

Wollongong Local Planning Panel Assessment Report | 4 December 2019

WLPP No.	Item No. 1
DA No.	DA-2018/1481
Proposal	Mixed Use Residential - residential flat building comprising 21 apartments above basement car parking, 13 townhouses with double garages and tree removals and Subdivision - Strata title - 34 lots
Property	Lot 3 Robert Street, Lot 2 Rothery Street and Lot 1 Wilga Street, Corrimal 2518 Lot 3 DP 1159710, Lot 2 DP 505162 and Lot 1 DP 434080
Applicant	Traders in Purple
Responsible Team	Development Assessment & Certification - City Wide Planning Team (VL)
Lodged	23 November 2018

ASSESSMENT REPORT AND RECOMMENDATION

Executive Summary

Reason for consideration by Local Planning Panel

The proposal has been referred to the Wollongong Local Planning Panel for **determination** pursuant to section 8.3 (5) of the Environmental Planning and Assessment Act 1979, Clauses 3 and 4 of Schedule 2 of the Local Planning Panels Direction of 1 March 2018. The proposal is development to which the State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development applies. A departure to the development standard is also sought for Clause 4.3 Height of Buildings under Wollongong Local Environmental Plan 2009 in excess of 10%.

Proposal

The application seeks consent for residential flat building (RFB) comprising 21 apartments above basement car parking, 13 townhouses with double garages and strata subdivision. The RFB contains ten (10) affordable housing units. The development is a 'Community Plus' Project, which is an initiative by the NSW Government's Land and Housing Corporation (LAHC) which aims to provide integrated housing development, which partners private, non-government community housing sectors.

Permissibility

The site is zoned R2 Low Density Residential pursuant to Wollongong Local Environmental Plan (WLEP) 2009. The proposal is categorised as a residential flat building and multi-dwelling housing that are permissible in the R2 zone with development consent. Subdivision is permissible with development consent.

However, the applicant has nominated State Environmental Planning Policy (Affordable Rental Housing) 2009 as the environmental planning instrument to be relied upon for the permissibility for the development, noting that the residential flat building will contain 10 affordable housing units. It is noted that the application has not been made by a social housing provider.

Consultation

The application was initially exhibited from 7 December 2018 to 7 January 2019 in accordance with Appendix 1 of the Wollongong Development Control Plan (WDCP) 2009. Notification letters were sent, and a notice was placed in the local newspaper. Two (2) submissions were received during this period. Following the receipt of amended plans, the proposal was again notified from 18 July 2019 to 8 August 2019 where four (4) submissions were received.

The submissions are discussed at section 1.5 of the assessment report.

Various internal divisions of Council were consulted as part of the assessment process where additional information and amended plans were requested. All internal referral groups have reviewed the information and provided conditionally satisfactory advice.

The proposal was reviewed by the Design Review Panel on three (3) occasions post lodgement.

Main Issues

The main issues arising from the development assessment process are:-

- Compliance with State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development and the Apartment Design Guide (ADG) – Visual Privacy
- Clause 4.6 Departure to a Development Standard for Height of Buildings under Clause 4.3 of Wollongong LEP 2009 for the RFB
- Wollongong DCP 2009 variations in respect to side and rear setbacks, deep soil zone, and dwelling mix and layout.

CONCLUSION

This proposed development has been assessed with regard to the relevant prescribed matters for consideration outlined in Section 4.15 of the Environmental Planning & Assessment Act 1979. The proposed development is permissible with consent and is reflective of the objectives of the R2 Low Density Residential zone.

Generally, the proposal is consistent with the applicable provisions of relevant planning instruments including SEPP (Affordable Rental Housing) 2009, SEPP 65, SEPP 55 and SEPP (Building Sustainability Index: BASIX) 2004.

The proposal seeks an exception to WLEP 2009 development standard relating to height of buildings. It is considered that the clause 4.6 exception request provided addresses this matter is satisfactory, and as such the exceptions is capable of support.

The proposal also seeks variations to WDCP 2009 and the Apartment Design Guide as relates to visual privacy, side and rear setbacks, dwelling mix and layout and deep soil zone. The variation requests have been considered and are capable of support in this instance.

It is considered the proposed development is unlikely to result in adverse impacts on the character or amenity of the surrounding area, environment and adjoining development.

RECOMMENDATION

It is recommended that Development Application DA-2018/1481 be granted development consent subject to the conditions listed in **Attachment 12** to this report.

1 APPLICATION OVERVIEW

1.1 PLANNING CONTROLS

The following planning controls apply to the proposal:

State Environmental Planning Policies:

- SEPP No. 55 – Remediation of Land
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Affordable Rental Housing) 2009
- SEPP No. 65—Design Quality of Residential Apartment Development
- State Environmental Planning Policy (State and Regional Development) 2011

Local Environmental Planning Policies:

- Wollongong Local Environmental Plan (WLEP) 2009

Development Control Plans:

- Wollongong Development Control Plan (WDCP) 2009

Other policies

- Wollongong City-Wide Development Contributions Plan 2019 (section 7.12 of EP&A Act 1979)
- Biodiversity Conservation Act 2016
- NSW Apartment Design Guide

1.2 DETAILED DESCRIPTION OF PROPOSAL

The development is a 'Community Plus' Project, which is an initiative by the NSW Government's Land and Housing Corporation (LAHC) which aims to provide integrated housing development, which partners private, non-government community housing sectors. The applicant (Traders In Purple) were awarded the public/private partnership tender by LAHC for the site as part of the Communities Plus Neighbourhood Projects (Release 2). It is been provided that the social housing component of the development will be administered by Hume Community Housing (as the 'community housing provider').

The proposal comprises the following:

Site preparation

- Tree removal
- Site preparation works including targeted remediation works

Works / Construction / building details

Construction of a 'Community Plus' project of 34 dwellings comprising of:

- Multi dwelling housing of 13 x 3 bedroom plus study townhouses with stacked garages;
- A three (3) storey residential flat building with 21 units that contains 10 infill affordable housing units (7 units for social housing, 3 units for affordable housing) and basement car parking:
 - Ground floor: 7 units: 5x 2 bedrooms (including 2 adaptable), 2 x 1 bedroom (social housing)

- First floor: 7 units: 5x 2 bedrooms (including 1 adaptable, 1 social housing and 1 affordable), 2 x 1 bedroom (social housing)
- Second floor: 7 units: 5x 2 bedrooms (including 1 social housing and 1 affordable), 2 x 1 bedroom (1 social housing)
- Associated communal open space areas, landscaping, deep soil zone, access, earthworks and drainage works
- An outdoor drying area and shed

Traffic, parking and servicing

- Townhouses:
 - 26 resident car parking spaces for 13 units in the form of a stacked garage (2 adaptable garages, TH1 and TH3)
 - 3 visitor parallel parking spaces adjacent the driveway
 - Turning bay area and temporary car space for manoeuvring
 - 5 resident bicycle parking within units (TH1, TH3, TH5, TH7 and TH11)
 - Three (3) visitor bicycle parking spaces adjacent to letterboxes for RFB on eastern side of driveway
- Residential flat building:

Basement

 - 24 residential car parking spaces including three (3) accessible spaces
 - Two (2) visitor parking spaces
 - Seven (7) resident bicycle parking spaces
 - Three (3) motorbike parking spaces
 - Turning bay area
 - Residential storage area associated with each car space
 - Communal waste storage area and services room
- Temporary waste collection area proposed within the site located east of the driveway with associated loading bay area.

The above works are to occur on Lot 3 Robert Street. No works are proposed for Lot 2 Rothery Street with the existing fencing is to remain. On Lot 1 Wilga Street, the existing fencing is to be removed to allow for pedestrian to Wilga Street.

The plans form **Attachment 1**.

1.3 BACKGROUND

Development History

It is understood that the site used to form part of Corrimal Public School, built in the 1960s. Prior to this date the site appeared to be vacant. A building associated with the school was located on the southern portion of Lot 3 that appears to have been demolished between 2009-2011. Since then no other development has occurred on the site except for drainage infrastructure works (that now form the existing easement on the site) associated with the construction of the Land and Housing units adjoining the site to the south located at 20 and 21 Robert Street, approved in 2009 under the NSW Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009.

A pre-lodgement meeting, PL-2018/83 was sought for the development was held on 16 May 2018, with advice regarding the 'Community Plus' Project for 34 dwellings comprising of 21 units in the three storey residential flat building that contains 10 infill affordable housing units (7 units for social housing, 3 units for affordable housing) and basement car parking and 13 townhouses.

A general summary of the timeline for the development application is provided in the table below:

Development Application Timeline	
23 November 2018	Development Application lodged with Council
Dec 2018 -Jan 2010	Notification Period
24 January 2019	Design Review Panel 1
February 2019	Council's additional information request letter sent to applicant
23 March 2019	Design Review Panel 2
14 May 2019	Design Review Panel 3
July 2019	Amended package and additional information submitted by applicant to address Council's letter and DRP comments from 14 May 2019
July – August 2019	Notification Period
September 2019	Council's additional information request letter sent to applicant
October 2019	Amended plans and further information provided by applicant
November 2019	Council's request for clarification on matters sent to applicant
November 2019	Further information provided by applicant

Design Review Panel/Changes to the proposal

The proposal has been considered by the Wollongong Design Review Panel (DRP) on three (3) occasions, all post lodgement with the same panel members on each occasion. The first occasion being 24 January 2019, followed by the 23 March and 14 May 2019. The last DRP was an electronic meeting where the applicant did not attend. It is noted that the DRP have not reviewed the current set of amended plans for this application.

A copy of the DRP meeting and recommendations with an accompanying site plan for 24 January and 23 March 2019 are at **Attachment 2 and 3**.

As a summary, since the lodgement of the proposal the main design changes have been made to the development in response to the DRP process primarily relating to:

- the siting, layout and design of the townhouses;
- access arrangements to the RFB and within the site associated with parking and loading area; and
- the layout and configuration of open space within the site.

This included but was not limited to:

- The relocation of driveway ramp to the basement carpark for the RFB from along the southern side of the northern side of the building and the associated reconfiguration of the basement car park;
- The relocation of visitor parking spaces and loading area from the southern side of the RFB to along the eastern side of the internal driveway;

- These changes to access and parking arrangements resulted in the shifting of the RFB closer towards the southern boundary to allow for a larger primary deep soil zone and communal open space on the northern side of the building;
- The change in the configuration of the 13 townhouses, originally comprised of 3 separate buildings, with a group of 3 & 6 townhouses over 2 buildings located along the western boundary and the remaining 4 townhouses located along the northern most boundary with a north south all with double garages;
- The townhouses have been amended to comprise of 2 buildings all situated along the western boundary, with stacked garages to enable a front yard for the dwellings and landscaped area at the end of the driveway at the northern end of the site

Overall, there has been no change to the total number of dwellings for each component of the development including the number of affordable housing units. In addition, the bulk and form of the RFB has remained the same including the proposed building height.

Design Review Panel – 14 May 2019

The most recent DRP for the application was held on 14 May 2019, the meeting minutes and recommendations with an accompanying site plan is at **Attachment 4**.

In summary, the DRP comments for this meeting considered that the proposal had been substantially improved however, a number of revisions were required to achieve an acceptable level of urban design quality and amenity. DRP considered that the recommendations should be incorporated into a revised set of drawings to be returned to Council for comment and that it should not be necessary for the proposal to return to the Panel.

The provided comments from the DRP predominantly related to the design of the townhouses and landscaping matters. The applicant provided a response to the DRP comments for the 14 May 2019 meeting at **Attachment 5**. Council's comments on the multi-dwelling housing DRP matters are at **Attachment 6**.

Specific discussion is provided on the matters raised by DRP in regard to the RFB below:

A) DRP comment:

Context and Neighbourhood Character

- ***Amenity and circulation concerns about the proposed location of the temporary bin storage area at the entry to the complex and adjacent to the letterboxes***

Applicant's response:

The temporary bin storage area has been moved closer to the basement ramp and landscaping is now included between the mailbox area and the loading bay.

Council comment:

Previously the letterboxes for the RFB were provided adjacent to the site frontage of the property along the southern boundary and the temporary bin collection area adjacent to the north as highlighted in Figure 1 below.

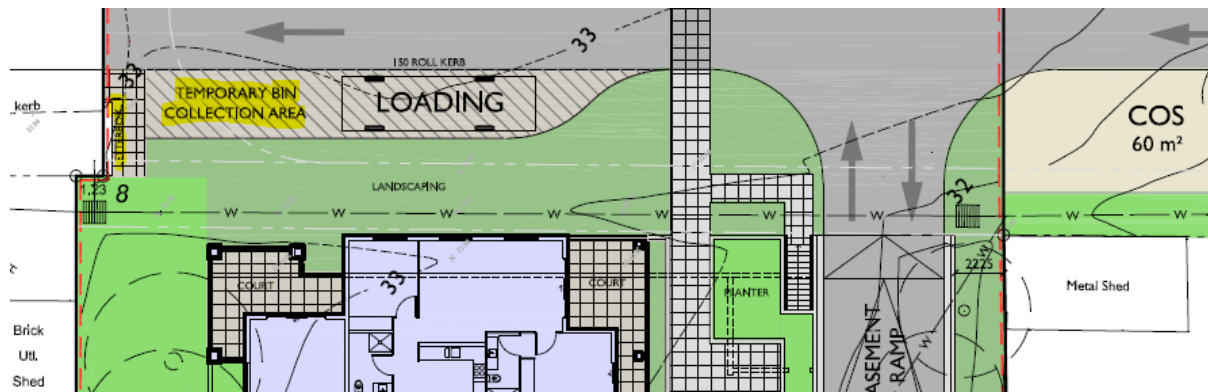


Figure 1: Inset of ground floor plan at the frontage of the site

The applicant has relocated the letterboxes further within the site, south of the basement ramp adjacent to the pathway that leads to the RFB entry and the loading bay and temporary bin collection is set slightly back from the frontage of the site buffered by some landscaping as shown as highlighted below in Figure 2.

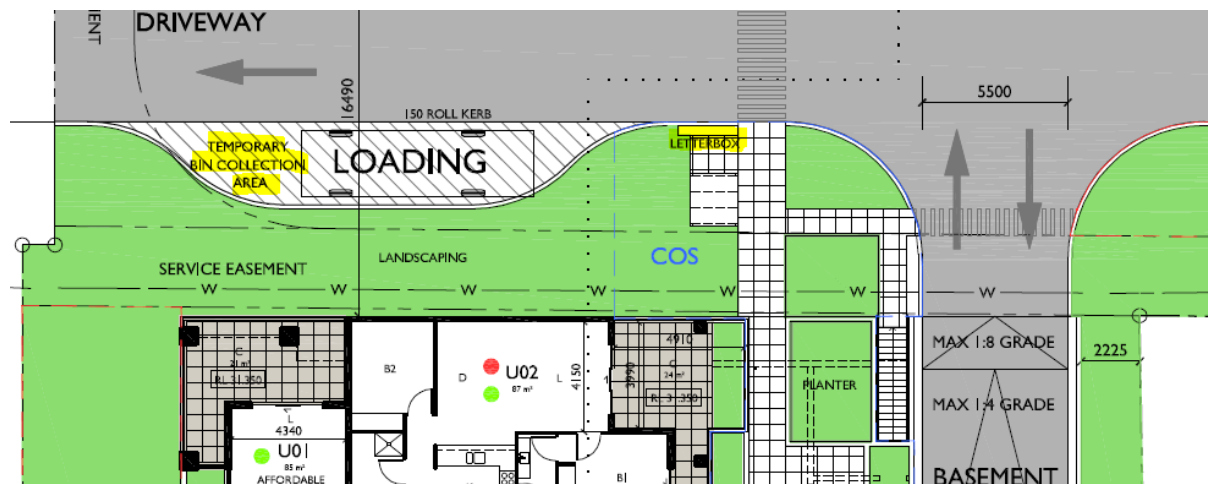


Figure 2: Inset of amended ground floor plan at the frontage of the site

It is considered that the proposal has satisfactorily addressed this matter as the letterbox (noting now located outside the drainage easement) is situated away from the temporary bin collection and the pedestrian path is not considered to conflict with access and circulation for residents.

B) DRP comment:

Built Form and Scale

- ***The Panel would support amendment of the apartment block to include the primary entry (additional to the other entries) in the western elevation of the building and recommends this be explored to help resolve circulation from the loading bay and enable a more direct access to the building for removalists etc.***

Applicant's response:

The primary entry to the residential flat building is maintained to align with the Wilga Street access. The loading bay is located so as not to conflict with this path.

Council's comment:

An entry on the western elevation of the RFB has not been provided by the applicant however, this is considered due to the existing drainage easement (and overflow path) that is located adjacent to the western wall of the building. Any openings on this elevation would allow stormwater to enter the

building unless the entrance was raised above natural ground level. The main entrance to the RFB is located towards the centre of the northern side of the building and considered to be clearly defined from Robert and Wilga Street. Also, the proposed pedestrian path is accessible to the entry point of the building and does no conflict with the proposed loading area. The building entry is clearly visible from the internal driveway and COS that the path adjoins. Refer to Figure 3 that highlights the path from Robert Street to the building entry. Overall, it is considered the current primary entry to the building is acceptable given the design and site constraints.

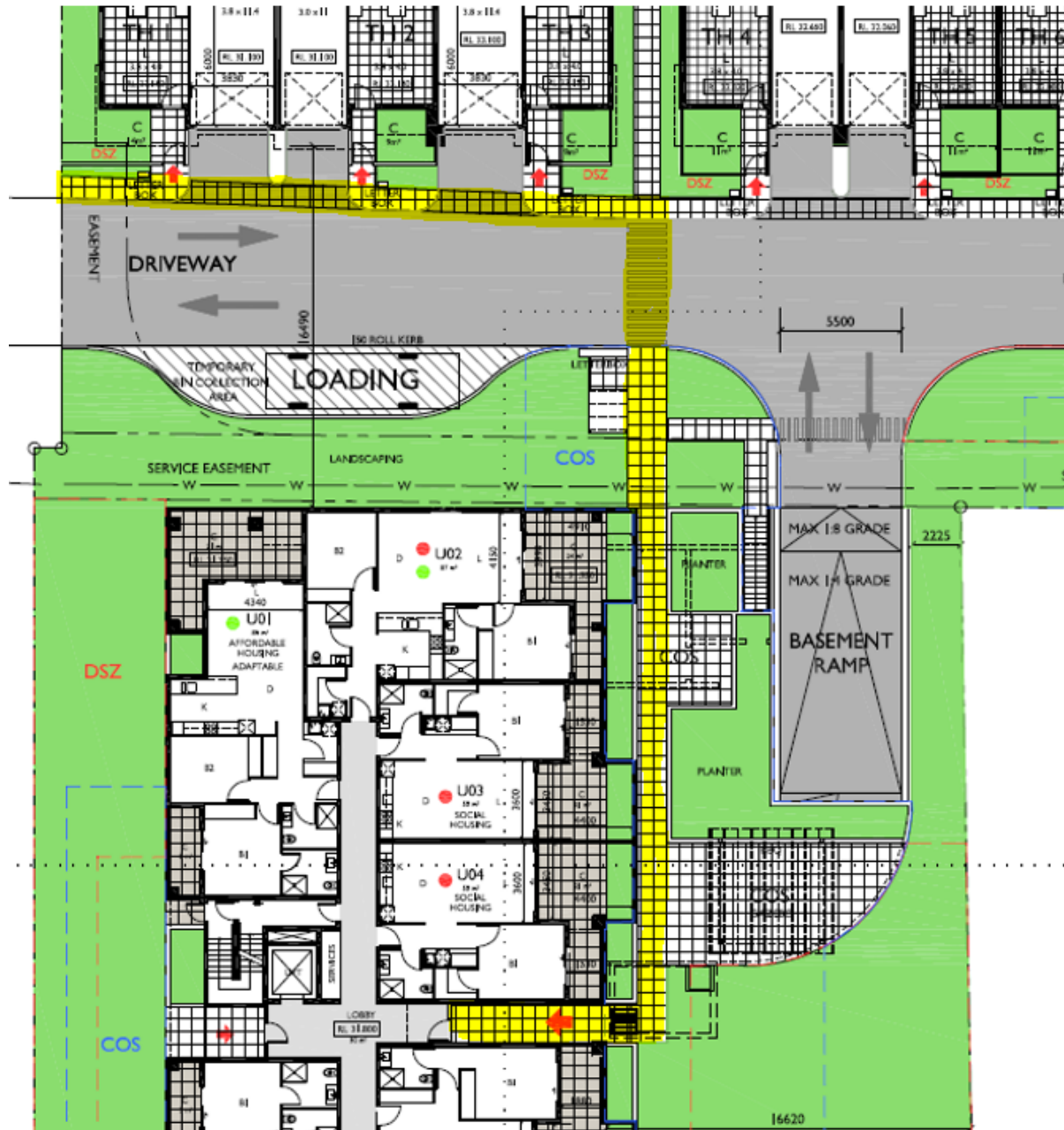


Figure 3: Inset of ground floor of RFB highlighted path from street frontage

C) DRP comment:

Landscape

- ***The Panel remains concerned about the functionality and amenity of the proposed landscape design for both the "public domain" and the communal open space of the apartments, as follows:***

AREA A - SITE ENTRY AND STREETScape ADDRESS OF APARTMENT BLOCK

- *The landscape on the western frontage of the apartment block needs reconsideration. On the eastern side of the street, there is great scope to articulate and program the communal open space network, better resolve the loading area and improve the apartment building entry*
- *The temporary bin storage area should be relocated away from the site's entry and closer to the underground carpark ramp (which would improve bin management).*
- *The circulation from the loading bay is poor. By incorporating a main entry in the western facade of the building this would be improved. (It would also strengthen the address of the building.) This would allow for a clump of more substantial canopy trees to be planted at the site's entry and the path to Wilga Street to be accessed (via a new path) from the front of the building.*
- *The apartment block letterboxes could then be moved and incorporated into the entry.*

Applicant's response:

The items are considered to have been addressed as per applicant's response in item A) and B) above with exception of the third item above *where it has been provided: to improve circulation, the loading bay has been shifted northward to introduce landscaping and improved direct connectivity to the RFB entry via the pedestrian path from Wilga Street.*

Council's comment:

Generally, it is considered these matters have been partly addressed in item A) and B) above. However, to clarify planting is not proposed on western frontage of the RFB, as it is adjacent to the drainage easement that also serves an overflow path. Planting in this location would conflict with the function of this easement, therefore this area is proposed to be turfed instead.

The bin storage area for the RFB is located within the basement. The area south of the loading bay area is proposed as a temporary bin collection area where the bins are brought up from the basement on collection day and collected to be stored back in the waste room in the basement.

More substantial planting is now where the letterboxes are located to coincide with the path to the RFB entry and Wilga Street that is considered to assist in the address of this building.

Figure 4 is an inset of the proposed landscape plan to highlight the proposed planting at entry path to the building.

E) DRP comment:

Landscape

- **AREA F - SPACE NORTH EAST OF THE APARTMENT BLOCK**
The area will be well-shaded by the existing trees along the northern boundary. It will work well as a permeable space that adds to the activities associated with the barbecue area and the domestic life of the residents.
 - *The drying space should be located in the south-east corner to maximise access to sunlight.*
 - *The community garden would work better in the street (Area B)*

Applicant's response:

The drying area is located to provide the best solar access without compromising active spaces. As mentioned above, investigations revealed the current location is considered most optimal space for the community garden.

Council's comment:

The proposed drying area of the RFB is located in an area considered to be relatively SE of the primary COS and DSZ area that will allow to maximise active COS area, allow for 1.5m wide landscape bed along the property boundaries and receive good solar access.

Area B mentioned is located along the eastern boundary and north west of the basement ramp. Area B is constrained by the existing drainage easement and proposed visitor parking spaces for the townhouses. Whilst it is recognised that a community garden would provide for a more central location for all residents in the development, it would likely conflict with the drainage easement and restrict the amount of useable COS for active recreational use for the townhouses. The visitor parking spaces for the townhouses located along the eastern side of the driveway and considered to be situated in an appropriate in the context of the site. Therefore, it is considered the location of the community garden and drying space is suitable and capable of support in the location proposed.

F) DRP comment:

Landscape

- **AREA H - LANDSCAPE ALONG THE SOUTHERN SIDE OF THE APARTMENT BLOCK**
The Panel considers that the southern entry to the building should be retained because of the transparency and ventilation it enables. If the letterboxes are relocated, the path will no longer be needed for access to Robert Street. An access path will be needed to maintain this landscape but the space is unlikely to be much used unless it is designed and fitted out for a particular purpose. Consideration should be given to any needs it could serve to support particular residents (e.g. mothers with babies; elderly people seeking peaceful outdoor time; skateboarders; etc.)

Applicant's response:

The southern entry to the residential flat building has been retained, providing access to the southern deep soil zone/communal open space. This space now provides for more passive uses for people seeking more peaceful outdoor time.

Council's comment:

Noting that the letterboxes have been relocated, this southern area of the RFB no longer has an access path to Robert Street but rather is directly accessed from the ground floor lobby and contains a seating area for passive recreation use for residents with further deep soil planting is proposed in this location on the southern side of the building. Overall, the proposed complies with the DSZ and COS requirements in the prevailing EPI relevant.

G) DRP comment:

Amenity

See comments above in Built Form and Landscape for required amenity improvements to :

- **street frontage address and character**
- **street activation and passive surveillance**
- **open space amenity**
- **landscape quality**
- **waste handling and loading**

Applicant's response:

Noted and addressed in above sections, refer to applicant's response in Item A-F above.

Council's comment:

As discussed in the responses provided in Item A – F above, it is considered the matters raised by the DRP have been satisfactorily addressed and that the future residents will be afforded a good level of amenity from the design of the proposal.

Summary

The application was required to be referred to a Design Review Panel under SEPP 65 as the development proposed an RFB. It is noted that a significant proportion of the comments provided by the Panel related to the design of the townhouses and context, where by the design quality principles of SEPP 65 and the ADG do not technically apply.

However, the comments provided for the townhouses by the have also been considered at **Attachment 6**.

Overall, it is considered that the proposal has reasonably addressed the matters identified by DRP. The RFB is considered appropriate with regards to the design quality principles of SEPP 65 and ADG as discussed in section 3.1.4 of the report and at **Attachment 7**. In addition, the proposal generally complies with the requirements in WLEP 2009 (in section 3.1.4) and WDCP 2009 (at **Attachment 9**) apart from the variations sought in 3.3.1 that are considered satisfactory and capable of support.

Customer service actions

There are outstanding customer service requests of relevance to the development.

1.4 SITE DESCRIPTION

The subject site is located in Corrimal located at northern end of Robert Street (a no through road), and comprises of three (3) lots being:

- Lot 3 Robert Street; Lot 3 DP 1159710
- Lot 2 Rothery Street; Lot 2 DP 505162
- Lot 1 Wilga Street; Lot 1 DP 434080

The site is a L-shaped lot with two access handle shaped lots north and west. The total site area for the development is 6177sqm.

The site is vacant with historic use of a former school site (since demolished) and transferred in ownership from the NSW Department of Education to its current ownership by NSW Land and Housing Corporation.

Lot 3 Robert Street (Lot 3)

Lot 3 Robert Street is the primary lot the development is to be situated upon and is an L-shaped lot with an area of approximately 5849sqm with frontage to Robert Street on the southern boundary. The frontage to Robert Street is 6.5m wide however, this widens once within the lot to approximately 85.6m. The depth of the lot varies from 43.03m along the eastern boundary to 102.41m along the western boundary.

The western half of Lot 3 falls approximately 4m towards the north east corner with trees and vegetation located along the northern boundary. While the eastern portion of the lot (dog-leg) also falls towards the north east corner from the rear of the properties at Ronald and Cross Street with established trees are located along the northern, southern and SE boundaries.

The two (2) other lots are narrow rectangular lots, Lot 1 Wilga Street and Lot 2 Rothery Street.

Lot 1 Wilga Street (Lot 1)

Lot 1 Wilga Street has frontage to Wilga Street and connects to the western boundary of Lot 3. This lot measures approximately 3m wide and 45.875m deep with a site area of 140sqm. The lot is concrete paved and used to serve as pedestrian access to Corrimal Public School. This access is currently disused and fenced off from access at Lot 3 and Wilga Street.

Lot 2 Rothery Street (Lot 2)

Lot 2 Rothery Street measures 3.05m wide and 61.875m deep with a lot area of 188sqm. This is a concrete path that forms part of the easement for overland flow and drainage of water. This drains to the watercourse in the form of an open concrete channel that traverses this lot. This lot cannot be traversed beyond the channel to Rothery Road and is fenced off from Lot 3 Robert Street and the Rothery Road frontage.

Surrounding Development

The site is generally bounded by the side and rear boundaries of the surrounding properties located on Wilga, Rothery, Ronald and Robert Street.

South of the site located on Robert Street are 2 storey and 3 storey unit buildings developed as affordable housing under the Nation Building Project that is owned by the NSW LAHC and understood to be managed by the Illawarra Housing Trust.

To the north are properties along the Rothery Street, single storey detached dwellings, with a shed on 299 Rothery Street that has been shown on the survey plan submitted to be partially located on Lot 3.

To the west single to two storey dwelling houses with associated outbuildings that front Wilga Street.

To the north and east is a multi dwelling development comprising of villas with frontage to Rothery Street. North of eastern portion of the site of Lot 3 comprises is a single dwelling to Ronald Street. To the east single storey dwellings with outbuildings with frontage to Cross Street.

Development in the nearby vicinity of the site comprises of low to medium density development. Further west of the site is Corrimal Public School.

Property constraints

Council records identify the land as being impacted by the following constraints:

- Flood risk classification under review (Lot 2)

There are restrictions on the title for Lot 3 relating to the easement for drainage of water, overland flow and services. The existing drainage infrastructure runs northward towards Rothery Street (along Lot 2).



Figure 1: Aerial photograph

1.5 SUBMISSIONS

The application was initially exhibited from 7 December 2018 to 7 January 2019 in accordance with Appendix 1 of the WDCP 2009. Notification letters were sent, and a notice was placed in the local newspaper. Two (2) submissions were received during this period.

Following the receipt of amended plans, the proposal was again notified from 18 July 2019 to 8 August 2019 where four (4) submissions were received. All submissions received were from different properties.

Since this notification, further amended plans and information was provided. The changes related to:

RFB:

- Basement – relocation of accessible spaces to be east of the lift and change of grade in the basement ramp to the RFB (however, no change in location or length)
- Ground floor – increased size of the primary POS courtyards for all units except U07

- Increased setback for balconies of for U13 & U14 on level 1 and U20 & U21 on level 2 to 6m from eastern boundary
- Eastern elevation of L1 U13 and L2 U20 - removal of bedroom window to create a blank wall (with northern window proposed) with a reduced setback of 4.845m and increased setback of living room window now a highlight window to 5.755 m
- U01 an affordable and adaptable unit (swapped from U20, no longer adaptable)
- Location of visitor bicycle parking
- Relocation of letter boxes for RFB
- Removal of one visitor car space for the townhouses (that was an additional space to the 3 required) to accommodate temporary tenant car space and turning bay along the eastern side of the driveway

Townhouses:

- Increase in size to the rear POS and minor reduction in the depth of the front yard to all townhouses
- Townhouses on ground and first floor moved 1m east
- First floor southern elevation bedroom windows removed for TH1
- Slight reduction of gross floor area for townhouses from western side of dwellings

Other information was also submitted providing further clarification of calculations under relevant EPIs, a strata subdivision plan and updated swept path analysis.

Overall, this information was considered to be minor and/or minimised the impacts of the proposal on adjoining properties. Therefore, considered did not specifically warrant re-notification.

This information has been reviewed by the relevant internal divisions of Council and conditionally satisfactory referral advice was provided.

The issues identified are discussed below.

Table 1: Submissions

Concern	Comment
1. Stormwater Management & Flooding <ul style="list-style-type: none"> - Concerns related to mainstream flows and flooding in the watercourse may be increased as a result of the development. - Increased flow from the site and into natural watercourse - Potential stormwater overflow situation due to OSD tanks filling up completely - Stormwater calculations don't make allowance not made for climate change 	<p>A stormwater concept design and drainage analysis prepared by Cardno was submitted with the application has been reviewed and assessed by Council's Stormwater Officer.</p> <p>It is considered that the development proposal includes on-site stormwater detention(OSD) to be provided as part of the development to ensure post-development flows from the site will not exceed pre-development values. Conditions have been included to ensure the detailed design of the on-site stormwater detention system will be in accordance with the requirements of Chapter E14 (Stormwater Management) of the WDCP2009.</p> <p>Peak flood flows from the natural watercourse are likely to be governed by runoff from the greater watercourse catchment area (approx. 50ha, approx. 1.6km length) which is significantly larger and greater in length than the local</p>

<ul style="list-style-type: none"> - No regulation, monitoring, validation of stormwater calculations 	<p>site catchment draining to the stormwater outlet (approx.1.2ha, approx. 0.16km length).</p> <p>Due to the significant size and length difference between local site catchment and natural watercourse catchment, the timing of peak flows from the subject site is unlikely to coincide with the timing of mainstream peak flood flows in the watercourse. Due to the smaller and shorter catchment size for the subject site, peak runoff from the site will drain into the watercourse relatively early on in a storm and be conveyed down through the catchment prior to the mainstream flood peak in the watercourse.</p> <p>There is currently no requirement in Chapter E14 (Stormwater Management) of the WDCP2009 to allow for climate change in the design of on-site stormwater detention (OSD) and/or stormwater drainage systems.</p>
<p>2. Building Height</p> <ul style="list-style-type: none"> - 3 storeys are greater than standard allowed and does not comply - Redevelopment of public housing in the area is limited to 2 storey 	<p>The proposal seeks a departure to the development standard for height of buildings in Clause 4.3 of WLEP 2009. The maximum allowable height of a building on the land is 9m and the proposed RFB has a maximum height of 10.075m.</p> <p>The applicant has provided a Clause 4.6 Exception request that satisfactorily addresses the matter, such that the exception sought is capable of support. Refer to more detailed discussion in section 3.1.4 of this report.</p> <p>The design is considered satisfactory and attempts to mitigate any unreasonable impacts on surrounding properties, whilst ensuring that the development is appropriate in the context of the existing and future anticipated character of the area.</p>
<p>3. Development out of character with the area</p> <ul style="list-style-type: none"> - Overdevelopment of the site - Impacts the amenity of the area 	<p>The proposal involves a 3 storey RFB and two storey townhouses.</p> <p>With an FSR of 0.57:1 the density of the development does exceed the maximum FSR of 0.5:1 permitted for the land pursuant to WLEP 2009 and surrounding zoned land however, the proposal does comply with the maximum FSR of 0.7:1 allowed under the SEPP ARH 2009. The proposal is consistent with the objectives of the R2 Low Density Residential zone and will provide for a mix of housing. Despite exceeding the 9m maximum building height, the proposal is not considered to result in significant adverse impacts.</p> <p>It is considered that the scale and form of the proposed building is minimised through the use of setbacks and building articulation. The proposed development is not considered to unreasonably overshadow adjoining development or result in adverse visual , privacy or amenity</p>

	<p>impacts on adjoining properties as discussed in this report. The development is considered in providing an acceptable residential amenity for the proposal.</p> <p>It is considered size and scale of the development that the proposed development is not too dissimilar in the immediate vicinity with the adjoining Land and Housing development south of the site, comprising of 2-3 storey flat buildings.</p> <p>The development is not considered to be inconsistent with regard to the existing and envisaged future neighbourhood character.</p>
<p>4. Overshadowing impacts</p> <ul style="list-style-type: none"> - Properties to the east and north of RFB 	<p>The submitted shadow diagrams show that the RFB will overshadow the adjoining property at 21 Robert Street located south of the site however, the shadow is cast on the at grade car park and will not impact the existing RFB.</p> <p>Shadows are also shown to be cast on the adjoining SE and eastern properties at 2 and 3pm for 12, 14 & 16 Cross St, Corrimal. As the proposal will only cast shadows at 2pm and 3pm, it is considered that 50% of the POS areas and windows to living rooms of these dwellings will be able to receive sunlight between 9am to 1pm on June 21 that is more than the 3-hour requirement. It is noted that the existing dwellings at 12 and 14 Cross Street are setback from the common boundary and are not overshadowed by the proposal and only part of their rear yard. Therefore, it is considered that the proposal will not result in adverse impacts on adjoining properties with regard to solar access received during midwinter.</p> <p>Further discussion on overshadowing from the townhouses are provided at section 3.3.1 of this report and at Attachment 10 in section 5.12 of Chapter B1 of WDCP 2009.</p>
<p>5. Privacy impacts</p> <ul style="list-style-type: none"> - Townhouses located to the rear of adjoining properties and that privacy is maintained in rear yards - Balconies will overlook rear yards of 8-14 Cross St and 1 & 3 Ronald Street 	<p><u>Townhouses</u></p> <p>The FFL of the ground floor and associated rear courtyards of the proposed townhouses located along the western side of the site will involve some excavation and/or due to the slope in the land will primarily be set lower than the adjoining properties to west. This can be seen in the part section plans on the site/roof plan at Attachment 1. The plans show a proposed 1.8m high boundary fence and a 1.5m wide landscape bed (where the landscape plan indicates the proposed planting types could reach up to approximately 5m in height or more) along this boundary. The ground floor setback of the townhouses on the ground floor are 4.8m-5.7m and the first floor 8.85m to 9.61m to the western boundary.</p>

	<p>Privacy impacts from the townhouses to the south and north adjoining properties are discussed detail at section 3.3.1 and considered to be satisfactory.</p> <p>Overall, it considered that the proposed townhouses have been designed to minimise overlooking and a reasonable level of privacy will be provided to adjoining properties such there are no adverse amenity impacts.</p> <p><u>RFB</u></p> <p>The proposed balconies on the upper levels (L1 & L2) on the eastern elevation are setback from the side boundary by 6m that is compliant with the ADG. It is considered with the setback provided and distance of the dwellings for the adjoining properties to the east combined it greater than 12m (compliant with the objectives of 3F in the ADG).</p> <p>Therefore, it is considered the design allows for a reasonable level of amenity to be maintained for these properties. The proposed located on Ronald Street adjoins the northern boundary of the eastern portion of the site. The habitable rooms and balconies are setback a minimum of 16.33m from this boundary and buffered by deep soil planting.</p>
<p>6. Traffic/Parking/Capacity of road and surrounding local road network</p> <ul style="list-style-type: none"> - Increase in number of traffic movements - No public transport to the site/existing concerns to public transport in the Illawarra - Existing parking and traffic impacts from events and activities located in the nearby vicinity on Collins St, Wilga Stand Corrimal Memorial Park - Impacts from waste servicing vehicles 	<p>A Traffic Impact Assessment (TIA) was provided with the application that considered the traffic generation and vehicle movements as a result of the development. The TIA anticipates an additional 154 additional vehicle movement per day, up to 16 in the peak hour to result and that Robert Street and the surrounding road network is considered capable in absorbing this increase. The SIDRA modelling results in the TIA assessed the performance of the nearby key intersections including Robert Street and Collins Street intersection. It was considered the proposed development traffic will not adversely impact the performance of these intersections and they will operate at satisfactory level. Overall, it is considered car parking provision for the proposal is satisfactory and the development and will not result in adverse impacts on the surrounding local road network.</p> <p>The proposal complies with the required resident and visitor parking provisions for the townhouses under WDCP 2009 and for the RFB under SEPP ARH 2009. All vehicles including waste collection vehicles have been demonstrated with swept path analysis to be able to leave and enter the site in a forward direction.</p> <p>The development is within close vicinity of bus stops within a 400m walking distance or less.</p>

	<p>Further detailed discussion is provided on this matter at Attachment 10 in the assessment of the application under Chapter E3 of WDCP 2009.</p> <p>Council's Traffic Officer has assessed the proposal and provided conditionally satisfactory referral advice.</p>
7. Impacts during construction from vehicles	<p>A condition is proposed for the provision of a construction environmental management plan that will manage truck movements during construction. Impacts will also be managed by the requirement for a section 138 approval prior to works commencing for any proposed interruption to pedestrian and/or vehicular traffic within the road reserve caused by the construction of this development.</p>
<p>8. Notification of application with incorrect property address</p> <ul style="list-style-type: none"> - Notification letter received had Lot 3 Robert Street and the three Lot and DP references - During the notification period the property address Lot 3 Robert Street was unable to come up in a search and the application on Council's website was identified with the address Lot 1 Wilga Street 	<p>A review of the notification letters that were sent for both notification periods for the development application provide that the address of the proposal is: Lot 1 DP 434080, Lot 2 DP 505162, Lot 3 DP 1159710 Lot 3 Robert Street, CORRIMAL NSW 2518.</p> <p>The letter has provided the correct Lot and DP for the three lots for the application and has considered to have been issued correctly. A review of the ad in the paper also shows the correct 3 lots identified for the application.</p> <p>It is unclear to why during notification, Council's website referred to the property for the application as Lot 1 Wilga Street (that is Lot 1 DP 434080). It is also unclear if the website may have referenced all the properties by Lot and DP. It is considered the application has been appropriately notified.</p>
9. Concern development will turn into a housing commission estate	<p>The proposal is for a mixed-use development that comprises 21 units in the RFB and 13 townhouses. 10 of the units in the RFB will be affordable housing units.</p> <p>The development is a 'Community Plus' Project, which is an initiative by the NSW Government's Land and Housing Corporation (LAHC) which aims to provide integrated housing development, which partners private, non-government community housing sectors.</p> <p>Under the provisions of clause 17 of SEPP ARH 2009 these units must be affordable housing for 10 years. A condition is included requiring that a restriction is to be registered on the title of the land reflecting these requirements prior to the issue of an Occupation Certificate.</p> <p>It is noted that the remainder of the development will be private.</p> <p>The applicant has advised that the social housing component of the development will be administered by</p>

	Hume Community Housing (as the 'community housing provider').
10. Adjoining property's shed located on subject site	The submitted survey plan shows part of an existing shed on 299 Rothery Street, Corrimal (adjoining property to the north) is situated on the subject site at Lot 3 across the northern boundary. It is noted that this shed will require to be removed/demolished for the proposal. This matter is considered a civil private issue for the owners of the properties and not a planning consideration in this instance. Demolition is not sought for this application. This matter has been raised with the applicant and it is understood this matter is being dealt with separately.

1.6 CONSULTATION

1.6.1 INTERNAL CONSULTATION

Details of the proposal were referred to Council's BCA, Stormwater, Landscaping, Environment, Community Services, SCAT, Geotechnical, Subdivision and Contributions Officers, where additional information and amended plans were requested. All internal referral groups have reviewed the further information submitted and provided conditionally satisfactory advice.

1.6.2 EXTERNAL CONSULTATION

Natural Resource Access Regulator (NRAR)

Council's mapping system shows a watercourse exists on the site on Lot 2 Rothery Street. Based on a site inspection this watercourse is concrete channel. Clarification was sought from Natural Resource Access Regulator (NRAR) on the watercourse, where it was advised that concrete lined channels are exempt from requiring a Controlled Activity Approval under Schedule 4, Clause 28 of the Water Management (General) Regulation 2018.

Whilst it is considered the proposed works are located more than 40m from the top of bank, even if works were proposed within 40m, the application would not require a controlled activity approval under section 91 of the Water Management Act 2000. Therefore, the development would not be Integrated Development under section 4.46 of the EP&A Act 1979, based on the advice provided by NRAR.

2 OTHER LEGISLATION

2.1 NSW BIODIVERSITY CONSERVATION ACT 2016

The *Biodiversity Conservation Act 2016* provides a Biodiversity Offsets Scheme which considers types of development which are likely to have a significant impact on biodiversity. Section 1.7 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) provides that Act has effect subject to the provisions of Part 7 of the *Biodiversity Conservation Act 2016* (BC Act). The *Biodiversity Conservation Regulation 2017* sets out threshold levels for when the BOS will be triggered.

The threshold has two components:

- whether the amount of native vegetation being cleared exceeds a threshold area
- whether the development involves clearing of native vegetation or prescribed impacts on an area mapped on the biodiversity values map published by the Minister for the Environment.

If clearing and other impacts exceeds either trigger, the BOS applies to the proposed development and it is necessary to engage an accredited assessor to apply the Biodiversity Assessment Method

(BAM) to assess the impacts of the development. If the BOS is not triggered, the test of significance detailed in section 7.3 of the *BC Act 2016* must be used to determine whether a local development is likely to significantly affect threatened species or ecological communities, or their habitats.

The area clearing threshold as per the *Biodiversity Conservation Regulation 2017* for the subject development site is as per the following:

Minimum lot size associated with the property	Threshold for clearing, above which the BAM and offsets scheme apply
Less than 1 ha	0.25 ha (2500sqm) or more

Approximately 1000sqm, or 0.1ha of native vegetation (27 trees) is proposed to be removed from the site as part of the development. The subject site has a minimum lot size of 449sqm, less than 1 ha. As less than 0.25 ha of native vegetation clearing is proposed, and the Biodiversity Assessment Methodology (BAM), requirement for a biodiversity development assessment report (BDAR) and offsets scheme do not apply to the subject proposal.

The site is not identified as being of high biodiversity value on the Biodiversity Values Map. Council's Environmental Assessment Officer has considered whether the development site would potentially provide suitable habitat for any threatened species and the test of significance and has concluded that the proposed development is not expected to likely significantly affect threatened species or ecological communities, or their habitats. The development proposed would not be considered a key threatened process. None of the trees on the site were identified as containing hollows. The development would therefore not be considered to result in adverse impacts on biodiversity and is consistent with the provisions of the Biodiversity Conservation Act 2016. Notwithstanding, conditions are recommended as provided at **Attachment 12** which require consideration of fauna during the tree removal works.

3 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 – 4.15 EVALUATION

Application of relevant Environmental Planning Instruments (EPIs)

The proposal seeks a development comprising of mixed-use residential development involving multi-dwelling housing and a residential flat building, where the RFB will contain affordable housing units. The application submission has nominated the State Environmental Planning Policy (Affordable Rental Housing) 2009 as the relevant EPI to be relied upon for the purposes of permissibility.

Several EPIs apply to the development and where there is inconsistency with a development standard and/or control, the prevailing EPI will be identified and discussed within the report.

In addition, for the purposes of clarification the site area has been calculated as 6177sqm in the assessment under the relevant EPIs apart from the ADG where the site area has been considered the developable area in which the RFB is located calculated to be 2513sqm.

Overall, it is recognised that the application complies with the requirements under SEPP ARH 2009.

3.1 SECTION 4.15(1)(A)(1) ANY ENVIRONMENTAL PLANNING INSTRUMENT

3.1.1 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

7 Contamination and remediation to be considered in determining development application

(1) A consent authority must not consent to the carrying out of any development on land unless:

- (a) *it has considered whether the land is contaminated, and*
- (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

A desktop audit of previous development history does not indicate any historic use that would contribute to the contamination of the site however, based on historical aerial photographs the site used to form part of Corrimal Public School built in the 1960s. Prior to this site appeared to be vacant.

Buildings were located on the southern portion of Lot 3 associated with the school, that appear to have been demolished between 2009-2011. Since then no other development has occurred on the site apart from drainage infrastructure works (that now form the existing easement on the site) associated with the construction of the Land and Housing units that adjoin the site to the south being 20 and 21 Robert Street.

It is noted that preliminary site investigation provided did not include Lot 1 and Lot 2. The proposal will not involve any works or buildings on these two lots. Lot 1 is to remain its current state as a paved pedestrian access path that connects the development to Wilga Street and Lot 2 is to remain as an easement and fenced off from access. Therefore, it is considered acceptable that the PSI has not encompassed these 2 lots.

A preliminary site investigation (PSI) and supplementary advice for Preliminary Contamination Assessment prepared by a CEP certified consultant has been provided as part of the application. The supplementary advice identifies areas of potential environmental concern and concludes that the site can be made suitable for the proposed residential development in accordance with SEPP 55 subject to targeted assessment of potential contamination in the surface soils (0.0-0.2m) after the removal of patched asphalt, crushed concrete, brick and tile to eliminate the minor uncertainty.

Council's Environmental Officer has considered the submitted information and considers that it has been prepared in accordance with the contaminated land planning guidelines. In accordance with Clause 7(2) of SEPP 55, Council's Environmental Officer has reviewed the history of the site in conjunction with the submitted documents that are considered acceptable subject to conditions requiring the targeted site assessment (Stage 2) and Stage 3 RAP to be completed prior to the issue of the Construction Certificate. Then subject to the site validation of the site, it is considered that the site will be suitable for the proposed residential use.

Although asbestos was not identified, it is not uncommon to find hazardous materials in soils due to past demolition (and disposal) practices. Conditions are recommended requiring that an asbestos management plan and unexpected finds protocol as part of an overall construction management plan are put in place prior to the commencement of works, it is considered that the site can be made suitable for the proposed residential use subject to the conditions that are included at **Attachment 12**. It is considered the site will be suitable regarding SEPP 55 considerations and the intended use.

3.1.2 STATE ENVIRONMENTAL PLANNING POLICY (BUILDING SUSTAINABILITY INDEX: BASIX) 2004

The proposal is BASIX affected development to which this policy applies. In accordance with Schedule 1, Part 1, 2A of the Environmental Planning and Assessment Regulation 2000, an amended BASIX Certificate has been submitted in support of the application to reflect the submitted amended plans demonstrating that the proposed scheme achieves the BASIX targets.

The BASIX certificate was issued no earlier than 3 months before the date on which the development application was lodged.

An amended BASIX Certificate was provided to accompany the amended plans submitted.

3.1.3 STATE ENVIRONMENTAL PLANNING POLICY (AFFORDABLE RENTAL HOUSING) 2009

The applicant has nominated State Environmental Planning Policy (Affordable Rental Housing) 2009 as the environmental planning instrument to be relied upon for the permissibility for the development, noting that the residential flat building will contain 10 affordable housing units. It is noted that the application has not been made by a social housing provider.

Despite the affordable housing units only forming a component of the proposal located within the RFB, it is considered that certain clauses in this policy apply to the entire development, notably in the calculation of floor space ratio under clause 13 and 14 where development standards that relate to calculations that involve site area.

An assessment against the relevant provisions is provided below:

8 Relationship with other environmental planning instruments

If there is an inconsistency between this Policy and any other environmental planning instrument, whether made before or after the commencement of this Policy, this Policy prevails to the extent of the inconsistency.

Comment:

There are a number of requirements contained within this Policy that will prevail over the other environmental planning instruments (EPIs) applicable to this application that will be discussed in this report. It is considered that the FSR, landscaped area and deep soil zone requirements in the SEPP (ARH) 2009 will prevail over WLEP 2009 and WDCP 2009.

Part 2 New affordable rental housing Division 1 In-fill affordable housing

10 Development to which Division applies

- (1) This Division applies to development for the purposes of dual occupancies, multi dwelling housing or residential flat buildings if:
 - (a) the development concerned is permitted with consent under another environmental planning instrument, and*
 - (b) the development is on land that does not contain a heritage item that is identified in an environmental planning instrument, or an interim heritage order or on the State Heritage Register under the Heritage Act 1977.**
- (2) Despite subclause (1), this Division does not apply to development on land in the Sydney region unless all or part of the development is within an accessible area.*
- (3) Despite subclause (1), this Division does not apply to development on land that is not in the Sydney region unless all or part of the development is within 400 metres walking distance of land within Zone B2 Local Centre or Zone B4 Mixed Use, or within a land use zone that is equivalent to any of those zones.*

Comment:

Subclause (3) applies to the development as Wollongong is not located in the Sydney Region. Part of the development is within 400m walking distance of land within the B2 Local Centre, located

south west of the site. Refer to Figure 5, where the walking distance has been confirmed to be within 400m.



Figure 5: Walking distance from the site to B2 zone provided the SEE (source: SEE prepared by TCG Planning)

Residential flat buildings and multi dwelling housing are permitted with consent in the R2 Low Density Residential zone pursuant to WLEP 2009. The land does not contain a heritage item and is not affected by an interim heritage order.

As such, this division applies to the infill housing component of the proposed development.

11, 12 (Repealed)

13 Floor space ratios

- (1) *This clause applies to development to which this Division applies if the percentage of the gross floor area of the development that is to be used for the purposes of affordable housing is at least 20 per cent.*
- (2) *The maximum floor space ratio for the development to which this clause applies is the existing maximum floor space ratio for any form of residential accommodation permitted on the land on which the development is to occur, plus:*
 - (a) *if the existing maximum floor space ratio is 2.5:1 or less:*
 - (ii) *Y:1—if the percentage of the gross floor area of the development that is used for affordable housing is less than 50 per cent, where:*

AH is the percentage of the gross floor area of the development that is used for affordable housing.

$$Y = AH \div 100$$

Comment:

The gross floor area proposed for the affordable housing units (i.e. 10 units, 7 social and 3 affordable housing) is 704sqm and the total proposed GFA for the entire development is 3516.6sqm. The percentage of the development proposed for the purpose of affordable housing is 20% of the gross floor area of the development.

The existing maximum FSR permitted for the site pursuant to the WLEP 2009 is 0.5:1, and hence a 0.2 bonus is permitted pursuant to (2)(a)(ii) above. This would therefore take the maximum permitted FSR for the site to 0.7:1.

The FSR proposed is approximately 0.57:1.

14 Standards that cannot be used to refuse consent

(1) Site and solar access requirements

A consent authority must not refuse consent to development to which this Division applies on any of the following grounds:

(a) (Repealed)

*(b) **site area** if the site area on which it is proposed to carry out the development is at least 450 square metres,*

Comment:

The site has an area of 6177sqm.

c) landscaped area if:

(i) in the case of a development application made by a social housing provider—at least 35 square metres of landscaped area per dwelling is provided, or

(ii) in any other case—at least 30 per cent of the site area is to be landscaped,

Comment:

The applicant (Traders in Purple) is not a 'social housing provider' (confirmed in their application submission) and therefore 30% of the site area is to be landscaped, that is a total of 1853.1sqm (6177sqm x 0.3).

It is noted that this Policy does not appear to contain a definition for landscape area it is considered using the definition in the standard instrument (WLEP 2009) is appropriate in this instance:

landscaped area means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

The proposal is compliant with this requirement with 1962.7sqm landscaped area is provided.

*(d) **deep soil zones** if, in relation to that part of the site area (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) that is not built on, paved or otherwise sealed:*

- (i) *there is soil of a sufficient depth to support the growth of trees and shrubs on an area of not less than 15 per cent of the site area (the **deep soil zone**), and*
- (ii) *each area forming part of the deep soil zone has a minimum dimension of 3 metres, and*
- (iii) *if practicable, at least two-thirds of the deep soil zone is located at the rear of the site area,*

Comment:

15% of the site area 6177sqm would require 926.55sqm of Deep Soil Zone (DSZ). 15% of the site area) of deep soil zone area is proposed, exceeding the minimum 7% deep soil zone area required pursuant to the Apartment Design Guide. The proposed DSZ areas meet the minimum dimension of 3m, however not all located at the rear of the site. The proposed locations are considered appropriate as it provides for additional separation of the development to adjoining properties. Given the context of the site, this is considered a reasonable outcome in the circumstance. The proposal is not recommended for refusal.

- (e) **solar access** *if living rooms and private open spaces for a minimum of 70 per cent of the dwellings of the development receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter.*

Comment:

15 of the 21 units would receive more than 3 hours of direct sunlight to the proposed living rooms and POS areas on June 21, comprising 71% of the proposed dwellings.

(2) General *A consent authority must not refuse consent to development to which this Division applies on any of the following grounds:*

(a) **parking** *if:*

- (i) *in the case of a development application made by a social housing provider for development on land in an accessible area—at least 0.4 parking spaces are provided for each dwelling containing 1 bedroom, at least 0.5 parking spaces are provided for each dwelling containing 2 bedrooms and at least 1 parking space is provided for each dwelling containing 3 or more bedrooms, or*
- (ii) *in any other case—at least 0.5 parking spaces are provided for each dwelling containing 1 bedroom, at least 1 parking space is provided for each dwelling containing 2 bedrooms and at least 1.5 parking spaces are provided for each dwelling containing 3 or more bedrooms,*

Comment:

The application is not made by a social housing provider. As such, to cater for the proposed units the following parking is required for the RFB:

Bedroom	No. of Units	Required parking	Total
1 bedroom	6	0.5 space	3
2 bedrooms	15	1 space	15

3 or more bedrooms	0	1.5 space	0
		No. of parking spaces required	18 spaces

24 car parking spaces are proposed.

(b) **dwelling size** if each dwelling has a gross floor area of at least:

- (i) 35 square metres in the case of a bedsitter or studio, or
- (ii) 50 square metres in the case of a dwelling having 1 bedroom, or
- (iii) 70 square metres in the case of a dwelling having 2 bedrooms, or
- (iv) 95 square metres in the case of a dwelling having 3 or more bedrooms.

Comment:

The units within the RFB are 1 - 2 bedrooms. The 1-bedroom units have a minimum area of 55sqm and the 2-bedroom units a minimum area of 81sqm of gross floor area that are greater than the dwelling size requirement.

(3) A consent authority may consent to development to which this Division applies whether or not the development complies with the standards set out in subclause (1) or (2).

Comment:

The proposal is not recommended for refusal.

15 Design requirements

- (1) A consent authority must not consent to development to which this Division applies unless it has taken into consideration the provisions of the Seniors Living Policy: Urban Design Guidelines for Infill Development published by the Department of Infrastructure, Planning and Natural Resources in March 2004, to the extent that those provisions are consistent with this Policy.
- (2) This clause does not apply to development to which clause 4 of State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development applies.

Comment:

SEPP 65 and the ADG apply to the subject development, as discussed at section 3.1.4 below. As such, this clause does not apply, pursuant to Part (2).

16 Continued application of SEPP 65

Nothing in this Policy affects the application of State Environmental Planning Policy No 65—Design Quality of Residential Flat Development to any development to which this Division applies.

Comment:

SEPP 65 applies to the subject development, as discussed at section 3.1.4 below.

16A Character of local area

A consent authority must not consent to development to which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.

Comment:

The design of the development is not considered to be incompatible with the existing and future desired character of the local area.

17 Must be used for affordable housing for 10 years

(1) A consent authority must not consent to development to which this Division applies unless conditions are imposed by the consent authority to the effect that:

(a) for 10 years from the date of the issue of the occupation certificate:

(i) the dwellings proposed to be used for the purposes of affordable housing will be used for the purposes of affordable housing, and

(ii) all accommodation that is used for affordable housing will be managed by a registered community housing provider, and

(b) a restriction will be registered, before the date of the issue of the occupation certificate, against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, that will ensure that the requirements of paragraph (a) are met.

(2) Subclause (1) does not apply to development on land owned by the Land and Housing Corporation or to a development application made by, or on behalf of, a public authority.

Comment:

A condition is included in this regard requiring that a restriction be registered on the Title of the land reflecting the above requirements for the proposed ten (10) affordable housing units, prior to the issue of the Occupation Certificate, as reflected in **Attachment 12**.

18 Subdivision

Land on which development has been carried out under this Division may be subdivided with the consent of the consent authority.

Comment:

Consent for strata subdivision is sought as part of the subject application.

3.1.4 STATE ENVIRONMENTAL PLANNING POLICY NO 65 – DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT

The proposal involves an RFB of 3 storeys and therefore SEPP 65 applies to the development. It is noted that whilst neither SEPP ARH 2009 nor the SEPP 65 identifies which SEPP would prevail in the event of an inconsistency, Clause 16 of ARH SEPP does specifically address the continued application of SEPP 65.

Schedule 1 of SEPP 65 sets out the design quality principles for residential apartment development. These must be considered in the assessment of the proposal with regards to the RFB pursuant to clause 28(2)(a) of the Policy and are discussed below.

An updated Design Verification Statement has been provided by a qualified designer for the amended plans submitted.

The application requires to be referred to a Design Review Panel under SEPP 65 as the development involves a RFB. The application was considered by DRP on 3 occasions outlined in section 1.3. It is noted that a significant proportion of the comments provided by the Panel related to the design of townhouses and context, where by the design quality principles of SEPP 65 and the ADG do not technically apply. Comments provided by the DRP on the townhouses are discussed at **Attachment 6**.

It is recognized the RFB requires to comply with the design quality principles in SEPP 65 nevertheless, discussion below has been provided in the context of the RFB development.

Principle 1: Context and neighbourhood character

Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.

Responding to context involves identifying the desirable elements of an area's existing or future character. Well-designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.

Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.

The locality is characterised by a mixture of residential development types and densities, with nearby development whilst predominantly detached dwelling houses, there are also adjoining multi dwelling development to the north east and residential flat buildings to the south.

It is considered the design of the RFB generally aligns with the key contextual and urban design matters raised as discussed in section 1.3.

DRP also provided that the provision of this mix of housing in this location is highly desirable; the site is ideally located, reasonably close to local facilities and transport, and generally well connected to its local context.

It is expected that redevelopment of the surrounding area will likely occur in the vicinity of the site with intensification of the surrounding area from detached dwelling houses. The proposal is reasonably consistent with the current and desired future character of the area.

Principle 2: Built form and scale

Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.

Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.

Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.

It is considered the area already is going through a transition and likely to continue expected with an increase in density and scale of the development within the surrounding area of the land.

The development is not considered to be out of context with regard to the existing or desired future character of the area. The proposed development is similar in scale to surrounding development including the adjoining Land and Housing development south of the site, of 2-3 storey flat buildings.

The scale and form of the proposed building is minimised through the use of setbacks and building articulation. The proposed development is not considered to unreasonably overshadow adjoining development including the approved development to the south during the winter solstice.

The design of the development is considered to provide a high level of amenity for the occupants by way of landscaped areas, private open space, communal open space and the like.

Amended plans and information have been provided addressing the recommendations made by the DRP and it is considered the matters that have been raised with regards to the RFB have been reasonably addressed as discussed in section 1.3. Overall, the design as amended is considered to provide a positive contribution to the future residential neighbourhood and is capable of support.

Principle 3: Density

Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.

Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.

With an FSR of 0.57:1 the density of the development does exceed the maximum FSR of 0.5:1 permitted for the land pursuant to WLEP 2009 and surrounding zoned land, however the proposal does comply with the allowed maximum FSR of 0.7:1 under the SEPP ARH 2009. The proposal is consistent with the objectives of the R2 Low Density Residential zone and will provide for a mix of housing. Despite exceeding the 9m maximum building height, the proposal is not considered to result in significant adverse impacts discussed at section 3.1.6.

The development's size and scale is not considered to be inconsistent with the existing and envisaged future neighbourhood character. The development is not of a scale that is expected to place unreasonable strain on local infrastructure. The site is reasonably situated with regard to existing public open space and services.

Overall, the design is considered to provide an appropriate density consistent within the context of the site and considered acceptable by the DRP.

Principle 4: Sustainability

Good design combines positive environmental, social and economic outcomes.

Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.

The proposal is considered acceptable with regard to sustainability. The proposal is satisfactory with regard to solar access and natural ventilation and is accompanied by BASIX certificates which indicate that the BASIX thermal comfort, water and energy efficiency targets can be achieved. The development is considered to be an efficient use of land in an appropriate location.

Principle 5: Landscape

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.

Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.

Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.

The layout of the proposal and landscape design has been amended to improve the landscape quality and open space amenity of the development that is considered to reasonably addresses the matters raised by DRP as discussed at section 1.3. The proposal provides suitable landscaped areas and communal open spaces will provide a level amenity to the occupants that is functional, accessible and opportunities for social interaction.

Principle 6: Amenity

Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.

Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.

The development is acceptable in regard to controls relating to residential amenity. The units feature appropriate dimensions and layouts, compliant solar access, cross ventilation and acceptable private open space and communal open space areas. Adequate storage capacity is proposed for each unit.

It is considered the RFB provides adequate address to the internal driveway (that is considered an extension of the street by DRP), passive surveillance, open space amenity, landscape quality and waste handling and loading such that the future occupants of the development are expected to enjoy reasonable amenity. Refer to section 1.3 for further discussion on amenity matters for the RFB.

Nearby residences potentially affected by the proposed development in terms of privacy or loss of solar access are minimal due to siting and design of the proposal.

Principle 7: Safety

Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.

A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.

The design of the development is considered satisfactory with regard to the principles of CPTED and it is considered that the development is unlikely to result in additional criminal or antisocial behaviour in the locality. Refer to discussion in relation to Chapter E2 of WDCP 2009 in **Attachment 10**.

Principle 8: Housing diversity and social interaction

Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.

Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.

Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.

The development provides a good mixture of unit types and sizes including adaptable and affordable units. The development features a range of recreation spaces to facilitate formal and informal opportunities for social interaction among residents.

Principle 9: Aesthetics

Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.

The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.

The RFB building is considered to incorporate suitable articulation and a mix of materials and finishes and is acceptable in regard to aesthetics. The form and finishes proposed are considered to be appropriate. Appropriate treatment of the streetscape is proposed having regard to the current and desired future character of development in the locality.

Overall comment:

The proposed RFB is considered to be satisfactory with regard to the design quality principles in SEPP 65.

Apartment Design Guide

An assessment of the application against the Apartment Design Guide (ADG) is contained within **Attachment 7** to this report.

The development has been assessed against the provisions of the ADG and was found to be compliant with the exception of a variation in the respect of 3F Visual Privacy in regard to setbacks provided to the eastern boundary for the habitable windows. In this location a setback of 6m is required to be provided. The windows on the ground floor are setback 4.88m and 5.755m, while the windows on the first and second floor 5.755m from the eastern boundary. DRP did not consider this a matter of concern. This variation is discussed below is considered capable of support. The applicant's response to this matter is at **Attachment 8**.

3F Visual privacy

<i>Standard/control</i>	<i>Comment</i>
Part 3 – Siting the development	
<u>3F Visual privacy</u>	
<i>i. Objective 3F-1</i>	
Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.	

Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:

Building height	Habitable rooms and balconies	Non-habitable rooms
up to 12m (4 storeys)	6m	3m
up to 25m (5-8 storeys)	9m	4.5m
over 25m (9+ storeys)	12m	6m

Apartment buildings should have an increased separation distance of 3m (in addition to the requirements set out in design criteria 1) when adjacent to a different zone that permits lower density residential development to provide for a transition in scale and increased landscaping (figure 3F.5)

ii. *Objective 3F-2*

Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space

Comment:

Eastern elevation

Ground floor

On the ground floor U06, a 4.88m setback is provided to a bedroom window and 5.755m to the living room window. Refer to Figure 6.

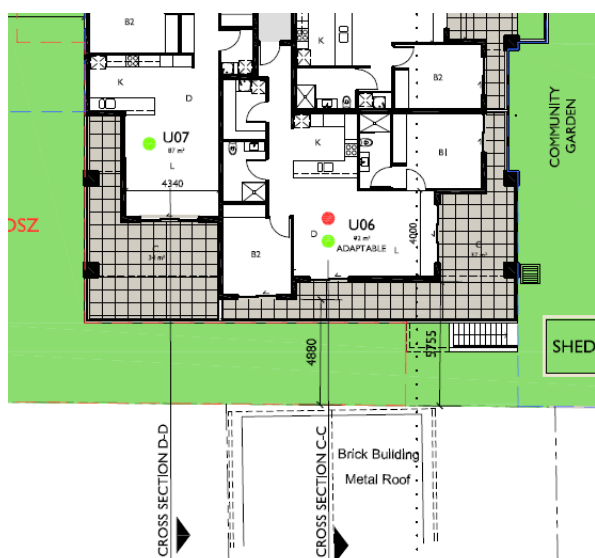
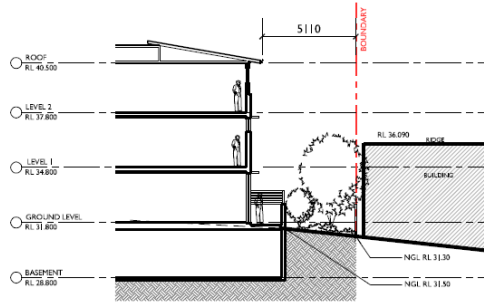


Figure 6: Inset RFB ground floor plan of U06

Cross sections have been provided at **Attachment 1**, on the Ground Floor Plan shown as Part Section C-C below with the adjoining property 12 Cross Street that has an outbuilding located along their rear boundary as shown in Figure 7. This outbuilding does not contain any window openings on the western elevation.



PART SECTION C-C (AT GROUND LEVEL)

Figure 7: Part section of RFB of U06 and 12 Cross Street

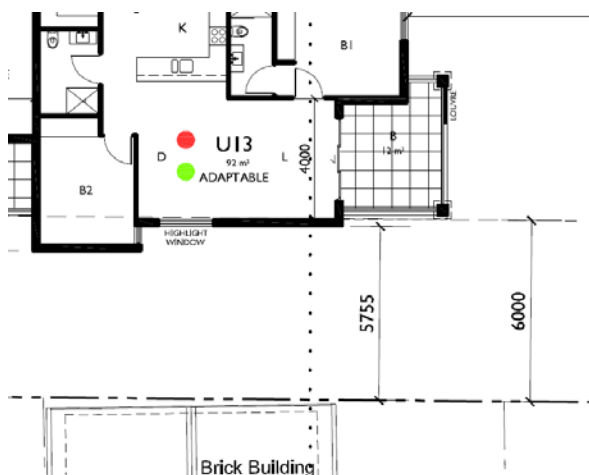
As shown the plans in Figure 6 and 7, the bedroom and living room look towards the rear of 12 Cross Street and directly towards the existing outbuilding and partially towards the rear of 14 Cross St. The windows are surrounded by a courtyard for U06 that is setback approximately 3.8m from the eastern boundary. This courtyard will contain a privacy screen to provide an overall height of 1.8m. Planting with a minimum width of 1.5m is proposed is along the entire length of the eastern boundary that will provide additional buffer/screening between the unit and adjoining property. Due the nature of the use of the windows as a bedroom and secondary living room window with the associated screening and predominant line of sight the outbuilding on the adjoining property, it is considered the potential for overlooking is minimised and there would be no adverse amenity impacts on the adjoining properties.

The privacy screens associated with the courtyard to assist in minimising potential visual privacy impacts are not considered to compromise access to light, ventilation and impacts on views available in the context for this unit.

L1 & L2

The living room windows for U13 (L1) and U20 (L2) are setback 5.755m. Refer to Figure 8 and 9.

These living room windows on the eastern elevation are proposed with a high sill window and as such is not expected to result in unreasonable impacts on visual privacy on the adjoining properties to the east. Refer to Figure 10 that shows the proposed windows for these 2 units.

**Figure 8: Inset of first floor plan of U13**

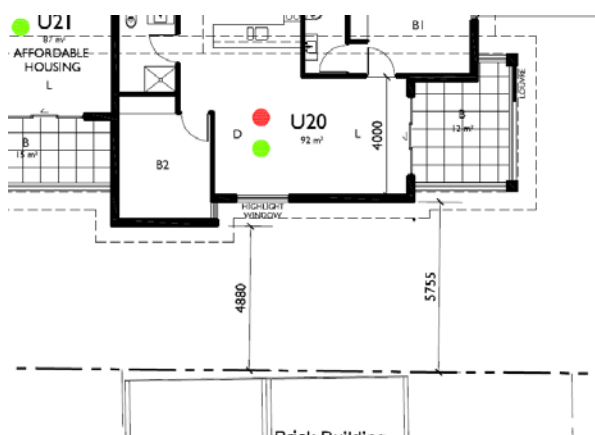


Figure 9: Inset of second floor plan of U20



Figure 10: Eastern elevation of RFB with U13 and U20 windows highlighted

This eastern window is a secondary window (to the dining area) and the living rooms of U13 and U20 have full length sliding doors on the northern elevation. Therefore, the design is not considered minimising potential visual privacy impacts without compromising access to light, ventilation and impact on views available.

Overall, given the design of the development it is considered overlooking is minimised to maintain reasonable level of privacy for the future occupants of the units and no adverse amenity impacts on the adjoining properties.

Therefore, it is considered that the proposal achieves the objectives of 3F Visual privacy in the ADG.

3.1.5 STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011

Schedule 7 of State Environmental Planning Policy (State and Regional Development) 2011 outlines development that requires to be determined by regional panels.

It is considered the proposal could trigger the requirement for the development application to be determined by the Southern Region Regional Planning Panel in particular item 5 of Schedule 7, as the proposal comprises in part to be affordable housing and the entire development will exceed \$5 million in capital investment value.

5 Private infrastructure and community facilities over \$5 million

Development that has a capital investment value of more than \$5 million for any of the following purposes:

(a) air transport facilities, electricity generating works, port facilities, rail infrastructure facilities, road infrastructure facilities, sewerage systems, telecommunications facilities, waste or resource management facilities, water supply systems, or wharf or boating facilities,

(b) affordable housing, child care centres, community facilities, correctional centres, educational establishments, group homes, health services facilities or places of public worship.

Council has consulted with the Planning Panels Secretariat to clarify the matter and their correspondence has advised that the Affordable Housing component of the development application must be have a capital investment value (CIV) over \$5 million to trigger referral to the Southern Region Regional Planning Panel.

The application is accompanied by a detailed cost summary (with GST) clarifies that the total development cost is \$9,317,204.60 and confirms that the social and affordable housing component of the development has a total development cost of \$1,870,881.93. As the affordable housing component is less than \$5 million, the Southern Region Regional Planning Panel is not the determining authority.

3.1.6 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Part 1 Preliminary

Clause 1.4 Definitions

residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

Note.

*Residential flat buildings are a type of **residential accommodation**— see the definition of that term in this Dictionary.*

multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

Note.

*Multi dwelling housing is a type of **residential accommodation**—see the definition of that term in this Dictionary.*

Part 2 Permitted or prohibited development

Clause 2.2 – zoning of land to which Plan applies

The zoning map identifies the land as being zoned R2 Low Density Residential, as demonstrated at Figure 3 below.

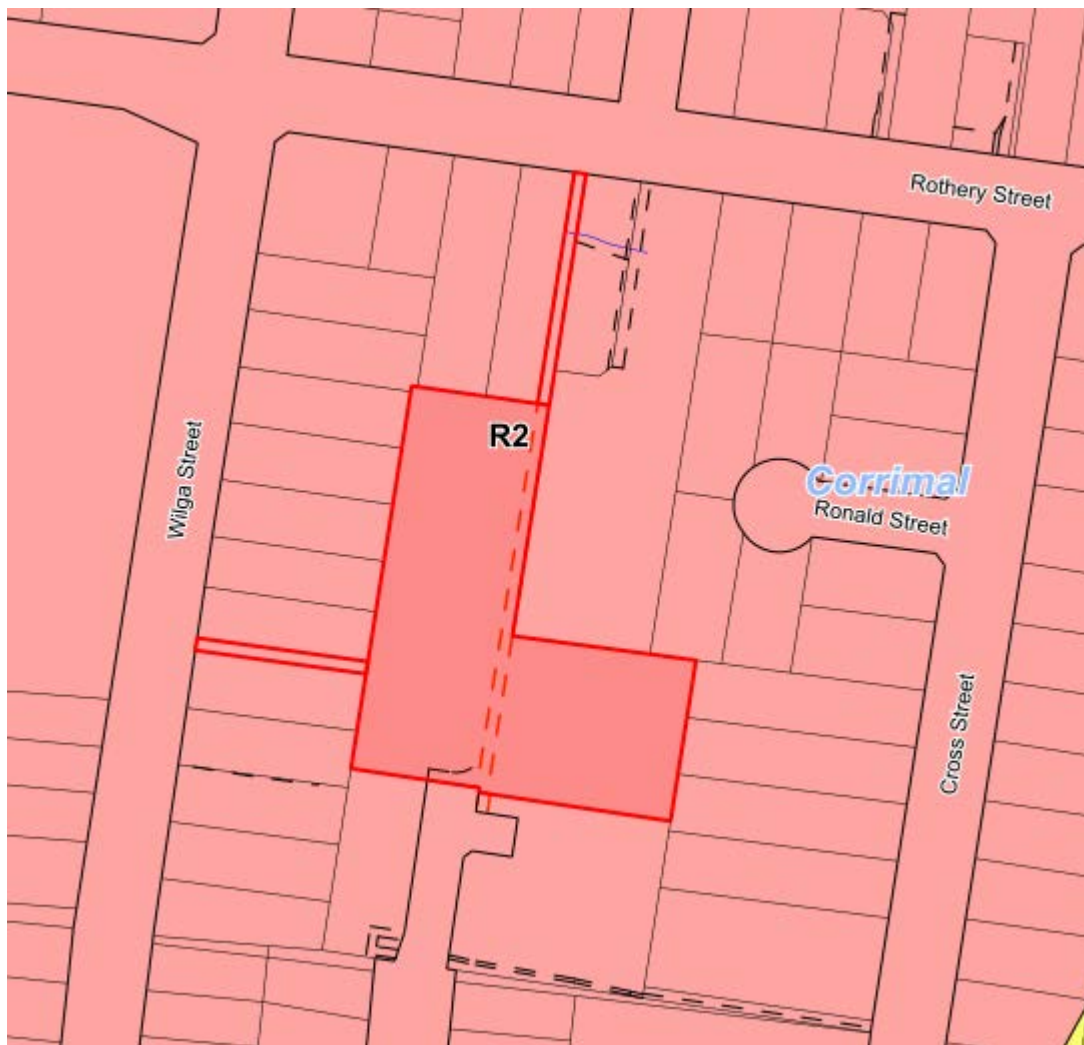


Figure 3: WLEP 2009 zoning map

Clause 2.3 – Zone objectives and land use table

The objectives of the zone are as follows:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposal would be considered generally satisfactory with regard to the above objectives as proposal will provide for a mix of residential accommodation for the community in a low density environment.

The land use table permits the following uses in the zone.

*Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Exhibition homes; Exhibition villages; Group homes; Health consulting rooms; Home-based child care; Hospitals; Hostels; Information and education facilities; Jetties; **Multi dwelling housing**; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); **Residential flat buildings**; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Signage; Tank-based aquaculture; Veterinary hospitals*

The proposal is categorised as a **residential flat building** and **multi-dwelling housing** as defined above and is permissible in the zone with development consent.

Subdivision is not specifically defined within the Plan. Clause 4B of the EP&A Act 1979, however defines the ‘subdivision of land’ as the division of land into two or more parts that, after the division, would be obviously adapted for separate occupation, use or disposition. The division may (but need not) be effected:

- by conveyance, transfer or partition, or
- by any agreement, dealing, plan or instrument rendering different parts of the land available for separate occupation, use or disposition.

The proposal includes strata title subdivision which falls within this definition.

Clause 2.6 Subdivision—consent requirements

Land may be subdivided, but only with development consent. Consent is sought as part of the subject application.

Part 4 Principal development standards

Clause 4.1 Minimum subdivision lot size

The Lot Size Map for the land prescribes a minimum lot size of 499m². The lots to be created in the strata subdivision will have a lot size less than 499qm. However, subclause (4)(a) provides that this clause does not apply in relation to the subdivision of any land by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015. A proposed condition to manage this requires an Occupation Certificate for the dwellings to be issued prior to the release of the Subdivision Certificate for the Strata Title subdivision.

Clause 4.3 Height of buildings

This clause prescribes a maximum height of 9 metres for the Site, as shown on the Height of Buildings Map. The proposed residential flat building has maximum overall height of 10.075m, exceeding the height limit by a maximum of 1.075m (11.9%). Refer to Clause 4.6 below.

The proposed multi-dwelling housing has a maximum height of 7.05m below the 9m maximum.

Clause 4.4 Floor space ratio

Maximum FSR permitted for the zone:	0.5:1	
Site area:	6177 m ²	
GFA:	RFB	1813.4 m ²
	Multi-dwelling housing	1703.2 m ²
Total GFA:	3516 m ²	
FSR:	3516.6/6177 = 0.57:1	

The proposed floor space ratio exceeds the maximum permissible for the site however, SEPP ARH 2009 allows for an increased FSR of 0.7:1 for the development whereby the proposal is compliant under clause 14 at 0.57:1 as discussed above in section 3.1.3 of the report. Clause 8 of SEPP ARH 2009 provides that the SEPP prevails in the event of any inconsistency with another environmental planning instrument. Therefore Clause 4.4 of WLEP 2009 does not apply in this instance.

Clause 4.5 Calculation of Floor Space Ratio and Site Area

The calculation of site area encompasses all three (3) lots that form part of the proposed development.

Clause 4.6 Exceptions to development standards

The subject development seeks an exception to Clause 4.3 Height of buildings of WLEP 2009 development standard.

The applicant has submitted Clause 4.6 Statement addressing the requested exception which is included as **Attachment 9** to this report.

The tables below outline Council's assessment of the exception:

Table 2: Clause 4.3 Height of buildings of WLEP 2009

Development Departure	Clause 4.3 Height of buildings WLEP 2009
Is the planning control in question a development standard?	Yes
4.6(3) Written request submitted by an applicant contains a justification:	
(a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and	<p>Yes</p> <p>The applicant has provided a written statement (Attachment X) as to why compliance with the development standard is unreasonable or unnecessary and why a maximum building height of 10.075m, and an 11.9% maximum exception to the standard should be enabled as summarised below:</p> <ul style="list-style-type: none">• The site crossfall and associated basement ramp, floor level and disabled access challenges are major drivers for the design levels proposed for this particular development. The added interest of the skillion-pitched roof features also contributes to the building height exceedance. However, it is argued that this roof design presents a more interesting and appropriately articulated building than a completely flat roof for example.• The building height of the proposed development has also taken into consideration the built form outcome of the immediately adjacent three storey building to the south, which is likely to also exceed a 9m building height at the upper point of the almost identical skillion roof design to that proposed.• The proposed development therefore provides a bulk and scale similar to that of existing development.• The site is a large residue site that enables the building form to be of a greater scale than its surrounds; however, the building articulation and manipulation of elements attempt to reduce its apparent scale.
(b) That there are sufficient environmental planning grounds to justify	Yes.

contravening the development standard.	<p>The applicant has noted environmental planning grounds that justify the departure also include:</p> <ul style="list-style-type: none"> • The proposed development is satisfactory in having regard to the provisions of WLEP 2009, SEPP ARH 2009, SEPP 65 and ADG, WDCP 2009 and Section 4.55 of the EP&A Act 1979 as demonstrated in the correspondence and documentation submitted. • The accompanying documentation illustrates that the increased height will have a reasonable impact, in terms of visual impact, disruption of views, loss of privacy or any other adverse impacts than if the maximum allowable height of 9m was met.
4.6 (4)(a) Consent authority is satisfied that:	
i. the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and	The applicants written request is considered to have adequately addressed the matters required to be demonstrated by (3).
ii. the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and	<p>The objectives of clause 4.3 are as per the following:</p> <p><i>(a) to establish the maximum height limit in which buildings can be designed and floor space can be achieved,</i></p> <p><i>(b) to permit building heights that encourage high quality urban form,</i></p> <p><i>(c) to ensure buildings and public areas continue to have views of the sky and receive exposure to sunlight.</i></p> <p>The proposal would be consistent with these objectives, as the proposal remains well within the permitted floor space for the site allowed under the SEPP ARH 2009, provides an urban form the would not impact on significant view corridors or solar access.</p> <p>The objectives of the R2 zone are as per the following:</p> <ul style="list-style-type: none"> • <i>To provide for the housing needs of the community within a low density residential environment.</i> • <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i> <p>The development is not considered inconsistent with the above objectives, as outlined below:</p> <ul style="list-style-type: none"> • The development will provide for an increased diversity of housing types and opportunities that includes affordable and social housing units; and • The development is considered a form appropriate for the zoning and similar to existing development within close vicinity. • The design is considered satisfactory and attempts to mitigate any unreasonable impacts on surrounding properties, whilst

	<p>ensuring that the development is appropriate in the context of the existing and future anticipated character of the area.</p> <ul style="list-style-type: none"> • The development is therefore considered to be in the public interest because it is consistent with the objectives of the development standard and the objectives for development in the zone.
(b) The concurrence of the Secretary has been obtained	
	Concurrence is sought from Wollongong Local Planning Panel in the determination of this application has the departure is greater than 10%.

Comment: The requested exception to the development standard for height of the building is considered capable of support.

Part 7 Local provisions – general

Clause 7.1 Public utility infrastructure

This clause seeks to ensure that sufficient infrastructure is available to service development and requires that consent not be granted for development unless the consent authority is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.

The site is already serviced by electricity, water and sewerage services. It is expected that the existing utility services can be augmented to support the proposed development.

Conditions are recommended requiring approval from the relevant authorities for the connection of electricity, telecommunications, water and sewerage to service the site.

Clause 7.3 Flood planning

The subject land is identified as being flood affected, Lot 2 Rothery Street associated with the concrete lined watercourse however, Lot 3 is located outside the flooding planning level. Council's Stormwater Officer has assessed the application submission in this regard and it is considered the proposal satisfies the requirements of this clause subject to conditions. It is noted that:

- All habitable floor levels of the development will be above the flood planning level
- The development will not adversely affect flood behaviour and will not increase flooding of adjoining properties
- The proposed development will not significantly alter flow distributions and velocities to the detriment of other properties or the environment of the floodplain
- The proposal is not located within a floodway

Clause 7.6 Earthworks

The proposal involves excavation to facilitate for the provision of the basement of the RFB and ground floor levels for the townhouses to account for the fall in the land. The earthworks have been considered in relation to the matters for consideration outlined in Clause 7.6 and are not expected to have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features of surrounding land. Council's Environment and Geotechnical Officers have considered the application submission and have provided satisfactory referrals subject to conditions.

Clause 7.14 Minimum site width

This clause prescribes a minimum site width of 24m for residential flat buildings. The immediate site frontage of Lot 3 Robert Street is 6.5m wide however widens immediately once within the lot to approximately 85.6m therefore, it is considered the proposal complies with the development

standard. Lot 1 and Lot 2 have a width less than 24m however, no built form of the proposed development is to occur on these 2 lots.

3.2 SECTION 4.15(1)(A)(II) ANY PROPOSED INSTRUMENT

N/A

3.3 SECTION 4.15(1)(A)(III) ANY DEVELOPMENT CONTROL PLAN

3.3.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

The development has been assessed against the relevant chapters of WDCP 2009 and compliance tables can be found to be satisfactory. The full table of compliance can be found at Attachment X to this report.

It is noted that the development departs from some of the controls in Chapter B1 of WDCP 2009. s

The following variations have been sought in respect of the following matters:

Chapter B1 Residential Development

- Section 5.4 Side and rear setbacks
- Section 5.9 & 6.12 Deep soil planting
- Section 5.13 Additional Control for Multi Dwelling Housing - Dwelling Mix and Layout

Chapter B1: Residential Development

Section 5.4 Side and Rear Setbacks

Section 5.4.2.1 of Chapter B1 of WDCP 2009 requires the following side and rear setbacks for multi-dwelling development in the R2 zone:

Side and Rear Boundary Setbacks Attached and Multi-Dwelling Development		
Zone	Minimum side and rear setback	Minimum side and rear setbacks where balconies or windows of living areas face the rear boundary at first floor level or above
All zones	1.5m	1.5m
R2 Low Density Residential Zone	0.8 x ceiling height	1.0 x ceiling height

The proposal seeks a variation to the :

- TH1 side setback to the southern boundary for the ground and first floor; and
- TH13 rear setback to the northern boundary for the first floor.

Control	Comment																				
The variation statement must address the following points:																					
a) The control being varied; and	The applicant's variation request statement at Attachment 11 identifies the control being varied as section 5.4 of Chapter B1 of WDCP 2009.																				
b) The extent of the proposed variation and the unique circumstances as to why the variation is requested; and	<div>The variation is sought as the proposal for TH1 side setback to the southern boundary and TH 13 rear setback to the northern boundary as follows:</div> <table><tr><th>TH</th><th>Required setbacks</th><th></th><th>Proposed setbacks</th><th>Compliance</th></tr><tr><td>TH1</td><td>Ground floor (S)</td><td>2.04m</td><td>1.725m</td><td>No</td></tr><tr><td></td><td>First floor (S)</td><td>4.28m</td><td>1.575m</td><td>No</td></tr><tr><td>TH13</td><td>First floor (N)</td><td>4.61m</td><td>1.905m</td><td>No</td></tr></table> <div>The applicant in summary has provided the following reasons for the variation:</div> <ul style="list-style-type: none">• There are no overlooking impacts as the first floor contain highlight windows and privacy can be maintained for the adjoining properties• 1.5m wide landscaping beds can be still provided along the boundaries of the site• The reduced setback will not have adverse impacts with regard to overshadowing of adjoining properties• Privacy, solar access and amenity objectives of this control are met	TH	Required setbacks		Proposed setbacks	Compliance	TH1	Ground floor (S)	2.04m	1.725m	No		First floor (S)	4.28m	1.575m	No	TH13	First floor (N)	4.61m	1.905m	No
TH	Required setbacks		Proposed setbacks	Compliance																	
TH1	Ground floor (S)	2.04m	1.725m	No																	
	First floor (S)	4.28m	1.575m	No																	
TH13	First floor (N)	4.61m	1.905m	No																	
c) Demonstrate how the objectives are met with the proposed variations; and																					
<div>The objectives of the control are as follows:</div> <div>(a) To provide adequate setbacks from boundaries and adjoining dwellings to retain privacy levels, views, sunlight and daylight access and to minimise overlooking.</div> <div>(b) To provide appropriate separation between buildings to achieve the desired urban form.</div> <div>(c) To optimise the use of land at the rear of the property and surveillance of the street at the front of the property.</div> <div>(d) To minimise overshadowing of adjacent properties and private or shared open space.</div>																					

Council comment:

Townhouse 1

Ground Floor

The reduced setback of the ground floor to the southern boundary caused concern for potential overlooking into the ground floor unit located on the adjoining southern property at 20 Robert St. As it appeared that the adjoining property was situated slightly higher than the subject site and could result in the northern facing windows of the unit to visible over the existing boundary fence and look into the proposed southern windows of TH1 that are secondary windows to the living areas of this unit.

It has been identified that the northern facing windows on the adjoining ground floor unit service a secondary window for a one bedroom, a bathroom window and a window for a second bedroom. It is considered the proposed 1.8m high boundary fence, in addition to 4m high shrub planting along the southern side of TH1 will minimise any overlooking impacts and maintain privacy for both units. The setback of 1.725m at the ground level will still allow for planting and adequate solar access can be achieved to the living areas of TH1 with large windows and full-length sliding doors on the eastern and western elevations.

First floor

One highlight window for the en-suite is located on the southern elevation of TH1 and considered will not result in overlooking impacts on the adjoining ground floor and first floor unit at 20 Robert St. The 2 bedrooms located on the southern side of TH1 will windows located on the east and west elevation for sunlight access and ventilation.

Solar access impacts

Submitted shadow diagrams indicate that the proposal will overshadow the adjoining property to the south, adjacent to TH1 at No. 20 Robert Street. This adjacent property is an RFB and the proposal will overshadow the two adjacent units, identified to be unit 22 on the ground floor and unit 26 on the first floor. Concerns were raised that the proposal overshadowed the living room windows and POS areas and whether 3 hours of sunlight was received by these 2 affected units during mid-winter. The northern windows of the two adjoining units were not associated with living areas.

The applicant provided hourly detailed shadow analysis plan at **Attachment 1** of the adjoining properties showing that:

Unit 22 (ground floor) has the living rooms windows oriented to both the east and west, so will achieve 3 hours of sunlight between 9am and 12pm on June 21. The primary private open space (courtyard) maintains a minimum of 3 hours solar access to the rear of the unit from 12 noon in midwinter.

Unit 26 (first floor) has an eastern facing balcony (POS) that will continue to achieve 3 hours of sunlight between 9am and 12pm on June 21. The eastern and northern facing windows of the living room will continue to achieve 3 hours of sunlight between 9am and 12pm on June 21.

Therefore, it is considered the proposal will not result in adverse impacts with regards to solar access received to the living areas and POS for the two adjoining units at 20 Robert Street, from the reduced setback of TH1.

Townhouse 13

First floor

The first floor of TH13 proposes a reduced setback to the northern rear boundary. Three highlight windows are proposed on the northern elevation of the first floor are secondary windows for 2

bedrooms and a window for an en-suite. The proposed highlight windows minimise the opportunity for overlooking into the rear yard of 297 & 299 Rothery Street and maintain privacy for these properties. It is noted that the two bedrooms on the first floor for TH13 have primary windows located on the east or west elevation for sunlight access and ventilation. As shown the shadow diagrams the proposal at this location will not overshadow the adjoining properties to the north.

Summary

The proposal is considered to provide for adequate building separation that will not be out of character with the existing built form in the nearby area and maintain reasonable privacy, solar access and amenity for the adjoining properties. Overall, the development is not considered to be inconsistent with the above objectives.

d) Demonstrate that the development will not have additional adverse impacts as a result of the variation.

Council comment:

There development is not considered to result in adverse impacts as a result of the variation.

Comment:

The requested variation is considered capable of support.

Section 5.13 Additional Control for Multi Dwelling Housing – Dwelling Mix and Layout

Section 5.13.2 of Chapter B1 of WDCP 2009 requires that where multi dwelling housing comprising more than 10 units is proposed, that a mix of dwelling sizes and layouts are provided. The 13 townhouses are all contain 3 bedrooms with a study with a similar layout, and as such does not provide any variation in the number of bedrooms proposed. Only the two adaptable dwellings have a slight difference in the ground floor layout with regard to the laundry and toilet compared to the other dwellings.

Control	Comment
The variation statement must address the following points:	
a) The control being varied; and	The applicant's variation request statement at Attachment 11 identifies the control being varied as 5.13 of Chapter B1 of WDCP 2009.
b) The extent of the proposed variation and the unique circumstances as to why the variation is requested; and	<p>The variation is sought as the proposal seeks to construct only 3 bedroom and a study townhouses and as such not providing any variation in the number of bedrooms or layout.</p> <p>The dwellings generally do not provide a difference, just a mirrored layout and a slight difference with the ground floor arrangement for the two adaptable dwellings (TH1 and TH3).</p> <p>The applicant in summary has provided the following reasons for the variation:</p> <ul style="list-style-type: none"> • The development as a whole, comprises of a mix of dwelling configurations with the proposed RFB, that provides 1, 2- and 3-bedroom dwellings.

	<ul style="list-style-type: none"> The townhouses are functional and provides good amenity with front and rear landscaped areas.
c) Demonstrate how the objectives are met with the proposed variations; and	<p>The objectives of the control are as follows:</p> <ol style="list-style-type: none"> <i>To provide variety in dwelling sizes and layouts to cater for a range of household types and to assist housing affordability initiatives.</i> <i>To ensure that the internal arrangement of dwellings is functional and satisfies occupant's needs.</i> <i>To design dwellings to promote resident amenity and adaptability of use.</i> <p>The applicant has indicated that they consider the development consistent with the above objectives.</p> <p><u>Council comment:</u></p> <p>The development is not considered to be inconsistent with the above objectives. The proposal considered in the context of the entire development provides for a range of dwelling sizes and layouts, with a range of options for household types, affordability and adaptability.</p> <p>It is considered the townhouses with the proposed design have the benefit of two functional open space areas that includes POS and a planted area in the front yard. These areas allow for a range of activities and opportunities for casual interaction between residents and considered to achieve a high level of amenity for future residents.</p> <p>It is also noted that DRP did not raise this matter as a concern and considered the proposed housing diversity acceptable.</p>
d) Demonstrate that the development will not have additional adverse impacts as a result of the variation.	<p><u>Council comment:</u></p> <p>There development is not considered to result in adverse impacts as a result of the variation.</p>
<p>Comment:</p> <p>The requested variation is considered capable of support.</p>	

Section 5.9 and 6.12 Deep Soil Zone

Section 5.9 and 6.12 of Chapter B1 of WDCP 2009 requires the development provides a minimum of the half the landscaped area, that is 15% of the site must be provided as deep soil zone and the area must have a minimum width of 6m. Section 5.9 applies to multi-dwelling housing and section 6.12 to RFBs. It is considered the site area is 6177sqm under assessment of WDCP 2009 and therefore in both instances the required deep soil zone is 926.55sqm.

Control	Comment
The variation statement must address the following points:	
a)The control being varied; and	<p>The proposal seeks a variation to section 5.9.2 and 6.12.2:</p> <p><i>A minimum of half of the landscaped area (i.e. 15% of the site) must be provided as a deep soil zone, where the deep soil zone is not located at the rear of the site. The deep soil zone may be located in any position on the site, other than forward of the building line, subject to this area having a minimum dimension of 6m. Alternatively, the deep soil may extend along the full length of the rear of the site, with a minimum width of 6m. The area of deep soil planting must be continuous <u>to ensure that the deep soil planting area is a singular uniform area and is not fragmented.</u></i></p> <p>(Note the underlined text applicable to 5.9.2 only for the townhouses).</p> <p>The applicant's variation request statement at Attachment 11 identifies the control being varied as 5.9 and 6.12 of Chapter B1 of WDCP 2009.</p> <p>The applicant considers that a variation statement is not required as the prevailing DSZ controls applicable site under SEPP ARH 2009 and ADG. It is noted that the DSZ calculations in these policies differ to WDCP 2009.</p> <p>Clause 14 in SEPP ARH 2009 contains development standards that requires 15% of the site (6177sqm) to be DSZ however, the only difference with the WDCP 2009 control it requires a dimension of 6m rather than the 3m specified in the SEPP.</p> <p>In the case of ADG, this applies to only the "site area" in which the 2513sqm and 7% requirement of DSZ with the minimum dimension of 6m.</p>
b)The extent of the proposed variation and the unique circumstances as to why the variation is requested; and	<p>The DSZ required is 15% of the site area, 6177sqm that is 926.55sqm. The proposal provides for 641sqm which is 10.3%.</p> <p>The applicant in summary as provided the following reasons for the variation:</p> <ul style="list-style-type: none"> • Areas that do not meet the dimension 6m but are provided at 3m still provide habitat for native indigenous plants and birdlife and therefore contribute to urban biodiversity. • The DSZ proposed adjacent to the RFB in the eastern part of the site enables the protection of the existing mature trees on the site that are suitable for retention.

	<ul style="list-style-type: none"> Area east of the driveway will support significant landscaping and water infiltration.
c) Demonstrate how the objectives are met with the proposed variations; and	<p>The objectives of the control are as follows:</p> <p><i>(a) To protect existing mature trees on a site and encourage the planting of additional significant vegetation.</i></p> <p><i>(b) To encourage the linkage of adjacent deep soil zones on development sites, to provide habitat for native indigenous plants and birdlife <u>and provide privacy and amenity for existing and future residents.</u></i> (underlined not in Objectives for 5.9.1)</p> <p><i>(c) To allow for increased water infiltration.</i></p> <p><i>(d) To contribute to urban biodiversity.</i></p> <p>The applicant has indicated that they consider the development consistent with the above objectives.</p> <p><u>Council comment:</u></p> <p>The DSZ areas that have been provided do allow for the retention of existing mature trees on the site and additional significant planting. The location of the DSZ is considered appropriate to encourage the linkage to provide for habitat and does assist provide a buffer for adjoining properties to maintain privacy and amenity. It is noted that the proposal complies with the required landscaped area under WDCP 2009 that comprises 30% of the site area. In addition, the proposal does meet the DSZ requirements under SEPP ARH 2009 and the ADG. Overall, it is considered the deep soil zone provided achieves the objectives of the control.</p>
d) Demonstrate that the development will not have additional adverse impacts as a result of the variation.	<p><u>Council comment:</u></p> <p>There development is not considered to result in adverse impacts as a result of the variation.</p>
<p>Comment:</p> <p>The requested variation is considered capable of support.</p>	

3.3.2 WOLLONGONG CITY-WIDE DEVELOPMENT CONTRIBUTIONS PLAN 2018

Clause 25J of the EP&A Regulation states that the cost of development provided as affordable housing is not to be included in the cost of the development to calculate section 7.12 development contributions. A summary of the breakdown of the development cost for the affordable units and the development was submitted. Details of the application were referred to Council's Contributions Officer for assessment. A proposed condition provided by the Council's Contribution Officer specifies the total monetary contribution to be levied under this plan as a result of the development as proposed, that excludes the cost of development that is provided for affordable housing is included.

3.4 SECTION 4.15(1)(A)(IIIA) ANY PLANNING AGREEMENT THAT HAS BEEN ENTERED INTO UNDER SECTION 7.4, OR ANY DRAFT PLANNING AGREEMENT THAT A DEVELOPER HAS OFFERED TO ENTER INTO UNDER SECTION 7.4

There are no planning agreements entered into or any draft agreement offered to enter into under S7.4 which affect the development.

3.5 SECTION 4.15(A)(IV) THE REGULATIONS (TO THE EXTENT THAT THEY PRESCRIBE MATTERS FOR THE PURPOSES OF THIS PARAGRAPH)

92 What additional matters must a consent authority take into consideration in determining a development application?

The proposal does not involve demolition and is not located in the coastal zone.

93 Fire safety and other considerations

Not applicable.

94 Consent authority may require buildings to be upgraded

Not applicable.

3.6 SECTION 4.15(1)(B) THE LIKELY IMPACTS OF DEVELOPMENT

Context and Setting:

In regard to the matter of context, the planning principle in Project Venture Developments v Pittwater Council [2005] NSWLEC 191 is relevant in that it provides guidance in the assessment of compatibility. The two major aspects of compatibility are physical impact and visual impact. In assessing each of these the following questions should be asked:

- Are the proposals physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.
- Is the proposals appearance in harmony with the buildings around it and the character of the street?

Matters such as overshadowing, privacy concerns, bulk scale and setbacks are relevant. The proposed development involves the construction of a 3-storey residential flat building and 2 storey townhouses. The siting of the proposed development with the proposed setbacks is considered to have minimal impact on the adjoining properties in terms of privacy and overshadowing and to allow reasonable solar access.

The bulk and scale of the development is generally consistent with the applicable planning controls for the area. The development is not considered to be out of context with regard to the existing and desired future character of the area, despite the exception to building height and variations to side setback controls.

It is also likely that the character of the locality will continue to evolve over time, given the zoning and controls of the site as currently single dwelling houses are situated on the surrounding properties and the site within walking distance of shops, amenities, open space and school.

In summary, the proposal has been assessed with regard to the amenity impacts from the development, the zoning and existing and future character of the area and is not considered to be incompatible with the local area when the future desired character of the area is taken into consideration.

Vehicular Access, Transport and Traffic:

The proposal is satisfactory with regard to car parking, vehicular access, manoeuvring and servicing. Provision has been made for appropriate arrangements for on-site servicing and deliveries.

Traffic generation from the development can be accommodated within the existing street network and not considered to create adverse impacts. Pedestrians will be safely accommodated. Advice from Council's Traffic Officer indicates the proposal is considered conditionally satisfactory.

Public Domain:

The proposal is not expected to have adverse impacts on the public domain.

Utilities:

The proposal is not expected to place an unreasonable demand on utilities supply. Existing utilities are likely to be capable of augmentation to service the proposal. Conditions are recommended in this regard.

Heritage:

No nearby heritage items are expected to be affected by the proposed development.

Other land resources:

The proposal is not expected to impact upon any valuable land resources.

Water:

Supply & infrastructure - The site is presently serviced by Sydney Water's reticulated water and sewerage services. It is expected that these services can be extended/ augmented to meet the requirements of the proposed development.

Consumption - The proposal is not envisaged to involve excessive water consumption having regard to the uses proposed within the building. Rainwater harvesting is proposed.

Water quality – the application was accompanied by a Water Sensitive Urban Design Stormwater Quality Report which demonstrates that the compliance with the water quality objectives outlined in Chapter E15 of WDCP 2009 Water Sensitive Urban Design can be achieved.

Soils:

It is expected that, with the use of appropriate erosion and sedimentation controls during construction, soil impacts will not be unreasonably adverse.

The soil profile is considered to be acceptable for the construction of the proposed development. Council's Geotechnical, Stormwater and Environment Officers have assessed the application submission and considered it satisfactory subject to consent conditions.

Air and Microclimate:

The proposal is not expected to have negative impact on air or microclimate.

Flora and Fauna:

The proposal seeks consent for the removal of a number of trees and vegetation. Council's Landscape Architect has reviewed the application submission and provided conditionally satisfactory advice, subject to the recommendations of the submitted arborists report. A proposed condition at **Attachment 12** provides for fauna protection during tree clearance works.

Waste:

The application submission included a site waste minimisation and management plan which is considered satisfactory.

On-going waste management arrangements are satisfactory and comply with the relevant provisions of Wollongong DCP 2009 as detailed within this report. Advice received from Council's Traffic Officer indicates the proposal is considered conditionally satisfactory.

Energy:

The proposal is not envisaged to have unreasonable energy consumption.

Noise and vibration:

Conditions are proposal for imposition to minimise nuisance during demolition and construction.

Natural hazards:

The subject site is identified as being flood hazard affected. Council's Stormwater Officer has assessed the application submission in this regard and considered satisfactory subject to conditions.

There are no natural hazards affecting the site that would prevent the proposal.

Technological hazards:

There are no technological hazards affecting the site that would prevent the proposal. See SEPP 55 comments at Section 3.1.1.

Safety, Security and Crime Prevention:

The proposal is not expected to provide increased opportunities for criminal or antisocial behaviour and is considered to be reasonably well designed with regard to CPTED principles subject to some matters including lighting and landscaping being dealt with via conditions.

Social Impact:

No significant adverse social impacts are expected to arise from approval of the proposed development.

Economic impact:

There are not expected to be adverse economic impacts arising from approval of the proposed development.

Site Design and Internal Design:

The proposal requests an exception from WLEP 2009 development standard with regard to building height.

The proposal also requests variations to the Apartment Design Guide and WDCP 2009 as relates to 3F Visual Privacy, side and rear setbacks for multi-dwelling housing, dwelling mix and layout and deep soil zone.

All requests have been considered and are capable of support in this instance as discussed in the report.

Construction:

Construction impacts have the potential to impact on the amenity of the neighbourhood. If approved, it would be appropriate to impose a suite of conditions to reduce the impact of construction works including those relating to hours of work, erosion and sedimentation controls, dust mitigation, works in the road reserve, excavation, demolition management, waste management, and use of any crane, hoist, plant or scaffolding, amongst others. These are included in the conditions.

A condition is also included that all works are to be in compliance with the Building Code of Australia.

Cumulative impacts:

Approval of the proposal is not expected to give rise to adverse cumulative impacts.

3.7 SECTION 4.15(1)(C) THE SUITABILITY OF THE SITE FOR DEVELOPMENT

Does the proposal fit in the locality?

The proposal is considered appropriate with regard to the zoning of the site and is not expected to have negative impacts on the amenity of the locality or adjoining developments.

Are the site attributes conducive to development?

There are no site constraints that would prevent the proposal

3.8 SECTION 4.15(1)(D) ANY SUBMISSIONS MADE IN ACCORDANCE WITH THIS ACT OR THE REGULATIONS

See section 1.5 above.

3.9 SECTION 4.15(1)(E) THE PUBLIC INTEREST

The proposed development is considered appropriate with consideration to the zoning and the future desired character of the area. The proposed development is considered to be in the public interest.

4 CONCLUSION

This proposed development has been assessed with regard to the relevant prescribed matters for consideration outlined in Section 4.15 of the Environmental Planning & Assessment Act 1979. The proposed development is permissible with consent and is reflective of the objectives of the R2 Low Density Residential zone.

Generally, the proposal is consistent with the applicable provisions of relevant planning instruments including SEPP (Affordable Rental Housing) 2009, SEPP 65, SEPP 55 and SEPP (Building Sustainability Index: BASIX) 2004.

The proposal seeks an exception to WLEP 2009 development standard relating to height of buildings. It is considered that the clause 4.6 exception request provided addresses this matter is satisfactory, and as such the exceptions is capable of support.

The proposal also seeks variations to WDCP 2009 and the Apartment Design Guide as relates to visual privacy, side and rear setbacks, dwelling mix and layout and deep soil zone. The variation requests have been considered and are capable of support in this instance.

It is considered the proposed development is unlikely to result in adverse impacts on the character or amenity of the surrounding area, environment and adjoining development.

5 RECOMMENDATION

DA-2018/1481 be approved pursuant to Section 4.16(1) of the Environmental Planning & Assessment Act 1979 subject to the conditions provided at **Attachment 12**.

6 ATTACHMENTS

- 1 Plans
- 2 Design Review Panel– 24 January 2019
- 3 Design Review Panel – 23 March 2019
- 4 Design Review Panel – 14 May 2019
- 5 Applicant’s response to DRP 14 May 2019
- 6 Council’s comments Multi-Dwelling Housing for DRP 14 May 2019
- 7 Apartment Design Guide Assessment
- 8 Applicant’s ADG Response – Visual Privacy
- 9 Clause 4.6 Exception Request – Building height
- 10 WDCP 2009 Compliance Table
- 11 WDCP 2009 Variation Requests
- 12 Conditions



VIEW 1 - LOOKING NORTH FROM ROBERT STREET TOWARDS SUBJECT SITE



VIEW 2 - FROM SUBJECT SITE FACING SOUTH ALONG ROBERT STREET



VIEW 3 - FROM SUBJECT SITE FACING SOUTH EAST

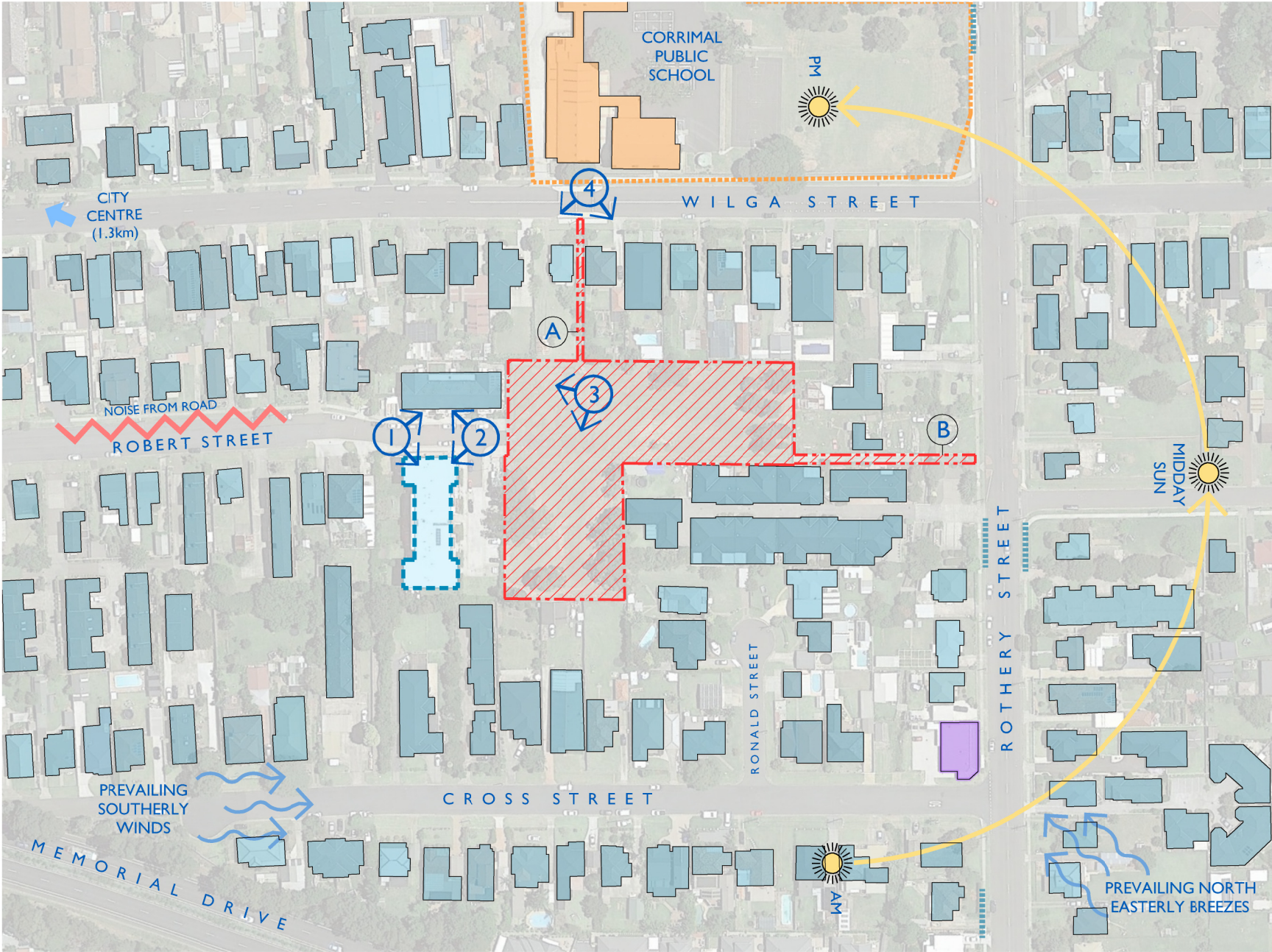


VIEW 4 - LOOKING EAST FROM WILGA STREET TOWARDS ADJOINING SITE

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LEGEND

- PROPOSED DEVELOPMENT
- HERITAGE LISTED ITEM
- GREEN &/OR PUBLIC SPACES
- BUS STOP
- WIND DIRECTION
- SOURCE OF NOISE
- LOCATION OF PHOTO
- RESIDENTIAL USE
- RESIDENTIAL USES 3 STOREYS & ABOVE IN HEIGHT
- BUSINESS / COMMERCIAL PREMISES
- OTHER USE
- PEDESTRIAN LINK
- SERVICE EASEMENT

SITE ANALYSIS

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Project
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CONSISTING OF 21 RESIDENTIAL APARTMENTS
ABOVE BASEMENT PARKING &
13 TOWNHOUSES WITH DOUBLE GARAGES

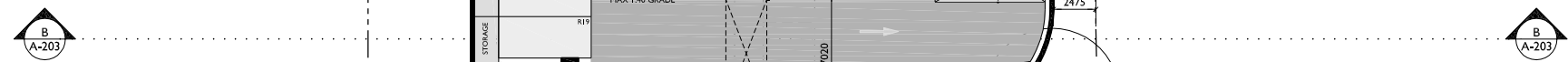
At
1 - 4 ROBERT STREET,
CORRIMAL

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TRADERS IN PURPLE

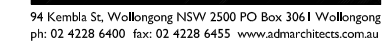
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Scale NTS	Date MAY 2019	
Drawn MC RAC DQ	Checked	
Project No. 2017-03	Drawing No. A-001	Issue B

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E	12.11.2019	ISSUED FOR ADDITIONAL INFORMATION



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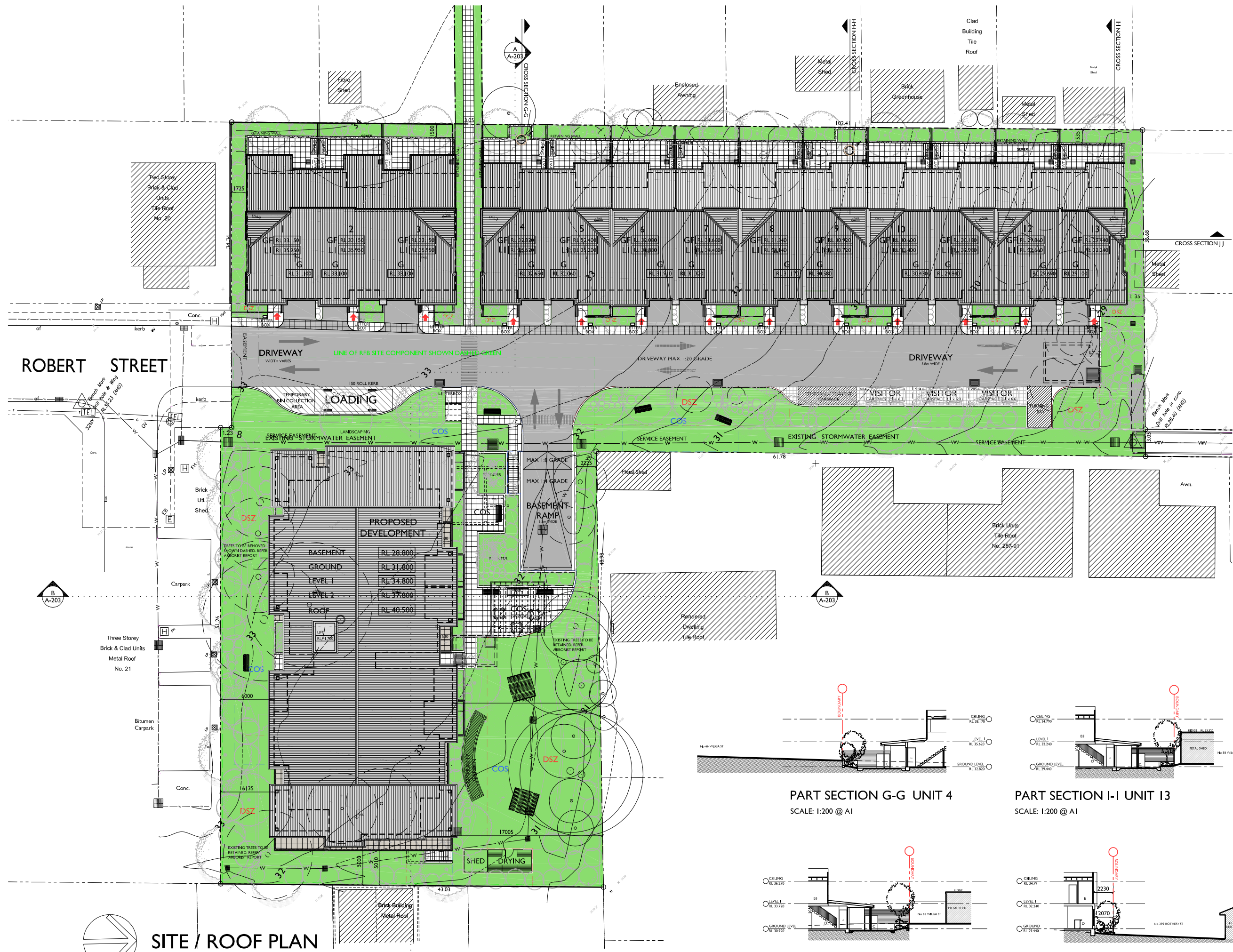


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Scale	Date
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Project No.	Drawing No.	Issue
2017-03	A-102	E

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E	12.11.2019	ISSUED FOR ADDITIONAL INFORMATION
F	14.11.2019	ISSUED FOR ADDITIONAL INFO
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Title
DEVELOPMENT APPLICATION
SITE / ROOF PLAN

Scale 1 : 400 @ A3	Date OCTOBER 2019
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Drawn MC RAC	Checked
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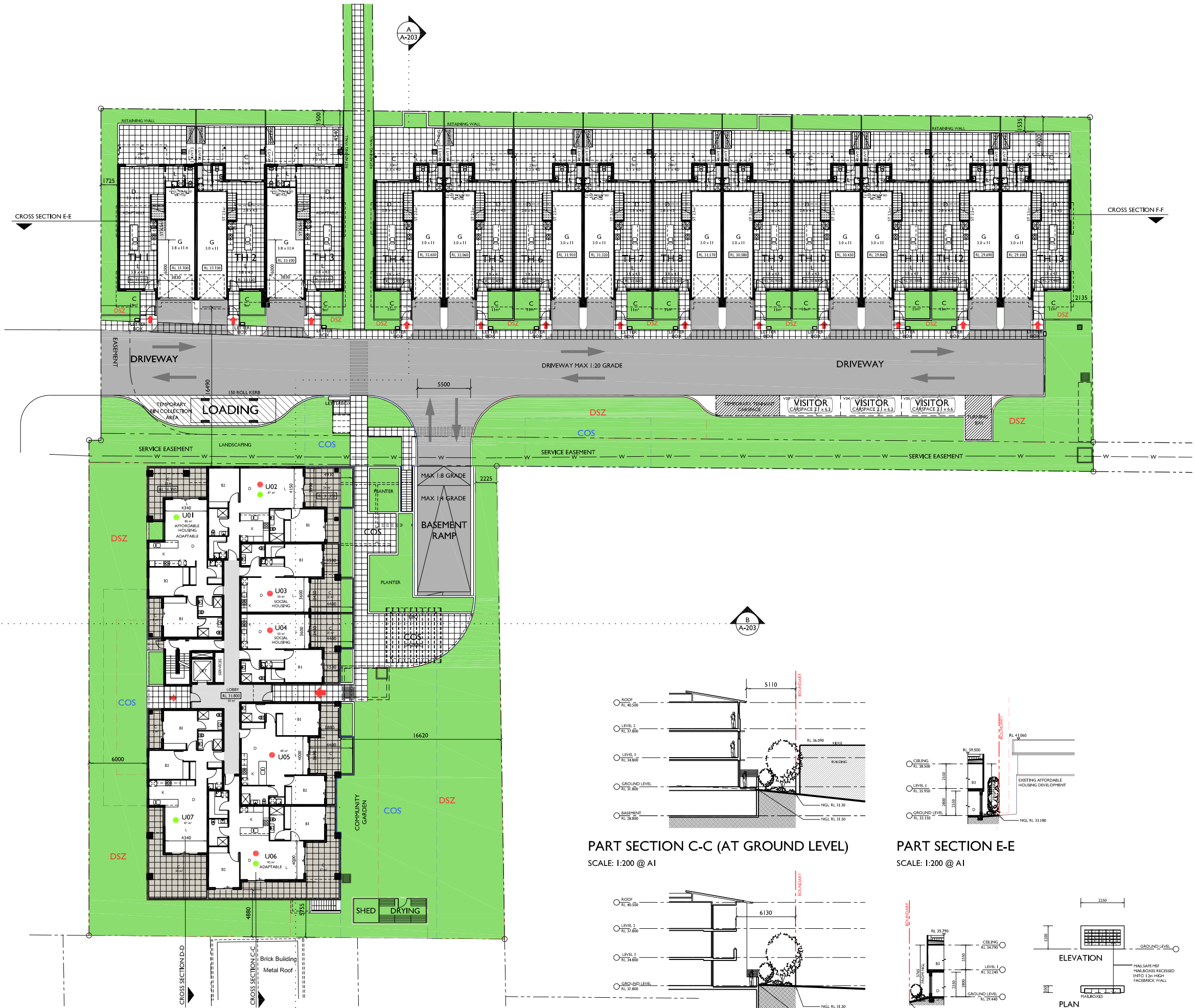
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F	20.11.2019	ISSUED FOR ADDITIONAL INFO

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PART SECTION C-C (AT GROUND LEVEL)
SCALE: 1:200 @ A1

PART SECTION E-E
SCALE: 1:200 @ A1

PART SECTION D-D (AT GROUND LEVEL)
SCALE: 1:200 @ A1

PART SECTION F-F
SCALE: 1:200 @ A1

LETTERBOX DETAILS
SCALE: 1:100 @ A1

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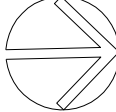
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DEVELOPMENT APPLICATION
GROUND FLOOR PLAN

Scale
1 : 400 @ A3
Date
OCTOBER 2019

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MC RAC
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Project No.
2017-03
Drawing No.
A-103
Issue
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GROUND FLOOR PLAN

3 STOREY BUILDING
TOWNHOUSES
RL 31.800
RL VARIES
SUNLIGHT ACCESS
CROSS VENTILATION

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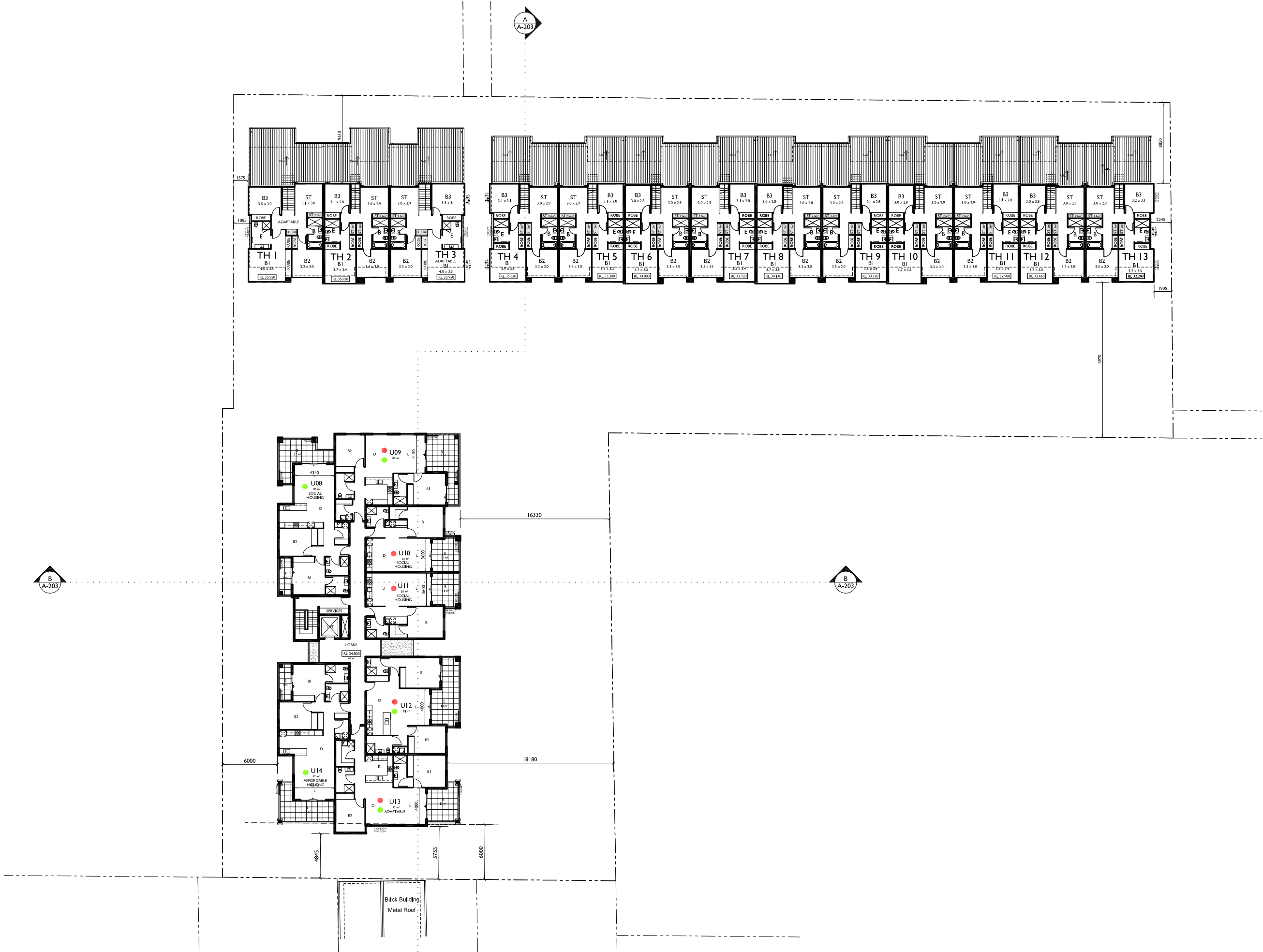
Title
DEVELOPMENT APPLICATION
LEVEL 1 FLOOR PLAN

Scale 1 : 400 @ A3	Date OCTOBER 2019
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Drawn MC RAC	Checked
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Project No. 2017-03	Drawing No. A-104	Issue D
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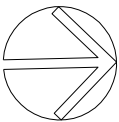


LEVEL 1 FLOOR PLAN

3 STOREY BUILDING
TOWNHOUSES

RL 34.800
RL VARIES

● SUNLIGHT ACCESS
● CROSS VENTILATION



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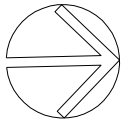
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DEVELOPMENT APPLICATION
LEVEL 2 FLOOR PLAN

Scale	Date
1 : 400 @ A3	OCTOBER 2019

Drawn	Checked
MC RAC	

Project No.	Drawing No.	Issue
2017-03	A-105	D

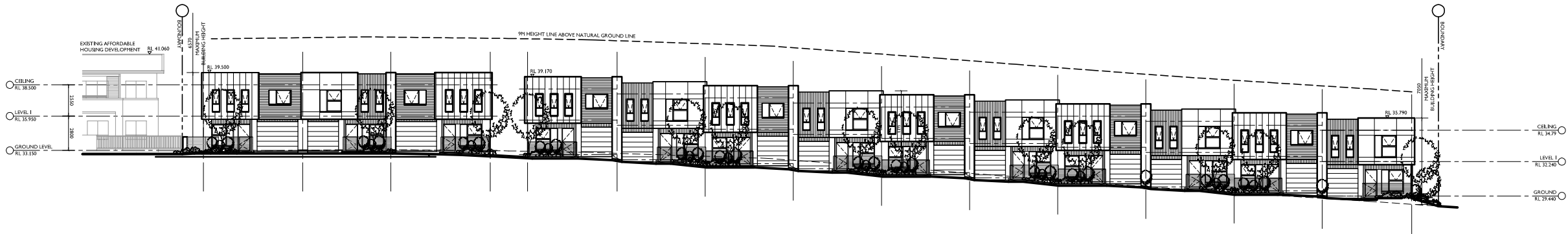
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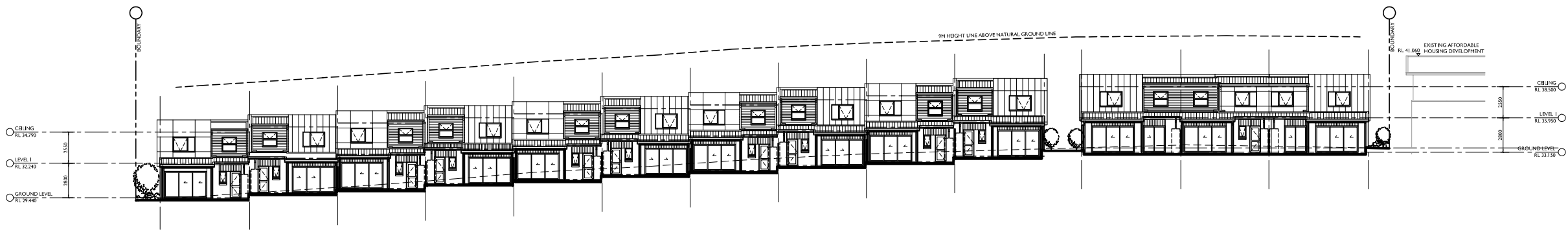
LEVEL 2 FLOOR PLAN

3 STOREY BUILDING RL 37.800

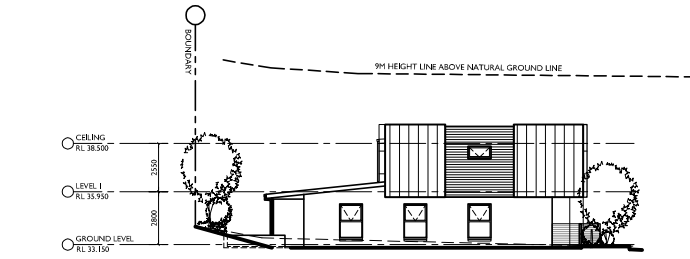
- SUNLIGHT ACCESS
- CROSS VENTILATION



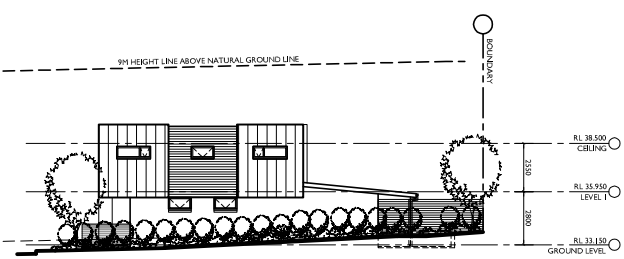
EAST ELEVATION
TOWNHOUSES 01-13



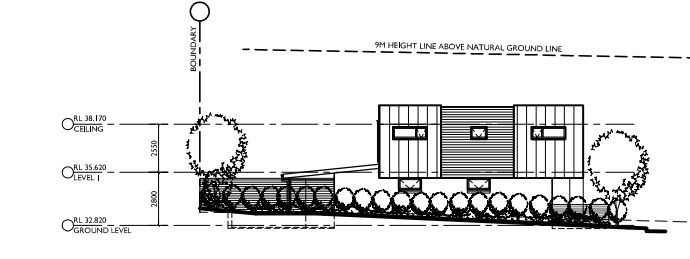
WEST ELEVATION
TOWNHOUSES 01-13



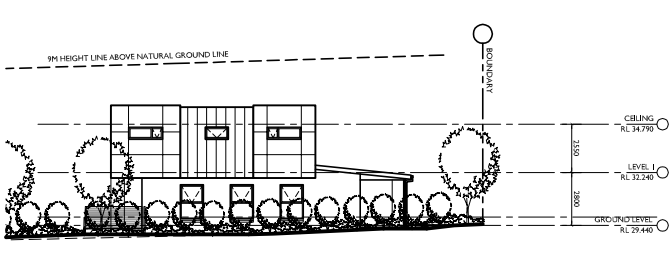
SOUTH ELEVATION
TOWNHOUSE 01



SOUTH ELEVATION
TOWNHOUSE 03



NORTH ELEVATION
TOWNHOUSE 04



NORTH ELEVATION
TOWNHOUSE 13

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ISSUE	DATE	DESCRIPTION
A	20.09.2018	ISSUED FOR DA
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D	12.11.2019	ISSUED FOR ADDITIONAL INFORMATION

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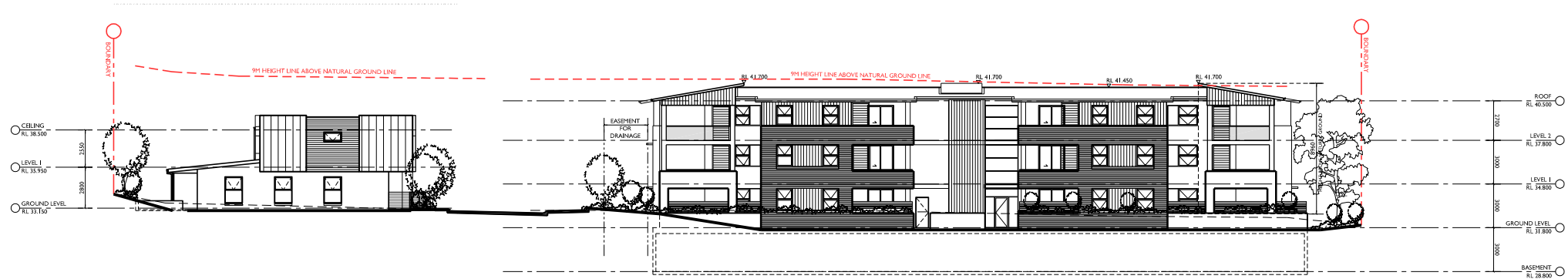
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CONSISTING OF 21 RESIDENTIAL APARTMENTS
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13 TOWNHOUSES WITH DOUBLE GARAGES

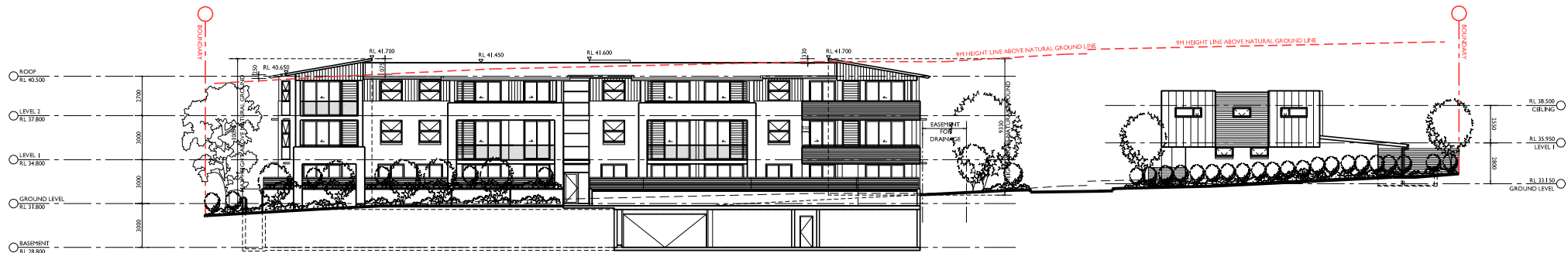
At
1 - 4 ROBERT STREET,
CORRIMAL

For
TRADERS IN PURPLE

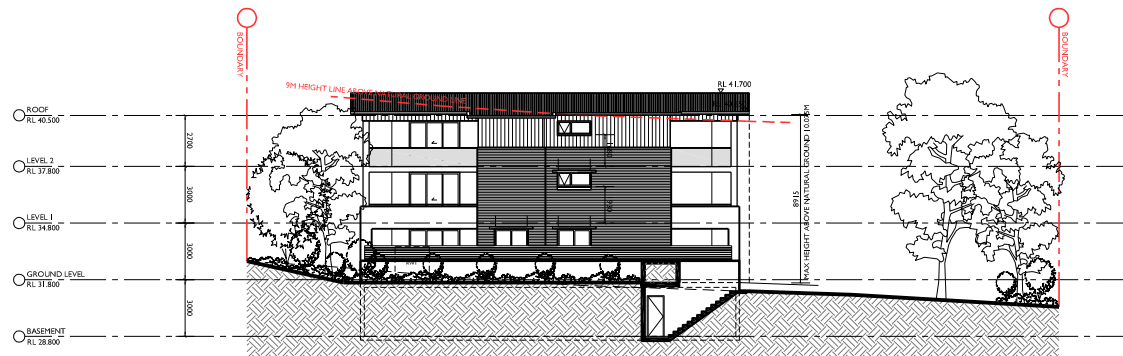
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Scale 1 : 400 @ A3	Date OCTOBER 2019	
Drawn MC RAC	Checked	
Project No. 2017-03	Drawing No. A-201	Issue D



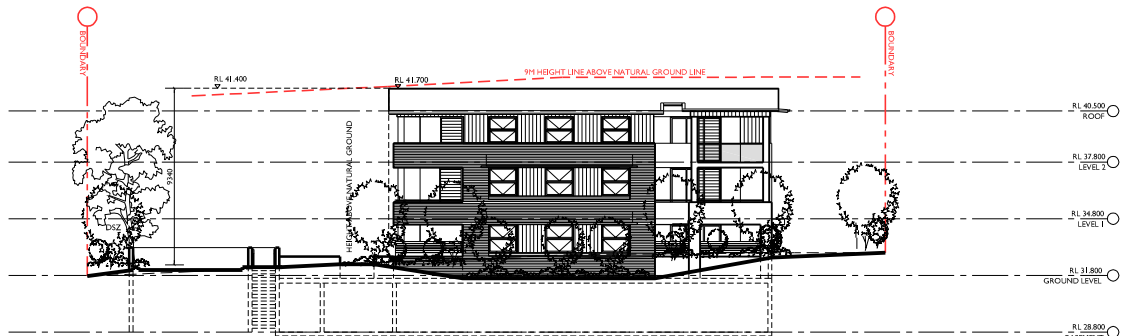
SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION

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At
1 - 4 ROBERT STREET,
CORRIMAL

For
TRADERS IN PURPLE

Title
DEVELOPMENT APPLICATION
ELEVATIONS

Scale 1 : 400 @ A3	Date OCTOBER 2019
-----------------------	----------------------

Drawn MC RAC	Checked
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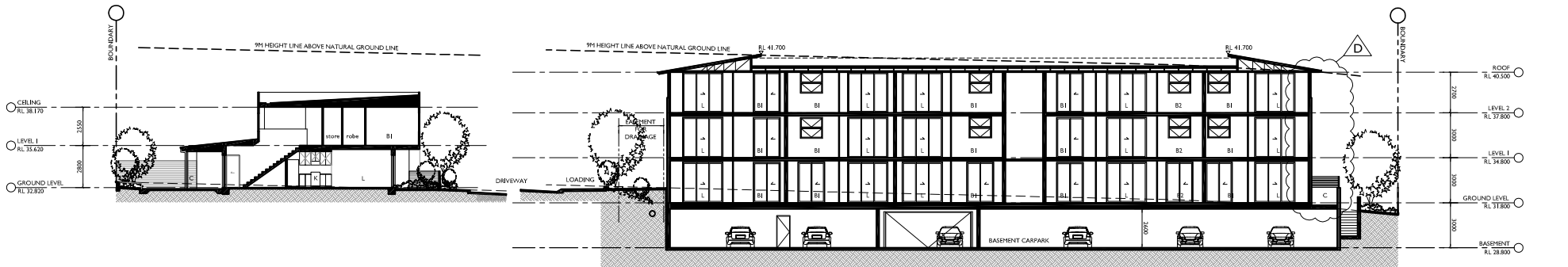
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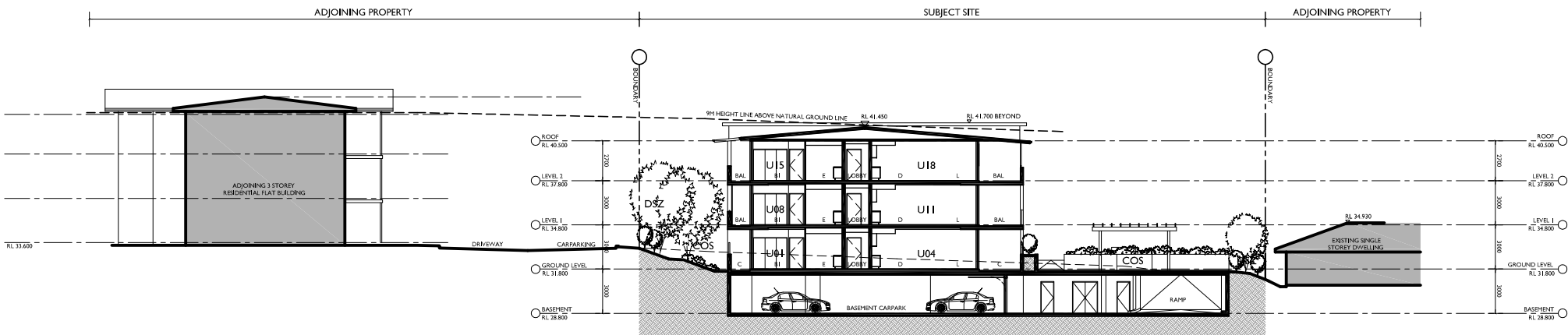
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SECTION A-A



SECTION B-B

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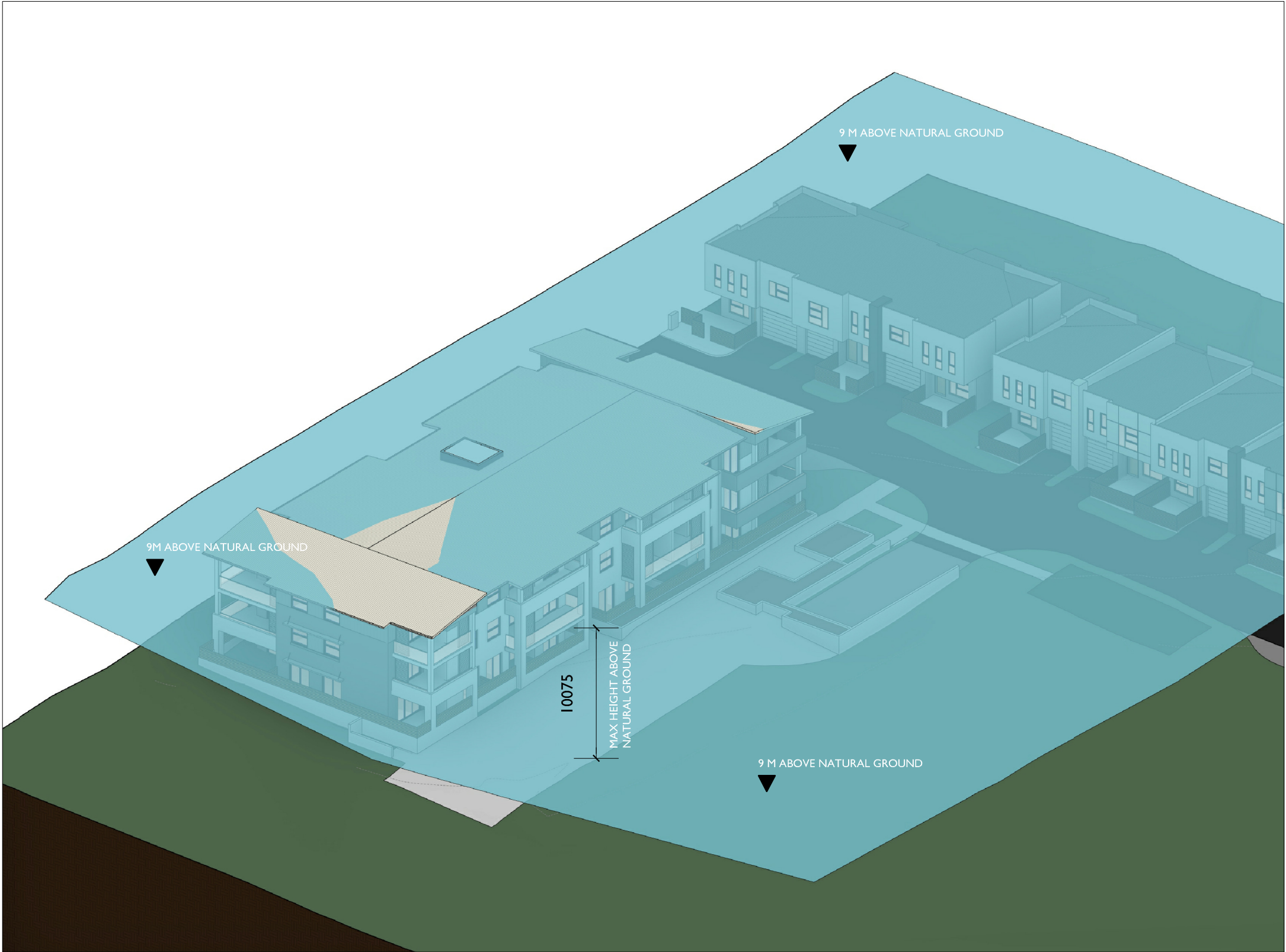
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Scale		Date OCTOBER 2019
Drawn MC RAC		Checked
Project No. 2017-03	Drawing No. A-203	Issue D

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HEIGHT PLANE DIAGRAM

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Title DEVELOPMENT APPLICATION HEIGHT PLANE DIAGRAM		
Scale NTS	Date OCTOBER 2019	
Drawn MC RAC	Checked	
Project No. 2017-03	Drawing No. A-405	Issue C



TYPICAL COLOURS & MATERIALS SCHEDULE
RESIDENTIAL FLAT BUILDING

1

AUSTRAL ORPHEUS
FACE BRICKWORK

2

DULUX
VIVID WHITE
CONCRETE UPTURNS AND
SLAB EDGES

3

DULUX
TIMELESS GREY
FIBRE CEMENT
CLADDING

4

DULUX
HEIFER
RENDERED BRICKWORK

5

COLORBOND
SURFMIST
ROOFING, GUTTERS AND
DOWNPIPES

6

DULUX
SHALE GREY
DOOR AND WINDOW
FRAMES, LOUVRES AND
HANDRAILS

7

CLEAR GLAZING
WINDOWS AND
BALUSTRADES

8

MERBAU
TIMBER LOOK
SCREENING

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Title
DEVELOPMENT APPLICATION
COLOURS & MATERIALS SCHEDULE 1 OF 2

Scale	Date	
NTS	MAY 2019	
Drawn	Checked	
MC RAC DQ		
Project No.	Drawing No.	Issue
2017-03	A-301	B

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TYPICAL COLOURS & MATERIALS SCHEDULE
TOWNHOUSES

1

AUSTRAL
BRAMPTON
FACE BRICKWORK

2

COLORBOND
SURFMIST
FIBRE CEMENT
CLADDING & RENDERED
WALL

3

DULUX
TIMELESS GREY
FIBRE CEMENT
CLADDING

4

DULUX
WESTERN MYALL
FIBRE CEMENT
CLADDING & RENDERED
WALL

5

COLORBOND
SURFMIST
GARAGE DOORS

6

COLORBOND
BASALT
ROOFING (BEHIND PARAPET),
GUTTERS AND
DOWNPIPES

7

TIMBER LOOK
FRONT DOOR &
SCREENING

8

DULUX
MONUMENT
DOOR AND WINDOW
FRAMES

9

CLEAR GLAZING
WINDOWS

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9AM



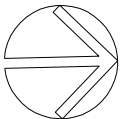
10AM



11AM



12PM



SHADOW ANALYSIS - 21ST OF JUNE

POS INDICATES LOCATION OF PRIVATE OPEN SPACES

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Title
DEVELOPMENT APPLICATION
SHADOW ANALYSIS 1 OF 2

Scale	Date
NTS	OCTOBER 2019

Drawn	Checked
MC RAC	

Project No.	Drawing No.	Issue
2017-03	A-401	C

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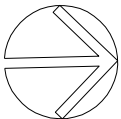
1PM



2PM



3PM



SHADOW ANALYSIS - 21ST OF JUNE

POS INDICATES LOCATION OF PRIVATE OPEN SPACES

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Title
DEVELOPMENT APPLICATION
SHADOW ANALYSIS 2 OF 2

Scale	Date
NTS	OCTOBER 2019

Drawn	Checked
MC RAC	

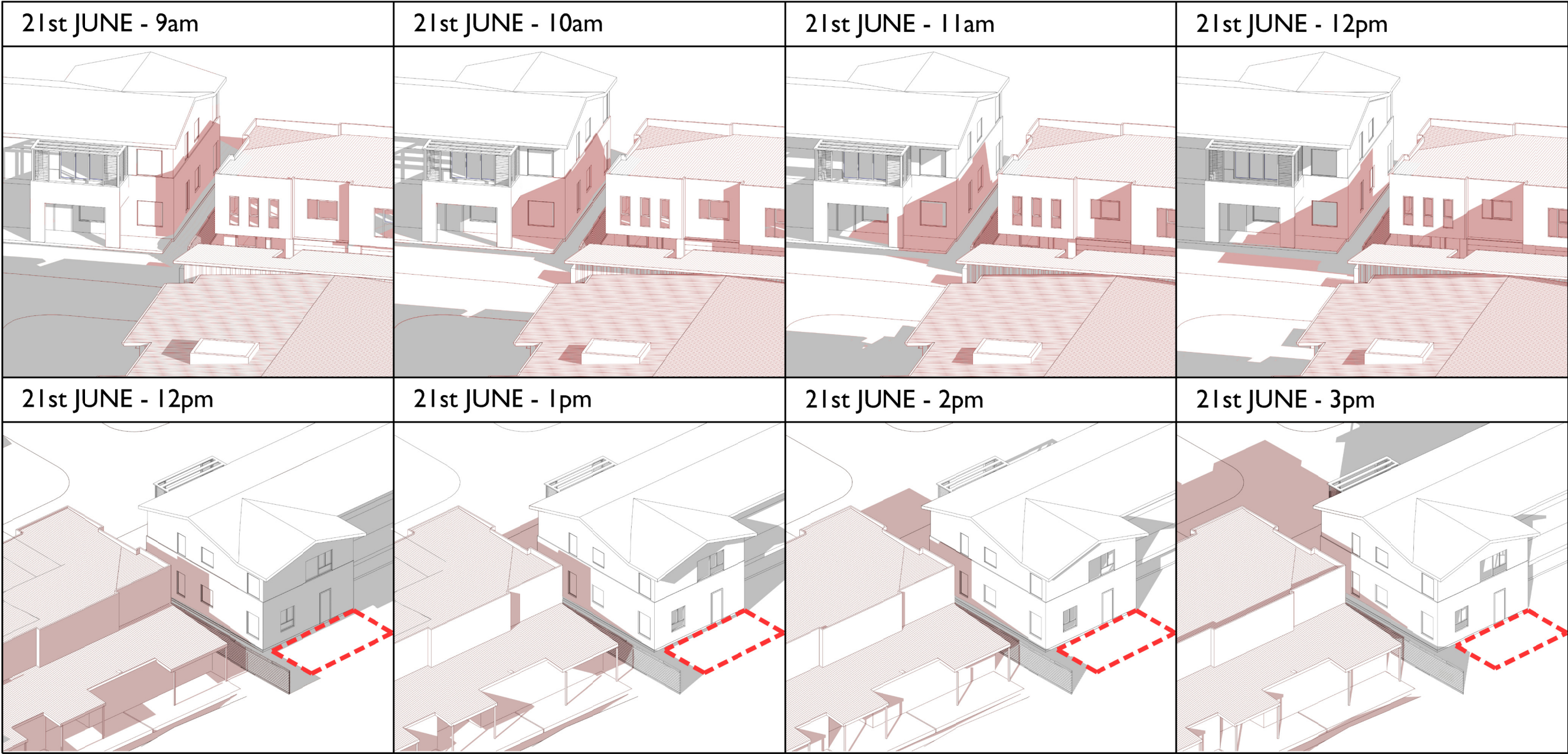
Project No.	Drawing No.	Issue
2017-03	A-402	C

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DETAILED SHADOW ANALYSIS

 POS min 4.0 x 5.0m



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13 TOWNHOUSES WITH DOUBLE GARAGES

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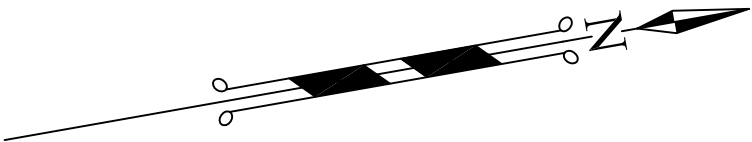
For
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Title
DEVELOPMENT APPLICATION
DETAILED SHADOW ANALYSIS

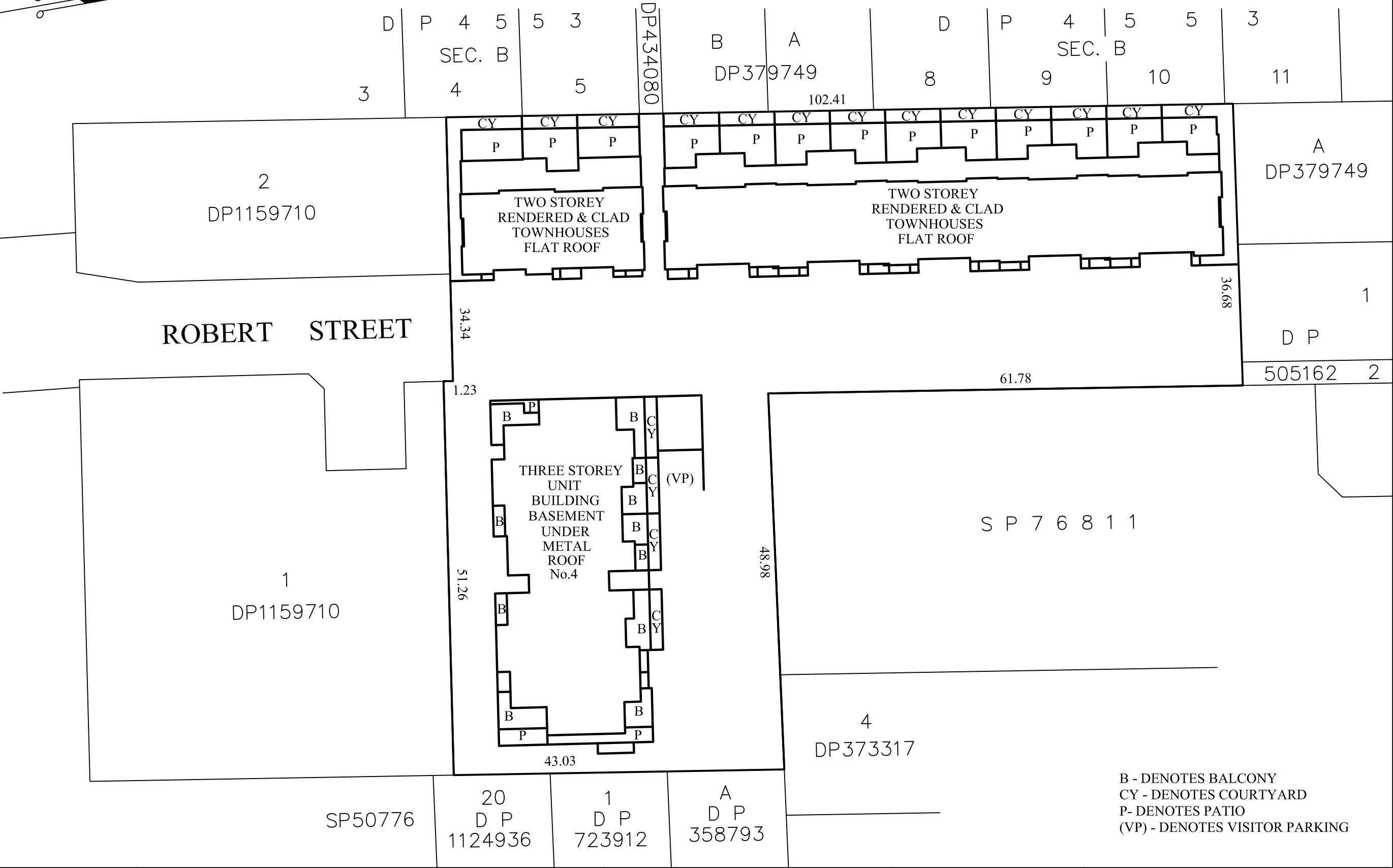
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NTS	NOVEMBER 2019

Drawn	Checked
MC RAC	

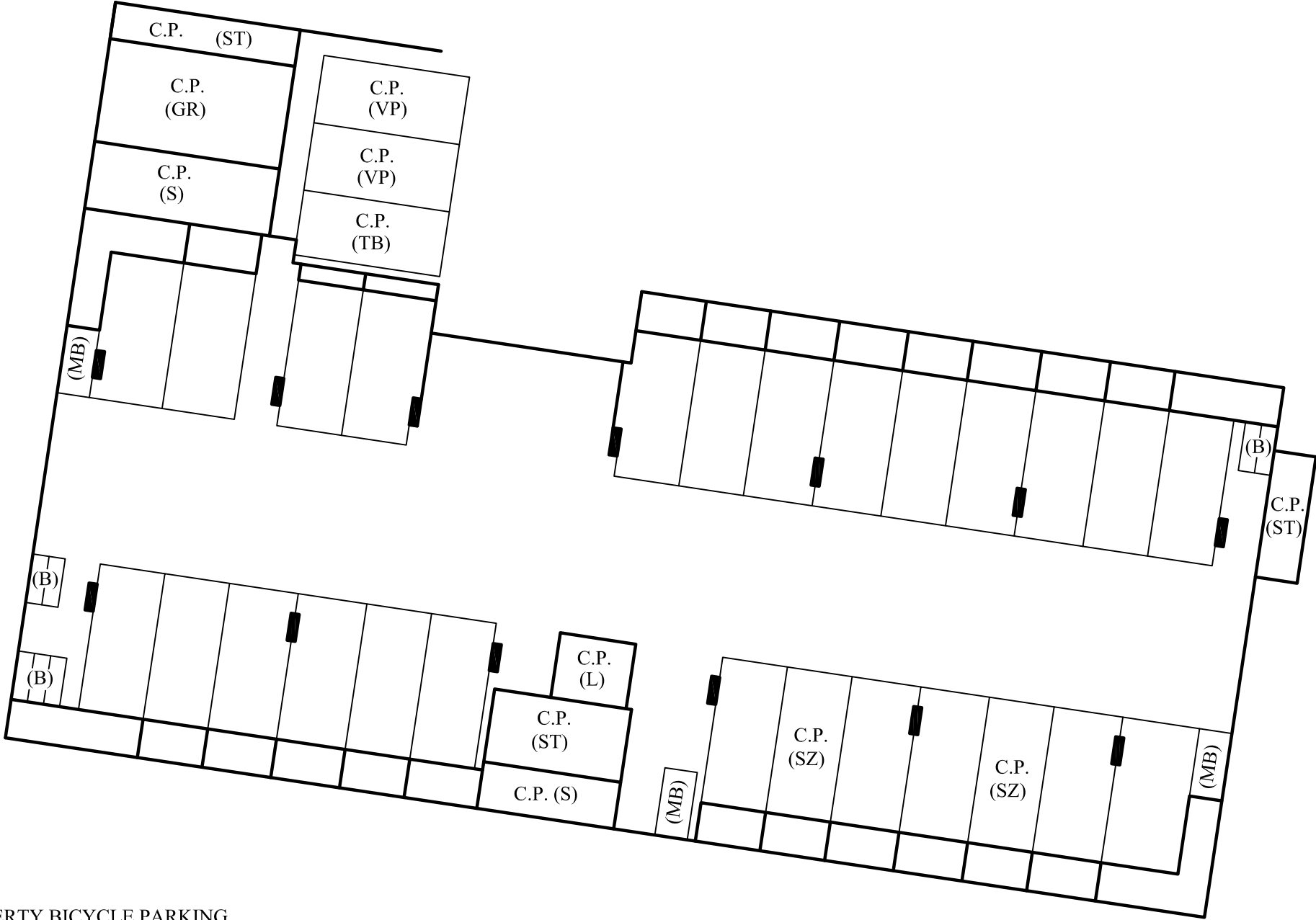
ProjectNo.	Drawing No.	Issue
2017-03	A-406	B



- LOCATION PLAN -



<div>SURVEYOR</div> <div>Name: David Alan Jollie</div> <div>Date of Plan:</div> <div>Surveyor's Ref : W19121/1</div>	<div>PLAN OF SUBDIVISION OF LOT 3 IN D.P.1159710.</div>	<div>LGA: Wollongong</div> <div>Locality : Corrimal</div> <div>Reduction Ratio: 1:500</div> <div>Lengths in metres</div>	<div>Registered</div>	<div>SP DRAFT</div>
--	---	--	-----------------------	---------------------



(B) - DENOTES COMMON PROPERTY BICYCLE PARKING
C.P. - DENOTES COMMON PROPERTY
(GR) - DENOTES GARBAGE ROOM
(L) - DENOTES LIFT
(MB) - DENOTES COMMON PROPERTY MOTOR BIKE PARKING
(S) - DENOTES SERVICES
(ST) - DENOTES STAIRS
(SZ) - DENOTES SHARED ZONE
(TB) - DENOTES TURNING BAY
(VP) - DENOTES VISITOR PARKING

FOR CLARITY NOT ALL COMMON PROPERTY
STRUCTURES ARE SHOWN.

THE AREAS SHOWN ARE FOR THE PURPOSE OF
THE STRATA SCHEMES DEVELOPMENT ACT 2015
AND ARE APPROXIMATE.

BASEMENT

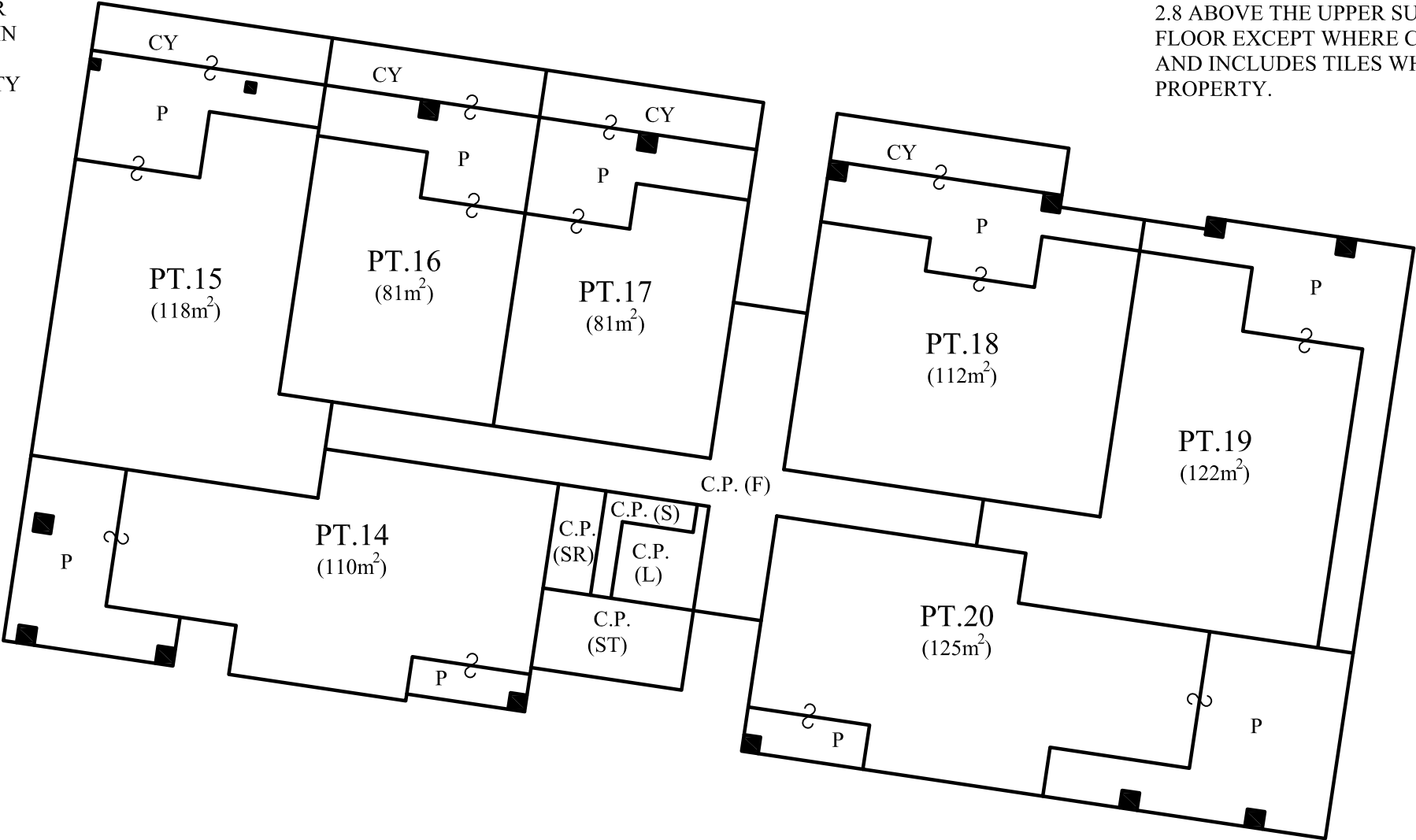
<div>SURVEYOR</div> <div>Name: David Alan Jollie</div> <div>Date of Plan:</div> <div>Surveyor's Ref : W19121/1</div>	<div>PLAN OF SUBDIVISION OF LOT 3 IN D.P.1159710.</div>	<div>LGA: Wollongong</div> <div>Locality : Corrimal</div> <div>Reduction Ratio: 1:200</div> <div>Lengths in metres</div>	<div>Registered</div>	<div>SP DRAFT</div>
--	---	--	-----------------------	---------------------

THE STRUCTURES OF THE DECKS, PAVING, TILES AND WATER TANKS AND ASSOCIATED PIPES AND FITTINGS WITHIN THE COURTYARDS ARE ENTIRELY WITHIN AND FORM PART OF THEIR RESPECTIVE LOTS. NO COMMON PROPERTY IS INCLUDED IN THEIR STRUCTURES.

ALL FLOOR COVERINGS ABOVE THE UPPER SURFACE OF THE CONCRETE FLOOR WITHIN THE INTERNAL PART OF A LOT FORM PART OF THAT LOT. NO COMMON PROPERTY IS INCLUDED IN THE INTERNAL FLOOR COVERINGS.

THE STRATUM OF THE COURTYARDS EXTENDS FROM 2 BELOW TO 3 ABOVE THE UPPER SURFACE OF THEIR RESPECTIVE UNIT KITCHEN FLOOR LEVEL EXCEPT WHERE COVERED WITHIN THAT LIMIT.

THE HEIGHT OF THE PATIOS IS RESTRICTED TO 2.8 ABOVE THE UPPER SURFACE OF THEIR CONCRETE FLOOR EXCEPT WHERE COVERED WITHIN THAT LIMIT AND INCLUDES TILES WHICH ARE NOT COMMON PROPERTY.



ALL RETAINING AND GARDEN WALLS ARE COMMON PROPERTY.

ALL SERVICES AND DRAINAGE STRUCTURES WITHIN COURTYARDS ARE COMMON PROPERTY.

C.P. - DENOTES COMMON PROPERTY
CY - DENOTES COURTYARD
(F) - DENOTES FOYER
(L) - DENOTES LIFT
P - DENOTES PATIO
(S) - DENOTES SERVICES
(SR) - DENOTES STOREROOM
(ST) - DENOTES STAIRS

FOR CLARITY NOT ALL COMMON PROPERTY STRUCTURES ARE SHOWN.

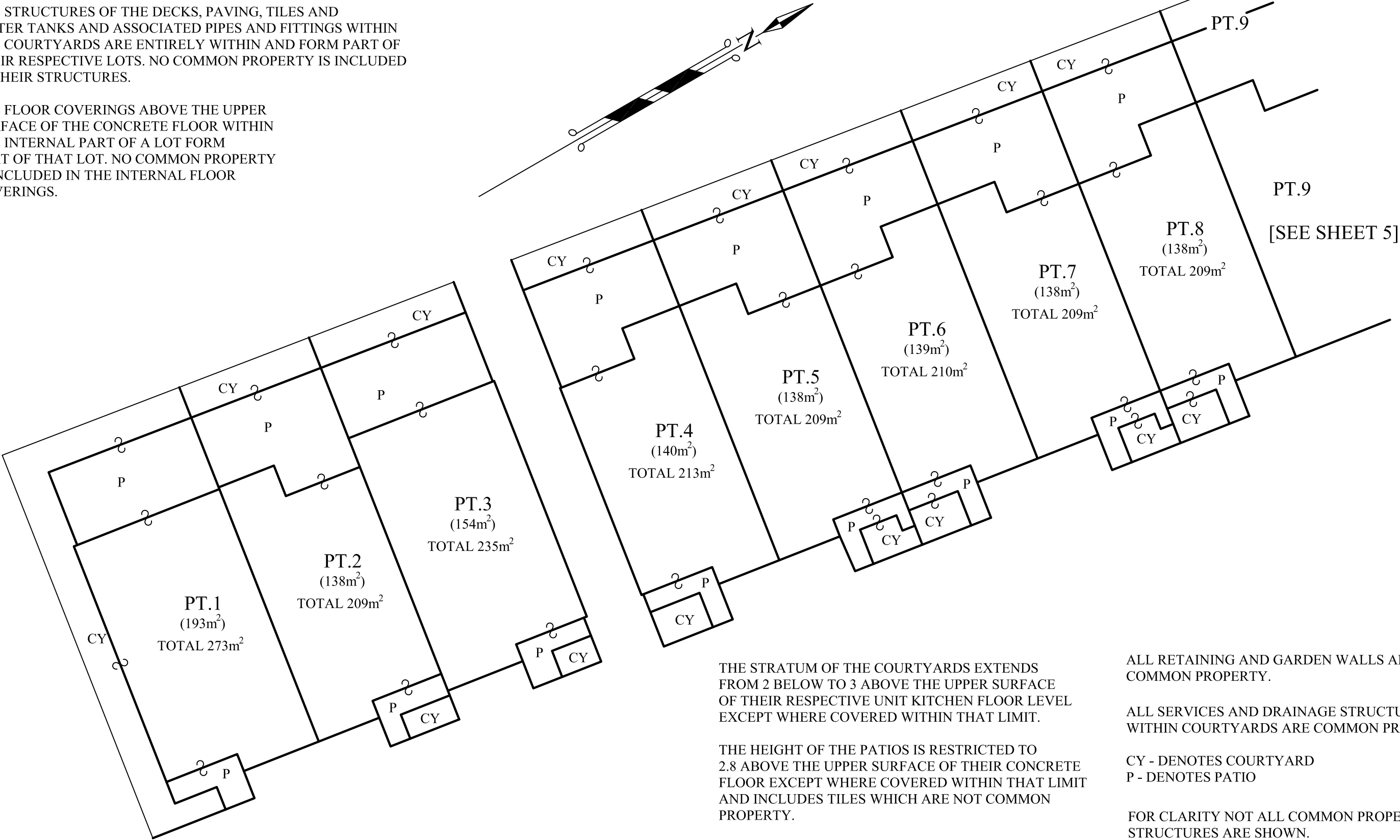
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GROUND FLOOR

<div>SURVEYOR</div> <div>Name: David Alan Jollie</div> <div>Date of Plan:</div> <div>Surveyor's Ref : W19121/1</div>	<div>PLAN OF SUBDIVISION OF LOT 3 IN D.P.1159710.</div>	<div>LGA: Wollongong</div> <div>Locality : Corrimal</div> <div>Reduction Ratio: 1:200</div> <div>Lengths in metres</div>	<div>Registered</div>	<div>SP DRAFT</div>
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CY - DENOTES COURTYARD
P - DENOTES PATIO

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GROUND FLOOR

SURVEYOR
Name: David Alan Jollie
Date of Plan:
Surveyor's Ref : W19121/1

PLAN OF SUBDIVISION OF LOT 3 IN D.P.1159710.

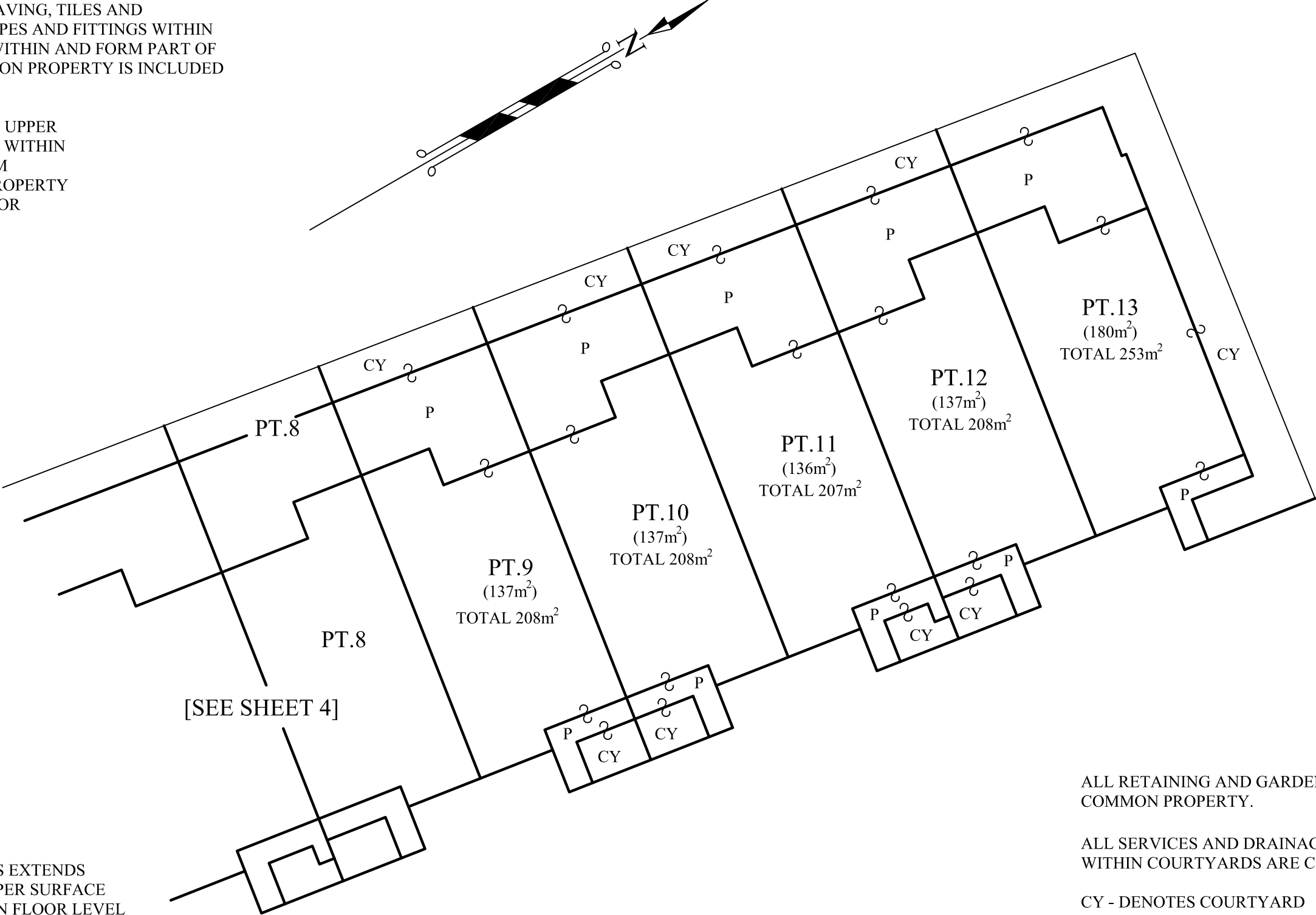
LGA: Wollongong
Locality : Corrimal
Reduction Ratio: 1:200
Lengths in metres

Registered

SP DRAFT

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P - DENOTES PATIO

FOR CLARITY NOT ALL COMMON PROPERTY STRUCTURES ARE SHOWN.

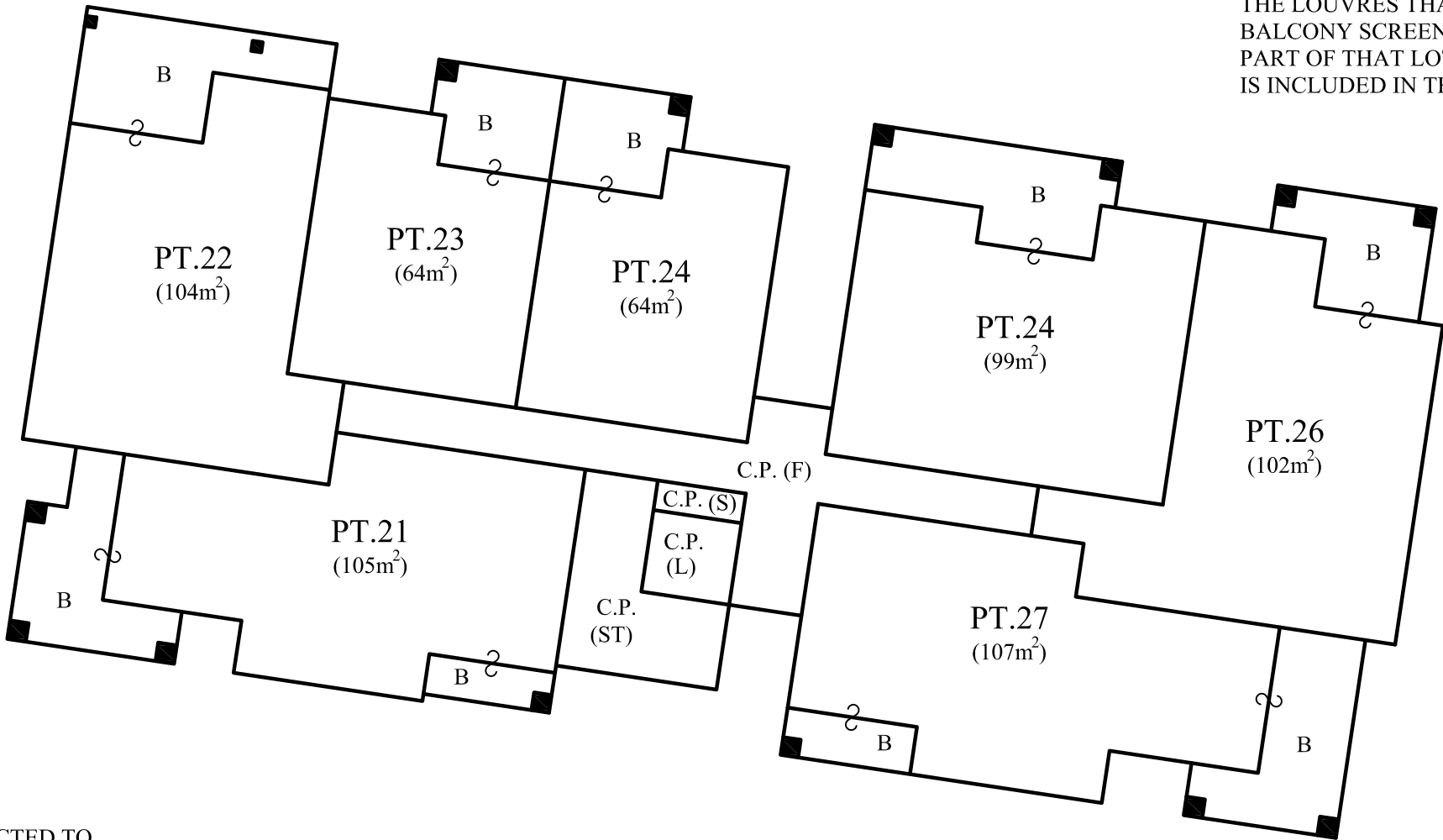
THE AREAS SHOWN ARE FOR THE PURPOSE OF THE STRATA SCHEMES DEVELOPMENT ACT 2015 AND ARE APPROXIMATE.

GROUND FLOOR

<div>SURVEYOR</div> <div>Name: David Alan Jollie</div> <div>Date of Plan:</div> <div>Surveyor's Ref : W19121/1</div>	<div>PLAN OF SUBDIVISION OF LOT 3 IN D.P.1159710.</div>	<div>LGA: Wollongong</div> <div>Locality : Corrimal</div> <div>Reduction Ratio: 1:200</div> <div>Lengths in metres</div>	<div>Registered</div>	<div>SP DRAFT</div>
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ALL FLOOR COVERINGS ABOVE THE UPPER SURFACE OF THE CONCRETE FLOOR WITHIN THE INTERNAL PART OF A LOT FORM PART OF THAT LOT. NO COMMON PROPERTY IS INCLUDED IN THE INTERNAL FLOOR

THE LOUVRES THAT ARE PART OF THE BALCONY SCREEN WALL OF A LOT FORM PART OF THAT LOT. NO COMMON PROPERTY IS INCLUDED IN THE LOUVRES.



THE HEIGHT OF THE BALCONIES IS RESTRICTED TO 2.8 ABOVE THE UPPER SURFACE OF THEIR CONCRETE FLOOR EXCEPT WHERE COVERED WITHIN THAT LIMIT AND INCLUDES TILES WHICH ARE NOT COMMON PROPERTY.

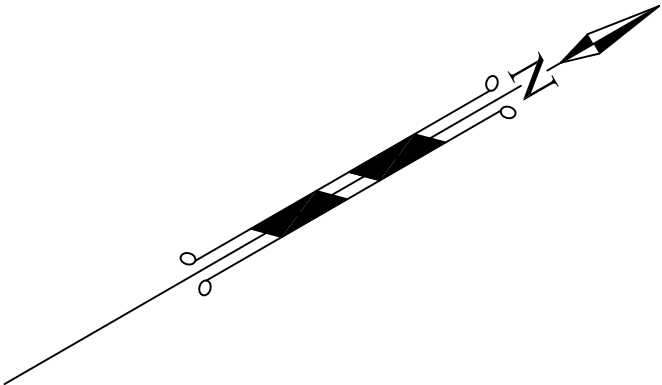
- B - DENOTES BALCONY
- C.P. - DENOTES COMMON PROPERTY
- (F) - DENOTES FOYER
- (L) - DENOTES LIFT
- (S) - DENOTES SERVICES
- (ST) - DENOTES STAIRS

FOR CLARITY NOT ALL COMMON PROPERTY STRUCTURES ARE SHOWN.

THE AREAS SHOWN ARE FOR THE PURPOSE OF THE STRATA SCHEMES DEVELOPMENT ACT 2015 AND ARE APPROXIMATE.

LEVEL 1

<div>SURVEYOR</div> <div>Name: David Alan Jollie</div> <div>Date of Plan:</div> <div>Surveyor's Ref : W19121/1</div>	<div>PLAN OF SUBDIVISION OF LOT 3 IN D.P.1159710.</div>	<div>LGA: Wollongong</div> <div>Locality : Corrimal</div> <div>Reduction Ratio: 1:200</div> <div>Lengths in metres</div>	<div>Registered</div>	<div>SP DRAFT</div>
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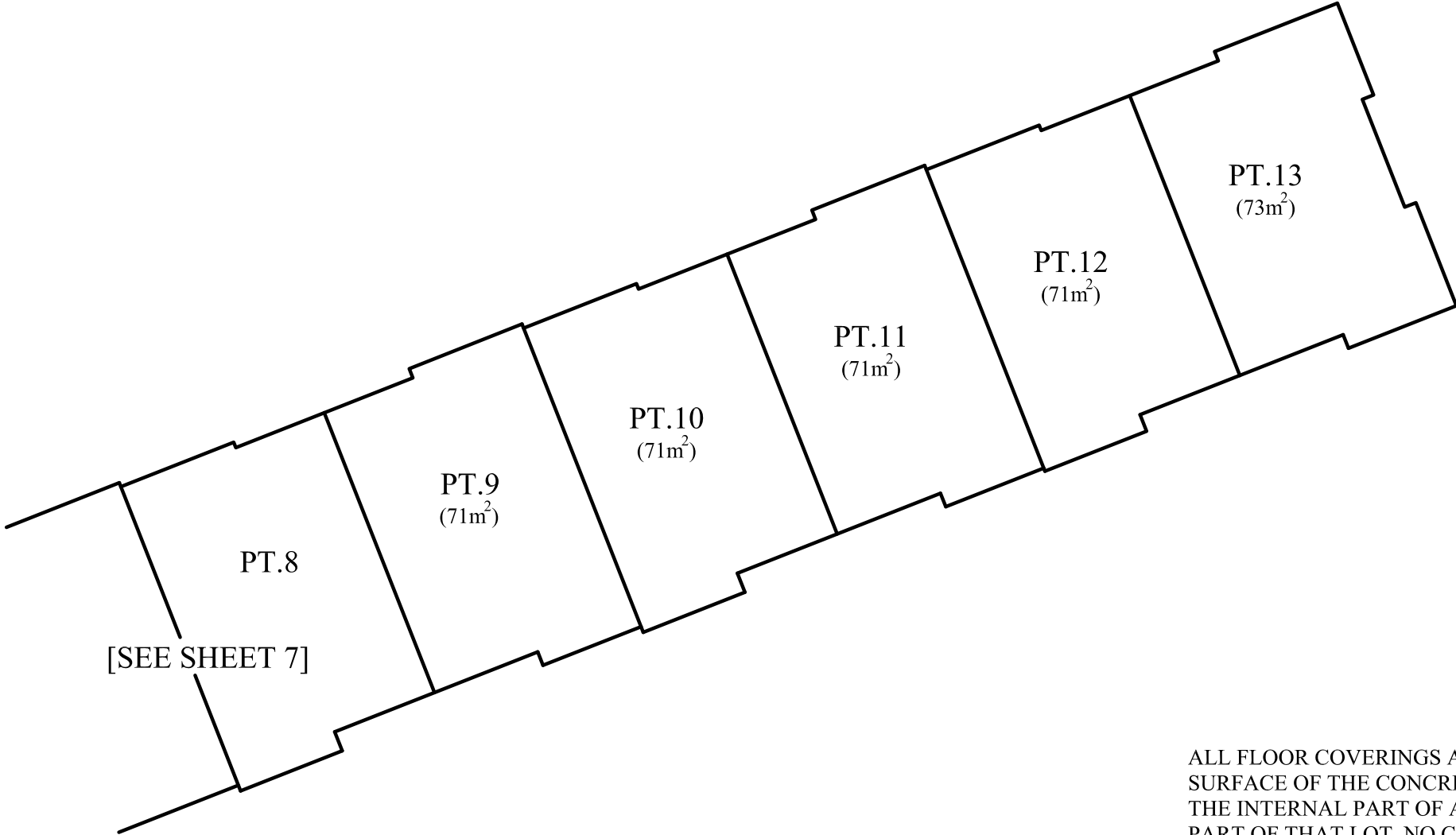
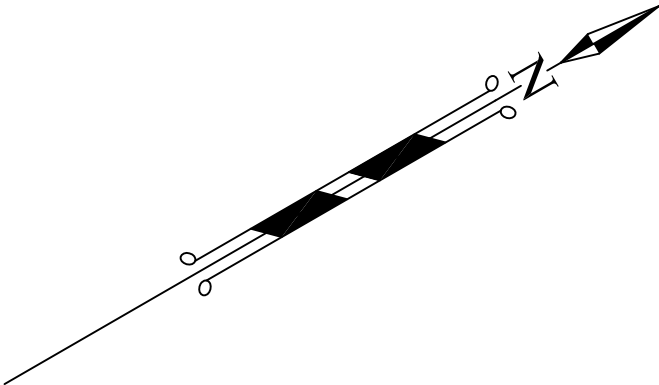
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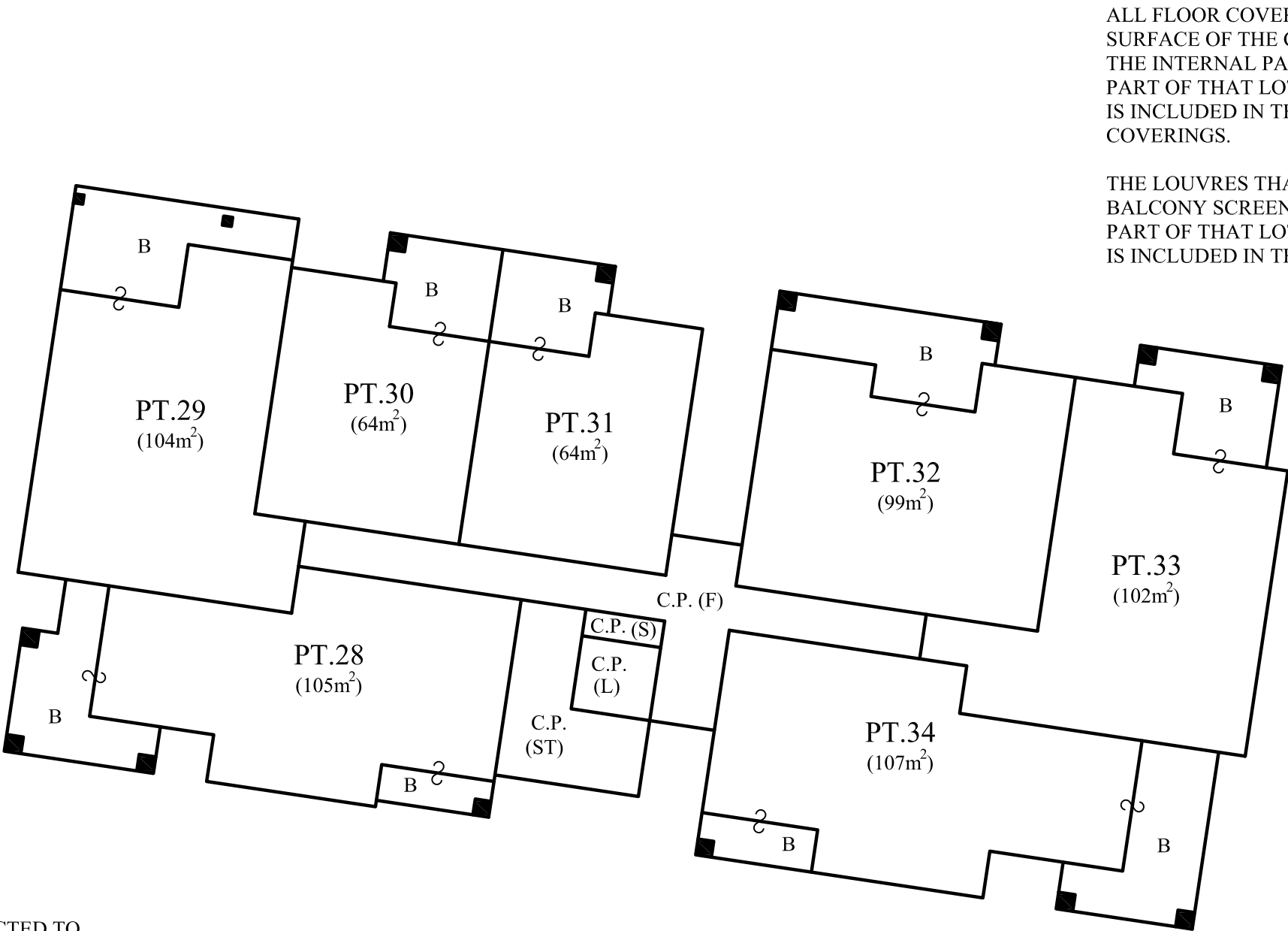
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<div>SURVEYOR Name: David Alan Jollie Date of Plan: Surveyor's Ref : W19121/1</div>	<div>PLAN OF SUBDIVISION OF LOT 3 IN D.P.1159710.</div>	<div>LGA: Wollongong Locality : Corrimal Reduction Ratio: 1:200 Lengths in metres</div>	<div>Registered</div>	<div>SP DRAFT</div>
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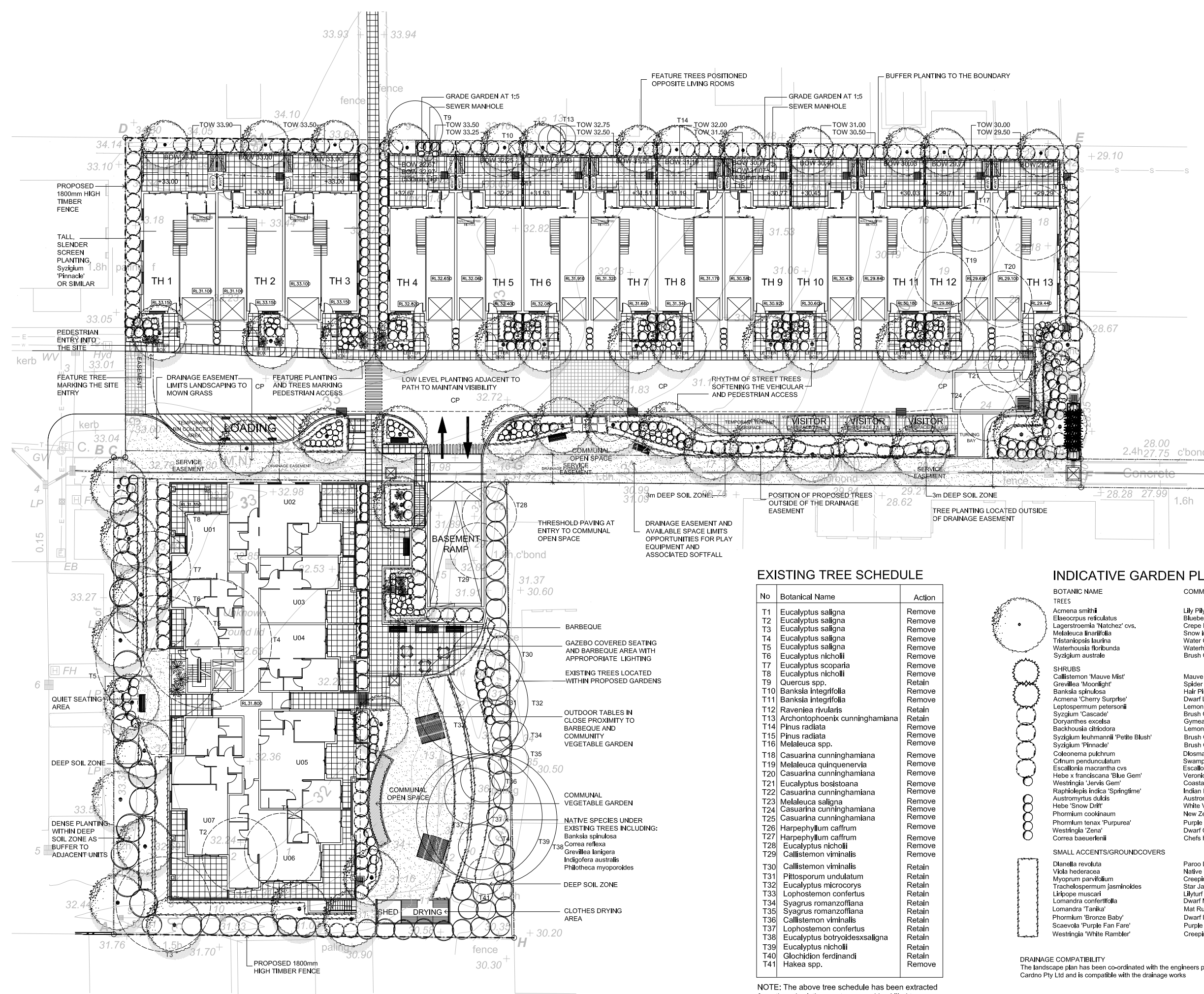
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LEVEL 2

<div>SURVEYOR</div> <div>Name: David Alan Jollie</div> <div>Date of Plan:</div> <div>Surveyor's Ref : W19121/1</div>	<div>PLAN OF SUBDIVISION OF LOT 3 IN D.P.1159710.</div>	<div>LGA: Wollongong</div> <div>Locality : Corrimal</div> <div>Reduction Ratio: 1:200</div> <div>Lengths in metres</div>	<div>Registered</div>	<div>SP DRAFT</div>
--	---	--	-----------------------	---------------------



EXISTING TREE SCHEDULE

No	Botanical Name	Action
T1	Eucalyptus saligna	Remove
T2	Eucalyptus saligna	Remove
T3	Eucalyptus saligna	Remove
T4	Eucalyptus saligna	Remove
T5	Eucalyptus saligna	Remove
T6	Eucalyptus nicholli	Remove
T7	Eucalyptus scoparia	Remove
T8	Eucalyptus nicholli	Remove
T9	Quercus spp.	Retain
T10	Banksia integrifolia	Remove
T11	Banksia integrifolia	Remove
T12	Ravenia rivularis	Retain
T13	Archontophoenix cunninghamiana	Retain
T14	Pinus radiata	Remove
T15	Pinus radiata	Remove
T16	Melaleuca spp.	Remove
T18	Casuarina cunninghamiana	Remove
T19	Melaleuca quinquenervia	Remove
T20	Casuarina cunninghamiana	Remove
T21	Eucalyptus bosistoana	Remove
T22	Casuarina cunninghamiana	Remove
T23	Melaleuca saligna	Remove
T24	Casuarina cunninghamiana	Remove
T25	Casuarina cunninghamiana	Remove
T26	Harpephyllum caffrum	Remove
T27	Harpephyllum caffrum	Remove
T28	Eucalyptus nicholli	Remove
T29	Callistemon viminalis	Remove
T30	Callistemon viminalis	Retain
T31	Pittosporum undulatum	Retain
T32	Eucalyptus microcorys	Retain
T33	Lophostemon confertus	Retain
T34	Syagrus romanzoffiana	Retain
T35	Syagrus romanzoffiana	Retain
T36	Callistemon viminalis	Retain
T37	Lophostemon confertus	Retain
T38	Eucalyptus botryoidesxsaligna	Retain
T39	Eucalyptus nicholli	Retain
T40	Glochidion ferdinandi	Retain
T41	Hakea spp.	Remove

INDICATIVE GARDEN PLANT SPECIES

BOTANIC NAME	COMMON NAME
TREES	
Acmena smithii	Lily Pilly
Elaeocarpus reticulatus	Blueberry Ash
Lagerstroemia 'Natchez' cvs.	Crepe Myrtle
Melaleuca linariifolia	Snow in Summer
Tristanopsis laurina	Water Gum
Waterhousia floribunda	Waterhousia
Syzygium australe	Brush Cherry
SHRUBS	
Callistemon 'Mauve Mist'	Mauve Bottle Brush
Grevillea 'Moonlight'	Spider Flower
Banksia spinulosa	Hair Pin Banksia
Acmena 'Cherry Surprise'	Dwarf Lily Pilly
Leptospermum petersonii	Lemon Scented Tea Tree
Syzygium 'Cascade'	Brush Cherry
Doryanthes excelsa	Gymea Lily
Backhousia citrifolia	Lemon myrtle
Syzygium leuhmannii 'Petite Blush'	Brush Cherry
Syzygium 'Pinnacle'	Brush Cherry
Coleonema pulchrum	Diosma
Cnrum pendunculatum	Swamp Lilly
Escallonia macrantha cvs	Escallonia
Hebe x franciscana 'Blue Gem'	Veronica
Westringia 'Jervis Gem'	Coastal Rosemary
Raphiolepis indica 'Springtime'	Indian Hawthorn
Austromyrtus dulcis	Austromyrtus
Hebe 'Snow Drift'	White Veronica
Phormium cookianum	New Zealand Flax
Phormium tenax 'Purpurea'	Purple New Zealand Flax
Westringia 'Zena'	Dwarf Coastal Rosemary
Correa baeuerlenii	Chefs hat correa
SMALL ACCENTS/GROUNDCOVERS	
Dianella revoluta	Paroo Lily
Viola hederacea	Native Violet
Myoporum parvifolium	Creeping Boobialla
Trachelospermum jasminoides	Star Jasmine
Liriope muscari	Lilyturf
Lomandra confertifolia	Dwarf Mat Rush
Lomandra 'Tanika'	Mat Rush
Phormium 'Bronze Baby'	Dwarf New Zealand Flax
Scaevola 'Purple Fan Fare'	Purple Fan Flower
Westringia 'White Rambler'	Creeping Westringia

DRAINAGE COMPATIBILITY
The landscape plan has been co-ordinated with the engineers plan prepared by Cardno Pty Ltd and is compatible with the drainage works

NOTE: The above tree schedule has been extracted from the arborist's report prepared by Allied tree Consultancy dated July 2018
Refer to the arborist's report for further details on the existing trees.

LEGEND

	Existing levels and contours
	Proposed spot levels
	Existing trees to be retained
	Existing trees to be removed
	Proposed tree planting
	Proposed mass shrub planting
	Proposed turf with timber edging
	Proposed select unit paving
	Proposed charcoal coloured concrete driveway
	Proposed stenciled concrete driveway Colour: Charcoal
	Proposed concrete footpaths
	Proposed timber fence 1800mm high
	Proposed 1.2m high vertical rod fence to townhouse frontages
	Proposed retaining walls to engineers detail
	Proposed BBQ
	Proposed outdoor furniture
	Proposed stepping stones

ISSUE: Amended Development Application 11.11.19, 12.11.19
ISSUE: Amended Development Application 08.10.19
ISSUE: For Co-ordination 23.09.19
ISSUE: Amended Development Application 01.07.19
ISSUE: For Co-ordination 18.06.19, 19.06.19, 28.06.19
ISSUE: For Co-ordination 25.04.19
ISSUE: LAHC Review 20.09.18
ISSUE: For Comment 17.08.18
ISSUE: LAHC Review 07.09.18
ISSUE: For Comment 27.08.18
REV.D: Amend site plan and landscape 11.11.19
REV.C: Amend site plan and landscape 23.09.19
REV.B: Amend site plan, drainage and landscape 17.06.19
REV.A: Amend site plan and landscape 24.04.19

ochre landscape architects
PO Box 395 Wollongong NSW 2520
Tel. 0452 576427
Email: design@ochre.net.au

PROJECT	Proposed Unit Development 4 Robert Street CORRIMAL
DRAWING TITLE	Landscape Concept Plan
CLIENT	Traders in Purple
DRAWING NO.	1866-LD01D
SCALE: 1:200 @ A1, 1:400 @ A3	
CHECKED: TW	
DATE: 21.08.18	

Tree Schedule

No.	Type	He.	Sp.Ø	Tr.Ø
1	Gum	10	8	0.3
2	Gum	12	8	0.3
3	Gum	12	10	0.5
4	Gum	16	14	0.5
5	Gum	16	14	0.9
6	Gum	10	8	0.6
7	Gum	10	8	0.6
8	Gum	12	8	0.8
9	Unknown	7	6	0.3
10	Banksia	3	4	0.2
11	Banksia	6	4	0.2
12	Palm	6	-	0.2
13	Palm	6	-	0.2
14	Pne	10	10	0.8
15	Pine	5	2	0.3
16	Paperbark	4	5	0.8
17	Paperbark	5	5	0.4
18	She oak	10	8	0.5
19	Paperbark	10	6	0.8
20	She oak	12	6	0.5
21	Gum	12	6	1.0
22	She oak	8	4	0.3
23	Paperbark	6	5	0.3
24	She oak	10	6	0.3
25	She oak	3	2	0.2
26	Unknown	3	2	0.3
27	Unknown	4	4	0.3
28	Gum	8	6	0.5
29	Bottlebrush	6	6	0.3
30	Bottlebrush	6	8	0.6
31	Unknown	3	2	0.1
32	Gum	10	12	0.6
33	Unknown	10	6	0.6
34	Palm	6	-	0.3
35	Palm	6	-	0.3
36	Bottlebrush	3	5	0.2
37	Unknown	6	6	0.3
38	Gum	12	14	0.8
39	Gum	12	14	0.8
40	Unknown	5	5	0.3
41	Unknown	5	4	0.3

Window & Door Schedule

No.	Type	Top	Bottom
1	Window	35.62	33.99
2	Window	39.08	37.45
3	Window	35.62	34.44
4	Window	39.08	37.90
5	Window	35.62	33.99
6	Window	39.08	37.45
7	Window	30.58	29.56
8	Window	30.88	29.86
9	Door	30.88	28.16
10	Door	30.88	28.16
11	Window	30.88	29.74
12	Window	32.10	30.91
13	Door	32.10	29.98
14	Door	32.10	29.98
15	Window	32.10	31.08
16	Window	32.93	31.45

MGA Boundary Schedule

No.	Easting	Northing
A	307003.005	6194997.993
B	306952.310	6195005.584
C	306952.492	6195006.801
D	306918.531	6195011.886
E	306934.581	6195113.031
F	306970.906	6195107.942
G	306961.196	6195046.930
H	307009.751	6195040.492

Easements

- (M) - Denotes easement for overland flow 3.05, 3 wide & variable width
- (N) - Denotes easement for drainage of water 3.05 & 3 wide
- (P) - Denotes easement for services 3.05 wide
- (Q) - Denotes easement for padmount station 2.75 wide
- (R) - Denotes restriction on the use of land
- (S) - Denotes easement for underground cables 1, 1.2 & variable width

Drainage Schedule



Size refers to lid (chamber may vary)

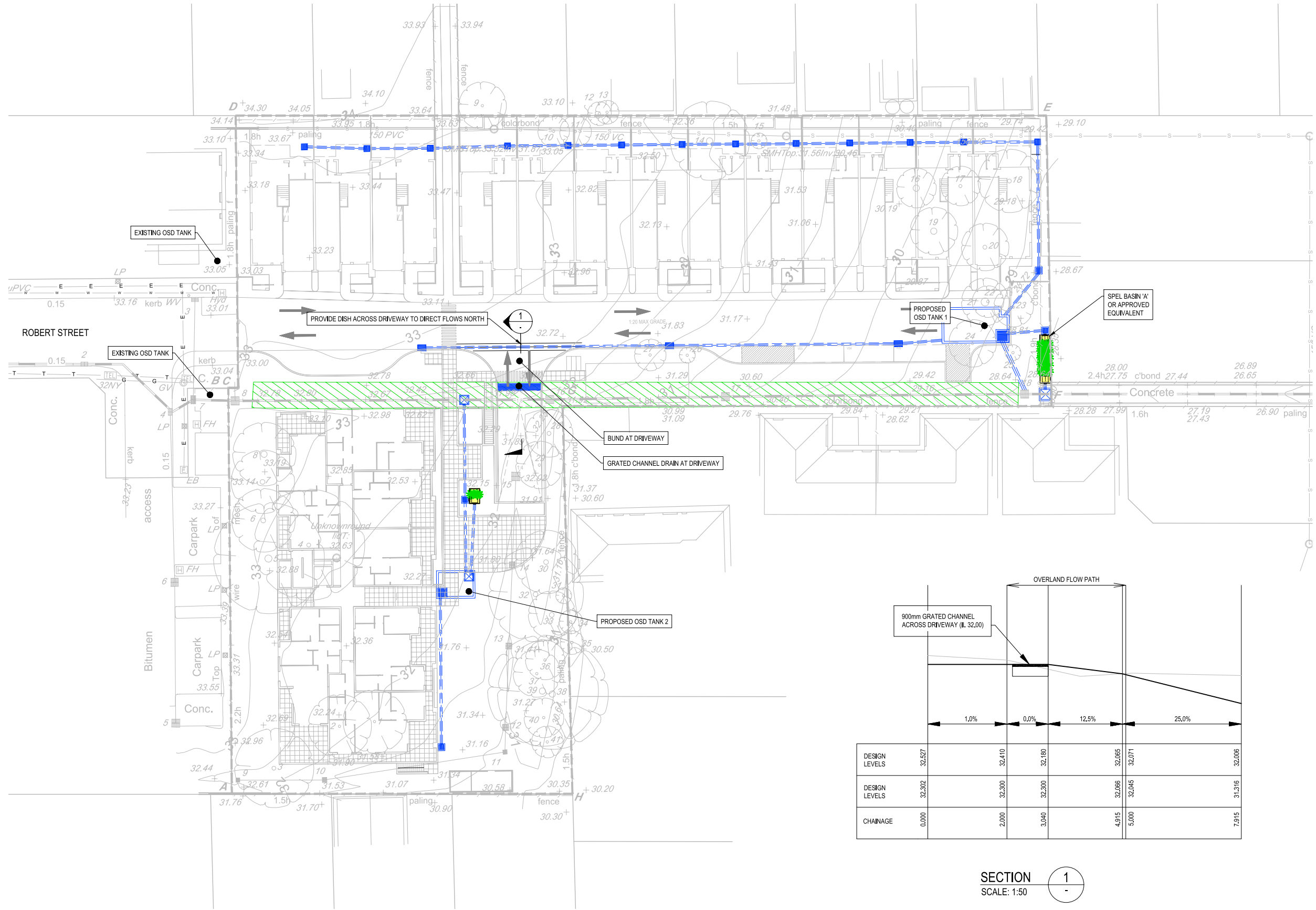
Kerb Inlet Pits top refers to top of kerb

- No. Notes
- K.I.P - Top: 33.79 Inv: 32.11, 0.225Ø PVC south, 0.375Ø RCP north
 - K.I.P - Top: 33.29 Inv: 31.61, 0.375Ø RCP south, 0.375Ø RCP north
 - K.I.P - Top: 32.97 Inv: 31.77, 0.375Ø east
 - K.I.P - Top: 32.97 Inv: 31.40, 0.375Ø RCP south, 0.375Ø PVC east, 0.375Ø RCP north
 - Grated pit - 1.0 x 1.0 Top: 33.39 Inv: 32.39, 0.225Ø PVC west
 - Grated pit - 1.0 x 0.9 Top: 33.02 Inv: 31.86, 0.225Ø PVC east, 0.375Ø PVC west
 - Grated pit (OSD unknown size) - 1.0 x 0.6 Top: 33.08 Inv: 31.45, 0.375Ø RCP south, 0.375Ø RCP west, 0.375Ø RCP north
 - Grated pit - 1.0 x 1.0 Top: 32.99 Inv: 31.27, 0.375Ø RCP south, 0.375Ø RCP west, 0.375Ø RCP north
 - Grated pit - 0.5 x 0.46 Top: 32.45 Inv: Inaccessible, 0.225Ø PVC north
 - Grated pit - 0.55 x 0.55 Top: 31.65 Inv: 31.24, 0.225Ø PVC south, 0.225Ø PVC north
 - Grated pit - 0.5 x 0.46 Top: 30.92 Inv: Inaccessible, 0.225Ø PVC south, 0.225Ø PVC west
 - Grated pit - 0.7 x 0.7 Top: 31.03 Inv: 30.46, 0.225Ø PVC east, 0.225Ø PVC west
 - Grated pit - 0.7 x 0.7 Top: 31.00 Inv: 30.42, 0.225Ø PVC east, 0.225Ø PVC west
 - Grated pit - 0.7 x 0.7 Top: 31.40 Inv: 30.31, 0.225Ø PVC east, 0.225Ø PVC west
 - Grated pit - 1.0 x 1.0 Top: 31.75 Inv: 30.25, 0.225Ø PVC east, 0.225Ø PVC west
 - Grated pit - 1.0 x 1.0 Top: 31.95 Inv: 30.09, 0.375Ø RCP south, 0.375Ø RCP north
 - Grated pit - 1.0 x 1.0 Top: 30.66 Inv: 28.72, 0.225Ø PVC south, 0.375Ø RCP south, 0.375Ø RCP north
 - Grated pit - 1.0 x 1.0 Top: 28.50 Inv: 26.57, 0.375Ø RCP south, 0.375Ø RCP north
 - Outlet pipe - 0.375Ø RCP Inv: 25.34

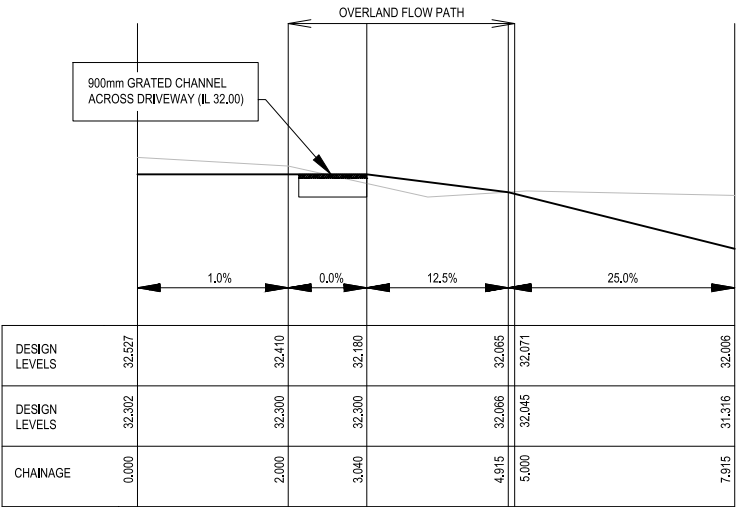
Notes:

- This plan has been prepared from field survey and existing records for the purpose of 1:400 general planning and should not be used for any other purpose. Accurate location of improvements in relation to the boundaries has not been investigated and all critical improvement dimensions should be confirmed by survey.
- Contours shown are interpolated at 0.5m intervals and are an indication of land form only. Spot levels should be adopted in preference to contours.
- Services have been located where possible, underground services are interpreted from the records of the relevant authority unless stated as 'located'. The relevant authority should be contacted and all services accurately located prior to any excavation/construction works or design of buildings/extensions. Please call 1100 or visit www.1100.com.au for 'Dial Before You Dig' service location plans.
- Roof profiles and tree details are approximate only.
- Please see Dennis Smith Surveys Development Appraisal for information regarding boundary determination, drainage recommendations and other development constraints.

No.	DATE	NOTATION/AMENDMENT	No.	DATE	NOTATION/AMENDMENT	CONTOUR INTERVAL: 0.5 m	LEGEND OF COMMONLY USED SYMBOLS	REDUCTION RATIO 1 : 400 @ A1 SHEET 800 @ A3 SHEET	DATE OF SURVEY: 07 / 06 /2016	 Family & Community Services Land & Housing Corporation	LOCATION		
					DATUM: AHD ORIGIN OF DATUM: PM 17100 RL 25.563 SOURCE:SCIMS 100 YEAR FLOOD RL: N/A RECOMMENDED MINIMUM FLOOR RL: N/A SOURCE OF FLOOD INFO: WOLLONGONG Y COUNCIL	WATER SEWER ELECTRICITY TELECOM GAS DRAINAGE - Common BENCH MARK	0 4 8 12 16 20 40	SURVEY CONSULTANT: DENNIS SMITH SURVEYS 8 Railway Street Bulli NSW 2516 Ph: 02 4284 9402 Email: info@dssurvey.com.au Web: www.dssurvey.com.au	STREET ADDRESS		TYPE		
								LAND TITLE INFORMATION			ROBERT ST	S	
								LOTS: 3 PLAN NOS: DP 1159710 OTHER: 2/505162 & 1/434080 AREA: 6177 m²	 SURVEYORS 11277 Registered Surveyor		CONTOUR AND DETAIL PLAN OF LOTS 38 & 39 DP 36368	SITE LAYOUT JOB	SHT. 1
												74304 / 001 / 01	OF 1

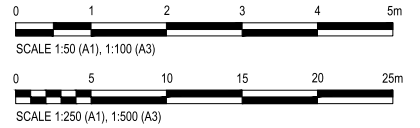


STORMWATER DRAINAGE LAYOUT
SCALE 1:250



SECTION 1
SCALE 1:50

LEGEND	
	PROPOSED STORMWATER PIPE/CULVERT
	PROPOSED STORMWATER STRUCTURE
	EXISTING SURFACE CONTOURS
	EXISTING OVERLAND FLOW PATH



Rev.	Date	Description	Des.	Verif.	Appd.
9	4/10/2019	REVISED ARCHITECTURALS AND STORMWATER	MH	SBR	RJH
8	1/07/2019	REVISED ARCHITECTURALS AND STORMWATER	SBR	MPR	SBR
8	21/06/2019	REVISED ARCHITECTURALS	EKM	MPR	SBR
7	15/05/2019	ISSUED FOR APPROVAL	MAH	MAH	
6	1/05/2019	REVISED ARCHITECTURALS	MAH	MAH	
5	20/09/2018	REVISED ARCHITECTURALS	MAH	MAH	RJH
4	11/09/2018	REVISED ARCHITECTURALS	MAH	MAH	RJH
3	23/08/2018	REVISED ARCHITECTURALS	MAH	MAH	RJH
2	22/08/2018	REVISED PRELIMINARY ISSUE	MAH	MAH	RJH
1	10/08/2018	ISSUED AS PRELIMINARY	MAH	MAH	RJH

TRADERS IN PURPLE

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Web: www.cardno.com.au

Drawn	MAH	Date	10/08/2018
Checked	MPR	Date	10/08/2018
Designed	MAH	Date	10/08/2018
Verified	RJH	Date	10/08/2018
Approved			

Client **TRADERS IN PURPLE**
Project **ROBERT ST CORRIMAL**
Title **STORMWATER DRAINAGE LAYOUT PLAN**

Status	FOR APPROVAL		
DATUM	AHD	Scale	1:250
Drawing Number	8201900101-C1003	Size	A1
Revision			9

ATTACHMENT 2

Wollongong Design Review Panel Meeting minutes and recommendations DA- 2018/1481

Date	24 January 2019
Meeting location	Wollongong City Council Administration Offices
Panel members	Brendan Randles Gabrielle Morrish Sue Hobley
Apologies	Vivian Lee – Senior Development Project Officer
Council staff	John Wood – City Wide Development Manager
Guests/ representatives of the applicant	Charles Daoud – Developer Angelo Di Martino – ADM Projects Rodney Crawford – ADM Projects Elaine Treglown - TCG Consulting
Declarations of Interest	
Item number	2
DA number	DA-2018/1481
Determination pathway	
Property address	Robert Street Corrimal NSW 2518
Proposal	Mixed Use Residential Development
Applicant or applicant's representative address to the design review panel	
Background	The site was Inspected by the Panel on 24 January 2019.
Design quality principals SEPP65	
Context and Neighbourhood Character	<p>The subject site is located at the end of a cul de sac north of Robert Street Corrimal in an R2 Low Density Residential Zone. It is a large, deep L shaped lot with a fall of approximately 4m to its north. While a narrow pathway connects the site to Wilga Street and Corrimal Public school beyond, a narrow stormwater easement to the north is currently fenced; it may be possible to provide a decking structure in the future for pedestrian access. There are a number of established large trees around the edges of the upper and lower portions of the site. On such a large site, isolated by low scale residential dwellings, it is crucial that these trees are maintained.</p> <p>Robert Street is framed by two recent residential developments of relatively high quality. The three storey apartment building to its eastern frontage and contemporary two storey townhouses to its west create a surprisingly rich streetscape. It would be a positive design strategy to extend the character and alignment of the townhouses across the site; with generous street trees, this would reinforce the proposal's continuity with context and reinforce the new street's public character.</p> <p>However, the proposal's response to the site suffers from a number of flawed design decisions that diminish its internal amenity as well as its continuity and enrichment of context. In not responding directly to the alignment, form and scale of the adjacent townhouses, the internal street is disconnected from Robert Street and loses continuity with context. The internal street is further compromised by its endless presentation of double garage doors and setback upper levels, which completely prevents any activation of the street or passive surveillance. This is highly problematic and cannot be supported by the Panel.</p>

	<p>While the apartment building creates a direct relationship with the existing building to the south, its basement access leads to the removal of a number of trees, which is a poor design approach. The streetscape in this location is further compromised by the proposed bin storage and loading, which will now dominate the site's entry and exacerbate the poor design decision that has bins located adjacent to this boundary in the neighbouring development.</p>
Built Form and Scale	<p>The proposal is a potentially rich development in a unique context with high potential for a highly amenable and successful result. However, the built form proposed is highly problematic and requires review. The presentation of the townhouses' repetitious double garages creates an unacceptable streetscape. Not only does this severely constrain street activation, it also prevents activated front gardens and amenable entries being the key feature of each dwelling.</p> <p>Rather than creating a flush two storey frontage, the setting back of the townhouses' upper level further constrains passive surveillance and activation of the street. As proposed, this vital urban spine is lifeless, completely disconnected from its Robert Street context and potentially unsafe at night. Rotating the northern dwellings may appear to optimize solar access, but it also creates a concealed lane. Not only does this strategy create an unpleasant and potentially unsafe urban space, it disrupts the proposed street's view corridor, which is potentially rich and expansive.</p> <p>The apartment building and its basement parking also give rise to serious amenity issues. Despite there being ample space for a residential apartment building between the existing trees, it is noted that the location of the driveway ramp (and entry ramp to its basement parking) necessitates the removal of a number of trees, which will impact negatively on the entire precinct. The ramp also forms the visual termination of the site and creates potential safety conflicts between residents using the front door of the apartment building and vehicles entering and leaving the basement.</p> <p>In view of these built form issues, the Panel recommends that the design of the townhouses and the apartment building are substantially reviewed. A few recommendations were discussed at the Panel meeting :</p> <ol style="list-style-type: none"> 1. Ideally, the basement levels should be located from beneath the townhouses. This strategy could : <ul style="list-style-type: none"> - create highly amenable townhouses with active front gardens addressing the street - provide each townhouse with direct access to private double garages underneath - allow for a more efficient car park layout, integrating apartment building car spaces, with potentially less excavation - effectively use the slope of the site to determine basement entry further north - adopt a narrower town house module to meet yield requirements - allow the apartment building to be slightly amended to retain the trees, even incorporating an L shaped return at the eastern end to bolster yield

	<p>2. If a basement option proves unfeasible, a tandem car park arrangement could be considered, with either a single garage and parking space or end to end two car garage. This strategy could :</p> <ul style="list-style-type: none"> - allow street facing activation in the form of a front garden and street facing living room - create a rhythm of landscape garden and garage, which would significantly improve the streetscape - rationalize the dwellings, with potentially greater appeal and market return <p>3. If the above options cannot be fully implemented, the living rooms could be raised to first level with wide balcony spaces projecting over individual entries and garages below. This strategy could :</p> <ul style="list-style-type: none"> - activate the street and provide it with passive surveillance - provide eastern and northern outlook to all dwellings - create a distinctive façade - improve the dwellings' living spaces - enhance solar access and cross ventilation <p>Any one of the above design strategies could form the basis of a significantly improved layout. Alternatively, they could be combined to create an enriched and activated streetscape with a variety of dwelling types and landscape types. The key issues that any design must resolve are:</p> <ul style="list-style-type: none"> (i) achievement of a streetscape that supports/promotes the development of a sense of community among all residents; and/ (ii) (ii) retention of most of the site's trees, particularly those along the southern and northern boundaries.
Density	N/A
Sustainability	<p>The current proposal necessitates the removal of a significant number of trees, which is contrary to the principles of sustainability. On such a large site, the removal of so many mature trees is not supported.</p> <p>The proposed townhouses' solar access and natural ventilation are highly constrained by location of double garages along the street frontage. This arrangement is not supported.</p> <p>The location of garages prevents landscaped gardens along the town houses' street frontage. This arrangement is not supported.</p>
Landscape	<p>The landscape plan results from a building layout that occupies the entire site with only the required setbacks to boundaries for landscaping. As such, there is little room for purpose designed common open space or a design that goes beyond ornamental plantings alongside paths - that mostly lead to nowhere.</p> <p>The arborist report also appears to have been prepared after the architectural concept plans, leaving little room for a footprint that retains trees for their ecological, environmental and amenity values to any future development.</p>

A better site planning approach would be based on a thorough site analysis, with street and building alignments established to optimize landscape and urban design quality. This would result in a site responsive built form, to frame well-located, generous communal spaces (that a development of such a size in this context requires). Aside from the visual amenity of the landscape, this approach would also most likely result in more interesting and amenable buildings. Furthermore, the attractive views of the coastal landscape to the north may well be incorporated into the landscape experience of the site's occupants. With regard to the submitted arborist's report, the following issues are raised:

- the assessment does not include the ecological and amenity values of the existing trees
- the report does not include a risk assessment of the trees based on targets and frequency of occupancy of the target zone, or provide advice on how potentially hazardous trees could be retained for their ecological and/or amenity values
- trees listed as exempt under Wollongong DCP 2009 are proposed for retention rather than removal on ecological/environmental grounds

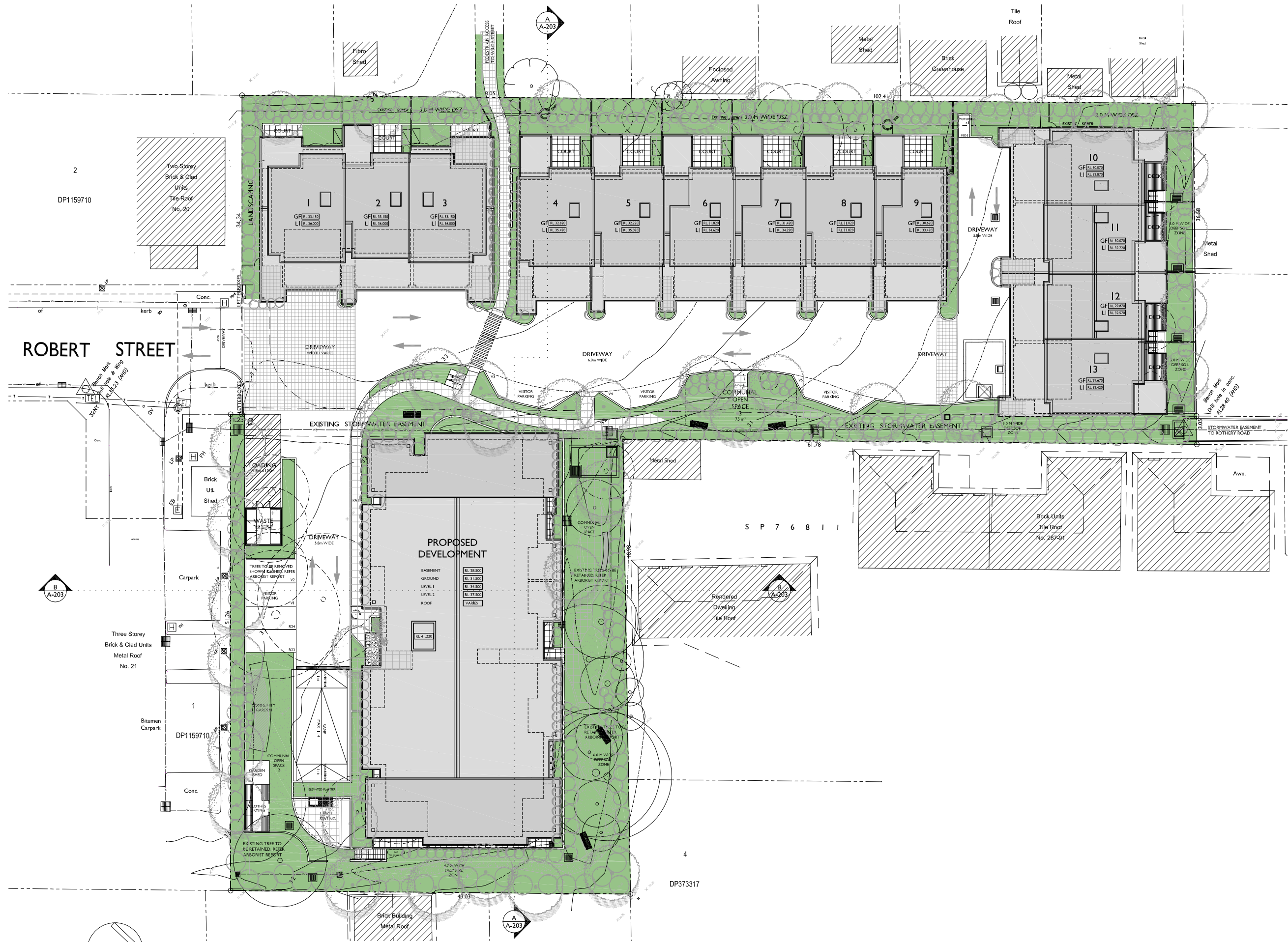
With regard to the submitted landscape concept plan, the following issues are a concern:

- unacceptable tree loss on the southern boundary will result from the siting of the carpark driveway and unit block
 - unacceptable tree loss will result from the siting of townhouses on the northern boundary
 - proposed tree retention includes listed exempt species that should be removed
 - linear tree plantings are proposed along the southern boundary where the existing trees are growing in an informal clump that creates an attractive "natural" feeling in the landscape
 - informal seating is proposed beneath a small tree (tree 31) that is unsuitable for such a role
 - the entrance to the site's private road from Robert Street is very poorly conceived, in terms of arrival experience, due to the siting of the carpark access and waste storage at this interface, opposite the garage doors to townhouse 1
 - pedestrian circulation and access to buildings and spaces is generally poor due to constraints imposed by siting of buildings and the road network:
 - o the proposed access path to Wilga Street is not aligned with the existing path along the access handle
 - o access to townhouses from Robert Street and the Wilga Street pedestrian link is along the road
 - o access to Robert Street from the units is unclear and appears indirect
 - o access to the Wilga Street link from the units relates poorly to the building entrances (due to building design but also poor landscape design)
 - o access to the unit block is along a long path along the southern side of the building, adjacent to the driveway access to the underground parking
-

	<ul style="list-style-type: none"> ○ access to the key functional communal open space (drying area, vegetable gardens, barbecue area) is along the southern side of the building adjacent to the driveway ramp ○ a curved path along the eastern side of the private road appears to have no clear purpose beyond accessing seating within a narrow garden facing the garages of the townhouses ○ it is unclear why access points are provided off the above-mentioned path to the townhouses (it seems unlikely that these residents will wish to sit in the garden beside the road) ○ the choice of curved paths where desired lines will be straight is questionable ○ The building layout results in "rear" access to the linear landscape along the northern boundary being sited opposite a small tree where an open area would be of benefit to the social life of the residents (it is noted that it would be acceptable to remove the tree which is small and relatively short-lived) ○ a gravel path adjoins the access stairs to the basement carpark (a potential maintenance problem) <ul style="list-style-type: none"> - the most important communal open space in terms of its social and environmental benefits to the residents of the units is unacceptably located in the south-eastern corner of the site overlooking the driveway entry to the underground carpark, the ground level visitor's carpark, and beyond it, the bin storage area - it is unclear that the proposed paths and seating within linear gardens will provide the functionality required by the residents of the unit (the spaces should provide for activities that support the targeted demographic of the residents) - the planting plan is generally to provide screening along the boundaries and ornamental plantings within the site: while this will potentially provide some degree of internal amenity to the site, it does not maximise activation of the internal streetscape, despite the severe constraints imposed by the building layout and design - The proposed species list does not address the ecological context of Corrimal
Amenity	<p>See notes above regarding :</p> <ul style="list-style-type: none"> - poor streetscape with over dominance of garages and no activation from ground and first floor levels - lack of passive surveillance - sub-optimal communal outdoor spaces - potentially unsafe open spaces - severely constrained natural ventilation and solar access to individual dwellings - loss of view corridor and creation of obscure, unsafe lane as a result of rotating northern dwellings

	<ul style="list-style-type: none"> - poorly located waste collection area - tree removal necessitated by poorly located basement entry ramp <p>In addition, the following amenity issues are apparent :</p> <ul style="list-style-type: none"> - poorly located entry to apartment building halfway down vehicular driveway - highly compromised and contorted communal open spaces - limited permeability of site; potential for sw easement to have an integrated deck above it for access to the north should be investigated
Safety	<p>See notes above and below regarding :</p> <ul style="list-style-type: none"> - poor streetscape with no activation from ground and first floor levels - lack of passive surveillance - potentially unsafe open spaces - treatment of pedestrian access path to Wilga Street.
Housing Diversity and Social Interaction	<p>The site plan fails to value the potential for public domain and communal open space function as a "village square". The design makes no attempt to facilitate the development of a sense of community in this space. The poorly located communal open space around apartment building will be highly constrained and not conducive to social interaction. The communal open space along the north south street is highly contorted and not designed for a specific use.</p> <p>Non-activated streets, dominated by garages, lead to poor social outcomes. The townhouses turn their backs on the street and the landscaping of the units creates a green barrier between the two types of development. With a more considered approach, this private cul-de-sac has the potential to be a lively, safe space that brings people together and supports children's street play.</p> <p>The location of the waste facilities further degrades the new precinct. It not only creates an uninviting entry, it could also suggest that visitors are unwelcome.</p>
Aesthetics	<p>While the form, scale and materiality of the proposed apartment building responds to the existing apartment building, it does not respond to the site's existing assets (trees, views, social context) or the potential for well-located open space surrounded by built form (e.g. an L-shaped unit block). The proposed townhouses ignore the form, character and materiality of the existing townhouses and create a streetscape entirely dominated by double garages. For the many reasons described above, this is not acceptable.</p> <p>The town houses need to be redesigned to create a streetscape more in keeping with the existing townhouses. The facades of the townhouses should clearly read as double storey, should incorporate active street facing living and open spaces, should facilitate passive surveillance and exude internal and external amenity. Garages should not dominate, entries should be clear and environmental performance should guide the new dwellings' architectural expression.</p>

Recommendations	The applicants need to reflect on the many shortcomings itemised above and redesign the proposal to respond to the many urban design and amenity issues raised by the Panel. The redesigned proposal should then be returned to the Panel for discussion.
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SITE / ROOF PLAN

NOTE:
REFER TO CIVIL ENGINEER'S DOCUMENTATION FOR
STORMWATER COLLECTION & ALL EXTERNAL SURFACE
LEVELS.
REFER TO LANDSCAPE ARCHITECTS DOCUMENTATION
FOR ALL PAVING & PLANTING DETAILS.

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a NOMINATED ARCHITECT- The nominated Architect for ADM Projects (Australia) Pty Ltd T/AS ADM Architects is Angelo Di Martino ARB No.7608

ISSUE	DATE	DESCRIPTION
A	20.09.2018	ISSUE FOR LAHC REVIEW

NOT FOR CONSTRUCTION

adm ARCHITECTS

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Project
PROPOSED RESIDENTIAL DEVELOPMENT
CONSISTING OF 21 RESIDENTIAL APARTMENTS
ABOVE BASEMENT PARKING &
13 TOWNHOUSES WITH DOUBLE GARAGES

At
1 - 4 ROBERT STREET,
CORRIMAL

For
TRADERS IN PURPLE

Title
DEVELOPMENT APPLICATION
SITE / ROOF PLAN

Scale
1 : 400 @ A3

Date
SEPTEMBER 2018

Drawn
MC RAC DQ

Checked

Project No.
2017-03

Drawing No.
A-101

Issue
A

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Wollongong Design Review Panel
Meeting minutes and recommendations DA- 2018/1481

Date	22 March 2019
Meeting location	Wollongong City Council Administration Offices
Panel members	Brendan Randles Gabrielle Morrish Sue Hobley
Apologies	
Council staff	John Wood – City Wide Development Manager Vivian Lee – Senior Development Project Officer
Guests/ representatives of the applicant	Peter Brackenreg – NSW Land & Housing Corporation Adam Bower – NSW Land & Housing Corporation Charles Daoud - Traders In Purple Angelo Di Martino – ADM Architects Warwick Varley – Allied Tree Consultants Rodney Crawford – ADM Projects Elaine Treglown - TCG Consulting Tracey Whiteman – Ochre landscape Architects
Declarations of Interest	
Item number	2
DA number	DA-2018/1481
Determination pathway	
Property address	Robert Street Corrimal NSW 2518
Proposal	Mixed Use Residential Development
Applicant or applicant's representative address to the design review panel	
Background	The site was previously inspected by the Panel on 24 January 2019
Design quality principals SEPP65	
Context and Neighbourhood Character	<p>From last WDRP meeting : <i>“The subject site is located at the end of a cul de sac north of Robert Street Corrimal in an R2 Low Density Residential Zone. It is a large, deep L shaped lot with a fall of approximately 4m to its north. While a narrow pathway connects the site to Wilga Street and Corrimal Public school beyond, a narrow stormwater easement to the north is currently fenced; it may be possible to provide a decking structure in the future for pedestrian access. There are a number of established large trees around the edges of the upper and lower portions of the site. On such a large site, isolated by low scale residential dwellings, it is crucial that these trees are maintained. Robert Street is framed by two recent residential developments of relatively high quality. The three storey apartment building to its eastern frontage and contemporary two storey townhouses to its west create a surprisingly rich streetscape. It would be a positive design strategy to extend the character and alignment of the townhouses across the site; with generous street trees, this would reinforce the proposal's continuity with context and reinforce the new street's public character.”</i></p> <p>The Panel reaffirms its support for the site and its programme. The provision of this mix of housing in this location is highly desirable; the site is ideally located, reasonably close to local facilities and transport, and potentially well connected to its local context.</p>

The connectivity and amenity essential to the success of the project however, must be achieved through the creation of an amenable, activated and safe street, not a mere driveway. This point was discussed at length at the meeting and remains a central conviction of the Panel. This view is not simply a plea for urban design quality; the Panel are concerned that without an amenable well designed street, the entire proposal will be compromised physically, visually and socially, and this will be reflected at market.

From the prior WDRP meeting : *“However, the proposal’s response to the site suffers from a number of flawed design decisions that diminish its internal amenity as well as its continuity and enrichment of context. In not responding directly to the alignment, form and scale of the adjacent townhouses, the internal street is disconnected from Robert Street and loses continuity with context. The internal street is further compromised by its endless presentation of double garage doors and setback upper levels, which completely prevents any activation of the street or passive surveillance. This is highly problematic and cannot be supported by the Panel.”*

The Proponent is to be commended for responding to the Panel’s comments and presenting two options for consideration. The Panel shares the opinion of the Proponent; Option One is not an improvement on the original scheme. It creates a rear lane dominated by garage doors, does not align with Robert Street as requested by the Panel and decreases “street address” to each townhouse. Option Two unfortunately is not much better; its internal street is still dominated by double garages, does not create front gardens and amenable cross ventilated living spaces and – while it does it improve upper level interaction with the street via balconies – it creates a streetscape that is visually and physically unacceptable as an address and amenable open space.

From the prior WDRP meeting : *“While the apartment building creates a direct relationship with the existing building to the south, its basement access leads to the removal of a number of trees, which is a poor design approach. The streetscape in this location is further compromised by the proposed bin storage and loading, which will now dominate the site’s entry and exacerbate the poor design decision that has bins located adjacent to this boundary in the neighbouring development.”*

While the relocation of the driveway to the northern side is definitely an improvement on the first proposal, more needs to be done to ensure that the north facing communal open space is well integrated – physically and visually - with the entire precinct.

The panel accepted the opinion of Warwick Varley that the removal of the stand of trees on the southern boundary is reasonable. If this is proposed, the opportunity to realign the two blocks of the apartment development to:

- creative a strong and attractive address/entry to the apartment building at the entry to the site;
 - improve connectivity between the apartment development (internal, external, and communal spaces) and the public domain; and
 - further strengthen the identity, privacy and functionality of the apartment development’s communal open spaces.
-

Built Form and Scale

From the prior WDRP meeting : *“The proposal is a potentially rich development in a unique context with high potential for a highly amenable and successful result. However, the built form proposed is highly problematic and requires review. The presentation of the townhouses’ repetitious double garages creates an unacceptable streetscape. Not only does this severely constrain street activation, it also prevents activated front gardens and amenable entries being the key feature of each dwelling.*

Rather than creating a flush two storey frontage, the setting back of the townhouses’ upper level further constrains passive surveillance and activation of the street. As proposed, this vital urban spine is lifeless, completely disconnected from its Robert Street context and potentially unsafe at night. Rotating the northern dwellings may appear to optimize solar access, but it also creates a concealed lane. Not only does this strategy create an unpleasant and potentially unsafe urban space, it disrupts the proposed street’s view corridor, which is potentially rich and expansive.”

The proponent’s responses to a number of layout options discussed at the prior WDRP meeting are not satisfactory. As described above, the internal street is dominated by double garage doors and creates a poor address for future residents (and is liable to impact on townhouse retail value to the market). The Panel advises therefore that an internal street lined with double garages is unacceptable and cannot be supported. It is recommended that :

- double garages be replaced with 3m wide stacked parking garages
- driveways be shared to minimize street crossings
- landscaped front gardens with low street facing walls be introduced (to be integrated with street planting)
- living rooms be designed to face rear and front gardens so as to optimize cross ventilation and provide passive surveillance to the street
- rotated north facing dwellings and required east-west aligned driveway be removed
- to maintain yield, minimize the setback from the southern boundary and create “special” units where possible, to better optimize available space and vehicular access
- as far as possible, extend the character of a public street into the site with appropriately dimensioned footpaths, street trees and parallel parking (not ninety degree parking) on the eastern side of the street
- establish a 'pocket' park at the northern end of the driveway to create a visual 'end' to it and support increased visual amenity and outlook.

From the prior WDRP meeting : *“The apartment building and its basement parking also give rise to serious amenity issues. Despite there being ample space for a residential apartment building between the existing trees, it is noted that the location of the driveway ramp (and entry ramp to its basement parking) necessitates the removal of a number of trees, which will impact negatively on the entire precinct. The ramp also forms the visual termination of the site and creates potential safety conflicts between residents using the front door of the apartment building and vehicles entering and leaving the basement.”*

	<p>While the relocation of the driveway to the northern side of the apartment building improves the relationship of the site to its existing street context, the ramp compromises its physical and visual access to the north facing communal open space. The Panel therefore recommends :</p> <ul style="list-style-type: none"> - minimize the setback to the south side of the apartment building – even if this requires the removal of one or more of the existing trees - increase the size of the north facing common open space and its physical/visual access to the private 'street' - align the north face of the apartment building with the north face of the town houses along the path opposite to increase visual connectivity - enlarge the north south slot in the building to provide better permeability and visual and physical access to the north facing communal open space - design a layout and site the proposed building to better “frame” the communal open space <p>While creating an improved streetscape and built form, the Panel reiterates the key issues raised at the last WDRP meeting :</p> <ul style="list-style-type: none"> (i) achievement of a streetscape that supports/promotes the development of a sense of community among all residents; (ii) retention of the site's trees along the northern boundaries; and (iii) replenishment of any tree removals along the southern boundary so as to reestablish a strong screen in this area.
Density	N/A
Sustainability	<p>While the amended proposal retains a significant number of trees, a number of amendments are still required (as described above) to achieve an amenable and sustainable streetscape.</p> <p>The proposed townhouses' solar access and natural ventilation are STILL highly constrained by the location of double garages along the street frontage. This arrangement is not supported.</p> <p>The location of double garages along the internal street prevents landscaped gardens along the town houses' street frontage. This arrangement is not supported.</p>
Landscape	<p>From the prior WDRP meeting : <i>“The landscape plan results from a building layout that occupies the entire site with only the required setbacks to boundaries for landscaping. As such, there is little room for purpose designed common open space or a design that goes beyond ornamental plantings alongside paths - that mostly lead to nowhere. The arborist report also appears to have been prepared after the architectural concept plans, leaving little room for a footprint that retains trees for their ecological, environmental and amenity values to any future development.”</i></p> <p>The resolution of the landscape plan will be possible only after the issues highlighted in other parts of this report in relation to the design and siting of the built form have been satisfactorily addressed.</p>

The amended proposal is a significant improvement in terms of the portion of the site proposed for the apartment development, however, as outlined in other sections of this report, further improvements are recommended. In particular, the siting of the buildings and driveway needs to take into account the location of key outdoor spaces and circulation through the site. The new driveway location adversely impacts on the amenity of the communal open space (which will overlook it) and its relationship to the street.

"A better site planning approach would be based on a thorough site analysis, with street and building alignments established to optimize landscape and urban design quality. This would result in a site responsive built form, to frame well-located, generous communal spaces (that a development of such a size in this context requires). Aside from the visual amenity of the landscape, this approach would also most likely result in more interesting and amenable buildings. Furthermore, the attractive views of the coastal landscape to the north may well be incorporated into the landscape experience of the site's occupants."

The landscape of the private street/driveway remains unresolved due to:

- the preclusion of space for front gardens and tree plantings in the townhouse frontages;
- the siting of the townhouses on the northern boundary which precludes a landscape solution to the end of the 'street' and a clear link to the potential accessway above the stormwater channel;
- the parking layout on the 'street';
- the setbacks and siting of the apartment block elements;
- the constraints on circulation and amenity imposed by the new location of the driveway; and
- review of the entrance design and indoor/outdoor circulation of the apartment building.

With regard to the submitted arborist's report, the following issues are raised:

- *the assessment does not include the ecological and amenity values of the existing trees*
- *the report does not include a risk assessment of the trees based on targets and frequency of occupancy of the target zone, or provide advice on how potentially hazardous trees could be retained for their ecological and/or amenity values*
- *trees listed as exempt under Wollongong DCP 2009 are proposed for retention rather than removal on ecological/environmental grounds*

The advice provided by the applicant's arborist did not relate to ecological values of the trees. The removal of old or diseased trees should be compensated for by plantings of locally indigenous trees of similar size classes and the provision of nesting boxes in existing trees and replenishment plantings once they are sufficiently mature.

It is accepted that the removal of some or all of the trees on the southern boundary may lead to a better long-term outcome for the site, provided replenishment plantings of locally indigenous tree species that will attain similar dimensions to the existing group are established.

The approach to the tree plantings on this site should be to retain/establish local species and remove/avoid exotic species, in particular any listed as weeds or exempt in Wollongong.

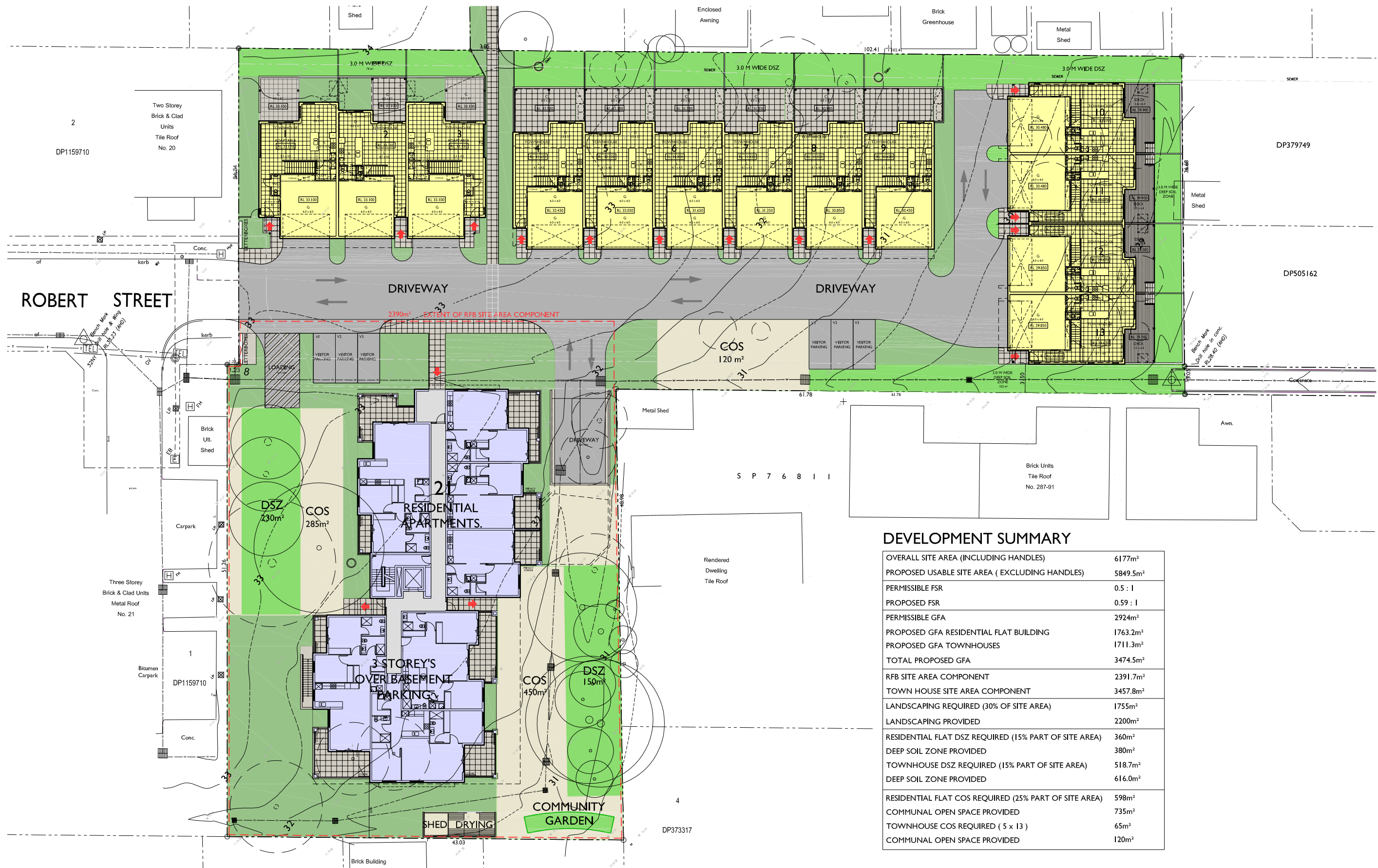
With regard to the submitted landscape concept plan, the following issues are a concern:

- *unacceptable tree loss on the southern boundary will result from the siting of the carpark driveway and unit block*
 - *unacceptable tree loss will result from the siting of townhouses on the northern boundary*
 - *proposed tree retention includes listed exempt species that should be removed*
 - *linear tree plantings are proposed along the southern boundary where the existing trees are growing in an informal clump that creates an attractive "natural" feeling in the landscape*
 - *informal seating is proposed beneath a small tree (tree 31) that is unsuitable for such a role*
 - *the entrance to the site's private road from Robert Street is very poorly conceived, in terms of arrival experience, due to the siting of the carpark access and waste storage at this interface, opposite the garage doors to townhouse 1*
 - *pedestrian circulation and access to buildings and spaces is generally poor due to constraints imposed by siting of buildings and the road network:*
 - o *the proposed access path to Wilga Street is not aligned with the existing path along the access handle*
 - o *access to townhouses from Robert Street and the Wilga Street pedestrian link is along the road*
 - o *access to Robert Street from the units is unclear and appears indirect*
 - o *access to the Wilga Street link from the units relates poorly to the building entrances (due to building design but also poor landscape design)*
 - o *access to the unit block is along a long path along the southern side of the building, adjacent to the driveway access to the underground parking*
 - o *access to the key functional communal open space (drying area, vegetable gardens, barbecue area) is along the southern side of the building adjacent to the driveway ramp*
 - o *a curved path along the eastern side of the private road appears to have no clear purpose beyond accessing seating within a narrow garden facing the garages of the townhouses*
 - o *it is unclear why access points are provided off the above-mentioned path to the townhouses (it seems unlikely that these residents will wish to sit in the garden beside the road)*
 - o *the choice of curved paths where desired lines will be straight is questionable*
 - o *The building layout results in "rear" access to the linear landscape along the northern boundary*
-

	<p><i>being sited opposite a small tree where an open area would be of benefit to the social life of the residents (it is noted that it would be acceptable to remove the tree which is small and relatively short-lived)</i></p> <ul style="list-style-type: none"> ○ <i>a gravel path adjoins the access stairs to the basement carpark (a potential maintenance problem)</i> <ul style="list-style-type: none"> - <i>the most important communal open space in terms of its social and environmental benefits to the residents of the units is unacceptably located in the south-eastern corner of the site overlooking the driveway entry to the underground carpark, the ground level visitor's carpark, and beyond it, the bin storage area</i> - <i>it is unclear that the proposed paths and seating within linear gardens will provide the functionality required by the residents of the unit (the spaces should provide for activities that support the targeted demographic of the residents)</i> - <i>the planting plan is generally to provide screening along the boundaries and ornamental plantings within the site: while this will potentially provide some degree of internal amenity to the site, it does not maximise activation of the internal streetscape, despite the severe constraints imposed by the building layout and design</i> - <i>The proposed species list does not address the ecological context of Corrimal</i> <p>Whilst some of the issues have been addressed in the amended proposal, the final landscape plan should address all of them.</p>
Amenity	<p>See notes above regarding issues still plaguing the proposal :</p> <ul style="list-style-type: none"> - poor streetscape with over dominance of garages and no activation from ground and first floor levels - lack of passive surveillance - sub-optimal communal outdoor spaces - potentially unsafe open spaces - severely constrained natural ventilation and solar access to individual dwellings - loss of view corridor and creation of obscure, unsafe lane as a result of rotating northern dwellings <p>In addition ;</p> <ul style="list-style-type: none"> - the main north facing communal open space is now compromised by the relocation of the driveway –see above - the site has limited permeability. It is notable that the proponent agreed that the sw easement should have an integrated deck above it for access to the north
Safety	<p>See notes above and below regarding issues still unresolved :</p> <ul style="list-style-type: none"> - poor streetscape with no activation from ground and first floor levels - lack of passive surveillance - potentially unsafe open spaces

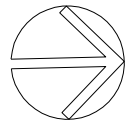
	<p>- treatment of pedestrian access path to Wilga Street.</p>
Housing Diversity and Social Interaction	<p>From the prior WDRP meeting : <i>“The site plan fails to value the potential for public domain and communal open space function as a “village square”. The design makes no attempt to facilitate the development of a sense of community in this space. The poorly located communal open space around apartment building will be highly constrained and not conducive to social interaction. The communal open space along the north south street is highly contorted and not designed for a specific use.”</i></p> <p>This issue remains unresolved.</p> <p>From the prior WDRP meeting : <i>“Non-activated streets, dominated by garages, lead to poor social outcomes. The townhouses turn their backs on the street and the landscaping of the units creates a green barrier between the two types of development. With a more considered approach, this private cul-de-sac has the potential to be a lively, safe space that brings people together and supports children’s street play.”</i></p> <p>This issue remains unresolved.</p> <p>From the prior WDRP meeting : <i>“The location of the waste facilities further degrades the new precinct. It not only creates an uninviting entry, it could also suggest that visitors are unwelcome.”</i></p> <p>Through the relocation of waste storage and reduction in scale of the loading area, this issue has been substantially resolved.</p>
Aesthetics	<p>From the prior WDRP meeting : <i>“While the form, scale and materiality of the proposed apartment building responds to the existing apartment building, it does not respond to the site’s existing assets (trees, views, social context) or the potential for well-located open space surrounded by built form (e.g. an L-shaped unit block). The proposed townhouses ignore the form, character and materiality of the existing townhouses and create a streetscape entirely dominated by double garages. For the many reasons described above, this is not acceptable.</i></p> <p><i>The town houses need to be redesigned to create a streetscape more in keeping with the existing townhouses. The facades of the townhouses should clearly read as double storey, should incorporate active street facing living and open spaces, should facilitate passive surveillance and exude internal and external amenity. Garages should not dominate, entries should be clear and environmental performance should guide the new dwellings’ architectural expression.”</i></p> <p>In consideration of the many urban design and amenity shortcomings discussed at the meeting and reflected in this Report, the Panel urge the Applicants to redesign the townhouses as suggested, embrace the “public” character of the new north south street and amend the apartment building to better structure and provide access to the new north facing communal open space.</p> <p>With the above amendments, the Panel are confident that the expression of the individual buildings will be an elementary task – given the material articulation expressed to this point.</p>

Recommendations	<p>The Panel recommends that the Applicants reflect on the many shortcomings itemised above and redesign the proposal to respond to the many urban design and amenity issues raised by the Panel.</p> <p>The redesigned proposal should then be returned electronically to the Panel – as sketch elevations and plans – so that the proposal can be approved in principal, before formal amendments are made and submitted to Council.</p>
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DEVELOPMENT SUMMARY

OVERALL SITE AREA (INCLUDING HANDLES)	6177m ²
PROPOSED USABLE SITE AREA (EXCLUDING HANDLES)	5849.5m ²
PERMISSIBLE FSR	0.5 : 1
PROPOSED FSR	0.59 : 1
PERMISSIBLE GFA	2924m ²
PROPOSED GFA RESIDENTIAL FLAT BUILDING	1763.2m ²
PROPOSED GFA TOWNHOUSES	1711.3m ²
TOTAL PROPOSED GFA	3474.5m ²
RFB SITE AREA COMPONENT	2391.7m ²
TOWN HOUSE SITE AREA COMPONENT	3457.8m ²
LANDSCAPING REQUIRED (30% OF SITE AREA)	1755m ²
LANDSCAPING PROVIDED	2200m ²
RESIDENTIAL FLAT DSZ REQUIRED (15% PART OF SITE AREA)	360m ²
DEEP SOIL ZONE PROVIDED	380m ²
TOWNHOUSE DSZ REQUIRED (15% PART OF SITE AREA)	518.7m ²
DEEP SOIL ZONE PROVIDED	616.0m ²
RESIDENTIAL FLAT COS REQUIRED (25% PART OF SITE AREA)	598m ²
COMMUNAL OPEN SPACE PROVIDED	735m ²
TOWNHOUSE COS REQUIRED (5 x 13)	65m ²
COMMUNAL OPEN SPACE PROVIDED	120m ²



Project

Project No. 2017-03

Drawing No. SK03

Issue P2

For

TRADERS IN PURPLE

Title

REVISED SITE LAYOUT
OPTION 2

Scale 1:400 @ A3

Date MARCH 2019

CONCEPT SKETCH

adm

ARCHITECTS

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ATTACHMENT 4

Wollongong Design Review Panel Meeting minutes and recommendations DA- 2018/1481

Date	14 May 2019
Meeting location	Wollongong City Council Administration Offices
Panel members	Brendan Randles Gabrielle Morrish Sue Hobley
Apologies	
Council staff	John Wood – City Wide Development Manager Vivian Lee – Senior Development Project Officer
Declarations of Interest	
Item number	2
DA number	DA-2018/1481
Determination pathway	
Property address	1-4 Robert Street Corrimal NSW 2518
Proposal	Mixed Use Residential Development
Applicant or applicant's representative address to the design review panel	
Background	The site was previously inspected by the Panel on 24 January 2019
Design quality principals SEPP65	
Context and Neighbourhood Character	<p>The context and neighbourhood character of the proposal have been discussed at length with the proponents. Considering the revised layout, it appears that the proponents are now aligned with the Panel regarding key contextual and urban design including :</p> <ul style="list-style-type: none"> - visual and physical connectivity - the need for an amenable activated street - the need for clearly defined communal open space - the value of address and passive surveillance <p>Furthermore, refinements to the apartment building and north facing communal open space have provided the proposed urban framework with greater clarity and functionality. This is a substantial improvement to the scheme.</p> <p>The Panel raised amenity and circulation concerns about the proposed location of the temporary bin storage area at the entry to the complex and adjacent to the letterboxes.</p>
Built Form and Scale	<p>The amended townhouse layout with single width garages, demonstrates a higher level of street interaction, natural ventilation and solar access. However, with minor amendments, significant improvements can be made to the individual dwellings, the layout and the streetscape :</p> <p>The sectional arrangement of the townhouses' upper level above its ground level (and the location of laundries at the rear of the garages), creates shallow street facing front porches rather than the front gardens envisaged by the Panel. Apart from markedly reducing street activation and passive surveillance, this arrangement also prevents the provision of canopy trees and outdoor uses along the frontage, greatly reducing streetscape character, individual dwelling quality and most likely market value. The Panel therefore recommends that :</p>

	<ul style="list-style-type: none"> - the laundry is removed from the west end of the garage - the garages are pushed to the west (the Panel reiterates that if extended through to the rear gardens, the garages would be provided with increased flexibility, amenity and potential of use). - the first level plan is pushed to the west so as to create an amenable street facing garden (min. 4.0m depth) with large trees and thoughtfully considered landscaping - it is also recommended that the stair is rotated so as to engage with the front entry (which is more typical of row housing) so as to increase internal amenity and functionality. <p>By flipping townhouses 4 – 13 (ie the entire row), Unit 13's living area would benefit from its side setback. This would also shorten the street, increasing the northern communal open space and allowing some of the existing trees to be retained.</p> <p>If Unit 3 was also flipped, Units 3 and 4 could better interact with the adjacent path, even from upper levels. This will require careful coordination of location and form of windows in adjacent walls.</p> <p>While the removal of the north-facing wing increases view lines and decreases potentially unsafe areas, it increases the amount of repetition in the façade treatment. The Panel therefore recommends that more thought is given to variation along the street frontage with more openness to the street via larger and more amendable first floor openings.</p> <p>On the eastern side of the street, there is great scope to articulate and program the communal open space network, better resolve the loading area and improve the apartment building entry. (See comments below in Landscape.) The Panel would support amendment of the apartment block to include the primary entry (additional to the other entries) in the western elevation of the building and recommends this be explored to help resolve circulation from the loading bay and enable a more direct access to the building for removalists etc.</p>
Density	Acceptable
Sustainability	<p>While solar access and natural ventilation is greatly improved to the townhouses, both these measures would be greatly improved with the Built Form recommendations itemized above.</p> <p>Refer to comments in Landscape for improvements to the proposed streetscape, landscape and water management.</p>
Landscape	<p>PLEASE REFER TO THE MARKED UP LANDSCAPE PLAN ATTACHED TO THE END OF THIS REPORT TO SEE THE AREAS (A - H) TO WHICH THESE COMMENTS APPLY.</p> <p>The Panel remains concerned about the functionality and amenity of the proposed landscape design for both the "public domain" and the communal open space of the apartments, as follows:</p> <p><u>AREA A - SITE ENTRY AND STREETSCAPE ADDRESS OF APARTMENT BLOCK</u></p> <p>The landscape on the western frontage of the apartment block needs reconsideration (see above).</p>

- The temporary bin storage area should be relocated away from the site's entry and closer to the underground carpark ramp (which would improve bin management).
- The circulation from the loading bay is poor. By incorporating a main entry in the western facade of the building this would be improved. (It would also strengthen the address of the building.) This would allow for a clump of more substantial canopy trees to be planted at the site's entry and the path to Wilga Street to be accessed (via a new path) from the front of the building.
- The Panel understands that Australia Post will deliver directly to individual properties in these types of complexes. This should be confirmed. The apartment block letterboxes could then be moved and incorporated into the entry.

AREA B - COMMUNAL OPEN SPACE ALONG THE EASTERN SECTION OF THE ROAD

The design needs to take advantage of the excellent possibilities this space offers due to its location. It should be treated as a community pocket park rather than a frame for visitor car-parking.

- The strip garden bed along the eastern edge of the parking is ideal for a community garden that all residents of the complex could enjoy.
- The space immediately north of the basement ramp could serve as a socialising space that also supports the activities of the gardeners. It could also include a small children's playground (with safety issues relating to the driveway needing to be addressed) and a clump planting of shade trees.
- A (straight, not curved) path should be included to enable access to the community garden beds.

AREA C - COMMUNAL SPACE AT ENTRY TO FUTURE PEDESTRIAN PATH TO ROTHERY ROAD

- Relocate driveway/garage of unit 13 and increase the impervious area at the end of the road.
- Retain existing trees where possible and supplement the plantings to provide a shady "forest" as the visual endpoint of the site.
- Consider installing a " woodland adventure" playground in this space.

AREA D - FRONT GARDENS OF THE TOWNHOUSES

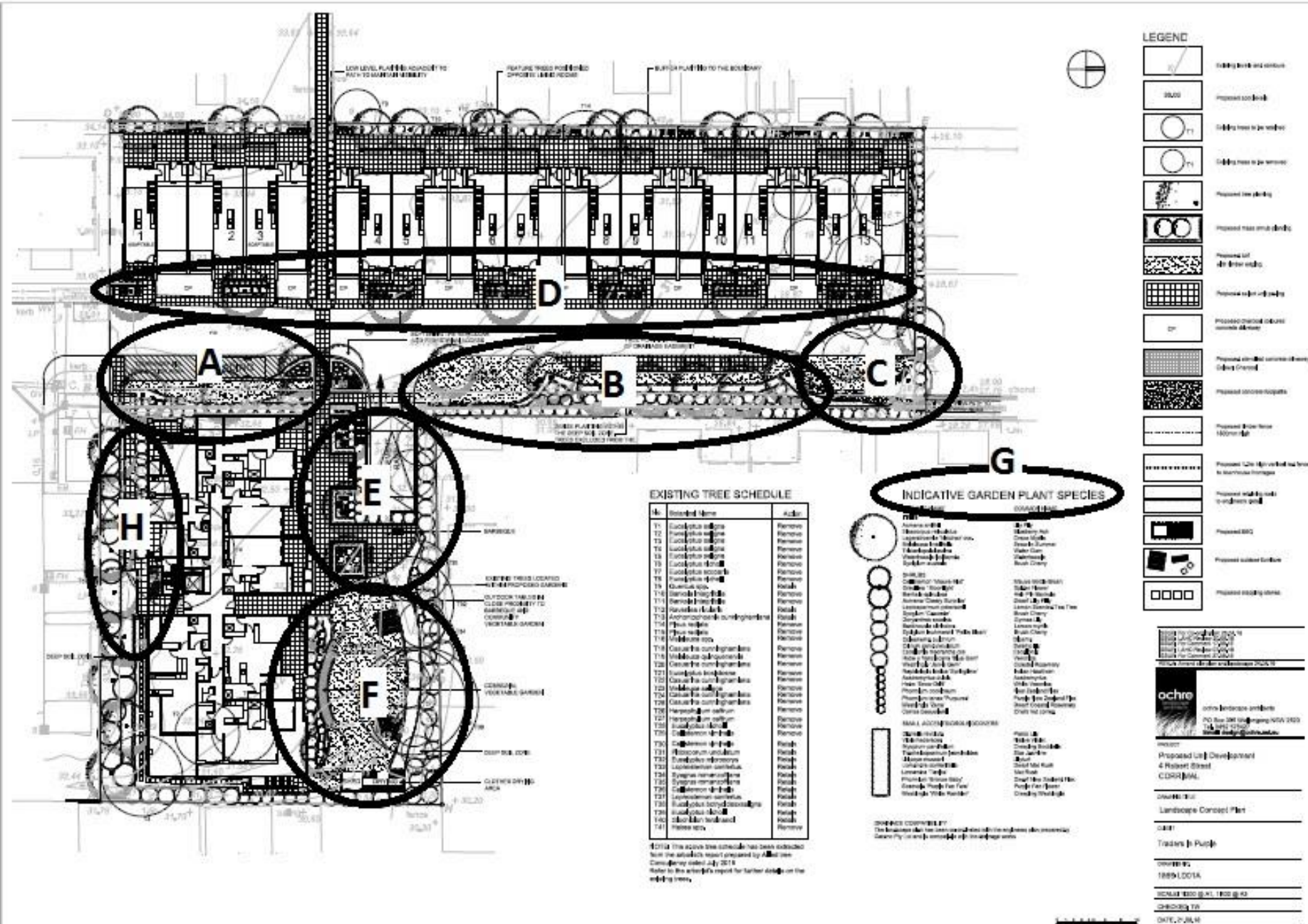
By addressing the points raised above (Built Form and Scale) it will be possible to improve the substance of the tree plantings along the frontages of the townhouses. Small to medium canopy trees should be established and where front gardens adjoin they should include clump plantings.

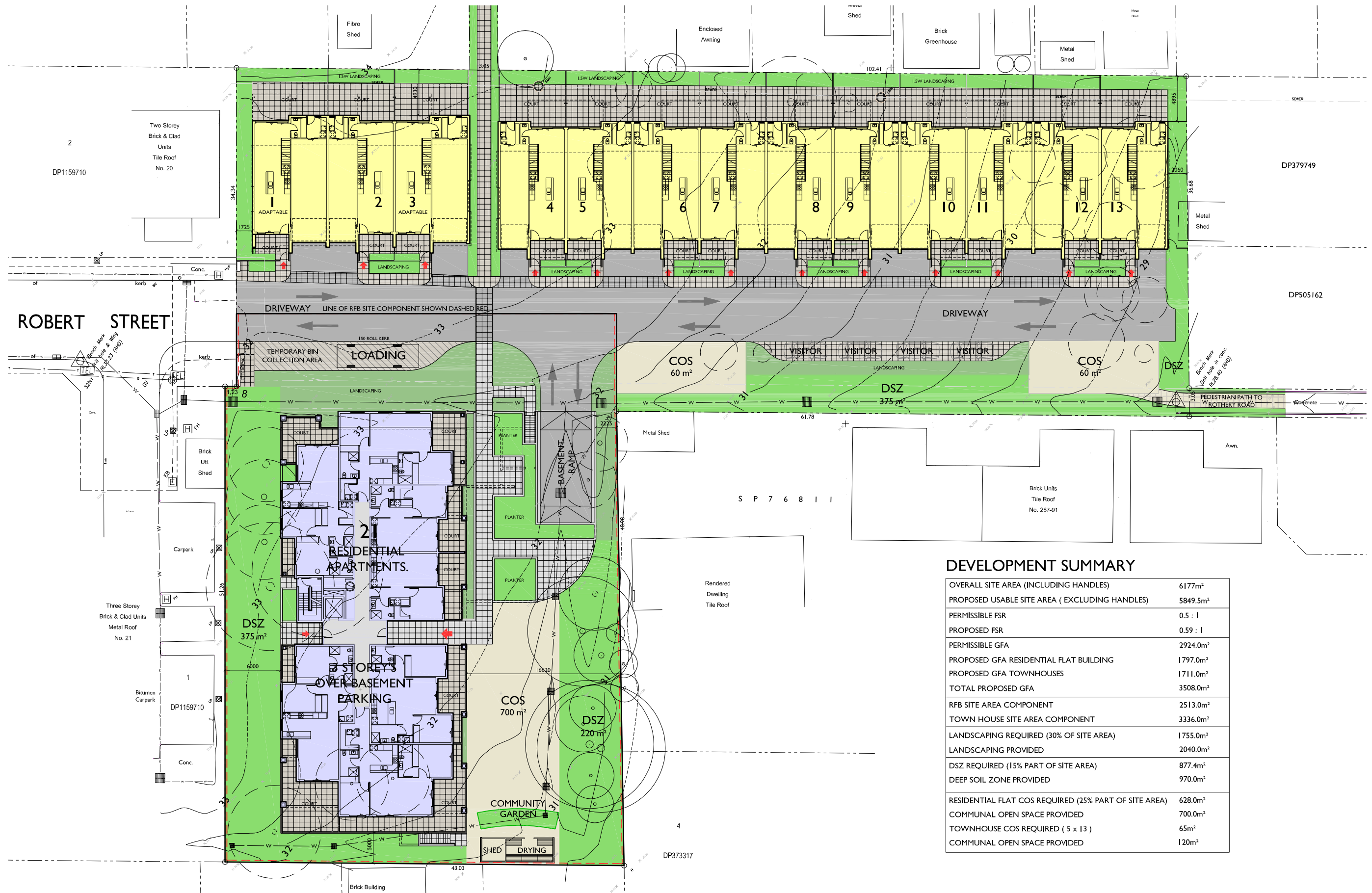
AREA E - SPACE ADJOINING BASEMENT RAMP TO THE NORTH-WEST OF APARTMENTS

The Panel is concerned that, as proposed, the functionality of this space is very poor. The square planter boxes should be deleted to allow a generous barbecue/socialising space. In addition to the barbecue, it should be furnished with sturdy outdoor furniture that can be moved to open the space up for kids play, games, dancing and the like.

	<p>The area should be fitted with suitable lighting for evening use of the facilities.</p> <p><u>AREA F - SPACE NORTH EAST OF THE APARTMENT BLOCK</u></p> <p>The area will be well-shaded by the existing trees along the northern boundary. It will work well as a permeable space that adds to the activities associated with the barbecue area and the domestic life of the residents.</p> <ul style="list-style-type: none"> - The drying space should be located in the south-east corner to maximise access to sunlight. - The community garden would work better in the street (Area B) <p><u>G - PLANTING PRINCIPLES</u></p> <ul style="list-style-type: none"> - Clump plantings of trees rather than linear, regularly spaced plantings should be established to continue/strengthen the "natural" character of the tree plantings that are to be retained. - Indigenous plantings should be used in the amenity plantings. - Monocultural plantings should be avoided. - Underplantings to existing mature trees are problematic and should be revisited. Species that can survive the shady conditions and root competition from trees should be specified. Dense plantings may not establish. Tubestock or small container sized material should be specified and care taken to avoid damaging or adversely disturbing tree roots during planting. <p><u>AREA H - LANDSCAPE ALONG THE SOUTHERN SIDE OF THE APARTMENT BLOCK</u></p> <p>The Panel considers that the southern entry to the building should be retained because of the transparency and ventilation it enables. If the letterboxes are relocated, the path will no longer be needed for access to Robert Street. An access path will be needed to maintain this landscape but the space is unlikely to be much used unless it is designed and fitted out for a particular purpose. Consideration should be given to any needs it could serve to support particular residents (e.g. mothers with babies; elderly people seeking peaceful outdoor time,; skateboarders; etc.)</p>
Amenity	<p>See comments above in Built Form and Landscape for required amenity improvements to :</p> <ul style="list-style-type: none"> - street frontage address and character - street activation and passive surveillance - open space amenity - landscape quality - waste handling and loading
Safety	<p>The removal of the north-facing townhouse wing increases view lines and decreases potentially unsafe areas.</p> <p>See Built Form above for required improvements to outlook and passive surveillance form townhouses.</p>
Housing Diversity and Social Interaction	<p>Housing diversity is acceptable.</p> <p>Improvements to communal open spaces will enhance social</p>

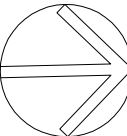
	interaction – see comments in Landscape.
Aesthetics	<p>The improvements already made and recommended above will significantly improve the character and potential expression of the street frontage. At present the long façade of townhouses appears not to have sufficiently large windows, giving the upper levels an introverted character area, and the degree of repetition is excessive. More variation is encouraged. As noted above, a slightly amended scheme could complement the street frontage with beautifully landscaped front garden, with large trees.</p>
Recommendations	<p>While the proposal has been substantially improved, a number of revisions – itemised above - are required to achieve an acceptable level of urban design quality and amenity. These recommendations should be incorporated into a revised set of drawings and returned to the Council for comment.</p> <p>It should not be necessary for the proposal to return to the Panel.</p>





DEVELOPMENT SUMMARY

OVERALL SITE AREA (INCLUDING HANDLES)	6177m ²
PROPOSED USABLE SITE AREA (EXCLUDING HANDLES)	5849.5m ²
PERMISSIBLE FSR	0.5 : 1
PROPOSED FSR	0.59 : 1
PERMISSIBLE GFA	2924.0m ²
PROPOSED GFA RESIDENTIAL FLAT BUILDING	1797.0m ²
PROPOSED GFA TOWNHOUSES	1711.0m ²
TOTAL PROPOSED GFA	3508.0m ²
RFB SITE AREA COMPONENT	2513.0m ²
TOWN HOUSE SITE AREA COMPONENT	3336.0m ²
LANDSCAPING REQUIRED (30% OF SITE AREA)	1755.0m ²
LANDSCAPING PROVIDED	2040.0m ²
DSZ REQUIRED (15% PART OF SITE AREA)	877.4m ²
DEEP SOIL ZONE PROVIDED	970.0m ²
RESIDENTIAL FLAT COS REQUIRED (25% PART OF SITE AREA)	628.0m ²
COMMUNAL OPEN SPACE PROVIDED	700.0m ²
TOWNHOUSE COS REQUIRED (5 x 13)	65m ²
COMMUNAL OPEN SPACE PROVIDED	120m ²



Project

PROPOSED RESIDENTIAL DEVELOPMENT
1-4 ROBERT STREET, CORRIMAL

Project No.

2017 - 03

Drawing No.

SK01

Issue

P3

For

TRADERS IN PURPLE

Title

REVISED SITE LAYOUT
OPTION 3

Scale

1:400 @ A3

Date

APRIL 2019

CONCEPT SKETCH

adm

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DESIGN REVIEW PANEL MEETING | 14 May 2019

ROBERT STREET, CORRIMAL

DA-2018/1481 | ADM Ref: 2017-03(a) | 21 June 2019



REASON FOR CONSIDERATION	DESIGN REVIEW PANEL COMMENT	ADM ARCHITECTS RESPONSE
Context and Neighbourhood Character	<p>The context and neighbourhood character of the proposal have been discussed at length with the proponents. Considering the revised layout, it appears that the proponents are now aligned with the Panel regarding key contextual and urban design including:</p> <ul style="list-style-type: none"> - visual and physical connectivity - the need for an amenable activated street - the need for clearly defined communal open space - the value of address and passive surveillance <p>Furthermore, refinements to the apartment building and north facing communal open space have provided the proposed urban framework with greater clarity and functionality. This is a substantial improvement to the scheme.</p> <p><i>The Panel raised amenity and circulation concerns about the proposed location of the temporary bin storage area at the entry to the complex and adjacent to the letterboxes.</i></p>	<p><i>The temporary bin storage area has been moved closer to the basement ramp and landscaping is now included between the mailbox area and the loading bay.</i></p>
Built Form and Scale	<p>The amended townhouse layout with single width garages, demonstrates a higher level of street interaction, natural ventilation and solar access. However, with minor amendments, significant improvements can be made to the individual dwellings, the layout and the streetscape:</p> <p>The sectional arrangement of the townhouses' upper level above its ground level (and the location of laundries at the rear of the garages), creates shallow street facing front porches rather than the front gardens envisaged by the Panel. Apart from markedly reducing street activation and passive surveillance, this arrangement also prevents the provision of canopy trees and outdoor uses along the frontage, greatly reducing streetscape character, individual dwelling quality and most likely market value. <i>The Panel therefore recommends that:</i></p>	<p><i>The laundry and powder rooms are to remain at the rear of the garages as investigations found no practical improved alternative on the ground floor to relocate them. However, the DRPs suggestion to create cross through living/dining areas has been integrated. Further amendments to the layout</i></p>

REASON FOR CONSIDERATION	DESIGN REVIEW PANEL COMMENT	ADM ARCHITECTS RESPONSE
	<ul style="list-style-type: none"> - the laundry is removed from the west end of the garage - the garages are pushed to the west (the Panel reiterates that if extended through to the rear gardens, the garages would be provided with increased flexibility, amenity and potential of use). - the first level plan is pushed to the west so as to create an amenable street facing garden (min. 4.0m depth) with large trees and thoughtfully considered landscaping - it is also recommended that the stair is rotated so as to engage with the front entry (which is more typical of row housing) so as to increase internal amenity and functionality. <p>By flipping townhouses 4 – 13 (ie the entire row), Unit 13's living area would benefit from its side setback. This would also shorten the street, increasing the northern communal open space and allowing some of the existing trees to be retained.</p> <p>If Unit 3 was also flipped, Units 3 and 4 could better interact with the adjacent path, even from upper levels. This will require careful coordination of location and form of windows in adjacent walls. While the removal of the north-facing wing increases view lines and decreases potentially unsafe areas, it increases the amount of repetition in the façade treatment. The Panel therefore recommends that more thought is given to variation along the street frontage with more openness to the street via larger and more amendable first floor openings.</p> <p>On the eastern side of the street, there is great scope to articulate and program the communal open space network, better resolve the loading area and improve the apartment building entry. (See comments below in Landscape.) The Panel would support amendment of the apartment block to include the primary entry (additional to the other entries) in the western elevation of the building and recommends this be explored to</p>	<p><i>include allowance of airlock space for access into the utility rooms and garage. The laundry has also been rearranged to facilitate direct external access. Whilst the utility areas have been maintained at the rear of the garage, green space has been created within the front setback of each townhouse (4.0m deep) to allow for the planting of larger canopy trees, as requested.</i></p> <p><i>The internal stair remains in its current location as investigations found repositioning would impact potential furniture layouts of the ground floor living room and the upper level. The stair in its current location provides optimal circulation and efficiency.</i></p> <p><i>Townhouses 4-13 have been flipped as requested. However, this has not resulted in the retention of trees in this location. Council have indicated support for reduced setback variations with windows in walls in lieu of blank walls.</i></p> <p><i>Unit 3 has been flipped, as requested. Window sizes have also been increased, as suggested. The façade is composed of a range of materials, colours, window openings which we believe provides a highly articulated building form with facades that “step” both in the horizontal and vertical plane.</i></p> <p><i>The primary entry to the residential flat building is maintained to align with the Wilga Street access. The loading bay is located so as not to conflict with this path.</i></p>

REASON FOR CONSIDERATION	DESIGN REVIEW PANEL COMMENT	ADM ARCHITECTS RESPONSE
	help resolve circulation from the loading bay and enable a more direct access to the building for removalists etc.	
Density	Acceptable.	<i>Noted.</i>
Sustainability	While solar access and natural ventilation is greatly improved to the townhouses, both these measures would be greatly improved with the Built Form recommendations itemized above. Refer to comments in Landscape for improvements to the proposed streetscape, landscape and water management.	<i>Noted.</i>
Landscape	<p>PLEASE REFER TO THE MARKED UP LANDSCAPE PLAN ATTACHED TO THE END OF THIS REPORT TO SEE THE AREAS (A - H) TO WHICH THESE COMMENTS APPLY. The Panel remains concerned about the functionality and amenity of the proposed landscape design for both the "public domain" and the communal open space of the apartments, as follows:</p> <p>AREA A - SITE ENTRY AND STREETSCAPE ADDRESS OF APARTMENT BLOCK The landscape on the western frontage of the apartment block needs reconsideration (see above).</p> <p>- The temporary bin storage area should be relocated away from the site's entry and closer to the underground carpark ramp (which would improve bin management).</p> <p>- The circulation from the loading bay is poor. By incorporating a main entry in the western facade of the building this would be improved. (It would also strengthen the address of the building.) This would allow for a clump of more substantial canopy trees to be planted at the site's entry and the path to Wilga Street to be accessed (via a new path) from the building.</p> <p>- The Panel understands that Australia Post will deliver directly to individual properties in these types of complexes. This should be confirmed. The apartment block letterboxes could then be moved and incorporated into the entry.</p>	<p><i>This matter has been addressed above.</i></p> <p><i>This matter has been addressed above.</i></p> <p><i>To improve circulation, the loading bay has been shifted northward to introduce landscaping and improved direct connectivity to the RFB entry via the pedestrian path from Wilga Street.</i></p> <p><i>Individual letterboxes will be provided to each townhouse and will be separate to the residential flat building. This has been confirmed with Australia Post.</i></p>

REASON FOR CONSIDERATION	DESIGN REVIEW PANEL COMMENT	ADM ARCHITECTS RESPONSE
	<p>AREA B - COMMUNAL OPEN SPACE ALONG THE EASTERN SECTION OF THE ROAD</p> <p>The design needs to take advantage of the excellent possibilities this space offers due to its location. It should be treated as a community pocket park rather than a frame for visitor car-parking.</p> <ul style="list-style-type: none"> - The strip garden bed along the eastern edge of the parking is ideal for a community garden that all residents of the complex could enjoy. - The space immediately north of the basement ramp could serve as a socialising space that also supports the activities of the gardeners. It could also include a small children's playground (with safety issues relating to the driveway needing to be addressed and a clump planting of shade trees. - A (straight, not curved) path should be included to enable access to the community garden beds. <p>AREA C - COMMUNAL SPACE AT ENTRY TO FUTURE PEDESTRIAN PATH TO ROTHERY ROAD</p> <ul style="list-style-type: none"> - Relocate driveway/garage of unit 13 and increase the impervious area at the end of the road. - Retain existing trees where possible and supplement the plantings to provide a shady "forest" as the visual endpoint of the site. - Consider installing a " woodland adventure" playground in this space. <p>AREA D - FRONT GARDENS OF THE TOWNHOUSES</p> <p>By addressing the points raised above (Built Form and Scale) it will be possible to improve the substance of the tree plantings along the frontages of the townhouses. Small to medium canopy trees should be established and where front gardens adjoin they should include clump plantings.</p>	<p><i>The new landscape design has been amended to provide a pocket park immediately north of the basement ramp. A straight path now provides safe, direct access from the RFB to this area. The landscaped gardens to the east of the visitor's car spaces allow for larger trees as well as more intense lower ground shrubs & turf. The suggestion for a community garden was further investigated, however we believe the existing location is optimal on the basis the townhouses will have their own private front and rear yards to maintain a garden. The community garden, while located further from the townhouses is still provided for all residents to use and is not exclusive. It will enjoy ample sunlight for growing of fruit, vegetables and herbs. It is located within the part of the site designed to bring people together and away from vehicle movements expected from the townhouses and visitors using the internal driveway.</i></p> <p><i>The unit 13 layout has been flipped providing more landscaped garden space at the driveway junction. Unfortunately, none of existing trees in this area can be retained but will be replaced with appropriate tree species that can survive along this northern boundary.</i></p> <p><i>Improved garden space has been created within the front setback of the townhouses (4.0m deep) that provides for medium canopy trees.</i></p>

REASON FOR CONSIDERATION	DESIGN REVIEW PANEL COMMENT	ADM ARCHITECTS RESPONSE
	<p>AREA E - SPACE ADJOINING BASEMENT RAMP TO THE NORTH-WEST OF APARTMENTS</p> <p>The Panel is concerned that, as proposed, the functionality of this space is very poor. The square planter boxes should be deleted to allow a generous barbecue/socialising space. In addition to the barbecue, it should be furnished with sturdy outdoor furniture that can be moved to open the space up for kids play, games, dancing and the like. The area should be fitted with suitable lighting for evening use of the facilities.</p> <p>AREA F - SPACE NORTH EAST OF THE APARTMENT BLOCK</p> <p>The area will be well-shaded by the existing trees along the northern boundary. It will work well as a permeable space that adds to the activities associated with the barbecue area and the domestic life of the residents.</p> <ul style="list-style-type: none"> - The drying space should be located in the south-east corner to maximise access to sunlight. - The community garden would work better in the street (Area B) <p>G - PLANTING PRINCIPLES</p> <ul style="list-style-type: none"> - Clump plantings of trees rather than linear, regularly spaced plantings should be established to continue/strengthen the "natural" character of the tree plantings that are to be retained. - Indigenous plantings should be used in the amenity plantings. - Monocultural plantings should be avoided. - Underplantings to existing mature trees are problematic and should be revisited. Species that can survive the shady conditions and root competition from trees should be specified. Dense plantings may not establish. Tubestock or small container sized material should be specified and care taken to avoid damaging or adversely disturbing tree roots during planting. 	<p><i>The square planter box has been removed and replaced with generous barbecue/socialising space. The area adjacent is to remain as a common open area and will provide opportunities for more active uses such as children's ball games etc.</i></p> <p><i>The drying area is located to provide the best solar access without compromising active spaces. As mentioned above, investigations revealed the current location is considered most optimal space for the community garden.</i></p> <p><i>More clump plantings have been designed with local indigenous species making up the bulk of species chosen. Underplanting of existing nature trees has been minimized with hardy appropriate species selected to be planted underneath the trees.</i></p>

REASON FOR CONSIDERATION	DESIGN REVIEW PANEL COMMENT	ADM ARCHITECTS RESPONSE
	<p>AREA H - LANDSCAPE ALONG THE SOUTHERN SIDE OF THE APARTMENT BLOCK</p> <p>The Panel considers that the southern entry to the building should be retained because of the transparency and ventilation it enables. If the letterboxes are relocated, the path will no longer be needed for access to Robert Street. An access path will be needed to maintain this landscape but the space is unlikely to be much used unless it is designed and fitted out for a particular purpose. Consideration should be given to any needs it could serve to support particular residents (e.g. mothers with babies; elderly people seeking peaceful outdoor time; skateboarders; etc.)</p>	<p><i>The southern entry to the residential Flat Building has been retained, providing access to the southern deep soil zone/commercial open space. This space now provides for more passive uses for people seeking more peaceful outdoor time.</i></p>
Amenity	<p>See comments above in Built Form and Landscape for required amenity improvements to :</p> <ul style="list-style-type: none"> - street frontage address and character - street activation and passive surveillance - open space amenity - landscape quality - waste handling and loading 	<p><i>Noted and addressed in above sections.</i></p>
Safety	<p>The removal of the north-facing townhouse wing increases view lines and decreases potentially unsafe areas. See Built Form above for required improvements to outlook and passive surveillance form townhouses.</p>	<p><i>Noted and addressed in above sections.</i></p>
Housing Diversity and Social Interaction	<p>Housing diversity is acceptable. Improvements to communal open spaces will enhance social interaction – see comments in Landscape.</p>	<p><i>Noted and addressed in above sections.</i></p>
Aesthetics	<p>The improvements already made and recommended above will significantly improve the character and potential expression of the street frontage. At present the long façade of townhouses appears not to have sufficiently large windows, giving the upper levels an introverted character area, and the degree of repetition is excessive. More variation is encouraged. As noted above, a slightly amended scheme could complement the street frontage with beautifully landscaped front garden, with large trees.</p>	<p><i>Window sizes and types have increased as suggested.</i></p>

REASON FOR CONSIDERATION	DESIGN REVIEW PANEL COMMENT	ADM ARCHITECTS RESPONSE
Recommendations	While the proposal has been substantially improved, a number of revisions – itemised above - are required to achieve an acceptable level of urban design quality and amenity. These recommendations should be incorporated into a revised set of drawings and returned to the Council for comment. It should not be necessary for the proposal to return to the Panel.	<i>The proponent has agreed to make extensive amendments to the proposal as suggested by the DRP. We believe the amendments have resulted in an improved development concept that achieves a high amenity, sound design and an overall land use improvement that will accommodate 34 new private, social and affordable homes on an underutilized and vacant site.</i>

Attachment 6: Council's comments Multi-Dwelling Housing for DRP 14 May 2019

The comments provided for the townhouses by DRP have also been considered below:

A) DRP comment:

Built Form and Scale

The amended townhouse layout with single width garages, demonstrates a higher level of street interaction, natural ventilation and solar access. However, with minor amendments, significant improvements can be made to the individual dwellings, the layout and the streetscape:

The sectional arrangement of the townhouses' upper level above its ground level (and the location of laundries at the rear of the garages), creates shallow street facing front porches rather than the front gardens envisaged by the Panel. Apart from markedly reducing street activation and passive surveillance, this arrangement also prevents the provision of canopy trees and outdoor uses along the frontage, greatly reducing streetscape character, individual dwelling quality and most likely market value.

The Panel recommends minor amendments to the individual dwellings, the layout and the streetscape for the townhouses:

- the laundry is removed from the west end of the garage the garages are pushed to the west (the Panel reiterates that if extended through to the rear gardens, the garages would be provided with increased flexibility, amenity and potential of use).***
- the first level plan is pushed to the west so as to create an amenable street facing garden (min. 4.0m depth) with large trees and thoughtfully considered landscaping***
- it is also recommended that the stair is rotated so as to engage with the front entry (which is more typical of row housing) so as to increase internal amenity and functionality.***

Applicant's response:

The laundry and powder rooms are to remain at the rear of the garages as investigations found no practical improved alternative on the ground floor to relocate them. However, the DRPs suggestion to create cross through living/dining areas has been integrated.

Further amendments to the layout include allowance of airlock space for access into the utility rooms and garage. The laundry has also been rearranged to facilitate direct external access. Whilst the utility areas have been maintained at the rear of the garage, green space has been created within the front setback of each townhouse (4.0m deep) to allow for the planting of larger canopy trees, as requested.

The internal stair remains in its current location as investigations found repositioning would impact potential furniture layouts of the ground floor living room and the upper level. The stair in its current location provides optimal circulation and efficiency.

The internal stair remains in its current location as investigations found repositioning would impact potential furniture layouts of the ground floor living room and the upper level. The stair in its current location provides optimal circulation and efficiency.

Townhouses 4-13 have been flipped as requested. However, this has not resulted in the retention of trees in this location. Council have indicated support for reduced setback variations with windows in walls in lieu of blank walls.

Unit 3 has been flipped, as requested. Window sizes have also been increased, as suggested. The façade is composed of a range of materials, colours, window openings which we believe provides a highly articulated building form with facades that “step” both in the horizontal and vertical plane.

Council’s comment:

Amended plans have been provided in response to DRP comments to address the design and layout of the townhouses, where it considered that changes have been made that improve outlook and passive surveillance from townhouses including flipping townhouses garages of TH3 and TH4 such that the living areas face the pedestrian path that connects to Lot 1 Wilga Street. In addition, further window openings have been added and the window size increased on the first-floor eastern elevation of the townhouses. This is considered to have improved the façade of the eastern elevation and visual internal amenity as it faces into the development site.

Whilst it is noted that the applicant has not moved the laundry from the rear of the garage as on the ground floor to enable the possibility of a thoroughfare to the rear yard from the garage, it is considered that the two open space areas for the dwellings has increased the functionality and associated range of activities possible, increased opportunities for casual interaction with residents and planting area to improve internal amenity for the future occupants. The change from the original double garage design to stacked garages has also reduced the visual dominance of garage doors.

B) DRP comment:

Landscape

AREA B - COMMUNAL OPEN SPACE ALONG THE EASTERN SECTION OF THE ROAD

The design needs to take advantage of the excellent possibilities this space offers due to its location. It should be treated as a community pocket park rather than a frame for visitor car-parking.

- ***The strip garden bed along the eastern edge of the parking is ideal for a community garden that all residents of the complex could enjoy.***
- ***The space immediately north of the basement ramp could serve as a socialising space that also supports the activities of the gardeners. It could also include a small children's playground (with safety issues relating to the driveway needing to be addressed and a clump planting of shade trees.***
- ***A (straight, not curved) path should be included to enable access to the community garden beds.***

Applicant’s response:

The new landscape design has been amended to provide a pocket park immediately north of the basement ramp. A straight path now provides safe, direct access from the RFB to this area. The landscaped gardens to the east of the visitor’s car spaces allow for larger trees as well as more intense lower ground shrubs & turf.

The suggestion for a community garden was further investigated, however we believe the existing location is optimal on the basis the townhouses will have their own private front and rear yards to maintain a garden. The community garden, while located further from the townhouses is still provided for all residents to use and is not exclusive. It will enjoy ample sunlight for growing of fruit, vegetables and herbs. It is located within the part of the site designed to bring people together and away from vehicle movements expected from the townhouses and visitors using the internal driveway.

Council's comment:

Area B is constrained by the existing drainage easement and the proposed visitor parking spaces for the townhouses. Whilst it is noted that a community garden in this area would provide a more central location for all residents in the development, it would likely conflict with the drainage easement and restrict the amount of useable COS for the multi dwelling housing. It is considered the location of the visitor parking for the townhouses located along the eastern side of the driveway is suitable in the context of the proposal. The COS open space provided east of the driveway will be for the primary use of the future occupants of the townhouses and this area complies with the requirements under WDCP 2009 as discussed in **Attachment 10** under section 5 of Chapter B1 of WDCP 2009.

Therefore, it is considered the location of the community garden and drying space is suitable and appropriate in the location proposed (north of the RFB).

C) DRP comment:

Landscape

AREA C - COMMUNAL SPACE AT ENTRY TO FUTURE PEDESTRIAN PATH TO ROTHERY ROAD

- ***Relocate driveway/garage of unit 13 and increase the impervious area at the end of the road.***
- ***Retain existing trees where possible and supplement the plantings to provide a shady "forest" as the visual endpoint of the site.***
- ***Consider installing a " woodland adventure" playground in this space.***

Applicant's response:

The unit 13 layout has been flipped providing more landscaped garden space at the driveway junction. Unfortunately, none of existing trees in this area can be retained but will be replaced with appropriate tree species that can survive along this northern boundary.

Council's comment:

These changes have been made to U13 townhouse where the living area is not adjacent to the rear landscaped area and reduced the impervious area with the driveway. It is noted that dense planting in this location would be limited and restricted due to the existing drainage (approximately 3m wide) that connects into Lot 2 Rothery Street. Whilst the trees could not be retained at the northern end of the site, planting is proposed in this location and considered able to provide a pleasant visual endpoint of the site from the entrance of the site at Robert Street.

D) DRP comment:

Landscape

AREA D - FRONT GARDENS OF THE TOWNHOUSES

By addressing the points raised above (Built Form and Scale) it will be possible to improve the substance of the tree plantings along the frontages of the townhouses. Small to medium canopy trees should be established and where front gardens adjoin they should include clump plantings.

Applicant's response:

Improved garden space has been created within the front setback of the townhouses (4.0m deep) that provides for medium canopy trees.

Council's comment:

It is considered this matter has been addressed with sufficient area maintained in front of all to the townhouses to enable more substantial planting as shown on the plans at **Attachment 1** on the ground level plan and landscape plan.

E) DRP comment:

Landscape

G - PLANTING PRINCIPLES

- ***Clump plantings of trees rather than linear, regularly spaced plantings should be established to continue/strengthen the "natural" character of the tree plantings that are to be retained.***
- ***Indigenous plantings should be used in the amenity plantings.***
- ***Monocultural plantings should be avoided.***
- ***Underplantings to existing mature trees are problematic and should be revisited. Species that can survive the shady conditions and root competition from trees should be specified. Dense plantings may not establish. Tubestock or small container sized material should be specified and care taken to avoid damaging or adversely disturbing tree roots during planting.***

Applicant's response:

More clump plantings have been designed with local indigenous species making up the bulk of species chosen. Underplanting of existing nature trees has been minimized with hardy appropriate species selected to be planted underneath the trees.

Council's comment:

Further planting has been proposed across the entire site including local indigenous species as shown on the landscape plan at **Attachment 1**. The amended landscape plan has been reviewed by Council's Landscape Officer and considered the proposal to be satisfactory with recommended conditions that include appropriate species to be planted that are at **Attachment 12**.

F) DRP comment:

Amenity

See comments above in Built Form and Landscape for required amenity improvements to :

- ***street frontage address and character***
- ***street activation and passive surveillance***
- ***open space amenity***
- ***landscape quality***
- ***waste handling and loading***

Applicant's response:

Noted and addressed in above sections.

Council's comment:

These matters related the townhouses have been addressed in the comments at items A-E above.

G) DRP comment:

Aesthetics

The improvements already made and recommended above will significantly improve the character and potential expression of the street frontage. At present the long façade of townhouses appears not to have sufficiently large windows, giving the upper levels an introverted character area, and the degree of repetition is excessive. More variation is encouraged. As noted above, a slightly amended scheme could complement the street frontage with beautifully landscaped front garden, with large trees.

Applicant's response:

Window sizes and types have increased as suggested.

Council's comment:

The size of the windows and number of openings on the first floor of the eastern elevation of all the townhouse have been increased. It is considered this has improved the appearance of the façade and allowed for further passive surveillance of the site.

Summary

It is considered that amendments that been made to the townhouses and its context, have been reasonably addressed the matters raised by DRP as discussed above. The changes have improved the design and layout that in turn will afford the future occupants of these dwellings' good amenity and outlook. Overall, the design of the proposed townhouses are considered acceptable whereby it complies with the requirements in WLEP 2009 (in section 3.1.4 of the report) and WDCP 2009 (at **Attachment 10**) with the exception of the variations sought as discussed in section 3.3.1 that were considered satisfactory and capable of support.

Attachment 7 – Apartment Design Guide Table

Note: For the purposes of the assessment under the ADG the “site area” is taken to be the portion of the site on the proposed RFB is located, being approximately 2513sqm that is marked on the Site Plan as a dashed green line at **Attachment 1**.

<i>Standards/Controls</i>	<i>Comment</i>	<i>Compliance</i>
<i>Part 3 – Siting the Development</i>		
<u>3A Site analysis</u>		
<p>Site analysis uses the following key elements to demonstrate that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context:</p> <ul style="list-style-type: none"> - Site location plan - Aerial photograph - Local context plan - Site context and survey plan - Streetscape elevations and sections - Analysis <p>A written statement explaining how the design of the proposed development has responded to the site analysis must accompany the development application</p>	<p>The relevant site analysis plans including a survey plan and written analysis have been submitted with the DA documentation.</p>	Yes
<p><u>3B Orientation</u></p> <p>Buildings must be oriented to maximise norther orientation, response to desired character, promote amenity for the occupant and adjoining properties, retain trees and open spaces and respond to contextual constraints such as overshadowing and noise.</p> <p><u>Objective 3B-1:</u></p> <p><i>Building types and layouts respond to the streetscape and site while optimising solar access within the development</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - Buildings should define the street by facing it and providing direct access. <p><u>Objective 3B-2</u></p>	<p>It is considered that the development has generally been orientated to maximise solar access to the open space and living areas of the proposed units.</p> <p>The development has limited street frontage to Robert Street as the site is located at the end of a cul-de-sac. However, the design of the building does address the internal driveway and provides surveillance opportunities towards the frontage/entrance of the site.</p> <p>The entrance to the RFB is considered reasonably legible and with ready access into the building defined from the</p>	Yes

<p><i>Overshadowing of neighbouring properties is minimised during mid-winter</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - Overshadowing should be minimised to the south or downhill by increased upper level setbacks - Refer sections 3D & 4A below for solar access requirements - A minimum of 4 hours of solar access should be retained to solar collectors on neighbouring buildings 	<p>footpath from the internal driveway.</p> <p>Overshadowing impacts are considered in detail below at 3D and 4A. A suite of shadow diagrams has been provided demonstrate that overshadowing of the adjoining properties is satisfactory. No properties will be adversely affected during mid-winter.</p>	
<p><u>3C Public domain interface</u></p> <p><u>Objective 3C-1:</u></p> <p><i>Transition between private and public domain is achieved without compromising safety and security</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - Terraces, balconies and courtyards should have direct street entry, where appropriate - Upper level balconies and windows should overlook the public domain - Changes in level between private terraces etc above street level provide surveillance and improved visual privacy for ground level dwellings. - Front fences and walls along street frontages should use visually permeable materials and treatments. The height of solid fences or walls should be limited to 1m. - Length of solid walls should be limited along street frontages. - Opportunities should be provided casual interaction between residents and the public domain eg seating at building entries, near letterboxes etc 	<p>The development has limited street frontage and due to the site being located at the end of the road. Therefore, there the building is located within the site and no opportunity for direct street entry for the proposal.</p> <p>Windows and balcony/courtyards of the situated on the western side of the RFB provide opportunities to looks towards and provides for surveillance opportunities for entrance of the site.</p> <p>Opportunities would be provided within the common area and seating areas for casual interactions between residents.</p> <p>To maximise the northern aspect, the majority of the units have been designed to at least have northern orientation and look towards the principle communal open space area to the north.</p> <p>It is considered the design of the building does address the internal driveway and does provide for surveillance opportunities towards the frontage/entrance of the site.</p> <p>Opportunities for casual interaction between residents is provided within the lobby area, communal open space area and other seating areas provided throughout the development.</p>	<p>Yes</p>

<p><u>Objective 3C-2:</u></p> <p><i>Amenity of the public domain is retained and enhanced</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - Planting softens the edges of any raised terraces to the street (eg basement podium) - Mailboxes should be located in lobbies perpendicular to street alignment or integrated into front fences. - Garbage storage areas, substations, pump rooms and other service requirements should be located in basement car parks. - Durable, graffiti resistant materials should be used - Where development adjoins public parks or open space the design should address this interface. 	<p>No public domain works are proposed however, the pedestrian access path from the site to Wilga Street will be accessible and provided another thoroughfare for future occupants. Improvement of this area will be by the inclusion of low-level lighting of the pathway for safety.</p> <p>Planting proposed adjacent to the ground floor units courtyards that are adjacent to the northern COS are and walkway to the entrance of the building.</p> <p>Garbage storage is to be located in the basement car park.</p> <p>Mailboxes are proposed to be installed east of the driveway west of the RFB adjacent to the path to the entry of the building.</p> <p>High quality materials appear to be proposed.</p> <p>The development does not adjoin a public park or open space.</p>	
<p><u>3D Communal and public open space</u></p>		
<p><u>Objective 3D-1</u></p> <p><i>An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping</i></p> <p><u>Design Criteria</u></p> <ol style="list-style-type: none"> 1. Communal open space has a minimum area of 25% of the site area 2. 50% direct sunlight provided to principal usable part of communal open space for a minimum of 2 hours between 9am and 3pm on 21 June <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - Communal open space should be consolidated into a well designed, 	<p>Based on the area the site contains the RFB with an area of 2513sqm, the required COS is 628.25sqm. The COS provided is 629.9sqm (excluding the COS for the townhouses). The primary COS area is located north of the RFB, with another area south of the building.</p> <p>The proposed COS has been demonstrated to receive more than 2 hours of direct sunlight on June 21.</p> <p>The design of the ground level COS is</p>	<p>Yes</p>

<p>usable area.</p> <ul style="list-style-type: none"> - Minimum dimension of 3m - Should be co-located with deep soil areas - Direct & equitable access required <p><u>Objective3D-2</u></p> <p><i>Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Facilities to be provided in communal open spaces for a range of age groups, and may incorporate seating, barbeque areas, play equipment, swimming pools <p><u>Objective 3D-3</u></p> <p><i>Communal open space is designed to maximise safety</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Communal open space should be visible from habitable rooms and POS areas and should be well lit. <p><u>Objective 3D-4</u></p> <p><i>Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood</i></p>	<p>directly accessible from the lobby area.</p> <p>The COS areas have minimum dimension of 3m.</p> <p>The COS is easily accessible, co-located with the deep soil zone and is considered to be a usable area.</p> <p>A mix of different spaces is proposed throughout the COS areas and include BBQ area, community garden area and general landscaped and a mix of seating areas.</p> <p>It is considered that the proposed COS can cater for a range of age groups and recreation activities passive and active areas.</p> <p>The proposed primary COS located north and area south of the building is visible from habitable rooms and from the private open space areas of the units.</p> <p>Site not located within business zone however, closest public open space south of the site, Corrimal Memorial Park via Wilga Street, located approximately 400m away.</p>	
<p><u>3E Deep soil zones</u></p> <p><u>Objective 3E-1</u></p> <p><i>3E-1 Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality.</i></p> <p><u>Design Criteria:</u></p>	<p>The site area is 2513sqm therefore the amount of deep soil zone required is 175.91sqm with a minimum dimension of 6m.</p> <p>The proposal provides for 641sqm and complies with the requirement. The DSZ has been located where a number of trees are being retained north of the RFB.</p>	<p>Yes</p>

<p>1. Deep soil zones are to meet the following minimum requirements:</p> <table border="1" data-bbox="188 280 692 571"> <thead> <tr> <th>Site area</th><th>Minimum dimensions</th><th>Deep soil zone (% of site area)</th></tr> </thead> <tbody> <tr> <td>less than 650m²</td><td>-</td><td rowspan="4">7%</td></tr> <tr> <td>650m² - 1,500m²</td><td>3m</td></tr> <tr> <td>greater than 1,500m²</td><td>6m</td></tr> <tr> <td>greater than 1,500m² with significant existing tree cover</td><td>6m</td></tr> </tbody> </table> <p><u>Design guidance:</u></p> <ul style="list-style-type: none"> - Deep soil zones should be located to retain existing significant trees. 	Site area	Minimum dimensions	Deep soil zone (% of site area)	less than 650m ²	-	7%	650m ² - 1,500m ²	3m	greater than 1,500m ²	6m	greater than 1,500m ² with significant existing tree cover	6m		
Site area	Minimum dimensions	Deep soil zone (% of site area)												
less than 650m ²	-	7%												
650m ² - 1,500m ²	3m													
greater than 1,500m ²	6m													
greater than 1,500m ² with significant existing tree cover	6m													
<p><u>3F Visual privacy</u></p>														
<p><u>Objective 3F-1</u></p> <p><i>Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual amenity.</i></p> <p><u>Design Criteria:</u></p> <p>1. Minimum required separation distances from buildings to the side and rear boundaries are as follows:</p> <table border="1" data-bbox="177 1323 703 1536"> <thead> <tr> <th>Building height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr> </thead> <tbody> <tr> <td>up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr> <tr> <td>up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr> <tr> <td>over 25m (9+ storeys)</td><td>12m</td><td>6m</td></tr> </tbody> </table> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - Apartment buildings should have an increased separation distance of 3m (in addition to the above requirements) when adjacent to a different zone that permits lower density residential development to provide for a transition in scale. - Direct lines of sight should be avoided - No separation is required between blank walls 	Building height	Habitable rooms and balconies	Non-habitable rooms	up to 12m (4 storeys)	6m	3m	up to 25m (5-8 storeys)	9m	4.5m	over 25m (9+ storeys)	12m	6m	<p>This proposed is 3 storeys where the minimum required separation to side and rear boundaries are 6m for habitable rooms and balconies and 3m for non-habitable rooms. The adjoining properties are zoned R2 same as the subject site.</p> <p><u>North</u></p> <p>16.49m to townhouses within the site (required 12m)</p> <p><u>East</u></p> <p>Ground floor - 4.88m (6m required)</p> <p>L1 & L2 - 5.755m (6m required)</p> <p>Balconies – 6m (6m required)</p> <p>Non-habitable room L1 & L2 - 4.845m (3m required)</p> <p>Refer to discussion in section 3.1.4 of the report, on despite the non-compliance and how objectives of 3F are achieved by the proposal.</p> <p>Note: Existing dwellings on adjoining eastern properties are located greater</p>	<p>No – variation sought to eastern boundary for habitable rooms</p>
Building height	Habitable rooms and balconies	Non-habitable rooms												
up to 12m (4 storeys)	6m	3m												
up to 25m (5-8 storeys)	9m	4.5m												
over 25m (9+ storeys)	12m	6m												

<p><u>Objective 3F-2:</u></p> <p><i>Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space</i></p>	<p>than 6m from the common boundary.</p> <p><u>West</u></p> <p>Minimum 16.33m (6m required)</p> <p><u>South</u></p> <p>All floor habitable rooms and balconies 6m (6m required).</p> <p>The adjoining development to the south at 2 Robert Street is a car park and existing RFB setback greater than 6m from the common boundary.</p> <p>Direct lines of sight have been avoided between windows and balconies. A number of the balconies for the north facing units on L1 and L2 would have direct line of sight to each other that are within 6m distance however, have been appropriately screened to maintain privacy such there is no overlooking.</p> <p>The COS areas are considered separated from private open space areas, common areas and paths by a combination of fencing and landscape screening.</p> <p>Refer to section 3.1.3 in the report for further discussion.</p>	
<p><u>3G Pedestrian access and entries</u></p> <p><u>Objective 3G-1</u></p> <p><i>Building entries and pedestrian access connects to and addresses the public domain</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - Multiple entries should be provided to activate the street edge. - Buildings entries should be clearly identifiable and communal entries should be clearly distinguishable from private entries. <p><u>Objective 3G-2</u></p>	<p>The buildings do not directly front the street, due to the limited street frontage to Robert Street.</p> <p>An entry on the western elevation of the RFB has not been provided by the applicant however, this is considered due to the existing drainage easement (and overflow path) that is located adjacent to</p>	<p>Yes</p>

<p><i>Access, entries and pathways are accessible and easy to identify</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - Building access areas should be clearly visible from the public domain and communal spaces - Steps and ramps should be integrated into the overall building and landscape design. <p><u>Objective 3G-3</u></p> <p><i>Large sites provide pedestrian links for access to streets and connection to destinations</i></p>	<p>the western wall of the building. Any openings on this elevation would allow stormwater to enter the building unless the entrance was raised above natural ground level.</p> <p>The main entrance to the RFB is located towards the centre of the northern side of the building and considered to be clearly defined from pedestrian access from Robert and Wilga Street. Also, the proposed path is accessible to the entry point and does no conflict with the loading area. The building entry is clearly visible from the internal driveway and COS that the path adjoins.</p> <p>Overall, it is considered the current primary entry to the building is acceptable given the design and site constraints.</p> <p>Access to the communal spaces is via the lobby that face north and south doors plus via the basement stairs.</p> <p>Pedestrian access to the site is via Robert Street and Wilga Street. The site has clearly pedestrian/footpath linkages. No access is proposed via Lot 2 Rothery Street and the existing fencing will remain to restrict access from any residents from the development.</p>	
<p><u>3H Vehicle access</u></p> <p><u>Objective 3H-1</u></p> <p><i>Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - Car park entries should be located behind the building line - Access point locations should avoid headlight glare to habitable rooms - Garbage collection, loading and service areas should be screened 	<p>A singular vehicle access is proposed from Robert Street.</p> <p>All parking for the RFB is proposed within the basement carpark.</p> <p>Garbage storage is located in the basement.</p> <p>The loading bay area for waste collection is located towards the entrance of the site on the eastern side of the driveway separated 3m from the western side of the building and not considered to</p>	<p>Yes</p>

<ul style="list-style-type: none"> - Vehicle and pedestrian access should be clearly separated to improve safety. - Where possible, vehicle access points should not dominate the streetscape and be limited to the minimum width possible. 	<p>conflict with vehicle and pedestrian activity on the site.</p> <p>The access ramp to the basement is setback within the site located on the northern side of the RFB with a width of 5.5m.</p> <p>Vehicle and pedestrian access are considered to have been appropriately designed and separated.</p>	
<p>3J Bicycle and car parking</p> <p><u>Objective 3J-1</u></p> <p><i>Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas</i></p> <p><u>Design Criteria</u></p> <p>1. On land zoned B3 or B4 and located within 400m of land zoned B3 and B4, the minimum car parking requirement for residents and visitors is set out in the Guide for Traffic Generating Development, or Council's car parking requirement, <u>whichever is less</u>.</p> <p>The car parking needs for a development must be provided off street.</p> <p><u>Objective 3J-2</u></p> <p><i>Parking and facilities are provided for other modes of transport</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - Conveniently located and sufficient numbers of parking spaces should be provided for motorbikes and scooters - Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas. 	<p>Car parking proposed complies with SEPP ARH 2009 minimum requirements as discussed at section 3.1.3 of the report.</p> <p>The land is not zoned B3 or B4 and located within 400m of land zoned B3 and B4 .</p> <p>Car parking is proposed to be provided in the basement.</p> <p>Sufficient bicycle parking has been proposed. Conditions have been recommended by Councils Traffic Engineer in this regard.</p> <p>3 motorcycle spaces are proposed.</p> <p>A bicycle storage room is proposed within the development, in the basement. Secure visitor bicycle parking is proposed on the eastern side of the driveway adjacent to the letterboxes for the RFB.</p>	Yes
<p><u>Objective 3J-3</u></p> <p><i>Car park design and access is safe and</i></p>		Yes

<p><i>secure</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - Supporting facilities within car parks (garbage rooms, storage areas, car wash bays) can be accessed without crossing parking spaces - A clearly defined and visible lobby or waiting area should be provided to lifts and stairs. - Permeable roller doors allow for natural ventilation and improve the safety of car parking areas by enabling passive surveillance. <p><u>Objective 3J-4</u></p> <p><i>Visual and environmental impact of underground car parking are minimised</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - Excavation should be minimised through efficient carpark layouts and ramp design. - Protrusion of car parks should not exceed 1.0m above ground level. - Natural ventilation should be provided to basement and sub-basement car parking areas. - Ventilation grills or screening devices should be integrated into the façade and landscape design. <p><u>Objective 3J-5</u></p> <p><i>Visual and environmental impacts of on-grade car parking are minimised</i></p> <ul style="list-style-type: none"> - On grade car parking should be avoided <p><u>Objective 3J-6</u></p> <p><i>Visual and environmental impacts of ground enclosed car parking are minimised</i></p> <ul style="list-style-type: none"> - Exposed parking should not be located along primary street frontages - Positive street address and active 	<p>No servicing areas are to conflict with the car parking areas.</p> <p>It is considered the access to the development would be clearly identifiable from the car parking area with the lobby area.</p> <p>Excavation is sought for the car park and it will not protrude above natural ground level.</p> <p>Natural ventilation will be provided for the basement car park.</p> <p>All parking associated with the RFB is located within the basement apart from the loading bay area adjacent to the driveway. On- grade parking is proposed for the townhouse component of the development that comprise of 3 visitor car parking spaces set further within the site away from the entrance of the site and located east of the driveway.</p> <p>The western ground level units have their courtyards and associated living room windows facing and addressing the internal driveway towards the entrance of the site.</p>	
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street frontages should be provided at ground level.		
Part 4 – Designing the building - Amenity		
<p><u>4A Solar and daylight access</u></p> <p><u>Objective 4A-1</u></p> <p><i>To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space</i></p> <p><u>Design Criteria</u></p> <ol style="list-style-type: none"> 1. Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of two (2) hours direct sunlight between 9am and 3pm in mid-winter in Wollongong LGA. 2. A maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm at mid-winter <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - The design maximises north aspect and the number of single aspect south facing apartments is minimised - To optimise the direct sunlight to habitable rooms and balconies, the following design features are used: Dual aspect, Shallow apartment layouts Bay windows - To maximise the benefit to residents, a minimum of 1m² of direct sunlight measured at 1m above floor level, is achieved for at least 15 minutes. <p><u>Objective 4A-2</u></p> <p><i>Daylight access is maximised where sunlight is limited</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - Courtyards, skylights and high level windows (sill heights of 1500mm or 	<p>Shadow and solar access diagrams have been provided which demonstrate the proposals compliance with this section. 10 of the 13 units would receive a minimum of 2 hours of direct sunlight to living rooms and POS areas on June 21, equating to 77% of apartments proposed.</p> <p>None of the units receive no direct sunlight between 9am and 3pm at mid-winter.</p> <p>The 6 of the 21 units have a single aspect are north facing. Given the development typology, this is not considered unreasonable.</p> <p>The units located on the southern side have a dual aspect, with the associated POS and living area oriented either east or west.</p> <p>The highlight windows for the living area proposed on the eastern elevation for the 2 units located on the first and second floor situated on the NE corner of the</p>	Yes

<p>greater) are used only as secondary light sources in habitable rooms</p> <p><u>Objective 4A-3</u></p> <p><i>Design incorporates shading and glare control, particularly for warmer months</i></p> <p><u>Design Guidance</u></p> <p>Design features can include:</p> <ul style="list-style-type: none"> - Balconies - Shading devices or planting - Operable shading - High performance glass that minimises external glare 	<p>building (U 13 & U20) are secondary light sources to the living areas that also have a full-length northern sliding door to the balconies.</p> <p>Most windows are protected by balcony area or courtyard areas, otherwise apartment glazing is proposed.</p>	
<p><u>4B Natural ventilation</u></p> <p><u>Objective 4B-1</u></p> <p><i>All habitable rooms are naturally ventilated.</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - A building's orientation should maximise the prevailing winds for natural ventilation in habitable rooms - The area of unobstructed window openings should be equal to at least 5% of the floor area served. - Doors and openable windows should have large openable areas to maximise ventilation. <p><u>Objective 4B-2</u></p> <p><i>The layout and design of single aspect apartments maximises natural ventilation</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - Single aspect apartments should use design solutions to maximise natural ventilation. <p><u>Objective 4B-3</u></p> <p><i>The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for</i></p>	<p>The building design is considered to maximizes the northern aspect.</p> <p>All living rooms are proposed with large sliding doors.</p>	<p>Yes</p>

<p>residents</p> <p><u>Design Criteria:</u></p> <p>1. 60% of apartments are naturally cross ventilated in the first nine storeys</p> <p>2. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.</p>	<p>13 of the 21 units achieve natural cross ventilation as a result of dual aspect design. Resulting in 62% of the units achieving natural cross ventilation. Considering the units cumulatively with the boarding rooms, this percentage increases to 61% of units which achieve cross ventilation.</p> <p>None of the proposed apartments exceed 18m in depth.</p>													
<p><u>4C Ceiling heights</u></p> <p><u>Objective 4C-1</u></p> <p><i>Ceiling height achieves sufficient natural ventilation and daylight access</i></p> <p><u>Design Criteria</u></p> <table><tr><th colspan="2">Minimum ceiling height for apartment and mixed use buildings</th></tr><tr><td>Habitable rooms</td><td>2.7m</td></tr><tr><td>Non-habitable</td><td>2.4m</td></tr><tr><td>For 2 storey apartments</td><td>2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area</td></tr><tr><td>Attic spaces</td><td>1.8m at edge of room with a 30 degree minimum ceiling slope</td></tr><tr><td>If located in mixed used areas</td><td>3.3m for ground and first floor to promote future flexibility of use</td></tr></table> <p><u>Objective 4C-2</u></p> <p><i>Ceiling height increases the sense of space in apartments and provides for well-proportioned rooms</i></p> <p><u>Objective 4C-3</u></p> <p><i>Ceiling height contribute to the flexibility of building use over the life of the building</i></p> <p><u>Design Guidance</u></p> <p>- Ceiling heights of lower level apartments in centres should be greater than the minimum required by the design criteria allowing</p>	Minimum ceiling height for apartment and mixed use buildings		Habitable rooms	2.7m	Non-habitable	2.4m	For 2 storey apartments	2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area	Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope	If located in mixed used areas	3.3m for ground and first floor to promote future flexibility of use	<p>The proposed ceiling heights have been designed to achieve sufficient natural ventilation and daylight access.</p> <p>Ceiling heights are proposed as per the following:</p> <ul style="list-style-type: none">• Habitable (Living, Dining, Kitchen, Bedroom) = 2.7m (Bulkhead proposed kitchen joinery at 2.4m high for kitchen does not exceed 50% of apartment area)• Non-habitable (Bathroom, Laundry) = 2.4m• Communal/lobby Corridors = 2.4m <p>The use of bulkheads over the kitchen area and in the bathroom and laundry areas assists in defining the spaces.</p>	<p>Yes</p>
Minimum ceiling height for apartment and mixed use buildings														
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If located in mixed used areas	3.3m for ground and first floor to promote future flexibility of use													

flexibility and conversion to non-residential uses.		
<p><u>4D Apartment size and layout</u></p> <p><u>Objective 4D-1</u></p> <p><i>The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity</i></p> <p><u>Design Criteria:</u></p> <p>1. Minimum internal areas:</p> <p>Studio – 35m²</p> <p>1 bed – 50m²</p> <p>2 bed – 70m²</p> <p>3 bed – 90m²</p> <p>The minimum internal areas include only 1 bathroom. Additional bathrooms increase the minimum internal areas by 5m² each.</p> <p>2. Every habitable room must have a window in an external wall with a total minimum glass area of at least 10% of the floor area of the room</p> <p><u>Design Guidance:</u></p> <p>- Where minimum areas are not met, need to demonstrate the usability and functionality of the space with realistically scaled furniture layouts and circulation areas.</p> <p><u>Objective 4D-2</u></p> <p><i>Environmental performance of the apartment is maximised</i></p> <p><u>Design Criteria:</u></p> <p>1. Habitable room depths are limited to a maximum of 2.5 x ceiling height</p> <p>2. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.</p> <p><u>Design Guidance:</u></p>	<p>The proposed room layouts are considered appropriate.</p> <p>There are 4 apartment types.</p> <p>The units are proposed greater than the required areas with the 1 beds a minimum of 55sqm and 2 bed with greater than 70sqm. There are no studios or 3 bedroom units in the proposed RFB.</p> <p>The 2 bedroom units have an additional bathroom therefore the minimum internal area required is 75sqm. These units are 81sqm or greater and comply.</p> <p>All living rooms and bedrooms area located on the external face of the building and have appropriately sized external windows/doors.</p> <p>Minimum areas achieved.</p>	Yes

<ul style="list-style-type: none"> - Greater than the minimum ceiling heights can allow proportionate increases in room depths. - Where possible, bathrooms and laundries should have an external openable window. - Main living spaces should be oriented towards the primary outlook. <p><u>Objective 4D-3</u></p> <p><i>Apartment layouts are designed to accommodate a variety of household activities and needs</i></p> <p><u>Design Criteria:</u></p> <ol style="list-style-type: none"> 1. Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excl wardrobe space) 2. Bedrooms have minimum dimension of 3m (excl wardrobe) 3. Living rooms have minimum width of: <ul style="list-style-type: none"> - 3.6m for studio and 1 bed apartments and - 4m for 2+ beds. 4. The width of the crossover or cross through apartments are at least 4m internally to avoid deep narrow apartment layouts. <p><u>Design Guidance:</u></p> <ul style="list-style-type: none"> - Access to bedrooms, bathrooms and laundries is separated from living areas - Minimum 1.5m length for bedroom wardrobes - Main bedroom apartment: minimum 1.8m long x 0.6m deep x 2.1m high wardrobe - Apartment layouts allow for flexibility over time, including furniture removal, spaces for a range of activities and privacy levels within the apartments. 	<p>The maximum room depths have not been exceeded.</p> <p>The units are open plan in design, however have a maximum depth of less than 8m.</p> <p>Main living areas are oriented to the primarily outlook being north, or for the southern units east or west.</p> <p>The minimum area and dimension requirements have been achieved for all proposed rooms.</p> <p>Access to bedrooms, bathrooms and laundries are generally separated from living areas.</p> <p>The minimum bedroom wardrobe length depth and height have been achieved for all bedrooms.</p> <p>It is considered that sufficient space for flexibility over time, including furniture removal and spaces for a range of activities and privacy levels within apartments have been provided in this circumstance.</p>	
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4E Private open space and balconies

Objective 4E-1

Apartments provide appropriately sized private open space and balconies to enhance residential amenity

1. Minimum balcony depths are:

Dwelling type	Minimum area	Minimum depth
Studio apartments	4m ²	-
1 bedroom apartments	8m ²	2m
2 bedroom apartments	10m ²	2m
3+ bedroom apartments	12m ²	2.4m

The minimum balcony depth to be counted as contributing to the balcony area is 1m.

2. Ground level apartment POS must have minimum area of 15m² and min. depth of 3m

Objective 4E-2

Primary private open space and balconies are appropriately located to enhance liveability for residents

Design Guidance

- Primary private open space and balconies should be located adjacent to the living room, dining room or kitchen to extend the living space.
- POS & Balconies should be oriented with the longer side facing outwards to optimise daylight access into adjacent rooms.

Objective 4E-3

Primary private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building

Design Guidance

- A combination of solid and transparent materials balances the need for privacy with surveillance of

The balcony areas have provided a minimum depth of 2m or more and achieve the minimum area required for 1 bedroom or 2 bedroom.

The ground floor units are proposed with courtyard areas a minimum of 15sqm in area and 3m depth.

The POS balcony areas are considered to enhance the liveability for residents.

All proposed POS areas are located directly off the living areas.

The location and orientation of the private open space balconies comply with location and orientation requirements

The balcony and POS areas design has been integrated into the overall architectural form of the development.

A combination of materials and colours are proposed.

Screens are proposed for balconies (POS)

Yes

<p>the public domain</p> <ul style="list-style-type: none"> - Full width glass balustrades alone are not desirable - Operable screens etc are used to control sunlight and wind, and provide increased privacy for occupancy while allowing for storage and external clothes drying. <p><u>Objective 4E-4</u></p> <p><i>Private open space and balcony design maximises safety</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - Changes in ground levels or landscaping are minimised. 	<p>area on the upper levels.</p> <p>The development provides for additional surveillance towards Robert Street and internal communal areas and driveways.</p> <p>There are no level changes proposed within the POS areas.</p>	
<p><u>4F Common circulation and spaces</u></p> <p><u>Objective 4F-1</u></p> <p><i>Common circulation spaces achieve good amenity and properly service the number of apartments.</i></p> <p><u>Design Criteria</u></p> <ol style="list-style-type: none"> 1. The maximum number of apartments off a circulation core on a single level is eight 2. For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40. <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - Long corridors greater than 12m in length should be articulated through the use of windows or seating. - Primary living rooms or bedroom windows should not open directly onto common circulation spaces, whether open or enclosed. Visual and acoustic privacy from common circulation spaces should be controlled. <p><u>Objective 4F-2</u></p> <p><i>Common circulation spaces promote safety and provide for social interaction</i></p>	<p>The circulation areas are appropriate to service the proposed number of apartments on each level.</p> <p>A maximum of seven dwellings are proposed on each level.</p> <p>The proposal is 3 storeys.</p> <p>The main corridor area has a length of 22m, however a break is provided in the corridor in the lift area/lobby with windows on the northern and southern elevations.</p> <p>Primary windows to the living areas and bedrooms are not proposed to directly open onto common circulation spaces. The ground floor northern facing courtyards contain a planting buffer between the POS and pathway to the entrance of the building.</p> <p>The relationship between common</p>	<p>Yes</p>

<p><i>between residents</i></p> <p><u>Design Guidance:</u></p> <ul style="list-style-type: none"> - Incidental spaces can be used to provide seating opportunities for residents, and promotes opportunities for social interaction. 	<p>circulation areas and living areas or bedrooms is not expected to result in visual or acoustic privacy impacts.</p>											
<p><u>4G Storage</u></p> <p><u>Objective 4G-1</u></p> <p><i>Adequate, well designed storage is provided in each apartment</i></p> <p>1. In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided</p> <table> <tr> <th>Dwelling type</th> <th>Storage size volume</th> </tr> <tr> <td>Studio apartments</td> <td>4m³</td> </tr> <tr> <td>1 bedroom apartments</td> <td>6m³</td> </tr> <tr> <td>2 bedroom apartments</td> <td>8m³</td> </tr> <tr> <td>3+ bedroom apartments</td> <td>10m³</td> </tr> </table> <p>At least 50% of the required storage is to be located within the apartment</p> <p><u>Objective 4G-2</u></p> <p><i>Additional storage is conveniently located, accessible and nominated for individual apartments</i></p> <p><u>Design Guidance:</u></p> <ul style="list-style-type: none"> - Storage not located within apartments should be allocated to specific apartments. 	Dwelling type	Storage size volume	Studio apartments	4m ³	1 bedroom apartments	6m ³	2 bedroom apartments	8m ³	3+ bedroom apartments	10m ³	<p>Storage is provided for in the basement for each unit at the rear or side of the car spaces within cage. These storage areas meet the size requirements. Storage is provided for within the apartments.</p>	<p>Yes</p>
Dwelling type	Storage size volume											
Studio apartments	4m ³											
1 bedroom apartments	6m ³											
2 bedroom apartments	8m ³											
3+ bedroom apartments	10m ³											
<p><u>4H Acoustic privacy</u></p> <p><u>Objective 4H-1</u></p> <p><i>Noise transfer is minimised through the siting of buildings and building layout</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - Adequate building separation is required (see section 2F above). 	<p>Potentially noisy areas within each unit are located adjacent to or above similar rooms at each level. Any consent issued would require the development to be</p>	<p>Yes</p>										

<ul style="list-style-type: none"> - Noisy areas within buildings should be located next to or above each other and quieter areas next to or above quieter areas. - Storage, circulation areas and non-habitable rooms should be located to buffer noise from external sources. - Noise sources such as garage doors, plant rooms, active communal open spaces and circulation areas should be located at least 3m away from bedrooms. <p><u>Objective 4H-2</u></p> <p><i>Noise impacts are mitigated within apartments through layout and acoustic treatments</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - In addition to mindful siting and orientation of the building, acoustic seals and double or triple glazing are effective methods to further reduce noise transmission. 	<p>constructed in accordance with BCA requirements.</p> <p>Adequate separation is provided to adjacent buildings.</p> <p>Ground floor bedroom windows facing north towards the COS and main pathway to the building have been located 3m away from the active COS area included plantings as a buffer to minimise any noise impacts.</p>	
<p><u>4J Noise and pollution</u></p> <p><u>Objective 4J-1</u></p> <p><i>In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - Minimise impacts through design solutions such as physical separation from the noise or pollution source, <p><u>Objective 4J-2</u></p> <p><i>Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission</i></p> <p><u>Design guidance:</u></p> <ul style="list-style-type: none"> - Design solutions include limiting openings to noise sources & providing 	<p>The site is located at the end of a cul-de-sac and situated between existing residential developments adjacent to the other property boundaries. It is considered that building separation proposed from the boundaries and landscaping measures would minimise impacts on adjoining properties.</p>	<p>Yes</p>

seals to prevent noise transfer.		
Part 4 – Designing the building - Configuration		
<p><u>4K Apartment mix</u></p> <p><u>Objective 4K-1</u></p> <p><i>A range of apartment types and sizes is provided to cater for different household types now and into the future</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - A variety of apartment types is provided - The apartment mix is appropriate, taking into consideration the location of public transport, market demands, demand for affordable housing, different cultural/social groups - Flexible apartment configurations are provided to support diverse household types and stages of life <p><u>Objective 4K-2</u></p> <p><i>The apartment mix is distributed to suitable locations within the building</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Larger apartment types are located on the ground or roof level where there is potential for more open space and on corners where more building frontage is available 	<p>There are 4 apartment types proposed ranging in size, configured as 1 or 2 bedroom units.</p> <p>3 units are adaptable, being Units 1, 6 & 13.</p> <p>There are 10 affordable housing units (7 social housing, 3 affordable). One of the affordable housing units is adaptable.</p> <p>The 2 bedroom units are located on the corners of the building with greater building frontage.</p>	Yes
<p><u>4L Ground floor apartments</u></p> <p><u>Objective 4L-1</u></p> <p><i>Street frontage activity is maximised where ground floor apartments are located</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Direct street access should be provided to ground floor apartments - Activity is achieved through front gardens, terraces and the facade of 	<p>The building does not have a street frontage. Therefore, ground floor apartments do not have street frontage.</p>	N/A/

<p>the building.</p> <ul style="list-style-type: none"> - Ground floor apartment layouts support small office home office (SOHO) use to provide future opportunities for conversion into commercial or retail areas. In these cases provide higher floor to ceiling heights and ground floor amenities for easy conversion <p><u>Objective 4L-2</u></p> <p><i>Design of ground floor apartments delivers amenity and safety for residents</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Building entries should be clearly defined. 	<p>Ground floor units are fenced and accessed via the lobby of the building.</p>	
<p><u>4M Facades</u></p> <p><u>Objective 4M-1</u></p> <p><i>Building facades provide visual interest along the street while respecting the character of the local area</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - To ensure that building elements are integrated into the overall building form and façade design - The front building facades should include a composition of varied building elements, textures, materials, detail and colour and a defined base, middle and top of building. - Building services should be integrated within the overall facade - Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale. - To ensure that new developments have facades which define and enhance the public domain and desired street character. <p><u>Objective 4M-2</u></p> <p><i>Building functions are expressed by the</i></p>	<p>The applicant has provided colour and materials schedule with the application submission. The schedule has been selected with regard to the elements, textures, materials and colours of the locality.</p> <p>Services and utility provision have been integrated with the overall building façade.</p> <p>The building façade is considered appropriate.</p>	<p>Yes</p>

<p><i>facade</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Building entries should be clearly defined 		
<p><u>4N Roof design</u></p> <p><u>Objective 4N-1</u></p> <p><i>Roof treatments are integrated into the building design and positively respond to other street</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Roof design should use materials and a pitched form complementary to the building and adjacent buildings. <p><u>Objective 4N-2</u></p> <p><i>Opportunities to use roof space for residential accommodation and open space are maximised</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Habitable roof space should be provided with good levels of amenity. - Open space is provided on roof tops subject to acceptable visual and acoustic privacy, comfort levels, safety and security considerations <p><u>Objective 4N-3</u></p> <p><i>Roof design incorporates sustainability features</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Roof design maximises solar access to apartments during winter and provides shade during summer 	<p>A skillion roof is proposed and considered integrated into the overall form and massing of the building.</p> <p>Habitable roof space is not proposed. It is considered the required open space has been provided at ground level and designed to allow for good amenity.</p> <p>The roof design is considered to minimise the overshadowing impacts to adjoining properties and provide for shading and protection to the façade of the building.</p>	Yes
<p><u>4O Landscape design</u></p> <p><u>Objective 4O-1</u></p> <p><i>Landscape design is viable and sustainable</i></p> <p><u>Design guidance</u></p>	<p>A landscape concept plan was provided as part of the application submission.</p> <p>The landscape design is considered to provide residents with good amenity.</p>	Yes

<ul style="list-style-type: none"> - Landscape design should be environmentally sustainable and can enhance environmental performance - Ongoing maintenance plans should be prepared <p><u>Objective 4O-2</u></p> <p><i>Landscape design contributes to the streetscape and amenity</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Landscape design responds to the existing site conditions including: <ul style="list-style-type: none"> • changes of levels • views • significant landscape features 	<p>Conditions relating to ongoing maintenance are recommended and provided at Attachment 12.</p>	
<p><u>4P Planting on Structures</u></p> <p><u>Objective 4P-1</u></p> <p><i>Appropriate soil profiles are provided</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Structures are reinforced for additional saturated soil weight - Minimum soil standards for plant sizes should be provided in accordance with Table 5 <p><u>Objective 4P-2</u></p> <p><i>Plant growth is optimised with appropriate selection and maintenance</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Plants are suited to site conditions <p><u>Objective 4P-3</u></p> <p><i>Planting on structures contributes to the quality and amenity of communal and public open spaces</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Building design incorporates opportunities for planting on structures. 	<p>The design incorporates planting boxes on the ground floor unit courtyards. The majority of the planting proposed is located at ground level.</p> <p>Conditions are recommended requiring that any planting on structures include waterproof membrane and connection to stormwater drainage.</p> <p>Council's Landscape Architect has reviewed the application submission and indicated no objections to the landscaping proposed.</p>	<p>Yes</p>

<p><u>4Q Universal design</u></p> <p><i><u>Objective 4Q-1</u></i></p> <p><i>Universal design features are included in apartment design to promote flexible housing for all community members</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - A universally designed apartment provides design features such as wider circulation spaces, reinforced bathroom walls and easy to reach and operate fixtures <p><i><u>Objective 4Q-2</u></i></p> <p><i>A variety of apartments with adaptable designs are provided</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Adaptable housing should be provided in accordance with the relevant council policy <p><i><u>Objective 4Q-3</u></i></p> <p><i>Apartment layouts are flexible and accommodate a range of lifestyle needs</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Apartment design incorporates flexible design solutions 	<p>The applicant has provided that the building achieves a benchmark 100% of the total yield incorporating the Silver Level Liveable Housing Standard and 14% of the development is adaptable.</p> <p>An access report was provided as part of the application submission which identifies that Units 1, 6 & 13. have been designed to be capable of adaptation. Conditions are recommended in this regard and are provided for at Attachment 12.</p> <p>Three (3) units with adaptable designs are proposed.</p>	<p>Yes</p>
<p><u>4R Adaptive reuse</u></p>	<p>The proposal does not relate to alterations or additions.</p>	<p>N/A</p>
<p><u>4S Mixed use</u></p> <p><i><u>Objective 4S-1</u></i></p> <p><i>Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement</i></p> <p><u>Design guidance</u></p>	<p>The proposal is not for a mixed use development.</p>	<p>N/A</p>

<ul style="list-style-type: none"> - Mixed use development should be concentrated around public transport and centres - Mixed use developments positively contribute to the public domain. <p><u>Objective 4S-2</u></p> <p><i>Residential levels of the building are integrated within the development, and safety and amenity is maximised for residents</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Residential circulation areas should be clearly defined. - Landscaped communal open space should be provided at podium or roof levels 		
<p><u>4T Awnings and signage</u></p> <p><u>Objective 4T-1</u></p> <p><i>Awnings are well located and complement and integrate with the building design</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Awnings should be located along streets with high pedestrian activity and active frontages <p><u>Objective 4T-2</u></p> <p><i>Signage responds to the context and desired streetscape character</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Signage should be integrated into the building design and respond to the scale, proportion and detailing of the development 	<p>An extended awning is provided over the main entry to the building.</p> <p>No signage is proposed.</p>	<p>Yes</p>
<p><i>Part 4 – Designing the building - Configuration</i></p>		
<p><u>4U Energy efficiency</u></p> <p><u>Objective 4U-1</u></p> <p><i>Development incorporates passive</i></p>	<p>BASIX Certificates have been provided</p>	<p>Yes</p>

<p><i>environmental design</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Adequate natural light is provided to habitable rooms (see 4A Solar and daylight access) <p><u>Objective 4U-2</u></p> <p><i>Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> - Provision of consolidated heating and cooling infrastructure should be located in a centralised location <p><u>Objective 4U-3</u></p> <p><i>Adequate natural ventilation minimises the need for mechanical ventilation</i></p>	<p>satisfying minimum energy efficiency requirements.</p> <p>The proposal satisfies the minimum number of apartments receiving natural light under Part 4A Solar and daylight access.</p> <p>Outdoor clothes drying area is indicated on the plans located north of the building adjacent to the eastern boundary.</p> <p>BASIX incorporates requirements for thermal comfort which is achieved. Separately the proposal will be conditioned for to comply with the BCA.</p> <p>The proposed development provides adequate ventilation as discussed under Part 4B. Mechanical ventilation will be required to bathrooms where no openings are provided.</p> <p>Units have been adequately designed to achieve natural cross ventilation. Further detail is provided above at Section 4B.</p>	
<p><u>4V Water management and conservation</u></p> <p><u>Objective 4V-1</u></p> <p><i>Potable water use is minimised</i></p> <p><u>Objective 4V-2</u></p> <p><i>Urban stormwater is treated on site before being discharged to receiving waters</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Water sensitive urban design systems are designed by a suitably qualified professional <p><u>Objective 4V-3</u></p> <p><i>Flood management systems are integrated into site design</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Detention tanks should be located under paved areas, driveways or in 	<p>The application submission includes a BASIX Certificate that demonstrates that the proposal satisfies the minimum BASIX water conservation requirements. Conditions are recommended with regard to BASIX commitments, and are provided for within Attachment 12.</p> <p>Council's Stormwater and Environment Officer has considered the design with regard to water detention and treatment system requirements.</p> <p>Detention tanks are located under paved area near the building entry and the most northern boundary.</p>	<p>Yes</p>

basement car parks		
<p><u>4W Waste management</u></p> <p><u>Objective 4W-1</u></p> <p><i>Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Common waste and recycling areas should be screened from view and well ventilated <p><u>Objective 4W-2</u></p> <p><i>Domestic waste is minimised by providing safe and convenient source separation and recycling</i></p>	<p>Garbage storage is proposed to be located within the ground floor.</p> <p>The proposed room is internal with no windows, however ventilation is indicated through the development with venting to the roof.</p> <p>The residents will need to arrange for the bins to be moved from the storage room to the temporary collection area adjacent to the loading bay on collection day. The site is considered able to be serviced by Council's waste collection service within the site.</p>	Yes
<p><u>4X Building maintenance</u></p> <p><u>Objective 4X-1</u></p> <p><i>Building design detail provides protection from weathering</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Design solutions such as roof overhangs to protect walls and hoods over windows and doors to protect openings can be used. <p><u>Objective 4X-2</u></p> <p><i>Systems and access enable ease of maintenance</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> - Window design enables cleaning from the inside of the Building <p><u>Objective 4X-3</u></p> <p><i>Material selection reduces ongoing maintenance costs easily cleaned surfaces that are graffiti resistant</i></p>	<p>Roof overhangs are used to protect walls, windows and openings.</p> <p>Windows are able to be cleaned from the inside or adjoining balcony areas.</p> <p>It is considered robust materials and finishes have been selected.</p>	Yes

ATTACHMENT 4 - Table 4: ADG and WDCP 2009 Variation Statement
Clause 5.4 'Side and Rear Setbacks' from Chapter B1 Residential Development
AND 3F 'Visual Privacy' from ADG

Consolidates and updates Table 9 in TCG letter dated 8 October 2019 and Variation Statement provided in SEE (TCG) dated 4 July 2019 (page 44-46 under section 9.2.2)

The Control Being Varied

TOWNHOUSES

WDCP 2009 Clause 5.4.2 Development Controls

1. For an attached and multi-dwelling housing, the rear boundary setbacks are measured from the wall of the building or the outer edge of a balcony/deck, to the adjacent property boundary. The minimum rear boundary setbacks are as follows:

Side and Rear Boundary Setbacks Attached and Multi-Dwelling Development		
Zone	Minimum side and rear setback	Minimum side and rear setbacks where balconies or windows of living areas face the rear boundary at first floor level or above
All zones	1.5m	1.5m
R2 Low Density Residential Zone	0.8 x ceiling height	1.0 x ceiling height

4. Council may only consider granting a variation to the setback requirements where the following can be demonstrated to Council's satisfaction:

- (a) The siting of the building satisfies the setback objectives; and
- (b) Windows which are located on the side or rear boundary are primarily provided for natural light or ventilation purposes. This would include highlight windows with a minimum 1.7m sill, fixed obscure glass windows, glass bricks or windows with fixed louvres; and
- (c) The amenity of the adjoining property is not unreasonably affected; and
- (d) The design will result in a significant improvement in amenity for residents who will occupy the proposed dwelling.

RESIDENTIAL FLAT BUILDINGS

(Objective 3F ADG below **takes precedence over Clause 6.4 'Side and Rear Setbacks and Building Separation'** of WDCP 2009 which requires (for buildings up to 4 storeys/12m): 6m to habitable room/balcony and 3.5m to non-habitable room/blank wall

Design criteria

- Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:

Building height	Habitable rooms and balconies	Non-habitable rooms
up to 12m (4 storeys)	6m	3m

Extent of proposed variation and unique circumstances as to why variation requested

All setbacks comply, with the exception of the following (as detailed in the table below):

- Townhouse 1 (southern boundary of ground and first floor);
- Townhouse 13 (northern boundary setback to first floor);
- Eastern façade/wall to Apartment Building Unit 13 (Level 1) and Unit 20 (Level 2).

Side & Rear Setbacks to Townhouses (WDCP 2009 B1 Clause 5.4)			
		Ceiling Heights (from NGL) and Side/Rear Setbacks:	
		Ground Floor	Upper Floor
Townhouse 1 Southern Boundary	Required	2.55mNGL to Ceiling Level (CL) (2.04 m Setback required)	5.35m NGL to CL (4.28m setback required)
	Provided	1.725m setback provided Deficient by 0.315m	1.575m provided Deficient by 2.705m
Townhouse 1-13 Western Boundary	Required	2.8m NGL to CL (2.24m setback required)	5.35m NGL to CL (4.28m setback required)
	Provided	4.02m to laundry 5.48 to living/dining Complies	7.44m provided Complies
Townhouse 13 Northern Boundary	Required	2.55m NGL to CL (2.04m setback required)	5.765m NGL to CL (4.61m setback required)
	Provided	2.135 setback provided Complies	1.905m provided Deficient by 2.707m
Side and Rear Setbacks to Residential Flat Building (Objective 3F of ADG/SEPP 65)			
Northern	Required	6m to habitable/balconies 3m to non- habitable	
	Provided	16.62m setback provided Complies	
Southern	Required	6m to habitable/balconies 3m to non- habitable	
	Provided	6m setback provided Complies	
Eastern	Required	6m to habitable/balconies 3m to non- habitable	
	Provided	6m to balconies Complies 4.845m setback provided to blank wall of Bedroom 2 of U13 (L1) and U20 (L2) and window set in and oriented to north (not side boundary) Deficient by 1155mm 5.72m to highlight windows to dining room of U13 (L1) and U20 (L2). Deficient by 280mm	

Objectives
<p>TOWNHOUSES: 5.4.1 WDCP Objectives</p> <p>(a) To provide adequate setbacks from boundaries and adjoining dwellings to retain privacy levels, views, sunlight and daylight access and to minimise overlooking.</p> <p>(b) To provide appropriate separation between buildings to achieve the desired urban form.</p> <p>(c) To optimise the use of land at the rear of the property and surveillance of the street at the front of the property.</p> <p>(d) To minimise overshadowing of adjacent properties and private or shared open space.</p> <p>RESIDENTIAL FLAT BUILDING</p> <p>6.4.1 WDCP Objectives: as above (5.4.1), with the additional objectives:</p> <p>(c) To control overshadowing of adjacent properties and private or shared open space.</p> <p>(d) To encourage setbacks which reflect the rhythm of building siting and the separation between.</p> <p>(e) To ensure that new development is scaled to support the desired area character with appropriate massing and space between buildings.</p> <p>Objectives of 3F of ADG</p> <ul style="list-style-type: none">Objective 3F-1: Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.Objective 3F-2 Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space

Demonstrate how the objectives are met with the proposed variations

Demonstrate that the development will not have additional adverse impacts as a result of the variation.

TOWNHOUSES: Variation is sought to allow a reduced setback to the side walls of Townhouses 1 and 13, principally at first floor level, where variations of 2.02m to 2.66m are sought. The ground floor level of Townhouse 13 to the northern boundary is compliant, whilst the ground floor level of Townhouse 1 is only 0.05m less than the required setback. Further, the setback to the rear (western) and front walls (eastern) of the townhouses are fully compliant with the requirements of WDCP 2009.

The variations to the townhouses are principally a result of the repositioning of four townhouses which were previously located perpendicular to the end of the access driveway but which have now been relocated to a position in line with the remainder of the townhouses. This variation was requested by the DRP to allow for the placement of a deep soil area at the end of the driveway, which provides a viewing corridor towards a landscaped space. There are a number of benefits associated with this change, including improved orientation of units to the access driveway, improved surveillance and increased landscaping surrounding the access driveway.

These minor variations are justified as they are the side elevations only of two townhouses, principally at first floor level. However, it is noted that the upper levels contain only highlight windows which will have no overlooking impacts. It is noted that the non-compliant upper setbacks still exceed 1.5 metres from the relevant boundaries, allowing for the placement of effective landscaping along the boundary. Therefore, separation and privacy outcomes and objectives are still achieved for the adjoining dwellings as well as these proposed townhouses.

The proposed variation to the setback of Townhouse 13 will have no additional impact on overshadowing. Whilst the reduction in the side setback of Townhouse 1 will marginally increase overshadowing of the northern unit at No. 20 Robert Street the solar access controls are met as detailed elsewhere in this correspondence. The Landscape Plan prepared by Ochre confirms that 1.8m high timber fencing is to be provided on the boundary between these adjacent units and TH1. This fencing, together with a narrow shrub to approx. 4m in height will maintain privacy levels for the adjacent unit. Further, it is noted that the windows on the southern façade of TH1 at Ground Level are limited to secondary windows in the living/dining/kitchen area, with the main windows of the living space addressing the front and rear of the site.

Further, at the first floor level the bedroom windows which were previously located on the southern elevation have now been removed to negate any overlooking of the southern neighbour.

The privacy, solar access and amenity objectives of this control are therefore met.

RESIDENTIAL FLAT BUILDING: The controls require a 6m setback from side and rear boundaries to habitable rooms which are met by the apartment building, with the exception of the eastern façade of Unit 13 (Level 1) and Unit 20 (Level 2) from the eastern boundary. In support of the variation it is noted that these are minor and are limited to:

- 4.845m setback provided to wall of Bedroom 2 of U13 and U20 (deficient by 1155). However the wall is blank and the window is set in and oriented to north (not side boundary), thereby minimising any overlooking opportunities.
- 5.72m to dining room wall of U13 and U20 (deficient by 280mm, includes a highlight window for privacy).

The reduction in setback to the eastern boundary has allowed for the repositioning of the loading area to a location removed from the immediate access to the site. Further, additional landscaping is now provided in this location, together with landscaped entries/courtyards to the townhouses.

Windows on the southern elevation of the RFB are limited to windows of bedroom 2 and a secondary window for living spaces. Balconies are provided with compliant setbacks of 6.0m and screening is provided to part of the southern face of the balcony. Landscaping along this boundary will provide further privacy.

To the immediate east of the RFB at No. 12-14 Cross Street, dwellings are sited towards the street frontage providing in excess of the recommended 12m separation to the proposed RFB. Further, a garage/shed at the rear of No. 12 and existing landscaping at the rear of No. 14 provide further visual privacy to the lower level of the proposed building.

The proposed variation to the setback of the RFB will have minimal impact on overshadowing and will not impact on the ability of adjacent dwellings to achieve 3 hours of sunlight on June 21.

On this basis it is considered that the variation will not hinder the attainment of the setback objectives and will not result in increased overlooking impacts on adjacent properties. In addition, landscape screening and fencing is provided (refer to Landscape Plan prepared by Ochre) along property boundaries which provides further screening to minimise visual impacts. Given the minimal impact on the variation, it is considered the variation sought is justified in this instance.

Appendix 1

WLEP 2009: Clause 4.6 'Exceptions to Development Standards' Statement

1.1 Introduction

Clause 4.6 'Exceptions to Development Standards' of Wollongong Local Environmental Plan 2009 provides the opportunity to contravene a development standard with approval of the consent authority and concurrence by the Director-General. A development standard is defined by the Environmental Planning and Assessment Act, 1979 as:

"Provisions of an environmental planning instrument or the regulations in relation to the carrying out of development, being provisions by or under which requirements are specified or standards are fixed in respect of any aspect of that development".

The objectives of Clause 4.6 are as follows:

- a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and
- b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

This Section is therefore provided in order to justify why a variation is required for Clause 4.3 'Height of Buildings' in accordance with Clause 4.6 of that Plan, as the application of these requirements is considered unreasonable or unnecessary for this particular development:

1.2 Variation to Clause 4.3 Height of BuildingsExtent of Variation Sought

Sub clause 4.3(2) 'Height of buildings states' that *"The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map."* The Height of Buildings Map stipulates a building height of 9m for the subject site. 'Building height (or height of building)' means *"the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like."*

How building height is indicated on the architectural plans by ADM Architects: For the Elevations and Sections (Dwgs A202 and A203), the red dashed line shows the height at the boundary where that particular elevation or section is taken, therefore the building or elevation height beyond cannot be measured directly off the red line (in elevation) because the elevation points vary. In addition, RLs are provided at all the critical roof points, as well as height dimensions. The RL at the highest roof points are also indicated on the height plane diagram (Dwg A-405), which illustrates how much each roof point is above or below the 9m maximum building height. The RLs relate directly to the survey RL of natural ground level (NGL) and therefore the overall height shown on the elevations is derived directly from the difference between the two RLs (ie. and not the elevation itself which is drawn at boundary).

Figure 10 below is an excerpt from the Height Plane Diagram prepared by ADM Architects which illustrates the portions of the residential flat building that exceed the 9m building height, in grey). The variation predominantly relates to the roofing materials of two portions of the building that exceed 9 metres up to a maximum building height of 10.075 metres (measured from natural ground level to ridge level). The remainder of the building (being the vast majority of the structure) has a building height less than 9 metres.

It is noted that the revised design (June 2019) has resulted in a lesser level of encroachment into the building height plane, when compared to the previously submitted design.

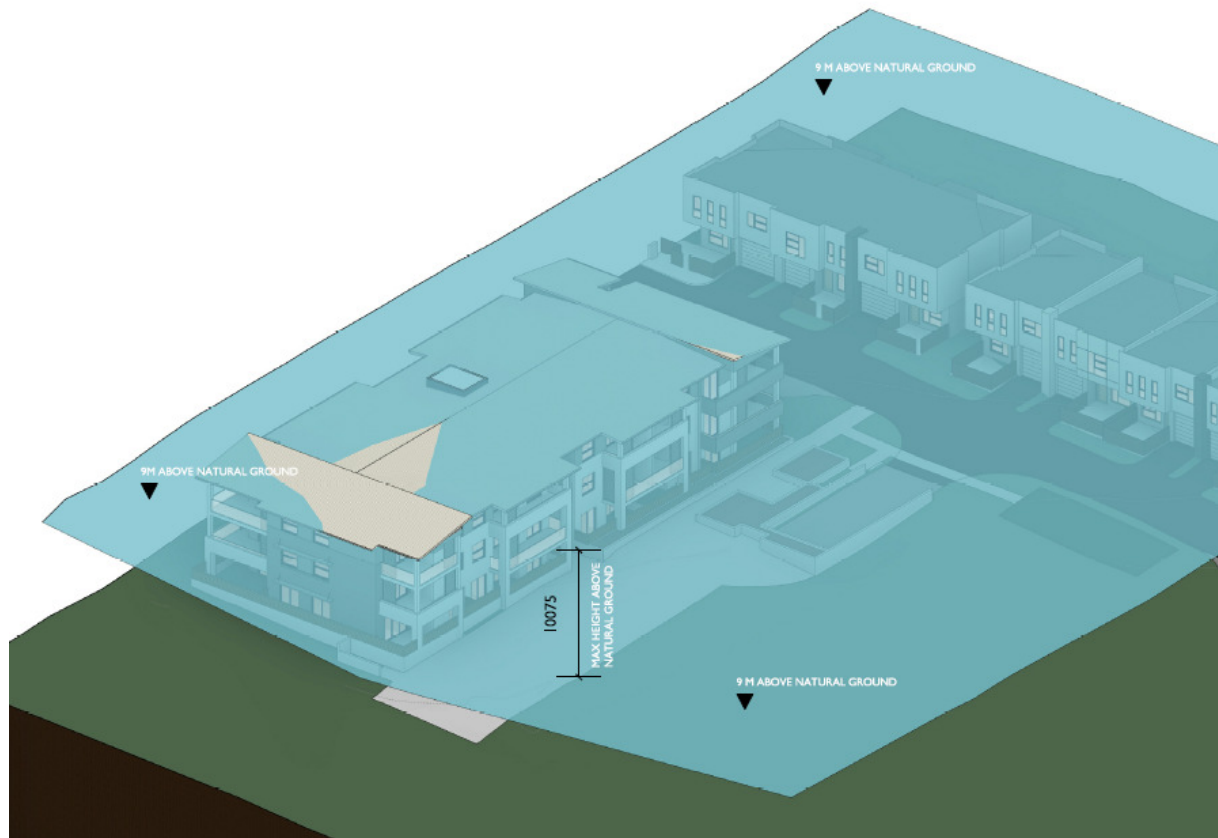


Figure 13: Extract from Height Plane Diagram indicating portions of the roof of the proposed residential flat building that exceeds 9m building height, shown in grey (ADM Architects Drawing No. A-405)

Table 1: Compliance with WLEP 2009 - Contravention of Clause 4.3 Building Height	
Clause 4.6 Exceptions to Development Standards	Response/Justification
<p>(1) Objectives</p> <p>a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and</p> <p>b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.</p>	<p>Flexibility is sought for the application of the height for the proposed development so that a better outcome is achieved for the site. The particular circumstances for this are as follows:</p> <ul style="list-style-type: none"> ▪ The majority of the building complies with the maximum building height of 9m; ▪ The non-compliances are largely related to the symmetrical architectural feature of either end the roofline (ie. western and eastern). The majority of the roofline is a very low pitch (ie. central portion) and the inward facing skillions at either end of the building add interest and form to the building. ▪ In addition to the above, the non-compliant portion is largely limited to the lower topographical points of the land on which the RFB is sited (ie. northern and eastern part). While the level changes across the site are not substantial, the topographical change/crossfall still provides design to the site design and RFB building levels that determine the height of the building. This includes, but is not limited to, basement ramp gradients and disabled access to the building. The basement entry driveway is located at the higher part of the site. The ground floor level apartments are at RL 31.5m AHD. At the western (higher) part of the building, this floor level is one metre lower than the existing ground levels. A lower floor level (and resultant lower building) would require further excavation and result in reduced amenity for the residents of these apartments. The building has been lowered as much as possible

Table 1: Compliance with WLEP 2009 - Contravention of Clause 4.3 Building Height

Clause 4.6 Exceptions to Development Standards	Response/Justification
	<p>to points of the RFB site.</p> <ul style="list-style-type: none"> The non-compliances are limited to <u>above the ceiling level only up to one metre</u>. There are no windows or other aspects of the building above 9m that will impact on the amenity of any adjoining properties, including additional overshadowing or visual impacts. <p>Justified</p>
<p>(3) <i>Consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:</i></p> <p>(a) <i>that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and</i></p>	<p>(3) This table comprises the written request seeking to justify the contravention of the height development standard.</p> <p>(a) Compliance with the applicable height standard is considered to be unreasonable and unnecessary in the circumstances of the case having regard to site and streetscape context, the limited extent of the non compliance, and the minimal additional visual impact compared to if the height limit was met.</p> <p><i>In Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 1009, Commissioner Person determined that it is necessary for applicants to show sufficient grounds <u>particular to the development</u> in a Clause 4.6 objection.</i></p> <p>In the case of the subject proposal, the abovementioned site crossfall and associated basement ramp, floor level and disabled access challenges are major drivers for the design levels proposed for this particular development. This, together with the added interest of the skillion-pitched roof features also contribute to the building height exceedance. However, it is argued that this roof design presents a more interesting and appropriately articulated building than a completely flat roof for example.</p> <p>The building height of the proposed development has also taken into consideration the built form outcome of the immediately adjacent three storey building to the south, which is likely to also exceed a 9m building height at the upper point of the almost identical skillion roof design to that proposed. TGC Planning have reviewed the approved plans, and while no RL or overall height is provided, the floor to ceiling dimension confirm that the building is at least 8.7m from the ground floor (not actual ground) to the ceiling only. The proposed development therefore provides a bulk and scale similar to that of existing development.</p> <p>In addition, the site is a large residue site that enables the building form to be of a greater scale than its surrounds; however, the building articulation and manipulation of elements attempt to reduce its apparent scale.</p> <p>Provided and Justified</p>
<p>(b) <i>that there are sufficient environmental planning grounds to justify contravening the development standard.</i></p>	<p>As demonstrated in this correspondence and previously submitted documentation, the proposed development is satisfactory having regard to environmental planning grounds, including:</p> <ul style="list-style-type: none"> Other provisions of the WLEP 2009 (refer Section 7); Provisions of the SEPP Affordable Housing 2009 (refer Section 5) Provisions of the SEPP 65 – Design Quality of Residential Apartment Development and the Apartment Design Guide (refer Section 6) The relevant Chapters of WDCP 2009 (refer Section 9 and 10); Section 4.55 of the Environmental Planning and Assessment Act 1979 (refer Section 10). <p>In addition, the accompanying documentation illustrates that the increased height will have a reasonable impact, in terms of visual impact, disruption of views, loss of privacy or any other adverse impacts <u>than if the maximum allowable height (9m) was met</u>.</p> <p>Justified</p>
<p>(4) <i>Consent must not be granted for development that contravenes a development standard unless:</i></p> <p>(a) <i>the consent authority is satisfied that:</i></p>	

Table 1: Compliance with WLEP 2009 - Contravention of Clause 4.3 Building Height

Clause 4.6 Exceptions to Development Standards	Response/Justification
<p>(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and</p>	<p>This Variation statement provides a discussion in support of the justification for varying the development standards as indicated in (3) above. In our opinion, there is sufficient justification provided to support a variation to the building height requirements.</p> <p>Satisfied</p>
<p>(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and</p> <p>Wollongong LEP 2009:</p> <p>Objectives of the Standard</p> <p>(a) to establish the maximum height limit in which buildings can be designed and floor space can be achieved,</p> <p>(b) to permit building heights that encourage high quality urban form,</p> <p>(c) to ensure buildings and public areas continue to have views of the sky and receive exposure to sunlight.</p> <p>The objectives of the R2 Low Density Zone:</p> <ul style="list-style-type: none"> • To provide for the housing needs of the community within a low density residential environment. • To enable other land uses that provide facilities or services to meet the day to day needs of residents 	<p>Despite the exceedance of the allowable height, the proposed development will be in the public interest as it meets the objectives of the height development standard as:</p> <ul style="list-style-type: none"> ▪ The development is also consistent in design and character of the three storey apartment building to the immediate south and commensurate high quality urban form; ▪ While the required floor space can be achieved, the additional building height exists above the ceiling level only and relates to the improved roof form, interest and design. It does not add to floor space or provide windows etc or features that would impact on amenity. ▪ All surrounding buildings will continue to have views of the sky and receive exposure to sunlight. ▪ The proposed development provides a range of materials, and landscaped setbacks and that are appropriate for its setting. ▪ Several large trees adjacent to the non-compliant (northern) portion of the building are to be retained, being of a similar height, will assist to ameliorate the 'additional' built form (which will not be apparent anyway), thus reducing the visual impact of the overall buildings and its height exceedance. <p>The proposed height of the development will also not hinder the level of achievement of the development with the R2 Low Density zone objectives: while providing some medium density housing typology within the site, the development is of a form appropriate for the low density zoning as it is well sited on a large parcel of land that has taken into consideration the impacts of the surrounding low density development as well as the adjacent to existing similar two and three storey residential flat development. The proposed development will provide increased diversity in housing type, inclusive of affordable and social housing, in an appropriately located residential environment. The zone objectives are therefore met.</p> <p>Justified</p>
<p>(c) the concurrence of the Director-General has been obtained.</p>	<p>Council will need to consult with the Department of Planning and Infrastructure as to whether the concurrence of the DG can be assumed in accordance with Planning Circular PS 08-003-Variations to Development Standards (Department of Planning, May 2008).</p> <p>Addressed</p>
<p>(5) In deciding whether to grant concurrence, the Director-General must consider:</p>	
<p>(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, &</p>	<p>The contravention of this development standard does not raise any matter of significance for state or regional environmental planning. Refer to further discussion below in this table.</p> <p>Addressed</p>
<p>(b) the public benefit of maintaining the development standard, and</p>	<p>There is no public benefit by maintaining the development standard, as there are no identifiable adverse impacts to approval being granted to the submitted design. If the maximum allowable height were met, the building design would result in the removal of part of the upper level of the apartment building. This would compromise the architectural symmetry of the building ('butterflied'/skillion roofline).</p> <p>In addition, the reduction of a portion of the upper level of the building would also reduce the financial yield for the public-private partnership, even having regard to the increased floor area permitted from the SEPP Affordable Housing 2009 provisions. While this is not a planning</p>

Table 1: Compliance with WLEP 2009 - Contravention of Clause 4.3 Building Height	
Clause 4.6 Exceptions to Development Standards	Response/Justification
	<p>consideration, it is an important one having regard to the efficient utilisation of a remnant government site for private, social and affordable housing, noting the site has been underutilised for many years and is well-located and accessible to the Corimal Town Centre, the primary school and other amenities.</p> <p>In addition, as detailed throughout this Statement, the development provides a suitable urban form and land use outcome which warrant support.</p> <p>Justified</p>
<i>(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.</i>	<p>It is considered that there are no environmental planning considerations that would hinder the Director-General from providing concurrence.</p> <p>Addressed</p>

Conclusion: This Statement has addressed the provisions of Clause 4.6 of Wollongong LEP 2009 and demonstrates that the variation sought to the development standards of the LEP (Building Height) is justifiable and should be given concurrence to, on the basis of (i) the unique site context (large site remnant site) that is (ii) compliant with relevant standards and controls; (iii) achieves amenity outcomes to adjoining properties; and (iv) is consistent with the building height of the immediately adjacent residential flat building to the south. It is emphasised that the architectural design has already minimised the building height as much as possible (low to flat roof pitch), while meeting other design challenges such as topography, disabled access, ramp gradients etc. Therefore if the non-compliant portion of the roof was removed/met, it would not be possible to achieve a three storey building (noting lowering to a two storey building would affect the feasibility of the project to meet the affordable housing yield sought). Notwithstanding this, it is considered that the removal of the non-compliant portion of the building height, would not result in any greatly improved outcome with respect to visual impact, building bulk or scale or overshadowing. We therefore request that Council implement a reasonable approach to the proposed height for the site which has no additional unreasonable impacts on adjacent properties and the public domain.

Attachment 10 - WDCP 2009 Assessment

CHAPTER A2: ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Development controls to improve the sustainability of development throughout Wollongong are integrated into the relevant chapters of this DCP.

The application submission contains a BASIX Certificate indicating minimum requirements with regard to energy and water efficiency and thermal comfort are met. The stormwater management plan details the Water Sensitive Urban Design strategies to be incorporated in the development.

Generally speaking, the proposal is considered to be consistent with the principles of Ecologically Sustainable Development.

CHAPTER B1 RESIDENTIAL DEVELOPMENT

This Chapter applies to all residentially zoned land in the LGA. Section 4 provides general residential controls which apply to all dwelling houses, dual occupancies, secondary dwellings, ancillary structures and semi-detached dwellings. Section 5 provides controls that must also be taken into consideration for development for the purposes of Multi-Dwelling Housing.

4.0 General Residential controls

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<u>4.12 Site servicing</u> <ul style="list-style-type: none">letterboxes in an accessible locationair-con, satellite dishes and other ancillary structures to be located away from street frontage, not in a place where they are a skyline feature and adequately setback	The necessary site facilities have been provided and are acceptable in this circumstance. Individual letterboxes have been provided for each townhouse. A centrally located letterbox is provided on the eastern side of the driveway adjacent to the RFB.	Yes
<u>4.13 Fire Brigade Servicing</u> <ul style="list-style-type: none">All dwellings located within 60m of a fire hydrant	A hydrant is located at the end of Robert Street adjacent to the frontage of the site however, it appears not all the dwellings will be within the required distance. A condition will be included with the requirement for a provision of a hydrant on the site.	Yes
<u>4.14 Services</u> <ul style="list-style-type: none">Encourage early consideration of servicing requirements	Water, electricity and sewage services are already available to the site. It is expected that the existing utility services can be augmented to support the proposed development.	Yes
<u>4.16 View sharing</u> <ul style="list-style-type: none">To protect and enhance view sharing, significant view corridors	The RFB sited in the SE portion of the site is likely to impede some of the distant escarpment views obtained from some of	Yes

<ul style="list-style-type: none"> A range of view sharing measures to be considered for building design 	<p>the north facing units on the RFB located at 21 Robert St. However, the central driveway for the development will still provide a corridor of approximately 16.5m (between the RFB and first floor of the townhouses). The existing views from the single storey residences to the east of the RFB fronting Cross St are already limited by the topography and trees and not considered significant. Other surrounding dwellings will still obtain views from the perspective street frontages and beyond.</p> <p>Overall the proposal is envisaged not to result in any significant impact of the existing view corridors, given the context of the site and surrounding area.</p>	
<p><u>4.17 Retaining walls</u></p> <ul style="list-style-type: none"> To ensure well designed retaining walls that are structurally sound 	<p>Retaining walls are proposed to the rear of the townhouse along the western boundary. TH4 and TH9 have retaining walls proposed adjacent to the western boundary that are less than 600mm. The remainder of the retaining walls are setback 1.5m from the boundary and measure up to 1m. The proposal complies with the requirements of the control and the retaining walls will be conditioned to be certified by a structural engineer.</p>	Yes
<p><u>4.18 Swimming Pool and Spas</u></p>	<p>No swimming pool or spas are proposed.</p>	N/A
<p><u>4.19 Development near a railway corridors and major road</u></p>	<p>The site is not located near a railway corridor or major road.</p>	N/A

5.0 Attached dwellings and multi -dwelling housing

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<p><u>5.1 Minimum Site Width Requirement</u></p> <p>Minimum 18m</p>	<p>The site frontage of Lot 3 Robert Street is 6.5m wide however widens once within the lot to approximately 85.6m therefore the proposal complies with the control. No built form of the proposed development is to occur on Lot 1 and Lot 2.</p>	Yes
<p><u>5.2 Number of Storeys</u></p> <p>R2 zone – 2 storeys</p>	<p>All the proposed townhouses are two storeys and below 9m in height.</p>	Yes

5.3 Front Setbacks

6m min required to facade

The site where the development is located (Lot 3) has limited frontage to Robert Street situated at the end of a cul-de-sac. This area of the site consists of the driveway access to the site and the remainder of the southern boundary is considered to be side boundaries adjacent to adjoining properties. The southern boundary to which TH1 and RFB are adjacent have been considered side boundaries in the assessment.

Yes

5.4 Side and Rear Setbacks

R2 low density residential zone requires a minimum side/rear setback of 0.8 x ceiling height

Where balconies or windows of living areas face the rear boundary at first floor level or above, a minimum 1.0m x ceiling height is required

The required setbacks of all the townhouses to the side western boundary comply as provided in the table below.

Except for the side setback requirements for TH1 to the southern boundary and TH13 to the northern boundary where a variation is sought. As discussed at Chapter A1 within the report, the variation is considered capable of support. The variation request statement is provided at **Attachment 11.**

No – variation requested and capable of support.

TH	Required setbacks		Proposed setbacks	Compliance
TH1	Ground floor (S)	2.04m	1.725m	No
	First floor (S)	4.28m	1.575m	No
	Ground floor (W)	2.24m	5.7m	Yes
	First floor (W)	4.28m	9.61m	Yes
TH 2 – TH12	Ground floor (W)	2.24m	4.8 – 5.7m	Yes
	First floor (W)	4.28m	8.85m – 9.61m	Yes
TH13	Ground floor (N)	2.04m	2.135m	Yes
	First floor (N)	4.61m	1.905m	No
	Ground floor (W)	2.24m	4.8m	Yes
	First floor (W)	4.28m	8.85m	Yes

5.5 Building Character and Form

It is considered the design, height and siting of the proposed townhouses respond to the site context.

The townhouses comprise of two separate buildings. The design of the eastern façade addresses the internal driveway and allows for surveillance. Articulation is provided on all elevations and the proposal does not present as inappropriate in scale or form when

Yes

	considered in relation to the zoning of the site and desired future character. The stacked garages allow for landscaped courtyards adjacent to the driveway and reduce the visual dominance of garage doors.	
<u>5.6 Access / Driveway Requirements</u>	<p>Diagrams have been provided which demonstrate that adequate manoeuvring can be achieved to and from all car parking spaces with all vehicles able to leave the site in a forward direction.</p> <p>The proposed development satisfies the objectives of Council's Access/Driveway Requirements controls and policies. Conditions are recommended requiring compliance with AS2890.1.</p> <p>An approximate 6.8m crossover is proposed that is within the 6-8m control for development between 21-50 dwellings. The driveway width varies and has a minimum width of 5.8m.</p> <p>Council's Traffic Officer has reviewed the application submission and identified no objections to the proposed access arrangements.</p>	Yes
<u>5.7 Car Parking Requirements</u>	Refer to discussion in Chapter E3.	Yes
Car parking to be located behind front setback	All units are over 110sqm requiring 2 spaces, where stacked garages have been provided as has adequate visitor parking. Council's Traffic Officer has raised no objections to the proposed car parking.	
<u>5.8 Landscaping Requirements</u>		
Min. 30% of site area must be provided as landscaped area	A minimum of 30% of the total site area is to be provided as landscaped area. The minimum landscaping area is 6177sqm x 30%= 1853.1sqm.	Yes
Min. 1.5m wide landscaping beds alongside & rear boundaries	<p>The proposed landscaped area is 1903.7sqm (30.8%).</p> <p>The proposal incorporates a minimum 1.5m landscaped buffer along the side and rear property boundaries.</p> <p>Council's Landscape Officer has provided a satisfactory referral. See further discussion at Chapter E6 below.</p>	

5.9 Deep Soil Planting

The deep soil may extend along the full length of the rear of the site, with a minimum width of 6m.

No structures, basement carpark, driveways, hard paving, decks, balconies or drying areas are permitted within the deep soil zone.

The deep soil zone shall be densely planted with trees and shrubs.

A minimum of 15% of the total site area is to be provided as deep soil zone. The minimum DSZ area is $6177\text{sqm} \times 15\% = 926.5\text{sqm}$.

The proposed DSZ is 641sqm which is deficient in the required area.

It is noted that SEPP ARH 2009 also requires 15% of the site area to be DSZ therefore the area required is same with the exception that DSZ can be a minimum dimension of 3m. Based on this dimension requirement, the proposal is compliant with a DSZ of 926.8sqm.

Clause 14 (1)(d) of the SEPP ARH is a standard that cannot be used to refuse consent therefore in this instance the DSZ for the proposal is considered to comply. Refer to section 3.1.3 of the report.

Nevertheless, a variation has been sought to the DSZ requirement under WDCP 2009 and as discussed in Chapter A1 within the report, the variation is considered capable of support. The variation request statement is provided at **Attachment 11**.

No – however, consider SEPP ARH prevails however, variation requested and capable of support.

5.10 Communal Open Space

Developments with more than 10 dwellings must incorporate communal open space. The minimum size of this open space is to be calculated at 5m² per dwelling. Any area to be included in the communal open space calculations must have a minimum dimension of 5 metres.

Where a minimum of 15% of the site is provided as a deep soil zone, combined use of part of the deep soil zone as communal open space may occur.

Areas of the communal open space should contain paving, children's playground equipment, barbeques, shade structures, swimming pools or the like,

The proposal is for a 13 multi-dwelling housing development and as such COS with a minimum area of (13 x 5) 65sqm is required. A 65sqm COS is provided north of the basement ramp and east of the driveway. This area has the minimum dimension of 5m. The area is comprised of lawn space, seating area and gardens. It is considered the area is centrally located on the site for the townhouses. The space is considered appropriate and accommodating with both recreational and passive activities. The COS will receive the required solar access requirements in mid winter. It is noted in addition to this nominated COS for the townhouses, the future occupants would also have access to the COS located north of the RFB.

Yes

<p>however these cannot be located within the deep soil zone.</p> <p>At least 50% of the communal open space area must receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on June 21.</p>		
<p><u>5.11 Private Open Space</u></p> <p>Ground level POS with 4m x 5m minimum dimensions</p> <p>70% of dwellings must receive minimum 3 hours direct sunlight to POS between 9am-3pm on June 21</p> <p>Design private open spaces so that they act as direct extensions of the living areas of the dwellings they serve.</p> <p>Clearly define private open space through use of planting, fencing or landscaping features.</p> <p>Screen private open space where appropriate to ensure privacy.</p>	<p>All units have POS with a minimum area of 4m x 5m separated from the boundary by a minimum 1.5m vegetated landscape bed.</p> <p>Shadow diagrams have been submitted which demonstrate that at least 70% of the dwellings can receive a minimum of three hours of sunlight on June 21 to 50% of the POS</p> <p>The location of the POS areas are considered satisfactory, being at ground level and accessed directly from the living area and adequately screened for privacy to provide reasonable levels of amenity for future occupants. The POS area between each dwelling will be separated by a 1.8m high fence and portion adjacent to the pedestrian path for TH3 and TH4.</p>	<p>Yes</p>
<p><u>5.12 Solar Access Requirements</u></p> <p>Windows to living rooms of adjoining dwellings must receive 3 hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>At least 50% of the private open areas of adjoining residential properties must receive at least 3 hours of sunlight between 9.00am and 3.00pm on June 21.</p> <p>The primary balcony of at least 70% of the dwellings within a multi dwelling housing development shall receive a minimum of three hours of direct sunlight between 9.00am and 3.00pm on June 21.</p> <p>Windows to north facing living rooms for each of the subject dwellings in the development must receive at least 3 hours of</p>	<p>Submitted shadow diagrams indicate that the proposal will overshadow the adjoining property to the south, adjacent to TH1 at No. 20 Robert Street. This adjacent property is a RFB and the proposal will overshadow the two adjacent units, identified to be unit 22 on the ground floor and unit 26 on the first floor. Concerns were raised that the proposal overshadowed the living room windows and POS areas and whether 3 hours of sunlight was received by these 2 affected units during mid winter. The northern windows of the two units were not associated with living areas.</p> <p>The applicant provided an hourly detailed shadow analysis plan at Attachment 1.</p> <p>Unit 26 (first floor) with their eastern facing balcony (POS) will continue to achieve 3 hours of sunlight between 9am and 12pm on June 21. The eastern and northern facing windows of</p>	<p>Yes</p>

<p>sunlight between 9.00am and 3.00pm on 21 June.</p> <p>At least 50% of the private open space area for each of the subject dwellings in the development must receive at least 3 hours of sunlight between 9.00am and 3.00pm on 21 June.</p>	<p>the living room will continue to achieve 3 hours of sunlight between 9am and 12pm on June 21.</p> <p>Unit 22 (ground floor) has the living room windows oriented to both the east and west, so will achieve 3 hours of sunlight between 9am and 12pm on June 21. The primary private open space (courtyard) maintains a minimum of 3 hours solar access to the rear of the unit from 12 noon in midwinter.</p> <p>Shadow diagrams have been lodged indicating that at least 70% of the dwellings can receive a minimum of three hours of sunlight on June 21 to 50% of the POS.</p>	
<p><u>5.13 Additional Control for Multi Dwelling Housing - Dwelling Mix and Layout</u></p> <p>Required for greater than ten (10) dwellings</p> <p>Provide a mix of dwelling sizes and layouts within larger multi-dwelling developments having ten (10) or more dwellings. This could include both variation in the number of bedrooms and gross floor areas of apartments, variety in the internal design or incorporating one, two and three bedroom dwellings to accommodate various resident requirements.</p>	<p>The townhouses all have 3 bedrooms and one study room generally with the same design and layout.</p> <p>A variation to the bedroom mix requirement is sought, as discussed at section 3.3.1 Chapter A1 within the report. The variation is considered capable of support in this case. The variation request statement is provided within Attachment 11.</p>	<p>No - however, variation to WDCP 2009 is requested and capable of support.</p>
<p><u>5.14 Additional Control for Multi Dwelling Housing - Adaptable Housing</u></p> <p>If more than 6 dwellings at least 10% of all dwellings (at least one) must be adaptable</p>	<p>Two of 13 townhouses have been designed to be capable of adaptation, being TH1 and TH3. A post adaptation plan and a statement of compliance report were provided as part of the application submission, demonstrating that TH1 and TH3 satisfies the requirements of this control and AS 1428.1- 2009. Conditions are recommended in this regard at Attachment 12.</p>	<p>Yes</p>
<p><u>5.15 Additional Control for Multi Dwelling Housing – Crime Prevention through Environmental Design</u></p>	<p>The design of the proposal is considered to be satisfactory in regard to safety and crime prevention controls. Refer to discussion in Chapter E2.</p>	<p>Yes</p>

6 Residential Flat Buildings

It is noted that the proposed residential flat building component of the development is subject to SEPP 65 and as such an assessment of the proposed residential flat building against the ADG is required to be undertaken.

SEPP 65 Clause 6A(2) indicates that in the event that a development control plan contains provisions that specify requirements, standards or controls in relation to a matter to which the ADG applies, those provisions are of no effect. However certain matters in Council's DCP still require assessment against relevant controls for all components of the development.

Overall, the proposed development has been considered against the provisions of WDCP 2009 below and found to be acceptable.

Controls/objectives	Comment	Compliance
<u>6.2 Minimum Site Width Requirement</u> This clause prescribes a minimum site width of 24m for residential flat buildings.	The site frontage of Lot 3 Robert Street is 6.5m wide however widens once within the lot to approximately 85.6m therefore the proposal complies with the control. No built form of the proposed development is to occur on Lot 1 and Lot 2.	Yes
<u>6.3 Front Setbacks</u> A 6m minimum is required to the primary road frontage with a 3m minimum to secondary street frontage for corner allotments. Balconies may be setback 900mm closer.	The site where the development is located (Lot 3) has limited frontage to Robert Street situated at the end of a cul-de-sac. This area of the site consists of the driveway access to the site and the remainder of the southern boundary is considered to be side boundaries adjacent to adjoining properties. The southern boundary to which TH1 and RFB are adjacent have been considered side boundaries in the assessment.	Yes
<u>6.4 Side and Rear Setbacks / Building Separation</u> A minimum of 6m is required for buildings up to 4 storeys where a habitable room /balcony faces the boundary.	The development has been assessed against the provisions of the ADG and was found to be compliant, with the exception of a variation to 3F Visual Privacy in regard to setbacks provided to the eastern elevation for the habitable windows. In this location a setback of 6m is required to be provided. The windows on the ground floor are setback 4.88m and 5.755m. The windows on the first and second floor are	See 3F ADG assessment at Attachment 7

	<p>5.755m from the eastern boundary. DRP did not consider this a matter of concern</p> <p>See 3F ADG assessment at Attachment 7 and discussion in section 3.1.4 of the report.</p>	
<p><u>6.5 Built Form</u></p>	<p>It is considered that the buildings have been designed by a qualified designer in accordance with SEPP65. The application submission included a Design Verification Statement.</p> <p>The locality is one already undergoing transition with the character to change. There are 2 other RFBs in close proximity of the site.</p> <p>The bulk and scale of the development is considered compatible with the area and will not detract from the streetscape. The development is not considered to be out of context with regard to the existing desired future character of the area.</p> <p>The scale of the development is likely to give rise to some visual impacts on the area given the area is in transition smaller residential lots proposed for the adjoining properties however, not considered to the adverse. Refer to discussion above in section 4.16 in Chapter B1 on potential view impacts from the development.</p> <p>The design of the development is considered to provide a good level of amenity for the occupants by way of landscaped areas, private open space, communal open space and the like.</p> <p>Further comments on built form are provided in the ADG assessment at Attachment 7 and section 3.1.4 of the report</p>	<p>Yes</p>
<p><u>6.6 Visual privacy</u></p>	<p>It is considered the proposed development has been assessed against objectives, design criteria and design guidance of the ADG for visual privacy at Part 3F ADG assessment at Attachment 7 and section 3.1.4 of the report.</p>	<p>See 3F ADG assessment at Attachment 7</p>

	<p>Despite the variation sought to the setback of habitable room setback of the RFB to the eastern boundary, it is considered that the building has been designed to provide reasonable privacy without compromising access to sunlight.</p>	
<u>6.7 Acoustic privacy</u>	<p>The proposed development has been assessed against objectives, design criteria and design guidance of the ADG for acoustic privacy at Part 4H ADG assessment at Attachment 7.</p> <p>It is noted that despite variation to the habitable room windows setback to the eastern boundary, the design allows for reasonable privacy to be maintained for future occupants, see comments for Clause 6.6 above.</p> <p>Noisy rooms within each unit are located adjacent or above similar rooms. Any consent issued by Council would require the development to be constructed in accordance with BCA requirements.</p>	See 4H ADG assessment at Attachment 7
<u>6.8 Car Parking Requirements</u>	<p>Refer to discussion in Chapter E3 below.</p> <p>Advice received from Council's Traffic Officer indicates that the proposal is considered conditionally satisfactory with regards to Council's car parking requirements.</p>	Satisfactory - SEPP ARH 2009 prevails
<u>6.9 Basement Car Parking</u>	<p>The roof of the basement carparking level does not protrude above natural or finished ground level. Landscaping is provided at ground level on all sides of the podium.</p> <p>Setbacks to the boundaries of the basement are:</p> <p>South – 6m</p> <p>East – 3.89m to main wall of basement</p> <p>North – 2.475m to driveway ramp, 8.5m to main wall of basement</p> <p>Ventilation will be provided to the basement parking and ventilation</p>	Yes

	structures/openings/exhausts for basement parking and air-conditioning units must be orientated away from windows of habitable rooms and private open space areas on the subject land as well as adjoining sites will be conditioned.	
<u>6.10 Access Requirements</u>		
	Details of the application were referred to Council's Traffic Officer for comments. Advice received indicates that access arrangements including dimensions and grades are conditionally satisfactory.	Yes
<u>6.11 Landscaping Requirements</u>		
30% of the site area to be provided as landscaping	<p>A minimum of 30% of the total site area is to be provided as landscaped area. The minimum landscaping area is 6177sqm x 30%= 1853.1sqm.</p> <p>The proposed landscape area is 1903.7sqm (30.8%).</p> <p>Council's Landscape Officer has provided a satisfactory referral. See further discussion at Chapter E6 below.</p>	Yes
<u>6.12 Deep Soil Zone</u>		
15% of the site area to be provided as DSZ	<p>A minimum of 15% of the total site area is to be provided as deep soil zone. The minimum DSZ area is 6177sqm x 15% = 926.5sqm.</p> <p>The proposed DSZ is 641sqm that is deficient in the required area.</p> <p>It is noted that SEPP ARH 2009 also requires 15% of the site area to be DSZ therefore, the area required is same with the exception that DSZ can be a minimum dimension of 3m. The proposal based on this dimension requirement the proposal is compliant with a DSZ of 926.8sqm.</p> <p>Clause 14 (1)(d) of the SEPP ARH is a standard that cannot be used to refuse consent and therefore in this instance the DSZ for the proposal is considered to comply. Refer to section 3.1.3 of the report.</p> <p>Nevertheless, a variation has been sought to the DSZ requirement under WDCP 2009 and as discussed in Chapter A1 within the report, the variation is considered capable</p>	<p>No – considered SEPP ARH prevails however, variation requested and capable of support.</p>

	<p>of support. The variation request statement is provided at Attachment 11.</p> <p>Refer to 3E Deep soil zones of the ADG assessment at Attachment 7.</p>	
<p><u>6.13 Communal Open Space</u></p> <p>Development with more than 10 dwelling must have communal open space calculated at a rate of 5m² per dwelling</p>	<p>The amount of COS required is 21 x 5 = 105sqm. The proposal provides 694.9sqm with a minimum width of 5m. Less than 1/3 of required communal open space area is combined with the deep soil zone.</p> <p>Further comments on Communal Open Space are provided in Part 3D of the ADG assessment at Attachment 7.</p>	Yes
<p><u>6.14 Private Open Space</u></p>	<p>The the proposed development has been assessed against objectives, design criteria and design guidance of the ADG for private open space at Part 4E ADG assessment at Attachment 7.</p>	See 4E ADG assessment at Attachment 7
<p><u>6.15 Adaptable Housing</u></p> <p>10% of dwellings must be designed to be capable of adaptation.</p>	<p>The minimum requirement is 3 units in the RFB to be adaptable. Units 1, 6 & 13 are adaptable and 3 accessible parking spaces are provided in the basement car park. An access consultant's report has been provided and demonstrates these units are capable of being modified for adaptation.</p>	Yes
<p><u>6.16 Access for People with a Disability</u></p>	<p>The proposed development is considered satisfactory with regards to Access for People with a Disability in this circumstance. The application submission includes a specialist Access Consultants report that was referred to Council's Community Services and Traffic Officers for comment with satisfactory referral advice, with conditions provided.</p>	Yes
<p><u>6.17 Apartment Size and Layout Mix for Larger Residential Flat Building Developments</u></p>	<p>The RFB provides for 6 x 1 bedroom units (28.6 % of the RFB units) and 15 x 2</p>	Yes

<p><u>6.18 Solar Access</u></p>	<p>bedrooms units. The units provided have varying layouts.</p> <p>Apartment mix has been assessed under Part 4K of ADG assessment at Attachment 7.</p> <p>The proposed development has been assessed against objectives, design criteria and design guidance of the ADG for solar and daylight access at Part 4A of ADG assessment at Attachment 7.</p> <p>15/21 units, 71% of units will achieve more than 2 hrs sunlight on June 21.</p> <p>The submitted shadow diagrams show that the RFB will overshadow the adjoining property at 21 Robert Street however, the shadow is cast on the at grade car park and will not impact the existing RFB. Shadows are also shown to be cast on the adjoining SE and eastern properties at 2 and 3pm for 12, 14 & 16 Cross St, Corrimal. As the proposal will only cast shadows at 2pm and 3pm the POS and windows to living rooms will be able to receive sunlight between 9am to 1pm on June 21 that is more than the 3 hour requirement.</p>	<p>See 4A of ADG assessment at Attachment 7</p>
<p><u>6.19 Natural Ventilation</u></p>	<p>The proposed development has been assessed against objectives, design criteria and design guidance of the ADG for natural ventilation at Part 4B of ADG assessment at Attachment 7.</p> <p>13/21 units, 62% of the units will be cross ventilated.</p>	<p>See 4B of ADG assessment at Attachment 7</p>

CHAPTER B2 RESIDENTIAL SUBDIVISION

The application seeks the strata subdivision of the development in to 34 lots. A draft strata subdivision plan has been submitted with the application that has been reviewed by Council's Subdivision Officer and conditional satisfactory referral advice has been provided. It is considered the proposal is generally consistent with the requirements of this chapter.

CHAPTER D1 CHARACTER STATEMENTS

Existing Character

Corrimal is framed by the Illawarra Escarpment and is positioned east of the escarpment landmark known as Brokers Nose. Corrimal has a low to medium density residential character and is

characterised by a mix of residential housing types including one to two storey detached dwelling-houses including circa 1920's - 1930's weatherboard and corrugated iron and brick and tile inter-war bungalows as well as newer larger brick and tile dwelling-houses as well as medium density villas and townhouses.

Corrimal contains a number of heritage items including the Colliery, Palm Court Hotel, former headmaster's residence at Corrimal Public School and the Catholic cemetery. The Corrimal retail and business centre is classified as a major town centre (district level centre) and represents the highest order retail and business centre for the northern suburbs of Wollongong. The centre is a strong traditional retail and business strip situated along both sides of the Princes Highway. It contains two large enclosed shopping centres which feature a full line supermarket in each centre as well as a range of specialty retail outlets and service businesses. Corrimal also contains a variety of light industries.

Desired Future Character

The lower density residential areas of Corrimal will retain their low density character. In this respect, it is likely that the replacement of some older dwelling stock will occur with newer two storey dwelling-houses. Any new building should be designed to be sympathetic with the prevailing streetscape and any adjoining dwelling-house, especially an inter-war bungalow.

Additional medium density housing is likely to occur within or in close walking distance (ie 400 – 600 metres) of the Corrimal retail and business centre.

Comment:

The development is considered consistent with the existing and future desired character for Corrimal as it provides a low to medium density typology development on the R2 zoned land within reasonably close walking distance to Corrimal Town Centre and other amenities being the primary school, parks and public transport. The predominant existing character of the immediate vicinity are single and two storey dwellings however, also 2 -3 storey flat buildings and a multi dwelling development to the east. It is considered that the proposed development is compatible with the surrounding area given the size of the site and its context.

CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

Control/objective	Comment	Compliance
3.1 Lighting	Conditions are recommended requiring that entries for the building and dwellings to be appropriately lit. In addition, the pedestrian path to Wilga Street.	Yes
3.2 Natural surveillance and sightlines	The proposed development accounts for natural surveillance of the cul-de-sac and within the development in its design.	Yes
3.3 Signage	No signage is proposed within this application.	N/A
3.4 Building design	It is considered that the proposed development satisfies CPTED principles in minimising areas of entrapment and concealment. Details of the application submission were reviewed by Council's SCAT no issues were raised with the exception of security and	Yes

safety along the ground floor areas for the townhouses adjacent to the path to Wilga Street. It is noted that the ground floor windows of TH 3 and TH4 are highlight windows that will minimise safety concerns for future occupants of these units.

3.5 Landscaping	Landscaping proposed is considered appropriate and minimise areas of concealment and entrapment.	Yes
3.6 Public open space and parks.	There are no areas of public open space proposed or required.	N/A
3.7 Community facilities & Public Amenities	There are no community facilities located within the development as proposed.	N/A
3.8 Bus stops and taxi ranks	There are bus stops located within vicinity of the subject site.	Yes

CHAPTER E3: CAR PARKING, ACCESS, SERVICING/LOADING FACILITIES AND TRAFFIC MANAGEMENT

	<i>Rate</i>	<i>Calculation</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Multi-dwelling housing (13 townhouses)					
<i>Resident</i>	Units >110sqm, 2 spaces per dwelling	13 x 2	26	26	Yes
<i>Visitor</i>	0.2 spaces per dwelling	13 x 0.2	2.6	3	Yes
<i>Bicycle parking</i>	1 bicycle space per 3 dwellings (residents) and 1 bicycle space per 12 dwellings (visitors)	13/3	4.3	5	Yes
		13/12	1.08	1	Yes
<i>Motorbike parking</i>	1 motorcycle space per 15 dwellings	13 / 15	1	0	No* – to be conditioned to be provided

* There is no resident motorbike parking for the proposed townhouse component of the development and it is noted the applicant did not specific request a variation to this requirement. However, it is considered there is adequate area within the site to accommodate the required one space potentially on the eastern side of the driveway adjacent to the letterboxes and visitor bicycle parking for the RFB. It is considered that this can be satisfactorily conditioned for and will not conflict with drainage, existing landscaped areas/DSZ/COS for the development that will remain compliant with the required controls as discussed in this report.

Stacked parking – Multi-dwelling housing (townhouses)

Each townhouse comprises of a stacked garage to allow for two car parking spaces. This stacked arrangement was recommended by DRP such that the internal street is not dominated by double garages to improve internal amenity for future residents and allow for front yards with planting.

Clause 7.7.2(b) permits stacked parking in the following circumstances:

- (i) *The applicant must demonstrate that there is a need for stacked parking and that the provision of stacked parking will not adversely affect the safe, efficient and effective use of the site;*
- (ii) *No more than two cars are parked in a stacked arrangement, so that no more than one vehicle has to move to allow egress of another;*
- (iii) *Provision shall be made on site for shifting cars without the movement of vehicles onto public streets;*
- (iv) *Residential: only permitted where both spaces are utilised by the same dwelling and such spaces do not interfere with common manoeuvring areas; and*
- (v) *Business or Industrial: only permitted for staff spaces, provided the spaces are used by the occupants of one tenancy.*

The applicant provided the following justification for the stacked parking arrangement:

The proposed carparking arrangement will adhere to such requirements as:

- *The stacked parking provides for an improved design outcome on the site, with a reduction in the visual dominance of garage doors when viewed from the central driveway. The garage configuration also allows for improved surveillance of the driveway from living spaces. The provision of stacked parking will not impact the safe and efficient use of the site the central driveway has adequate manoeuvring area and 'waiting' area.*
- *Two cars per townhouse are contained in a stacked configuration, with only one vehicle required to move to allow a second vehicle, from the same dwelling, to egress.*
- *All manoeuvring will occur within the central driveway, with no shifting of cars onto Robert Street.*

Manoeuvring diagrams have also been provided demonstrating compliance from all car parking spaces and allowing all vehicles to enter and exit the site in a forward direction. This design and layout also allow for the shifting of cars in the stacked arrangements within the same garage without interfering of access/manoeuvring for residents for the entire development. This has been allowed for with the provision of the temporary tenant car space and turning bay along the eastern side of the driveway. It is considered that the applicant has satisfactorily demonstrated that the stacked parking arrangement for the townhouses can be supported.

RFB (21 units)					
<i>Resident</i>	Units < 70sqm, 1 space Units 70-110sqm, 1.5 spaces	6 x 1 =6 15 x 1.5 =22.5	28.5	24	No* – however SEPP ARH 2009 prevails
<i>Visitor</i>	0.2 spaces per dwelling	21 x 0.2	4.2	2	No* – however SEPP ARH 2009 prevails
<i>Bicycle parking</i>	1 bicycle space per 3 dwellings (residents) and 1 bicycle space per 12 dwellings (visitors)	21/3 21/12	7 1.75	7 3	Yes Yes
<i>Motorbike parking</i>	1 motorcycle space per 15 dwellings	21/15	1.4	3	Yes

* Clause 14(2) Parking of SEPP ARH 2009 does not have a requirement for visitor parking only resident parking however, it is considered the ADG prevails in regard to parking requirements of the RFB. Refer to section 3.1.3 of the report for discussion. Under SEPP ARH 2009 the RFB only requires 18 resident car parking spaces, the proposal provides for 24 residential spaces, that is 6 spaces additional to the requirement and a further 2 visitor spaces in the basement car park. In the instance is noted that each unit will have one car parking space at a minimum and 6 spaces to be shared amongst the residents. Clause 14 of the ADG is a standard that cannot be used to refuse consent therefore in this instance the parking provided for the RFB is considered to comply.

Manoeuvring diagrams have also been provided demonstrating compliance from all car parking spaces and allowing all vehicles to enter and exit the site in a forward direction including that the waste collection can be safely undertaken within the site by a 8.8m long service vehicle.

A Traffic Impact Assessment (TIA) was provided that considered the traffic generation and movements as a result of the development. The TIA anticipates an additional 154 additional vehicle movement per day, up to 16 in the peak hour to result that will be with Robert Street and the surrounding road network considered capable to absorbing this increase. The SIDRA modelling results in the TIA assessed the performance of the nearby key intersections including Robert Street and Collins Street intersection. It was considered the proposed development traffic will not adversely impact the performance of these intersections and they will operate at satisfactory level. Overall, it is considered car parking provision for the proposal is satisfactory and the development and will not result in adverse impacts on the surrounding local road network.

Council's Traffic Officer has assessed the proposal and provided conditionally satisfactory referral advice. It is considered the proposal meets the requirements of this chapter.

CHAPTER E6: LANDSCAPING

An Arborists Report was provided with the application submission considering the 41 trees on the site. The proposal seeks consent for the removal of 27 trees to provide for the proposed footprint and the remainder 14 trees to be retained. 12 of the trees sought to be removed with considered to be of low significance based on the species, habit, and rating and could be removed due to the low amenity value and/or limited useful life expectancy.

At the second DRP meeting in March 2019, the removal of some or all of the trees on the southern boundary were considered to be acceptable as may lead to a better long-term outcome for the site (noting that the proposal had been redesigned to relocate the basement ramp to the north of the RFB such no structures were provided on the southern side) provided replenishment plantings of locally indigenous tree species that will attain similar dimensions to the existing group are established. It is considered this planting has been provided in the amended landscape plan.

Concerns were also raised by DRP in May 2019 to where possible retain existing trees where possible and supplement the plantings to provide a shady "forest" at the northern end of the site adjoining Lot 2 Rothery Street as the visual endpoint of the site. Due to the proposed drainage infrastructure and provision of manoeuvring area for the development trees were unable to be retained in this location however, compensatory trees are proposed to be planted situated near this location that are considered to provide visual amenity.

Overall, the layout of the proposal and landscape design has been amended that have improved the landscape quality and open space amenity of the development that is considered to reasonably addresses the matters raised by DRP. Conditions are also recommended as provided at **Attachment 12** which require compensatory planting, totalling 27 x 75L container trees.

The proposed landscaped area and communal open space complies with the relevant EPIs, and deep soil zone will comply with the prevailing policy SEPP ARH 2009 , as discussed within Chapter B1 and section 3.1.3 of this report. Council's Landscape Officer has assessed the proposal and provided conditionally satisfactory referral advice. The proposal is not considered to be inconsistent with the provisions of this Chapter. The landscape plan is provided within **Attachment 1**.

CHAPTER E7: WASTE MANAGEMENT

A Site Waste Minimisation and Management Plan has been provided and considered. Garbage storage is located within the basement area for the units within the RFB. The applicant has presented that the bins stored in basement is capable of housing all waste from the development including the townhouses. The residents will need to arrange for the bins to be moved from the basement storage room to the temporary bin collection area adjacent to the loading bay area on collection day. Whilst the site does not have any street frontage to place bins for waste collection, Council's Traffic Officer has advised that the waste servicing by Council's can occur within the site.

It is considered this arrangement with the waste bins stored in the basement of the RFB would not be easily accessed for the occupants of the townhouses or alternatively the occupants would have to store their own rubbish til collection day and dispose of their waste when the bins have been moved to the temporary bin collection area. Therefore, it considered each townhouse will have their own individual bins where they have adequate area to store within the garage and or courtyard.

Section 5.4.3 of Chapter E7 requires that when more than 6 units are proposed in a multi-dwelling housing development or cannot be accommodated within 50% of the development frontage on collection day that a communal waste storage area is to be provided. In this case, it is considered there is adequate area within the garages or courtyard for individual waste bins for each townhouse. Due to the site frontage of the site to Robert Street there is no possibility of Council's kerbside collection.

However, with the design and layout of the development Council's Traffic Officer has advised that the site is able to accommodate and be serviced by Council's waste collection vehicles as a residential development. As there is adequate area within the site to accommodate a servicing vehicle to leave in a forward direction. The arrangement for the townhouses would have their bins placed outside the front of the dwelling and collection from a side loading collection vehicle, whilst the RFB bins will be picked the collection point by the loading bay with likely a front-loading waste vehicle to accommodate the proposed size of the bins. Therefore, in the circumstances of the case, no provision of the a communal waste area is considered acceptable.

Council's Traffic Officer has assessed the proposal and provided conditionally satisfactory referral advice. It is considered the proposal meets the requirements of this chapter.

CHAPTER E12: GEOTECHNICAL ASSESSMENT

The site is not identified to be unstable or filled land on Council's records. However, the proposal will involve excavation to accommodate the basement car park for the RFB and a geotechnical report has been submitted with the application. The application has been reviewed by Council's Geotechnical Officer in relation to site stability and the suitability of the site for the development and conditional satisfactory referral advice has been provided where upon the recommended conditions will be included.

CHAPTER E13: FLOODPLAIN MANAGEMENT

The subject land is identified as being flood affected, Lot 2 Rothery Street associated with the concrete lined watercourse. Council's Stormwater Officer has assessed the application submission in this regard and it is considered the proposal is satisfactory subject to recommended conditions.

CHAPTER E14: STORMWATER MANAGEMENT

Council's Stormwater Officer has assessed the proposal against the requirements of this Chapter. A stormwater concept plan and land survey information were submitted with the application. The development proposal includes an on-site detention (OSD) to be provided as part of the development to ensure the post development flows from the site will not exceed the pre-development values. The stormwater will connect to the existing easement within the site and drain to the watercourse on Lot 2 Rothery Street. The proposal is considered to satisfactory against the requirements of this chapter by Council's Stormwater Officer subject to the conditions at **Attachment 12**.

CHAPTER E15 WATER SENSITIVE URBAN DESIGN

A water cycle management study was submitted with the application with proposed WSUD measures. The application has been reviewed by Council's Environment Officer in regard to the water quality aspects of the proposal and satisfactory referral advice has been provided that include conditions stormwater quality treatment devices are installed and maintained accordingly to ensure specified targeted improvements in water quality will be achieved.

CHAPTER E17 PRESERVATION AND MANAGEMENT OF TREES AND VEGETATION

An Arborists Report was provided with the application submission considering the 41 trees on the site. The proposal seeks consent for the removal of 27 trees to provide for the proposed footprint and the remainder 14 trees to be retained. The submitted Arborist's report was reviewed by Council's Landscape officer and was given satisfactory comments and conditions in relation to the protection and retention of those trees to be retained and for tree replacement for those removed.

CHAPTER E18 THREATENED SPECIES OF WOLLONGONG DCP 2009

The *Biodiversity Conservation Act 2016* provides a Biodiversity Offsets Scheme which is considers types of development which are likely to have a significant impact on biodiversity. Section 1.7 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) provides that Act has effect subject to the provisions of Part 7 of the *Biodiversity Conservation Act 2016* (BC Act). The *Biodiversity Conservation Regulation 2017* sets out threshold levels for when the BOS will be triggered.

The threshold has two components:

- whether the amount of native vegetation being cleared exceeds a threshold area
- whether the development involves clearing of native vegetation or prescribed impacts on an area mapped on the biodiversity values map published by the Minister for the Environment.

If clearing and other impacts exceeds either trigger, the BOS applies to the proposed development and it is necessary to engage an accredited assessor to apply the Biodiversity Assessment Method (BAM) to assess the impacts of the development. If the BOS is not triggered, the test of significance detailed in section 7.3 of the *BC Act 2016* must be used to determine whether a local development is likely to significantly affect threatened species or ecological communities, or their habitats.

The area clearing threshold as per the *Biodiversity Conservation Regulation 2017* for the subject development site is as per the following:

Minimum lot size associated with the property	Threshold for clearing, above which the BAM and offsets scheme apply
Less than 1 ha	0.25 ha (2500sqm) or more

Approximately 1000sqm, or 0.1ha of native vegetation (27 trees) is proposed to be removed from the site as part of the development. The subject site has a minimum lot size of 449sqm, less than 1 ha. As less than 0.25 ha of native vegetation clearing is proposed, and the Biodiversity Assessment

Methodology (BAM), requirement for a biodiversity development assessment report (BDAR) and offsets scheme do not apply to the subject proposal.

The site is not identified as being of high biodiversity value on the Biodiversity Values Map. Council's Environmental Assessment Officer has considered whether the development site would potentially provide suitable habitat for any threatened species and the test of significance and has concluded that the proposed development is not expected to likely significantly affect threatened species or ecological communities, or their habitats. The development proposed would not be considered a key threatened process. None of the trees on the site were identified as containing hollows. The development would therefore not be considered to result in adverse impacts on biodiversity and is consistent with the provisions of the *Biodiversity Conservation Act 2016*. Notwithstanding, conditions are recommended as provided at **Attachment 12** which require consideration of fauna during the tree removal works.

CHAPTER E19: EARTHWORKS (LAND RESHAPING WORKS)

The proposal involves excavation to facilitate for the provision of the basement of the RFB and ground floor levels for the townhouses to account for the fall in the land. The earthworks have been considered in relation to the matters for consideration outlined in Clause 7.6 and are not expected to have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features of surrounding land. Council's Environment and Geotechnical Officers have considered the application submission and have conditionally satisfactory advice. Conditions have been included in the consent to manage any potential impacts at **Attachment 12**.

CHAPTER E20: CONTAMINATED LAND MANAGEMENT

Council's Environment Officer has reviewed the proposal and provided a satisfactory referral response. See further discussion at SEPP 55 at section 3.1.1 of the report.

CHAPTER E22: SOIL EROSION AND SEDIMENT CONTROL

Council's Geotechnical and Environment Officers reviewed the proposal providing conditionally satisfactory referral advice. Conditions are recommended with regard to the provision of erosion and sediment control measure throughout the construction period.

CHAPTER E23: RIPARIAN LAND MANAGEMENT

Council's mapping system shows a watercourse exists on the site on Lot 2 Rothery Street that is a concrete lined channel and is not mapped as a riparian land or corridor. Works are not proposed within 40m from the channel and therefore it considered this chapter does not apply to the development.

ATTACHMENT 1 - Table 1: WDCP 2009 Variation Statement Clause 5.9 and 6.12 'Deep Soil Zone' from Chapter B1 Residential Development	
Chapter A1(8) Reqmt	Response
The control being varied	<p>TCG Note: This Variation Statement is technically not required as the proposal complies with the separate and prevailing Deep Soil Zone controls under both the Affordable Rental Housing (ARH) SEPP and the Apartment Design Guide (ADG). However, this Variation Statement has been prepared at the request of Council and for the benefit of the consent authority for consideration in the event that only the DCP controls applied (which is not the case).</p> <p><u>Development Controls 5.9.2 and 6.12.2 (applies to both multi-dwelling housing and RFBs)</u> 2. A minimum of half of the landscaped area (i.e. 15% of the site) must be provided as a deep soil zone, where the deep soil zone is not located at the rear of the site. The deep soil zone may be located in any position on the site, other than forward of the building line, subject to this area having a minimum dimension of 6m. Alternatively, the deep soil may extend along the full length of the rear of the site, with a minimum width of 6m. The area of deep soil planting must be continuous to ensure that the deep soil planting area is a singular uniform area and is not fragmented.</p> <p>(underlined text applicable to 5.9.2 only for multi-dwelling housing)</p>
Extent of proposed variation and unique circumstances as to why variation requested	<p>Refer to ADM Dwg A-705-1 Issue A which illustrates the deep soil zone areas required by this DCP (areas min 6m wide).</p> <p>The total area provided (641m²) represents 10.3% of the site area, being deficient by 285.5m², if the 15% total area was achieved.</p> <p>The variation is requested having regard to the unusual site shape, and location of existing drainage infrastructure traversing the site on the eastern side of the proposed driveway adjacent to the townhouses. If the area of these services (and adjacent deep soil area with only marginally less than 6m) could be included, then this control would likely be met.</p> <p>We note that the prevailing Deep Soil Zone calculations required by the Affordable Rental Housing SEPP <u>are met</u> (31.7% of site area or 1962.7m²).</p>
Objectives	<p>5.9.1. and 6.12.1 Objectives</p> <p>(a) To protect existing mature trees on a site and encourage the planting of additional significant vegetation.</p> <p>(b) To encourage the linkage of adjacent deep soil zones on development sites, to provide habitat for native indigenous plants and birdlife <u>and provide privacy and amenity for existing and future residents.</u> (underlined not in Objectives for 5.9.1)</p> <p>(c) To allow for increased water infiltration.</p> <p>(d) To contribute to urban biodiversity.</p>
Demonstrate how the objectives are met with the proposed variations	<p>The DSZ proposed adjacent to the RFB in the eastern part of the site enables the protection of the existing mature trees on the site that are suitable for retention.</p> <p>Notwithstanding the landscaped area on the eastern side of the driveway being less than 6m wide to be considered DSZ due to the drainage easement, this area will include turf and support the planting of additional vegetation including native trees and shrubs as shown on the Landscape Plan. This area will still provide habitat for native indigenous plants and birdlife and therefore contribute to urban biodiversity.</p>
Demonstrate that the development will not have additional adverse impacts as a result of the variation.	<p>The landscaped area on the eastern side of the driveway, being less than 6m wide to be considered DSZ due to the drainage easement, will also provide privacy and amenity for existing residents of the villas at No. 287 Rothery Street as it (together with the driveway) will provide physical and visual separation from the proposed multi-dwelling housing development.</p> <p>Despite the area east of the driveway not being considered DSZ due to the existence of the drainage infrastructure, this will still be landscaped with turf and mulch and will allow for increased water infiltration, meeting this objective. As the total site will provide for 30% landscaped area (and deep soil zone under the prevailing ARH SEPP calculations), this confirms satisfactory water infiltration will occur.</p> <p>It is therefore considered that the development will meet the objectives and there will be no likely adverse impacts as a result of the variation. This is because the area east of the driveway will still support significant landscaping and water infiltration, despite the drainage infrastructure limiting consideration of it being 6m wide.</p>

ATTACHMENT 2 - Table 2: WDCP 2009 Variation Statement
Clause 5.10 and 6.13 'Communal Open Space' from Chapter B1 Residential Development

Chapter A1(8) Reqmt	Response
The control being varied	<p>ICG Note: This Variation Statement is technically not required as the proposal complies with the separate and prevailing Deep Soil Zone controls under both the Affordable Rental Housing (ARH) SEPP and the Apartment Design Guide (ADG). However, this Variation Statement has been prepared at the request of Council and for the benefit of the consent authority for consideration in the event that only the DCP controls applied (which is not the case).</p> <p>5.10.2 Development Controls (Multi-dwelling housing) 2. Where a minimum of 15% of the site is provided as a deep soil zone, combined use of part of the deep soil zone as communal open space may occur. The combined communal open space/deep soil area may be grassed but must contain significant shade trees. A maximum of 1/3 of the required communal open space area may be combined with the deep soil zone. 3. Areas of the communal open space should contain paving, children's playground equipment, barbeques, shade structures, swimming pools or the like, however these cannot be located within the deep soil zone.</p> <p>6.13.2 Development Controls (Residential Flat Buildings) 3. As per 5.10.2.2 above 4. As per 5.10.2.3 above</p>
Extent of proposed variation and unique circumstances as to why variation requested	<p>Under the DCP controls, less than 15% of the site area is provided as a deep soil zone (10.3% provided). This is because several areas of DSZ under 6m wide cannot be included. This variation is justified in Attachment 2/Table 2 below).</p> <p>As a significant area is eliminated from the DSZ as under the DCP control, it is not possible to combine communal open space (COS) within the DCP-recognised areas of DSZ.</p> <p>However, using the 30% DSZ areas recognised by the prevailing ADG (and Affordable Rental Housing SEPP in the instance of the RFB) that is compliant, the areas of COS that are combined with the DSZ does not exceed 1/3 of this area (32% provided). Refer to ADM Dwg A-706 Issue D.</p>
Objectives	<p>5.10.1 and 6.13.1 (a) To ensure that communal open spaces are of adequate size to be functional. (b) To provide communal open space, which is accessible by all residents</p>
Demonstrate how the objectives are met with the proposed variations	<p>The area for communal open space areas provided for the RFB exceeds that required by the DCP controls, and hence exceed the functionality, accessibility and amenity for residents, thereby meeting the objectives of this control.</p> <p>The co-location with the DSZ areas across the site as detailed in the Landscape Plans and ADM Dwg A-706 Issue D also confirm usability of these areas.</p>
Demonstrate that the development will not have additional adverse impacts as a result of the variation.	<p>Therefore, whilst the COS areas are not located within the DCP-allowable DSZ areas (which are technically not met in isolation of the other prevailing controls), they DO meet the intent of this DCP control as they do not exceed 33% of the ARH SEPP-recognised DSZ areas.</p>

<p align="center">ATTACHMENT 3 - Table 3: WDCP 2009 Variation Statement</p> <p align="center">Clause 5.13 and 6.17 'Dwelling Mix' from Chapter B1 Residential Development</p>	
Chapter A1(8) Requirement	Response
The control being varied	<p>TCG Note: This Variation Statement is not considered to be applicable as the Development Controls should not be applied in isolation to the two dwelling typologies proposed on the single development site (ie. Multi-dwelling Housing and Residential Flat Buildings). However, this Variation Statement has been prepared at the request of Council and for the benefit of the consent authority for consideration in the event that separate application of the controls should apply to eastern and western parts of the single site, which is not concurred with.</p> <p>Development Controls 5.13.2 (Multi-dwelling Housing)</p> <ol style="list-style-type: none"> 1. Provide a mix of dwelling sizes and layouts within larger multi-dwelling developments having ten (10) or more dwellings. This could include both variation in the number of bedrooms and gross floor areas of apartments, variety in the internal design or incorporating one, two and three bedroom dwellings to accommodate various resident requirements. 2. The selection of the number of bedrooms within developments shall be determined having regard to the sites context, geographic location and anticipated demographic characteristics. <p>Development Controls 6.17.2 (RFB)</p> <ol style="list-style-type: none"> 1. A mix of apartment sizes and layouts is required for larger residential apartment buildings involving ten (10) or more dwellings. This could include both variation in the number of bedrooms and gross floor areas of apartments, variety in the internal design or incorporating single and two level apartments to accommodate various resident requirements. 2. The selection of the number of bedrooms within developments shall be determined having regard to the site's context, geographic location and anticipated market demands. For residential apartment buildings having ten (10) or more dwellings, a minimum of 10% of the apartments must be one bedroom and/or studio apartments, to provide for housing choice. 3. Consideration should be given to the design of apartments to encourage future flexibility. This may include opportunities to combine smaller apartments with adjacent dwellings should residents' lifestyle change or may include the ability to accommodate home office opportunities. Consideration should also be given to the location of one and three bedroom apartments on the ground level where accessibility is more easily achieved for disabled, elderly people or families with children.
Extent of proposed variation and unique circumstances as to why variation requested	<p>Townhouses: all dwellings are three bedroom with identical design.</p> <p>RFB: Complies with control – no variation sought.</p> <p>Unique circumstance: This non-compliance/Variation Statement is only applicable if the RFB and townhouse building typologies within the development on the single site are considered under the above controls separately and in isolation as shown above. It is argued that this should not occur as the site is an integrated site design that provides for a range of dwelling sizes and types.</p>
Objectives	<p>5.13.1 Objectives – Multidwelling Housing</p> <ol style="list-style-type: none"> (a) To provide variety in dwelling sizes and layouts to cater for a range of household types and to assist housing affordability initiatives. (b) To ensure that the internal arrangement of dwellings is functional and satisfies occupant's needs. (c) To design dwellings to promote resident amenity and adaptability of use. <p>6.17.1 Objectives - RFBs</p> <ol style="list-style-type: none"> (a) To provide variety in apartment sizes and layouts to cater for a range of household types. (b) and (c) – as above

<p><i>Demonstrate how the objectives are met with the proposed variations</i></p>	<p>We acknowledge that there is no mix in the size and layouts of the townhouses. However, we point to the benefits of narrowing the townhouses, to provide further landscaping adjacent to the driveway, at the request of DRP. This width places limitations on internal layouts but, on balance, provides overall amenity benefits for residents, particularly through the inclusion of both front and rear landscaped areas.</p>
<p><i>Demonstrate that the development will not have additional adverse impacts as a result of the variation.</i></p>	<p>Further, the development as a whole, comprising the townhouses and the residential flat building, provides a mix of dwelling configurations, with the residential flat building comprising 6 x 1 bedroom dwellings and 15 x 2 bedroom dwellings, and the townhouses comprising 13 x 3 bedroom dwellings.</p> <p>All townhouses are functional and will satisfy occupant needs and amenity. Consideration of the entire site and RFBs, the dwelling sizes and layouts provided will cater for a range of household types and to assist housing affordability initiatives, thereby meeting the objectives of the control.</p>

Attachment 12: Conditions

Approved Plans and Specifications

- 1 The development shall be implemented substantially in accordance with the details and specifications set out on Project No 2017-03 Drawing dated A-101-G, A-103-F and A-202-E dated 20 November 2011 and A-102-E, A-104-D, A-105-D, A-201-D and A-203-D dated 12 November 2019 prepared by ADM Architects and any details on the application form, and with any supporting information received, except as amended by the conditions specified and imposed hereunder.

General Matters

2 Stormwater Quality Management

- a The stormwater treatment system must achieve pollutants and nutrients removal minimum: GP – 90%, TSS – 80%, TP – 55% and TN – 40%
- b It is strata management's responsibility to maintain the stormwater improvement devices.

3 Geotechnical

- a A dilapidation report is required for all structures located within the zone of influence of the proposed earthworks as determined by the geotechnical consultant.
- b All excavations need to be supported during and after construction particularly to protect adjoining property with nearby existing development.
- c Retaining wall design is not to include anchors extending on to adjoining property without the written consent of the adjoining property owner.
- d No disturbance of ground is to occur beyond site boundaries. A minimum buffer between site boundaries and the construction of retaining structures is to be recommended by the geotechnical consultant to ensure adjoining property is not adversely impacted upon by this development.

4 Adaptable Units

The nominated adaptable units within the development must be designed and constructed so as to be capable of adaptation for disabled or elderly residents. Dwellings must be designed in accordance with the Australian Adaptable Housing Standard (AS 4299-1995), which includes “pre-adaptation” design details to ensure visitability is achieved. Level access is required to be provided between the internal living space and balcony of the adaptable units and sufficient circulation space is required throughout.

5 Building Work - Compliance with the Building Code of Australia

All building work must be carried out in compliance with the provisions of the Building Code of Australia.

6 Construction Certificate

A Construction Certificate must be obtained from Council or an Accredited Certifier prior to work commencing.

A Construction Certificate certifies that the provisions of Clauses 139-148 of the Environmental Planning and Assessment Amendment Regulations, 2000 have been satisfied, including compliance with all relevant conditions of Development Consent and the Building Code of Australia.

Note: The certifying authority must cause notice of its determination to be given to the consent authority, and to the council, by forwarding to it, within two (2) days after the date of the determination, the plans and documentation referred to in clause 142 (2) of the Environmental Planning and Assessment Regulation 2000.

7 Disability Discrimination Act 1992

This consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992.

It is the responsibility of the applicant to guarantee compliance with the requirements of the Disability Discrimination Act 1992. The current Australian Standard AS1428.1 (2009) – Design for

Access and Mobility is recommended to be referred for specific design and construction requirements, in order to provide appropriate access to all persons within the building.

8 **Mailboxes**

The developer must install mailboxes in accordance with Australia Post Guidelines. Prominent house numbers are to be displayed, with a minimum number size of 150 mm in height for each number and letter in the alphabet. The developer must install minimum two (2 No.) reflective paint house number on face of kerb along street frontage of the property to assist emergency services/ deliveries/ visitors.

9 **Maintenance of Access to Adjoining Properties**

Access to all properties not the subject of this approval must be maintained at all times and any alteration to access to such properties, temporary or permanent, must not be commenced until such time as written evidence is submitted to Council or the Principal Certifying Authority indicating agreement by the affected property owners.

10 **Height Restriction**

The development shall be restricted to a maximum height of 10.075 metres AHD from the natural ground level (inclusive of the lift tower and any air conditioning plant). Any alteration to the maximum height of the development will require further separate approval of Council.

11 **Occupation Certificate**

An Occupation Certificate must be issued by the Principal Certifying Authority prior to occupation or use of the development. In issuing an Occupation Certificate, the Principal Certifying Authority must be satisfied that the requirements of section 6.9 of the Environmental Planning and Assessment Act 1979, have been complied with as well as all of the conditions of the Development Consent.

12 **Tree Management**

The developer shall retain existing trees indicated on Concept Landscape Plan by Ochre Dwg. No. 1866-LD01D dated 12 November 2019 consisting of tree numbered 9, 12, 13, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40. Total number: fourteen (14 No.).

Any branch or root pruning which has been given approval, must be carried out by a qualified arborist in accordance with Australian Standard AS4373 (2007).

All tree protection measures are to be installed in accordance with Australian standard AS4790-2009 Protection of Trees on development Sites.

Recommendations in arborist's report Ref. No. D3474.1 dated June 2019 by Allied Tree Consultancy Author Warwick Varley and Geoff Beisler to be implemented including and not restricted to: project arborist being present during work within Structural Root Zone (SRZ) and supervising work within Tree Protection Zones (TPZ), site induction with reference to tree protection, referring matters to project arborist, re routing of sub surface utilities to avoid Tree Protection Zones (TPZ), stormwater pipe to be installed flush with basement wall, hand excavation within TPZ near tree roots, remedial tree pruning, deadwooding, fencing and signage, sediment buffer, stem protection, establishing TPZs, mulching and watering and root hormone application if required. Soil levels within the TPZ must remain the same.

The developer shall remove existing trees numbered 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and 41. Total number: twenty-seven (27 No.).

Prior to the Issue of the Construction Certificate

13 **Flows from Adjoining Properties**

Flows from adjoining properties shall be accepted and catered for within the site. Finished ground and top of retaining wall levels on the boundary shall be no higher than the existing upslope adjacent ground levels. The above requirements must be clearly shown on construction certificate plans prior to the release of the construction certificate.

14 **Basement Waterproofing**

Full engineering details of the proposed wall around the basement car park shall be submitted to

the Principal Certifying Authority prior to the issue of the Construction Certificate. These shall include construction details indicating that no ingress of stormwater is possible into the basement level. This applies to any proposed opening such as doors or ventilation louvres.

15 **Pump System**

A pump system shall be provided in association with the detailed drainage design for the site to cater for stormwater from a prolonged/extreme storm event entering the basement. The pump system shall be designed by a suitably qualified and experienced civil engineer and reflected on the Construction Certificate plans and supporting documentation.

16 **Habitable Floor Levels – Freeboard above OSD**

Habitable floor levels shall be constructed at no lower than 0.2 metres above the adjacent local 100 year ARI water surface level or 100 year ARI storage water surface level in the adjacent on-site stormwater detention (OSD) facility. This requirement shall be reflected on the detailed drainage design and Construction Certificate plans. Evidence that these requirements have been satisfied shall be submitted to the Principal Certifying Authority prior to the release of the Construction Certificate

17 **Overflow from OSD Facility**

Provision shall be made in the detailed design of each proposed on-site stormwater detention (OSD) storage for overflows from storms more severe than the design storm or for blockages in the system. Overflows shall be directed to a flow path through the development so that buildings are not inundated nor are flows concentrated on an adjoining property. These requirements shall be reflected on the detailed drainage design and Construction Certificate plans. Evidence that these requirements have been satisfied shall be submitted to the Principal certifying Authority prior to the release of a Construction Certificate.

18 **Drainage Invert and Pit Surface Levels**

The detailed drainage design shall ensure the following outcomes:

- a A grated junction pit shall be provided at each proposed point of connection of stormwater from the development to Council's existing stormwater drainage system within the easement for drainage of water 3.05 and 3 wide (DP 1159710). Each junction pit shall be contained wholly within the easement and constructed such that the invert level of the new pit matches the invert level of the existing pipe.
- b The surface level of all proposed stormwater pits located outside the easement (including pit surface levels of OSD facilities) shall be above the surface level of the grated junction pit connecting into existing stormwater pipe within the easement for drainage of water 3.05 and 3 wide (DP 1159710), to ensure all surcharge flows in the event of a blockage/overload of Council's existing stormwater drainage system will be contained within the easement and will not surcharge into the private development.
- c The proposed stormwater drainage system (including OSD facilities, pits, drainage pipes) shall be provided with a suitable longitudinal gradient draining into Council's existing stormwater pipe within the easement for drainage of water 3.05 and 3 wide (DP 1159710), in accordance with the relevant Australian Standards (including AS/NZS 3500.3 – Plumbing and drainage – Part 3: Stormwater drainage).

The above requirements shall be reflected on the detailed drainage design and Construction Certificate plans. Evidence that these requirements have been satisfied shall be submitted to the Principal Certifying Authority prior to the release of the Construction Certificate.

19 **Existing Stormwater Pipeline**

A hydraulic grade line analysis and longitudinal section of the existing stormwater drainage system within the easement conveying stormwater from the development to the watercourse shall be provided in conjunction with the detailed drainage design for the site. The longitudinal section shall show calculated flows, velocity, pipe size/class, grade, inverts and existing/proposed surface levels. The analysis shall demonstrate that the existing piped drainage system can convey all contributing flows in a 10 year ARI storm event in the post development condition. If the existing stormwater system is not found to have the required capacity, then that section of pipeline shall be amplified, or the flows shall be restricted from the subject site, to ensure the capacity of the existing

stormwater drainage system is not exceeded. Evidence that these requirements have been satisfied shall be submitted to the Principal Certifying Authority prior to the release of the Construction Certificate.

20 **Containment of Overflows within Easement**

The detailed design of the development shall ensure that all surface flows in the event of a blockage/overload of Council's stormwater drainage system will be contained within the easement for overland flow 3.05, 3 and Variable (DP 1159710). This outcome shall be demonstrated by submission of the following information with the Construction Certificate application:

- a Details of the overland flow path within the easement for overland flow 3.05, 3 and Variable (DP 1159710) for its full extent within the subject property, including longitudinal section and cross-sections taken at each point along the flow path where the cross-sectional geometry and/or longitudinal gradient changes.
- b Hydrologic and hydraulic calculations for the post development condition showing maximum 100 year ARI water levels in the flow path in the event of a blockage/overload of the piped drainage system within the easement.
- c A design certification from a suitably qualified civil engineer stating that, based on the detailed drainage design, all surface flows in the event of a blockage/overload of Council's stormwater drainage system will be contained within the easement for overland flow 3.05, 3 and Variable (DP 1159710).

Evidence that these requirements have been satisfied shall be submitted to the Principal Certifying Authority prior to the release of the Construction Certificate.

21 **Details of Works within Easement for Overland Flow 3.05, 3 and Variable (DP 1159710)**

A detailed design for all proposed works within the Easement for Overland Flow 3.05, 3 and Variable (DP 1159710) including pit and piped drainage, surface flow path, driveway/pedestrian crossings, and all other proposed works and/or changes to surface levels, shall be prepared by a suitably qualified civil engineer in accordance with the relevant Council engineering standards. The design plans and supporting documentation shall include the following:

- a Levels and details of all existing and proposed infrastructure/services such as kerb and gutter, public utility, pits, poles, fencing, stormwater drainage, adjacent road carriageway and footpath levels, and shall extend a minimum of 5 metres beyond the limit of works.
- b Engineering details of the existing and proposed stormwater drainage system including a hydraulic grade line analysis and longitudinal section showing calculated flows, velocity, pits, pipe size/class, grade, inverts and ground levels for the proposed post-development condition.
- c Details and hydrologic/hydraulic calculations showing the maximum 100 year ARI water level in the easement for its full extent within the subject property, including a longitudinal section and cross-sections taken at each point in the flow path where the cross-sectional geometry and/or longitudinal gradient changes. The details and hydrologic/hydraulic calculations shall be for the post development condition in the event of a blockage/overload of the piped drainage system within the easement.
- d All new drainage pits shall be in accordance with the current version of Wollongong City Council's Engineering Standard Drawings. The proposed pit in Council's road reserve must not conflict with any existing or proposed vehicular accessway.
- e Details of each pedestrian/vehicular crossing of the easement, including longitudinal section and cross-sections at the upstream and downstream extent of each proposed crossing.
- f Details of proposed transition works between the swale and proposed vehicular/pedestrian crossings where necessary to ensure a smooth hydraulic transition and continuity of flow.
- g Where any adjustments to public utilities are proposed the applicant shall submit documentary evidence that they have the consent of the owner of the public utility authority.
- h All construction must be in accordance with the requirements of Council's Subdivision Code.

Evidence that the above requirements have been met must be detailed on the engineering drawings. The detailed design and supporting documentation shall be submitted to and approved by Wollongong City Council's Development Engineering Manager prior to the issue of a Construction Certificate.

22 **Building Entrances/Openings Adjacent to Easement for Overland Flow 3.05, 3 and Variable (DP 1159710)**

All proposed building entrances/openings adjacent to the Easement for Overland Flow 3.05, 3 and Variable (DP 1159710) shall be designed to ensure the following outcomes:

- a Building openings adjoining habitable floor areas (incl. U01 and U02 top of courtyard wall level and window openings) shall be a minimum of 0.3 metres above the maximum 100 year ARI water level in the Easement for Overland Flow 3.05, 3 and Variable (DP 1159710) in the event of a blockage/overload of the piped drainage system within the easement.
- b Building openings adjoining the basement level (incl. driveway access, pedestrian stair, and any other openings including ventilation points, etc.) shall be a minimum of 0.2 metres above the maximum 100 year ARI water level in the Easement for Overland Flow 3.05, 3 and Variable (DP 1159710) in the event of a blockage/overload of the piped drainage system within the easement.
- c Details of all building entrance levels and adjacent maximum 100 year ARI water level in the Easement for Overland Flow 3.05, 3 and Variable (DP 1159710) in the event of a blockage/overload of the piped drainage system within the easement, shall be provided in conjunction with the Construction Certificate plans. Evidence that these requirements have been satisfied, including a design certification from a suitably qualified civil engineer, shall be submitted to the Principal Certifying Authority prior to the release of a Construction Certificate.

23 **Landscaping within and Adjacent to Easement for Drainage of Water 3.05 and 3 wide (DP 1159710)**

All proposed landscaping within and adjacent to the easement for drainage of water 3.05 and 3 wide (DP 1159710) shall be of a type that will not impact the condition and/or function of the drainage system within the easement, including pits, drainage pipelines, and overland flow path. Landscaping within the easement shall be limited to turf. Planting of trees/vegetation adjacent to the easement shall ensure no impact on the drainage system as a result of root invasion into the easement. In this regard, a plan shall be prepared by a suitably qualified landscape architect and submitted with the Construction Certificate application, showing the likely extent of the root zone for each proposed plant/tree within 10 metres of the easement. This information shall demonstrate that the likely extent of the root zone for each proposed plant/tree does not encroach into the easement for drainage of water 3.05 and 3 wide (DP 1159710). Evidence that these requirements have been satisfied shall be submitted to the Principal Certifying Authority prior to the release of a Construction Certificate.

24 **Design to Ensure no Increase in Stormwater Peak Flows**

The detailed design of the development shall ensure no increase in stormwater peak flows occurs downstream of the site as a result of the development. This requirement shall be reflected on the detailed drainage design and Construction Certificate plans. Evidence that these requirements have been satisfied shall be submitted to the Principal Certifying Authority prior to the release of the Construction Certificate.

25 **Unexpected Finds Protocol**

Unexpected contamination and “hotspots” Sometimes site contamination is not expected and is detected after work commences. Excavations may uncover buried asbestos, other materials. Unexpected contamination or hotspots on a site should be taken into account for any site health and safety plan. Precautions should be included in the plan, including:

- workers trained to recognise potential contamination and danger signs eg odours or soil discolouration.
- precautions if signs of unexpected contamination or hot spots are found, such as:
 - stop work.
 - report signs to the site supervisor immediately.
 - isolate the area with a physical barrier.
 - assume the area is contaminated until an assessment proves otherwise.
 - assess the area to identify contaminants in the soil or spoil.

26 **Targeted Site Assessment and Remediation Action Plan**

A targeted site assessment of surface soils 0.0-0.2m depth is required to assess the nature and volumes of soil contamination upon removal of patched asphalt, crushed concrete, bricks and tiles as identified in the potential areas of environmental concern (AEC) in the Preliminary Contamination Assessment dated 20 January 2017 and Supplementary Advice for Preliminary Contamination Assessment dated 3 August 2018 prepared by Coffey Services Australia Pty Ltd.

Based on this targeted site assessment, a Stage 3 Remediation Action Plan must be prepared so that the site can be made suitable for proposed development. The targeted site assessment (Stage 2) and 3 Reports must be prepared as per the Guidelines for Consultants Reporting on Contaminated Sites, published by NSW Office of Environment & Heritage, August 2011.

The targeted site assessment and Remediation Action Plan must be prepared by a contaminated land consultant who is certified under one of the following certification schemes:

- the Environment Institute of Australia and New Zealand's (EIANZ) Certified Environmental Practitioner (Site Contamination) scheme (CEnvP (SC)); or
- the Soil Science Australia (SSA) Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) certification.

The further targeted site assessment and Remediation Action Plan are to be issued by the certified contaminated land consultant direct to Council. No third party submissions will be accepted.

27 **Site Validation Report**

Prior to the issue of a Construction Certificate a Stage 4 Validation Report shall be submitted to Council at the completion of remediation works.

The Validation Report shall verify that:

- a the site is not affected by soil and/or groundwater contamination above the NSW EPA threshold limit criteria; and
- b the site is suitable for the proposed development.

The Validation Report must be prepared by a contaminated land consultant who is certified under one of the following certification schemes:

- the Environment Institute of Australia and New Zealand's (EIANZ) Certified Environmental Practitioner (Site Contamination) scheme (CEnvP (SC)); or
- the Soil Science Australia (SSA) Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) certification.

The Validation Report is to be issued by the certified contaminated land consultant direct to Council. No third party submissions will be accepted.

28 **External Lighting**

Any lighting of external areas within the development such as the communal open space areas, driveways and car parking entries, shall be designed and located in a manner to prevent light spill and/or glare impacts on neighbouring properties. Light placement and design shall be indicated on the construction certificate drawings.

29 **Retaining Wall Adjacent to Common Boundary**

Retaining walls adjacent to the common boundary must be located wholly within the property, including footings and agricultural drainage lines. Construction of retaining walls or associated drainage work along common boundaries must not compromise the structural integrity of any existing structures.

The maximum height of a retaining wall located within 900mm of the adjoining boundary shall be 600mm unless approved within this Development Application.

30 **Podium Planting**

All podium planting areas to have a waterproofing membrane that can provide a minimum 10 year warranty on product. Protective boarding to be installed to protect membrane from damage. All podium planting areas to be provided with an adequate drainage system connected to stormwater

drainage system. Planter box to be backfilled with free draining planter box soil mix. Organic mulch only. Maximum decorative gravel pebble size 10mm diameter.

31 **Residential Storage**

Each residential unit shall be allocated storage within the residential storage area provided within the building. The residential storage area shall be appropriately secured and fitted with CCTV surveillance. This requirement shall be reflected on the Construction Certificate plans.

32 **Mechanical Ventilation of the Car Park**

The car park shall be mechanically ventilated, to be ducted to the roof. Details demonstrating compliance shall be provided with the Construction Certificate.

33 **Placement of Air Conditioning Units**

Air conditioning systems are to not to be located where they are visible from the public streets abutting the site. Plans submitted to the Principal Certifying Authority prior to issue of the Construction Certificate are to identify any external components of air conditioning systems to ensure they meet the requirements of this condition.

34 **External Finishes**

The building shall be constructed and finished in accordance with the approved schedule of finishing materials and colours except where amended by conditions of this consent. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.

35 **Present Plans to Sydney Water**

Approved plans must be submitted online using Sydney Water Tap, available through www.sydneywater.com.au to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met.

The Certifying Authority must ensure that Sydney Water has issued an approval receipt prior to the issue of a Construction Certificate.

Visit www.sydneywater.com.au or telephone 13 20 92 for further information.

36 **Endeavour Energy Requirements**

The submission of documentary evidence from Endeavour Energy to the Principal Certifying Authority is required confirming that satisfactory arrangements have been made with Endeavour Energy for the provision of electricity supplies to the development, prior to the release of the Construction Certificate.

Note: Applications should be made to Customer Connections – South Coast, Endeavour Energy PO Box 811 Seven Hills NSW 1730.

37 **Telecommunications**

The submission of documentary evidence from an approved telecommunications carrier to the Principal Certifying Authority confirming that underground telecommunication services are available for this development is required prior to the issue of the Construction Certificate.

38 **Integration of Rooftop Structures in Approved Building Envelope**

All rooftop or exposed structures including lift rooms, plant rooms together with air conditioning units, ventilation and exhaust systems are to be integrated within the approved rooftop envelope. This requirement shall be reflected on the Construction Certificate plans.

39 **Glass Reflectivity Index**

The reflectivity index of the glass used in the external façade of the building shall not exceed 20 per cent. The details and samples of the glass to be used are to be submitted with the Construction Certificate together with written evidence that the reflectivity of the glass is 20 per cent or less.

40 **External Clothes Drying Facilities**

In the event that external clothes drying facilities are proposed, full details of the screening and the location of these facilities shall be reflected on the Construction Certificate plans and the final landscape plan.

41 The provision of a centralised clothes drying facility is required for this development. The location and proposed screening of this facility shall be reflected on the Construction Certificate plans and the final landscape plan.

42 **Fencing**

The development is to be provided with fencing and screen walls at full cost to the applicant/developer as follows:

- a where a screen wall faces the road, pedestrian walkway, reserve or public place that wall shall be constructed of the same brickwork as that used in the external wall of the building;
- b rear and side property boundaries (behind the building line) and private rear courtyards are to be provided with minimum 1.8 metre high brick, timber lapped and capped, palisade or colorbond fences;
- c Any new fences or screens constructed on the site shall be of a type that will not obstruct the free flow of surface runoff from adjoining properties and be compatible with stormwater drainage requirements; and;

This requirement is to be reflected on the Construction Certificate plans.

43 **Car Parking and Access**

The development shall make provision for the following:

- 50 residential car parking spaces (26 spaces for townhouses and 24 spaces for residential flat building including 3 accessible spaces).
- 5 visitor car parking spaces (3 at grade and 2 in basement carpark).
- 4 motorcycle parking spaces.
- Minimum of 12 secure (Class B) residential bicycle spaces.
- 3 visitor bicycle spaces (Class C).

This requirement shall be reflected on the Construction Certificate plans. Any change in above parking numbers shown on the approved DA plans shall be dealt with via a section 4.55 modification to the development. The approved car parking spaces shall be maintained to the satisfaction of Council, at all times.

44 The parking dimensions, internal circulation, aisle widths, kerb splay corners, head clearance heights, ramp widths and grades of the car parking areas are to be in conformity with the current relevant Australian Standard AS2890.1, except where amended by other conditions of this consent. Details of such compliance are to be reflected on the Construction Certificate plans.

45 Each disabled person's parking space must comply with the current relevant Australian Standard AS2890.6 – Off-street parking for people with disabilities. This requirement shall be reflected on the Construction Certificate plans.

46 **Designated Loading/Unloading Facility**

The designated loading/unloading facility must be clearly delineated with appropriate signage and or line marking to ensure the area is kept clear at all times. The designated loading/unloading facility shall be shown on the Construction Certificate plans.

47 **Structures Adjacent to Driveway**

Any proposed structures adjacent to the driveway shall comply with the requirements of the current relevant Australian Standard AS2890.1 (figure 3.2 and 3.3) to provide for adequate pedestrian and vehicle sight distance. This includes, but is not limited to, structures such as signs, letterboxes, retaining walls, dense planting etc. This requirement shall be reflected on the Construction Certificate plans.

48 The depth and location of all services (ie gas, water, sewer, electricity, telephone, traffic lights, etc) must be ascertained and reflected on the Construction Certificate plans and supporting documentation.

49 **Sizing of Drainage**

All roof gutters, downpipes, pits, and pipelines draining roof areas and other impervious surfaces with no deliberate overflow path to the on-site stormwater detention (OSD) facility, shall be designed to cater for a 1 in 100 year ARI storm event in accordance with AS 3500.3 – Plumbing and Drainage (Stormwater Drainage). Details of gutter/downpipe/pipeline sizes and locations shall be reflected on the Construction Certificate plans

50 **Landscaping**

The submission of a final Landscape Plan to the Principal Certifying Authority, prior to the release of the Construction Certificate. The final Landscape Plan shall address the following requirements:

- a planting of indigenous plant species typical of the Illawarra Region such as: *Syzygium smithii* (formerly *Acmena smithii*) Lilly pilly, *Archontophoenix cunninghamiana* Bangalow palm, *Backhousia myrtifolia* Grey myrtle, *Elaeocarpus reticulatus* Blueberry ash, *Glochidion ferdinandii* Cheese tree, *Livistona australis* Cabbage palm tree, *Brachychiton acerifolius* Illawarra Flame Tree. A further list of suitable suggested species for the Corrimal area may be found in Wollongong Development Control Plan 2009 – Chapter E6: Landscaping;
- b a schedule of proposed planting, including botanic name, common name, expected mature height and staking requirements as well as number of plants and pot sizes;
- c the location of all proposed and existing overhead and underground service lines. The location of such service lines shall be clear of the dripline of existing and proposed trees;
- d any proposed hard surface under the canopy of an existing trees shall be permeable and must be laid such that the finished surface levels match the existing level. Permeable paving is to be installed in accordance with the manufacturer's recommendations;
- e the developer shall ensure that proposed planting is child friendly and must **not** include any of the types of plants listed below: **i)** plants known to produce toxins; **ii)** plant with high allergen properties; **vi)** any weed or potential weed species;
- f any fill material should not cover topsoil. Topsoil shall be removed, stockpiled, ameliorated and replaced over any fill material to a minimum depth of 100mm;
- g lighting to be provided to laneway linking to Wilga Street;
- h planting adjacent to drainage swale to be low scale for passive surveillance and suitable for damp soil such as *Dianella* varieties, *Lomandra* and riparian planting;
- i tree planting adjacent to existing easement to be low scale and setback a minimum 1.5m from easement to ensure root system does not impact easement function. Planting to be selected from the following list:
Prunus x cerasifera 'Nigra' Black Cherry Plum
Magnolia Teddy bear or
Lagerstroemia indica x L. fauriei 'Acoma'; and;
- j in addition a continuous root barrier of minimum 600mm depth consisting of 1mm recycled High Density Polyethylene to be installed along easement in the vicinity of any tree planting.

The completion of the landscaping works as per the final approved Landscape Plan is required, prior to the issue of Occupation Certificate or commencement of the development.

- 51 The submission of certification from a suitably qualified and experienced landscape designer and drainage consultant to the Principal Certifying Authority prior to the release of the Construction Certificate, confirming that the landscape plan and the drainage plan are compatible.

- 52 The implementation of a landscape maintenance program in accordance with the approved Landscape Plan for a minimum period of 12 months to ensure that all landscape work becomes well established by regular maintenance. Details of the program must be submitted with the Landscape Plan to the Principal Certifying Authority prior to release of the Construction Certificate.

53 **Tree Protection Measures**

The existing trees are to be retained upon the subject property and any trees on adjoining properties shall not be impacted upon during the excavation or construction phases of the development. This will require the installation and maintenance of appropriate tree protection measures, including (but

not necessarily limited to) the following:

- a Installation of Tree Protection Fencing - Protective fencing shall be 1.8 metre cyclone chainmesh fence, with posts and portable concrete footings. Details and location of protective fencing must be indicated on the architectural and engineering plans to be submitted to the Principal Certifying Authority prior to release of the Construction Certificate.
- b Mulch Tree Protection Zone: Areas within a Tree Protection Zone are to be mulched with minimum 75 mm thick 100% recycled hardwood chip/leaf litter mulch.
- c Irrigate: Areas within the Tree Protection Zone are to be regularly watered in accordance with the arborist's recommendations.

The submission of a final Site Plan to the Principal Certifying Authority indicating required tree protection fencing is required, prior to the release of the Construction Certificate.

54 **Provision of a Fire Hydrant**

The provision of a fire hydrant in accordance with AS2419 (1994) Fire Hydrant Installations and any requirements of the NSW Rural Fire Service and/or NSW Fire Brigades. The final details of the location of the fire hydrant shall be reflected on the Construction Certificate plans prior to the issue of the Construction Certificate.

55 **Engineering Plans and Specifications - Retaining Wall Structures Greater than One (1) Metre**

The submission of engineering plans and supporting documentation of all proposed retaining walls greater than one (1) metre to the Principal Certifying Authority for approval prior to the issue of the Construction Certificate. The retaining walls shall be designed by a suitably qualified and experienced civil and/or structural engineer. The required engineering plans and supporting documentation shall include the following:

- a A plan of the wall showing location and proximity to property boundaries;
- b An elevation of the wall showing ground levels, maximum height of the wall, materials to be used and details of the footing design and longitudinal steps that may be required along the length of the wall;
- c Details of fencing or handrails to be erected on top of the wall;
- d Sections of the wall showing wall and footing design, property boundaries, subsoil drainage and backfill material. Sections shall be provided at sufficient intervals to determine the impact of the wall on existing ground levels. The developer shall note that the retaining wall, subsoil drainage and footing structure must be contained wholly within the subject property;
- e The proposed method of subsurface and surface drainage, including water disposal. This is to include subsoil drainage connections to an inter-allotment drainage line or junction pit that discharges to the appropriate receiving system;
- f The assumed loading used by the engineer for the wall design.
- g Flows from adjoining properties shall be accepted and catered for within the site. Finished ground and top of retaining wall levels on the boundary shall be no higher than the existing upslope adjacent ground levels.

56 **Pier and Beam Footings Adjacent to any Drainage Easement**

Buildings and structures (including brick fences) adjacent to easements shall be supported on pier and beam footings outside the easement. The base of the piers shall be a minimum 900 mm below ground level and shall extend below the invert level of the drainage pipelines within the easement. Structural engineers details are required detailing the size and levels of the existing drainage pipelines and the design levels for the base of the piers adjacent to the easement.

57 **Bicycle parking facilities must have adequate weather protection and provide the appropriate level of security as required by the current relevant Australian Standard AS2890.3 - Bicycle Parking Facilities. This requirement shall be reflected on the Construction Certificate plans.**

58 **Property Addressing Policy Compliance**

Prior to the issue of any construction certificate, the developer must ensure that any site addressing complies with Council's **Property Addressing Policy** (as amended). Where appropriate, the developer must also lodge a written request to Council's **Infrastructure Systems & Support – Property Addressing** (propertyaddressing@wollongong.nsw.gov.au), for the site addressing prior to the issue of the construction certificate. Please allow up to 3-5 business days for a reply. Enquiries regarding property addressing may be made by calling 4227 8660.

59 **Sizing of Drainage**

All roof gutters, downpipes, pits, and pipelines draining roof areas and other impervious surfaces with no deliberate overflow path to the on-site stormwater detention (OSD) facility, shall be designed to cater for a 1 in 100 year ARI storm event in accordance with AS 3500.3 – Plumbing and Drainage (Stormwater Drainage). Details of gutter/downpipe/pipeline sizes and locations shall be reflected on the Construction Certificate plans

60 **Stormwater Drainage Design**

A detailed drainage design for the development must be submitted to and approved by the Principal Certifying Authority prior to the release of the Construction Certificate. The detailed drainage design must satisfy the following requirements:

- a Be prepared by a suitably qualified civil engineer in accordance with Chapter E14 of Wollongong City Council's Development Control Plan 2009, Subdivision Policy, conditions listed under this consent.
- b Include details of the method of stormwater disposal. Stormwater from the development must be piped to Council's existing stormwater drainage system within the easement for drainage of water 3.05 and 3 wide (DP 1159710).
- c Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified engineer and be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties. The plan must indicate the method of disposal of all stormwater and must include rainwater tanks, existing ground levels, finished surface levels on all paved areas, estimated flow rates, invert levels and sizes of all pipelines.
- d Overflow paths shall be provided to allow for flows of water in excess of the capacity of the pipe/drainage system draining the land, as well as from any detention storage on the land. Blocked pipe situations with 1 in 100 year ARI events shall be incorporated in the design. Overflow paths shall also be provided in low points and depressions. Each overflow path shall be designed to ensure no entry of surface water flows into any building and no concentration of surface water flows onto any adjoining property. Details of each overflow path shall be shown on the detailed drainage design.

61 **On-Site Stormwater Detention (OSD) Design**

The developer must provide on-site stormwater detention (OSD) storage for stormwater runoff from the development. The design and details of the OSD system must be provided in conjunction with the detailed drainage design and approved by the Principal Certifying Authority prior to the release of the Construction Certificate. The OSD design and details must satisfy the following requirements:

- a Must be prepared by a suitable qualified engineer in accordance with Chapter E14 of the Wollongong DCP 2009.
- b Must include details of the Site Storage Requirement (SSR) and Permissible Site Discharge (PSD) values for the site in accordance with Section 12.2.4 of Chapter E14 of the Wollongong DCP2009.
- c The OSD facility must be designed to withstand the maximum loadings occurring from any combination of traffic (with consideration to residential and heavy vehicles), hydrostatic, earth, and buoyancy forces. Details must be provided demonstrating these requirements have been achieved.

- d The OSD facility shall incorporate a minimum 600mm x 600mm square lockable grate for access and maintenance purposes, provision for safety, debris control screen, and a suitably graded invert to the outlet to prevent ponding.
- e Must include discharge control calculations (i.e. orifice/weir calculations) generally in accordance with Section 12.2.6 and 12.5.4 of Chapter E14 of the Wollongong DCP2009.
- f Details of the orifice plate including diameter of orifice and method of fixing shall be provided.
- g Must include details of a corrosion resistant identification plaque for location on or close to the OSD facility. The plaque shall include the following information and shall be installed prior to the issue of the occupation certificate:
 - The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.
 - Identification number [DA-2018/1481];
 - Any specialist maintenance requirements.
- h Must include a maintenance schedule for the OSD system, generally in accordance with Chapter E14 of the Wollongong DCP2009.

62 Development Contributions

Pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979 and the Wollongong City-Wide Development Contributions Plan, a monetary contribution of \$74,463.23 (subject to indexation) must be paid to Council towards the provision of public amenities and services, prior to the release of any associated Construction Certificate.

This amount has been calculated based on the estimated cost of development and the applicable percentage rate.

The contribution amount will be subject to indexation until the date of payment. The formula for indexing the contribution is:

$$\text{Contribution at time of payment} = \$C \times (\text{CP2}/\text{CP1})$$

Where:

\$C is the original contribution as set out in the Consent

CP1 is the Consumer Price Index; All Groups CPI; Sydney at the time the consent was issued

CP2 is the Consumer Price Index; All Groups CPI; Sydney at the time of payment

Details of CP1 and CP2 can be found in the Australian Bureau of Statistics website – Catalogue No. 6401.0 - Consumer Price Index, Australia.

The following payment methods are available:

METHOD	HOW	PAYMENT TYPE
Online (Full payment only)	http://www.wollongong.nsw.gov.au/applicationpayments Your Payment Reference: 1057514	<ul style="list-style-type: none"> • Credit Card
In Person	Wollongong City Council Administration Building - Customer Service Centre Ground Floor 41 Burelli Street, WOLLONGONG	<ul style="list-style-type: none"> • Cash • Credit Card • Bank Cheque
PLEASE MAKE BANK CHEQUE PAYABLE TO: Wollongong City Council (Personal or company cheques are not accepted)		

A copy of the Wollongong City-Wide Development Contributions Plan and accompanying Fact Sheet may be inspected or obtained from the Wollongong City Council Administration Building,

41 Burelli Street, Wollongong during business hours or on Council's web site at www.wollongong.nsw.gov.au

Prior to the Commencement of Works

63 Construction Environmental Management Plan

Prior to the commencement of any works at the site, a detailed Construction Environmental Management Plan (CEMP) prepared by a suitably qualified person shall be submitted to the Principal Certifying Authority and Council (in the event Council is not the Principal Certifying Authority for its records). The CEMP shall include (but not be limited to) the following details:

- a plan of proposed demolition materials and construction storage areas;
- b parking for construction workers during the demolition and construction phases;
- c the type of materials/plant/equipment to be transported to and stored at the site and how is it to be transported and stored;
- d timing of delivery of materials;
- e the proposed access points to the site during demolition and construction; and
- f address all environmental aspects of the development's demolition and construction phases including site dewatering and groundwater management, erosion and sediment control; dust suppression and noise and waste management.
- g The applicant is to submit an excavated soil material disposal plan to Principal Certifying Authority prior to the commencement of work. The plan shall address as a minimum the batching, sampling and analysis procedures as per the DECCW (2009) *Waste Classification Guidelines*. The plan shall be prepared by a suitably qualified and experienced consultant. A copy of the plan shall be forwarded to Council.
- h An unexpected finds protocol is to be developed to account for any contamination detected after work commences. Precautions should be included in the plan, including:
 - i workers trained to recognise potential contamination and danger signs eg odours or soil discolouration.
 - ii precautions if signs of unexpected contamination or hot spots are found, such as:
 - stop work.
 - report signs to the site supervisor immediately.
 - isolate the area with a physical barrier.
 - assume the area is contaminated until an assessment proves otherwise.
 - assess the area to identify contaminants in the soil or spoil.

64 Appointment of Principal Certifying Authority

Prior to commencement of work, the person having the benefit of the Development Consent and a Construction Certificate must:

- a Appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment irrespective of whether Council or an accredited private certifier is appointed; and
- b notify Council in writing of their intention to commence work (at least two days notice is required).

The Principal Certifying Authority must determine when inspections and compliance certificates are required.

65 Residential Building Work – Compliance with the Requirements of the Home Building Act 1989

Building work involving residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates:

- a in the case of work to be done by a licensee under that Act:
 - i has been informed in writing of the licensee's name, contractor license number and contact address details (in the case of building work undertaken by a contractor under the Home Building Act 1989); and

- ii is satisfied that the licensee has complied with the requirements of Part 6 of the Home Building Act 1989; or
- b in the case of work to be done by any other person:
 - i has been informed in writing of the persons name, contact address details and owner-builder permit number; and
 - ii has been given a declaration signed by the property owner(s) of the land that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989 and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that the specific person or licensed contractor is the holder of an insurance policy issued for the purposes of that Part of the Act is, for the purposes of this condition, sufficient evidence that the person has complied with the requirements of that Part of the Act.

66 **Sign – Supervisor Contact Details**

Before commencement of any work, a sign must be erected in a prominent, visible position:

- a stating that unauthorised entry to the work site is not permitted;
- b showing the name, address and telephone number of the Principal Certifying Authority for the work; and
- c showing the name and address of the principal contractor in charge of the work site and a telephone number at which that person can be contacted at any time for business purposes.

This sign shall be maintained while the work is being carried out and removed upon the completion of the construction works.

67 **Temporary Toilet/Closet Facilities**

Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided must be:

- a a standard flushing toilet; and
- b connected to either:
 - i the Sydney Water Corporation Ltd sewerage system or
 - ii an accredited sewage management facility or
 - iii an approved chemical closet.

The toilet facilities shall be provided on-site, prior to the commencement of any works.

68 **Structural Engineer's Details**

Structural engineer's details for all structurally designed building works such as reinforced concrete footings, reinforced concrete slabs and structural steelwork must be submitted to the Principal Certifying Authority, prior to the commencement of any works on the site.

69 **Enclosure of the Site**

The site must be enclosed with a suitable security fence to prohibit unauthorised access, to be approved by the Principal Certifying Authority. No building work is to commence until the fence is erected.

70 **Notification to SafeWork NSW**

The demolition licence holder who proposes demolition of a structure or part of a structure that is loadbearing or otherwise related to the physical integrity of the structure that is at least six metres in height, involving load shifting machinery on a suspended floor, or involving the use of explosives

must notify SafeWork NSW in writing at least five (5) calendar days before the work commences.

71 **Support for Neighbouring Buildings**

This consent requires the preservation and protection of neighbouring buildings from any damage and if necessary, requires the underpinning and support of any neighbouring building in an approved manner. The applicant or the contractor carrying out the work must at least seven days in advance of any excavation works below the level of the base of the footings of a building on an adjoining allotment, including a public road or place, give written notice of intention to carry out such works to the property owner of the affected adjoining building and furnish specific written details and supporting plans or other documentation of the proposed work.

The adjoining property owner of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

72 **Site Management Program – Sediment and Erosion Control Measures**

A site management program incorporating all sediment and erosion control measures (eg cleaning of sediment traps, fences, basins and maintenance of vegetative cover) is to be initiated prior to the commencement of any demolition, excavation or construction works and maintained throughout the demolition, excavation and construction phases of the development.

73 **All-weather Access**

An all-weather stabilised access point must be provided to the site to prevent sediment leaving the site as a result of vehicular movement. Vehicular movement should be limited to this single accessway.

74 **Sediment Control Measures**

The developer must ensure that sediment-laden runoff from the site is controlled at all times subsequent to commencement of construction works. Sediment control measures must be maintained at all times and checked for adequacy at the conclusion of each day's work.

75 **Tree Protection Implementation**

The existing trees are to be retained upon the subject property and any trees on adjoining properties shall not be impacted upon during the excavation or construction phases of the development. This will require the installation and maintenance of appropriate tree protection measures, including (but not necessarily limited to) the following:

- a installation of Tree Protection Fencing - Protective fencing shall be 1.8 m cyclone chainmesh fence, with posts and portable concrete footings;
- b mulch Tree Protection Zone: Areas within a Tree Protection Zone are to be mulched with minimum 75 mm thick 100% recycled hardwood chip/leaf litter mulch;
- c irrigate: Areas within the Tree Protection Zone are to be regularly watered in accordance with the arborist's recommendations.

The tree protection fencing shall be installed prior to the commencement of any demolition, excavation or construction works and shall be maintained throughout the entire construction phases of the development.

76 **Supervising Arborist – Tree Inspection and Installation of Tree Protection Measures**

Prior to the commencement of any demolition, excavation or construction works, the supervising arborist must certify in writing that tree protection measures have been inspected and installed in accordance with the arborist's recommendations and relevant conditions of this consent.

77 **Works in Road Reserve - Minor Works**

Approval, under Section 138 of the Roads Act must be obtained from Wollongong City Council's Development Engineering Team prior to any works commencing or any proposed interruption to pedestrian and/or vehicular traffic within the road reserve caused by the construction of this development.

The application form for Works within the Road Reserve – Section 138 Roads Act can be found on Council's website. The form outlines the requirements to be submitted with the application, to give approval to commence works under the roads act. It is advised that all applications are

submitted and fees paid, five (5) days prior to the works within the road reserve are intended to commence. The Applicant is responsible for the restoration of all Council assets within the road reserve which are impacted by the works/occupation. Restoration must be in accordance with the following requirements:

- a All restorations are at the cost of the Applicant and must be undertaken in accordance with Council's standard document, "Specification for work within Council's Road reserve".
- b Any existing damage within the immediate work area or caused as a result of the work/occupation, must also be restored with the final works.

78 **Protection of Public Infrastructure**

Council must be notified in the event of any existing damage to any of its infrastructure such as the road, kerb and gutter, road shoulder, footpath, drainage structures and street trees fronting the development site, prior to commencement of any work.

Adequate protection must be provided for Council infrastructure prior to work commencing and during building operations.

Any damage to Council's assets shall be made good, prior to the issue of any Occupation Certificate or commencement of the operation.

79 **Dilapidation Report**

The developer shall submit a Dilapidation Report recording the condition of the existing streetscape, street trees and adjoining reserve prior to work commencing and include a detailed description of elements and photographic record.

During Demolition, Excavation or Construction

80 **Installation of WSUD Treatment Train**

The developer shall install the WSUD infrastructure (water quality improvement devices) as stated in the stormwater quality management report prepared by Cardno Consulting dated 5 July 2019. The WSUD design shall meet the www.wsud.org "Sydney Metropolitan Catchment Management Authority Typical Drawings for WSUD and WDCP 2009 Chapter E15 water quality improvement objectives.

81 **Protection of Council Infrastructure**

The developer shall provide adequate protection to all Council assets prior to work commencing and during construction. Wollongong City Council's Development Engineering Manager shall be notified immediately in the event of any damage to Council's assets. Any damage to Council's assets shall be restored to the satisfaction of Council, with all associated costs borne by the developer.

82 **Stormwater Connections**

All stormwater connections to Council's stormwater drainage system shall be constructed in accordance with good engineering practice. The developer shall ensure that the condition of the stormwater drainage system is not compromised and that the service life of the stormwater drainage system is not reduced as a result of the connection.

83 **Reuse of Demolition Material**

Material used for the purpose of filling that is sourced on site, such as reused concrete, bricks and soil must not exceed the National Environment Protection (Assessment of Site Contamination) Measure 1999 Health investigation levels for soil contaminants Residential A. The material must be assessed as per the NSW EPA sampling guidelines by an Environmental Consultant certified under one of the NSW EPA recognised schemes.

84 **Avoidance of Cruelty and Harm to Fauna**

During tree removal works, all care shall be taken to avoid cruelty and harm to fauna.

In the event any native fauna are injured during tree removal works, then the NSW Wildlife Information, Rescue and Education Service (WIRES) shall be contacted (phone 1300 094 737) for assistance.

- 85 **Supervision of Engineering Works**
All engineering works associated with the development are to be carried out under the supervision of a practicing engineer and/or registered surveyor.
- 86 **Piping of Stormwater to Existing Stormwater Drainage System**
Stormwater for the land must be piped to Council's existing stormwater drainage system.
- 87 **No Adverse Run-off Impacts on Adjoining Properties**
The design and construction of the development shall ensure there are no adverse effects to adjoining properties, as a result of flood or stormwater run-off. Attention must be paid to ensure adequate protection for buildings against the ingress of surface run-off.

Allowance must be made for surface run-off from adjoining properties. Any redirection or treatment of that run-off must not adversely affect any other property.
- 88 **Prohibition of any Encroachment into Drainage Easement**
No part of the structure, including footings, eaves and gutter overhang shall encroach into the easement to drain water/drainage easement.
- 89 **Copy of Consent to be in Possession of Person carrying out Tree Removal**
The applicant must ensure that any person carrying out tree removal is in possession of this development consent and the approved landscape plan, in respect to the vegetation which has been given approval to be removed in accordance with this consent
- 90 **Restricted Hours of Construction Work**
The developer must not carry out any work, other than emergency procedures, to control dust or sediment laden runoff outside the normal working hours, namely, 7.00 am to 5.00 pm, Monday to Saturday, without the prior written consent of the Principal Certifying Authority and Council. No work is permitted on public holidays or Sundays.

Any request to vary these hours shall be submitted to the **Council** in writing detailing:
- a the variation in hours required (length of duration);
 - b the reason for that variation (scope of works);
 - c the type of work and machinery to be used;
 - d method of neighbour notification;
 - e supervisor contact number;
 - f any proposed measures required to mitigate the impacts of the works.
- Note: The developer is advised that other legislation may control the activities for which Council has granted consent, including but not limited to, the Protection of the Environment Operations Act 1997.
- 91 Drains, gutters, access ways and roadways must be maintained free of sediment and any other material. Gutters and roadways must be swept/scraped regularly to maintain them in a clean state.
- 92 **Dust Suppression Measures**
Activities occurring during the construction phase of the development must be carried out in a manner that will minimise the generation of dust.
- 93 **Asbestos – Removal, Handling and Disposal Measures/Requirements Asbestos Removal by a Licensed Asbestos Removalist**
The removal of any asbestos material must be carried out by a licensed asbestos removalist if over 10 square metres in area of non-friable asbestos, or if any type of friable asbestos in strict accordance with SafeWork NSW requirements (<http://www.safework.nsw.gov.au>).
- 94 **Asbestos Waste Collection, Transportation and Disposal**
Asbestos waste must be prepared, contained, transported and disposed of in accordance with SafeWork NSW and NSW Environment Protection Authority requirements. Asbestos waste must only be disposed of at a landfill site that can lawfully receive this type of waste. A receipt must be retained and submitted to the Principal Certifying Authority, and a copy submitted to Council (in the event that Council is not the Principal Certifying Authority), prior to commencement of the construction works.

95 **Provision of Waste Receptacle**

The developer must provide an adequate receptacle to store all waste generated by the development, pending disposal. The receptacle must be regularly emptied and waste must not be allowed to lie or accumulate on the property other than in the receptacle. Consideration should be given to the source separation of recyclable and re-usable materials.

96 **BASIX**

All the commitments listed in each relevant BASIX Certificate for the development must be fulfilled in accordance with Clause 97A(2) of the Environmental Planning & Assessment Regulation 2000.

A relevant BASIX Certificate means:

- A BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under section 4.55 of the Environmental Planning & Assessment Act 1979, a BASIX Certificate that is applicable to the development when this development consent is modified); or
- if a replacement BASIX Certificate accompanies any subsequent application for a construction certificate, the replacement BASIX Certificate; and
- BASIX Certificate has the meaning given to that term in the Environmental Planning & Assessment Regulation 2000.”

97 **Excess Excavated Material – Disposal**

Excess excavated material shall be classified according to the NSW Environment Protection Authority’s Waste Classification Guidelines – Part 1: Classifying Waste (2014) prior to being transported from the site and shall be disposed of only at a location that may lawfully receive that waste.

98 **Provision of Taps/Irrigation System**

The provision of common taps and/or an irrigation system is required to guarantee that all landscape works are adequately watered. The location of common taps and/or irrigation system must be implemented in accordance with the approved Landscape Plan.

99 **Screen Planting**

To mitigate impact to adjoining dwelling a continuous hedge is to be established along southern boundary for the length of property boundary. Recommended species: *Callistemon viminalis* ‘Slim’, *Photinia glabra* Rubens, *Viburnum tinus*, *Syzygium australe* Aussie Southern, *Syzygium*, ‘Resilience’, *Viburnum odoratissimum* Dense Fence or *Waterhousea floribunda* Sweeper.

Minimum spacing 1000mm. Minimum pot size 5 lt.

A further list of suitable suggested species may be found in Wollongong Development Control Plan 2009 – Chapter E6: Landscaping.

100 **Podium Planting**

All podium planting areas are to have a waterproofing membrane that can provide a minimum 10 year warranty on product. Protective boarding is to be installed to protect membrane from damage.

All podium planting areas to be provided with an adequate drainage system connected to the stormwater drainage system. The planter box is to be backfilled with free draining planter box soil mix.

If selected mulch is decorative pebbles/gravel, the maximum gravel pebble size is 10mm diameter.

101 **Pipe Connections**

All pipe connections to existing stormwater drainage systems within the road reserve shall be constructed flush with the pit wall in accordance with good engineering practice. The developer shall ensure that the condition of the existing stormwater drainage system is not compromised and that the service life of the existing stormwater drainage system is not reduced as a result of the connection.

Prior to the Issue of the Occupation Certificate

102 Restriction on the Use of Land (Section 88E of the Conveyancing Act 1919)

Prior to the issue of any Occupation Certificate, an 88E Instrument creating a restriction on the use of the land under the Conveyancing Act 1919 is to be created requiring the following:

- a Units U01, U03, U04, U08, U10, U11, U14, U15, U18 and U21 as shown on the stamped plans are to be used for the purposes of affordable housing for 10 years from the date of the issue of the Occupation Certificate; and
- b Those units will be managed by a registered community housing provider.

The name of the authority having the power to release, vary or modify the restriction referred to is to be Wollongong City Council.

The instrument, showing the restriction, must be submitted to the Principal Certifying Authority for endorsement prior to the issue of the final Occupation Certificate and the use of the development.

103 Works-As-Executed Plans – Works within Easement for Drainage of Water 3.05 and 3 wide (DP 1159710)

A Works-As-Executed (WAE) plan for all works within the easement for drainage of water 3.05 and 3 wide (DP 1159710) must be submitted to and approved by Councils Development Engineering Manager, prior to the release of the occupation Certificate. The Works-As-Executed plans shall be certified by a registered surveyor indicating that the survey is a true and accurate record of the works that have been constructed. The Works-As-Executed dimensions and levels must also be shown in red on a copy of the approved Construction Certificate plans. The Works-As-Executed (WAE) plans must include:

- a Final locations and levels for all works associated with the development within Council land.
- b The plan(s) must include, but not be limited to, the requirements stated in Chapter E14 of the Wollongong DCP 2009.

An Occupation Certificate must not be issued until after Council's Development Engineering Manager has reviewed the WAE plans verified in writing that Council is satisfied that the works have been constructed in accordance with the approval for works within the easement.

104 A Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development.

105 Drainage

The developer must obtain a certificate of Hydraulic Compliance (using Council's M19 form) from a suitably qualified civil engineer, to confirm that all stormwater drainage and on-site detention works have been constructed in accordance with the approved plans. In addition, full works-as-executed plans, prepared and signed by a Registered Surveyor must be submitted. These plans and certification must satisfy all the stormwater requirements stated in Chapter E14 of the Wollongong DCP2009. This information must be submitted to the Principal Certifying Authority prior to the issue of the final Occupation Certificate.

106 Restriction on Use – On-site Detention System

The applicant must create a restriction on use under the Conveyancing Act 1919 over the on-site detention system. The following terms must be included in an appropriate instrument created under the Conveyancing Act 1919 for approval of Council:

"The registered proprietor of the lot burdened must not make or permit or suffer the making of any alterations to any on-site stormwater detention system on the lot(s) burdened without the prior consent in writing of the authority benefited. The expression 'on-site stormwater detention system' shall include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to those structures.

Name of the authority having the power to release, vary or modify the restriction referred to is Wollongong City Council."

The instrument, showing the restriction, must be submitted to the Principal Certifying Authority for endorsement prior to the issue of the final Occupation Certificate and the use of the development.

107 **Access Certification**

Prior to the occupation of the building, the Principal Certifying Authority must ensure that a certificate from an “accredited access consultant” has been issued certifying that the building complies with the requirements of AS 1428.1.

108 **Retaining Wall Certification**

The submission of a certificate from a suitably qualified and experienced structural engineer or civil engineer to the Principal Certifying Authority is required, prior to the issue of the Occupation Certificate or commencement of the use. This certification is required to verify the structural adequacy of the retaining walls and that the retaining walls have been constructed in accordance with plans approved by the Principal Certifying Authority.

109 **BASIX**

A final occupation certificate must not be issued unless accompanied by the BASIX Certificate applicable to the development. The Principal Certifying Authority must not issue the final occupation certificate unless satisfied that selected commitments have been complied with as specified in the relevant BASIX Certificate. NOTE: Clause 154B of the Environmental Planning and Assessment Regulation 2000 provides for independent verification of compliance in relation to certain BASIX commitments.

110 **Positive Covenant – On-Site Detention Maintenance Schedule**

A positive covenant shall be created under the Conveyancing Act 1919, requiring the property owner(s) to undertake maintenance in accordance with the Construction Certificate approved On-Site Stormwater Detention System and Maintenance Schedule (application number to be referenced).

The instrument, showing the positive covenant must be submitted to the Principal Certifying Authority for endorsement prior to the issue of the final Occupation Certificate and the use of the development.

111 **On-Site Detention – Structural Certification**

The submission of a certificate from a suitably qualified practising civil and/or structural engineer to the Principal Certifying Authority is required prior to the issue of the final Occupation Certificate. This certification is required to verify the structural adequacy of the on-site detention facility and that the facility has been constructed in accordance with the approved Construction Certificate plans.

112 **Compensatory Planting**

The developer must make compensatory provision for the trees required to be removed as a result of the development. In this regard, twenty-seven (27 No.) 75 litre container advanced mature plant stock shall be placed within the property boundary of the site in appropriate locations. The suggested species are to be selected from the following list: *Elaeocarpus reticulatus* Blueberry ash, *Waterhousea floribunda* Sweeper, *Syzygium australe* Brush Cherry, *Livistona australis* Cabbage palm tree, *Melaleuca linariifolia* Snow in Summer, *Brachychiton acerifolius* Illawarra Flame Tree or *Lagerstroemia indica* × *fauriei* Natchez as a featured ornamental tree. This is to be shown on the Construction Certificate plans. A further list of suitable suggested species may be found in Wollongong Development Control Plan 2009 – Chapter E6: Landscaping.

113 **Completion of Landscape Works**

The completion of the landscaping works as per the final approved Landscape Plan is required prior to the issue of Occupation Certificate.

114 **Drainage WAE**

The developer shall obtain written verification from a suitably qualified civil engineer, stating that all stormwater drainage and related work has been constructed in accordance with the approved Construction Certificate plans. In addition, full works-as-executed plans, prepared and signed by a Registered Surveyor shall be submitted. These plans shall include levels and location for all drainage

structures and works, buildings (including floor levels), and finished ground and pavement surface levels. This information shall be submitted to the Principal Certifying Authority prior to the issue of the final occupation certificate.

115 Fire Safety Certificate

A Fire Safety Certificate must be issued for the building prior to the issue of an Occupation Certificate. As soon as practicable after a Fire Safety Certificate is issued, the owner of the building to which it relates:

- a Must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of New South Wales Fire Brigades, and
- b must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.

Prior to the Issue of the Subdivision Certificate

116 Strata Plan Requirements

The Strata Plan be prepared for this development in the future, the following matters must be addressed:

- a Garbage and recycling rooms must be contained within the common area;
- b Motorbike and bicycle storage areas and visitor car parking must be contained within the common area; and
- c Appropriate allocation of carparking and storage areas to the dwellings.

117 Occupation Certificate Prior to Subdivision Certificate

An Occupation Certificate for the dwellings must be issued prior to the release of the Subdivision Certificate for the Strata Title subdivision. A copy of the Occupation Certificate shall be lodged to Council with the subdivision certificate application.

118 Existing Easements

All existing easements must be acknowledged on the final subdivision plan.

119 Existing Restriction as to Use

All existing restriction on the use of land must be acknowledged on the final subdivision plan.

120 Final Documentation Required Prior to Issue of Subdivision Certificate

The submission of the following information/documentation to the Principal Certifying Authority, prior to the issue of a Subdivision Certificate:

- a Completed Subdivision Certificate application form and fees in accordance with Council's fees and charges;
- b Certificate of Practical completion from Wollongong City Council or an accredited Private Certifying Authority (if applicable);
- c Administration sheet prepared by a registered surveyor;
- d Section 88B Instrument covering all necessary easements and restrictions on the use of any lot within the subdivision;
- e Final plan of Subdivision prepared by a registered surveyor plus one (1) equivalent size paper copies of the plan;
- f Original Subdivider/Developer Compliance Certificate pursuant to Section 73 of the Water Board (Corporatisation) Act 1994 from Sydney Water;
- g Original Notification of Arrangement from an Endeavour Energy regarding the supply of underground electricity to the proposed allotments;
- h Original Compliance Certificate from Telstra or another Telecommunications Service Provider which confirms that the developer has consulted with the Provider with regard to the provision of telecommunication services for the development.
- i Payment of section 94 fees (Pro rata) (if applicable).

Operational Phases of the Development/Use of the Site

121 Waste Collection

All waste collection is to be undertaken from within the site. On-street collection of waste is not permitted at any time.

122 Storage of Waste Bins and Waste

All waste and bins associated with the development shall be stored within the designated waste storage rooms/areas at all times. No waste shall be allowed to accumulate or shall be stored on or adjacent to the street frontage of the site at any time. The bins are to be only placed in the temporary bin collection area, the day prior to collection day and are to be removed from this area once emptied.

123 Clothes Drying on Balconies/Terrace Areas Prohibited

The use of the balconies/terrace areas for the external drying of clothes is strictly prohibited.

124 Loading/Unloading Operations/Activities

All loading/unloading operations are to take place at all times wholly within the confines of the site or within the road reserve under an approved traffic control plan.