

IN ATTENDANCE

Steve Kourepis Director, Town Planning
Shahram Mehdizadgan Senior Executive Town Planner
Rean Lourens Consultant Development Assessment Officer

ALSO PRESENT

Sarah Jenkins Town Planning Coordinator

DEVELOPMENT APPLICATIONS**2.1 2 MARGARET STREET, WOOLWICH****PROCEEDINGS IN BRIEF**

Daniel Sutton (Precision Planning)
Darren and Amanda (owners)
Ian Black (2A Margaret St)
Beverley Bennett (2A Margaret St)
Joe Paterson (builder)

Beverley Bennett addressed the DCU and outlined her concerns with the changes to solar panels (in the original DA) and the lack of access to the landscaping plan. Ian Black addressed the DCU and reiterated concerns with the solar panels, privacy, the replacement of the Lilly Pilly and landscaping.

RESOLVED on the MOTION of Steve Kourepis, seconded Shahram Mehdizadgan

That pursuant to Section 4.55(1A) of the Environmental Planning and Assessment Act 1979, that Development Application DA2021/1244-1 for the proposed modifications to the approved development at 2 Margaret Street, Woolwich, be approved subject to the following conditions:

Conditions to be amended:**Condition 2:**

The development must be carried out in accordance with the following drawings and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent:

Drawing Number	Drawn By	Plan Dated
Cover Page, Proj #256, Dwg 1B	Precision Planning	13/12/2023
Site, Site Analysis and Location Plan, Proj #256, Dwg 2B	Precision Planning	13/12/2023
Existing Floor Plan, Proj #256, Dwg 3B	Precision Planning	13/12/2023

Existing Attic Floor Plan and Roof Detail, Proj #256, Dwg 4B	Precision Planning	13/12/2023
Proposed Ground Floor Plan, Proj #256, Dwg 5B	Precision Planning	13/12/2023
Proposed Attic Floor Plan and roof Detail, Proj #256, Dwg 6B	Precision Planning	13/12/2023
North East and South West Elevations, Proj #256, Dwg 7B	Precision Planning	13/12/2023
North West, South East Elevations and Concept Perspective, Proj #256, Dwg 8B	Precision Planning	13/12/2023
Section 1-1, 2-2, Proj #256, Dwg 9B	Precision Planning	13/12/2023
Section 3-3, 4-4, Proj #256, Dwg 10B	Precision Planning	13/12/2023
Section 5-5, 6-6, 7-7, 8-8, Proj #256, Dwg 11B	Precision Planning	13/12/2023
Erosion, Sedimentation Control and Waste Management Plan, Proj #256, Dwg 13B	Precision Planning	13/12/2023
Tree Protection Plan, Proj #256, Dwg 14B	Precision Planning	13/12/2023
Detailed Glazing Schedule, Proj #256, Dwg 15B	Precision Planning	13/12/2023
Arborist Statement	Hugh The Arborist	28/09/2023

Condition 11:

Under Clause 97A(3) of the Environmental Planning and Assessment Regulation 2000, it is a condition of this development consent that all the commitments listed in BASIX Certificate No A427666_04 for the development are fulfilled. Plans and specifications complying with this condition must be submitted to the Principal Certifying Authority for approval prior to the issue of any Construction Certificate. The Principal Certifying Authority must ensure that the building plans and specifications submitted and referenced fully satisfy the requirement of this condition.

Condition 27:

A Project Arborist (AQF Level 5) shall be engaged prior to commencement of work to provide arboricultural supervision on-site and monitor compliance with these Conditions of Consent.

Tree Protection

a)

Tree No/ Location	Species	TPZ (m)
Tree 6	<i>Robinia pseudoacacia</i>	4.2m
Tree 7	<i>Jacaranda mimosifolia</i>	7.4m

The trees listed above in (a) shall be retained and protected in accordance with the Arboricultural Impact Assessment (prepared by Hugh The Arborist, Revision 2, dated 4 June 2022)

b) The following works are excluded from within the TPZ, unless otherwise stated.

- * Grade alterations
- * Soil cultivation, disturbance or compaction
- * Stockpiling, storage, disposal or mixing of materials
- * Refuelling of machinery or vehicles
- * Washing of machinery or vehicles
- * Pedestrian access or vehicular access
- * Siting of offices, sheds or temporary services
- * Any action that has the potential to impact the tree's health and structural condition

New conditions:

New Condition 1:

All trees detailed in the table below are approved for removal.

Tree Number	Species	Location
Tree 1	<i>Acmena smithii</i> (Lilly Pilly)	Eastern side setback.

The tree removal works must be carried out by a qualified Arborist (min AQF Level 3) and in accordance with SafeWork's Code of Practice - Amenity Tree Industry. The tree removal works must be undertaken without damaging adjacent trees.

In the event that wildlife is found during the course of tree removal works, work must stop until a trained wildlife handler attends the site or the animal relocates itself, unless in the event of an emergency.

All other trees covered by Council's tree management controls must be retained.

New Condition 2:

The following new trees must be installed prior to the issuing of the Occupation Certificate:

No of Trees	Species	Location	Minimum container size at purchase
1	<i>Acmena smithii</i> (Lilly Pilly)	Within the eastern setback of the subject site.	75L

The following measures must be adhered to:

- New trees must be grown in accordance with the AS2303 Australian Standard Tree stock for landscape use 2018 and meet the requirements of this standard at the time of planting.
- New trees must be planted in natural ground with adequate soil volume. Planter boxes will not be accepted for tree planting.
- New trees must be appropriately located away from existing buildings and structures.
- New landscape plantings must be maintained in a healthy condition for an establishment period of two (2) years. Maintenance includes watering, weeding, pest and disease control and any other operations required to maintain the plantings in a healthy condition.
- Tree maintenance must be implemented and complied with immediately following the tree planting, and until the trees reach a minimum height of 5m.
- If the newly planted trees fail to establish or do not reach a height of 5m, they must be replaced with trees of comparable qualities and container size of 75 litres.
- The conditions of this consent will apply to all replacement trees, including the maintenance and reporting which re-starts at each replanting event.

2.2 10.30AM 1 EUTHELLA AVENUE, HUNTERS HILL

PROCEEDINGS IN BRIEF

Stephen Kerr (Gyde)
Marcus and Simone Bristow
Todd Neal (on behalf of 2 Euthella Ave)
Teresa Wang (owner of 2 Euthella)

The initial application was considered by the DCU on 19 December 2023. A site visit was conducted after height poles were erected. The DCU members viewed the impacts of the proposal from the adjoining neighbours property. Rean Lourens, the assessment officer, also viewed the height poles.

The height poles erected on site are only to show the indicative proposed height of the new dwelling during the assessment process of the applicant only, standard practice, it's only a guide to assist not a binding factor to the application.

Todd Neal addressed the DCU on behalf of 2 Euthella and expressed remaining concerns with view impacts. Also expressed concern with the location of the height poles. In addition, Todd outlined his concern that the north elevation RL of 14.92 is not reflected by the height poles.

Stephen Kerr addressed the DCU in support of the application.

Teresa Wang addressed the DCU regarding the accuracy of the height poles and RLs. The DCU advised that clarification of the height poles is to be provided by the applicant via a registered surveyor.

On 10 April 2024, a survey of the height poles was provided by the applicant (see Appendix A) with the following correspondence from the applicant:

As requested, please find attached a survey plan confirming the height of the 2 poles erected to facilitate an assessment of the likely view impacts of the proposal.

The proposed height of the parapet they were intended to represent is RL 14.770.

You will see that the nearest pole to the street was surveyed at RL 14.63. The nearest pole to the water is RL 14.73.

The difference between the pole heights and the parapet height is 0.14m and 0.04m respectively. In my opinion the difference is not material and would not prevent a proper appreciation of the likely view impacts.

The report to DCU considered that the NSW Land and Environment Court established specific planning principle in respect to the assessment of view impacts resulting from new developments. The specific provisions are provided in *Tenacity Consulting v Warringah Council* (2004) NSWLEC 140.

On 12 April 2024, the DCU concluded that, as stated within the report the proposal will not have devastating impacts on view loss, when considering the tenacity principles and Council's view sharing principles with acceptable and minimal impacts. The proposal will, in parts, impede some water views, however will not impact or impede any iconic views or provide any devastating impacts.

As such, the DCU accepts the recommendation in the report to approve the application at 1 Euthella Avenue, Hunters Hill.

RESOLVED on the MOTION of Steve Kourepis, seconded Shahram Mehdizadgan

Pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979, Development Application 2022/0208 for the demolition, retention of some building elements, and construction of a dwelling house and associated landscaping and site works at 1 Euthella Avenue, Hunters Hill be approved subject to the following conditions:

**GEN0 GEN1
GEN3**

Drawing Number	Drawn By	Plan Dated
DA000, Legend, DWG list, Site Map, Proj. 2017 Euthella 1, Rev P1	Smart Design Studio	10/10/2022
DA001, Site & Roof Plan, Proj. 2017 Euthella 1, Rev P3	Smart Design Studio	10/10/2022
DA100, GF Plan, Site Map, Proj. 2017 Euthella 1, Rev P3	Smart Design Studio	10/10/2022
DA101, LG Plan, Proj. 2017 Euthella 1, Rev P5	Smart Design Studio	17/11/2023
DA102, Sub LG Plan, Proj. 2017 Euthella 1, Rev P4	Smart Design Studio	01/11/2023
DA103, LG Plan - Pergola, Proj. 2017 Euthella 1, Rev P1	Smart Design Studio	20/03/2023
DA300, East & West Elevations, Proj. 2017 Euthella 1, Rev P4	Smart Design Studio	20/03/2023
DA301, North & South Elevations, Proj. 2017 Euthella 1, Rev P5	Smart Design Studio	17/11/2023
DA400, Section A & B, Proj. 2017 Euthella 1, Rev P6	Smart Design Studio	17/11/2023
DA910, Waste Management Plan, Proj. 2017 Euthella 1, Rev P1	Smart Design Studio	10/10/2022

GEN5 GEN6 GEN7 GEN15 GEN20 GEN21

PCC0 PCC1(\$2,983) PCC3(\$1,650) PCC5(\$11,930) PCC11 PCC12(1336841\$) PCC15 PCC16 PCC17 PCC18 PCC19 PCC20 PCC21 PCC31 PCC32 PCC40 PCC41 PCC42 PCC43 PCC46 PCC48 PCC57 PCC65 PCC73 PCC75, PCC76

PCC(SP)

To ensure the protection of the Avicennia marina (Grey Mangrove) located to the rear of the site details of a swimming pool overflow drainage system must be shown on the Landscape Plan Landscape Plans (prepared by Tarn Design Ecology, dwg no XX.EA.101, 102, 203 dated 29.09.2022). The swimming pool overflow system must ensure the protection of the Grey Mangrove from chlorinated water being released from the pool.

The amended Landscaped Plan Landscape Plans (prepared by Tarn Design Ecology, dwg no XX.EA.101, 102, 203 dated 29.09.2022) complying with this condition must be submitted to the Principal Certifying Authority for approval prior to the issue of any Construction Certificate. The Principal Certifying Authority must ensure that the amended landscape plan and other plans and specifications submitted fully satisfy the requirements of this condition.

PCW0 PCW1 PCW2 PCW3 PCW4 PCW5 PCW6 PCW14

PCW Tree Protection

a)

Tree No/ Location	Species	TPZ (m)
Tree 1	<i>Ficus rubiginosa</i> Port Jackson Fig	10.1
Tree 3	<i>Avicennia marina</i> Grey Mangrove	3

The trees listed above in (a) shall be retained and protected in accordance with the Arboricultural Impact Assessment Report (prepared by McArdle Arboricultural Consultancy, 21.10.2022)

b) The following works are excluded from within the TPZ, unless otherwise stated.

- * Grade alterations
- * Soil cultivation, disturbance or compaction
- * Stockpiling, storage, disposal or mixing of materials
- * Refuelling of machinery or vehicles
- * Washing of machinery or vehicles
- * Pedestrian access or vehicular access
- * Siting of offices, sheds or temporary services
- * Any action that has the potential to impact the tree's health and structural condition

CSIO CSI1 CSI3

DEM0 DEM1 DEM3 DEM4 DEM5 DEM6 DEM7 DEM8 DEM9 DEM11 DEM12 DEM13

**CON0 CON1 CON2 CON4, CON5 CON8 CON9 CON11 CON14 CON17 CON27 CON28
CON41 CON42 CON43 CON44 CON45**

CON50

Tree No	Location	Comments
Tree 2 <i>Camellia</i> spp. Camellia	Rear of site	
Tree 4 <i>Syzygium</i> spp. Lilly Pilly	Southern side boundary	
Tree 5 <i>Syzygium</i> spp. Lilly Pilly	Southern side boundary	

CON51 CON52 CON53 CON54 CON55 CON56 CON58 CON59 CON60 CON67

POC0 POC1 POC2 POC4 POC8

POC7

- ☐ Landscape Plans
(prepared by Tarn Design Ecology, dwg no XX.EA.101, 102, 203 dated 29.09.2022)

POC10

- ☐ Arboricultural Impact Assessment Report
(prepared by McArdle Arboricultural Consultancy, 21.10.2022)

POC14 POC18 POC21 POC23 POC24 POC25 POC28 POC60 POC61

POC70

Stormwater	In-Line Hydraulic Services	Stormwater Drainage Concept Plan, revision P2, dated 14/10/22	22232 HDA01, HDA02, HDA03, HDA04, HDA05, HDA06, HDA07
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POC73 POC75

APPENDIX A

