES YES
Internal amenity:Habitable rooms have a minimum floor to ceiling	2.7m	YES
 height of 2.7m Non-habitable rooms have a minimum floor to 	2.4m	YES
 ceiling height of 2.4m 1-2 bedroom units have a minimum plan dimension of 3m in all bedroom 	>3m	YES
 3+ bedroom units have a minimum plan dimension of 3m in at least two bedrooms Single corridors: 	>3m	YES
- serve a maximum of 8 units	Common corridors serve a maximum of 4 apartments. Corridors connect to 2 lift entries on	YES
- >1.5m wide - >1.8m wide at lift lobbies	ground level (east wing) and one lift entry (west block) Corridors are 1m wide, but 1.8m at lift lobbies	NO YES
 Outdoor living: Ground floor apartments have a terrace or private courtyard greater than 25m² in area 	All ground level units provided with lawn or a combination of terrace and lawn with a total area of greater than 25m2	YES

COMPLIANCE TABLE		
Development control	Proposed	Complies
 Balcony sizes: 10m² - 1 bedroom unit 12m² - 2 bedroom unit 15m² - 3 bedroom unit NB. At least one space 10m² primary outdoor space 	Min 1 BR = 10m ² Min 2 BR = 12.4m ² Min 3 BR = 15.5m East block units comprise a minimum of one main	YES YES YES
has a minimum dimension of 2.4m	(10m²) balcony of minimum dimensions 2.4m West block units have trapezoidal shaped balconies (12.6m²). The triangular shape of the building and trapezoidal balconies results in non-compliant dimensions, however minimum areas are achieved in every case.	NO
Part 4.7 Social dimensions:		
Visitable units (min): • 70%	77%	YES
Housing mix:Mix of sizes and types	Mix of 1, 2 & 3 bedroom units	YES
Part 4.8 Resource, energy an	d water efficiency:	
Energy efficiency:		
>65% of units are to have natural cross ventilation	76%	YES
• single aspect units are to have a maximum depth of 10m	Four single aspect units, all of which have maximum depths of 10.2m or 11m	NO
25% of kitchens are to have an external wall for natural ventilation and light	20%	NO
>90% of units are to have a 4.5 star NatHERS rating with 10% achieving a 3.5 star rating	4.5 star rating = 90% 3.5 star rating = 10%	YES YES

Part 4.2 Density

The development exceeds the floor space control in DCP 55 by 274m², having a floor space ratio of 1.38:1 instead of 1.3:1, as provided for within DCP 55. As this is a DCP control, an objection

pursuant to SEPP 1 is not required. The variation must be considered in light of the fact that the development satisfies the LEP controls.

The additional floor space has been achieved through the application of Clause 25K of the LEP which provides for a sixth storey on a site with a greater than 15 % slope.

The development (with the extra floor area as proposed), meets the objectives of both the LEP and DCP. It provides for high quality multi-unit housing in a landscaped setting in which tree canopies are replenished and the leafy landscape character of the area is retained. Notwithstanding the higher floor space ratio, the development is considered to provide a satisfactory level of amenity in its design for both occupants and the adjoining public domain, with appropriate separation provided to the adjoining draft heritage item Hillview and adequate consideration given to retention of views from this adjoining property.

Furthermore, the controls of the LEP are satisfied with the exception of distances of the 3rd and 4th storey to the railway corridor boundary (interface zone) with this matter being adequately justified through the submission of a SEPP1 objection (separately detailed in this report). The controls of the DCP are also generally satisfied, with minor variations resulting from site constraints which are also dealt with in this report.

Part 4.3 Setbacks:

The stepped building configuration provides for a variety of front, side and rear setbacks in order to achieve good articulation and interest to the streetscape.

The reduced side setback to the railway reservation does not have any adverse amenity impacts on the development, and the development compensates this shortfall in other parts of the site where setbacks are more generous, ie 6m from the north-eastern boundary to the courtyard walls of ground level units and 9m to building walls.

An acoustic report has been submitted by Atkins Acoustics. The report concludes that the building can be designed with appropriate noise treatments to East Bock and the east façade to West Block to control noise and vibration impacts from the railway line in accordance with the requirements of the State Rail Authority (SRA) and Rail Infrastructure Corporation (RIC) guidelines "Consideration of Rail Noise and Vibration in the Planning Process (November 2003) - BS 6472). Furthermore, the acoustic consultant has confirmed that setting the eastern building further back to 9m at the 3rd and 4th level would not improve the acoustic environment to any discernible degree (ie: A difference of 1dB(A)) As required for all 2(d3) sites which abut the railway or highway, the proposed acoustic treatment will adequately mitigate against noise to ensure residential amenity (A copy of the Acoustic report is provided at Attachment 11).

Part 4.4 Built form and articulation:

Balcony projections to all three corners of West Block have been exceeded by 3.3m beyond the permitted projection control of 1.2m. The maximum point of projection is 4.5m from the building wall.

The built form and articulation of the building needs to be considered as a whole, with particular reference to the model and material details.

The balconies are solid structures in themselves, are not simply 'tacked on' and serve to add interest and provide articulation to the facades. They do not produce any adverse visual or amenity impact nor do they disrupt the form of the façades.

Further, the proposal has been reviewed by Council's Urban Design Consultant, Mr Russell Olssen, against the considerations of SEPP65, who raises no issues in relation to built form and articulation of the development.

Part 4.5.5 Outdoor living

Due to the triangular shape of Building West, the balconies which are also irregularly shaped are slightly undersized at the walls adjacent to living areas, ie only 2.4m rather than the required 2.6m dimension in DCP55. This is a minor variation of no consequence as all balconies achieve minimum area requirements.

Part 4.6 Safety and security

The ground level courtyards which face the rail reserve should have see through type-fencing so that surveillance of common areas is facilitated. This is dealt with by **Condition 97** of the recommended development consent. There are no other issues raised in terms of safety and security.

Part 4.8 Resource energy and water efficiency

Of the four single aspect units, all either have a maximum dimension of 10.2 metres or 11.0 metres as measured from the door to the balconies. This is considered a minor variation, with little loss of amenity.

Additionally, only 20% of the units have kitchens with external walls (6/30) as opposed to the required 25%.

These two controls are required to ensure maximum thermal comfort within buildings, and the use of minimal energy in construction, heating, cooling and lighting. The application attains a high NatHERS score of at least 3.5 stars per unit, and 90% attain a 4.5 star rating. The application therefore provides for high levels of energy efficiency and is considered to provide for high resource energy efficiency.

Development Control Plan 31 - Access

Matters for assessment under DCP 31 have been taken into account in the assessment of this application against DCP 55.

Development Control Plan 40 - Construction and Demolition Waste Management

Matters for assessment under DCP 40 have been taken into account in the assessment of this application against DCP 55.

Development Control Plan No 43 - Car Parking

Matters for assessment under DCP 43 have been taken into account in the assessment of this application against DCP 55, and the proposal is satisfactory in this regard.

Development Control Plan 47 - Water Management

Matters for assessment under DCP 47 have been taken into account in the assessment of this application against DCP 55 by Councils Engineering Assessment Team Leader, who raises no objection to the proposal, subject to conditions.

Section 94 Plan

The development attracts a section 94 contribution of \$541,727.52 which is required to be paid by **Condition No 101.**

This figure is calculated on the following basis, utilising the Ku-ring-gai Section 94 Contributions Plan 2004-2009 Residential Development as of 30 June 2004:

12 x small dwellings (< 75m ²) at \$9,445.28 30 x medium dwellings (75-110m ²) at \$13,238.26	\$113,343.36
30 x medium dwellings (75-110m ²) at \$13,238.26	\$397,147.80
$3 \text{ x large dwellings } (110\text{m}^2 - 150\text{m}^2) \text{ at } \$19,039.30$	\$57,117.90
2 x very large dwellings (>150m2) at \$25,881.54	\$51,763.08
	Total \$619,372.14
Less 3 x very large dwellings (150m ²) at \$25,881.54	\$77,644.62
	Total \$541, 727.52

Likely impacts

All likely impacts of the proposal have been assessed elsewhere in this report.

Suitability of the site

The site is suitable for the proposed development.

Any submissions

All submissions received have been considered in the assessment of this application.

Public interest

The approval of the application is considered to be in the in the public interest.

Any other relevant matters/considerations not already addressed

There are no other matters for consideration.

CONCLUSION

Having regard to the provisions of section 79C of the Environmental Planning and Assessment Act 1979, the proposed development is considered to be satisfactory. Therefore, it is recommended that the application be approved, subject to appropriate conditions of consent.

RECOMMENDATION

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979

THAT the Council, as the consent authority, being satisfied that the objection under *State Environmental Planning Policy No. 1 - Development Standards* to clause 25(L) - Zone Interface of the Ku-ring-gai Planning Scheme Ordinance is well founded. The Council is also of the opinion that strict compliance with the development standard is unreasonable and unnecessary in the circumstances of this case as the objectives of the zone would still be achieved, despite the non-compliance,

AND

That the Council, as the consent authority, being satisfied that the objection under SEPP No. 1 is well founded and also being of the opinion that the granting of consent to DA 1108/05 is consistent with the aims of the Policy, grant development consent to DA 1108/05 for the demolition of three (3) dwellings and associated structures, and the construction of two residential flat buildings, comprising forty seven (47) units and basement parking, for a period of two (2) years from the date of the Notice of determination, subject to the following conditions:

GENERAL

- 1. The development to be in accordance with Development Application No 1108/05 and Development Application plans prepared by Jones Sonter Architects, reference numbers Project No.050301, DA02, 03 and 04, Issue I; DA05, 06, 07, 08 and 09, Issue H; Deep Soil Plans, SK20a and SK20b, Issue C; dated March 2005 and lodged with Council on 29 September 2005, and amended Landscape Plan by CAB Consulting and Craig Burton, drawing number TLI-05, dated 19 September 2005 and lodged with Council on 30 January 2006 (amended).
- 2. All building works shall comply with the Building Code of Australia.

- 3. The submission of the approved plans to Sydney Water, before any work is commenced to ensure that the proposed structure meets that Authority's By-Laws. Failure to submit these plans before commencing work will render the owner liable to a penalty and may result in the demolition of work.
- 4. The approved building shall not be occupied unless the development has been completed in accordance with all conditions of consent and the approved plans and a Occupation Certificate has been issued.
- 5. The opening of any footway, roadway, road shoulder or any part of the road reserve shall not be carried out without a Road Opening Permit being obtained from the Council (upon payment of the required fee) beforehand.
- 6. For the purpose of ensuring the compliance with the terms of the approval, an approved copy of the plan and this Consent and Construction Certificate shall be kept on site at all times.
- 7. For the purpose of safety and amenity of the area, no building materials, plant or the like are to be stored on the road or footpath without the written approval being obtained from the Council beforehand. The pathway shall be kept in a clean, tidy and safe condition during building operations. Council reserves the right, without notice, to rectify any such breach and to charge the cost against the applicant/owner/builder, as the case may be.
- 8. HOURS OF WORK: For the purpose of residential amenity, noise generating work carried out in connection with building and construction operation, including deliveries of building materials and equipment, is restricted to the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted. The use of the following items of plant on the site is also restricted to the abovementioned hours: compressors, bulldozers, power operated woodworking machines, excavators and loaders, jackhammers, Ramset guns, concrete mixers and concrete delivery wagons, hoists, winches, welding and riveting plant.
 - Whilst work on Saturdays may be performed until 5.30pm, such work or any associated activities shall not involve the use of any noise generating processes or equipment.
- 9. For the purpose of public safety, a sign shall be erected on the site prior to any work commencing which is clearly visible from a public place stating that unauthorised entry to the site is not permitted and showing the name of the builder or another person responsible for the site and a telephone number for contact outside working hours. The sign may only be removed on satisfactory completion of the works.
- 10. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.
- 11. All excavations shall be properly guarded and protected with hoardings or fencing to prevent them from being dangerous to life and property.

- 12. To maintain existing ground levels all excavated material shall be removed from the site.
- 13. Any excavation of rock involving hydraulic or compressed air rock hammers or other excavation equipment shall comply with the requirements of Council's Code for the Control and Regulation of Noise on Building Sites.
- 14. With regard to the proposed rock breaking the following conditions are to be observed:
 - a. The Geotechnical Engineer shall supervise the works in progress.
 - b. A dilapidation report on adjoining or nearby properties shall be prepared prior to any excavation, rock breaking, or associated work commencing and shall be submitted to the Principal Certifying Authority.
 - c. All material removed from or imported to the site shall be loaded, unloaded or conveyed in such a manner that will minimise nuisance. Trucks shall be covered and site controls shall include shaker grids at the exits of the site. All materials falling to any part of the road or footpath or any public place shall be immediately cleaned up.
 - d. All material removed from or imported to the site shall be loaded, unloaded or conveyed in such a manner that will minimise nuisance. Trucks shall be covered and site controls shall include shaker grids at the exits of the site. All materials falling to any part of the road or footpath or any public place shall be immediately cleaned up.
- 15. For the purpose of maintaining visual amenity, no permanent electricity supply poles are to be erected forward of the building setback without the prior Consent of Council. It is the onus of the applicant to consult with the authorised statutory electricity provider prior to construction commencing to ensure that direct connection to the building is possible. Details of any proposed permanent pole must be submitted to and approved by Council prior to installation.
- 16. The applicant is advised that the Construction Certificate plans and specifications must comply with the provisions of the Building Code of Australia.
- 17. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
 - All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- 18. Toilet facilities are to be provided, within the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
- 19. To maintain residential amenity, all electrical services to the site are to be provided underground and must not disturb the root system of any trees. Please contact the energy supply authority's local customer service office to obtain documentary evidence that the authority has been consulted and that their requirements have been met. This information is to be submitted to Council prior to the release of the Occupation Certificate.

- 20. If the work involved in the erection or demolition of a building:
 - a. is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - b. building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

Any such hoarding, fence or awning is to be removed when the work has been completed.

- 21. The developer shall submit to Council a letter from the energy supply authority and either Telstra or Optus, confirming that satisfactory arrangements have been made for the provision of underground telephone and power services, prior to the release of the Subdivision Certificate or Occupation. Application may be made to Energy Australia Phone No. 13 1525 and either Optus, Network Operations, Facsimile No 9837 9060, Phone No 9837 9010, or Telstra Phone No 12 455.
- 22. All noise generating equipment associated with any proposed mechanical ventilation system/s shall be located and/or soundproofed so the equipment is not audible within a habitable room in any other residential premises before 7am and after 10pm Monday to Friday and before 8am and after 10pm Saturday, Sunday and Public Holidays. Furthermore, the operation of the unit outside these restricted hours shall emit a noise level of not greater than 5dbA above the background when measure at the nearest adjoining boundary.
- 23. The fence and footings shall be constructed entirely within the boundaries of the property.
- 24. The demolition is to be carried out in accordance with the guidelines contained in Australian Standard 2601-1991: The Demolition of Structures.
- 25. Access to demolition sites shall be protected as directed by the Principal Certifying Authority by the use of suitable fences or hoardings.
- 26. Access to demolition sites shall be protected as directed by the Principal Certifying Authority by the use of suitable fences or hoardings.
- 27. Demolition work, including removal of material or debris from the site, on any building in a residential area shall only be carried out during the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted.

- 28. A person taking down or demolishing or causing to be taken down or demolished any building or part thereof shall, upon identifying or suspecting that asbestos is present in the building, immediately notify the Workcover Authority. The Authority is the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal.
 - The requirements and standards imposed by the Authority, its consultants or contractors shall be complied with.
- 29. Erosion control measures shall be provided on demolition sites to prevent the siltation of watercourses and drainage systems.
- 30. Dust control measures shall be taken on all demolition sites so as to avoid a nuisance to adjoining properties and harm to the environment.
 - a. A person taking down or demolishing or causing to be taken down or demolished any building or portion of any building shall:
 - i. cause the windows or other openings in the external walls to be close boarded or otherwise covered:
 - ii. cause screens of canvas, hessian, boards, mats or other suitable material to be fitted in appropriate locations;
 - iii. cause areas, components and debris to be wetted down; in such a manner as to minimise, as far as practicable, the nuisance arising from the escape of dust during such taking down or demolition.
 - b. Such person shall not chute, throw or let fall or cause to chute, throw or let fall from the floor to floor or into any basement of such building any building materials or any other matter so as to cause dust to escape from the building or cause any such material to fall or cast upon a public way to the annoyance, inconvenience, or danger of persons using such public way.
- 31. Soil on vacant sites is to be stabilised as soon as possible to prevent erosion and the site shall be kept clear of excess vegetation.
- 32. A temporary construction exit and sediment trap to reduce the transport of sediment from the site onto public roads shall be provided before demolition commences.
- 33. Existing stormwater lines on the site are to be blocked and made inoperable after buildings are demolished so as to prevent the conveyance of silt or sediments into the gutter or street drainage system.
- 34. All combustible material shall be removed from the site on a daily basis. Material shall not be burnt on the site.

- 35. Materials salvaged from a demolition may be stored on site provided they are non combustible, neatly and safety stockpiled and not likely to become a harbourage for vermin.
- 36. Trees and vegetation on a site shall not be disturbed except with the approval of the Council.
- 37. Adequate precautions shall be taken to ensure the protection of adjoining premises and persons therein from damage and injury during the process of demolition.
- 38. A traffic management plan shall be submitted to and approved by the Principal Certifying Authority, where major demolitions are likely to impact on arterial or main roads.
- 39. Buildings built prior to the 1970's may contain lead based paint. Lead dust is a hazardous substance. You are advised to follow the attached WorkCover guidelines to prevent personal and environmental contamination.
- 40. The applicant or builder/developer is responsible for the cost of making good any damage that may be caused to any Council property as a result of work associated with the demolition.
- 41. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
 - a. stating that unauthorised entry to the work site is prohibited, and
 - b. showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

Any such sign is to be removed when the work has been completed.

This clause does not apply to:

- a. building work carried out inside an existing building, or
- b. building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
- 42. All demolition materials of value for re-use either on-site or elsewhere, shall be separated and made available for re-cycling.
- 43. The burning of undergrowth, foliage, building refuse and like matter on the site is prohibited.
- 44. Under no circumstances shall building materials, demolition waste, fill, soil or any other material from any source be placed or stored within any public reserve.
- 45. To preserve and enhance the natural environment, all soil erosion and sediment control structures shall be inspected following each storm event and any necessary maintenance work shall be undertaken to ensure their continued proper operation. Sediment shall be removed from the soil erosion and sediment control structures when no more than forty percent (40%)

- capacity has been reached. These structures shall continue in proper operation until all development activities have been completed and the site fully stabilised.
- 46. Sites shall not be re-shaped, re-contoured, excavated nor the levels on any part of the site altered without the Consent of the Council being obtained beforehand.
- 47. To preserve and enhance the natural environment, sediment removed from erosion and sediment control structures shall be disposed of to an approved sediment dump.
- 48. For the purpose of health and amenity, effective measures are to be taken at all times to prevent any nuisance being caused by noise, vibrations smells, fumes, dust, smoke, waste water products and the like.
- 49. To prevent pollution, all vehicles making a delivery to or from the site are to be covered to prevent loose materials, dust etc falling from the vehicles.
- 50. To prevent pollution, any areas cleared of vegetation where there is a flowpath greater than 12.0 metres in length shall have a properly constructed silt fence erected to intercept runoff.
- 51. To prevent pollution, all disturbed areas which are not to be built upon or otherwise developed within 14 days shall be stabilised with mulch, woodchip or other rehabilitation methods to provide permanent protection from soil erosion.
- 52. Topsoil shall be stripped from areas to be developed and stock-piled within the site. Stock-piled topsoil on the site shall be located outside drainage lines and be protected from run-on water by suitably positioned diversion banks. Where the period of storage will exceed 14 days stock-piles are to be sprayed with an appropriate emulsion solution or seeded to minimise particle movement.
- 53. Your attention is directed to the operation of the Commonwealth Disability Discrimination Act 1992, which may impose greater obligations on providing access to disabled persons other than compliance with the Building Code of Australia. You are advised to seek advice from the Human Rights and Equal Opportunity Commission (phone (02) 9284 9600) in respect of your application.
- 54. All areas of common property, including visitor car parking spaces and on-site stormwater detention shall be included on the final plans of subdivision.
- 55. Stormwater runoff from new hard surfaces generating runoff or landscaped areas that are not at natural ground level shall be piped to the street drainage system. New drainage line connections to the street system shall conform and comply with the requirements described in sections 5.3 and 5.4 of Councils Water Management Development Control Plan 47, available in hard copy at Council and on the Council website.
- 56. A mandatory rainwater retention and re-use system comprising storage tanks and ancillary plumbing must be provided for the development. The (minimum) total storage volume of the

rainwater tank system, and the prescribed re-use of the water on site, must satisfy the requirements specified in chapter 6 of Ku-ring-gai Council Water Management Development Control Plan 47 (DCP47).

- 57. In addition to the mandatory rainwater retention and re-use system provided, an on-site stormwater detention system must be provided for the development to control the rate of runoff leaving the site. The minimum volume of the required on-site detention system must be determined in accordance with chapter 6 of the Ku-ring-gai Council Water Management Development Control Plan 47 (DCP 47) having regard to the specified volume concession offered in lieu of installing rainwater retention tanks. The design of the on-site detention system must be performed by a qualified civil/hydraulic engineer and must satisfy the design controls set out in Appendix 5 of DCP 47.
- 58. For stormwater control a 200mm wide grated channel/trench drain with a heavy-duty removable galvanized grate is to be provided in front of the garage door/basement parking slab to collect driveway runoff. The channel drain shall be connected to the main drainage system and must have an outlet of minimum diameter 150mm to prevent blockage by silt and debris.
- 59. To control surface runoff all new exposed impervious areas graded towards adjacent property and/or habitable areas are to be drained via the main drainage system. This may require the installation of suitable inlets pits, cut-off structures (e.g. kerb), and/or barriers that direct such runoff to the formal drainage system. Details for such measures shall be shown on the approved Construction Certificate issue drawings, to the satisfaction of the Principal Certifying Authority.
- 60. During construction, stormwater runoff must be disposed in a controlled manner that is compatible with the erosion and sediment controls on the site. Immediately upon completion of any impervious areas on the site (including roofs, driveways, paving) and where the final drainage system is incomplete, the necessary temporary drainage systems must be installed to manage and control runoff as far as the approved point of stormwater discharge. Such measures shall be to the satisfaction of the Principal Certifying Authority.
- 61. This development consent does not set aside or affect in any way the exercise of any rights-at-law which may be conferred upon any party or parties by the existence and/or terms of the grant of any easements or rights-of-carriageway on or over the subject property. It is the applicant's full responsibility to ensure that any rights-at-law are upheld. Council accepts no responsibility whatsoever, either now or in the future, for any claim for any matter or thing arising from its approval to this application involving any encroachment or other influence upon any easement or right-of-carriageway. The applicant's attention is further directed to the rights of persons benefited by any easement or right-of-carriageway concerning the entry and breaking up of a structure approved by this consent. In the event that such a structure causes damage, blockage or other thing requiring maintenance to infrastructure within the easement or right-of-carriageway, or access is required to carry out maintenance, Council accepts no responsibility in this regard now or in the future.

- 62. A maintenance period of six (6) months applies to all work in the public road reserve carried out by the applicant **after** the works have been completed to the satisfaction of Ku-ring-gai Council. In that maintenance period, the applicant shall be liable for any section of the completed public infrastructure work which fails to perform in the designed manner, or as would reasonably be expected under the operating conditions. The maintenance period shall commence once the Applicant receives a written indication from Council stating that the works involving public infrastructure have been completed satisfactorily.
- 63. Where required, the adjustment or inclusion of any new utility service facilities must be carried out by the applicant and in accordance with the requirements of the relevant utility authority. These works shall be at no cost to Council. It is the Applicants full responsibility to make contact with the relevant utility authorities to ascertain the impacts of the proposal upon utility services at the appropriate stage of eth development (including water, phone, gas and the like). Council accepts no responsibility whatsoever for any matter arising from its approval of this application involving any influence upon utility services provided by another authority.
- 64. All public footways and roadways fronting and adjacent to the site must be maintained in a safe condition at all times during the course of the development works. Construction materials and plant must not be stored in the road reserve. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to any public access ways fronting the construction site. Where public infrastructure is damaged, repair works must be carried out when and as directed by Council officers. Where pedestrian circulation is diverted on to the roadway or verge areas, clear directional signage and protective barricades must be installed in accordance with AS1742-3 (1996) "Traffic Control Devices for Work on Roads". If pedestrian circulation is not satisfactorily maintained across the site frontage, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.
- 65. The provision of temporary sediment and erosion control facilities and measures must be installed, prior to the commencement of any works on the site to eliminate unnecessary erosion and loss of sediment. These facilities must be maintained in working order during construction works up to completion. All sediment traps must be cleared on a regular basis and after each major storm, and/or as directed by the Principal Certifying Authority and Council officers.
- 66. Driveways and vehicular access ramps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with the minimum requirements of Australian Standard 2890.1 (2004) "Off-Street car parking".
- 67. The Applicant must obtain a **Section 73 Compliance Certificate** under the *Sydney Water Act* 1994. An application must be made through an authorised Water Servicing Coordinator. The Applicant is to refer to "Your Business" section of Sydney Water 's web site at www.sydneywater.com.au then the "e-developer" icon or telephone 13 20 92. Following application a "Notice of Requirements" will detail water and sewer extensions to be built and

charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

- 68. In order to allow **unrestricted access at all times** for Ku-ring-gai Council waste collection vehicles into the basement garbage collection area no doors, grilles, gates or other devices are to be provided in the access driveways to the basement carpark preventing this service.
- 69. If during the course of the development works, it becomes apparent that the drainage easement affecting the site is in use, then the applicant is to demonstrate that the development will not impact on the easement to the detriment of upstream properties or the future occupants of the subject development. This is in relation to the capacity of any systems or the obstruction of any overland flowpath.
- 70. Release of the Construction Certificate gives automatic approval to the removal only of those trees located on the subject property within the footprint of an approved new building/structure or within 3.0 metres of an approved new residence, measured from the centre of the trunk of the tree to the external wall of the residence. Where this application is for a building/structure other than a residential building then only trees within the area to be occupied by this building/structure may be removed.
- 71. The trees to be retained shall be inspected, monitored and treated when necessary by a qualified Arborist before, during and after completion of development works to ensure their long term survival. Regular inspections and documentation from the Arborist to the Principal Certifying Authority are required at the following times or phases of work.

Tree/location Time of inspection

All existing trees located on site being retained Prior to demolition

At the completion of demolition
Prior to excavation works
At the completion of excavation works
Prior to the start of construction works
At monthly intervals during construction
At the completion of construction works
At the completion of all works on site

- 72. Landscape works shall be carried out in accordance with Landscape Drawing No TL1-05 prepared by CAB Consulting and dated 19 Sept. 2005 submitted with the Development Application, except as amended by the following:
 - The proposed planting of Brachychiton acerifolius (Illawarra Flame Tree) is to be deleted and replaced Angophora floribunda (Rough Barked Apple) in the same locations and same pot size at planting.

- 73. Constructed slopes greater than 1:3 gradient shall be vegetated immediately earthworks are completed.
- 74. If tree roots are required to be severed for the purposes of constructing the approved works they shall be cut cleanly by hand, by an experienced Arborist/Horticulturist with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate
- 75. No tree roots of 30mm or greater in diameter located within the specified radius of the trunk/s of the following, tree/s shall be severed or injured in the process of any site works during the construction period.

Tree/Location	Radius From Trunk
#6 Cinnamomum camphora (Camphor laurel) Adjacent to north east site corner in neighbouring property	5.0m
#7 Cedrus deodara (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	3.0m
#8 Cedrus deodara (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	5.0m
#9 <i>Cedrus deodara</i> (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	5.0m
#10 <i>Cedrus deodara</i> (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	4.0m
#11 <i>Cedrus deodara</i> (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	5.0m
#19 Liquidambar styraciflua (Sweet Gum) Adjacent to south-east/Boyd St site boundary in neighbouring property	6.0m
#20 Quercus robur (English Oak) Adjacent to south-east/Boyd St site boundary in neighbouring property	3.0m
#22 Cedrus deodar (Himalayan Cedar) Adjacent to south east site corner in neighbouring property	6.0m
#23 <i>Pittosporum undulatum</i> (Native Daphne) Adjacent to south east site corner in neighbouring property	4.0m

#24 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to south east site corner	3.0m
#25 Cinnamomum camphora (Camphor laurel) Adjacent to south-east site corner in neighbouring property	3.0m
#27 Jacaranda mimosifolia (Jacaranda) Adjacent to southern/Boyd St site boundary	5.0m
#28 Michelia figo (Port Wine Magnolia) Adjacent to southern/Boyd St site boundary	4.0m
#29 Lagerstroemia indica (Crepe Myrtle) Adjacent to southern/Boyd St site boundary	4.0m
#32 Jacaranda mimosifolia (Jacaranda) Adjacent to northern site boundary in neighbouring property	5.0m
#33 Lagerstroemia indica (Crepe Myrtle) Adjacent to northern site boundary in neighbouring property	4.0m
#36 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to northwest site boundary in neighbouring property	3.0m
#37 <i>Pittosporum undulatum</i> (Native Daphne) Adjacent to northwest site boundary in neighbouring property	4.5m
#38 <i>Pittosporum undulatum</i> (Native Daphne) Adjacent to northwest site boundary in the neighbouring property	3.0m
#39 Eucalyptus saligna (Bluegum) Adjacent to western site corner	5.0m
#40 Eucalyptus saligna (Bluegum) Adjacent to western site corner	5.0m
#41 <i>Elaeocarpus reticulatus</i> (Blueberry Ash) Adjacent to western site boundary	4.0m
#43 <i>Melaleuca quinquenervia</i> (Broad leaf paperbark) Boyd St nature strip	3.0m
#44 <i>Melaleuca quinquenervia</i> (Broad leaf paperbark) Boyd St nature strip	3.0m
#45 <i>Melaleuca quinquenervia</i> (Broad leaf paperbark) Boyd St nature strip	3.0m
#46 Melaleuca quinquenervia (Broad leaf paperbark)	3.0m

Boyd St nature strip	
#47 <i>Melaleuca stypheloides</i> (Prickly paperbark) Adjacent to southern site boundary	3.0m
#48 <i>Melaleuca stypheloides</i> (Prickly paperbark) Adjacent to southern site boundary	3.0m
#49 <i>Melaleuca stypheloides</i> (Prickly paperbark) Adjacent to southern site boundary	3.0m

76. No mechanical excavation for the approved retaining wall adjacent to the northern site boundary shall be undertaken within the specified radius of the trunk/s of the following tree/s until root pruning by hand along the perimeter line of such works is completed:

Tree/Location	Radius From Trunk
#6 Cinnamomum camphora (Camphor laurel) Adjacent to north-east site corner in neighbouring property	5.0m
#7 Cedrus deodara (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	3.0m
#8 Cedrus deodara (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	5.0m
#9 Cedrus deodara (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	5.0m
#10 <i>Cedrus deodara</i> (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	4.0m
#11 <i>Cedrus deodara</i> (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	6.0m

77. All excavation carried out within the specified radius of the trunk/s of the following tree/s shall be hand dug:

Tree/Location	Radius From Trunk
#6 Cinnamomum camphora (Camphor laurel) Adjacent to north-east site corner in neighbouring property	5.0m
#7 <i>Cedrus deodara</i> (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	3.0m

A	†8 <i>Cedrus deodara</i> (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	5.0m
A	49 <i>Cedrus deodara</i> (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	5.0m
A	†10 Cedrus deodara (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	4.0m
A	†11 <i>Cedrus deodara</i> (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	5.0m
A	†19 <i>Liquidambar styraciflua</i> (Sweet Gum) Adjacent to south-east/Boyd St site boundary in neighbouring property	6.0m
A	†20 Quercus robur (English Oak) Adjacent to south-east/Boyd St site boundary in neighbouring property	3.0m
A	‡22 Cedrus deodar (Himalayan Cedar) Adjacent to south-east site corner in neighbouring property	6.0m
A	†23 Pittosporum undulatum (Native Daphne) Adjacent to south-east site corner in neighbouring property	4.0m
	‡24 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to south east site corner	3.0m
	†25 Cinnamomum camphora (Camphor laurel) Adjacent to south east site corner in neighbouring property	3.0m
	[‡] 27 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to southern/Boyd St site boundary	5.0m
	†28 <i>Michelia figo</i> (Port Wine Magnolia) Adjacent to southern/Boyd St site boundary	4.0m
	†29 Lagerstroemia indica (Crepe Myrtle) Adjacent to southern/Boyd St site boundary	4.0m
	†32 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to northern site boundary in neighbouring property	5.0m
A	†33 Lagerstroemia indica (Crepe Myrtle) Adjacent to northern site boundary in neighbouring property	4.0m
#	[‡] 36 <i>Jacaranda mimosifolia</i> (Jacaranda)	3.0m

Adjacent to northwest site boundary in neighbouring property	
#37 Pittosporum undulatum (Native Daphne) Adjacent to northwest site boundary in neighbouring property	4.5m
#38 <i>Pittosporum undulatum</i> (Native Daphne) Adjacent to northwest site boundary in the neighbouring property	3.0m
#39 Eucalyptus saligna (Bluegum) Adjacent to western site corner	5.0m
#40 Eucalyptus saligna (Bluegum) Adjacent to western site corner	5.0m
#41 Elaeocarpus reticulatus (Blueberry Ash) Adjacent to western site boundary	4.0m
#43 <i>Melaleuca quinquenervia</i> (Broad leaf paperbark) Boyd St nature strip	3.0m
#44 <i>Melaleuca quinquenervia</i> (Broad leaf paperbark) Boyd St nature strip	3.0m
#45 <i>Melaleuca quinquenervia</i> (Broad leaf paperbark) Boyd St nature strip	3.0m
#46 <i>Melaleuca quinquenervia</i> (Broad leaf paperbark) Boyd St nature strip	3.0m
#47 <i>Melaleuca stypheloides</i> (Prickly Paperbark) Adjacent to southern site boundary	3.0m
#48 <i>Melaleuca styphe</i> loides (Prickly Paperbark) Adjacent to southern site boundary	3.0m
#49 <i>Melaleuca stypheloides</i> (Prickly Paperbark) Adjacent to southern site boundary	3.0m

78. Excavation for the installation of CONDUITS/SEWER/STORMWATER/GAS within the specified radius of the trunk/s of the following tree/s shall be carried out using the thrust boring method. Thrust boring shall be carried out at least 600mm beneath natural ground level to minimise damage to tree/s root system

Tree/Location	Radius From Trunk
#23 <i>Pittosporum undulatum</i> (Native Daphne) Adjacent to south-east site corner in neighbouring property	4.0m
#24 Jacaranda mimosifolia (Jacaranda) Adiacent to south-east site corner	3.0m

Tree Preservation Order.

1 / 49 12 to 18 Boyd Street, Turramurra DA1108/05 17 March 2006

Item 1

#39 Eucalyptus saligna (Bluegum) 5.0m Adjacent to western site corner #40 Eucalyptus saligna (Bluegum) 5.0m Adjacent to western site corner

- 9. The applicant shall ensure that at all times during the site works no activities, storage or
- 80. The following tree species shall be planted as an evenly spaced avenue planting, at no cost to Council, in the nature strip fronting the property along Boyd St. The tree/s used shall be a minimum 25 litre container size specimen/s trees:

disposal of materials shall take place beneath the canopy of any tree protected under Council's

Tree Species Quantity
Nyssa sylvatica (Tupelo) 5

- 81. All builders' refuse, spoil and/or material unsuitable for use in landscape areas shall be removed from the site on completion of the building works.
- 82. The trees to be planted shall be maintained in a healthy and vigorous condition until they attain a height of 5.0 metres whereby they will be protected by Council's Tree Preservation Order. Any of the trees found faulty, damaged, dying or dead shall be replaced with the same species
- 83. An archival report detailing the existing buildings on the site is to be submitted to and approved by Council's Heritage Advisor prior to commencement of the work and prior to issue of a Construction Certificate.

The report is to be prepared by a heritage consultant included in the NSW Heritage Office list of recognised consultants or other suitably qualified person who have knowledge and experience in preparing archival recording documents.

The report is to be a bound A4 report. Three copies of the report must be submitted, one copy with negatives.

All photographs to be to be mounted, labelled and cross-referenced to the relevant site plan and floor plans and showing position of camera. Photographs of the following:

- Each elevation of existing houses and photographs of selected interiors.
- All structures on site such as sheds, outhouses and significant landscape features
- Several photographs of house from public streets or laneways including several views showing relationship to neighbouring buildings.

Minimum requirements:

• Title page

- Statement of reasons the recording was made
- Site plan showing all structures and site elements
- Sketch of the floor plan showing the location of the camera for each photograph.
- Black & White archival quality photographs, contact prints with negatives and selected prints (one copy of negatives other copies with contact sheets and selected prints)

Digital images and CDs may be submitted as supplementary information.

- 84. The applicant shall provide an accurate survey locating the development with respect to the rail boundary end rail infrastructure. This work is to be undertaken by a registered surveyor, to the satisfaction of RailCorp's representative.
- 85. Prior to the commencement of works and prior to the issue of the Occupation Certificate, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from RailCorp and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of detailed dilapidation reports may be required as a result.
- 86. An acoustic assessment is to be submitted to Council prior to the issue of a Construction Certificate demonstrating how the proposed development will comply with RailCorp Interim Guidelines for Applicants in the consideration of rail noise and vibration from the adjacent rail corridor.
- 87. The Applicant is to procure a report on the Electrolysis Risk to the development from stray currents, and the measures that will be taken to control the risk. The Applicant is advised to consult an Electrolysis expert. The expert's report must be submitted to RailCorp for review by the Senior Electrolysis Engineer or nominated Electrolysis Section personnel.
- 88. The Applicant shall provide a Geotechnical Engineering report to RailCorp for review by RailCorps Geotechnical section prior to the commencement of works. The report shall demonstrate that the development has no negative impact on the rail corridor or the integrity of the infrastructure through its loading and ground deformation and shall contain structural design details/analysis for review by RailCorp. The report shall include the potential impact of demolition and excavation, and demolition- and excavation-induced vibration in rail facilities, and loadings imposed on RailCorp Facilities by the development
- 89. During all stages of the development environmental legislation and regulations will be complied with.
- 90. During all stages of the development extreme care shall be taken to prevent environmental harm within railway corridor. Any form of environmental harm to areas within the railway corridor or legislative non-compliance that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.

- 91. During all stages of the development extreme care shall be taken to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the hill responsibility of the Applicant.
- 92. Given the site's location next to the rail corridor, drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from Rail Corp.
- 93. During excavation the Applicant is to observe extreme care to prevent water from collecting on or near RailCorp infrastructure. It is possible that if water were to pond adjacent to the infrastructure, services could be interrupted. If this were the case, the applicant/contractor would be liable for the RailCorp expenditure involved with restoring or maintaining alternative services.
- 94. To ensure that graffiti can be easily removed, solid fencing and/or retaining walls facing the rail corridor which could be vulnerable to graffiti are to be coated with anti-graffiti paint or other similar protective coating.
- 95. The existing common boundary fence is considered adequate and must remain intact throughout the construction works and thereafter. Should enhancements be desired RailCorp must be contacted to ensure adequate safety measures are taken whilst work is carried out.
- 96. The developer is required to enter into an agreement with rail defining the controls to be implemented in managing the access required and/or the potential impacts of the development on RailCorp, and the involvement of RailCorp staff in ensuring appropriate the appropriate safety and technical standards are complied with throughout the development.
- 97. The ground level courtyards facing the railway reserve shall have see through-type fencing to enable surveillance of the narrow common area between the courtyard perimeter and the site boundary.
- 98. Perpendicular projecting blade walls shall be provided to windows of units E6, E9, E10, E13, E14, E16, E17, E20, E21, E24, E25, E28, E29 and E31.
- 99. Prior to issue of the Construction Certificate, the applicant must consolidate the existing Torrens Title lots which will form the development site. Evidence of lot consolidation, in the form of a plan registered with Department of Lands, must be submitted to the Principal Certifying Authority. This condition is imposed to ensure continuous structures will not be placed across boundaries.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

100. The Long Service Levy is to be paid to Council in accordance with the provisions of Section 34 of the Building and Construction Industry Payments Act 1986 prior to the issue of the Construction Certificate.

Note: Required if cost of works exceed \$25,000.00.

- 101. It is a condition of consent that the applicant, builder or developer or person who does the work on this residential building project arrange the Builders Indemnity Insurance and submit the Certificate of Insurance in accordance with the requirements of Part 6 of the *Home Building Act 1989* to the Council or other Principal Certifying Authority for endorsement of the plans accompanying the Construction Certificate. It is the responsibility of the applicant, builder or developer to arrange the Builder's Indemnity Insurance for residential building work over the value of \$12,000 and to satisfy the Council or other Principal Certifying Authority by the presentation of the necessary Certificate of Insurance so as to comply with the applicable requirements of Part 6 of the *Home Building Act 1989*. The requirements for the Builder's Indemnity Insurance does not apply to commercial or industrial building work or for residential work less than \$12,000, nor to work undertaken by persons holding an Owner/Builder's Permit issued by the Department of Fair Trading (unless the owner/builder's property is sold within 7 years of the commencement of the work).
- 102. The Infrastructure Restorations Fee calculated in accordance with the Council's adopted schedule of Fees and Charges is to be paid to the Council prior to any earthworks or construction commencing. The applicant or builder/developer will be held responsible for and liable for the cost any damage caused to any Council property or for the removal of any waste bin, building materials, sediment, silt, or any other article as a consequence of doing or not doing anything to which this consent relates. "Council Property" includes footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees, shrubs, lawns mounds, bushland, and similar structures or features on road reserves or any adjacent public place. Council will undertake minor restoration work as a consequence of the work at this site in consideration of the "Infrastructure Restorations Fee" lodged with the Council prior to the release of the Construction Certificate. This undertaking by the Council does not absolve the applicant or Builder/developer of responsibility for ensuring that work or activity at this site does not jeopardise the safety or public using adjacent public areas or of making good or maintaining "Council property" (as defined) during the course of this project.
- 103. Prior to commencing any construction or subdivision work, the following provisions of the Environmental Planning & Assessment Act, 1979 (the 'Act') are to be complied with:
 - a. A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
 - b. A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
 - c. Council is to be notified in writing, at least two (2) days prior to the intention of commencing buildings works, in accordance with Section 81A(2)(c) of the Act.
 - d. Should the development be certified by a Principal Certifying Authority other than Council, a fee for each Part 4A Certificate is to be paid to Council on lodgement of those Certificates with Council.

104. A contribution is to be paid for the provision, extension or augmentation of community facilities, recreation facilities, open space and administration that will, or are likely to be, required as a consequence of development in the area.

TOTAL CONTRIBUTION FOR THIS DEVELOPMENT OF FORTY-FOUR (44) ADDITIONAL DWELLINGS IS CURRENTLY \$541, 727.52. The amount of the payment shall be in accordance with the Section 94 charges as at the date of payment. The charges may vary at the time of payment in accordance with Council's Section 94 Contributions Plan to reflect changes in land values, construction costs and the consumer price index.

This contribution shall be paid to Council prior to the release of the Construction Certificate and the amount payable shall be in accordance with the Council's adopted Section 94 Contributions Plan for Residential Development, effective from 30 June 2004, calculated for additional person as follows:

1.	Community Facilities	\$1 117.76
2.	Park Acquisition and Embellishment Works - Turramurra	\$4 723.00
3.	Sportsgrounds Works	\$1 318.32
4.	Aquatic / Leisure Centres	\$27.82
5.	Traffic and Transport	\$150.28
6.	Section 94 Plan Administration	\$100.04

To obtain the total contribution figure the following table of occupancy rates is to be used:

OCCUPANCY RATES FOR DIFFERENT DWELLING SIZES

Small dwelling (under 75 sqm)	1.27 persons
Medium dwelling (75 - under 110 sqm)	1.78 persons
Large dwelling (110 - under 150sqm)	2.56 persons
Very Large dwelling (150sqm or more)	3.48 persons
New Lot	3.48 persons
SEPP (Seniors Living) Dwelling	1.3persons

- 105. Prior to issue of the Construction Certificate the Applicant must have engineering plans and specifications prepared by a qualified consulting engineer and the plans **approved by**Council engineers. The plans to be assessed must be to a detail suitable for construction issue purposes and must detail the following infrastructure works required in Boyd Street:
 - Details of the new vehicular crossing to allow satisfactory access to the driveway inside
 the property while maintaining sight distance along Jersey Street and preserving the
 three street trees, T19, T20 and T21. The plans is to include accurate existing and
 proposed ground levels.

This Development Consent under the EP&A Act does **NOT** give approval to these works in the road reserve. **Ku-ring-gai Council must issue a separate consent under section 138** and 139 of *The Roads Act 1993* for the works in the road reserve, required as part of the

development. The Construction Certificate must not be issued, and these works must not proceed, until Council has issued the formal written consent under the *Roads Act 1993*.

The required plans and specifications are to be designed in accordance with the *General Specification for the Construction of Road and Drainage Works in Ku-ring-gai Council*, dated November 2004. The drawings must detail existing utility services and trees affected by the works, erosion control requirements and traffic management requirements during the course of works. Survey must be undertaken as required. Traffic management is to be certified on the drawings as being in accordance with the documents SAA HB81.1 – 1996 – Field Guide for Traffic Control at Works on Roads – Part 1 and RTA Traffic Control at Work Sites (1998). Construction of the works must proceed only in accordance with any conditions attached to the stamped Council *Roads Act 1993* approval.

A minimum of three (3) weeks will be required for Council to assess *Roads Act* submissions. Early submission is recommended to avoid delays in obtaining a Construction Certificate. An engineering assessment and inspection fee (set out in Council's adopted fees and charges) is payable and Council will withhold any consent and approved plans until full payment of the correct fees. Plans and specifications must be marked to the attention of Council's Development Engineers. In addition, a copy of this condition must be provided, together with a covering letter stating the full address of the property and the accompanying DA number.

- 106. Prior to issue of the Construction Certificate the Applicant must submit, for approval by the Principal Certifying Authority, certified parking layout plan(s) to scale showing all aspects of the vehicle access and accommodation arrangements clearly dimensioned. A qualified civil/traffic engineer must review the proposed vehicle access and accommodation layout and provide written certification on the plans that:
 - All parking space dimensions, driveway and aisle widths, driveway grades, transitions, circulation ramps, blind aisle situations and other trafficked areas comply in full with Australian Standard 2890.1 2004 "Off-street car parking".
 - A clear height clearance of 2.5 metres (required under DCP40 for waste collection trucks) is provided over the designated garbage collection truck manoeuvring areas within the basement.
 - No doors or gates are provided in the access driveways to the basement carpark which
 would prevent unrestricted access for internal garbage collection at any time from the
 basement garbage storage and collection area.

The vehicle access and accommodation arrangements are to be constructed in accordance with the certified plans.

107. Prior to issue of the Construction Certificate and prior to commencement of any works that may be subject to erosion, the applicant must submit, for approval by the Principal Certifying Authority, a Soil and Erosion Control Plan prepared in accordance with the Landcom document "Managing Urban Stormwater – Soils and Construction, Volume 1" (2004). A qualified and experienced civil/environmental engineer shall prepare this plan in accordance with the above guidelines and section 8.2.1 of Councils Water Management Development Control Plan 47.

- 108. Prior to issue of the Construction Certificate the applicant must submit, for approval by the Principal Certifying Authority, scale construction plans and specifications in relation to the stormwater management and disposal system for the development. The plan(s) must include the following detail:
 - Exact location and reduced level of discharge point to the public drainage system.
 - Full layout of the property drainage system components, including but not limited to (as required) gutters, downpipes, spreaders, pits, swales, kerbs, cut-off and intercepting drainage structures, subsoil drainage, flushing facilities and all ancillary stormwater plumbing all designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence).
 - Pipes are not to be laid within the Critical Root Zone of trees to be retained unless thrust bored.
 - Stormwater management measures are not to require excessive soil level changes within the Critical Root Zone of trees to be retained.
 - Location(s), dimensions and specifications for the required rainwater storage and reuse tanks and systems. Where proprietary products are to be used, manufacturer specifications or equivalent shall be provided.
 - Water quality measures as required by DCP 47 Chapter 8.
 - Specifications for reticulated pumping facilities (including pump type and manufacturer specifications) and ancillary plumbing to fully utilise rainwater in accordance with the Ku-ring-gai Council Development Control Plan 47.
 - Details of the required on-site detention tanks required under Ku-ring-gai Council Water Management DCP 47 including dimensions, materials, locations, orifice and discharge control pit details as required (refer chapter 6 and appendices 2, 3 and 5 of DCP 47 for volume, PSD and design requirements).
 - The required basement stormwater pump-out system to cater for driveway runoff and subsoil drainage (refer appendix 7.1.1 of Development Control Plan 47 for design).

The above construction drawings and specifications are to be prepared by a qualified and experienced civil/hydraulic engineer in accordance with Councils Water Management Development Control Plan 47, Australian Standards 3500.2 and 3500.3 - Plumbing and Drainage Code and the BCA. The plans may be generally based on the stormwater drainage plans prepared by Appleyard Forrest for Development Application approval, which are to be advanced as necessary for construction issue purposes.

109. Prior to issue of the Construction Certificate the Applicant must contact Energy Australia regarding power supply for the subject development. A written response detailing the full requirements of Energy Australia (including any need for underground cabling, substations or similar within or in the vicinity the development) shall be submitted to the Principal Certifying Authority for approval prior to issue of the Construction Certificate. Any structures or other requirements of Energy Australia shall be reflected on the plans issued with the Construction Certificate, to the satisfaction of the Principal Certifying Authority and Energy Australia. The requirements of Energy Australia must be met in full prior to issue of the Occupation Certificate.

- 110. Prior to issue of the Construction Certificate the applicant must make contact with all relevant utility providers whose services will be impacted upon by the approved development. A written copy of the requirements of each provider, as determined necessary by the Principal Certifying Authority, must be obtained. All utility services or appropriate conduits for the same, including electricity, gas, telephone, water and sewerage must be provided by the developer in accordance with the specifications of those supply authorities.
- 111. Paving works within the specified radius of the trunk/s of the following tree/s shall be of type and construction to ensure that existing water infiltration and gaseous exchange to the tree/s root system is maintained. Details for the paving shall be prepared by a suitably qualified professional and submitted to and approved by the Principal Certifying Authority prior to the release of the Construction Certificate:

Tree/Location	Radius From Trunk
#27 Jacaranda mimosifolia (Jacaranda) Adjacent to southern/Boyd St site boundary	5.0m
#28 <i>Michelia figo</i> (Port Wine Magnolia) Adjacent to southern/Boyd St site boundary	4.0m
#29 Lagerstroemia indica (Crepe Myrtle) Adjacent to southern/Boyd St site boundary	4.0m
#43 <i>Melaleuca quinquenervia</i> (Broad leaf paperbark) Boyd St nature strip	3.0m
#44 <i>Melaleuca quinquenervia</i> (Broad leaf paperbark) Boyd St nature strip	3.0m
#45 <i>Melaleuca quinquenervia</i> (Broad leaf paperbark) Boyd St nature strip	3.0m
#46 <i>Melaleuca quinquenervia</i> (Broad leaf paperbark) Boyd St nature strip	3.0m
#47 <i>Melaleuca stypheloides</i> (Prickly Paperbark) Adjacent to southern site boundary	3.0m
#48 <i>Melaleuca stypheloides</i> (Prickly Paperbark) Adjacent to southern site boundary	3.0m
#49 <i>Melaleuca stypheloides</i> (Prickly Paperbark) Adjacent to southern site boundary	3.0m

112. A CASH BOND/BANK GUARANTEE of \$10 000.00 shall be lodged with Council as a Landscape Establishment Bond prior to release of the Construction Certificate to ensure that the landscape works are installed and maintained in accordance with the approved landscape plan/s and other landscape conditions.

Fifty percent (50%) of this bond will be refunded upon verification by Council that the landscape works as approved have been satisfactorily installed. The balance of the bond will be refunded 3 years after the initial satisfactory inspection, where landscape works have been satisfactorily established and maintained.

It is the responsibility of the applicant to notify Council in relation to the refunding of the bond at the end of the 3 year period. Where a change of ownership occurs during this period it is the responsibility of the applicant to make all arrangements regarding transference of the bond and to notify Council of such.

113. A CASH BOND/BANK GUARANTEE of \$13 500.00 shall be lodged with Council prior to the release of the Construction Certificate to ensure that the following trees are maintained in the same condition as found prior to commencement site development work.

The bond will be returned following issue of the Occupation Certificate, provided the trees are undamaged.

In the event that any specified trees are found damaged, dying or dead as a result of any negligence by the applicant or its agent, or as a result of the construction works at any time during the construction period, Council will have the option to demand the whole or part therefore of the bond.

Tree/Location	Bond Value
#9 <i>Cedrus deodara</i> (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	\$2 000.00
#10 Cedrus deodara (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	\$2 000.00
#11 <i>Cedrus deodara</i> (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	\$2 000.00
#27 Jacaranda mimosifolia (Jacaranda) Adjacent to southern/Boyd St site boundary	\$1 000.00
#28 <i>Michelia figo</i> (Port Wine Magnolia) Adjacent to southern/Boyd St site boundary	\$500.00
#29 Lagerstroemia indica (Crepe Myrtle) Adjacent to southern/Boyd St site boundary	\$1 000.00
#32 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to northern site boundary in neighbouring property	\$1 000.00
#39 Eucalyptus saligna (Bluegum) Adjacent to western site corner	\$1 000.00

#40 Eucalyptus saligna (Bluegum) Adjacent to western site corner	\$1 000.00
#43 <i>Melaleuca quinquenervia</i> (Broad leaf paperbark) Boyd St nature strip	\$500.00
#44 <i>Melaleuca quinquenervia</i> (Broad leaf paperbark) Boyd St nature strip	\$500.00
#45 <i>Melaleuca quinquenervia</i> (Broad leaf paperbark) Boyd St nature strip	\$500.00
#46 <i>Melaleuca quinquenervia</i> (Broad leaf paperbark) Boyd St nature strip	\$500.00

CONDITIONS TO BE COMPLIED WITH PRIOR TO WORK COMMENCING

- 114. External finishes and colours are to be sympathetic to the surrounding environment. Samples of materials and finishes are to be submitted to and approved by Council prior to the commencement of work.
- 115. Prior to commencement of demolition works, a geotechnical inspection report is to be submitted to the Principal Certifying Authority which addresses site stability in relation to the following matters:
 - Access for demolition of No 12.; and
 - Stability of existing retaining structures during demolition.

The report is to be submitted to and approved by the Principal Certifying Authority, or Council if no PCA has been appointed.

- 116. Prior to the commencement of bulk excavation, a geotechnical investigation comprising three or more cored boreholes drilled to at least 1 metre below basement level is to be carried out. The report of this investigation is to be submitted to the Principal Certifying Authority, or Council if no PCA has been appointed. The report is to address the following matters:
 - Excavation methods
 - Excavation sequence
 - Vibration trials and monitoring
 - Potential for adverse jointing
 - Dilapidation survey of neighbouring structures
 - Stability of any existing retaining structures to remain
 - Retaining structures, temporary and permanent, for support of adjoining properties
 - Frequency of inspections during excavation
 - Groundwater issues

Approval is to be obtained for the report prior to commencement of bulk excavation works, and works are to proceed on accordance with its recommendations.

- 117. The geotechnical and hydrogeological works implementation, inspection, testing and monitoring program for the excavation and construction works must be in accordance with the report submitted in accordance with another condition of this consent. Over the course of the works a qualified Geotechnical/hydrogeological Engineer must complete the following:
 - Further geotechnical investigations and testing recommended in the above report(s) and as determined necessary,
 - Further monitoring and inspection as recommended in the above report(s) and as determined necessary,
 - Written report(s) including certification(s) of the geotechnical inspection, testing and monitoring programs.
- 118. A contractor with specialist excavation experience must undertake the excavations for the development and a suitably qualified and consulting geotechnical engineer must oversee the excavation procedure. Approval must be obtained from all affected property owners, including Ku-ring-gai Council where rock anchors (both temporary and permanent) are proposed below adjacent private or public property.
- 119. If the use of temporary rock anchors extending into the road reserve is proposed, then approval must be obtained from Council in accordance with Section 138 of the Roads Act 1993. The Applicant is to submit details of all the work that is to be considered, and the works are not to commence until approval has been granted. The designs are to include details of the following:
 - How the temporary rock anchors will be left in a way that they will not harm or interfere with any future excavation in the public road
 - That the locations of the rock anchors are registered with Dial Before You Dig
 - That approval of all utility authorities likely to use the public road has been obtained. All temporary rock anchors are located outside the allocations for the various utilities as adopted by the Streets Opening Conference.
 - That any remaining de-stressed rock anchors are sufficiently isolated from the structure that they cannot damage the structure if pulled during future excavations or work in the public road.
 - That signs will be placed and maintained on the building stating that de-stressed rock anchors remain in the public road and include a contact number for the building manager. The signs are to be at least 600mm x 450mm with lettering on the signs is to be no less than 75mm high. The signs are to be at not more than 60m spacing. At least one sign must be visible from all locations on the footpath outside the property. The wording on the signs is to be submitted to Council 's Director Technical Services for approval before any signs are installed.

Permanent rock anchors are not to be used where any part of the anchor extends outside the development site into public areas or road reserves.

All works in the public road are to be carried out in accordance with the Conditions of Construction issued with any approval of works granted under Section 138 of the Roads Act 1993.

120. Prior to the commencement of demolition works on site the Applicant must submit, for approval by the Principal Certifying Authority (with a copy forwarded to Council) a full dilapidation report on the visible and structural condition of the Hillview building adjacent to the northern boundary and any other structures identified in the geotechnical report.

The report must be completed by a consulting structural/geotechnical engineer. A written acknowledgment from Council development engineers shall be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to the commencement of any works on site.

121. Prior to the commencement of **any** works on site the applicant must submit, for review by Council Engineers, a *Construction and Traffic Management Plan*. The following matters must be specifically addressed in the Plan:

A plan view of the entire site and frontage roadways indicating:

- Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,
- The locations of proposed Work Zones in the frontage roadways,
- Location of any proposed crane standing areas
- A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries
- Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.
- The provision of an on-site parking area for employees, tradesperson and construction vehicles as far as possible

Traffic Control Plan(s) for the site

- All traffic control devices installed in the road reserve must be in accordance with the RTA publication "Traffic Control Worksite Manual" and be designed by a person licensed to do so (minimum RTA 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each.
- Approval is to obtained from Ku-ring-gai Council for any temporary road closures or crane use from public property.

A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided.

- Light traffic roads and those subject to a load or height limit must be avoided at all times.
- A copy of this route is to be made available to all contractors, and shall be clearly depicted at a location within the site.

In addition, the plan must address:

- A schedule of site inductions to be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations. These must specify that construction-related vehicles to comply with the approved requirements.
- Minimising construction related traffic movements during school peak periods.
- For those construction personnel that drive to the site, the Applicant shall attempt to provide on-site parking so that their personnel's vehicles do not impact on the current parking demand in the area.
- Employee parking shall be provided in the basement as soon as practicable, with a timeframe included in the TMP for this.

The Construction and Traffic Management Plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition. The construction management measures contained in the approved plan shall be implemented in accordance with the plan prior to the commencement of, and during, works on-site including excavation. As the plan has a direct impact on the local road network, the plan shall be submitted to and reviewed by Council, attention Development Engineer. A written acknowledgment from Council engineers shall be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to the commencement of any works on site. A fee is payable for the assessment of the plan by Kuring-gai Council.

122. If a Works Zone is proposed, the Applicant must make a written application to the Ku-ringgai Local Traffic Committee to install the 'Work Zone'. The application must be made at least 15 days prior to the commencement of any works on site approved under this consent. Works Zones are provided specifically for the set down and pick up of materials and not for the parking of private vehicles associated with the site. Works Zones will generally not be approved where there is sufficient space on-site for the setting down and picking up of goods being taken to or from a construction site. If the Works Zone is approved by the Committee, the Applicant must obtain a written copy of the related resolution from the Ku-ring-gai Local Traffic Committee and submit a copy of this to the Principal Certifying Authority for approval prior to commencement of any works on the site. Where approval of the 'Work Zone' is resolved by the Committee, the necessary 'Work Zone' signage shall be installed (at the cost of the Applicant) and the adopted fee paid prior to commencement of any works on the site. Further, at the expiration of the Works Zone approval, the Applicant is required to remove the Works Zone signs and reinstate any previous signs, all at the Applicant's cost.

- 123. Prior to the commencement of any works on site the applicant shall submit to Ku-ring-gai Council a full dilapidation report on the visible and structural condition (**including a photographic record**) of the following public infrastructure:
 - Full road pavement width, including table drain and footpath, of Boyd Street over the site frontage.
 - Any driveway crossings and laybacks opposite the subject site.

The report must be completed by a consulting structural/civil engineer. Particular attention must be paid to accurately recording (both via photo and in written format) *existing* damaged areas on the aforementioned infrastructure so that Council is fully informed when assessing any damage to public infrastructure caused as a result of the development.

The developer may be held liable for any recent damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded under the requirements of this condition prior to the commencement of works.

124. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s is fenced off at the specified radius from the trunk/s to prevent any activities, storage or the disposal of materials within the fenced area. The fence/s shall be maintained intact until the completion of all demolition/building work on site.

Tree/Location	Radius in Metres	
#7 <i>Cedrus deodara</i> (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	3.0m	
#8 Cedrus deodara (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	5.0m	
#9 <i>Cedrus deodara</i> (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	5.0m	
#10 Cedrus deodara (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	4.0m	
#11 <i>Cedrus deodara</i> (Himalayan Cedar) Adjacent to northern site boundary in neighbouring property	5.0m	
#24 Jacaranda mimosifolia (Jacaranda) Adjacent to south east site corner	3.0m	
#27 Jacaranda mimosifolia (Jacaranda) Adjacent to southern/Boyd St site boundary	5.0m	
#28 Michelia figo (Port Wine Magnolia)	4.0m	

Adjacent to southern/Boyd St site boundary	
#29 <i>Lagerstroemia indica</i> (Crepe Myrtle) Adjacent to southern/Boyd St site boundary	4.0m
#32 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to northern site boundary in neighbouring property	4.5m
#36 Jacaranda mimosifolia (Jacaranda) Adjacent to northwest site boundary in neighbouring property	3.0m
#37 Pittosporum undulatum (Native Daphne) Adjacent to northwest site boundary in neighbouring property	4.5m
#38 <i>Pittosporum undulatum</i> (Native Daphne) Adjacent to northwest site boundary in the neighbouring proper	3.0m ty
#39 Eucalyptus saligna (Bluegum) Adjacent to western site corner	5.0m
#40 Eucalyptus saligna (Bluegum) Adjacent to western site corner	5.0m
#43 <i>Melaleuca quinquenervia</i> (Broad leaf paperbark) Boyd St nature strip. Pedestrian access to be maintained at all times	3.0m
#44 <i>Melaleuca quinquenervia</i> (Broad leaf paperbark) Boyd St nature strip. Pedestrian access to be maintained at all times	3.0m
#45 <i>Melaleuca quinquenervia</i> (Broad leaf paperbark) Boyd St nature strip. Pedestrian access to be maintained at all times	3.0m
#46 <i>Melaleuca quinquenervia</i> (Broad leaf paperbark) Boyd St nature strip. Pedestrian access to be maintained at all times.	3.0m
#47 <i>Melaleuca stypheloides</i> (Prickly Paperbark) Adjacent to southern site boundary	3.0m
#48 <i>Melaleuca stypheloides</i> (Prickly Paperbark) Adjacent to southern site boundary	3.0m
#49 <i>Melaleuca stypheloides</i> (Prickly Paperbark) Adjacent to southern site boundary	3.0m

125. The tree protection fence shall be constructed of galvanised pipe at 2.4 metre spacings and connected by securely attached chain mesh fencing to a minimum height of 1.8 metres prior to work commencing.

- 126. Prior to works commencing tree protection signage is to be attached to each tree Protection Zone and displayed in a prominent position and the sign repeated at 10m intervals or closer where the fence changes direction. Each sign shall advise in a clearly legible form, the following minimum information:
 - 1. Tree Protection Zone
 - 2. This fence has been installed to prevent damage to the trees and their growing environment both above and below ground, and access is restricted.
 - 3. If encroachment or incursion into this Tree Protection Zone is deemed to be essential the consulting Arborist should be informed prior to the undertaking of such works
 - 4. Name, address, and telephone number of the developer/principal certifying authority.
- 127. Prior to works commencing the area of the Tree Protection Zone is to be mulched to a depth of 100mm with composted organic material being 75% Eucalyptus leaf litter and 25% wood, The depth of mulch and type as indicated, to be maintained for the duration of the project & Principal Certifying Authority.
- 128. Upon completion of the installation of the required tree protection measures you are required to arrange for an inspection of the site by the Principal Certifying Authority to verify that tree protection measures comply with all relevant conditions. Following the carrying out of a satisfactory inspection and subject to the payment of all relevant monies and compliance with any other conditions of approval, work may commence.

CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION

- 129. Prior to the release of any occupation certificate, a compliance certificate must be obtained from an accredited certifier, certifying that the building works for the building to be occupied comply with the plans and specifications approved by this development consent; and any construction certificate associated with this consent for the buildings to be occupied. If the PCA is not the Council, then this compliance certificate must be submitted to the Council at the same time as the occupation certificate is submitted to the Council in accordance with Clause 151(2) of the E P & A Act regulations.
- 130. Without further written Consent of Council the development is to comply with the following indices:
 - a. Maximum floor space ratio 1.38:1.
 - b. Number of resident car parking spaces -54.
 - c. Number of visitor car parking spaces -12.
 - d. Maximum built-upon area 50%.
 - e. Maximum height roof not to exceed RL 180.8.

A Surveyor's Certificate is to be submitted to the Principal Certifying Authority confirming compliance with a, b, e and f above prior to occupation.

- 131. Prior to issue of the Occupation Certificate, the Principal Certifying Authority (where not Council) must provide Ku-ring-gai Council with a signed declaration that the following works in the road reserve have been completed in full:
 - New concrete driveway crossing in accordance with levels and specifications issued by Council.
 - Removal of **all** redundant driveway crossings and kerb laybacks (or sections thereof) and reinstatement of these areas to footpath, turfed verge and upright kerb and gutter. (Reinstatement works to match surrounding adjacent infrastructure with respect to integration of levels and materials).
 - Full repair and resealing of any road surface damaged during construction.
 - Full replacement of damaged sections of grass verge with a non-friable turf of native variety to match existing.

All works must be completed in accordance with the *General Specification for the Construction of Road and Drainage Works in Ku-ring-gai Council*, dated November 2004. The Occupation Certificate must not be issued until all damaged public infrastructure caused as a result of construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) is fully repaired to the satisfaction of Council. Repair works shall be at no cost to Council.

- 132. Prior to issue of the Occupation Certificate the following must be provided to Council (attention Development Engineer):
 - A copy of the approved Construction Certificate stormwater detention/retention design for the site, and
 - A copy of any works-as-executed drawings required under this consent
 - The Engineer's certification of the as-built system.

This condition is required so Council may maintain its database of as-constructed on-site stormwater detention systems, and applies particularly where the appointed Principal Certifying Authority (PCA) is not Ku-ring-gai Council.

- 133. Prior to issue of an Occupation Certificate the Section 73 Sydney Water compliance certificate must be obtained and submitted to the Principal Certifying Authority.
- 134. Prior to issue of an Occupation Certificate the applicant must submit certification from a suitably qualified and experienced traffic/civil engineer to the Principal Certifying Authority. This certification must be based on a site inspection of the constructed vehicle access and accommodation areas, with dimensions measurements as necessary, and must make specific reference to the following:
 - That the as-constructed carpark complies with the approved Construction Certificate plans,

- That the completed vehicle access and accommodation arrangements comply in full with Australian Standard 2890.1 2004 "Off-Street car parking" in terms of minimum parking space dimensions provided,
- That finished driveway gradients and transitions will not result in the scraping of the underside of cars.
- That no doors, gates, grilles or other structures have been provided in the access driveways to the basement carpark, which would prevent unrestricted access for internal garbage collection from the basement garbage storage and collection area.

That the vehicular headroom requirements of:

- Australian Standard 2890.1 "Off-street car parking",
- 2.44m height clearance for waste collection trucks (refer DCP 40), are met from the public street into and within the applicable areas of the basement carpark.
- 135. Prior to issue of the Occupation Certificate a qualified and experienced consulting civil/hydraulic engineer must undertake a site inspection of the completed stormwater drainage and management system. The engineer is to provide written certification based on the site inspection to the Principal Certifying Authority, prior to issue of the Occupation Certificate, which makes specific reference to all of the following:
 - That the stormwater drainage works have been satisfactorily completed in accordance with the approved Construction Certificate drainage plans.
 - That the minimum retention and on-site detention storage volume requirements of Kuring-gai Council Water Management DCP 47, have been achieved in full.
 - That retained water is connected and available for uses including toilet flushing, clothes washing and irrigation.
 - That basement and subsoil areas are able to drain via a pump/sump system installed in accordance with AS3500.3 and appendix 7.1.1 of Ku-ring-gai Council Water Management DCP 47.
 - That all grates potentially accessible by children are secured.
 - That components of the new drainage system have been installed by a licensed plumbing contractor in accordance with the Plumbing and Drainage code AS3500.3 2003 and the BCA, and
 - All enclosed floor areas, including habitable and garage floor levels, are safeguarded from outside stormwater runoff ingress by suitable differences in finished levels, gradings and provision of stormwater collection devices.

The following certification sheets **must be accurately completed and attached** to the certification:

- Rainwater retention certification sheet contained at appendix 13 of Water Management DCP 47
- On-site detention certification sheet contained at appendix 4 of Water Management DCP 47.

- 136. Prior to issue of the Occupation Certificate a registered surveyor must provide a Works-as-Executed (WAE) survey of the completed stormwater drainage and management systems. The WAE plan(s) must be submitted to the Principal Certifying Authority for approval prior to issue of the Occupation Certificate. The WAE survey must indicate:
 - As built (reduced) surface and invert levels for all drainage pits.
 - Gradients of drainage lines, materials and dimensions.
 - As built (reduced) level(s) at the approved point of discharge to the public drainage system.
 - As built location and internal dimensions of all detention and retention structures on the property (in plan view) and horizontal distances to nearest adjacent boundaries and structures on site.
 - The achieved storage volumes of the installed retention and detention storages and derivative calculations.
 - As built locations of all access pits and grates in the detention and retention system(s), including dimensions.
 - The size of the orifice or control fitted to any on-site detention system.
 - Dimensions of the discharge control pit and access grates.
 - The maximum depth of storage possible over the outlet control.
 - Top water levels of storage areas and indicative RL's through the overland flow path in the event of blockage of the on-site detention system.

The WAE plan(s) must show the as-built details above in comparison to those shown on the drainage plans approved with the Construction Certificate prior to commencement orf works. All relevant levels and details indicated must be marked **in red** on a copy of the Principal Certifying Authority stamped construction certificate stormwater plans.

- 137. Prior to issue of the Occupation Certificate a maintenance regime shall be prepared for the basement stormwater pump-out system and submitted to Principal Certifying Authority. The regime shall specify that the system is to be regularly inspected and checked by qualified practitioners.
- 138. Prior to issue of the Occupation Certificate a suitably qualified and consulting geotechnical engineer is to provide certification to the Principal Certifying Authority that excavation and construction of the basement level, including temporary and permanent shoring and retention measures, have been carried out:
 - According the relevant Australian Standards and guidelines, and
 - According to any approved Geotechnical report undertaken for the development, and
 - In a manner that ensures that the structural amenity of adjoining structures and property is fully maintained.
- 139. Prior to issue of the Occupation Certificate, a complete record of geotechnical inspections, testing and monitoring with certifications as specified in the report submitted before commencement of works, and the professional geotechnical input over the course of the

- works, must be compiled in report format and submitted to the Principal Certifying Authority for approval.
- 140. Prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate (and at the completion of the works) the Applicant shall submit to the Principal Certifying Authority (PCA) a follow up dilapidation report on the visible and structural condition of the existing structures and infrastructure originally assessed.
 - The Report must be completed by a practicing consulting structural engineer and be submitted for Council records prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate. If any of the structures have been demolished in the meantime under a separate approval, then no follow-up report is required.
- 141. Prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate, the applicant shall create a Positive Covenant and Restriction on the Use of Land under Section 88B of the Conveyancing Act 1919, burdening the property with the requirement to maintain the on-site stormwater detention facilities on the property. The terms of the instruments are to be generally in accordance with the Council's "draft terms of Section 88B instrument for protection of on-site detention facilities" (available from Council on request) and to the satisfaction of Council. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority (PCA) prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate.

For existing Titles, the Positive Covenant and the Restriction on the use of Land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the On-Site Detention facility, in relation to the building footprint, must be shown on a scale sketch, attached as an annexure to the request forms.

142. Prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate, the applicant shall create a Positive Covenant and Restriction on the Use of Land under Section 88B of the Conveyancing Act 1919, burdening the property with the requirement to maintain the site stormwater retention and re-use facilities on the property. The terms of the instruments are to be generally in accordance with the Council's "draft terms of Section 88B instruments for protection of retention and re-use facilities" (available from Council on request) and to the satisfaction of Council. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority (PCA) prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate.

For existing Titles, the Positive Covenant and the Restriction on the use of Land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the reuse and retention facility, in relation to the building footprint, must be shown on a scale sketch, attached as an annexure to the request forms.

Item 1

- 143. Prior to issue of the Final Occupation Certificate, an easement for waste collection is to be created. This is to permit legal access for Council, Council's contractors and their vehicles over the subject property for the purpose of collecting waste from the property. The terms of the easement are to indemnify Council and Council's contractors against damages to private land or property whilst in the course of carrying out waste collection services. The terms of the easement are to be generally in accordance with Council's draft terms for an easement for waste collection.
- 144. The landscape works, shall be installed in accordance with the approved plan/s and/ or conditions of consent, be completed prior to release of Occupation Certificate and be maintained in a healthy and vigorous condition at all times.
- 145. The Principal Certifying Authority shall ensure that the landscape works, have been installed correctly, consistent the approved landscape plan(s), specification and the conditions of consent prior to release of the Occupation Certificate.

BUILDING CONDITIONS

- 146. All structural timber members subject to weather exposure shall have a durability class rating of 2 or better in accordance with Australian Standard 1684.2-1999 (National Timber Framing Code), or be preservative treated in accordance with Australian Standard 1604-1980 (Preservative Treatment for Sawn Timbers, Veneers and Plywood).
- 147. For fire safety an automatic fire detection and alarm system shall be installed throughout the dwelling in accordance with the following requirements:
 - a. A smoke alarm system complying with Part 3.7.2 of the Building Code of Australia Housing Provisions; or
 - b. Smoke alarms which:
 - i. comply with Australian Standard 3786 or listed in the Scientific Services Laboratory Register of Accredited Products (all accredited products should have scribed on them the appropriate accreditation notation); and
 - ii. are connected to the mains and have a standby power supply; and
 - iii. are installed in suitable locations on or near the ceiling and as prescribed under Part 3.7.2 of the Building Code of Australia Housing Provisions.

To ensure compliance with this condition, a Compliance Certificate or documentary evidence from a suitably qualified person is to be submitted to the Principal Certifying Authority.

148. Termite protection which will provide whole of building protection in accordance with Australian Standard 3660 - "Protection of Buildings from Subterranean Termites" is to be provided.

Council has a non chemical policy for termite control but will consider proposals involving physical barriers in combination with approved chemical systems. Handspraying is prohibited.

1 / 70 12 to 18 Boyd Street, Turramurra DA1108/05 17 March 2006

Item 1

Where a monolithic slab is used as part of a termite barrier system, the slab shall be constructed in accordance with Australian Standard 2870.1 or as designed by a structural engineer but in either case shall be vibrated to achieve maximum compaction.

To ensure compliance with this condition, a Compliance Certificate or documentary evidence from a suitably qualified person is to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

- 149. The following are required details and must be submitted to the Council on completion of the works. Any matter listed below must have a Certificate attached from a suitably qualified person to the effect that the design or matter complies with the relevant design Standard or Code which the Certificate must identify.
 - a. Wet area waterproofing details complying with the Building Code of Australia.
 - b. Mechanical ventilation details complying with Australian Standard 1684 Mechanical Ventilation & Airconditioning.
 - c. Glazing details complying with AS 1288-1989 Glass in Buildings and Installation Code.
 - d. Stormwater disposal details complying with Council's Stormwater Management Manual and/or other conditions of this consent.
 - e. A Compliance Certificate from a suitably qualified person that the PROPOSED complies with the relevant deemed to satisfy provisions of the Building Code of Australia.
 - f. Waterproofing of walls/floors below ground level to prevent the entry of water into the building.
- 150. For the purpose of safe ingress and egress the stairs are to be constructed within the following dimensions:

Risers: Maximum 190mm Minimum 115mm Going (Treads): Maximum 355mm Minimum 240mm

Note: Dimensions must also comply with limitations of two (2) Risers and one (1) going equalling a maximum 700mm or minimum 550mm. The Risers and Goings shall be uniform throughout the length of the stairway.

U Lang S Cox

Executive Assessment OfficerTeam Leader

Development Assessment – Central

M Prendergast M Miocic
Manager Director

Development Assessment Services Development & Regulation

Item 1

Attachments: 1. Locality map - 595994

2. Zoning extract -595996

3. Site plan/roof, basement - 596003

4. Sections – 5960075. Elevations - 596008

6. Shadow diagrams – 596001, 5960097. Amended landscape plan - 595998

8. Construction management Plan – 596238

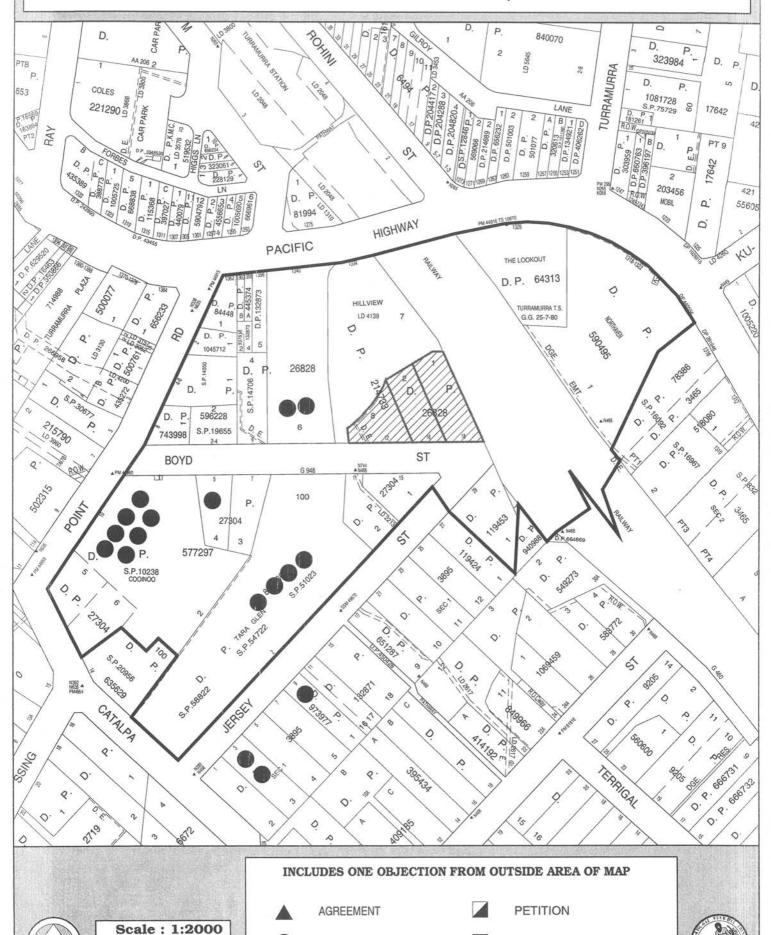
9. Stormwater management & environmental site management concept plan- 596242

10. View diagrams - 57987111. SEPP 1 objection - 59354412. Photograph of model - 539554

LOCATION SKETCH

12 - 18 Boyd Street, TURRAMURRA NSW

DEVELOPMENT APPLICATION No 1108/05



OBJECTION

SUBJECT LAND

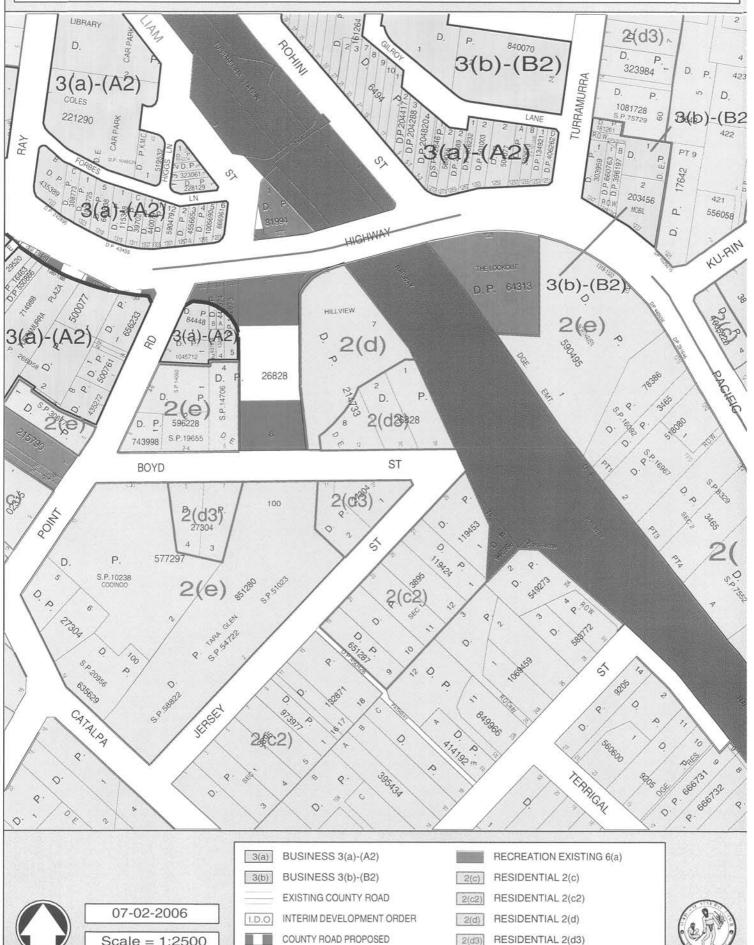
07-02-2006

SUBMISSION

CIRCULATED AREA

Zoning Extract

12-18 BOYD ST TURRAMURRA - DA 1108/05

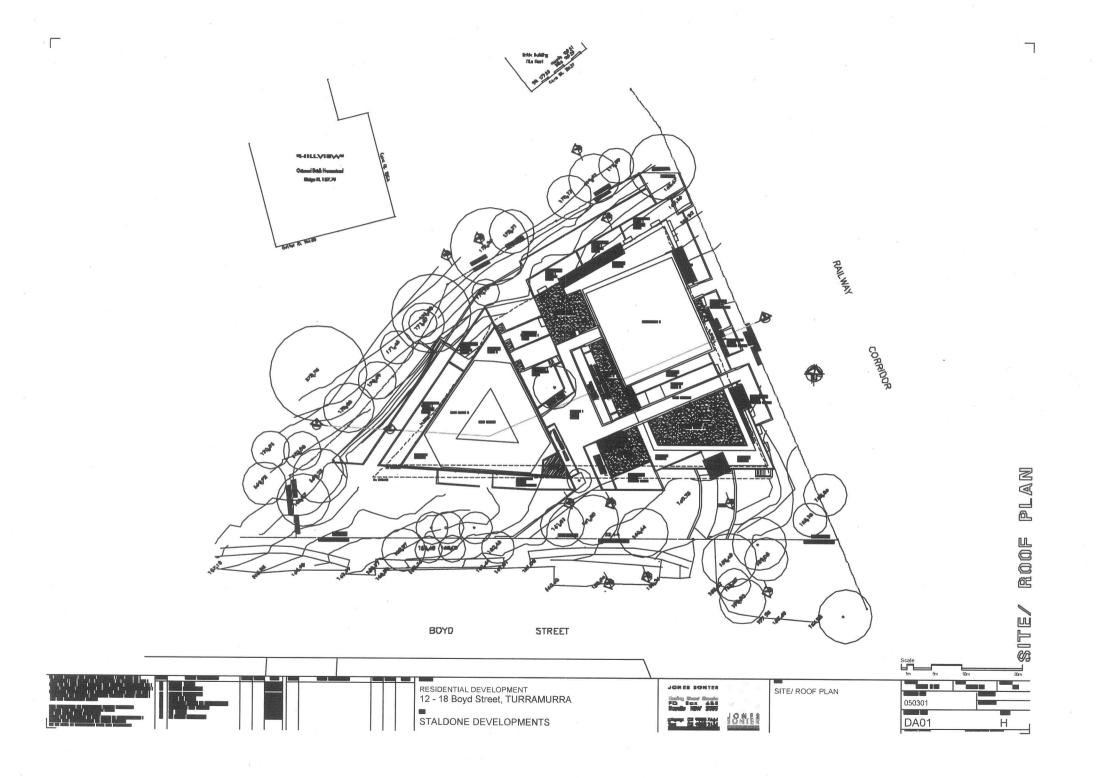


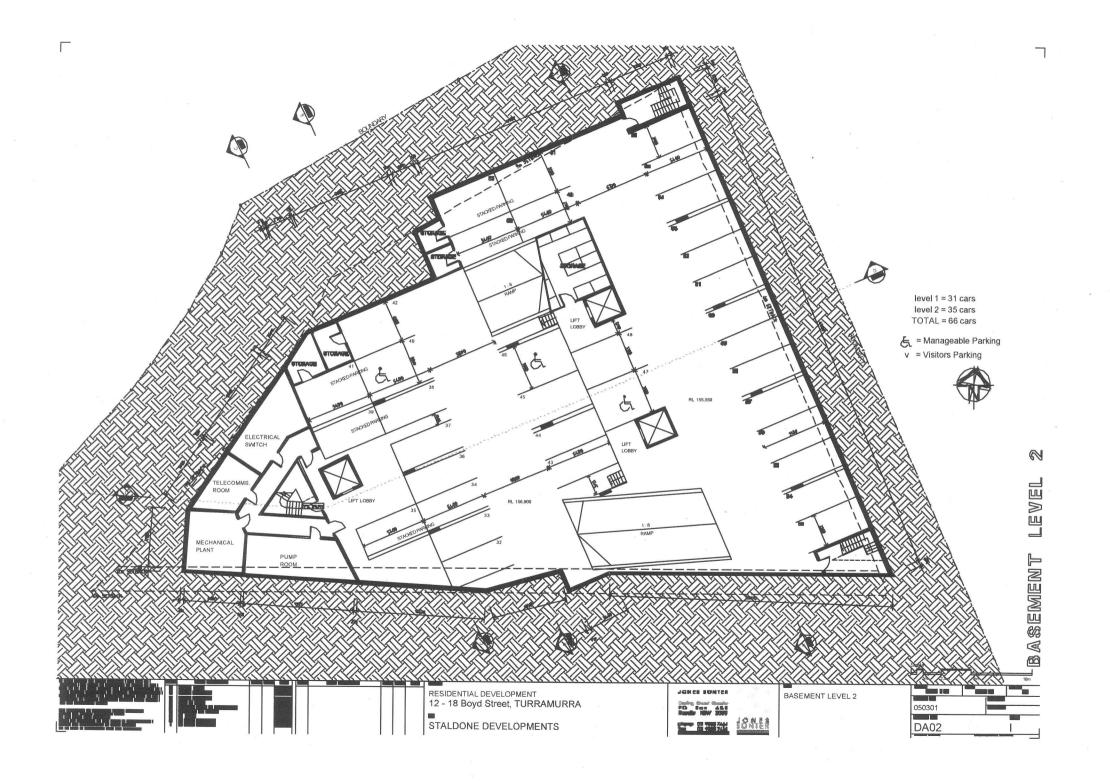


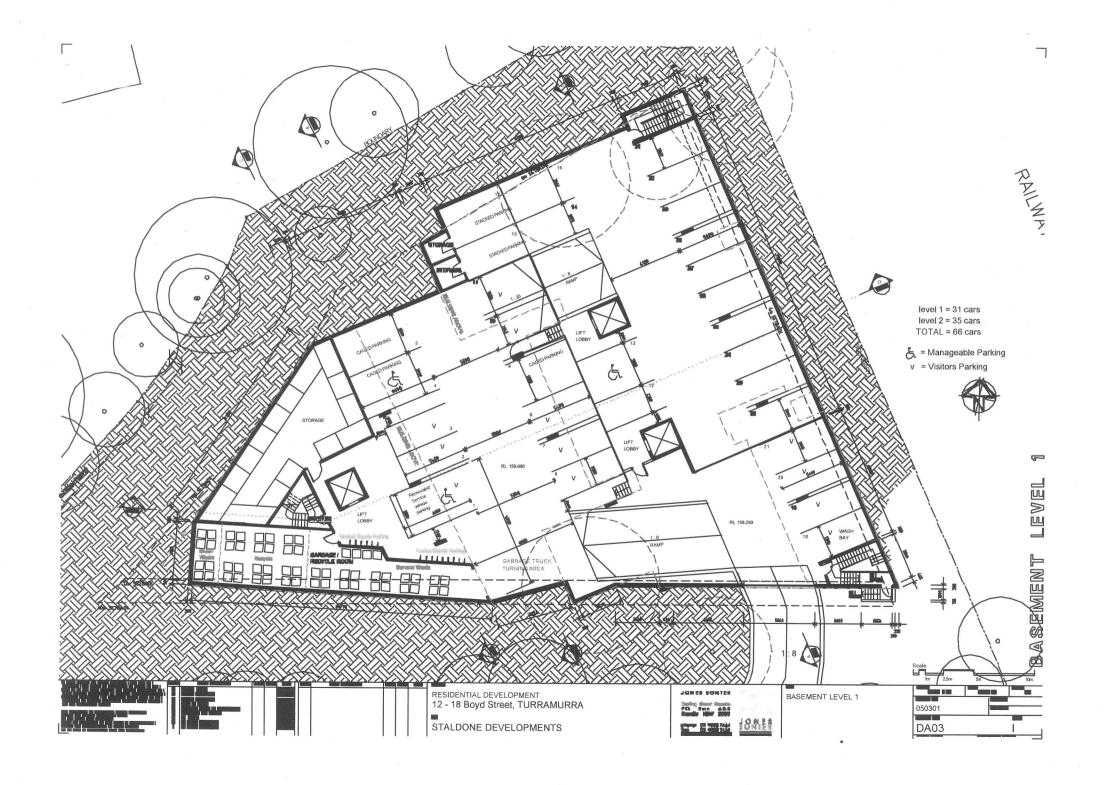
Scale = 1:2500

SPECIAL USES SEEN (Replicable etc.)



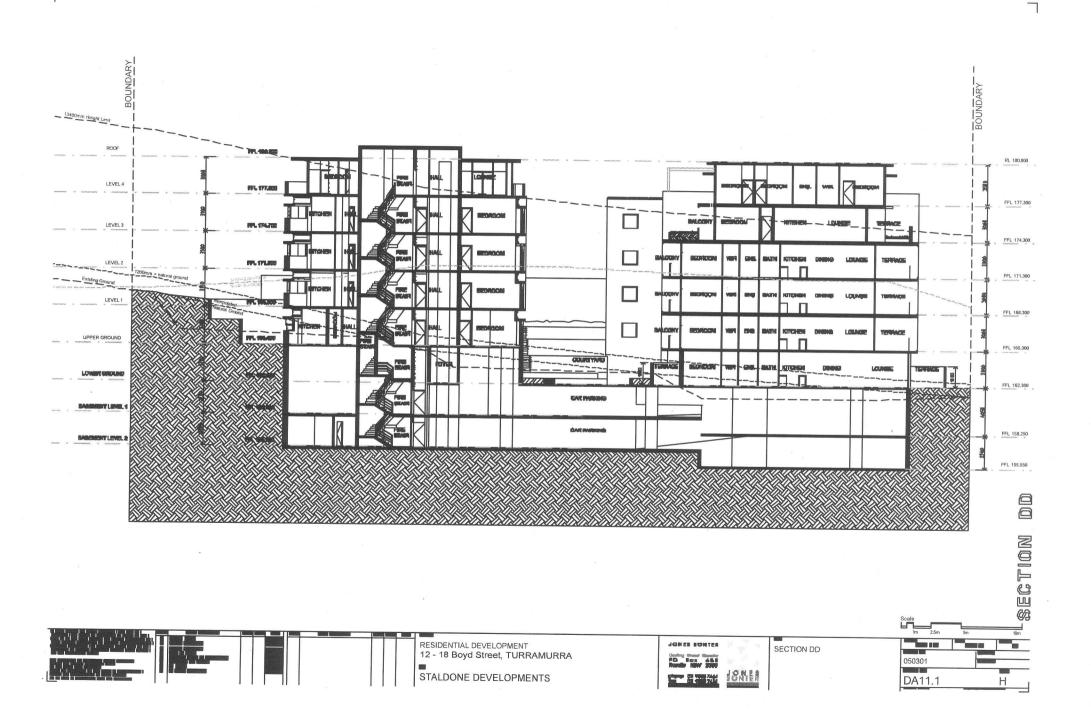


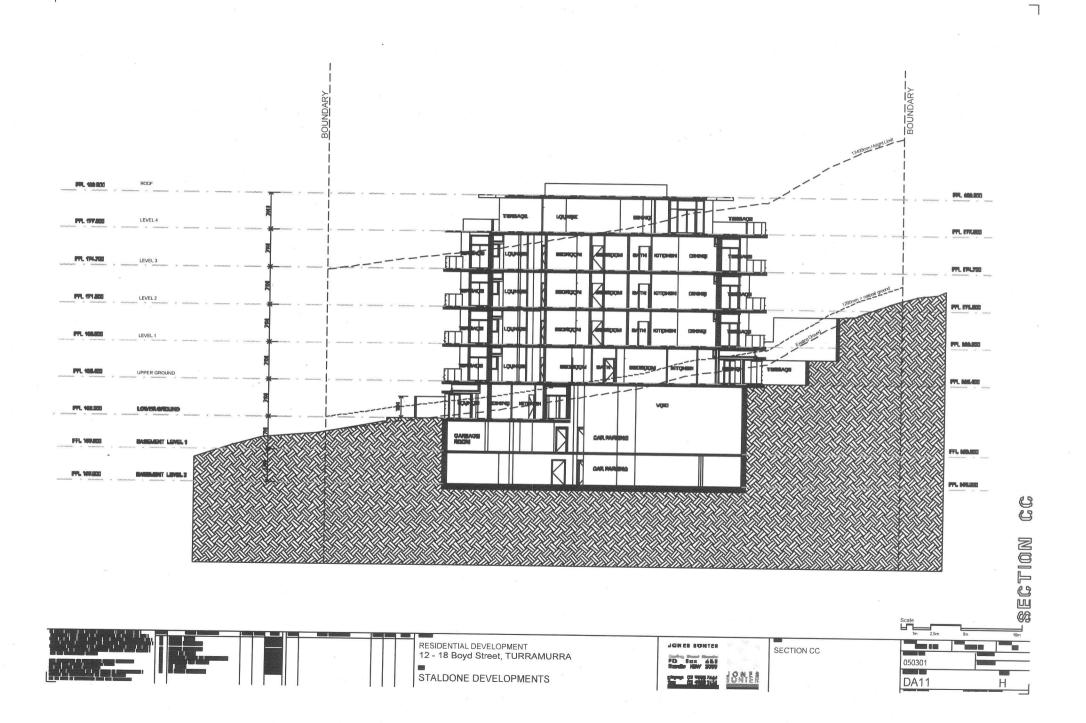




FFL LIST GRO PPL 100 000 4+1 LEVEL4 FFL TIT BM FVL 177 000 PPL 194 766 LEVEL 3 FVL 124 780 П PPL 171 686 LEVELT PET_121 660 F PPL 1488 906 LEVEL 1 PFL 188 600 FFL 168 466 UPPER ORGERO PPL 188 489 FFL 162 300 LOWER GROUND FFL 102 300 FFL 188LESS FFL 188.680 FFL 100.000 FFL 1 SLEED 66 66 SECTION RESIDENTIAL DEVELOPMENT 12 - 18 Boyd Street, TURRAMURRA JONES SONTER SECTION BB PD Fox 48.8 Rando 10W 2007 050301 1881 DA10.1 STALDONE DEVELOPMENTS Н

RL 180,800 ROOF LEVEL 4 FFL 174.300 LEVEL 3 BALGGRIV FFL 168.300 LEVEL 1 FFL 162.300 LOWER GROUND SECTION RESIDENTIAL DEVELOPMENT 12 - 18 Boyd Street, TURRAMURRA JONES SONTER SECTION AA PD Fox 455 North 10W 2007 050301 STALDONE DEVELOPMENTS DA10

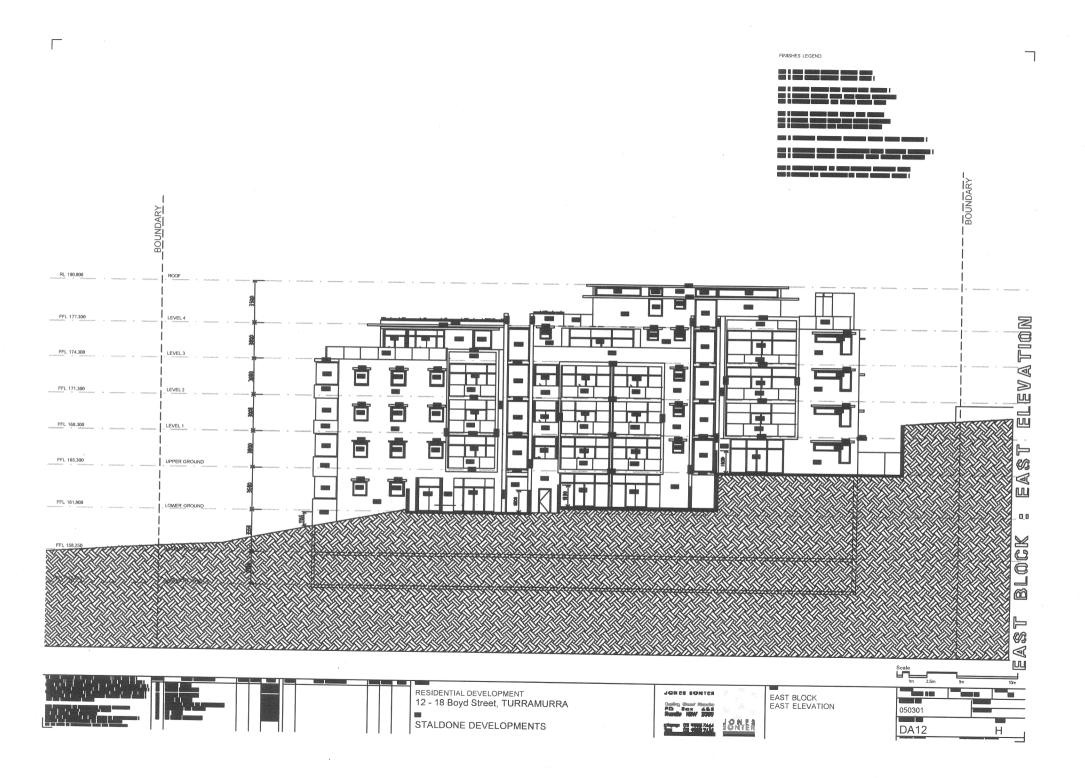


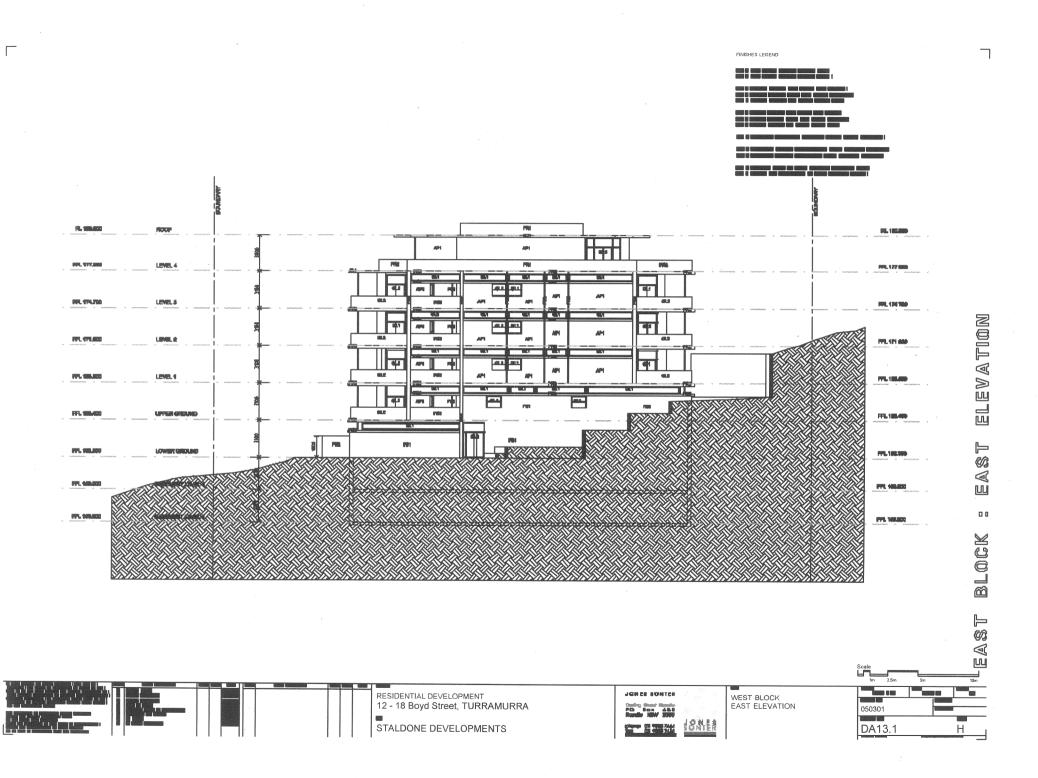


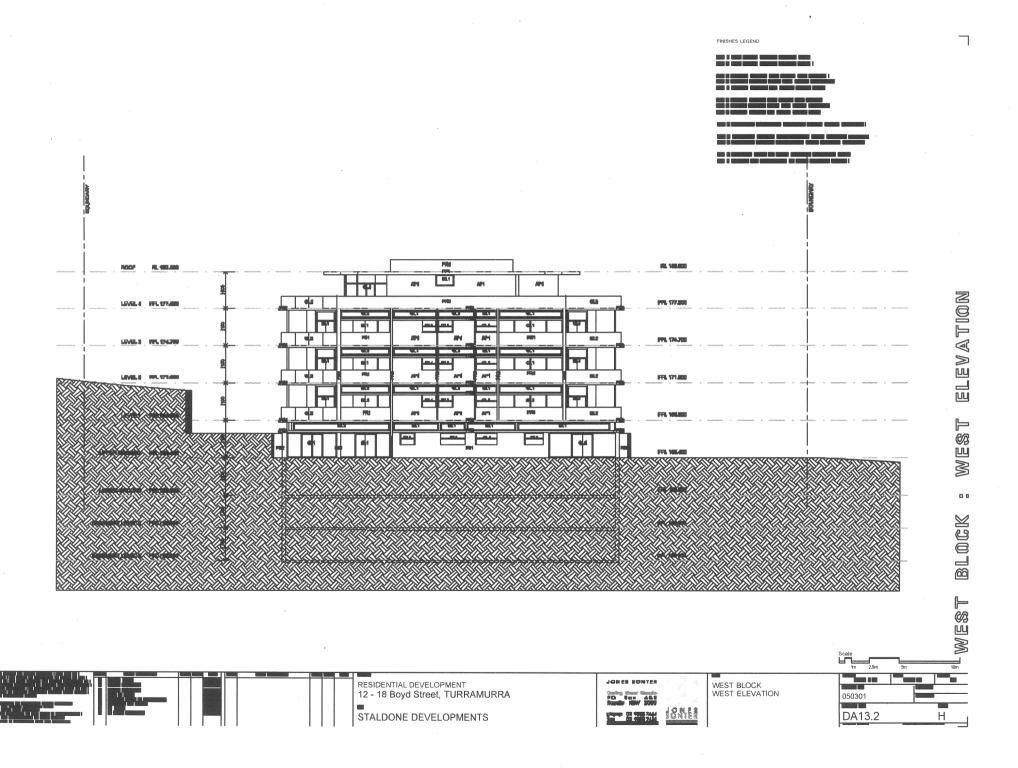
N©I. FFL 177.300 FFL 174.300 \geqslant LEVEL 2 ш FFL 171.300 4 4 LEVEL 1 FFL 168,300 UPPER GROUND FFL 165,300 ű $\overline{\$}$ LOWER GROUND FFL 161,300 00 FFL 158.250 ē FFL 155,550 BASEMENT LEVEL 2 **®** Ш RESIDENTIAL DEVELOPMENT
12 - 18 Boyd Street, TURRAMURRA EAST BLOCK WEST ELEVATION 050301 DA12.1 Η STALDONE DEVELOPMENTS

ELEVATION đ NORTH UPPER GROUND FFL 165,300 FFL 162.300 LOWER GROUND 0 0 BLOCK BASEMENT LEVEL 1 FFL 158.250 BASEMENT LEVEL 2 FFL 155.550 \triangleleft RSTROE ES ROL EAST BLOCK NORTH ELEVATION RESIDENTIAL DEVELOPMENT 12 - 18 Boyd Street, TURRAMURRA PD Sex 455 Rendr NOW 3707 050301 STALDONE DEVELOPMENTS DA12.2 Η

FINISHES LEGEND

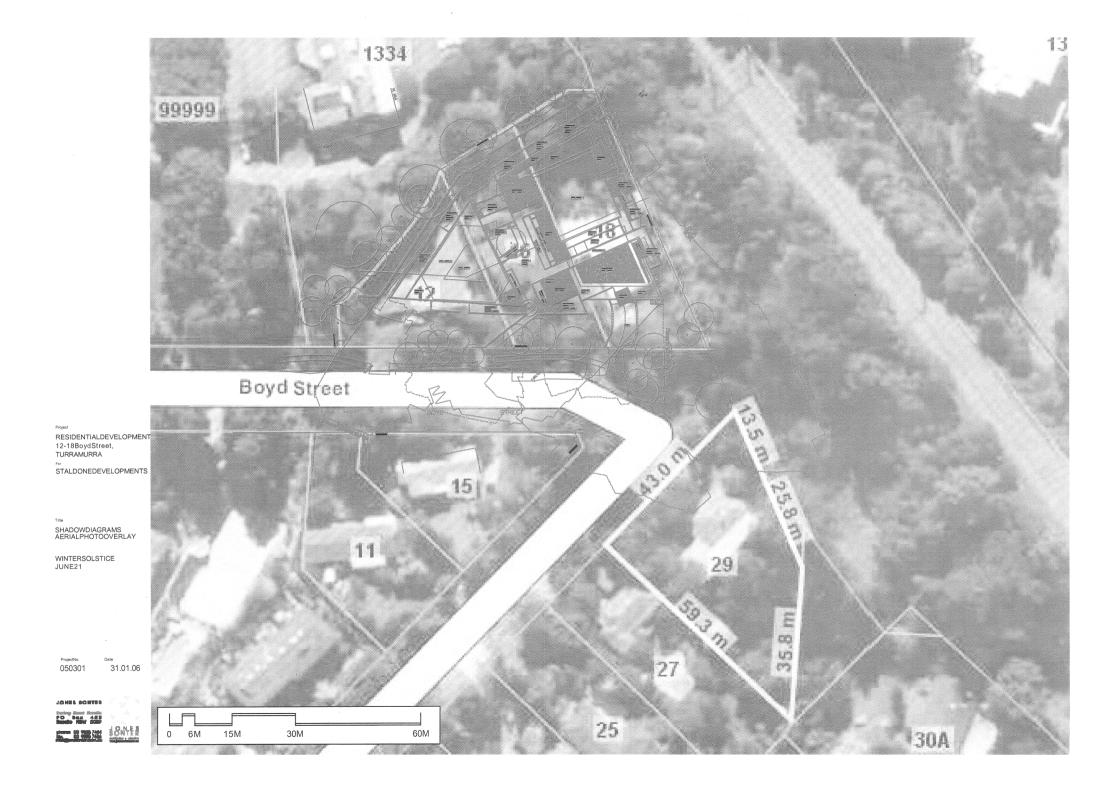


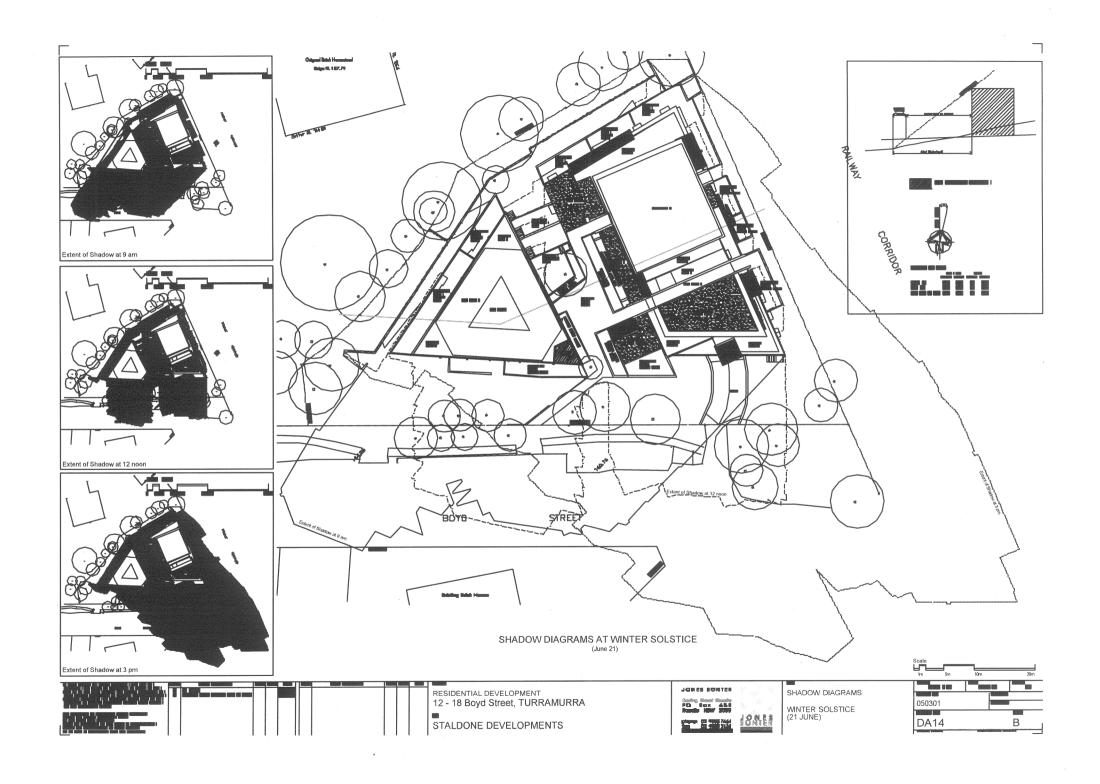


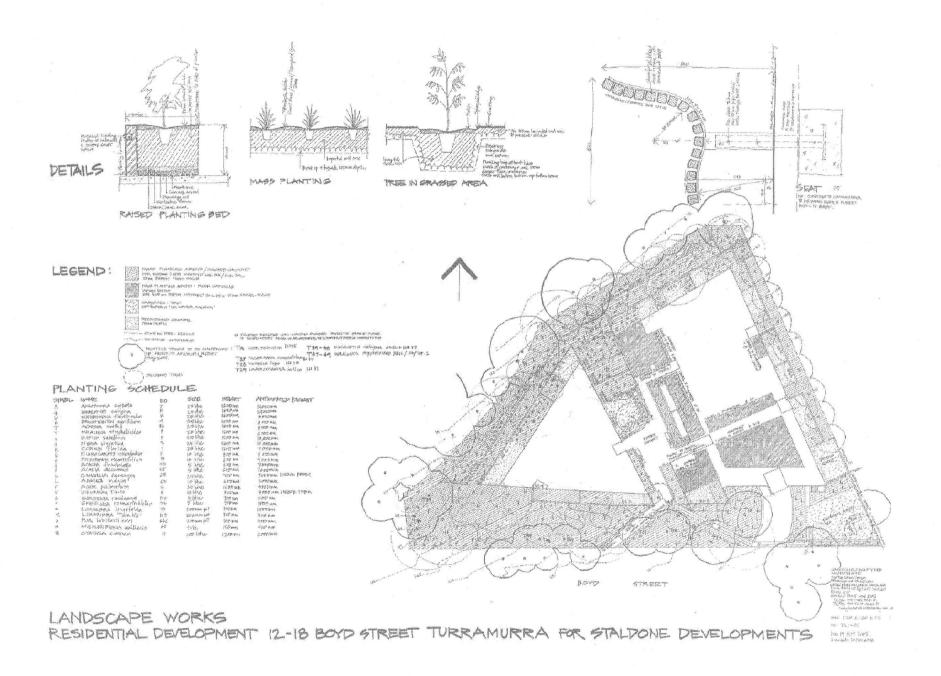


ATIMINI PRO LEVEL 4 FFL 177.500 FFL 177.300 SEA. FFL 1P4789 LEVEL 3 PPL TPLACE PER di en 84 ou ū FFIL 121JEED LEVEL 2 PPE 171 300 **GTI** F FFL 168.300 8994 Ľ. **en** FFL188489 UPPER GROUND <u>6</u> ou FFL 101.000 MEDIENTLENEL (PPL 109.201 <u>_</u> RUILLI RESIDENTIAL DEVELOPMENT SOUTH ELEVATION (BOYD STREET) 12 - 18 Boyd Street, TURRAMURRA 050301 STALDONE DEVELOPMENTS DA13 Η

FINISHES LEGEND







12-18 Boyd Street, Turramurra

CONSTRUCTION MANAGEMENT PLAN

September 2005

Prepared by Staldone Developments

Index

- 1.0 Introduction
- 2.0 Overview of the Works
- 3.0 Access & Egress to and from the Site
- 4.0 Loading & Unloading Materials, Plant and Machinery
- 5.0 Phases of Works/Order of Works
- 6.0 Truck Wash Down Area
- 7.0 Support of Excavation of Adjacent Properties
- 8.0 Protection for Council and Adjoining Properties
- 9.0 Hours of work
- 10.0 Crane Usage

Annexure A: Site Plan

1 Introduction

The following Construction Management Plan has been prepared after consultation with the design consultants, prospective building, and building sub-contractors and after a detailed overview and inspection of the site.

Whilst this plan satisfied the Council's requirements, it will be the builder's responsibility on the project to constantly monitor this plan and address specific issues that may arise. The builder will liaise with all adjoining neighbours to ensure the project runs smoothly and is delivered with a minimum of disruption and impact.

It may be necessary for the builder to make adjustments and modifications to procedures and work practices detailed in this plan and such changes may be required in order to achieve the project objectives or for other influences such as Occupational Health Safety and Rehabilitation (OHS&R) regulations. All adjoining neighbours and Council will be notified should it be necessary to substantially alter any aspects of the Works that are described in this document. All works will be carried out to minimize disruption to adjoining neighbours.

2.0 Overview

The project involves the demolition of the existing 3 dwellings and associated garages and sheds on the site and the construction of the 47 units as shown on the DA plans at 12-18 Boyd Street, Turramurra. The works include 2 basement levels for carparking and extensive landscaping around the site.

The following sections deal with the issues:

3.0 Access and Egress from the Site

Access and egress for construction vehicles to and from the site will be via Boyd Street. Pedestrian access will be via Boyd Street as well. No other pedestrian access points are available to the site.

Access and egress for personnel will be via Boyd Street.

Access routes through Council/(public access Boyd Street footpaths). The site activities should not materially affect the access routes. If there is an event that restricts the access for the public then the necessary hoardings, barriers, signage and directional personnel should be in place and Council will be advised of the procedure.

<u>Vehicular access through Boyd Street</u> will be unaffected for the duration of the works. If there is an event that restricts vehicular access along Boyd Street, then the necessary hoardings, barriers, signage and directional personnel shall be in place and Council will be advised of the traffic procedure.

<u>Temporary vehicular crossing</u> for the site will be provided if required in the location of the existing driveway and will be of a standard equal to that used in the construction industry.

4.0 Loading and Unloading Materials, Plant and Machinery

All loading/unloading of materials, plant and machinery will be via Boyd Street to the site.

These deliveries will be completed to minimize any traffic congestion as much as possible. If there is an event that restricts vehicular access along Boyd Street, then the necessary hoardings, barriers, signage and directional personnel shall be in place and Council will be advised of the traffic procedure.

The use of mobile cranes will be, where possible, located wholly within the site.

Any permits required for the loading and unloading via Boyd Street will be applied for and obtained by the builder.

5.0 Phases of Works/Order of Works

The site works will consist of the demolition of the existing dwellings/houses, site clearing to enable the excavation for the basement carparks. The carparks will then commence as generally a concrete framed structure up to the ground level. From ground level up, brickworks will commence for both the external and internal walls, slabs will be cast as the appropriate stage when each level of brickwork is completed. The services and finishes trades will complete the fitout as floors become available.

Upon the completion of the roof, the external elements will be completed which involve the building being scaffolded to enable the render/paint to be completed. Once complete the landscaping will be carried out at the end of the project.

Waste containers/rubbish bins required during the construction works will be located suitably located within the area as required.

If there is such a time that requires rubbish access via Boyd Street, then the necessary hoardings, barriers, signage and directional personnel shall be in place and Council will be advised of the procedure.

6.0 Truck Wash Down Area

A truck wash down area zone shall be located at the entry to site. The wash down area will be used if required and a waste drainage point would be installed with the appropriate sediment control measures.

The waste drainage point will be directed through the sediment control system as shown on the AFCE plans.

7.0 Support to Excavation of Adjacent Properties

The method of support for any excavation works to adjoining properties is to be completed as per the Structural Engineer's documentation.

8.0 Protection for Council and Adjoining Property

The method of protection for Council and adjoining property is to be carried out as per the construction documentation.

<u>Footpaths and roadways</u> will be protected where required by a suitable method depending upon the situation. Such methods may be plastic protection, plywood protection, steel plates etc or as required.

The crossover and kerbing will be protected by an industry standard timber or steel barrier. This will be regularly cleaned and removed from site on completion of the works.

9.0 Hours of Work

The hours of operation for the project will be in accordance with the Ku-Ring-Gai Council Development Application (DA) conditions.

Ku-Ring-Gai Council DA conditions do not allow works on Sundays and public holidays.

10.0 Crane Usage

The use of mobile cranes will be, wherever possible, located wholly within the site.

During the crane use, traffic control personnel will be positioned at either ends of the work area to safely control the area movements.

Any permit required for the loading and unloading will be applied for and obtained by the builder.

APPENDIX T

Pre- DA Consultation Meeting Report

prepared by KU-RING-GAI COUNCIL

PROPOSED RESIDENTIAL DEVELOPMENT #12-18 BOYD STREET TURRAMURRA

STORMWATER MANAGEMENT AND ENVIRONMENTAL SITE MANAGEMENT CONCEPT PLANS

	SHEET INDEX
SHEET No.	DESCRIPTION
C1	COVER SHEET AND NOTES
CZ	BASEMENT STORMWATER MANAGEMENT CONCEPT PLAN
G	LOWER BASEMENT STORMWATER MANAGEMENT CONCEPT PLAN
CŁ	ENVIRONMENTAL SITE MANAGEMENT CONCEPT PLAN
CS	ENVIRONMENTAL SITE MANAGEMENT CONCEPT DETAILS

	DCP 47 REQUIREMENT	CLAUSE	PROPOSAL AND CALCULATIONS	COMPLIANCE WITH DCP 4
STORMWATER DISPOSAL	MIGH LEVEL PROPERTY - MAY DISCHARGE TO STREET GUTTER: HAX. 25 1/5 - MAY DISCHARGE TO STREET DRAINAGE PIPE LOW LEVEL PROPERTY - PIPE HAY NOT EXTEND ACROSS MEICHIGIDURS STREET FRONTAGE - ON-SITE ABSORPTION/PUSPERSION NOT PERKITED - FOR DISCHARGE TO BUSHLAND, NO RUDOFF DAYS TO NOT INCREASE AND BUS RESTRICTED DID 35% - CHARGED SYSTEM PERMITTED - EASTHENT REQUIRED WATERCOURSE/EASTHENT AVAILABLE - MAY DISCHARGE TO NATURAL W/C OR APPURTERANT EASTHENT	5.7.7 5.6, 4.4.1 5.7.8 6.9(c)	DRAINAGE BY GRAVITY TO STREET TABLE DRAIN IN NATURE STRIP OUTSIDE PROPERTY.	YES
STORMWATER MANAGEMENT	- RAINWATER TANK: 1000 L PER UNIT TO TORIETS & LAUNDRY - OSD REQUIRED. STORAGE MAY BE REQUICED BY CORRESPONDING PROVISION OF ON-STE RETENTION VOLUME WHERE BACKING ONTO BUSHLAND OSD NOT PERHITTED FERTION REQUIRED ADDITIONAL ON-STE RETENTION REQUIRED GREATER OF ROOF RAEX ZORAM OR 5000 L - WHERE DISCHARGE IS ORRECT TO AM INTERALLOTHENT EASEMENT OSD MAY BE MANDATORY.	6.4 6.7 6.8 6.9	OFTERMINE RAINWATER TANK PROVISION NO JUITS 1.47 RAINWATER TANK PROVISION: SINGLE TANK SERVICING ALL UNITS RAINWATER TANK STORAGE: — 84 TORO L OFTERMINE SOO REQUIREMENT SITE AREA = 3399 m ⁻³ COUNCL ACTOMENT CODE: ACI REQUIRED STORAGE VOLUME 9.98 m ⁻³ /ho REQ	YES

THIS DRAWING REVISION IS FOR DEVELOPMENT APPLICATION PURPOSES ONLY AND IS NOT TO BE ISSUED FOR CONSTRUCTION

O COPYRIGHT. THIS DESIGN AND FLAN IS THE PROPERTY OF AFCE Environment + BUREIR, AN MUST NOT BE USED, REPRODUCED, OR CORED WHOLLY OR IN PART WITHOUT WRITTEN PERMISSION FROM THE COMPANY

GENERAL NOTES

- 1. ALL WORK SHALL BE CARRIED OUT BY ACCORDANCE WITH AS 3500.12 1998 AND THE REQUIREMENTS OF THE LOCAL COUNCIL'S POLICIES AND COCES.
- 2. THE HIMMEN SIZE OF STORHWATER DRAWS SHALL HOT BE LESS THAN DASD FOR CLASS I BUILDINGS AND DRIES FOR OTHER CLASSES OF EVILORIC OR AS REQUIRED BY THE DEGLEATORY AUTHORITY
- 3. THE HUBBERT GRADIENT OF STORMWATER GRADIS SHALL BE AS GIVEN

HOMENAL SIZE	HAN GR
riching.	**
DH 90	1.00
DN 100	1.06
DN 150	1,60
DN 225	0.5
DN 300	5.4
DN 375	4.3

- 4. COUNCR'S TREE PRESERVATION GROFF IS TO BE STRICTLY ADHERED TO, NO TREES SHALL BE REMOVED UNTIL PERMIT IS DOTAINED.
- 5. PUBLIC UTRITY SERVICES ARE TO BE ADJUSTED AS NECESSARY AT THE CONTRACTORS EXPENSE
- 6. ALL PITS TO BE BENCHED AND STREAMSHED, PROVIDE STEP IRONS FOR ALL PITS OVER 1.Zm DEEP.
- 7. CATCH BRADES ARE TO BE CONSTRUCTED AS REQUIRED BY COUNCIL'S ENGINEER.
- B, MAKE SHOOTH JUNCTION WITH ALL EXISTING WORK.
- 9. VEHICULAR ACCESS AND ALL SERVICES TO BE HAINTAINED AT ALL THES TO ADJUMING PROPERTIES AFFECTED BY CONSTRUCTION
- ID. SUITABLE EASEMENTS TO DRAW WATER TO BE PROVIDED OVER DRAMAGE LINES THROUGH ALLOTHENTS AND SUBSEQUENT PIPE TO BE CENTRALLY LOCATED.IWHERE REQUIRED BY DESIGN
- II. ALL RUBBISH, SHEDS, BUILDINGS AND FENCES TO BE REMOVED. SERVICES SHOWN ON THESE PLANS HAVE BEEN LOCATED FROM INFORMATION SUPPLIED BY THE RELEVANT AUTHORITIES AND FELD INVESTIGATIONS AND ARE NOT GUARANTEED COMPLETE OR CORRECT AND ARE TO BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
- 12.ADEQUATE PROVISION TO BE MADE FOR SCOURING AND SEDMENTATION TO ALL DRAWAGE WORKS AS DIRECTED.
- 13.ANY VARIATION TO THE WORKS AS SHOWN ON THE APPROVED DRAWINGS ARE TO BE CONFIRMED BY THE DESIGN ENGINEER PRIOR TO THEIR

	EXISTING	I PROPOSED
KERB AND GUTTER	EEEE/TAWOPEJAY	
ROAD CENTRELINE		
DRAMAGE PPELHE PROADI	. Acido estra esper	
CRANAGE PIPELINE PROPERTY		T
PLEY PIT (ROAD)	en en en	
BLET PIT (PROPERTY)		(g)
ARCTEM PIT BROAD!		-3-
SURFACE LEVEL	-672,0	-372.0
SURFACE CONTOUR	—672—·	672
WATERHAM WINDERGROUND POWER CABLES GAS MAIN FOUNDERGROUND PHONE CABLES POWER POLES SEVER HOUGHOUSE PIPE RISERS RIDICATES SERVICE TYPE RIDICATES SERVICE SIZE UNDICATES SERVICE DROPPERS	-6- -1- 0 -5-	PRINT ISSUED BASE SCALE FOR AI PLAN

		1					
_							
		ļ	<u> </u>				
8	RE-ISSUED FOR DEVELOPMENT APPLICATION	A)	 	9/2005			
Ā	ARCHITECTURAL REVISION	CF		9/2009			
0	DEVELOPMENT APPLICATION ISSUE	Œ		7/2005			
	REVISION DETAILS	DRAWN	APPR.	DATE			

AFCE Environment + Building A DIVISION OF APPLEYARD FORREST CONSIR THIS ENGINEERS PIN 11-

CLIENT/BUILDER:

STALDONE DEVELOPMENTS

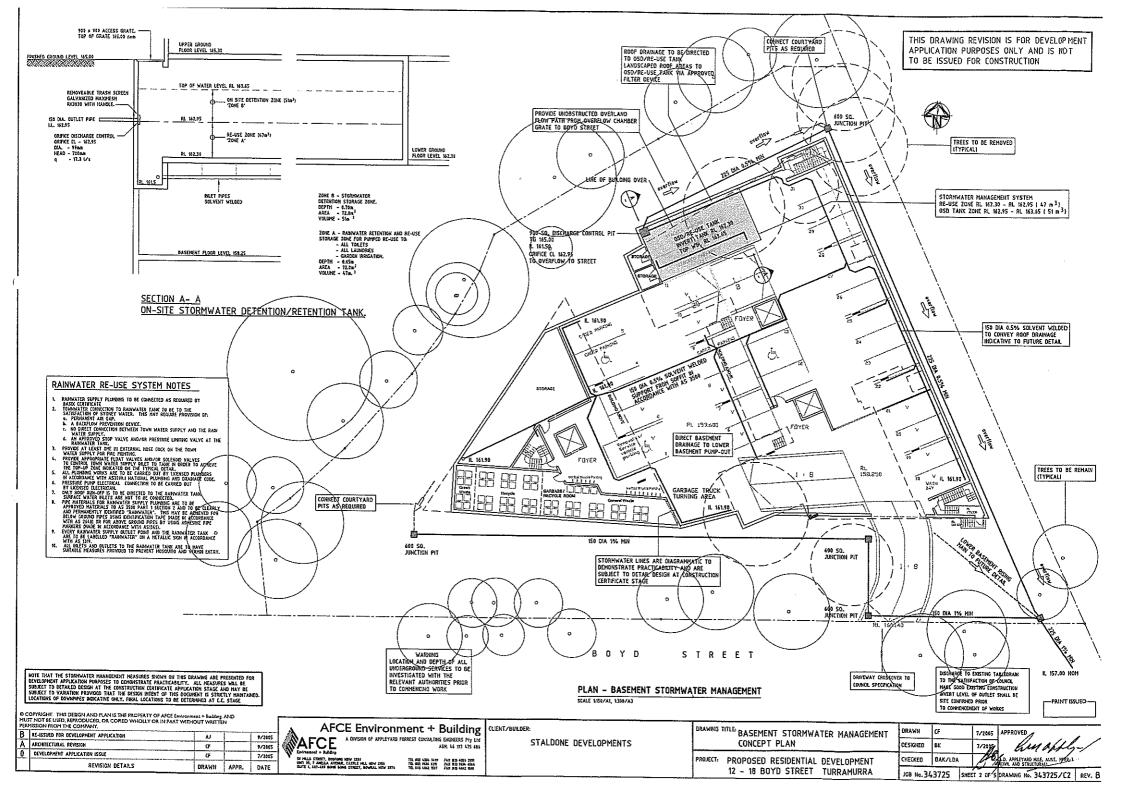
PROPOSED RESIDENTIAL DEVELOPMENT 12 - 18 BOYD STREET TURRAMURRA

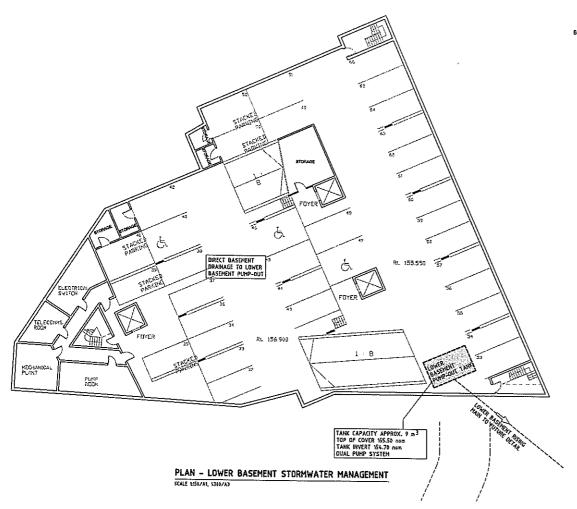
DRAWING TITLE:

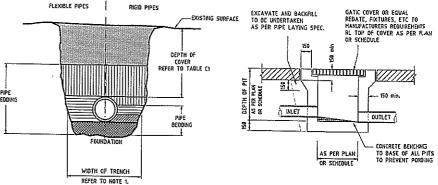
COVER SHEET AND NOTES

DRAWN 7/2005 DESIGNED 7/2005 CHECKED BAK/LOA

JOB No. 343725 | SHEET 1 OF S DRAWING No. 343725/C1 REV. B







MOTE A

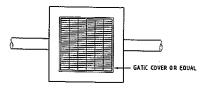
STORHWATER BRAINS CONSTRUCTED OF OTHER THAN CAST IRON, DUCTILE IRON OR GALVANISED STEEL HAVING COVER LESS THAN THAT SPECIFIED IN TABLE CI SHALL BE COVERED WITH AT LEAST SOME OVERLAY AND SHALL BE PAYED WITH AT LEAST -

(a) 100mm THICKNESS OF REINFORCED CONCRETE WHERE SUBJECT TO HEAVY VEHICULAR LOADING

LEGEND - TRENCH BACKFRL

SYMBOL	FLEXIBLE PIPES	RIGID PIPES
\$600	ВАС	KFILL
	PIPE	OVERLAY
	PIPE SIDE SUPPORT	SIDE ZONE
		HAUNCH ZONE
	PIPE UNDERLAY	BED ZONE

TYPICAL SECTIONAL ELEVATION



<u>PLAN</u>

TYPE 1 - GRATED STORMWATER INLET PIT

MINIMUM PIPE COVER - TABLE C1

LOCATION	CAST IRON, DUCTILE IRON, GALVANISED STEEL	⊔PVC
	MINIMUM DEP	TH OF COVER
NOT SUBJECT TO VEHICULAR LOADING -		
(a) FOR CLASS 1 BUILDINGS	ra.	100
(b) FOR OTHER THAN CLASS 1 BUILDINGS	NEL.	300
SUBJECT TO VEHICULAR LOADING -		
IS OTHER THAN ROADS	300	450
INI ROADS —		430
(i) SEALED	300	
(II) UNSEALED	300	REFER TO NOTE A
SUBJECT TO CONSTRUCTION EQUIP.	310	

DRAWN

DESIGNED

CHECKED

лов №.343725

NOTE THAT THE STORMHATER HAMAGEMENT HEASURES SHOWN OH THIS DRAWING ARE PRESCRITED FOR CHULDWART APPLICATION PROPRIETS TO DEPOSITIONED PROFICE PROPRIETS ALL HEASURES VAL BE SUBJECT TO DEPLACED GESION AT THE CONSTRUCTION CERTIFACTE PARTICIATION STAGE AND MAY BE SUBJECT TO UNALTHON PROVIDED THAT THE DESCRIPTION FOR THIS DOCUMENT IS STRICTLY HAMITABED LOCATIONS TO BE ORDINAPED BROAKTHE ORN, THAT LOCATIONS TO BE OFFICIED AND THE STRICTLY HAMITABED LOCATIONS TO BE ORDINAPED BROAKTHE ORN, THAT LOCATIONS TO BE OTTOPRISHED AT CL. STRICTLY HAMITABED LOCATIONS TO BE ORDINAPED BROAKTHE ORN, THAT LOCATIONS TO BE OFFICIENCED AT CL. STRICTLY HAMITABED AND THE STRICTLY HAMITABED BROAKTHE STRICTLY HAMITABED BR

O COPTRIGHT. THIS DESIGN AND PLAN IS THE PROPERTY OF AFCE Environment + Building, AND MUST NOT BE USED, REPRODUCED, OR CORED WHOLLY OR IN PART WITHOUT WRITTEN PERMISSION FROM THE COMPANY.

A	ARCHITECTURAL REVISION			
	MCCRITCHBOX READING	Œ		9/2005
Ð	DEVELOPMENT APPLICATION ISSUE	re		7/2105
				17 (10)
	REVISION DETAILS	DRAWN	APPR.	DATE

AFCE Environment + Building A DIVISION OF APPLEYARD FORREST CONSULTING ENGINEERS PLY LLC 481£ 66 193 L75 444

TE RES SEA 1487 FAX 1675 SEE 1753 TE RES SEA 1787 FAX 1270 SEE 1554 185 035 6462 SEE 1542 CEE 1549 CEE 185 035 6462 SEE 1542 CEE 1544

SE HILLS STREET, GOTFORD HEW THEN HAT 37, 7 AMELIA ANTHER, CASTLE HELL HEW THEA SHITE I, LAT-129 SCHOL BOND STREET, BROWLES HOW THE

STALDONE DEVELOPMENTS

DRAWING TITLE: LOWER BASEMENT STORMWATER MANAGEMENT CONCEPT PLAN PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT 12 - 18 BOYD STREET TURRAMURRA

CF

SHEET 3 OF S DRAWING No. 343725/C3 REV. A

-PRINT ISSUED

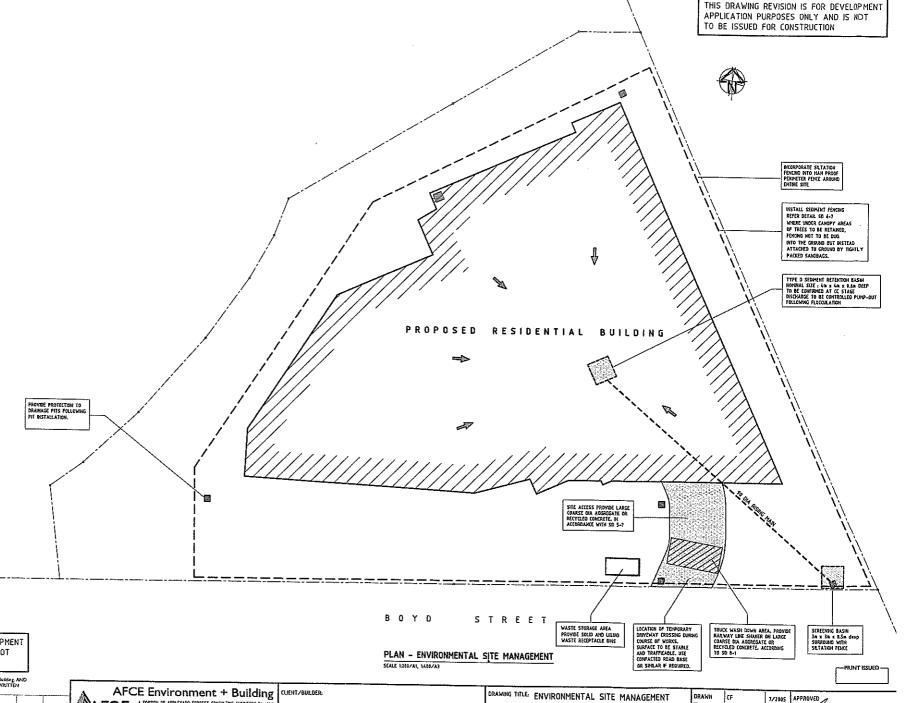
EARTHWORKS NOTES

- EARTHWORKS TO BE LESTED TO PROPOSED ESSENTIAL BUILDING, PAYENG AND SERVICES AREAS CREY OR AS APPROVED BY CONSENT. BUILDING PLATFORMS TO BE CUT AND/OR
- FALSO TO REGURED LEVEL.
 SURPLUS HATERIAL TO BE EXPORTED
 TO APPROVED DISPOSAL SITE.
- REFER TO STAGING INSTRUCTIONS ON SEPARATE SHEET.

WASTE DISPOSAL ROUTE

WASTE TO BE TRANSPORTED FROM SITE TO APPROVED OSPOSAL FACILITY VIA THE FOLLOWING ROUTE: BOYD STREET KUSSING POATT BRAD FACETC INGINARY

WARNING LOCATION AND DEPTH OF ALL UNDERGROUND SERVICES TO BE INVESTIGATED WITH THE RELEVANY AUTHORITIES PRIOR TO COMMENCING WORK



THIS DRAWING REVISION IS FOR DEVELOPMENT APPLICATION PURPOSES ONLY AND IS NOT TO BE ISSUED FOR CONSTRUCTION

O COPRIGHT. THIS DESIGN AND HAN IS THE PROPERTY OF AFCE Environment + Building, AND MUST NOT BE USED, REPRODUCED, OR COMED WHOLLY OR IN PART WITHOUT WRITTEN PERMISSION FROM THE COMPANY.

A	ARCHITECTURAL REVISION	CF		9/2005
0	DEVELOPMENT APPLICATION ISSUE	Œ		7/2005
L_	REVISION DETAILS	NWARD	APPR.	DATE

A DIVISION OF APPLEYARD FORREST CONSULTING ENGINEERS PLY LEE ABRE 46 133 475 486

STALDONE DEVELOPMENTS

CONCEPT PLAN PROPOSED RESIDENTIAL DEVELOPMENT

12 - 18 BOYD STREET TURRAMURRA

DESIGNED CHECKED BAK/LDA

JOB No. 343725 | SHEET & OF S DRAWING No. 343725/C4 | REV. A

GENERAL INSTRUCTIONS

- t. Thes ser and water humagement plan is to be read by communition with other encomernia plan's relating to this REVELDENCHT.
- 2. CONTRACTORS WAL ENSURE THAT ALL SOL AND WATER HANAGEMENT WORST ARE INDESTANCED AS WISTRUCTED IN THIS SPECEMATION AND CONSTRUCTED FOLLOWING THE GROCLINES OF THUMBONS UNBAN STORMWATER SOLS AND CONSTRUCTION", VOL. 1, LANDON, 2016 DALVE BODG.
- 3. ALL SUBCONTRACTORS WILL BE BYONED OF THEIR RESOURCESSATION IN REDUCING THE POTENTIAL FOR SCAL EROSION AND POLLUTION TO DOWNSLOPE AREAS.

STAGING AND LAND DISTURBANCE INSTRUCTIONS

- Disturbance to be no further than 5 preferably 21 metres from the edge of any essential engineering activity as shown on approved plays, all site workers will clearly recognise these ZONES THAT, WHERE APPROPRIATE, ARE DENTIFED WITH BARRIER FENCES INPSCOPE AND SECREM FERENCE DOWNSLOPE OF SMEAR MATERIALS.
 ACCESS AREAS ARE TO BE LITTED TO A HAZDRIPH WORK OF IN PRINCIPLE.
- THE SITE HANAGER WILL DETERMINE AND HARK THE LOCATION OF THESE TONES DI-SITE. ALL SITE WORKERS WILL CLEARLY RECORDSE THESE BOUNDARIES THAT, WHERE APPROPRIATE, ARE IDENTIFED WITH BARBER FENCING RIPSLOPES AND SECREME FENCING IDGHOSCOPES OR STREAM
- HATEGORS.

 BETTER TO LANDS NOT REGULATED FOR CONSTRUCTION OR ACCESS IS PROMOBILE EXCEPT FOR ESSENTIAL THROUGH OF PLANT CROWNIN.

 WORKS ARE TO PROCEED IN THE FOLLOWING SEQUENCE:
- A. DISTALL ALL BARRER AND SECREDIT FEHRING WHERE SHOWN ON
- B. CONSTRUCT THE STABLISED SITE ACCESS.
- C. CONSTRUCT DIVERSION CHARGS AS REGISSED. D. INSTALL HESH AND GRAVEL DRETS FOR ANY ADJACENT KERB DRETS.
- E METALL GEOTEXTEE PART FATERS AROUND ANY DN-SITE DROP
- F. CLEAR SITE AND STRIP AND STOCKPRE TOPSOL IN LOCATIONS SHOWN
- G. UNDERTAIN ALL ESSENTIAL CONSTRUCTION WORKS EMPURING THAT ROOF AND/OR PAYED AREA STORMATER SYSTEMS ARE CONSECTED TO PERMANENT ORDINAGE AS SOON AS PRACTICABLE.
- H. GRADE LOT AREAS TO FRIAL GRADES AND APPLY PERHAMENT STABBLISATION GLANDSCAPING WITHER TO DAYS OF CORPLETION OF CONSTRUCTION WORKS.
- I. REMOVE TEMPORARY EROSION CONTROL HEASURES AFTER THE PERMANENT LANDSCAPING HAS BEEN COMPLETED.
- 5. ENSURE THAT SLOPE LENGTHS DO HOT EXCEED LI HETRES WHERE PRACTICABLE, SLOPE LENGTHS ARE DETERMINED BY SUTATION FENCING AND CATCH DRAW SPACES
- ON COMPLETION OF MAJOR WORKS LEAVE DISTURBED LANDS WITH A SCARPED SURFACE TO ENCOURAGE WATER INFLITATION AND ASSIST WITH

SEDIMENT CONTROL INSTRUCTIONS

- 1. SEOPENT FERKES WILL BE RETAILED AS SHOWN ON THE PLAN AND ELSEWHERE AT THE DISCRETION OF THE SITE SUPERMICEDENT TO CONTAIN SOC AS NEAR AS POSSIBLE TO THEIR SOURCE
- 2. SHOPENT FORCE WILL NOT HAVE CATCHDENT AREAS EXCHIDING 100
 SQUARE HETRES AND HAVE A STORAGE DIPTH OF AT LEAST 6.5 HETRES. 1. SEDOCHT REHOVED FROM ANY TRAIPPING DEVICES WILL BE RELOCATED WHERE FURTHER POLLUTION TO DOWNELDPE LANDS AND WATERWAYS CARROT
- STOCKPLES ARE NOT TO BE LOCATED WITHOUT PLOWS SWEN AS WATERWAYS, AREAS INCLUDING AREAS OF INCH VILLUTY PLOWS SWEN AS WATERWAYS, PAYED AREAS AND DRIVEWAYS.
- WATER WILL BE PREVENTED FROM DIRECTLY ENTERING THE REPRESENT
- DRAMAGE SYSTEM MALESS THE CATCHWENT AREA HAS BEEN PERMANENTLY LANDSCAPED AND/OR WATER HAS BEEN TREATED BY AN APPROVED DEVEL & TEMPORARY SECONDIN TRAPS WILL BEHAUM IN PLACE UNIT. AFTER
- THE LANDS THEY ARE PROTECTING ARE COMPLETELY REMABLITATED.

 7. ACCESS TO SITES SHOULD BE STABLISED TO REDUTE THE LECTURODS OF VEHICLES TRACKING SOL MATERIALS ONTO PUBLIC ROADS AND ENSURE

ALL-MEATHER ENTRY/EXIT. SOIL EROSION CONTROL AND REHABILITATION INSTRUCTIONS

- L EARTH BATTERS WILL BE CONSTRUCTED WITH AS LOW A GRADENT AS
- PRACTICABLE BUT NO STEEPER, UMESS OTHERWISE HOTED, THANK
- A. Ibhayi ware slope length less than iz hetres B. Zspreyi ware slope length between iz and w hetres. C. Dounyi ware slope length between is and is hetres.
- D. OPENNY WHERE SLOPE LEASTH GREATER THAN 29 HETRES.

 2. ALL WATERWAYS, GRANG, SPALWAYS AND THEM OUTLETS WAL BE CONSTRUCTED TO BE STABLE ON AT LEAST THE 128 YEAR ABI, THE OF CONSTRUCTED TO BE STABLE ON AT LEAST THE 128 YEAR ABI, THE OF CONSTRUCTION AND ADMINISTRATION OF THE STABLE OF THE STABLE
- CONCENTRATION STORM EVENT. WATERVAYS AND OTHER AREAS SUBJECT TO CONCENTRATED FLOWS AFTER
 CONSTRUCTION ARE TO HAVE A MAXIMUM CADUROCOVER C-FACTOR OF BAS CHES GROUND COVERY WITHIN IN WORKING DAYS FROM COMPLETION O
- FORMATION, FLOW VELOCITIES ARE TO BE LIVETED TO THOSE SHOWN IN TABLE 5-1 OF "HARACING INDIAN STORMANTER SOCIE AND CONSTRUCTION DEPT OF HOUSING 1918 BILLIE BOOKL FOOT AND VEHICULAR TRAFFIC WALL DEF PROPRIED IN THESE RELAS.

 STOCKPRES AFTER CONSTRUCTION ARE TO KAVE A HAZMAN

 GRESSO-COVER C-FACTOR OF 0.1 HOME GROUND-COVER) WITHIN 10 YORKINS
- DAYS FROM COMPLETION OF ENDMATION
- S. ALL LANDS, INCLUDING WATERWAYS AND STOCKPRES, DURING ALL LOWS, MILLIAMS WALLERMAND AND STRUCTURES, BUSINESS CONSTRUCTION ARE TO HAVE A HANDRING REDUDENCE/COPER C-FACIOR OF \$1.50 LISTS GROUND COVER WITHIN 25 WORKING DAYS FROM BALCIMITY EVEN THOUGH WORKER HAY CONTINUE LATER.
- A. FOR AREAS OF SHEET FLOW USE THE FOLLOWING GROUND COVER PLANT SPECES FOR TEMPORARY COVER JAPANESE HILLET 21 KG/HA AND DATS
- PERMANENT REHABILITATION OF LANDS AFTER CONSTRUCTION WI ACHEYE A GROWN-COYER C-FACTOR OF LESS THAN 6.1 AND LESS THAN 6.15 WITHOUT O DAYS, NEWLY PLANTED LANDS WILL BE WATERED REGULARLY UNTIL AN EFFECTIVE COVER IS ESTABLISHED AND PLANTS ARE GROWING VICORDUSLY, FOLLOW-UP SEED AND FERTRISER WILL BE APPLIED

8. REVEGETATION SHOULD BE AMED AT RE-ESTABLISHING HATURAN SPECES. HATURAL SURFACE SOLS SHOULD BE REPLACED AND HON-PERSISTANT ANDWAL COVER CROPS SHOULD BE USED.

WASTE CONTROL INSTRUCTIONS

- ACCEPTABLE BHS WAL BE PROVIDED FOR ANY CONTRETE AND HORIZAT SLURRES, PARITS, ACO WASHING, LEWITMOONT WASTE PATERIALS AND LITTER CLEARANCE SURVICES WALL BE PROVIDED AT LEAST WEDLY. DISPOSAL OF WASTE WILL BE IN A HAISIER APPROVED BY THE STIE
- 2. ALL POSSIBLE POLLUTANT HATERIALS ARE TO BE STORED WELL CLEAR OF ANY POURLY DRANGO AREAS, FLOOD PRINE AREAS, STREAMSANS, CHANGELS AND STORMWATER DRANGE AREAS, STREET SHEW HATERALS IN A DESIGNATED AREA UNDER COVER WHERE POSSIBLE AND WITHIN
- 3. ALL SITE STAFF AND SUB-CONTACTORS ARE TO BE OFFICINED OF
- THER COLIGATION TO USE WASTE CONTROL FACALTES PROVIDED.
 ANY DE-WATERPIG ACTIVITIES ARE TO BE ELEVELY HOMICIED TO ENSURE THAT WATER IS NOT POLLUTED BY SECRET, TOXIC HATERALS OR PETROLFUN PRODUCTS. S. PROVIDE DESIGNATED VEHICULAR WASHDOWN AND HANTENANCE AREAS
- WHICH ARE TO HAVE CONTAINMENT BURDS. SITE INSPECTION AND

MAINTENANCE PROGRAM INSTRUCTIONS

- L. THE SITE SUPERNITENCENT WILL DISPECT THE SITE AT LEAST WEEKLY AND AT THE CONCLUSION OF EVERY STORM EVENT TO :
 - A. ENSURE THAT DRAMS OPERATE PROPERLY AND TO EFFECT AND
 - B. REMOYE SPALED SAND OR DITHER HATERIALS FROM HAZARD AREAS, INCLUDING LANDS CLOSER THAN S METRES PROSE AREAS OF LIKELY CONCENTRATED OR HIGH VELOCITY FLOWS ESPECIALLY WATERWAYS AND PAYED AREAS.
 - C. REMOVE TRAPPED SECREDIT WHENEVER THE DESIGN CAPACITY OF THAT STRUCTURE HAS BEEN EXCEEDED.
 - D. ENSURE REMARKITATED LANDS HAVE EFFECTIVELY REDUCED THE
 - EROSON HAZAGO AND TO MOTIATE EPICRADOIS ON REPAIR AS RECESSARY. CONSTRUCT ADDITIONAL EROSON AND/OR SEDDIENT CONTROL WORKS AS HIGHT BECOME NECESSARY TO ENSURE THE DESIRED PROTECTION IS TAN TO DOWNSLOPE LANDS AND WATERWAYS. HAVE DIGGING CHARGES TO THE PLAN
 WHERE IT PROVES INADEQUATE IN PRACTICE IS SUBJECTED TO CHARGES IN CONDITIONS ON THE WORK-SITE OR ELSEWHERE IN THE CATCHOLINE
 - F. HANTAN ERDSIGH AND SECREPH CONTROL STRUCTURES IN A PULLY NO CONDITION UNTIL ALL EARTHWORK ACTIVITIES ARE COMPLETED AND THE SITE IS REHARBITATION
- 2. THE SITE SUPERNITEMENT WELL KEEP A LOGSOOK HAKING ENTRES AT LEAST WEEKLY, POPEDIATELY BEFORE FERRELAST RAIN AND AFFER RANFALL ENTRES WELL INCLUDE:
 - ALL ENTRES WELD RELIDED.

 A. THE VOLUME AND INTENSITY OF ART RAMFALL EVENTS.

 B. THE CONSTITUTION OF ART SOEL AND WATER HAMABURGHT WORKS,

 C. THE CONSTITUTION OF PART SOEL AND WATER HAMABURGHT WORKS,

 C. THE CONSTITUTION OF PART SOEL AND ARTY DEED TO DERIGATE.

 - D. THE MEED FOR DUST PREVENTION STRATEGES.
 E. ANY REMEDIAL WORKS TO BE UNDERTAKEN.

THE LOCKOCK WILL BE KEPT ON-SITE AND HADE AVAILABLE TO AN AUTHORISED PERSON UPON REQUEST, IT WALL BE CAVEN TO THE PROJECT

TYPE D SEDIMENT RETENTION BASIN NOTES

CONSTRUCTION NOTES

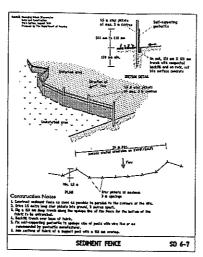
- E REMOVE ALL VEGETATION AND TOPSON FROM LINCOR THA DAM WALL AND FROM WHITEN THE STORAGE AREA.

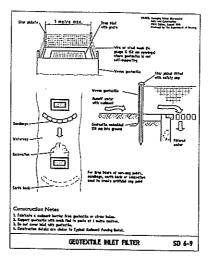
 CONSTRUCT A CUT-OFF TRENCH 519 FOR DEEP AND 1202 PM WIDE ALONG
- THE CENTRELINE OF THE ENGAIGNMENT EXTENDED TO A POINT ON THE GULLY WALL REVEL WITH RISER CREST.

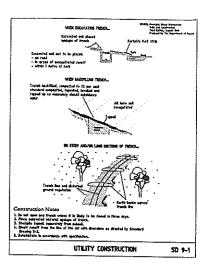
 HAMFAN THE TRIXON FREE OF WATER AND RECOMPACT THE MATERIALS
- TO 95% STANDARD PROFTER DENSITY
- 4. SELECT SUITABLE FILL MATERIAL THAT IS FREE OF ROOTS, WOOD, ROCK, LARGE STONE OR FOREIGH MATERIAL.
- S. PREPARE THE SITE UNDER THE EMPLOYMENT BY REPOYS AT LEAST NO HAY DEEP TO HELP BOND COMPACTED FUL TO EXCEPT SUBSTRATI
- E. SPREAD FALL IN 100 HM TO 150 HM LAYERS AND COMPACT AT OPTORIS
- CONSTRUCT EMPROENCY SPELWAY.
 REMARKITATE THE STRUCTURE BY OBSERVING OTHER RESTRUCTIONS
- PLACE A "FUL OF SEIDHENT" PEG HARKER AT THE TOP OF THE SEIDHENT STORAGE ZONE TO NIDICATE WHEN SEIDHENT REMOVAL IS

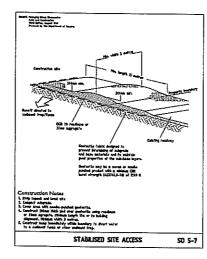
MANAGEMENT NOTES

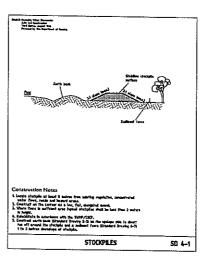
- L. THE CAPTURED STORMWATER IN THE SETTLING ZONE SHOULD BE DRABBED THE CAPTURED STORMANTER WITHES SETTLING THE SHOULD BE DRAWNED OR PRIMED OUT WITHOUT THE S DAY PERSON FOLLOWING RANGELL PROVIDED THAT AN ACCEPTABLE WATER QUALITY THE ST REPORTE WAS FETABLEL RESOURS OWER HAS BEEN ACHEVED, FLOCKRATION SHOULD BE EMPLOYED
- WHERE EXTENDED SETTEMS HAS FALED TO MEET THIS GUALITIME.
 FLOCULATERS SHOULD OCCUR WITHIN 14 HOURS OF THE CHICLISTON
 OF EACH STORM EVENT, THE SETTLING ZONE SHOULD THEN BE DRAINED OR PUMPED 36 TO 72 HOURS LATER PROVIDED THE REQUIRED WATER QUALITY HAS BEEN ADMEYED, DRAIN OR PUMP TO THE PEG HARRER PREVIOUSLY PLACED AT THE UPPER LEVEL OF THE SEDNENT STORAGE ZONE.
- 3. FLOCKLATE BY USING DYPSIAN ICALCIAN SULPHALEI AT THE RATE OF 1 by PER 199 CLOK metres of Stored Water, by Large Points MCK FRST INTO A SLURRY AND SPRAY GVER THE POINT SURFACE, IN SMALLER PONDS HAND BROADCAST OVER THE DISSEASE
- 4. HANTAN THE BASIN SO THAT THE DESIGN CAPACITY, NOT INCLUDING THE SECRECHT STORAGE ZONE, IS PRESERVED, DISPOSE OF WASTE HATERIAL WHEN THE SEDNENT STORAGE ZONE IS PULL TO A SEDNENT DUMP WHERE FURTHER POLLUTION TO DOWNSLOPE LANDS CANNOT DECUM.

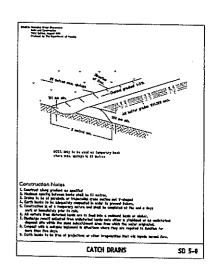












THIS DRAWING REVISION IS FOR DEVELOPMENT APPLICATION PURPOSES ONLY AND IS NOT TO BE ISSUED FOR CONSTRUCTION

© COPYRIGHT. THIS DESIGN AND PLAN IS THE PROPERTY OF AFCE Engineers + Builday, AND MUST NOT BE USED, REPRODUCED, OR COPIED WHOLLY OR IN PART WITHOUT WAITTEN FERMISSION FROM THE COMPANY.

A ARCHIECTURAL REVISION

O DEVELOPMENT APPLICATION ISSUE 1/2005 75 7/2005 REVISION DETAILS DRAWN APPR. DATE

AFCE Environment + Building | CLERT/BUILDER A DIVISION OF APPLEYARD FORREST CONSULTING ENGINEERS PLY L ABH: 45 193 475 684

THE RESIDENCE OF THE RE

STALDONE DEVELOPMENTS

DRAWING TITLE: ENVIRONMENTAL SITE MANAGEMENT CONCEPT DETAILS

12 - 18 BOYD STREET TURRAMURRA

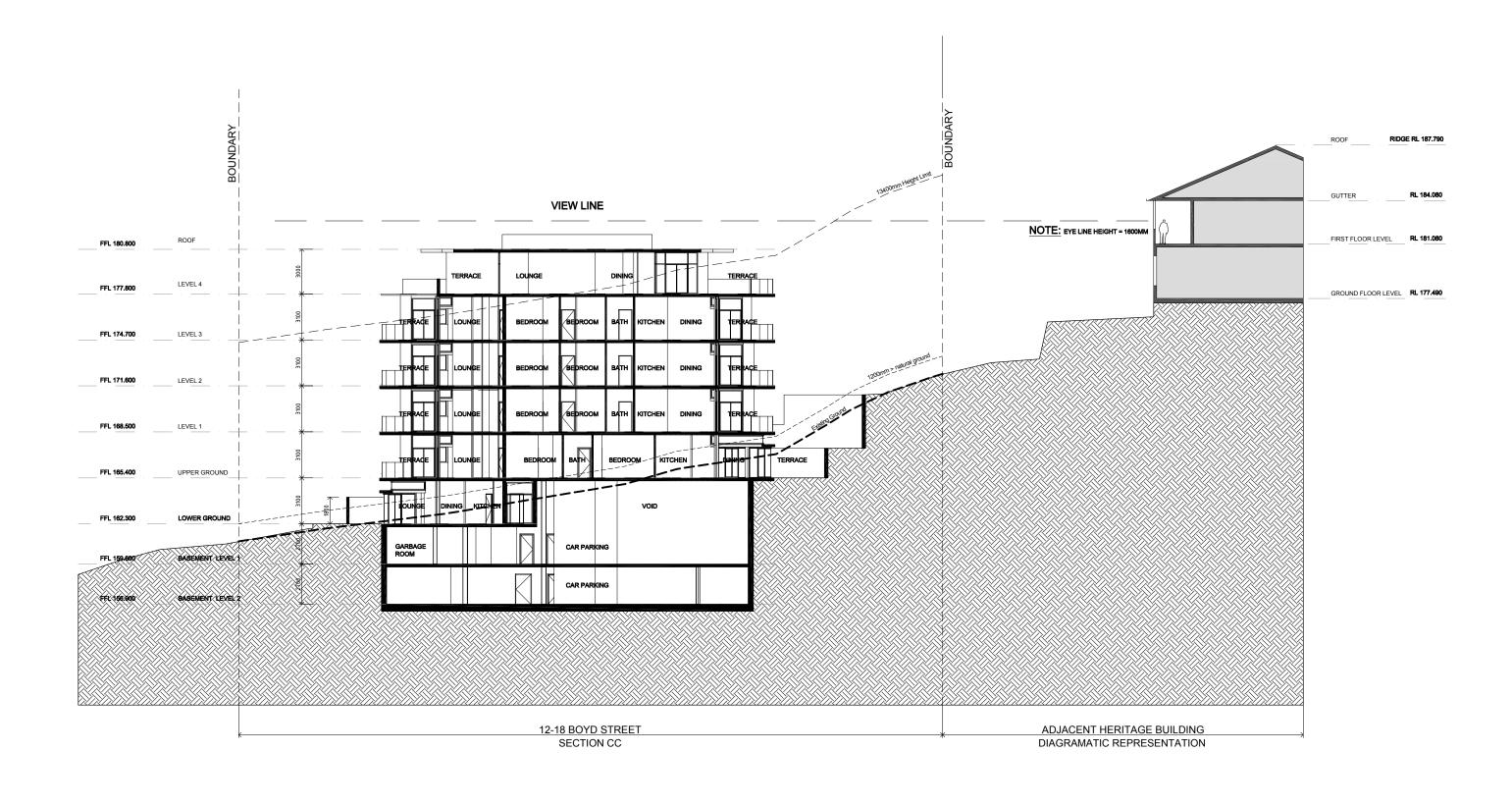
PROPOSED RESIDENTIAL DEVELOPMENT

DRAWN 7/2005 DESIGNED 7/2009 CHECKED BAK/LDA

. ADPLEYARD H.L.E. AUCTOMOER-1 74. AND STRUCTURED

-PAUNT ISSUED

108 No. 343725 | SHEET 5 OF 5 ORAWING No. 343725/C5 | REV. A



© JONES SONTER. ALL RIGHTS RESERVED. THIS WORK IS COPYRIGHT AND CANNOT BE REPRODUCED OR COPIED IN ANY	Issue	Issue Description	Chk. A	ppr. Date	Issue	Issue Description	Chk. Ap	r. Date	Project	▼	<i>→</i> ▼ .	Title	Scales 1:250 @A3	Date Drawn JAN 06 JS
FORM OR BY ANY MEANS WITHOUT THE WRITTEN PERMISSION OF JONES SONTER ANY LICENSE TO USE THIS DOCUMENT, WHETHER EXPRESSED OR IMPLIED, IS RESTRICTED TO THE TERMS OF THE AGREEMENT OR IMPLIED AGREEMENT BETWEEN JONES SONTER AND THE INSTRUCTING PARTY.	В :	Client Issue Surveyed levels added to adjoining heritage building		12.01.06 20.01.06					RESIDENTIAL DEVELOPMENT 12 - 18 Boyd St, Turramurra	JONES SONTER Darling Street Rozelle PO Box 483	V _A	DIAGRAM RETENTION OF VIEW LINES	Project No. 050301	Checked Approved
ALL DIMENSIONS IN MILLIMETRES UNLESS OTHERWISE SHOWN, USE FIGURED DIMENSIONS ONLY. DO NOT SCALE FROM DRAWINGS, CHECK ALL DIMENSIONS ON SITE PRICE TO CONSTRUCTION. REPORT ANY DISCREPANCIES TO JONES SONTER. TO SE READ IN CONJUNCTION WITH ALL DOCUMENTS.									STALDONE DEVELOPMENTS	Rozelle NSW 2039 phone: 02 9555 7464 fax: 02 9555 7436 mail@jonesonter.com.au	JONES	TO ADJACENT PROPERTY	Drawing No. SK 50 Plot Date 12.01.06	Issue B Cad Ref. 050301/CAD/DASK50.dwg

Smyth Planning

Suite 112, Level 6, 330 Wattle Street ULTIMO NSW 2007
Telephone (02) 9211 3366 Facsimile (02) 9211 8081 E-mail: rm@smythplan.com

16 March 2006

The General Manager Ku-ring-gai Council 818 Pacific Highway PO Box 1056 PYMBLE NSW 2073

Attention: Ms Ursula Lang

Dear Sir

RE: 12-18 BOYD STREET TURRAMURRA – DA 1108/05 – SEPP 1 OBJECTION

We refer to the above Development Application for a residential flat development. In response Council's request we enclose a SEPP1 objection to KPSO Clause 25L which requires 9metre setback from the railway reserve to the 3rd and 4th storeys. An addendum report prepared by the acoustic consultant accompanies the SEPP1 submission in accordance with Council officer requirements. We trust this satisfies Council's concerns.

Please do not hesitate to contact Ms Meg Levy (9211 3366) if you have any queries in relation to this matter.

Yours faithfully, **SMYTH PLANNING**

Director

Enc SEPP1 Objection and addendum Acoustic Report

cc Staldone Developments Suite 608, 83 York St SYDNEY NSW 2000

STATE ENVIRONMENTAL PLANNING POLICY NO 1 OBJECTION TO THE ZONE INTERPHASE (SETBACK) STANDARDS SET IN CLAUSE 25L OF KPSO (LEP 194)

Property: Nos 12, 16 & 18 Boyd Street, Turramurra

(SEPP1 variation to development standard relates

to East Block building which is located on Nos 16 & 18 Boyd St)

Proposal: The application involves the erection of two x 5 and part 6 storey

residential flat buildings (totalling 47 residential units) with a

common basement and driveway access to Boyd Street.

Zoning: 2(d3) Residential

1. Development Standard to which Objection is taken:

<u>Clause 25L</u>; - Zone interface which prescribes minimum setbacks for residential flat buildings in 2(d3) zones from other zones. Relevant KPSO extract/map follows:

25L Zone interface

- The objective of this clause is to provide a transition in the scale of buildings between certain zones.
- (2) The third and fourth storey of any building on land within Zone No 2 (d3) must be set back at least 9 metres from any boundary of the site of the building with land (other than a road) that is not within Zone No 2 (d3).
- (3) Landscaping required to screen development from any adjoining property must be provided on the site and must not rely on landscaping on the adjoining property.



5 SPECIAL USES

(a) SPECIAL USES A (Schools etc)

SCHOOL

(a1) SPECIAL USES A1

5(a1)

(b) SPECIAL USES B (Railways)



2. The Proposal

The development site (12,16,18 Boyd Street) is triangular in shape and comprises a site area of 3399m². The site has a frontage of 98.2metres to Boyd Street and a 65.95m (eastern) side boundary.

The north shore rail corridor (zoned 5 B Special Uses - Railways) abuts the eastern boundary of No 18 Boyd Street. The railway line is approximately 20metres from No 18 boundary and is largely screened from the subject site by established tree plantings/vegetation on both the subject site and rail corridor (Refer aerial photo below).



Source: RP Data

The Aim of the Objection:

Is to address the reduction in setback to the railway corridor (not being zoned 2(d3) or a road) of the 3^{rd} and 4^{th} storey and justify the retention of the design on its presently proposed location.

3. Addressing the Issues

4.1. The Purpose of the Development Standard

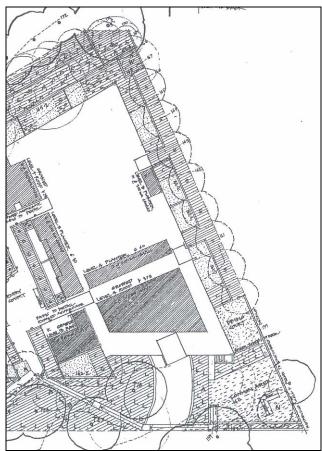
The stated purpose (objective) of the development standard contained in Clause 25L is "to provide a transition in the scale of buildings between certain zones".

4.2 Is Compliance with the Development Standard Unreasonable or Unnecessary in the Circumstances of the Case?

Compliance with the height limits imposed by both Clauses is considered unnecessary and unreasonable in this case for the following reasons:

 The current proposal provides building setbacks of 5+metres to the eastern boundary where it abuts the railway reserve and approximately 25metres to the railway line. The non-compliance with the 9metre development standard thus relates only to certain building levels (3rd and 4th storey) and not the whole of the building.

- No buildings are located on the railway lands that would be impacted by the proposed East Block so that there is no "transition in the scale of buildings". KPSO Clause 25L anticipates an adjoining lower density zone which has potential for being impacted upon by a higher built form. In this instance, there are no adjoining buildings and thus no such visual impact.
- East Block is remote from the railway noise source being some 25metres from the railway line.
- There are no residential dwellings adjoining the site. The proposed East Block has no impact on the closest residential dwelling at 29 Jersey Street (south-east).
- Adequate provision is made for landscaping including tree plantings along the eastern boundary (refer extract landscape plan below). While the proposal does not rely upon landscaping along the railway corridor, the extensive landscaping along the railway lands complements proposed landscaping within the proposed 5metre setback and will enhance resident perception of buffering to train noise / movement.



Source: CAB Landscape Consultants (30.1.06)

- Acoustic investigations undertaken by Atkins Acoustics & Associates (refer Planning Report Annexure N) shows vibration levels to be acceptable for apartments facing the railway. East Block windows are 25m+ from the railway line. Recommendations for acoustic treatment in accordance with the Acoustic Report will be undertaken to ensure appropriate (noise) amenity for East Block residents. Acoustic treatment will also have the benefit of mitigating any highway noise for upper level units. An addendum report to specifically address the 5metre setbacks to railway lands has been prepared by Atkins Acoustics & Associates copy annexed. The report findings are that the additional noise associated with 5metre setbacks verses 9m setbacks is approximately 1dB(A) which would not be discernible to a resident with normal hearing. As is required for all 2(d3) sites which abut the railway or highway, the proposed acoustic treatment will adequately mitigate against noise to ensure resident amenity.
- The site does not abut the highway, being separated by "Hillview" No 1334 Pacific Highway uphill to the north. Cumulative noise levels (highway and railway noise) measured at the eastern boundary of No 18 are 54-55dB(A) daytime and 51-52dB(A) night-time. Thus cumulative noise impact on the subject site is significantly less than sites abutting the highway which typically experience 74-75dB(A) road traffic noise where 10-12 metre setbacks apply requiring significantly greater acoustic treatment. Thus, in considering the "cumulative" impact of road and rail noise in this location, it is important to consider the noise impact in the context of other 2(d3) zoned sites which have significantly greater noise impact but are deemed acceptable for residential flat development subject to appropriate acoustic treatment.
- The non-compliance is triggered by reason that Clause 25L only exempts 2(d3) zones and roads. If the railway lands were infact a road rather than a railway, then 9metre setback requirement for the 3rd and 4th storey would not apply. It is considered that the non-compliance has come about unintentionally because Clause 25L should have made reference to both road/railway lands which are not dissimilar in function/noise emission.

4. Conclusion

On the basis of the points made above it is considered that compliance with the setback standards for the 3rd and 4th building levels (East Block) is considered to be unreasonable and unnecessary in the circumstances of this case.

36.5902.L1:CFCD1 Rev 01

Staldone Developments Suite 608 6th Floor 83 York Street SYDNEY NSW 2000

Attention: Steve Donellan

16 March 2006



Postal Address P.O. Box 432 Gladesville N.S.W. 1675 AUSTRALIA A.C.N. 068 727 195 Telephone: 02 9879 4544 Fax: 02 9879 4810

Email: AtkinsAcoustics@bigpond.com.au

Atkins Acoustics and Associates Pty Ltd.

Consulting Acoustical & Vibration Engineers

RAIL NOISE & VIBRATION ASSESSMENT PROPOSED RESIDENTIAL DEVELOPMENT 12-18 BOYD STREET, TURRAMURRA

Atkins Acoustics was commissioned by Staldone Developments Pty Ltd in August 2005 to carry out a rail traffic noise and vibration assessment for the proposed residential apartment development at 12-18 Boyd Street, Turramurra. The assessment was conducted in accordance with the requirements of the State Rail Authority (SRA) and Rail Infrastructure Corporation (RIC) guidelines titled 'Consideration of Rail Noise and Vibration in the Planning Process' (Nov 2003) and reported in 'Rail Noise & Vibration Assessment. Proposed Residential Development. 12-18 Boyd Street, Turramurra' Report No. 35.5902.R1:CFCD1 dated 29 August 2005.

Following submission of the August 2005 report, Staldone Developments requested Atkins Acoustics to assess the potential effect of an additional building setback of four (4) metres from the eastern site boundary and rail-line for the 3rd and 4th storey of the proposed development.

Noise modelling for the proposed facade setback has shown that rail traffic noise levels would reduce by approximately 1dB(A). From published information and experience a noise level difference of 1dB(A) would be barely noticeable for a person of normal hearing.

Referenced to the recommendations of the August 2005 Rail Noise & Vibration report, typical glazing acoustic requirements for the East block-east facade fronting the rail-line were in the order of Rw26-32. Considering the additional facade setback glazing details for the East Block-east facade would be in the order of Rw25-31. The difference in acoustic performance of the building glazing as a result in the change in building setback from the rail boundary is minimal.

Acoustic performance of Rw31-32 would require the specification of acoustic rated single glazed windows and doors with perimeter acoustic seals. A full schedule of glazing specifications for windows and doors to satisfy the acoustic requirements would be established during the detail design of the building and submitted to Council with the Construction Certificate Application.

In terms of road traffic noise exposure from the Pacific Highway, the proposed buildings are set well back from the road alignment and generally at a lower level, however upper levels of the building would be exposed to road traffic noise. An additional building setback of four (4) metres from the rail boundary would have no effect on facade road traffic noise levels.

From our experience with similar residential developments fronting the Pacific Highway, site inspections and noise measurements it is expected that noise controls for road traffic noise intrusion would be similar with requirements for rail traffic noise and typically consist of acoustic rated single glazed windows and doors with perimeter acoustic seals. In accordance with our noise assessment, it is recommended that during construction and before ordering the windows and doors additional noise measurements be conducted to confirm noise exposure levels for the higher floors and noise control requirements for the upper levels of the buildings.

With respect to noise exposure from both rail traffic and road traffic, the site would be considered as moderate and significantly lower than other approved residential developments with building setbacks in the order of ten to twelve (10-12) metres from the Pacific Highway.

We trust this meets your current requirements. Should you require clarification or additional details please contact our offices on 9879-4544.

Yours faithfully,

ATKINS ACOUSTICS & ASSOCIATES PTY LTD

Carl Fokkema



27 WARRIMOO AVENUE, ST IVES - CARPORT AND FRONT FENCE

Ward: St Ives

EXECUTIVE SUMMARY

PURPOSE OF REPORT:	To refer the application back to Council following a site meeting and seek Council's determination of the development application.
BACKGROUND:	 Application lodged 7 September 2005 Council considered a report at its meeting on 28 February 2006 Consideration pending site inspection which took place on 4 March 2006
COMMENTS:	The matters raised at the site inspection are addressed in this report.
RECOMMENDATION:	That the additional information be noted, and the application be refused.

PURPOSE OF REPORT

To refer the application back to Council following a site meeting and seek Council's determination of the development application.

BACKGROUND

- Application lodged 7 September 2005.
- Council considered a report at its meeting on 28 February 2006.
- Site inspection occured on 4 March 2006.

COMMENTS

The following issues were raised at the site inspection:

1. Draft amendments to DCP No. 38

Whether the proposed carport and front fence would comply when assessed against the proposed amendments to DCP No. 38.

The assessment of the proposed carport against the provision of the amendments to clause 5.5 Access and Parking of DCP 38 revealed the following:

	COMPLIANCE TABLE	
Section 5: Design Elements		
Development control	Comment	Complies
5.5.3 Access & parking:		
Parking spaces must be located		
behind the building line (s.5.5.1)	The carport is located forward of the building line	NO
Size of car parking space (s.5.5.2)		
3.1m x 5.4m	The size of the carport is 6m x 6m	YES
Width of carport (s.5.5.3)		
Must not be greater than 6m or 40%	The width of the carport is 6m	YES
Integration of carport (s.5.5.3)	The carport is a stand alone structure located	
The structure must be integrated with	immediately forward of the front façade of the house.	
the design of the dwelling	The design of the carport has no integration with the	YES
	existing house.	
Australian standards (s.5.5.3)		
In accordance with AS2890.1:2004	Complies	YES
Design of carport (s.5.5.3)		
The design of the structure must be		
of a scale and form that is compatible	The carport constitutes approximately 55% of the	
with the streetscape character	existing dwelling's front facade	NO

COMPLIANCE TABLE			
Section 5: Design Elements			
Development control	Comment	Complies	
Visibility of carport (s.5.5.4)			
No more than 2 spaces are visible			
from the street	2 spaces will be visible	YES	
Tree impact (s.5.5.4)			
Preservation of existing site and			
street trees	(Refer to Council Landscape Officer comment)	NO	
Sight lines (s.5.5.5)			
Driveway must be located so that			
driver and pedestrian sight lines are			
clear	(Refer to Council Development Engineer comment)	YES	

In the proposed amendments to DCP38, Council can approve car spaces forward of the building line where, due to insufficient side setback (i.e. less than 3.6 metres) or topographical constraints, it is not possible to locate the parking spaces behind the building line. However, any car spaces forward of the building line must satisfy the following criteria:

- a) The structure must be open sided
- b) The structure must be located at the maximum possible distance from the front boundary
- c) The design of the structure must be of a scale and form that is compatible with streetscape character
- d) Existing significant vegetation prevents the carport being located behind the building line, as such the exclusion clause does apply.

However, having regard to the terms of the exclusion clause, the carport in its current form could not be support on the basis that:

- The proposed double carport, being set back 5.75 metres from the front boundary, fails to comply with the requirement of maximising possible distance from the front boundary. The proposed double carport could be relocated a further 1 metre to the west or integrated into the existing dwelling which would maximise its setback from the front boundary.
- The proposal will result in a dominant structure of excessive scale and bulk within the front garden of the dwelling. The introduction of the proposed carport will result in a streetscape presentation which is out of keeping with the predominant garden settings in the area. The carport, at 6 metres wide, constitutes approximately 55% of the existing dwelling's front façade which further dominates the site frontage.

Section 79(C) of the EP&A Act requires Council to take into consideration matters that are of relevance to the development. Section 79(C) of the EP&A Act does not identify Draft DCP's as a matter for consideration when assessing a development application.

Item 2

Tree impact

Council's Landscape Officer has made the following comments:

The carport location as proposed would involve excavation, up to 600mm within the primary root zone of another significant Turpentine for the crossover on the nature strip.

From a landscape viewpoint it is preferred that the carport be attached to the dwelling and the existing driveway utilised. This would take the new structure outside of the canopy of existing trees and result in no additional adverse tree impacts.

2. Vehicle safety

Council's Engineer is requested to comment on the suitability and safe egress of vehicles reversing onto Warrimoo Avenue having regard to the position of the existing and proposed driveway laybacks, the grade and width of Warrimoo Avenue and the speed at which vehicles pass the site.

Comments from Council's Development Engineer are as follows:

 Carport dimensions and driveway grades comply with AS/NZS 2890.1 (2004) - "Off-street car parking".

Figure 3.2 of AS2890.1 provides the sight distance requirements at access driveways. As indicated in the diagram, the minimum distance for a domestic driveway onto a frontage road with a speed limit of 50km/hr is 40 metres (vehicles entering in a forward direction). It can be seen from the attached 1:500 scale map that this sight distance would not be available for any driveway access off Warrimoo Avenue or anywhere along the site frontage. Therefore, any such driveway would be non-complying. Compared to the existing arrangement however, the proposal significantly improves the access arrangement with the driveway re-located to the southern side of the road frontage.

It is also noted that any vehicle conflicts will be infrequent due to the fact that drivers prefer entering Killeaton Street via intersections such as Carbeen Ave and Collins Rd. Such intersections have improved site distances and traffic control measures (e.g. seagulls) established to ensure safe vehicle movements.

Therefore, the location of the driveway is acceptable on the basis that the proposal will improve the existing access arrangement and due to the low-traffic environment along Warrimoo Avenue.

Note: Safer vehicle egress into the road reserve can be achieved if sight distances are established inside the property boundary. This will require a transparent front fence.

3. BA No. 94/1106

Council staff are requested to address the applicant's contention that BA No. 94/1106 had been substantially commenced as alterations and additions to the existing dwelling were

undertaken, yet the double carport had not yet been constructed. In particular, staff are requested to provide comment on whether the applicant is able to construct the double carport as approved under BA No. 94/1106 provided the applicant can demonstrate that works associated with Building Application No. 94/1106 had been commenced.

The carport proposed under the deemed development consent to BA NO. 94/1106 cannot be legally constructed for the following reasons:

- A letter was received by Council on 2 May 2001 from the applicant Mr. Peter Smith to
 delete the carport from the approved plans. The deemed development consent was
 modified accordingly.
- A final compliance certificate was issued on 31 May 2001 certify that all proposed works had been completed and complied with the modified consent.

RECOMMENDATION

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979

THAT Council, as the consent authority, refuse development consent to Development Application No. 984/05 for a detached double carport and front fence on land at 27 Warrimoo Avenue, St Ives, as shown on plans referenced Drawing No. 1 of 4, 2 of 4, 3 of 4 and 4 of 4, dated July 2005, drawn by North Shore Plan Service for the following reasons:

1. The proposed double carport forward of the existing dwelling house and the front fence result in an adverse streetscape impact.

Particulars

- i) The proposal will result in an intrusive structure positioned too close to the street front that will be unsympathetic to the natural and built environment in this location.
- ii) The proposed carport, being located 5.75m from the front boundary, fails to comply with the minimum front setback requirement of 12m as prescribed by clause 5.1.3 of Development Control Plan 38.
- iii) The proposed carport, being located 1m from the southern side boundary, fails to comply with the setback requirement of 1.8 metres as prescribed by Clause 5.1.3 of Development Control Plan No.38. The non-compliance prevents adequate screen landscaping being provided along the side boundary.
- iv) The proposed carport would reduce the setback from the street alignment which contradicts the design requirements set out in clause 5.5.3 and 5.5.4 of DCP38.

Item 2

- v) The proposal fails to comply with clause 5.5.4 of DCP in that it provides car parking forward of the building line.
- vi) The proposed front fence fails to comply with clause 5.1.5 of DCP in that it is inconsistent with the streetscape character and detracts from the visual character of the locality.

Gilead Chen S Cox

Development Assessment Officer Team Leader

Development Assessment - Central

M Prendergast M Miocic
Manager Director

Development Assessment Services Development & Regulation

Attachments: Report to Council 28 February 2006 - 596274

Location sketch - 585213 Site analysis - 585215

Elevations and sections - 585220

Sediment control & stormwater - 585223

Item 1

DEVELOPMENT APPLICATION

SUMMARY SHEET

REPORT TITLE: 27 WARRIMOO AVENUE, ST IVES - CARPORT AND FRONT

FENCE

WARD: Comenarra

DEVELOPMENT APPLICATION N^o: 984/05

SUBJECT LAND: 27 Warrimoo Avenue, St Ives

APPLICANT: Mr. Geoffrey Robert Stott

OWNER: Mr. Geoffrey Robert Stott

DESIGNER: Ron Guadagnin

PRESENT USE: Residential

ZONING: Residential 2(c)

HERITAGE: No

PERMISSIBLE UNDER: Ku-ring-gai Planning Scheme Ordinance

COUNCIL'S POLICIES Ku-ring-gai Planning Scheme Ordinance, Development Control Plan No.38 – Ku-ring-gai Residential Control Plan, Development

Control Plan No. 40 - Construction and Demolition Waste Management, Development Control Plan No. 43 - Car Parking Code, Development Control Plan No. 47 - Water Management

COMPLIANCE WITH No

CODES/POLICIES:

GOVERNMENT POLICIES

APPLICABLE:

State Environmental Planning Policy 55

COMPLIANCE WITH GOVERNMENT Yes

POLICIES:

DATE LODGED: 7 September 2005

40 DAY PERIOD EXPIRED: 17 October 2005

PROPOSAL: Caport and Front Fence

RECOMMENDATION: Refusal

1 /2 27 Warrimoo Avenue, St Ives DA0984/05 24 January 2006

Item 1

DEVELOPMENT APPLICATION N^o 984/05

PREMISES: 27 WARRIMOO AVENUE, ST IVES PROPOSAL: CAPORT AND FRONT FENCE APPLICANT: MR. GEOFFREY ROBERT STOTT OWNER: MR. GEOFFREY ROBERT STOTT

DESIGNER RON GUADAGNIN

PURPOSE FOR REPORT

To determine Development Application 984/05 which seeks consent for a detached double carport and front fence. This matter has been called to full Council by Councillor Hall.

EXECUTIVE SUMMARY

Issues: Streetscape

Submissions: No submissions were received.

Recommendation: Refusal.

HISTORY

The site is used for residential purposes. In July 1994, a development application was lodged for an addition and alterations to the dwelling plus a carport. The development application was approved by Council on 7th September 1994 but the consent lapsed on 7 September 1996. The approved carport was never constructed.

THE SITE

Zoning: Residential 2(c) Visual Character Study Category: 1945-1968

Lot Number: 5
DP Number: 25744
Area: 966m²
Side of Street: Eastern

Cross Fall: South-east to north-west

Stormwater Drainage: To street Heritage Affected: No

Required Setback: Minimum 12 metres and 14 metres average

Integrated Development: No

Bush Fire Prone Land: Yes – Bushfire Prone Vegetation Buffer Zone

Endangered Species: Not affected

Urban Bushland: No Contaminated Land: No

Item 1

SITE DESCRIPTION

The site is known as 27 Warrimoo Avenue, St Ives in Lot 5 of DP 257441. The allotment has a frontage of 20.065 metres, a depth of 48.145 metres and contains a single storey dwelling set back from its boundaries as follows:

Front setback 13.5 metres
Rear setback 10.15 metres
Side set back (North boundary) 1.080 metres
Side setback (South boundary) 1.005 metres

The site is a regular shaped lot and is located on the western side of Warrimoo Avenue. The property falls from the rear to the front and from south to north. No parking is provided on site.

Four turpentine trees, in excess of 9 metres in height, are located at the front of the property, adjacent to the proposed new driveway. One pine tree (10 metres in height) and two turpentine trees (13 metres in height) are located along the northern (side) boundary.

Surrounding development

The surrounding area is described in the Ku-ring-gai Visual Character Study as being characterised by single dwellings on single lots, with the majority of construction being within the period 1945 to 1965. A mix of architectural styles and periods are evident within the wider streetscape. The predominant housing style in the street is a mix of one and two storey dwellings with garages/carports set back behind the front alignment of buildings. Whilst there are four exceptions in this part of Warrimoo Avenue, they are long established and pre-date DCP38. The properties where carport/garage have been erected forward of the dwelling include:

Address Setback to Warrimoo Avenue

16 Warrimoo Avenue (carport)	11.072 metres
23 Warrimoo Avenue (carport)	14.41 metres
29 Warrimoo Avenue (carport)	6.5 metres
32 Warrimoo Avenue (carport)	6 metres

Setbacks on the eastern (high) side of Warrimoo Avenue are generally in excess of 11 metres while the setbacks on the western (low) side are approximately 13 metres.

THE PROPOSAL

The proposal is for the construction of a double detached carport proud of the front of the existing house, new driveway and 1.2 metres high timber picket front fence. The new driveway is located at the south-western corner of the property which requires a new vehicle crossover. The existing driveway will be removed and replaced with landscape area.

The carport dimensions are 6 metres in length and 6 metres in width. The carport will have a setback of 5.75 metres from the front boundary and 1 metre from the southern (side) boundary.

Item 1

Some excavation is proposed to provide a suitable grade for the carport and associated driveway. Excavation will have a maximum depth of 300mm and the proposed carport will have a finished floor level of RL 100.

The carport will have a pitched roof with metal roof sheeting attaining a ridge height 4.025m above the finished floor level. The carport roof will be hipped facing Warrimoo Avenue.

The proposal also involves the erection of a new fence and gate along the front and side boundary of the site. The proposed front timber picket fence will be 1.2m in height. The proposed side timber picket fence will be 1.2m in height forward of the house. This new side timber picket fence will attach to the existing 1.8m high timber paling dividing fence.

CONSULTATION - COMMUNITY

In accordance with Council's Notifications DCP, adjoining owners were given notice of the application.

No submissions were received

CONSULTATION - WITHIN COUNCIL

Landscape Officer

Council's Landscape Development Officer has no objection to the proposal on landscape grounds, subject to conditions.

Development Engineer

Council's Development Engineer has no objection to the proposal on engineering grounds, subject to conditions.

STATUTORY PROVISIONS

State Environmental Planning Policy No.55

The site has a history of residential use. There is no evidence that indicates the site is contaminated nor would this be likely given the long established residential use of the site. SEPP 55 aims to set an approach for the remediation of contaminated land. Clause 7 of the SEPP requires Council to consider whether the land is likely to be contaminated.

Ku-ring-gai Planning Scheme Ordinance

COMPLIANCE TABLE		
Development Standard	Numeric Compliance	Complies
Building height 8m (max)	4.1m (carport)	YES
Built-upon areas		
60%(579.48m ²)(max)	50.2% (484.4m ²)	YES

Aims and objectives for residential zones

The proposed development is contrary to the aims and objectives stated in Clause 1(a), 1(b), 2(e) and 2(f) of Schedule 9 of KPSO in the following respects:

- The proposed carport is inconsistent with the existing streetscape and detracts from the visual character of the locality by being located 5.75m from the front boundary, 1m from the southern (side) boundary and forward of the existing dwelling upon the site.
- The proposal will result in a dominant structure of excessive scale and bulk within the front garden of the dwelling. The introduction of the proposed carport will result in a streetscape presentation which is out of keeping with the predominant garden settings in the area. The carport, at 6 metres wide, constitutes approximately 55% of the existing dwelling's front façade which further dominates the site frontage and its streetscape appearance.
- The front fence is not characteristic of the overall streetscape of Warrimoo Avenue. There is an absence of front fences on Warrimoo Avenue. Thus, the proposed front boundary is unsympathetic with the existing streetscape and detracts from the established and desired visual character of the locality

POLICY PROVISIONS

DCP 38 - Ku-ring-gai Residential Design Manual

COMPLIANCE TABLE			
Development Control	Proposals Numeric Compliance	Complies	
Site Area: 965.8m ²			
5.1 Streetscape:			
Building setbacks (s.5.1.3)			
• Front setback:			
14m (Ave) -75% front elevation	6.8m	NO	
12m (min) – 25% front elevation	5.75m	NO	
• Side setback:	1 (NO	
Ground floor: 1.81m(min)	1m (carport)	NO	
Front fences (s.5.1.5)			
• Height: 1.2m(max)	1.2m (the proposed front and side fence is	NO	
	inconsistent with Ku-ring-gai Visual Character		
	Study)		
5.2 Building form:			
Height of building (s.5.2.2)			
• 2 storey (max) and 7m (site $<20^{\circ}$	1 storey	YES	
slope)	(carport)		
Building height plane (s.5.2.3)			
45 ⁰ from horizontal at any point 3m	Complies	YES	
above boundary			

	COMPLIANCE TABLE		
Development Control	Proposals Numeric Compliance	Complies	
Roof line (s.5.2.6)			
Roof Height			
(5m – single storey)	1.6m	YES	
• Roof Pitch 35 ⁰ (max)	24^{0}	YES	
Built-upon area (s.5.2.7)			
56% (540.85m ²) (max)	50.2% (484.4m ²)	YES	
Cut & fill (s.5.2.15)			
• max cut 900mm	300mm	YES	
 max cut & fill across building 			
area of 1800mm and 900mm	300mm YE		
5.3 Open space & landscaping:			
Soft landscaping area (5.3.3)	6//		
44% (424.95m ²) (min)	46.1% (481.4m ²) YI		
Tree replenishment (s.5.3.6)			
5 Trees Required	Remain Unchanged	YES	
Useable open space (s.5.3.8)			
Min depth 5m and min area 50m ²	Depth >5 m Area >100 m ² YES		
5.5 Access & parking:			
No. of car parking spaces (s.5.5.1)			
2 spaces behind building line	2 spaces forward of building line NO		
Size of car parking space (s.5.5.2)			
5.4m x 5.4m	6m x 6m YES		
Driveway width (s.5.5.6) 3.5m	3.5m YES		

Front and side building setback and car parking forward of the building line

The proposed carport is 6 metres wide, extends across 55% of the existing dwelling's front façade and is located only 5.75 metres from the front boundary which reinforces this structure's dominance within the streetscape. Given its location from the front and side boundaries, there is insufficient area to screen this structure. As such, the carport will have unsatisfactory streetscape impacts.

The predominant streetscape character surrounding the subject site is one that exhibits generous front setbacks to dwellings with substantial landscaping elements within the front setbacks. Clause 5.1.3 of DCP 38 requires that development be appropriately located to maintain the streetscape character and discourages the provision of garages, carports or other structures for the parking of cars on the front boundary or between the boundary and the primary façade of the front of the building. In this location, DCP 38 specifies a minimum setback of 12 metres and an average setback of 14 metres. The proposed setback of 5.75 metres to Warrimoo Avenue is a significant departure which cannot be justified as there is opportunity for a carport to be constructed on the site that complies with DCP 38.

The repositioning of the proposed carport to the northern side of the property adjacent the existing timber deck would achieve compliance with DCP 38. The applicant has rejected this suggested alternative.

Front fence

Clause 5.1.5 of DCP 38 states that front fences are a critical aspect of determining the appearance of a street and are not encouraged in areas where they do not form part of the overall streetscape. Front fences are not characteristic of the overall streetscape of Warrimoo Avenue. Furthermore, the subject site is located within an area characterised by dwellings constructed between the periods 1945 to 1968. The Visual Character Study distinguishes lots within 1945-1968 period by an absence of front fences except in noisy or busy streets and stated that front fences should be discouraged. The proposed front fence is inconsistent with the existing streetscape and detracts from the visual character of the locality. Therefore, proposed front fence is considered to be unsatisfactory.

Development Control Plan 40 – Construction and Demolition Waste Management

Matters for assessment under DCP 40 have been taken into account in the assessment of this application against DCP 38.

Development Control Plan No. 43 – Car Parking

Matters for assessment under DCP 43 have been taken into account in the assessment of this application against DCP 38.

Development Control Plan 47 – Water Management

Matters for assessment under DCP 47 have been taken into account in the assessment of this application against DCP 38.

THE LIKELY IMPACTS OF THE PROPOSAL

The likely impacts of the proposed carport have been considered elsewhere in this report and the streetscape impacts of the proposal are deemed unsatisfactory

THE SUITABILITY OF THE SITE

The site is currently used as a dwelling house and is suitable for residential development.

CONCLUSION

Having regard to the provisions of S.79C of the Environmental Planning and Assessment Act 1979, the proposed development is unsatisfactory and should be refused given its likely adverse impact upon the streetscape.

RECOMMENDATION

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979

THAT Council, as the consent authority, refuse development consent to Development Application No. 984/05 for a detached double carport and front fence on land at 27 Warrimoo Avenue, St Ives,

as shown on plans referenced Drawing No. 1 of 4, 2 of 4, 3 of 4 and 4 of 4, dated July 2005, drawn by North Shore Plan Service for the following reasons:

1. The proposed double carport forward of the existing dwelling house and the front fence result in an adverse streetscape impact.

Particulars

- i) The proposal will result in an intrusive structure positioned too close to the street front that will be unsympathetic to the natural and built environment in this location.
- ii) The proposed carport, being located 5.75m from the front boundary, fails to comply with the minimum front setback requirement of 12m as prescribed by clause 5.1.3 of Development Control Plan 38.
- iii) The proposed carport, being located 1m from the southern side boundary, fails to comply with the setback requirement of 1.8 metres as prescribed by Clause 5.1.3 of Development Control Plan No.38. The non-compliance prevents adequate screen landscaping being provided along the side boundary.
- iv) The proposed carport would reduce the setback from the street alignment which contradicts the design requirements set out in clause 5.5.3 and 5.5.4 of DCP38.
- v) The proposal fails to comply with clause 5.5.4 of DCP in that it provides car parking forward of the building line.
- vi) The proposed front fence fails to comply with clause 5.1.5 of DCP in that it is inconsistent with the streetscape character and detracts from the visual character of the locality.

Gilead Chen S Cox

Development Assessment Officer Team Leader

Development Assessment - Central

M Prendergast M Miocic
Manager Director

Development Assessment Services Development & Regulation

Attachments: Location sketch - 585213

Site analysis - 585215

Elevations & sections - 585220

Sediment control & stormwater - 585223

LOCATION SKETCH

27 Warrimoo Avenue, ST IVES

DEVELOPMENT APPLICATION No 984/05





Scale: 1:1500

20-02-2006







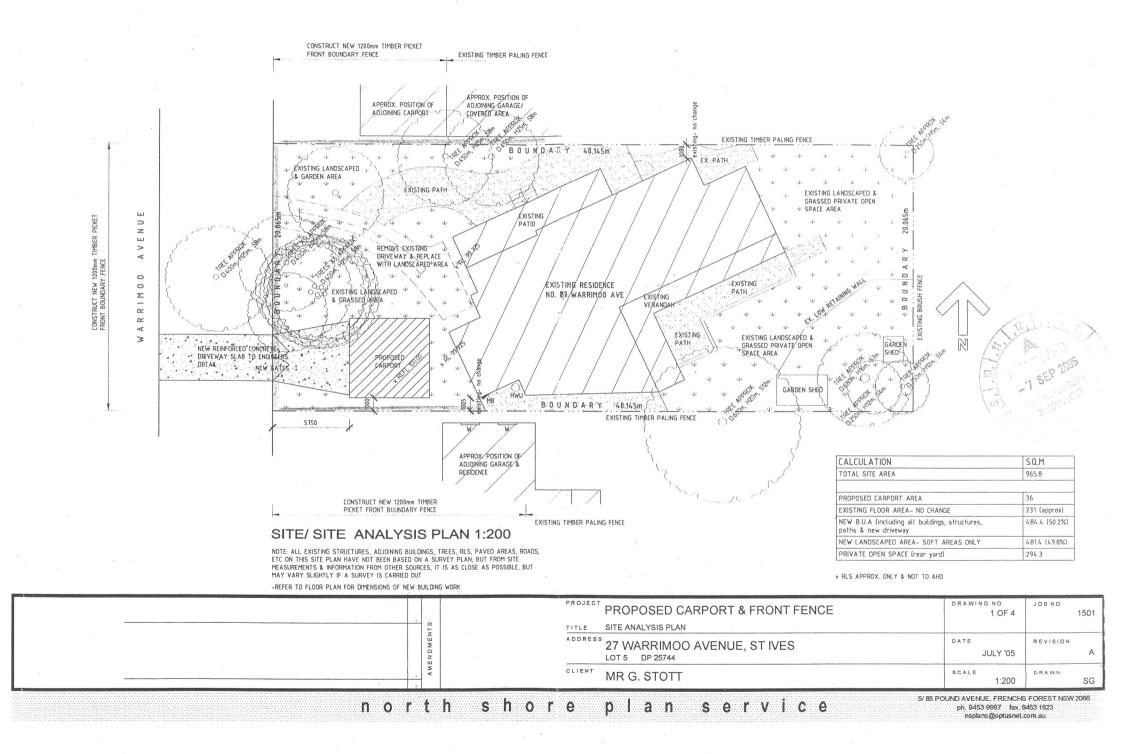


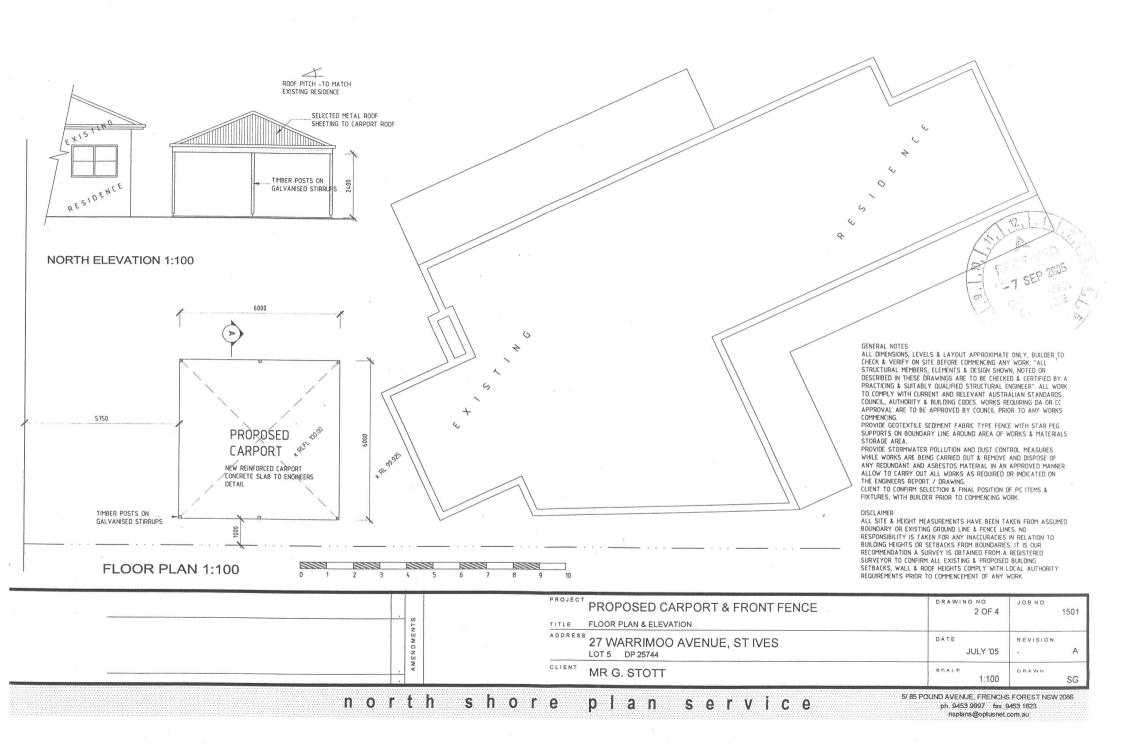


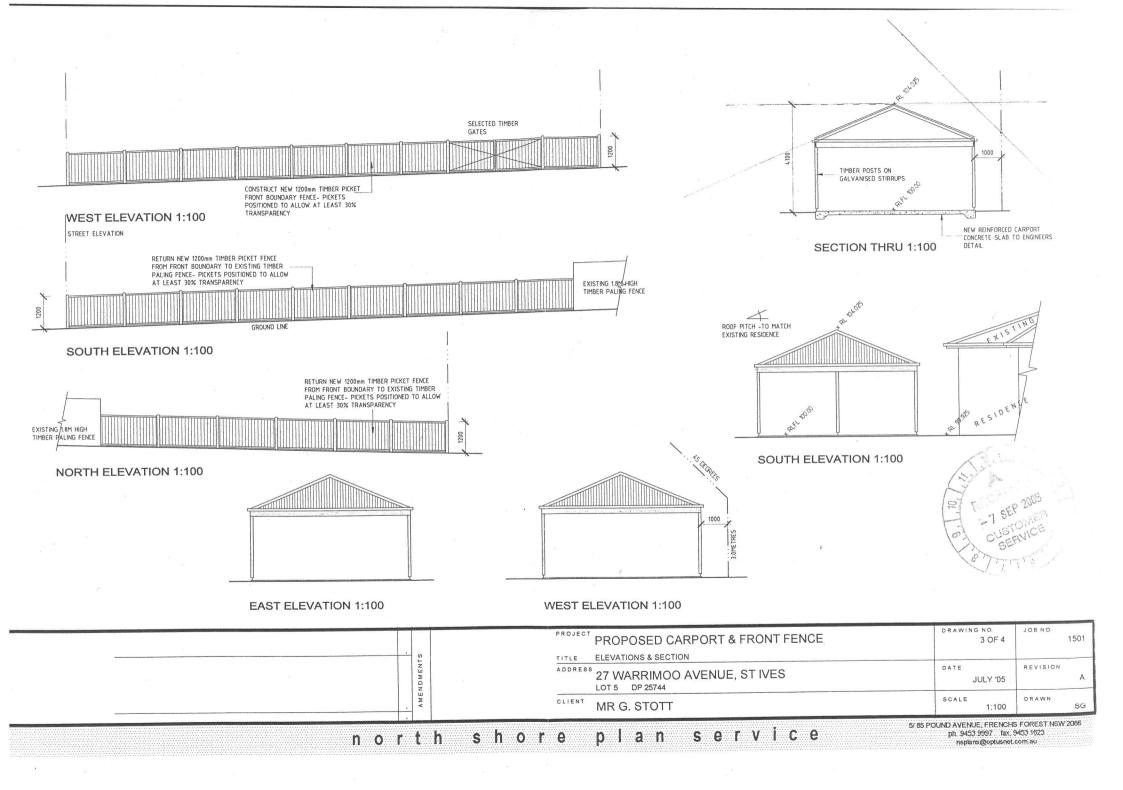
CIRCULATED AREA

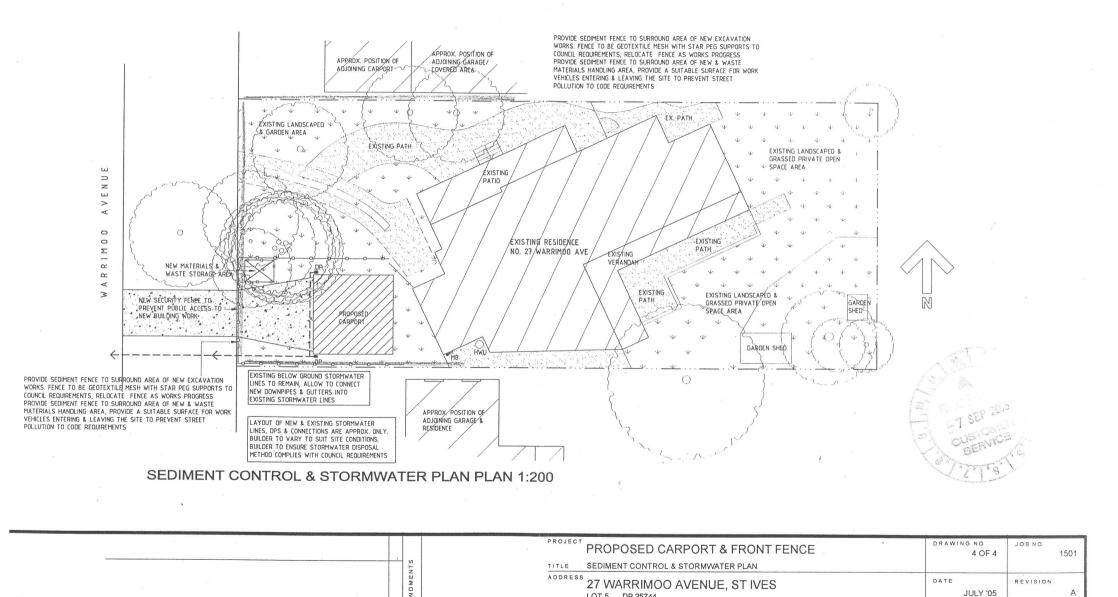
SUBMISSION











north shore plan service

LOT 5 DP 25744

MR G. STOTT

1:200 5/85 POUND AVENUE, FRENCHS FOREST NSW 2086 ph. 9453 9997 fax. 9453 1623 nsplans@optusnet.com.au

JULY '05

SCALE

REVIEW OF COUNCIL'S INVESTMENT POLICY

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To review Council's Investment Policy to ensure

that it complies with The Local Government Act (1993) and regulations and maximises returns on

Council's funds.

BACKGROUND: Changes to legislation governing investments

necessitate that Council periodically review and

update its Investment Policy.

Council's Investment Policy was last reviewed

in October 2004.

COMMENTS: Council has sought the advice of Grove

Research & Advisory Pty Ltd in reviewing the

Investment Policy.

RECOMMENDATION: That Council adopt the revised Investment

Policy attached to this report.

PURPOSE OF REPORT

To review Council's Investment Policy to ensure that it complies with The Local Government Act (1993) and regulations and maximises returns on Council's funds.

BACKGROUND

- ➤ Changes to legislation and Ministerial Orders governing investments necessitate that Council periodically update its Investment Policy.
- ➤ Council's Investment Policy was last reviewed in October 2004.
- Council's current Investment Policy authorises the investment of surplus funds in a combination of Managed funds, Bonds, Debentures, Securities Deposits and loan offset arrangements.
- ➤ Council currently has \$32.8 million invested. Investment earnings are a significant source of revenue for Council and it is important that Council maximises these earnings in the future.

COMMENTS

Pursuant to section 625 (2) of the Local Government Act 1993, the Minister has issued a new order dated 29 July 2005. The Order is **attached**.

Proposed Changes to Investment Policy

As stated above, due to legislative changes, it is necessary for Council to periodically review its Investment Policy.

The Minister's Order of July 2005 contains three changes to the investment powers of Councils compared with the previous order dated 24 November 2000.

The changes are:

- (k) has been amended to include Fitch Ratings as a prescribed rating agency;
- (l) has been amended to include Fitch Ratings as a prescribed rating agency;
- (p) Shares in the Inland Marketing Corporation Limited has been removed in total.

CONSULTATION

Council's Investment Policy has been reviewed in consultation with Grove Research & Advisory Pty Ltd and Council's auditors, Spencer Steer Chartered Accountants.

FINANCIAL CONSIDERATIONS

Investment income is a significant revenue source for Council and it is important that returns are maximised and that Council's investments are made in accordance with the relevant legislation.

Council's interest on investments budget in 2005/2006 is \$1,050,000 and is anticipated to be \$2.7 million in 2006/2007.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Not applicable.

SUMMARY

- ➤ Changes to legislation governing investments necessitate that Council must periodically update its Investment Policy.
- ➤ The proposed changes are of a minor nature and address three issues, namely:
 - i) Modify item (k) of the Minister's order to include Fitch Ratings as a prescribed rating agency;
 - ii) Modify item (1) of the Minister's order to include Fitch Ratings as a prescribed rating agency;
 - iii) Delete item (p) of the Minister's order.
- Council's Investment Policy was last reviewed in October 2004.

RECOMMENDATION

That Council adopt the revised Investment Policy.

John Clark

Acting Director Finance & Business

Attachments: Ku-ring-gai Council Draft Investment Policy - 594058

Local Government Act 1993 - Investment Order - 596370

Ku-ring-gai Council Draft Investment Policy

1. Policy

1.1 Objectives

The objectives of this investment policy are:

- To undertake investment of surplus funds after assessing credit risk and diversification limits.
- To maximise earnings from authorised investments and ensure the security of Council Funds.

1.2 Authority for Investment

All Council investments are to be made in accordance with:

- Local Government Act 1993 Section 625;
- Local Government Act 1993 Order (of the Minister) effective 29 July 2005;
- The Trustee Amendment (Discretionary Investments) Act 1997 Sections 14A(2), 14C(1) &(2);
- Local Government (Financial Management) Regulation 1999 Clause 16;
- The code of Accounting Practice and Financial Reporting.

1.3 Delegation of Authority

The General Manager, Director Finance & Business, Finance Manager, Senior Rates Officer and Management Accountant have authority to invest surplus funds.

Officers are to exercise the care, diligence and skill that a prudent person would exercise in investing Council funds.

1.4 Authorised Investments

All investments must be denominated in Australian Dollars. Authorised Investments would include but not necessarily be limited to:

- Local/State/Commonwealth Government Bonds, Debentures or Securities;
- Managed funds with a minimum long term credit rating of 'A' (S&P or Fitch Ratings) or better, or Moody Investor Services equivalent;
- Deposits in prescribed securities that either have a minimum long term credit rating of 'A' or short term rating of 'A1' from Standard & Poors or 'A' from Fitch rating or Moody Investor Services equivalent;
- Interest bearing deposits/securities issued by a licensed bank, building society or credit union;
- Loan Offset products with a licensed bank;
- Investments with NSW Treasury Corp/Hourglass Investment Facility; and
- Deposits with the Local Government Investment Services ("LGIS").

1.5 Credit Ratings

Ratings agencies assign credit ratings to issuers of securities according to their ability to pay interest and principal on outstanding debt. Standard and Poors (Australia) ratings are used to assist with reducing the risk of capital loss.

The highest Standard and Poors (Australia) rating is AAA and the lowest is D (for Default).

The Minister considers that any security issued by a "body" or "company" rated AAA, AA+, AA, AA-, A+ and A are authorised and may form part of Council's portfolio. Therefore the lowest credit rating Council should purchase is A.

The Minister separately recognises the safety and security of a bank, building society or credit union and therefore allows investments in a licensed bank, building society or credit union via interest bearing deposits, bills of exchange, debentures or securities, regardless of rating.

If any of Council's investments are downgraded such that they no longer fall within investment policy guidelines, they will be divested as soon as is practicable.

1.6 General Policy Guidelines

(A) Approved Investments with Funds Managers would include

Fund Managers Credit Ratings (Via S&P, Fitch or Moody's)	Maximum Percentage With One Financial Institution	Minimum Recommended Investment Horizon	Maximum Weighting as % of Total Investment Portfolio
AAA	45%	0-3 months	0-100%
AA	45%	3 - 6 months	0-90%
A	40%	6-12 months	0-80%

The asset structure and features of the fund are to be consistent with the time horizon, risk parameters, and liquidity requirements of Council.

(B) Council's Direct Investments

Short Term Rating (Standard & Poors)	Long Term Rating (Standard & Poors)	Maximum Percentage With One Financial Institution	Maximum Term to Maturity ⁽¹⁾	Maximum Weighting as % of Total Investment Portfolio
A1+	AAA to AA-	15%	7 years	100%
A1	A+ to A	10%	5 years	60%
A2	BBB+ to BBB (2)	5%	3 years	15%

⁽¹⁾ Only a maximum of 40% of total annual average funds may be invested in securities with a maturity exceeding one year.

⁽²⁾ Investments in securities issued by institutions with a credit rating less than A2 short term or BBB+ long term must be issued by a licensed bank, building society or credit union.

(C) Accounting for Premiums and Discounts

From time to time financial assets may be acquired at a discount or premium to their face value. Any such discount or premium is to be taken into account in accordance with relevant Australian Accounting Standards, i.e. AASB 139 "Financial Instruments: Recognition and Measurement".

Examples of these securities include:

- **Government Bonds** debt securities issued by the government that pay interest twice a year at a fixed rate for the life of the bond.
- **Floating Rate Securities** longer dated debt securities that pay interest at a variable rate adjusted periodically in line with a benchmark rate.
- Collateralised Debt Obligations a bond with a fixed maturity date and a credit rating that may have either a fixed or variable rate.

(D) Safe Custody Arrangements

Where necessary, investments may be held in safe custody on Council's behalf, as long as the following criteria are met:

- Council must retain beneficial ownership of all investments.
- Adequate documentation is provided, verifying the existence of the investments.
- The Custodian conducts regular reconciliation of records with relevant registries and/or clearing systems.
- The Institution or Custodian recording and holding the assets will be:
 - Austraclear; or
 - An institution with an investment grade Standard and Poors, Moody's or Fitch rating or;
 - An institution with adequate insurance, including professional indemnity insurance and other insurances considered prudent and appropriate to cover its liabilities under any agreement.

(E) Performance Benchmarks

Investment	Performance Benchmark	
Cash	11am Cash Rate	
Cash Enhanced / Direct Investments	UBSWA Bank Bill Index	
Fixed Interest Funds/Securities	UBSWA Composite Bond Index	

(F) Reporting

- (i) A monthly report should be provided to Council, detailing the investment portfolio in terms of performance and counterparty percentage exposure of total portfolio.
 - All direct securities held within the portfolio are to be marked to market in this report.
 - The report should also detail investment income earned versus budget year to date.
- (ii) For audit purposes, certificates must be obtained from the banks/fund managers/custodian confirming the amounts of investment held on Council's behalf at 30 June each year.

(G) Variation to Policy

The General Manager or his delegated representative be authorised to approve variations to this policy if the investment is to Council's advantage and/or due to revised legislation.

All changes to this policy are to be reported to Council within 28 days.

LOCAL GOVERNMENT ACT 1993 – INVESTMENT ORDER

(Relating to investments by councils)

I, David Campbell, MP, Acting Minister for Local Government, in pursuance of section 625 (2) of the Local Government Act 1993 and with the approval of the Treasurer, do, by this my Order, notify for the purposes of section 625 of that Act that a council may only invest money (on the basis that all investments must be denominated in Australian Dollars) in the following forms of investment:

- (a) any public funds or Government stock or Government securities of the Commonwealth or any State of the Commonwealth;
- (b) any debentures or securities guaranteed by the Government of New South Wales;
- (c) any debentures or securities, issued by a public or local authority, or a statutory body representing the Crown, constituted by or under any law of the Commonwealth, of any State of the Commonwealth or of the Northern Territory or of the Australian Capital Territory and guaranteed by the Commonwealth, any State of the Commonwealth or a Territory;
- (d) any debentures or securities issued by a Territory and guaranteed by the Commonwealth;
- (e) any debentures or securities issued by a council (within the meaning of the Local Government Act 1993);
- (f) mortgage of land in any State or Territory of the Commonwealth;
- (g) purchase of land (including any lot within the meaning of the Strata Schemes Management Act 1996) in any State or Territory of the Commonwealth;
- (h) interest bearing deposits in a bank authorised to carry on the business of banking under any law of the Commonwealth or of a State or Territory of the Commonwealth;
- (i) interest bearing deposits with a building society or credit union.
- any bill of exchange which has a maturity date of not more than 200 days; and if purchased for value confers on the holder in due course a right of recourse against a bank, building society or credit union as the acceptor or endorser of the bill for an amount equal to the face value of the bill;
- (k) any securities which are issued by a body or company (or controlled parent entity either immediate or ultimate) with a Moody's Investors Service, Inc. credit rating of "Aaa", "Aa1", "Aa2", "Aa3", "A1" or "A2" or a Standard & Poor's Investors Service, Inc. credit rating of "AAA", "AA+", "AA+", "AA-", "A+", or "A" or a Fitch Rating credit rating of "AAA", "AA+", "AA-", "AA-", "A+" or "A";
- (l) any securities which are given a Moody's Investors Service Inc credit rating of "Aaa", "Aa1", "Aa2", "Aa3", "A1"; "A2" or "Prime-1" or a Standard and Poor's Investors Service, Inc credit rating of "AAA", "AA+", "AA-", "AA-", "A+"; "A"; "A1+" or "A1" or a Fitch Rating credit rating of "AAA", "AA+", "AA-", "AA-", "A+" or "A";
- (m) any debentures or securities issued by a bank, building society or credit union;
- (n) a deposit with the Local Government Investment Service Pty Ltd;

(o) a deposit with the New South Wales Treasury Corporation or investments in an Hour-Glass investment facility of the New South Wales Treasury Corporation.

Dated this day of JULY 2005

Hon DAVID CAMPBELL MP

Acting Minister for Local Government

S03309 28 March 2006

NOTICE OF MOTION

STATIONMASTER'S COTTAGE IN ROSEVILLE

Notice of Motion from Councillor M Shelley dated 27 March 2006.

I move that:

"An amendment to the scheduled use of the Stationmaster's Cottage in Roseville located on Pacific Highway Roseville be drafted by staff and a report be brought back to Council to allow for greater commercial use of the site under the KPSO than garden store and that such a report be brought back to Council within one month."

RECOMMENDATION

That the above Notice of Motion as printed be adopted.

Cr Maureen Shelley Councillor for Roseville Ward