

COMMENCEMENT

The meeting opened at 11.45am.

IN ATTENDANCE

Charles Hill	Chairperson
Graham Brown	Expert Member
Brian Kirk	Expert Member
Diana Kirk	Community Representative

ALSO PRESENT

Nick Tobin	Acting General Manager
Steve Kourepis	Director, Town Planning
Shahram Mehdizadgan	Senior Executive Town Planner
Patrick Ogisi	Town Planner
Kieran Metcalfe	Strategic Planner
Elina Braunstein	Gyde Consulting
Helen Deegan	Gyde Consulting
Sarah Valentine	Town Planning Coordinator

APOLOGIES

No apologies were received.

DECLARATIONS OF INTEREST

The Chair called for Declarations of Interest without response.

CONFIRMATION OF MINUTES

001/25 RESOLVED on the MOTION of Mr Hill

That the Minutes of Local Planning Panel of previous Meeting held on 29/08/2024 be adopted.

RECORD OF VOTING	
For	Against
Mr Charles Hill	
Mr Graham Brown	
Mr Brian Kirk	
Ms Diana Kirk	

GENERAL BUSINESS

2.1 GLADESVILLE MASTERPLAN PLANNING PROPOSAL

PROCEEDINGS IN BRIEF

Kieran Metcalfe, assisted by Elina Braunstein and Helen Deegan, presented an overview of the Gladesville Masterplan Planning Proposal.

002/25 RESOLUTION

The LPP resolved that:

1. The LPP advises Council that it supports the attached Planning Proposal investigations, which will support the submission of a Planning Proposal to the Department of Planning, Housing and Infrastructure seeking a Gateway Determination in accordance with section 3.34 of the *Environmental Planning and Assessment Act 1979*, noting the following comments:
 - i. The proposed Clause 6.11 (5)(a) should be a separate sub-clause, if it is Council's intention that the site must be developed as a whole, and consideration must be given to strengthen the wording of this sub-clause;
 - ii. Consideration of the inclusion of Blocks 1, 2 and 3 should continue to ensure the viability of the Gladesville Shopping Centre.

RECORD OF VOTING	
For	Against
Mr Charles Hill	
Mr Graham Brown	
Mr Brian Kirk	
Ms Diana Kirk	

DEVELOPMENT APPLICATIONS

3.1 11 MOOREFIELD AVENUE, HUNTERS HILL

PROCEEDINGS IN BRIEF

Ms Jacqueline Seraglio addressed the meeting outlining her concerns with the application particularly with the inaccurate drawings, 3D modelling and view impacts.

Mr Barry Buffier addressed the meeting and outlined his concerns with the design, excessive excavation and glazing, and impact on views from the water. Mr Buffier also outlined the huge privacy impacts on 3A Moorefield Avenue.

003/25 RESOLUTION

That pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979, that Development Application No.2024/0237 for demolition of existing dwelling and

associated structures, construction of new three level dwelling house, swimming pool and detached green roofed garage at No.11 Moorefield Avenue Hunters Hill, be refused for the following reasons:

1. The proposal does not satisfy the provisions of Section 4.15 of the Environmental Planning & Assessment Act 1979, particularly in relation to clauses (1)(a)(i), (iii), (b)(c)(d) and (e) for general matters of consideration of development applications.
2. The proposal fails to comply with the two storey objectives requirements of Clause 4.3, 1(b) of Hunters Hill Local Environmental Plan 2012.
3. Excessive excavation of the site will not be supported under Clause 6.2 Earthworks of the Hunters Hill Local Environmental Plan 2012 and Part 3.3.4 (f) Landscaped area within the Hunters Hill Consolidated Development Control Plan 2013.
4. The proposed landscaped area of 57% or 759.35sqm fails to comply with the required landscaped area of 60% under Clause 6.9 of Hunters Hill Local Environmental Plan 2012. It should be noted that a Clause 4.6 variation has not been submitted in regard to this non-compliance.
5. The proposal fails to comply with the objectives of Clause 6.7 Foreshore Scenic Protection Area under Hunters Hill Local Environmental Plan 2012. It is considered that the bulk/scale, three storey appearance, excessive amount of glazing, and uncharacteristic design of the proposed structures may have an adverse impact on the character of the conservation area when viewed from the waterway.
6. Extensive glazing and reflectivity towards the waterway fails to comply with Part 2.2.4 – *Desired Character* regarding design parameters of Consolidated Development Control Plan 2013.
7. The proposed colour of the exterior ‘Dulux Natural White’ is considered to be too light, and fails to comply with Part 2.2.4 – *Desired Character* regarding design parameters of Consolidated Development Control Plan 2013. It should be noted that the Municipality is the oldest Garden Suburb.
8. The proposal fails to comply with Part 3.3.2 Height (b) Consolidated Development Control Plan 2013, as proposal contains three (3) storeys and would have the appearance of three (3) storeys.
9. The proposal fails to comply at 9am and 3pm mid-winter with the general requirements and objectives stipulated under Part 3.5.2 – Solar Access of the Consolidated Development Control Plan 2013, being that new development must not eliminate more than one third of the existing sunlight to adjacent properties at ground level, measured at 9 am, 12 noon and 3 pm of the winter solstice. The proposal would not allow for reasonable access to sunlight to adjoining buildings and their recreational open space.

10. The proposal fails to comply with the objectives of Part 3.5.3 – Visual Privacy and Part 3.5.4 - Acoustic Privacy under Consolidated Development Control Plan 2013.
11. The proposal fails to comply with View Sharing - Part 3.5.5 of Consolidated Development Control Plan 2013, as it is hard to determine the potential level of view loss, which would eventuate from the proposal, as no view analysis has been submitted by the applicant, demonstrating the potential level of view loss to surrounding properties.
12. Councils' Heritage Advisor does not support the proposal in its current form, for the following reasons:

Recommendation: *The proposed new dwelling requires extensive amendment to comply with the Hunters Hill DCP controls with regard to the excavation proposed and the 3 storey scale of the building. Essentially the lower ground floor level needs to be removed from the proposal, along with the proposed noncompliant excavation of the site proposed.*

In its current form, the proposal should be refused as it does not comply with Objectives (1) (a) and (1) (b) of Clause 5.10 of the Hunters Hill LEP as it fails to conserve the environmental heritage of Hunters Hill and the heritage significance of the C1 Heritage Conservation Area for the following reasons:

- *The proposed basement excavation would adversely impact on the topography of the C1 The Peninsula Heritage Conservation Area; and*
- *The proposed 3-storey appearance of the proposed new dwelling on the waterfront is not compatible with the C1 The Peninsula Heritage Conservation area.*

13. Council's Engineer does not support the application in its current form.
14. Council's Landscape Advisor does not support the application in its current form.
15. The proposal does not meet the objectives of Hunters Hill Consolidated DCP 2013, has a detrimental impact on the existing and desired future character of Hunter's Hill.
16. The proposal would create an undesirable precedent undermining Council's planning objectives.
17. The proposal would not be in the public interest.

RECORD OF VOTING	
For	Against
Mr Charles Hill	
Mr Graham Brown	
Mr Brian Kirk	
Ms Diana Kirk	

3.2 22 LYNDBURST CRESCENT, HUNTERS HILL**PROCEEDINGS IN BRIEF**

Mr Robert Weir, architect, addressed the meeting and concurred with the Council's recommendation.

Mr Anthony Betros, town planner, addressed the meeting, concurring with the report. He also requested that the inclusion of Condition BOC20 relating to the creation of an easement over adjoining properties for stormwater disposal be reviewed and following further advice from Council staff, the Panel was advised that the deletion of this condition was appropriate.

004/25 RESOLUTION

That DA2024-0190 for the construction of a new three storey dwelling be approved subject to the following conditions:

Part A - General Conditions**GEN1**

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Drawing Number	Drawn By	Plan Dated
Site Plan, Dwg DA_01, Rev A Project MLH	Weir Phillips Architects	18/10/2024
Proposed First Floor Plan, Dwg DA_02, Rev A Project MLH	Weir Phillips Architects	18/10/2024
Proposed Ground Floor Plan, Dwg DA_03, Rev A Project MLH	Weir Phillips Architects	18/10/2024
Proposed Lower Ground Floor Plan, Dwg DA_04, Rev A Project MLH	Weir Phillips Architects	18/10/2024
Proposed Roof Plan, Dwg DA05, Rev A Project MLH	Weir Phillips Architects	18/10/2024
Proposed North & South Elevation, Dwg DA06, DA09 Rev A Project MLH	Weir Phillips Architects	18/10/2024
Proposed West Elevation, Dwg DA07, DA10 Rev A Project MLH	Weir Phillips Architects	18/10/2024
Proposed East Elevation, Dwg DA08, DA11 Rev A Project MLH	Weir Phillips Architects	18/10/2024
Proposed Section, Dwg DA12, Rev A Project MLH	Weir Phillips Architects	18/10/2024
External Finishes, Dwg DA13, Rev A Project MLH	Weir Phillips Architects	18/10/2024

Shadow Diagrams Dwg DA_14, Rev A Project MLH	Weir Phillips Architects	18/10/2024
Landscape Plan Dwg DA01-04 REV 03	Wyer & Co	31/03/2023

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

GEN2

Prior to the commencement of any works associated with this development consent, including demolition, landscaping and excavation, a construction certificate must be issued for the erection of a building.

GEN9

1. 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>Tristanopsis</i> Luscious (Water Gum) or <i>Ficus rubiginosa</i> (Port Jackson Fig) or <i>Banksia integrifolia</i> (Coast Banksia).	In place of the <i>Angophora costata</i> (Smooth Barked Apple)	100L
1	<i>Olea europaea</i> (European Olive)	Landscape Plan (prepared by Wyer & Co, dwg no DA01-04 REV 03, dated 31March 2023)	100L
1	<i>Plumeria acutifolia</i> (Frangipani)	Landscape Plan (prepared by Wyer & Co, dwg no DA01-04 REV 03, dated 31March 2023)	100L
5	<i>Howea forsteriana</i> (Kentia Palm)	Landscape Plan (prepared by Wyer & Co, dwg no DA01-04 REV 03, dated 31March 2023)	100L
1	<i>Livistonia australis</i> (Cabbage Palm)	Landscape Plan (prepared by Wyer & Co, dwg no DA01-04	100L

		REV 03, dated 31March 2023)	
--	--	--------------------------------	--

2. 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.
3. New trees must be planted in natural ground with adequate soil volume. Planter boxes will not be accepted for tree planting.
4. New trees must be appropriately located away from existing buildings and structures.
5. 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.
6. Tree maintenance must be implemented and complied with immediately following the tree planting, and until the trees reach a minimum height of 5m.
7. 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 100 litres.
8. The conditions of this consent will apply to all replacement trees, including the maintenance and reporting which re-starts at each replanting event.

Part B – Before Issue of a Construction Certificate

BCC3

Before the issue of a construction certificate, a construction site management plan must be prepared, and provided to the certifier. The plan must include the following matters:

- a) The location and materials for protective fencing and hoardings on the perimeter of the site;
- b) Provisions for public safety;
- c) Pedestrian and vehicular site access points and construction activity zones;
- d) Details of construction traffic management including:
 - i) Proposed truck size and movements to and from the site;
 - ii) Estimated frequency of truck movements;
 - iii) Measures to ensure pedestrian safety near the site;
 - iv) Swept path to be provided demonstrating entry and exit from site. Plans to take into consideration parked cars, kerbs, trees etc and
 - v) A certificate of currency of 20mil to be included with the CTMP
- e) Details of bulk earthworks to be carried out;
- f) The location of site storage areas and sheds;

- g) The equipment used to carry out works;
- h) The location of a garbage container with a tight-fitting lid;
- i) Dust, noise and vibration control measures;
- j) The location of temporary toilets;
- k) The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with:
 - i) AS 4970 – Protection of trees on development sites;
 - ii) An applicable Development Control Plan;
 - iii) An arborist's report approved as part of this consent.

A copy of the construction site management plan must be kept on-site at all times while work is being carried out.

BCC4

Before the issue of a construction certificate, the certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:

- a) The Landscape Plan (prepared by Wyer & Co, dwg no DA01-04 REV 03, dated 31 March 2023) should be amended as follows:

- The proposed *Angophora costata* (Smooth Barked Apple) replaced with one (1) 100 L specimen of the following:

Tristania lusciosa (Water Gum) or
Ficus rubiginosa (Port Jackson Fig) or
Banksia integrifolia (Coast Banksia).

BCC5

Before the issue of a construction certificate, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to the certifier:

- a) Council's relevant development control plan,
- b) the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time), and
- c) the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust) (as amended from time to time).

BCC6

Before the issue of the relevant construction certificate, the long service levy of \$4,778.00, as calculated at the date of this consent, must be paid to the Long Service Corporation of Council under the Building and Construction Industry Long Service Payments Act 1986, section 34, and evidence of the payment is to be provided to the certifier.

BCC7

Before the issue of the relevant construction certificate, the applicant must:

- a) make payment of \$5,000.00 for a security deposit to the consent authority, and
- b) if a principal certifier is required to be appointed for the development – provide the principal certifier with written evidence of the payment and the amount paid.

BCC10

Pursuant to section 4.17 of the Environmental Planning and Assessment Act 1979, and Hunters Hill Council Section 7.12 Local Infrastructure Contribution Plan 2020, a contribution of \$13,651.00 shall be paid to council for the provision, extension or augmentation of key community infrastructure.

The amount to be paid may need to be adjusted at the time of the actual payment in accordance with the provisions of Hunters Hill Council Section 7.12 Local Infrastructure Contribution Plan 2020, Clause 11 – Indexing Cost. The contribution must be paid to Council:

In the case of complying development, at the time notice is given to Council under Section 4.28 of the EPA Act of the applicant's intention to subdivide, commence work or erect a building.

In all other instances the Section 7.12 levy must be calculated and paid a week prior to the issue of the first Section 6.4 certificate. Receipt of payment must be included with copies of the documents provided to Council in accordance with clause 142(2), 151(2) or 160(2) of the EPA Regulation (whichever is applicable, depending on the certificate which is being issued).

Subdivision, or work of any kind, may not occur on the subject site until the required Section 7.12 levy has been paid to Council.

BCC11

Building work that involves residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following:

(1) for work that requires a principal contractor to be appointed:

- (i) the name and licence number of the principal contractor, and
- (ii) the name of the insurer of the work under the Home Building Act 1989, Part 6,

(2) for work to be carried out by an owner-builder:

- (i) the name of the owner-builder, and
- (ii) if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989—the number of the owner-builder permit.

(3) If the information notified under subsection (2) is no longer correct, it is a

condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information.

BCC12

Under Section 75 of the Environmental Planning and Assessment Regulation 2021, it is a condition of this development consent that all the commitments listed in BASIX Certificate No 1770694S for the development are fulfilled. Plans and specifications complying with this condition must be submitted to the Registered Certifier for approval prior to the issue of any Construction Certificate. The Registered Certifier must ensure that the building plans and specifications submitted and referenced fully satisfy the requirement of this condition.

BCC13

Prior to the issue of a Construction Certificate the approved plans must be lodged to Sydney Water to determine whether the development will affect Sydney Water assets and if further requirements need to be met.

Prior to issue of a Construction Certificate, a copy of the Sydney Water notice of requirements and building plan approval must be submitted to the Certifier.

BCC14

Prior to issue of a Construction Certificate, detailed construction documentation demonstrating and confirming compliance how access to a swimming pool (as defined in the Swimming Pools Act 1992), will be restricted to comply with the Swimming Pools Act 1992 and Swimming Pools Regulation 2018 must be submitted to and reviewed by the Registered Certifier.

Note: where modifications to the approved plans are required to achieve compliance with this condition, a modification to the development consent may be required.

BCC15

Prior to issue of a construction certificate, approval to discharge trade wastewater must be obtained from Sydney Water.

BCC17

All works requiring the use of the road reserve will need a Work Zone Application. The Work Zone Application is to be obtained from and approved by Council, prior to the issue of the Construction Certificate.

BCC19

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

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

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

BCC20

Prior to issue of a Construction Certificate, a report prepared by a professional structural engineer must be submitted to the Certifier confirming the existing building is structurally adequate and able to withstand all proposed loads, including proposed loads during construction.

BCC23

A detailed Stormwater Management Plan which complies with Council's Specification for Stormwater Management and the Development Control Plan, must be submitted to Council for approval prior to the issue of the Construction Certificate. The Stormwater Management Plan and supporting calculations are to be prepared by a suitably qualified Chartered Engineer, with current Corporate Membership with the Institution of Engineers, Australian, having experience in hydrology and hydraulics.

BCC25

A suitable sub-surface drainage system is to be provided adjacent to all excavated and sub-floor areas. This system is to be connected to an approved disposal system. The details of this drainage system are to be shown on the Stormwater Management Plans prior to the issue of the Construction Certificate.

BCC30

Prior to issue of a construction certificate, detailed construction documentation demonstrating all motors, filters, pumps, equipment or fittings associated with or forming part of the pool, pool filtering system, rainwater tank or any air conditioning unit must be submitted to the Certifier. The Certifier must review, assess and confirm the detailed construction documentation to ensure the noise emitted from any of the abovementioned pumps or equipment will not exceed LAeq of 5 dB(A) above background noise when measured at any lot boundary.

SPECIAL

Prior to the issue of a Construction Certificate, details must be submitted demonstrating the stormwater being gravity fed to Council's nearest stormwater drainage line in accordance with Australian Standard 3500 *"Plumbing and Drainage"*

SPECIAL

Prior to the issue of a Construction Certificate, details are to be submitted for roof water and surface stormwater being conveyed by pipeline to the river foreshores

SPECIAL

A suitable sub-surface drainage system is to be provided adjacent to all excavated areas and such drains being connected to an approved disposal system. The details of this drainage system should be show in the hydraulic plans or within the stormwater concept plan prior to the issue of the Construction Certificate.

Part C – Before Building Work Commences**BBW5**

Building or subdivision work in accordance with this development consent must not be commenced until the applicant has given notice to Hunter's Hill Council of the person's intention to commence such work. The notice must include:

- (a) the name and address of the person giving notice,
- (b) a description of the work to be carried out,
- (c) the address of the land on which the work will be carried out,
- (d) the registered numbers and date of issue of the development consent and construction certificate,
- (e) a statement signed by or on behalf of the principal certifier that all conditions of the consent that must be satisfied before the work commences have been satisfied,
- (f) the date on which the work is intended commence.

The notice must be lodged on the NSW planning portal.

BBW6

A sign shall be displayed in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

The sign must list the following details:

- (a) The name, address and telephone number of the principal certifier.
- (b) The name of the Principal Contractor and an afterhours telephone number.
- (c) That unauthorised entry to the site is prohibited.

The sign must be maintained while the building work, subdivision work or demolition work is being carried out and removed upon completion.

BBW7

An adequate security fence is to be erected around the perimeter of the site prior to commencement of any excavation or construction works, and this fence is to be maintained in a state of good repair and condition until completion of the building project.

BBW8

Building or subdivision work in accordance with the development consent must not be commenced until the developer has appointed a principal certifier for the work in accordance with the provisions of the Environmental Planning & Assessment Regulation 2021.

The notice must be lodged on the NSW planning portal.

BBW9

Prior to works commencing, toilet facilities must be provided and maintained at a ratio of one toilet plus one additional toilet for every 20 persons working at the site.

BBW10

Before any site work commences, the Principal Certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time).

Part D – During Building Work**DBW5**

While site work is being carried out, noise generated from the site must be controlled in accordance with the requirements of the approved noise and vibration management plan.

DBW14

A copy of all stamped approved plans, specifications and documents (including the plans, specifications and documents submitted and approved with the Construction Certificate) must be kept on site at all times so as to be readily available for perusal by Council or the Principal Certifier.

All documents kept on site in accordance with this condition must be provided to Council or the Principal Certifier upon their request.

DBW15

All kerb and gutters, roads and footpaths are to be protected throughout the building operations as required by Council. No obstruction to be caused to pedestrian use of Council's footpath area or vehicular use of Council's roadway area during building operations.

DBW16

No rock breaking or other machinery for the excavation, drilling or removal of rock shall be used on the site without the prior approval from the Principal Certifying Authority being obtained. Should rock breaking or associated machinery be

proposed or required the following details are to be submitted to the Principal Certifying Authority for consideration:

- a. The type and size of machinery proposed to be utilised for the purpose of excavation, movement, drilling or removal of rock or other material.
- b. The routes of all trucks to convey any spoil from the site or any fill to the site.

A comprehensive report prepared by a Geotechnical Engineer following that Engineer's inspection of the site and all adjoining and nearby buildings which shall detail the measures recommended to be utilised in undertaking the work so as to prevent any damage to any adjoining or nearby buildings.

DBW19

No portion of the proposed building work works, as approved within the subject site, are to encroach upon any road reserve, private land or other public land including easements except where permitted by the Local Government Act 1993. This includes the opening and closing of gates and door that must open and close within the subject site.

SPECIAL

All building materials, spoil, debris and other material arising from the carrying out of building work, shall be contained wholly within the allotment boundaries. Such accumulation is to be properly disposed of at regular intervals to the satisfaction of Council and the Principal Certifying Authority.

The pathway and road reserve shall be kept in a clean, tidy and safe condition during building operations. At no point can any public reserve be used to place or store such material Council reserves the right, without notice to rectify any such breach and to change the cost against the applicant/owner/builder, as the case may be.

Part G - Prior to the Issue of an Occupation Certificate

BOC1

Before the issue of an occupation certificate, the principal certifier must be satisfied all landscape and tree-works have been completed in accordance with approved plans and documents and any relevant conditions of this consent.

BOC9

A Final Occupation Certificate will not be issued until all conditions of this consent have been complied with in accordance with the provisions of the Environmental Planning & Assessment Act 1979.

BOC10

rior to an occupation certificate being issued, the certifier must be in receipt of a BASIX completion receipt from the Planning Secretary, in accordance with Section 45 of the Environmental Planning and Assessment Regulation 2021.

BOC11

Prior to an occupation certificate being issued, the swimming pool (as defined in the Swimming Pools Act 1992) must be registered in accordance with the Swimming Pools Act 1992. Registration can be completed online at www.swimmingpoolregister.nsw.gov.au.

BOC 16

An appropriately qualified and practising Chartered Engineer, with current Corporate Membership with the Institution of Engineers, Australia, must certify to the Principal Certifying Authority, that the stormwater drainage system is constructed in accordance with this Development Consent, Council's Stormwater Management Policy and Development Control Plan and the provisions of the relevant Australian Standards. A copy of the Certificate must be submitted to Council (if it is not the Principal Certifying Authority) upon completion of the development works and prior to the issue of an Occupation Certificate.

BOC27

Before the issue of an Occupation Certificate, a final Arboricultural Compliance Report must be submitted to and approved by the Principal Certifier.

RECORD OF VOTING	
For	Against
Mr Charles Hill	
Mr Graham Brown	
Mr Brian Kirk	
Ms Diana Kirk	

3.3 LOT 879 CROWN STREET, HENLEY**PROCEEDINGS IN BRIEF****RESOLUTION**

That pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979, that Development Application No.2024/0236 for construction of a double garage/storage structure on land adjoining the Henley Cottage Reserve replacing an existing garage at Lot 879 Crown Street, Henley, be approved subject to the following conditions:

Standard Conditions**GEN1**

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Drawing Number	Drawn By	Plan Dated
Site Plan, DA0.01, revision A	Mark Wilson Architects	16.10.24
Floor Plan, DA1.01, revision A	Mark Wilson Architects	16.10.24
Elevations, Sheet 1, revision A	Mark Wilson Architects	16.10.24
Sections and Materials Board, DA2.01, revision A	Mark Wilson Architects	16.10.24

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

GEN2

Prior to the commencement of any works associated with this development consent, including demolition, landscaping and excavation, a construction certificate must be issued for the erection of a building.

BCC3

Before the issue of a construction certificate, a construction site management plan must be prepared, and provided to the Principal Certifier. The plan must include the following matters:

- a) The location and materials for protective fencing and hoardings on the perimeter of the site;
- b) Provisions for public safety;
- c) Pedestrian and vehicular site access points and construction activity zones;
- d) Details of construction traffic management including:
 - i) Proposed truck size and movements to and from the site;
 - ii) Estimated frequency of truck movements;
 - iii) Measures to ensure pedestrian safety near the site;
 - iv) Swept path to be provided demonstrating entry and exit from site. Plans to take into consideration parked cars, kerbs, trees etc and
 - v) A certificate of currency of 20mil to be included with the CTMP
- e) Details of bulk earthworks to be carried out;
- f) The location of site storage areas and sheds;
- g) The equipment used to carry out works;
- h) The location of a garbage container with a tight-fitting lid;
- i) Dust, noise and vibration control measures;
- j) The location of temporary toilets;
- k) The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with:

- i) AS 4970 – Protection of trees on development sites;
- ii) An applicable Development Control Plan;
- iii) An arborist's report approved as part of this consent.

A copy of the construction site management plan must be kept on-site at all times while work is being carried out.

BCC7

Before the issue of the relevant construction certificate, the applicant must:

- a) make payment of for a security deposit to the consent authority, and
- b) if a principal certifier is required to be appointed for the development – provide the principal certifier with written evidence of the payment and the amount paid.

BCC10

Pursuant to section 4.17 of the Environmental Planning and Assessment Act 1979, and Hunters Hill Council Section 7.12 Local Infrastructure Contribution Plan 2020, a contribution of **\$597** shall be paid to council for the provision, extension or augmentation of key community infrastructure.

The amount to be paid may need to be adjusted at the time of the actual payment in accordance with the provisions of Hunters Hill Council Section 7.12 Local Infrastructure Contribution Plan 2020, Clause 11 – Indexing Cost. The contribution must be paid to Council:

In the case of complying development, at the time notice is given to Council under Section 4.28 of the EPA Act of the applicant's intention to subdivide, commence work or erect a building.

In all other instances the Section 7.12 levy must be calculated and paid a week prior to the issue of the first Section 6.4 certificate. Receipt of payment must be included with copies of the documents provided to Council in accordance with clause 142(2), 151(2) or 160(2) of the EPA Regulation (whichever is applicable, depending on the certificate which is being issued).

Subdivision, or work of any kind, may not occur on the subject site until the required Section 7.12 levy has been paid to Council.

BCC23

A detailed Stormwater Management Plan which complies with Council's Specification for Stormwater Management and the Development Control Plan, must be submitted to Council for approval prior to the issue of the Construction Certificate. The Stormwater Management Plan and supporting calculations are to be prepared by a suitably qualified Chartered Engineer, with current Corporate

Membership with the Institution of Engineers, Australian, having experience in hydrology and hydraulics.

BBW5

Building or subdivision work in accordance with this development consent must not be commenced until the applicant has given notice to Hunter's Hill Council of the person's intention to commence such work. The notice must include:

- (a) the name and address of the person giving notice,
- (b) a description of the work to be carried out,
- (c) the address of the land on which the work will be carried out,
- (d) the registered numbers and date of issue of the development consent and construction certificate,
- (e) a statement signed by or on behalf of the principal certifier that all conditions of the consent that must be satisfied before the work commences have been satisfied,
- (f) the date on which the work is intended commence.

The notice must be lodged on the NSW planning portal.

BBW6

A sign shall be displayed in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

The sign must list the following details:

- (a) The name, address and telephone number of the principal certifier.
- (b) The name of the Principal Contractor and an afterhours telephone number.
- (c) That unauthorised entry to the site is prohibited.

The sign must be maintained while the building work, subdivision work or demolition work is being carried out and removed upon completion.

BBW7

An adequate security fence is to be erected around the perimeter of the site prior to commencement of any excavation or construction works, and this fence is to be maintained in a state of good repair and condition until completion of the building project.

BBW8

Building or subdivision work in accordance with the development consent must not be commenced until the developer has appointed a principal certifier for the work in accordance with the provisions of the Environmental Planning & Assessment

Regulation 2021.

The notice must be lodged on the NSW planning portal.

BBW9

Prior to works commencing, toilet facilities must be provided and maintained at a ratio of one toilet plus one additional toilet for every 20 persons working at the site.

BBW10

Before any site work commences, the Principal Certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time).

DBW3

Site work must only be carried out between the following times –

Monday – Friday 7:00am to 6:00pm

Saturdays 8:00am to 1:00pm

Sundays and Public Holidays No activities permitted

Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.

DBW4

While site work is being carried out:

- a) the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times, and
- b) a copy of these plans must be kept on site at all times and made available to council officers upon request.

DBW7

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

DBW8

While site work is being carried out, any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any

other infrastructure in the street footpath area) must be paid as directed by the consent authority.

DBW11

While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with:

- a) the construction site management plan <INSERT required/approved> under this consent,
- b) the relevant requirements of AS 4970 Protection of trees on development sites,
- c) Council's relevant development control plan (in force as at the date of determination of this consent) and
- d) any arborist's report approved under this consent.

This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.

DBW13

The work must be carried out in accordance with the requirements of the Building Code of Australia.

DBW14

A copy of all stamped approved plans, specifications and documents (including the plans, specifications and documents submitted and approved with the Construction Certificate) must be kept on site at all times so as to be readily available for perusal by Council or the Principal Certifier.

All documents kept on site in accordance with this condition must be provided to Council or the Principal Certifier upon their request.

DBW15

All kerb and gutters, roads and footpaths are to be protected throughout the building operations as required by Council. No obstruction to be caused to pedestrian use of Council's footpath area or vehicular use of Council's roadway area during building operations.

DBW18

All excavations shall be properly guarded and protected with hoardings or fencing to prevent falls.

DBW19

No portion of the proposed building works, as approved within the subject site, are to encroach upon any road reserve, private land or other public land including easements except where permitted by the Local Government Act 1993. This includes the opening and closing of gates and door that must open and close within the subject site.

BOC8

Before the issue of the relevant occupation certificate, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works must be submitted to the satisfaction of the principal certifier:

- a) All stormwater drainage systems and storage systems, and
- b) The following matters that council requires to be documented
- c) A copy of the plans must be provided to council with the

BOC9

A Final Occupation Certificate will not be issued until all conditions of this consent have been complied with in accordance with the provisions of the Environmental Planning & Assessment Act 1979.

BOC16

An appropriately qualified and practising Chartered Engineer, with current Corporate Membership with the Institution of Engineers, Australia, must certify to the Principal Certifying Authority, that the stormwater drainage system is constructed in accordance with this Development Consent, Council's Stormwater Management Policy and Development Control Plan and the provisions of the relevant Australian Standards. A copy of the Certificate must be submitted to Council (if it is not the Principal Certifying Authority) upon completion of the development works and prior to the issue of an Occupation Certificate.

RECORD OF VOTING	
For	Against
Mr Charles Hill	
Mr Graham Brown	
Mr Brian Kirk	
Ms Diana Kirk	

The meeting closed at 1.17pm.