

16 December 2014

The General Manager
Lake Macquarie City Council
Box 1906
Hunter Region Mail Centre 2310

Attention: Elizabeth Lambert

REVISED DOCUMENTATION, DA/1774/2013, MIXED USE AND RESIDENTIAL DEVELOPMENT, KOPA STREET AND DUDLEY ROAD, WHITEBRIDGE

In response to Council's letter dated 3 November 2014 I am pleased to provide this letter covering the submission of additional documentation for the abovementioned development application. A summary response to the matters raised in the Council letter is appended to this report while the following documents are enclosed with this letter:

- Access Report (BCA Access Solutions, 5 December 2014)
- Noise Impact Assessment (Spectrum Acoustics, December 2014)
- Arboricultural Impact Assessment and Tree Protection Plan (Treeology, 11 December 2014)
- Visual Impact Assessment (Envisage Consulting, 16 December 2014)
- Architectural Plans (Smith & Tzannes)
- Landscape Design Plans (Mansfield Urban)
- Stormwater Plans (Forum Consulting)
- Erosion & Sediment Plans (Forum Consulting)
- Turning Path Plans (Forum Consulting)
- Letter of Conditional Approval (MSB, 9 December 2014)

Should you wish to further discuss the revised documentation or require additional information please contact me directly on (02) 4954 8866.

Kind regards,



Wade Morris
Approvals Coordinator
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Appendix:

Summary Response Table (SNL Building)

SUMMARY RESPONSE TABLE – COUNCIL REQUEST FOR INFORMATION DATED 3 NOVEMBER 2014 – DA/1774/2013	
Item raised	Response
Mine Subsidence Board Approval	
As per Council's previous correspondence, dated 8 September 2014, Mine Subsidence Board has refused to issue general terms of approval for the development. MSB have requested information directly to assist in resolving this issue, and it is understood that they will be meeting on the matter later in November 2014. Consent cannot be granted until Mine Subsidence Board issue general terms of approval for the development.	The MSB has issued general terms of approval for the development.
Stormwater Management	
The proposed stormwater facilities and infrastructure located within close proximity to the rear boundaries of properties on Lonus Avenue is not supported due to the potential impact on existing vegetation on the adjoining land. Council requires this development to provide for the infrastructure and easements for stormwater as previously advised at pre-lodgement.	In consultation with the arborist, easements and stormwater design have been revised to mitigate the impacts on vegetation on adjoining land. Refer to revised plans and Impact Assessment (Treeology).
The location of the infrastructure has not been fully resolved in terms of the overall design of the development and in particular, the structure of the basins within the 7(2) zoned land. All the stormwater nutrient controls for the development are located within two bio-retention basins located on the 7(2) zoned lands. Gross Pollutant Traps and maintenance access roads to the basins have not been provided, further detail is required. There is present conflict between the landscape documentation and engineering detail regarding the basins located within the 7(2) zoned lands. Council officers do not support the basins as proposed. The location of these facilities in close proximity to the proposed shared pathway and the boundary of the site with the Fernleigh Track are not supported . The visual and environmental impact of the stormwater facilities proposed in the 7(2) zoned lands has not been demonstrated but is also not supported. This infrastructure should be relocated.	<p>Infrastructure location and design has been amended. In particular:</p> <ul style="list-style-type: none"> GPTs have been provided (KIP4 and P18); Fencing of basins has been removed; Impact on trees has been ameliorated by relocating infrastructure west, away from the boundary and trees on adjoining land; Access for maintenance is from the adjoining street network. There are no barriers to plant and equipment accessing the basins as required. <p>The revised stormwater infrastructure provides a soft treatment that is environmental and visually appropriate for the site. The use of vegetated swales and buffers strips in combination with bio-retention swales will achieve water quality and stormwater management targets while integrating with the landscape concept and bushfire mitigation to deliver an appropriate outcome.</p>
Trees and Native Vegetation	
The proposed locations of infrastructure such as stormwater piping and retaining walls as well as stormwater detention devices are not supported from a landscape and tree preservation perspective. The location of the required infrastructure requires revision to eliminate the impact proposed on vegetation by design revision and relocation of such services.	Stormwater and RW designs have been amended to mitigate the impact on trees. No trees are being removed to facilitate stormwater infrastructure or retaining walls and all trees for retention have been assessed by the consulting arborist. The revised design minimises tree removal and is appropriate for the scale and context of the development. The revised infrastructure and tree retention has been integrated with the landscape concept to provide an appropriate and much improved landscape outcome for the degraded site.
Numbered below are specific areas of concern:	
<p>1. <u>Loss of Scribbly Gum tree (T15) internal to site near north-eastern corner:</u></p> <p><i>...Tree15 has been identified as having high retention value, where if to be retained, setbacks (for stormwater infrastructure) as identified in Section 4.2 of submitted 'Preliminary Arborists Report' (Atkins, 05/08/2013) will need to be adhered to...</i></p> <p>The tree has a high retention value (and Useful Life Expectancy) and accordingly is recommended for retention. The Arborist Report details measures required to ensure the tree is successfully retained, further consideration of this matter is required.</p>	<p>The pathway has been relocated to allow retention of Tree 15. It will retain the existing connection with the Fernleigh Track and avoid impacting of Tree15.</p> <p>The stormwater design has been amended with pits and pipes relocated to facilitate retention of Tree 15.</p> <p>The Impact Assessment (Treeology) confirms that Tree 15 can be retained.</p>

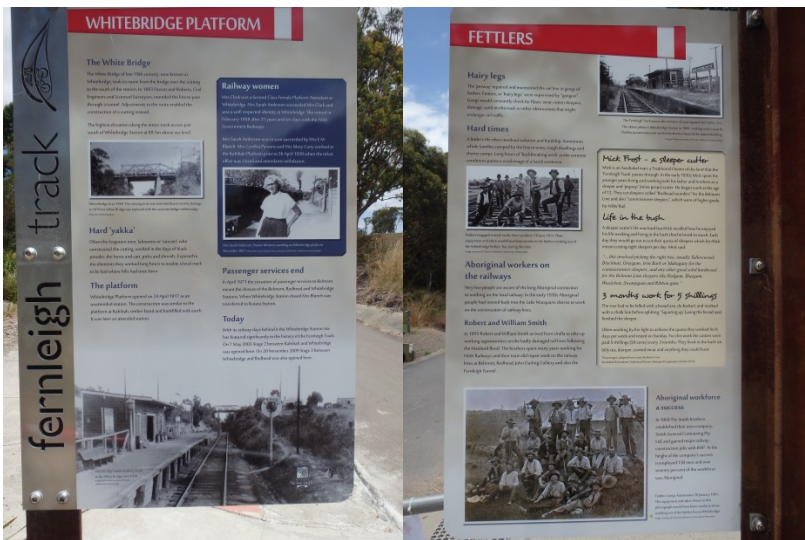
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<p>2. <u>Two Lilly Pilly trees (T29 – T30) located in northern corner:</u> <i>...the two trees have been identified as also having high retention value, where if to be retained, setbacks (for stormwater infrastructure and retaining wall/excavation works) as identified in Section 4.2 of submitted 'Preliminary Arborists Report' (Atkins, 05/08/2013) will need to be adhered to...</i></p> <p>The Lilly Pilly trees have a high retention value (and Useful Life Expectancy). One of the trees (Tree 29) may be located partially on the adjoining property, where adjoining owners consent is required prior to Council consenting to removal. Clarification of the exact location of the Lilly Pilly (Tree 29) is required, where if found to be partially located on the adjoining property, the adjoining property owner will be required to provide written consent for its removal.</p>	<p>As indicated on the survey, Tree 29 is on the boundary, but inside the fence. The project surveyor confirmed that: <i>The boundary cuts the trunk by about 100mm on the neighbours and 200mm on us. So the majority of the tree is on our site.</i></p> <p>Under the provisions of s 4(3) of the Trees (Disputes between Neighbours) Act a tree is situated on our land as it is wholly or principally on the land. This was confirmed in Brown & Anor v Weaver [2007] NSWLEC 738 (22 October 2007) where the Court confirmed that for the purposes of determining whether a tree is "situated ... principally" on a property it need only require more than 50% of the base of the trunk at ground level to be located on the site.</p> <p>Tree removal can occur without the need for adjoining owner consent.</p> <p>Further to this we note the owner at 6 Kopa St identified in their submission to Council that these trees were causing interference with fencing and driveway gates which adjoins their detached garage. Concern was also raised about privacy following any removal of the trees. Removal of these trees will mitigate impacts on the fencing, while privacy is addressed through the dwelling design.</p>
<p>3. <u>Trees (T31 – T38) located on the adjoining property</u> <i>Section 6.7 of submitted 'Preliminary Arborists Report' (Atkins, 05/08/2013) details a 1 metre setback from the boundary for any excavation for most trees, with an additional metre setback for T35.</i></p> <p>There has been substantial amendments in design along the western boundary, however ground levels appear to be kept at existing levels. The outstanding issue however is the proposed '1000mm wide inter-allotment drainage easement' comprising of a 150mm pipe along the boundary (Concept Stormwater Management Plan - Rev D, dated 01/08/2014). This will be an issue regarding the successful retention of trees located on the adjoining property, particularly considering excavations are proposed within the SRZ of Tree 35 (and others to a lesser extent). The drainage infrastructure will need to be relocated further within the site to maintain setbacks from identified Tree Protection Zones (TPZ) and Structural Root Zones (SRZ) of all trees located on adjoining property.</p>	<p>All impacts on adjoining trees have been mitigated through design revision, in particular the relocation of stormwater infrastructure requested by Council to manage future development on adjoining land.</p> <p>Per the Impact Assessment (Treeology) all trees on adjoining private land can be retained.</p>
<p>An Arboricultural Impact Assessment and associated Tree Protection Measures are required in report form as a follow up to the Preliminary Arborist Report for further consideration.</p>	<p>See enclosed Impact Assessment (Treeology). This assessment reviewed the design and confirmed tree removal and retention.</p>
<p>4. <u>Trees (T39 – T40) located on adjoining property</u> Tree 39 – 40 are identified for retention under the amended plans. An Arboricultural Impact Assessment and associated Tree Protection Measures is required as a follow up to the Preliminary Arborist Report for further consideration.</p>	<p>These trees are on adjoining land and cannot be removed without consent. Buildings and structures are approximately 4m off this boundary and the trees are not proposed for removal.</p> <p>See enclosed Impact Assessment (Treeology) regarding suitability of these trees for retention.</p>
<p>5. <u>Trees (T2 – T13) adjacent south-eastern boundary</u> There has been no regard to recommendations as outlined within Section 6.5 of the submitted Preliminary Arborist Report as referred to above, with substantial excavations required to facilitate the proposed drainage swale along the boundary. An Arboricultural Impact Assessment and associated Tree Protection Measures addressing this issue are required as a follow up to the Preliminary Arborist Report.</p>	<p>The stormwater system has been redesigned to mitigate impacts on these trees. No trees on adjacent land are proposed for removal. The revised stormwater and landscape plan will provide complementary plantings that will integrate with existing vegetation along this corridor while mitigating any potential to introduce a bushfire threat.</p> <p>See revised plans and the enclosed Impact Assessment (Treeology).</p>
Road Design	
<p>The development proposes a public road network as access through the development. The road layout is not satisfactory concerning the following matters:</p>	
<ul style="list-style-type: none"> Kopa Street should be extended to the limit of the development at its current width. The access road to the development should then be made by way of a T intersection to Kopa Street. Should Lots 21 – 24 be deleted from the proposal, Kopa Street will not be required to provide frontage to this area. 	<p>Only one dwelling (Lot 25) has access off Kopa St. Extension of Kopa St as full road construction is therefore not considered necessary. The driveway design is a more suitable response. It facilitates some tree retention on Kopa St and avoids impacting on the recently constructed access path to the Fernleigh Track. It also reduces the visual impact by minimising hard stand.</p> <p>It is noted this approach is consistent with recent development at 50 Lonus Ave, Whitebridge, where a driveway was extended in the road reserve to provide access to residential Lots. We are also aware of similar arrangements at Lakelands where less than full road construction is provided to a limited number of dwellings. The proposed outcome is not only appropriate for the specific circumstances of the proposal, but consistent with these similar practices elsewhere in Lake Macquarie LGA.</p>

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<ul style="list-style-type: none"> The internal public road should have a minimum radius of 20 metres at all four corners. This will result in some adjustment to the layout. 	<p>The road network has been designed to fit the site context and nature of the proposed development. The network is not a through road but a local road providing access to a limited dwelling catchment. This provides a natural regulation on traffic volumes and ensures the majority of drivers are residents familiar with road conditions.</p> <p>Road geometry is designed for low speed traffic. Directional changes use intersection design standards, with swept path movements shown on the revised plans (Forum). This shows a service vehicle can manoeuvre within the constructed carriageway. While they cross the centreline on the corners, this is considered acceptable given the time and low speeds at which service vehicles (garbage trucks) would use the site.</p> <p>It is intended the streets be a local traffic area or shared zone. This would be signposted and could be reaffirmed with thresholds or changes in road surface treatment.</p> <p>It is noted Council resolved (10/6/14 – <i>Traffic Facilities & Road Safety Committee 14TFC110, F2006/02344</i>) to request Dudley Rd be reduced to 40km/h between Station St and Lonus Ave. Extension of any 40km from here through this site would be appropriate.</p> <p>The proposed road configuration is considered acceptable for the context and setting of this development and seeks variation to the design guidelines in Council's DCP.</p>
<ul style="list-style-type: none"> All corner lots (including Lots 24 and 25) shall have a splay at the corner, a minimum length of 4.0 metres. 	<p>The plans have been amended to provide appropriate splays. These are depicted on the revised plans.</p>
<ul style="list-style-type: none"> The internal road is proposed at 15 metres wide with a constructed carriageway of 6m wide. This complies with DCP 1; however, the application proposes provision of separate parking bays within the road reserve that encroach into the road verge. A separation of 3.5 metres needs to be provided between the back of the parking bays and the private property boundaries. The layout does not provide any dimensions, these are required to be provided and amendments made to ensure compliance to accommodate the additional width. Alternately, the constructed road width could be increased to 8m wide and the parking bays removed. This would necessitate a wider road reserve and would require the development layout to be modified. NSW Rural Fire Service require a minimum, kerb to kerb width for the roads of 8.0 metres, however consultation should be undertaken with the RFS, as they may support the travel width being 6m wide and the provision of separate parking bays outside the 6m width. 	<p>The minimum 6m carriageway with indented parking and 'no parking' restrictions conforms to RFS requirements. It is noted the NSW RFS has reviewed the proposal and issued GTA's based on the proposed road network.</p>
<ul style="list-style-type: none"> All access batters within the proposed open space area zoned 7(2) must have a batter of 1 in 4 to allow for mowing by tractor mowers, this will be required to be demonstrated. 	<p>Engineering plans have been revised to provide appropriate batter slopes.</p>
<ul style="list-style-type: none"> A geotechnical report is required regarding the status of the existing pavement at Kopa Street. 	<p>This is not considered a requirement for determination of the development application. It can occur in construction documentation, noting that separate approval will be required for constructing the public road, with Council the determining authority.</p>
Public Transport/Pedestrian	
<p>A concrete footpath has been shown on both sides of the new public road. Council requires a footpath on one side of the road. A concrete footpath will be required in Kopa Street along the full frontage of the development site and extending to Lonus Avenue.</p>	<p>Plans have been amended to adjust the footpath configuration. Refer to amended plans that provide appropriate path access to dwellings and achieve connectivity through the site.</p>
Car Parking Areas & Structures	
<p>The layout of the car parking areas are generally satisfactory except for the carpark on Level 0 of Lot 1. The length of the blind aisle near parking space 30 exceeds the maximum length permitted under AS 2890. Provision for vehicles to turn will be required.</p>	<p>We believe the blind aisle controls in AS 2890 do not apply to residential car parks where spaces are all allocated. Resident vehicles utilise allocated parking spaces to turn and a dedicated turning area is not required.</p> <p>It is noted however that the car wash is at the end of the blind aisle. It is unlikely this will be continuously occupied and if necessary would provide an area to turn in the unlikely event a vehicle enters and is unable to access an allocated parking space.</p>
Erosion and Sediment control	
<p>Erosion and sediment control plans for each stage are required and shall detail the requirements for disturbance for that stage. Detail on how the sediment basins shown on the current plans will be incorporated as erosion and sediment control measures is also required.</p>	<p>Amended information is enclosed that is considered satisfactory for determination. It includes individual stage plans.</p>

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Heritage	
Historical interpretation strategies for the site have not been provided and are required, Council officers spoke in depth about the requirement as part of the development however this detail has not been provided. The following elements, at a minimum, shall be interpreted within the site: Whitebridge (The Suburb), Whitebridge Station (former), The “White Bridge” and Fernleigh Track.	<p>The site is not heritage listed or within a heritage conservation area.</p> <p>It does adjoin a local heritage item, being the Belmont Railway (LMLEP Sch.5 Item 15). The LMLEP2004 does not automatically require heritage assessment for development adjoining a listed heritage item. At Council’s direction a Statement of Heritage Impact has been provided. It concludes that the proposed development will have minimal impact on the heritage significance of this item. Heritage was also considered at during the rezoning and not considered a significant constraint to future development. Further heritage advice, including an interpretation strategy, is not considered necessary and has not been provided.</p> <p>Heritage interpretation may be considered as part of future landscaping and public domain works. The form and content of such works would be subject to discussion with Council. It is expected information would come from reports completed as part of the construction of the Fernleigh Track.</p> <p>It is noted Council recently installed interpretive signs on the Fernleigh Track (see images below). We presume these works in the heritage corridor were subject to a SOHI and interpretation strategy, the results which can inform any future works on our site.</p> 
Access Audit	
An access audit is required.	<p>An access audit is enclosed for assessment (BCA Access Solutions). It concludes that :</p> <p><i>‘Generally, the plans assessed for the development application show that compliance with requirements for access for people with a disability will be achievable subject to incorporation of specific elements and further details being assessed prior to the issue of a construction certificate.’</i></p>
Acoustic Report	
An acoustic report has not been provided and is required. The report must address potential noise impact of commercial activities on adjacent residential premises. The scope of the assessment shall include both existing adjacent and proposed internal commercial premises.	<p>An acoustic report is enclosed for assessment (Spectrum Acoustics). It concludes that acoustic impacts are within acceptable thresholds or will be, subject to final construction details confirming attenuation for a/c condenser units.</p>
Landscaping / Urban Design	
Visual Impact	

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As previously discussed, a visual analysis of the development is required. Of particular interest the impact from the Fernleigh track locations, looking north west and south west into the site from the access point located to the sites north eastern corner. Both Council's Heritage Officer and Landscape Architect requested visual montages of the proposal in review of built form, massing on the site and whether views from Fernleigh track would be impacted. In addition, the photomontages must consider whether the existing vegetation would provide adequate mitigation measures, and whilst having regard to heritage impacts on the Track.	Impacts on heritage was addressed and deemed acceptable in the SoHI. The development will impact views and expected visual impacts are discussed in the SoEE. Further to the SoHI and SoEE, a Visual Impact Assessment (VIA) is enclosed (Envisage Consulting). It concludes that the impacts are acceptable. Additional recommendations are proposed which have been balanced against landscape and bushfire provisions.
Council officers previously advised that Council's City Design Department have a working document, which reviews or provides precedent design scopes for the Council's Neighbourhood Centres or village centres. Whitebridge is one of those centres in which the document provides design scope and technical details for which public domain treatments shall be implemented. As such, the submitted public domain and streetscape treatments will be assessed and reviewed to ensure that the design guidelines and objectives of that document have been met to council's satisfaction. This typically would be assessed in detail as part of the construction certificate application to Council for works on public domain land. Conditions of consent would apply to any consent to ensure detailed construction documentation is lodged for further assessment for all works on proposed and existing public domain areas and to ensure they comply with Council's requirements.	We are unaware if these documents are publically available and were unable to identify reference to them in existing development policies. Notwithstanding this we acknowledge any future construction documentation for the public domain may be assessed against these working documents. We expect Council will provide access to these documents to assist with preparation of construction documentation.
In review of the documentation a detailed visual impact assessment in line with Council's Scenic Management Guidelines 2013 specifically considering the development as viewed from the Fernleigh Track, the bridge over the Fernleigh Track and other close vantage points is required to be submitted.	A detailed VIA, in accordance with Council's Scenic Management Guidelines 2013, is enclosed (Envisage Consulting). It assesses the impacts of the development from relevant vantage points. Recommendations of the report have been incorporated where practical and where not in conflict with other constraint/considerations such as bushfire mitigation.
<u>Ecological Corridors</u> There are numerous areas of conflict within the engineering and landscape documentation (which must also be crosschecked against the RFS requirements) with regard vegetation requirements for the land zoned 7(2) Conservation. The engineering and landscape plans shall be reviewed in light of the issues raised above and resubmitted documentation shall be consistent with each other.	Refer to revised documentation that has been coordinated by the project consultants to remove conflicts.
<u>Landscape / Open Space Areas</u>	
Councils Landscape Design Guidelines are applicable to the development, particularly any landscape works nominated within the public domain or future public domain areas. A detailed Construction Certificate for all works in the existing / proposed public domain will be required should the development be considered for approval.	Construction approval has not been sought. Detailed construction documentation is not required as part of the application. It will be prepared subject to development consent being issued and CC approval being sought.
With regard, the private landscape areas the following comments are made:	
<ul style="list-style-type: none"> The private open space planting typical to many of the units proposed is supported. However, additional detail regarding internal boundary interfaces along certain lots and private open space boundary interfaces is required for final assessment. Additional detail on landscape plans of private open space (POS) areas for individual dwellings is also required, for example podium POS areas of Lot 3 unit 3.10 with lot 20 or how POS podiums of Lot 3 units 3.05 and 3.06 interface to POS of unit 3.10 and potential overlooking of unit 3.10 to Lot 20. At present, these interfaces remain unresolved. 	Typical design is provided depicting the interface between lots. For the most part there are minimal level differences at lot boundaries. Interfaces consist of boundary landscape treatment and typical domestic fencing. Refer to the enclosed landscape and architectural documentation for details.
<ul style="list-style-type: none"> The nominated communal open space as a concept is appropriate. However of concern is the design of the public road reserve interface to this open space area. All works from the boundary (pavement and street trees) of the open space to back of kerb must be undertaken in accordance with Council requirements. 	Noted. Works in the public domain require Council certification. They will be detailed in CC documentation in consultation with Council.
<ul style="list-style-type: none"> It is recommended that the design of the playground and associated batters and retaining walls are constructed in accordance with relevant playground Australian Standards and NSW playground guidelines. As this open space area is required because of the development, this area of land will remain as private land and under private ownership and maintenance. 	Noted. The landscape design incorporates design provisions for playground equipment.
<ul style="list-style-type: none"> All details are to be provided within the submitted plans – reference is not to be made that states “to future detail”. Any notation or abbreviation shall be provided in the key on the page to which it relates. Clarification regarding fencing outcomes is to be provided, as there appears to be conflicting statements within the documentation. 	Refer to revised documentation. Fencing is detailed on the landscape documentation (Mansfield Urban).

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<p><u>Streetscape and Local Character</u></p> <p>Use of paving treatments that visually delineate pedestrian areas from public roads particularly for increased pedestrian footfall through the site are to be considered and included. Tree guards shall be implemented as visual cues to assist in pedestrian linkages through the site as well as way finding, specifically, heritage panels for tree guards will assist in the design of the public domain and heritage interpretative links. Street trees in roadways within parking areas (public roadways) were also discussed provisionally with the proponent for additional streetscape amenity, which does not appear to have been carried through in the submitted documentation.</p>	<p>Noted. We refer to previous comments re heritage interpretation.</p> <p>This level of detail is not considered necessary for determination of a DA, particularly where Council will be involved in certification of future public works.</p>
Waste / Recycling	
<p>The application states that storage has not been allocated in all designs to accommodate Council's three-bin system, this must be provided or an alternative proposal for waste disposal must be proposed. In addition, the following matters are to be addressed:</p> <ul style="list-style-type: none"> Lot 1 – the nominated storage areas within the basement for the residential component are not sufficiently large to accommodate the required number of bins and provide access to the bins, not in a stacked arrangement. 	<p>Under the LMCC 'shared standard' package: 35 units x 0.5 bins (1 bin between 2 units) =</p> <ul style="list-style-type: none"> 18 x Red bins 240L (OR 4x1100L bins) 18 x Yellow 240L bins 18 x green 240L bins <p>Due to site constraints we propose twice weekly private contractor collection =</p> <ul style="list-style-type: none"> 9 x red 240L bins 9 x Yellow 240L bins 9 x green 240L bins <p>The bins are accessed by residents on the lowest carpark level (RL 94.9). This room is fully accessible to all residents, with a new 1:14 ramp connecting the upper parking level (RL 95.523) to this lower level. A mechanical hoist is provided in the bin room to accommodate the level difference between the street and the bin room. The caretaker would exclusively use the hoist to move bins in and out for collection. A secure gate will prevent use of the hoist by residents.</p>
<ul style="list-style-type: none"> Lot 2 – the nominated storage area within the basement must provide for access doors that enable two bins (2 x 240L) to be removed at a time, the restricted access does not allow for 1100L bins to be moved at all. A double width access door shall be provided. 	<p>'Shared standard' package: 8 units x 0.5 bins (1 bin between 2 units), once weekly private contractor collection =</p> <ul style="list-style-type: none"> 5 x Red 240L bins 5 x Yellow 240L bins 5 x green 240L bins <p>The bin quantity is compliant. The access door has been relocated and widened as a double door to suit removal of two bins at a time. Bins are taken directly from the bin room via this door to the kerbside collection area.</p>
<ul style="list-style-type: none"> Lot 3 – the nominated storage area within the basement must provide access to all of the bins within the storage area without the bins being stacked, bins should be arranged in a U shape to allow easy access to all bins. Access for removal of bins is again an issue. 	<p>'Shared standard' package: 10 units x 0.5 bins (1 bin between 2 units), once weekly collection =</p> <ul style="list-style-type: none"> 5 x Red 240L bins 5 x Yellow 240L bins 5 x green 240L bins <p>Quantity is compliant. Configuration rearranged to avoid stacking. Access door widened as 1.5 leaf wide door to suit removal of two bins at a time. Bins are taken through the main garage door to the kerbside collection area.</p>
<ul style="list-style-type: none"> Lot 4 –the nominated number of bins cannot be provided for within the bin storage area. Again, bins must not be stacked in front of each other to enable easy access to all bins. 	<p>'Shared standard' package: 18 units x 0.5 bins (1 bin between 2 units), once weekly collection =</p> <ul style="list-style-type: none"> 9 x Red 240L bins 9 x Yellow 240L bins 9 x green 240L bins <p>The quantity or 'nominated number' of bins is compliant. Configuration has been rearranged to avoid stacking.</p>
<ul style="list-style-type: none"> Lots 5 to 24 - show provision of only two bins per dwelling, Council requires each dwelling to be provided three bins and area for storage of the three bins. Additional detail is required in this regard. 	<p>Additional green bin has been added to each dwelling.</p>
NSW Rural Fire Service (RFS) Requirements	

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It should be noted NSW RFS have provided general terms of approval for the development. Included in the general terms of approval is the requirement that the Kopa Street unit building be constructed to meet BAL40 requirements and that the Parkside Units be constructed to BAL29.	Noted
As referenced previously, RFS have nominated requirements with regard the road width that must be complied with. In addition, they require less than three degree cross fall, capacity to carry a 15 tonne vehicle and a minimum distance for inner and outer curves of 6m. This shall be demonstrated on plan.	Noted
Detailed Issues	
A plan showing clearly the development in relation to zone boundaries is required.	TA plan showing the zone boundaries is provided in the revised documentation (Smith & Tzannes DA-A-803).
Streetscape plans / perspectives are required for the whole of the development.	Refer to revised documentation and the VIA.
The small lot housing development on lots 21 – 24 appear to be poorly resolved in relation to the positioning of fencing, private open space areas, clothes lines and its relationship to the Fernleigh Track, this area is required to be reconsidered in its entirety.	The design was revised to this configuration to reduce the number, height and mass of dwellings in this area. Each dwelling is provided with POS in the side setbacks. Fencing is offset from the boundaries and provided with a landscape strip on the street side of the fencing to mitigate visual impacts of the side fences. Minimal fencing is provided on the primary street frontage for these lots and the boundaries are landscaped. The proposed configuration is considered consistent with the DCP controls relating to development on corner lots. Further, these dwellings help frame the entry to the site from Kopa St. They provide a visual corridor that terminates with the open space fronting street E. Refer to the revised plans, including elevations and montages that demonstrate the suitability of the design.
Clarification is required over the need for the “private drive” from the corner of Street A and Street E, which appears superfluous to the needs of the development, a footpath, may be more appropriate in this area.	This was intended to provide access for service vehicles, but has been amended to show a pedestrian path only.
Clarification is sought as to whether consent is sought within the mixed use building for commercial tenancies or shops as defined under Lake Macquarie Local Environmental Plan 2004. Proposed hours of operation are also required for this aspect of the mixed use development.	Shops are the proposed land use for this space. Proposed hours of operation are 7am-8pm Mon-Sun. These are consistent with the approval and operation of adjoining premises including: <ul style="list-style-type: none"> Foodworks (DA/2121/2006) – 7am – 8pm Mon-Sun Pharmacy (DA/1093/2005) – 9am-8pm Mon-Thu; 9am-9pm Fri-Sat; 10am-7pm Sun. Adequate parking is provided for shops, in accordance with DCP rates.
The location of proposed kiosks / substations required by Ausgrid shall be nominated on plan.	An easement has been provided in the open space facing Street C. This has been designed in accordance with Ausgrid policy NS141 <i>Site Selection and Site Preparation Standards for Kiosk Type Substations</i> that requires access for installation and maintenance. This location allows appropriate integration with site landscaping while meeting Ausgrid requirements and minimising visual impacts.
The landscape plan shall be reviewed having regard to the RFS requirements / specifications provided within their general terms of approval.	The landscape plans have been prepared in consultation with the bushfire consultant to ensure compliance with RFS requirements, including the provisions of Planning for Bushfire Protection (PfBP).
The success of a project of this scale and architectural form / character relies heavily upon the design intent being carried through to the architectural detailing. Elements such as sun shading, rainwater heads and stormwater pipes and the like shall be detailed to respect the original architectural intent. Final details on materials and finishes, including sun shade devices, rainwater heads, down pipes, fencing and the like, are required as in the event of any approval being issued for the development they will be included as specific conditions of development consent such that the architectural intent is maintained and carried through to the construction documentation and ultimate implementation.	This information is typically provided on construction documentation. Refer to enclosed plans that show typical detail.

SUMMARY RESPONSE TABLE – COUNCIL REQUEST FOR INFORMATION DATED 3 NOVEMBER 2014 – DA/1774/2013	
Item raised	Response
Further justification regarding the small lot housing development backing onto the lots on Lonus Avenue is required.	<p>There are 11 lots fronting Lonus Ave. 11 dwellings are proposed that have a common boundary with the Lonus Ave properties. The proposed dwellings are two storey, however the level change between the two lots result in only one storey being visible above the fence. Notwithstanding the reduced lot size, the built form along this interface is similar or less than might otherwise occur in a low density setting.</p> <p>The small lot houses are hardly visible over the fence and are considered appropriate in context with existing development. It is noted the Lonus Ave properties are deep lots with dwellings typically located close to the street, some distance from the common boundary. These also have the same medium to high density zoning and are likely to be redeveloped in the future.</p>
Staging of Development	
Full details of staging of construction works are to be provided to Council for consideration. The construction staging detail shall provide numerical order to the staging and shall include details on works to be included in each stage and approximate timing for the construction works.	<p>The staging plan has been revised to show numerical ordering of the stages.</p> <p>Stage 1 will incorporate the following construction works in addition to stage specific residential works:</p> <ul style="list-style-type: none"> • Establishment of site services • Construction of the road network and associated stormwater infrastructure • Construction of erosion and sediment basins and controls per the plans • Replacement of fencing on common boundary with the properties fronting Lonus Ave <p>Stage 4 is proposed to incorporate works in the public car park fronting Lot 1, subject to further discussion with Council re a works in kind agreement or co funding from the assets budget.</p>
Outstanding Information	
Further advice is presently being sought from Council's Flora and Fauna planner, Hunter Water Corporation and NSW Police. Any advice provided by them will be forwarded under separate cover.	No advice has been received and hence no further response is provided.
Submissions	
A response to the matters raised within the submissions shall be provided.	<p>A copy of the submissions or a summary report on matters raised through submissions was not provided. Notwithstanding this, from our engagement with the community and monitoring of various matters related to the assessment, our understanding is that matters raised relate to environmental impacts. We have seen no detailed reports or factual evidence to support most matters raised through submissions that warrant further action. All environmental impacts have been addressed in the development application and in accordance with relevant statutory requirements. In this regard no specific response is proposed to individual submissions and no additional matters have been raised that we are aware of that aren't already dealt with in the application.</p>