

Sharna Holland

From: Sharna Holland
Sent: Friday, 20 October 2023 6:11 PM
To: Darren Wooding
Cc: Tracey Gillett; Amanda Moylan; Matt Wilson
Subject: 271 Bernhardt Street, East Albury

Hi Darren,

I refer to Development Application 10.2023.40347.1 for 'Group Home – Seven (7) Residences, Retaining Walls, Car Parking, Front Fence, Vegetation Removal & Demolition' at 271 Bernhardt Street, East Albury.

Following a preliminary review of the plans and supporting documentation, the following further information is requested to progress the assessment of this application.

- Please provide elevations of all proposed retaining walls within the site. Please ensure retaining walls are dimensioned and numbered in accordance with their location on the Site Plan.
- Please amend the elevations of the bin storage area and storage area to identify the proposed heights of these structures. Please separate the elevations for these storage areas on a new plan, as floor plans are not public documents.
- Please amend the Statement of Environmental Effects (SEE) to assess the development against Division G – *Residential development enabled by a SEPP under Part 10 of Albury Development Control Plan 2010*.
- Please provide Council with a Plan of Management identifying how the site will operate, staffing requirements, hours of operation, typical length of stay, types of services provided on site to benefit residents, how the units are allocated, etc.
- Please amend plans to relocate the proposed yarning circle clear of the easement.
- Please provide Council with a Security and Crime Prevention Plan addressing CPTED principles and identifying how risk will be managed for women and children staying at the group home, the use of CCTV, access and egress into the site and boundary fencing details, etc., noting several submissions have raised concerns about potential increase in crime activity within the broader area if the development is to proceed.
- Based on the plans submitted, the site is not pedestrian accessible to all persons from the street boundary. Please address how pedestrian access for disabled residents and visitors from the street boundary will be managed if vehicle access is not possible.
- Following the site inspection with the Panel, it was noted there are several trees directly adjacent to the western boundary of the site. The demolition plan identifies nearly all trees along this boundary are proposed for removal; however, given these trees provide amenity to neighbouring properties and will soften the visual impact of the development, is it possible for some of these trees to be retained?
- The Panel have queried whether the width of the landscaped area along the western boundary is possible to be increased to facilitate a greater variety of trees and vegetation.
- Following the site inspection, the Panel noted the existing vegetation on site and the vegetation proposed to be removed. The Panel suggested Council obtain further details regarding the measures to protect significant vegetation on adjoining lots and to ensure trees on adjoining land does not cause structural damage to proposed retaining structures. Council's Urban Forest Officer has reviewed the Arborcultural Report, see comments below.
- It is noted that no Preliminary Site Investigation has been undertaken in relation to potential land contamination. The SEE suggests the site is unlikely to be contaminated. Please provide further comment in relation to the site being suitable for the proposed development (in accordance with SEPP Resilience and

Hazards 2021) and how potential contamination will be managed if contamination is found when works are occurring on site.

Following referral of the application to Council's internal departments, the below queries/comments have been raised:

Environmental Health

- Following review of the Site Plan and Waste Management Plan, please amend the plan to provide adequate space within the carparking and vehicle manoeuvring area to facilitate a service truck performing a three (3) way turn to ensure all vehicles can leave the site in a forward direction.

Environmental Planner

Following review of the "Arboricultural Impact Assessment Report", dated 24 July 2023, the following further information is requested:

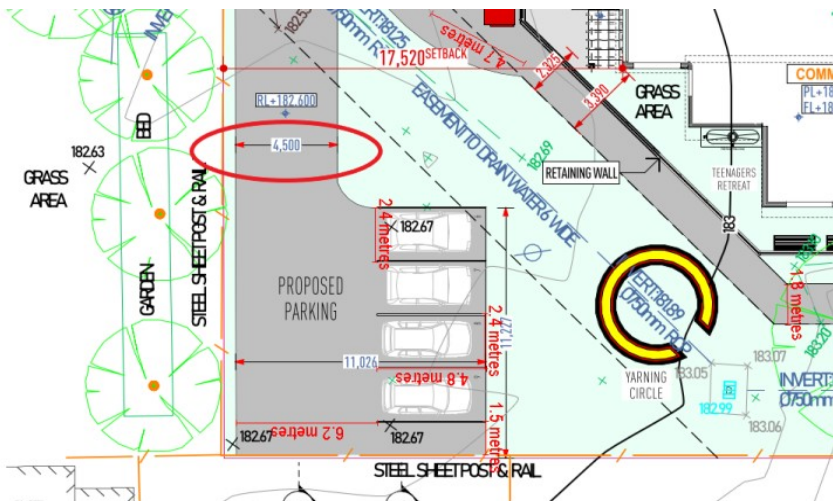
- Please provide evidence based references in relation to the below statements in bold made in Part 7 - Discussion, Section 7.7:
*An assessment of the considerations for major encroachments show that none of the seven trees with major encroachments will become unviable as a result of the development. **All of the trees are in good condition and are hardy species tolerant of root loss. The roots lost during construction will be replaced by the growth of new roots. The new roots will have completely replaced the lost roots within 2 years of the roots being cut. Studies have shown a better root regrowth response when the tree roots are broken rather than cut cleanly and a significant root replacement occurs after only 1 year (Gray 2023).***
- Please provide evidence based references regarding the following statements:
 - Tables 3, 4, 5, 6, 9: Gum trees have a structural root system that extends less than 3m from the base of the tree.
 - Table 2: Norfolk Pine trees have a root system that tends to grow downward rather than outward.
- The proposed development has extensive non-permeable development that has the potential to have significant impacts on both the trees within and abutting the development site. The proposed design may impact upon on the long term health and structure of the tree assets. In reference to Australian Standard AS4970-2009 "Protection of Trees on Development Sites", Section 3.3.4 TPZ encroachment considerations, as the encroachments are identified as major, please provide consideration of the following sections:
 - b) The potential loss of root mass resulting from the encroachment: number and size of roots.
 - h) Design factors.
- To what extent was the document "Arborist Site Assessment" conducted by Mick's Tree Height Reduction and Shaping Services referenced by Northern Tree Care?
- Table 7: Cypress – refers to gum trees and not cypress with the statement "structural root system that extends less than 3m from the base of the tree". Please amend the document.

Water and Wastewater

- Lot 1 DP 38393 (271 Bernhardt Street) has an existing 20mm water service connection which is supplied with potable water from a DN100 water main located on Bernhardt Street. All customer and fire service flows must be generated from this single point of connection. The applicant must engage a suitably qualified hydraulic engineer to determine the sizing of the service connection required to ensure sufficient water pressure and flow (customer and fire service) is provided to the proposed development.
- A physical, registered air gap will be required upstream of all firefighting, pump arrangements. No in-line booster pumps shall be permitted.
- Renewal of the 150mm sewer main that traverses Lot 1 DP 38393 (271 Bernhardt Street) is required prior to construction of the proposed development. Please liaise with AlburyCity's water and wastewater department regarding the requirements for this renewal.

Transport

- Car parking must provide wheel stops and the dimensions of bays must meet the AS2890.1 standards. Please amend the plans accordingly.
- Spacing between wheel stop and retaining wall shall be a minimum distance of 820mm to ensure vehicles do not encroach into the wall, alternatively, a kerb higher than 150mm is to be provided on site. Please amend the plans accordingly.
- A minimum clearance of 1m shall be provided for the car parking spaces where the side doors are opening to structural walls. Please amend the plans accordingly.
- Disabled parking bays are to be posted and line marked appropriately as per AS2890.6. Please amend the plans accordingly.
- Please provide vehicle turning movement templates.
- The 4.5m roadway width to the carparking spaces in the south-west portion of the site (see image below), will not accommodate two-way vehicle access. Please increase the width of the roadway to a minimum of 5.8m.



Development Engineer

- The existing overland flow path shall remain unchanged from existing levels and shall not be impeded by any structure or asset. A condition will be imposed to require engineering details be supplied to Council prior to issuing a Construction Certificate demonstrating that the overland flow up to Q100 can be achieved throughout the property without adversely affecting any existing properties. Please ensure the current design of the development will comply with this requirement.

Waste Management

- The Waste Management Plan (WMP) references Waste and Recycling with limited information on Organics waste. It is noted that no food or garden material is permitted in refuse/waste bins.
- All residences shall be provided with an 8L kitchen caddy whereby they will be required to every few days empty this into a 240L organics bin. Please alter the plans to reflect the inclusion of Organics Bins in the waste storage areas.
- Under Section E - Waste systems of the WMP, item 3 references onsite food waste recycling services as N/A. Please amend the Waste Management Plan to include information on green waste and organics.
- Please amend the WMP to identify who is collecting the weekly organics material. It is noted that if the site is rated as commercial, you are entitled to use an external waste provider for collection services.

Please provide a response to the above further information request at your earliest convenience. It is advised that several submissions have been received opposing the development. I will send through a copy of the redacted submissions on Monday 23/10/2023. Please provide a response to matters raised within the submissions for Council's consideration.

If you would like to discuss any of the above in further detail, please do not hesitate to contact me.

Kind regards

Sharna Holland
Senior Town Planner

553 Kiewa Street
Albury NSW 2640
T 02 6023 8710
alburycity.nsw.gov.au



Response to RFI-Albury Development

- Please provide elevations of all proposed retaining walls within the site. Please ensure retaining walls are dimensioned and numbered in accordance with their location on the Site Plan.
 - o Cindy
- Please amend the elevations of the bin storage area and storage area to identify the proposed heights of these structures. Please separate the elevations for these storage areas on a new plan, as floor plans are not public documents.
 - o Cindy
- Please amend the Statement of Environmental Effects (SEE) to assess the development against Division G – *Residential development enabled by a SEPP under Part 10 of Albury Development Control Plan 2010*.
 - o In my opinion, the appropriate provisions of the DCP are contained at Part E of the Albury DCP.
- Please provide Council with a Plan of Management identifying how the site will operate, staffing requirements, hours of operation, typical length of stay, types of services provided on site to benefit residents, how the units are allocated, etc.
 - o Attached by Darren
- Please amend plans to relocate the proposed yarning circle clear of the easement.
 - o Cindy
- Please provide Council with a Security and Crime Prevention Plan addressing CPTED principles and identifying how risk will be managed for women and children staying at the group home, the use of CCTV, access and egress into the site and boundary fencing details, etc., noting several submissions have raised concerns about potential increase in crime activity within the broader area if the development is to proceed.
 - o Attached by Darren
- Based on the plans submitted, the site is not pedestrian accessible to all persons from the street boundary. Please address how pedestrian access for disabled residents and visitors from the street boundary will be managed if vehicle access is not possible.
 - o Cindy
- Following the site inspection with the Panel, it was noted there are several trees directly adjacent to the western boundary of the site. The demolition plan identifies nearly all trees along this boundary are proposed for removal; however, given these trees provide amenity to neighbouring properties and will soften the visual impact of the development, is it possible for some of these trees to be retained?
 - o Unfortunately we are unable to decrease the driveway width due to many access concerns. We will intend to plant some type of hedging to the Western Boundary to soften the look and feel.
- The Panel have queried whether the width of the landscaped area along the western boundary is possible to be increased to facilitate a greater variety of trees and vegetation.
 - o As per above note
- Following the site inspection, the Panel noted the existing vegetation on site and the vegetation proposed to be removed. The Panel suggested Council obtain further details regarding the measures to protect significant vegetation on adjoining lots and to ensure

trees on adjoining land does not cause structural damage to proposed retaining structures. Council's Urban Forest Officer has reviewed the Arborcultural Report, see comments below.

- Please find attached document from Arbor culturalist
- It is noted that no Preliminary Site Investigation has been undertaken in relation to potential land contamination. The SEE suggests the site is unlikely to be contaminated. Please provide further comment in relation to the site being suitable for the proposed development (in accordance with SEPP Resilience and Hazards 2021) and how potential contamination will be managed if contamination is found when works are occurring on site.
 - We have relied on the fact that site is vacant and located within a residential area to demonstrate that it is unlikely to be contaminated. Further, there doesn't appear to be any infrastructure or remnants of infrastructure that would suggest that the site has been used for another purpose historically.
 - I have reviewed the historic NSW aerial imagery for the site. Unfortunately, there is nothing available for this site.

Following referral of the application to Council's internal departments, the below queries/comments have been raised:

Environmental Health

- Following review of the Site Plan and Waste Management Plan, please amend the plan to provide adequate space within the carparking and vehicle manoeuvring area to facilitate a service truck performing a three (3) way turn to ensure all vehicles can leave the site in a forward direction.
 - Being completed by Dan Drum

Environmental Planner

Following review of the "Arborcultural Impact Assessment Report", dated 24 July 2023, the following further information is requested:

- Please provide evidence based references in relation to the below statements in bold made in Part 7 - Discussion, Section 7.7:

*An assessment of the considerations for major encroachments show that none of the seven trees with major encroachments will become unviable as a result of the development. **All of the trees are in good condition and are hardy species tolerant of root loss. The roots lost during construction will be replaced by the growth of new roots. The new roots will have completely replaced the lost roots within 2 years of the roots being cut. Studies have shown a better root regrowth response when the tree roots are broken rather than cut cleanly and a significant root replacement occurs after only 1 year (Gray 2023).***
- Please provide evidence based references regarding the following statements:

- Tables 3, 4, 5, 6, 9: Gum trees have a structural root system that extends less than 3m from the base of the tree.
- Table 2: Norfolk Pine trees have a root system that tends to grow downward rather than outward.
- The proposed development has extensive non-permeable development that has the potential to have significant impacts on both the trees within and abutting the development site. The proposed design may impact upon the long term health and structure of the tree assets. In reference to Australian Standard AS4970-2009 "Protection of Trees on Development Sites", Section 3.3.4 TPZ encroachment considerations, as the encroachments are identified as major, please provide consideration of the following sections:
 - b) The potential loss of root mass resulting from the encroachment: number and size of roots.
 - h) Design factors.
- To what extent was the document "Arborist Site Assessment" conducted by Mick's Tree Height Reduction and Shaping Services referenced by Northern Tree Care?
- Table 7: Cypress – refers to gum trees and not cypress with the statement "structural root system that extends less than 3m from the base of the tree". Please amend the document.

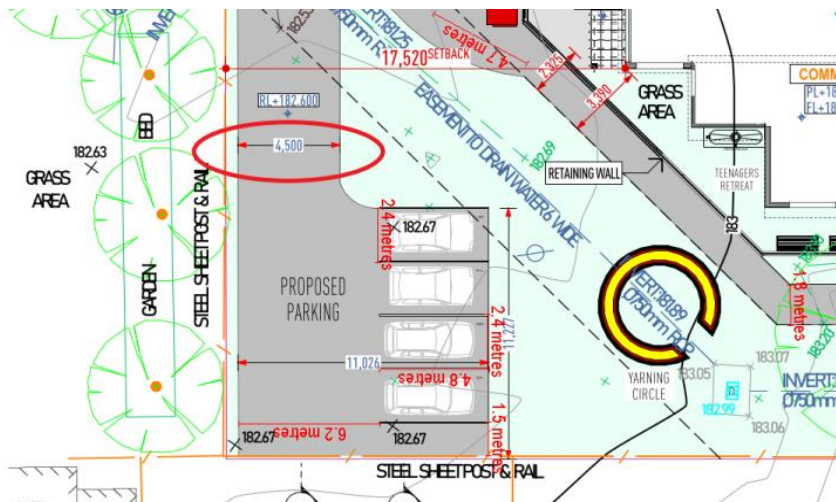
○ Please find attached document from Arbor culturalist

Water and Wastewater

- Lot 1 DP 38393 (271 Bernhardt Street) has an existing 20mm water service connection which is supplied with potable water from a DN100 water main located on Bernhardt Street. All customer and fire service flows must be generated from this single point of connection. The applicant must engage a suitably qualified hydraulic engineer to determine the sizing of the service connection required to ensure sufficient water pressure and flow (customer and fire service) is provided to the proposed development.
 - A fire service is not required for the development as all building are under 500m2. A new 40mm potable water connection will be required to service the development.
- A physical, registered air gap will be required upstream of all firefighting, pump arrangements. No in-line booster pumps shall be permitted.
 - A fire service is not required for the development as all building are under 500m2.
- Renewal of the 150mm sewer main that traverses Lot 1 DP 38393 (271 Bernhardt Street) is required prior to construction of the proposed development. Please liaise with AlburyCity's water and wastewater department regarding the requirements for this renewal.
 - All works to council infrastructure is to be undertaken by a council approved design consultant & constructor which will be contracted by Housing Plus.

Transport

- Car parking must provide wheel stops and the dimensions of bays must meet the AS2890.1 standards. Please amend the plans accordingly.
 - o Cindy
- Spacing between wheel stop and retaining wall shall be a minimum distance of 820mm to ensure vehicles do not encroach into the wall, alternatively, a kerb higher than 150mm is to be provided on site. Please amend the plans accordingly.
 - o Cindy
- A minimum clearance of 1m shall be provided for the car parking spaces where the side doors are opening to structural walls. Please amend the plans accordingly.
 - o Cindy
- Disabled parking bays are to be posted and line marked appropriately as per AS2890.6. Please amend the plans accordingly.
 - o Cindy
- Please provide vehicle turning movement templates.
 - o Cindy
- The 4.5m roadway width to the carparking spaces in the south-west portion of the site (see image below), will not accommodate two-way vehicle access. Please increase the width of the roadway to a minimum of 5.8m.
 - o Cindy



- We consider this a reasonable condition and confirm that the layouts included in the stormwater management report (Spiire, June 2023) comply with this. This can be demonstrated by the proponent as part of the construction certificate application with a HECRAS model.

Waste Management

- The Waste Management Plan (WMP) references Waste and Recycling with limited information on Organics waste. It is noted that no food or garden material is permitted in refuse/waste bins.
 - Revised WMP is attached.
- All residences shall be provided with an 8L kitchen caddy whereby they will be required to every few days empty this into a 240L organics bin. Please alter the plans to reflect the inclusion of Organics Bins in the waste storage areas.
 - Cindy
- Under Section E - Waste systems of the WMP, item 3 references onsite food waste recycling services as N/A. Please amend the Waste Management Plan to include information on green waste and organics.
 - Revised WMP is attached.
- Please amend the WMP to identify who is collecting the weekly organics material. It is noted that if the site is rated as commercial, you are entitled to use an external waste provider for collection services.
 - Revised WMP is attached