

Ref: D24/2355568

6 September 2024

«First_Name»
«Company»
«Address_Line_1»
«Address»

Re: Construction of a residential development – 48 New Orleans Crescent, Maroubra 2035

Dear Resident(s),

I am writing to you from Homes NSW about our plans to redevelop the housing site at 48 New Orleans Crescent, Maroubra with a residential housing development. We are seeking your feedback.

What we are proposing

We're proposing to redevelop the site with a 3-storey residential development which will include:

- 5 homes in total 2 x 2-bedroom units, 2 x 1-bedroom units and 1 x studio unit
- 3 on-site car parking spaces
- Landscaping, fencing and associated works across the site.

What is happening now?

We have recently completed a design for the proposed development at 48 New Orleans Crescent, Maroubra. We invite your feedback, which our design and planning team will consider as part of the project's assessment. Where possible, we will incorporate your feedback into the design.

Please find enclosed:

- An artist's impression of the proposed development to give you an idea of what it will look like
- Site and landscape plan
- Building elevations
- Proposed materials and colour finishes
- Shadow diagrams.

How to give feedback

After reading through the information, you can submit your feedback by contacting Homes NSW's Community Engagement Team via email: CommunityEngagement@homes.nsw.gov.au or phone: **1800 738 718** (voicemail).

All feedback should be sent **by 3 October 2024** to give us enough time to consider it. You will receive confirmation that your feedback has been received.

We look forward to hearing from you.

Yours sincerely,



Lorna O'Shane
Community Engagement Manager
Homes NSW

About Homes NSW

The NSW Government is determined to make NSW a place where everyone has access to safe and secure housing, and where experiences of homelessness are rare, brief, and non-recurring.

Homes NSW leads work to deliver more social and affordable housing, end the cycle of homelessness and deliver quality public housing to our 262,000 tenants across NSW. Access to safe housing assists people to pursue health, education, and employment opportunities, which helps to strengthen the communities where we all live.

Homes NSW brings together the housing and homelessness services of the NSW Department of Communities and Justice (DCJ) with NSW Land and Housing Corporation (LAHC), NSW Aboriginal Housing Office (AHO) and key worker housing.



To find out more or visit our website at www.nsw.gov.au/homes-nsw scan the QR code.

Frank Ko
The General Manager
Randwick City Council
30 Frances Street
Randwick NSW 2031

Re: Notice of residential flat building development

Dear Frank

This letter is to notify Council of a proposal by Homes NSW to develop a 2-storey residential seniors housing development at 48 New Orleans Crescent, Maroubra.

We invite Council's written comments on the development proposal.

Property: 48 New Orleans Crescent, Maroubra NSW 2035
LOT 234, DP 36345

Proposal: Demolition of existing dwelling and associated structures, tree removal, and construction of a residential seniors housing development comprising 5 units (3 x 1 bedroom and 2 x 2-bedroom units) with associated landscaping, site works and parking for 5 vehicles.

The proposal is considered 'development without consent' under the *State Environmental Planning Policy (Housing) 2021*. Homes NSW is seeking feedback from Council and neighbours so we may consider it before deciding whether the development should proceed.

The following plans and documents are attached for Council's review and comments:

- Architectural Plans
- Landscape Plan
- Civil Plans
- Notification Plans
- Traffic Report
- Survey Plan and long section
- Section 10.7 Certificate
- Access Report
- AHIMS
- Arborist Report
- Building Code of Australia Report
- BASIX Stamped Plans
- Certificate of Title
- Geotechnical Report
- Waste Management Report
- Flood Report
- Acoustic Report
- CPTED Report
- Coral Sea Park Design Statement
- ADG Compliance Checklist

- BASIX Certificate
- NatHERS Certificate
- Design Quality Principles Statement for Residential Flat Buildings
- Council Flood Report
- Street Tree Removal Council Correspondence
- Design Compliance Certificates
- Design Quality Principles Statement
- Statement of Compliance HSEPP

Please email Council's comments to Frances Beasley, Senior Planner, Homes NSW at **Frances.Beasley@homes.nsw.gov.au** by **30 September 2024**.

For general enquiries, please contact our Community Engagement team on 1800 738 718 (voicemail) or by email at CommunityEngagement@homes.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink that reads "Lorna O'Shane".

Lorna O'Shane
Community Engagement Manager
Homes NSW

Memorandum

TO: MANAGER, DEVELOPMENT ASSESSMENTS

FROM: DEVELOPMENT ENGINEER

DATE: 25th OCTOBER 2024 **FILE NO: Part V Application**

DA NO: Part V Application
PREMISES: 48 New Orleans Crescent MAROUBRA

A proposal for construction of new affordable housing development has been received. The development will be undertaken under Part V of the EP&A Act. Engineering & Landscape comments and recommended conditions have been provided in this report.

This report is based on the following plans and documentation:

- Architectural Plans by Integrated Design Group dated July 2024;
- Detail & Level Survey by S J Surveying dated 28/07/2022;
- Traffic and parking assessment by Varga Traffic Planning dated 29th April 2024;
- Flood Report by Randwick Council dated 8th June 2023;
- Arboricultural Impact Assessment & Tree Management Plan by Redgum Horticultural Consultants, ref 8805.1, revised 29/04/24.

General Comments

No objections are raised to the proposal subject to the comments and recommended conditions provided in this report.

Drainage Comments

The site lies within the catchment area where an onsite stormwater detention (OSD) system is generally required in Randwick LGA for new developments ,as detailed in Council's Private Stormwater Code.

The stormwater shall be discharged (by gravity) to the kerb and gutter in front of the subject site in New Orleans Crescent via the OSD system.

Flooding Comments

The site lies within the catchment for the Council commissioned and adopted Maroubra Bay Flood Study'. The study does not predict the site will be impacted by flooding for all storm events up to and including the 1% AEP (1 in 100yr) storm event and the property has not been tagged as a "flood control lot".

No flood controls are therefore applicable and there are no objections to the proposal from a flooding perspective.

Parking Comments

The development is located within 400m of bus stops on Fitzgerald Avenue and Malabar Road with regular and frequent services which meets the criteria for an 'accessible area' as defined in the SEPP (Housing) 2021.

Hence Parking Requirements for the development have been assessed as per the following applicable parking rates specified in Part 2 Division 1 Clause 18 of the SEPP(Housing) 2021 being non-discretionary standards

(f) for a development application made by a social housing provider for development on land in an accessible area—

(i) for each dwelling containing 1 bedroom—at least 0.4 parking spaces, or

- (ii) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces, or
- (iii) for each dwelling containing at least 3 bedrooms— at least 1 parking space,

The proposed 5 dwellings comprise of 3 x 1-bedroom + 2 x 2 bedroom dwellings

Parking required = (3 x 0.4) + (2 X 0.5)
 = 1.2 + 1
 - 2.2 spaces

Parking proposed = 3 spaces (complies)

Parking Layout

The parking layout appears to comply with AS 2890.1 with regards to space dimensions, grades and clearances.

There are no objections on parking grounds.

Undergrounding of site feed power lines

At the ordinary Council meeting on the 27th May 2014 it was resolved that;

Should a mains power distribution pole be located on the same side of the street and within 15m of the development site, the applicant must meet the full cost for Ausgrid to relocate the existing overhead power feed from the distribution pole in the street to the development site via an underground UGOH connection.

The subject **is not** located within 15m of a power pole on the same side of the street hence the above clause **is not** applicable and has not been recommended in this instance.

Waste Management Comments

Comments on the number of Waste Bins

Appendix 3 in Part B6 of Council's DCP specifies a waste bin requirement rate for residential flat buildings houses of 1 x 240L bin per 2 rooms for normal garbage and 1 x 240L bin per 2 rooms for recycling.

i.e. Garbage/recycling Bins Required = 5/2 = 3 (rounded up to nearest whole number))

There are no specific requirements for green waste in Part B6 of the DCP however since March of 2021 Council has introduced a Garden Organic Food organic (FOGO) collection service. As some landscape areas are also proposed it is recommended that a minimum of 2 x 240L bins also be provided for FOGO.

Total Number of BINS required = 3(normal) + 3(recycling) + 2(FOGO)
 = 8 x 240L BINS

The submitted plans only indicate provision for 6 x 240L bins and have not made any provision for FOGO. This will need to be corrected on plans submitted for construction to meet Council requirements.

Street Tree Comments

Consistent with instructions issued by senior staff, comments and conditions for this application are restricted to external works/assets on public property only, with all matters on private property to be addressed by the LAHC under their 'self-approval powers'.

This means the only vegetation that requires assessment is a mature, 3-4m tall *Callistemon 'Harkness'* (Bottlebrush, Tree 1 in the Arborist Report) on the New Orleans verge towards the southern site boundary, which while automatically protected by the DCP due to its location on public property, displays only fair health and condition.

While the existing vehicle crossing is currently located on the opposite/northern site boundary, the plans show the new access leading to the internal carpark area being provided in direct conflict with this tree,

and while there is ample space to provide the access/crossing elsewhere across this frontage, it has been detailed in this submission that it has been specifically positioned here as this will then allow retention of a larger tree (T2) that is beyond southwest corner, wholly on the adjoining private property at 90 Yorktown Parade, close to the common boundary.

Despite being the only street tree on this side of the road in this section, it is not a significant example of the species or significant to the local environment in any way, and on the basis of the factors discussed above, no objections are raised to its removal as shown and sought, with conditions requiring that all costs associated with this, as well as replacement and loss of amenity be borne wholly by the applicant.

Should the application be approved the following conditions are recommended under the appropriate section:

REQUIREMENTS BEFORE A CROWN CERTIFICATE CAN BE ISSUED

The following conditions of are recommended before a 'Crown Certificate' is All necessary information to demonstrate compliance with the following conditions of consent must be included in the documentation for the Crown Certificate.

Security Deposit

1. The following damage / civil works security deposit requirement must be complied with, as security for making good any damage caused to the roadway, footway, verge or any public place; and as security for completing any public work; and for remedying any defect on such public works, in accordance with section 80A(6) of the *Environmental Planning and Assessment Act 1979*:

- **\$5000 - Damage / Civil Works Security Deposit**

The damage/civil works security deposit may be provided by way of a cash or credit card payment and is refundable upon a satisfactory inspection by Council upon the completion of the civil works which confirms that there has been no damage to Council's infrastructure.

The owner/builder is also requested to advise Council in writing and/or photographs of any signs of existing damage to the Council roadway, footway, or verge prior to the commencement of any building/demolition works.

To obtain a refund of relevant deposits, a *Security Deposit Refund Form* is to be forwarded to Council's Director of City Services upon issuing of an Crown Completion Certificate or completion of the civil works.

Design Alignment Levels

2. The design alignment level (the finished level of concrete, paving or the like) at the property boundary for driveways, access ramps and pathways or the like, shall be:

Proposed Driveway

- **RL 14.40 AHD (southern edge of driveway)**
- **RL 14.56 AHD (northern edge of driveway)**

The design alignment levels at the property boundary as issued by Council must be indicated on the building plans for the Crown Certificate. The design alignment level at the street boundary, as issued by the Council, must be strictly adhered to.

Any request to vary the design alignment level/s must be forwarded to and approved in writing by Council's Development Engineers. Enquiries regarding this matter should be directed to Council's Development Engineer on 9093-6881.

3. The above alignment levels and the site inspection by Council's Development Engineering Section have been issued at a prescribed fee of **\$1152** calculated at **\$63.00** per metre of site frontage. This amount is to be paid prior to a Crown Certificate being issued for the development.

Stormwater Drainage

4. The site stormwater drainage system is to be provided in accordance with the following requirements;

- a) The stormwater drainage system must be provided in accordance with the relevant requirements of Building Code of Australia and the conditions of this consent, to the satisfaction of the *Principal Certifier* and details are to be included in the Crown Certificate.

- i. The stormwater must be discharged directly to the kerb and gutter in front of the subject site in New Orleans Crescent;

- b) An on-site stormwater detention system must be provided to ensure that the maximum discharge from the site does not exceed that which would occur during a **10% AEP (1 in 10 year)** storm of one hour duration for existing site conditions. All other stormwater run-off from the site for all storms up to the 5% AEP (1 in 20 year) storm is to be retained on the site for gradual release to the street drainage system, to the satisfaction of the Principal Certifier. If discharging to the street gutter the PSD shall be restricted to the above or **25 L/S**, whichever the lesser.

An overland escape route or overflow system (to Council's street drainage system) must be provided for storms having an annual exceedance probability (AEP) of 1% (1 in 100 year storm), or, alternatively the stormwater detention system is to be provided to accommodate the 1% AEP (1 in 100 year) storm.

- c) A sediment/silt arrestor pit must be provided within the site near the street boundary prior to discharge of the stormwater to Council's drainage system and prior to discharging the stormwater to any absorption/infiltration system.

Sketch details of a standard sediment/silt arrestor pit may be obtained from Council's Development Engineer.

- d) The floor level of all habitable and storage areas located adjacent to any detention and/or infiltration systems with above ground storage must be a minimum of 300mm above the maximum water level for the design storm or alternately a permanent 300mm high water proof barrier is to be provided.

- e) The maximum depth of ponding in any above ground detention areas and/or infiltration systems with above ground storage shall be as follows (as applicable):

- i. 150mm in uncovered open car parking areas (with an isolated maximum depth of 200mm permissible at the low point pit within the detention area)
 - ii. 300mm in landscaped areas (where child proof fencing is not provided around the outside of the detention area and sides slopes are steeper than 1 in 10)
 - iii. 600mm in landscaped areas where the side slopes of the detention area have a maximum grade of 1 in 10
 - iv. 1200mm in landscaped areas where a safety fence is provided around the outside of the detention area
 - v. Above ground stormwater detention areas must be suitably signposted where required, warning people of the maximum flood level.

- f) A childproof and corrosion resistant fastening system shall be installed on access grates over pits/trenches where water is permitted to be temporarily stored.

- g) A 'V' drain (or equally effective provisions) are to be provided to the perimeter of the property, where necessary, to direct all stormwater to the detention area.
- h) Mulch or bark is not to be used in on-site detention areas.
- i) Site discharge pipelines shall cross the verge at an angle no less than 45 degrees to the kerb line and shall not encroach across a neighbouring property's frontage unless approved in writing by Council's Development Engineering Coordinator.
- j) Any onsite detention/infiltration systems shall be located in areas easily accessible by residents of all units.

Waste Management

5. Waste Management provisions must be implemented in general accordance with the Waste Management Plan submitted with the development application (Prepared by Integrated Design Group) subject to the following amendments;

- a) The architectural plans shall be amended so that the waste storage area is sized to contain a minimum of 8 x 240 litre bins (comprising 3 garbage bins, 3 recycle bins and 2 FOGO bins) and with adequate provisions for access to all bins.

Street Tree Management

6. The applicant must submit a payment of **\$2,248.95** (GST inclusive) to cover the following costs:

- a) For Council to remove, stump-grind and dispose of the *Callistemon 'Harkness'* (Bottlebrush, T1 in the Arboricultural Impact Assessment & Tree Management Plan by Redgum Horticultural Consultants, ref 8805.1, revised 29/04/24) that is located on Council's nature strip towards the southern site boundary to accommodate the new vehicle crossing in this same location as shown, noting that this design will then allow retention of a tree at the rear, beyond the southwest site corner, wholly on the adjoining private property at 90 Yorktown Parade, close to the common boundary;
- b) For Council to supply, plant and maintain 2 x 25 litre replacement street trees, *Tristaniopsis laurina* (Watergums) back on the public verge, spaced evenly between the northern edge of the new vehicle crossing and northern site boundary at the completion of all works;
- c) A loss of amenity fee in recognition that the only reason this established native tree is being removed from public property is to accommodate the development, with this part of the fee to then be directed towards additional public plantings elsewhere in the street and surrounding area.

This fee must be paid into **Tree Amenity Income** via Council's Customer Service Centre, **prior to a Crown Certificate being issued for the development.**

The applicant must then contact Council's Landscape Development Officer on 9093-6613 (quoting the receipt number) AND GIVING UP TO SIX WEEKS NOTICE to arrange for removal prior to commencement, as well as the replacements upon completion.

After advising of the receipt number, any further enquiries regarding scheduling/timing or completion of tree works are to be directed to Council's South Area Tree Preservation & Maintenance Coordinator on 9093-6687.

REQUIREMENTS PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions are recommended prior to the commencement of any works on the site. The necessary documentation and information must be provided to Council as applicable.

Construction Traffic Management

7. An application for a 'Works Zone' and Construction Traffic Management Plan must be submitted to Councils Integrated Transport Department, and approved by the Randwick Traffic Committee, for a 'Works Zone' to be provided in New Orleans Crescent for the duration of the demolition & construction works.

The 'Works Zone' must have a minimum length of 12m and extend for a minimum duration of three months. The suitability of the proposed length and duration is to be demonstrated in the application for the Works Zone. The application for the Works Zone must be submitted to Council at least six (6) weeks prior to the commencement of work on the site to allow for assessment and tabling of agenda for the Randwick Traffic Committee.

The requirement for a Works Zone may be varied or waived only if it can be demonstrated in the Construction Traffic Management Plan (to the satisfaction of Council's Traffic Engineers) that all construction related activities (including all loading and unloading operations) can and will be undertaken wholly within the site. The written approval of Council must be obtained to provide a Works Zone or to waive the requirement to provide a Works Zone prior to the commencement of any site work.

8. A detailed Construction Site Traffic Management Plan must be submitted to and approved by Council, prior to the commencement of any site work.

The Construction Site Traffic Management Plan must be prepared by a suitably qualified person and must include the following details, to the satisfaction of Council:

- A description of the demolition, excavation and construction works
- A site plan/s showing the site, roads, footpaths, site access points and vehicular movements
- Any proposed road and/or footpath closures
- Proposed site access locations for personnel, deliveries and materials
- Size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site)
- Provision for loading and unloading of goods and materials
- Impacts of the work and vehicular movements on the road network, traffic and pedestrians
- Proposed hours of construction related activities and vehicular movements to and from the site
- Current/proposed approvals from other Agencies and Authorities (including NSW Roads & Maritime Services, Police and State Transit Authority)
- Any activities proposed to be located or impact upon Council's road, footways or any public place
- Measures to maintain public safety and convenience

The approved Construction Site Traffic Management Plan must be complied with at all times, and any proposed amendments to the approved Construction Site Traffic Management Plan must be submitted to and be approved by Council in writing, prior to the implementation of any variations to the Plan.

REQUIREMENTS DURING CONSTRUCTION & SITE WORK

The following conditions are recommended during the demolition, excavation and construction of the development.

Road/Asset Opening Permit

9. Any openings within or upon the road, footpath, nature strip or in any public place (i.e. for proposed drainage works or installation of services), must be carried out in accordance with the following requirements, to the satisfaction of Council:
- A *Road / Asset Opening Permit* must be obtained from Council prior to carrying out any works within or upon a road, footpath, nature strip or in any public place, in accordance with section 138 of the *Roads Act 1993* and all of the conditions and requirements contained in the *Road / Asset Opening Permit* must be complied with.
 - The owner/builder must ensure that all works within or upon the road reserve, footpath, nature strip or other public place are completed to the satisfaction of Council, prior to the issuing of a *final occupation certificate* for the development.
 - Relevant *Road / Asset Opening Permit* fees, repair fees, inspection fees and security deposits, must be paid to Council prior to commencing any works within or upon the road, footpath, nature strip or other public place.

For further information, please contact Council's Road / Asset Opening Officer on 9399 0691 or 1300 722 542.

Stormwater Drainage

10. The prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.

REQUIREMENTS PRIOR TO THE ISSUE OF AN CROWN COMPLETION CERTIFICATE

The following conditions of are recommended prior to the issuing of a '*Crown Completion Certificate*'.

Council's Infrastructure, Vehicular Crossings & Road Openings

11. The owner/developer must meet the full cost for a Council approved contractor to:
- a) Construct a minimum 3m wide heavy duty concrete vehicular crossing and layback at kerb opposite the vehicular entrance to the site, to Council's specifications and requirements.
 - b) Remove any redundant concrete vehicular crossing and layback and to reinstate the area with concrete footpath, turf and integral kerb and gutter to Council's specification.
 - c) Re/construct a 1.3m wide concrete footpath along the full site frontage. Any unpaved areas on the nature strip must be turfed and landscaped to Council's specification.
12. Prior to issuing a final Crown Completion Certificate, the owner/developer must meet the full cost for Council or a Council approved contractor to repair/replace any damaged sections of Council's footpath, kerb & gutter, nature strip etc which are due to building works being carried out at the above site. This includes the removal of cement slurry from Council's footpath and roadway.
13. All external civil work to be carried out on Council property (including the installation and repair of roads, footpaths, vehicular crossings, kerb and guttering and drainage works), must be carried out in accordance with Council's "Crossings and Entrances – Contributions Policy" and "Residents' Requests for Special Verge Crossings Policy" and the following requirements:
- a) Details of the proposed civil works to be carried out on Council land must be submitted to Council in a Civil Works Application Form. Council will respond, typically within 4 weeks, with a letter of approval outlining conditions for working on Council land, associated fees and workmanship bonds. Council will also provide details of the approved works including specifications and construction details.

- b) Works on Council land, must not commence until the written letter of approval has been obtained from Council and heavy construction works within the property are complete. The work must be carried out in accordance with the conditions of development consent, Council's conditions for working on Council land, design details and payment of the fees and bonds outlined in the letter of approval.
- c) The civil works must be completed in accordance with the above, prior to the issuing of an Crown Completion Certificate for the development, or as otherwise approved by Council in writing.

Stormwater Drainage

14. A "restriction on the use of land" and "positive covenant" (under section 88E of the Conveyancing Act 1919) shall be placed on the title of the subject property to ensure that the onsite detention/infiltration system is maintained and that no works which could affect the design function of the detention/infiltration system are undertaken without the prior consent (in writing) from Council. Such restriction and positive covenant shall not be released, varied or modified without the consent of the Council.

Notes:

- a) The "restriction on the use of land" and "positive covenant" are to be to the satisfaction of Council. A copy of Council's standard wording/layout for the restriction and positive covenant may be obtained from Council's Development Engineer.
 - b) The works as executed drainage plan and hydraulic certification must be submitted to Council prior to the "restriction on the use of land" and "positive covenant" being executed by Council.
 - c) Evidence of registration of the Positive Covenant and Restriction (by receipt and/or title search) on the title of the subject property must be provided to the satisfaction of the Principal Certifier.
15. A works-as-executed drainage plan prepared by a registered surveyor and approved by a suitably qualified and experienced hydraulic consultant/engineer must be forwarded to the Principal Certifier and the Council. The works-as-executed plan must include the following details (as applicable):
- Finished site contours at 0.2 metre intervals;
 - The location of any detention basins/tanks with finished surface/invert levels;
 - Confirmation that orifice plate/s have been installed and orifice size/s (if applicable);
 - Volume of storage available in any detention areas;
 - The location, diameter, gradient and material (i.e. PVC, RC etc) of all stormwater pipes;
 - Details of any infiltration/absorption systems; and
 - Details of any pumping systems installed (including wet well volumes).
16. The applicant shall submit to the Principal Certifier and Council, certification from a suitably qualified and experienced Hydraulic Engineer, which confirms that the design and construction of the stormwater drainage system complies with the Building Code of Australia, Australian Standard AS3500.3:2003 (Plumbing & Drainage- Stormwater Drainage) and conditions of this development consent.

The certification must be provided following inspection/s of the site stormwater drainage system by the Hydraulic Engineers to the satisfaction of the Principal Certifier.

Waste Management

17. Prior to the occupation of the development, the owner or applicant is required to contact Council's City Services department, to make the necessary arrangements for the provision of waste services for the premises.
18. The nature-strip upon Council's footway shall be re-graded and re-turfed with Kikuyu Turf rolls, including turf underlay, wholly at the applicant's cost, to Council's satisfaction, prior to any Crown Completion Certificate.

OPERATIONAL CONDITIONS

The following operational conditions must be complied with at all times, throughout the use and operation of the development.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, Council's development consent and to maintain reasonable levels of public health and environmental amenity.

Stormwater Detention/Infiltration System

- 19. The detention area/infiltration system must be regularly cleaned and maintained to ensure it functions as required by the design.

.....
DEVELOPMENT ENGINEER
JASON RIDER

.....
LANDSCAPE DEVELOPMENT OFFICER
DAVID MEREDITH