

Memo

Development Assessment

To: Development Determination Panel (DDP)

From: Dean Pattalis - Planner

Date: 24 July 2024

Subject: REV2024/0011 – Construction of a retaining wall and fence at No. 13 Towarri Place, 6 The Glade and 11 Wearden Road, BELROSE

The purpose of this memo is to advise the Panel that further information has been received by Council following the original deferral of determination by the panel on 12 June.

The panel originally deferred determination to re-notify the application, as the works subject to the application were initially notified as only being located on 11 Wearden Road, despite also encroaching onto 11 Towarri Place.

Following the commencement of the re-notification period, the owners of 11 Wearden Road and 13 Towarri Place expressed concern to Council with the application as it was proposed.

Issues raised by the other owners included the fact that the proposed boundary wall and fence was not located on the boundary line between 11 Wearden Road and 6 The Glade, but rather only on the western side of the boundary. The property owners expressed that they weren't aware of this arrangement or had made an oversight. This is despite the proposed fence being in the same location of the previous collapsed wall and fence which was also located on the western side of the boundary.

Furthermore, it was also brought to Council's attention that the Geotechnical Investigation provided with the application prepared by JK Geotechnics on 16 June 2022, had been modified without the consultant's knowledge or approval.

Therefore, Council considered the Investigation Report as well as the supporting letter by KYSU Structural and Civil Engineers (dated 7 February 2024) to be invalid.

In light of the above events, the applicant provided the following updated information:

1. Amended Master Set of Plans

New architectural plans re-locating the wall and fence to be directly on the boundary line between 11 Wearden Road, 6 The Glade and 13 Towarri Place. The applicants were advised that the wall and fence they originally proposed on the western side of the boundary, reflected the same location of the previous collapsed wall and fence which it is replacing. However, they expressed a desire to re-locate the wall and fence onto the boundary line. The application was again re-notified accordingly to include all three properties.

2. Amended Structural Engineering Plans

The engineering plans prepared by KYSU Structural and Civil Engineers was also amended to reflect the relocated wall and fence.

3. Updated Geotechnical Investigation Report

In response to the circumstances expressed above, a new Geotechnical Investigation Report prepared by Atlas Geotechnical Services (dated 7 July 2024) was submitted.

4. Owner's Consent

An updated owner's consent document signed by all relevant property owners was submitted to provide clarity that all recent amendments have the appropriate consent.

As a side note, one submission was received during the first community notification period which was addressed in the Assessment Report that was initially reviewed by the panel. No further submissions have been received during the following notification periods.

Recommendation

Based on the above review, the following changes to the conditions contained in the Assessment Report are recommended:

Amend Condition 1 to read as follows:

1. Approved Plans and Supporting Documentation

Development must be carried out in accordance with the following approved plans (stamped by Council) and supporting documentation, except where the conditions of this consent expressly require otherwise.

Approved Plans				
Plan Number	Revision Number	Plan Title	Drawn By	Date of Plan
DA.1.100	4	Site Plan	Daniel Beatty	8 July 2024
DA.2.100	4	West Elevation	Daniel Beatty	8 July 2024
DA.2.101	1	South Elevation	Daniel Beatty	8 July 2024
DA.3.100	4	Section A	Daniel Beatty	8 July 2024
DA.3.101	4	Section B & C	Daniel Beatty	8 July 2024

Approved Reports and Documentation			
Document Title	Version Number	Prepared By	Date of Document
Arboricultural Impact Assessment	2	Heartwood Tree Consulting	16 April 2024
Geotechnical Investigation Report	0	Atlas Geotechnical Services	7 July 2024

In the event of any inconsistency between the approved plans, reports and documentation, the approved plans prevail.

In the event of any inconsistency between the approved plans and a condition of this

consent, the condition prevails.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.