

# Wollongong Local Planning Panel Assessment Report | 24 September 2020

<b>WLPP No.</b>	Item No.1
<b>DA No.</b>	DA-2019/1462
<b>Proposal</b>	Demolition of existing structures, retention of heritage hotel and construction of a mixed use (Commercial / Residential) development
<b>Property</b>	98-110 Princes Highway DAPTO
<b>Applicant</b>	ADM Architects
<b>Responsible Team</b>	Development Assessment and Certification - City Wide Team (KR)

## ASSESSMENT REPORT AND RECOMMENDATION

### Executive Summary

#### Reason for consideration by Local Planning Panel

The proposal has been referred to the Local Planning Panel **for determination** pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. Under Schedule 2 of the Local Planning Panels Direction of 1 March 2018, the proposal classified as sensitive development in accordance with Part 4 (b) as it is development to which SEPP 65 Design Quality of Residential Flat Buildings applies and is 4 or more storeys in height.

#### Proposal

The proposal is for demolition of existing structures, retention of heritage hotel and construction of a mixed use (Commercial / Residential) development.

#### Permissibility

The site is zoned B3 Commercial Core and SP2 Road pursuant to the Wollongong Local Environmental Plan (WLEP) 2009. Demolition is permitted pursuant to Clause 2.7 of the WLEP 2009. The proposal is defined as shop top housing and is permitted in the B3 Zone zoned portion only of the site.

#### Consultation

The proposal was exhibited in accordance with Council's Community Participation Plan 2019 and received four (4) submissions which are discussed at section 1.5 of the assessment report.

Council's Community Safety, Environment, Geotechnical Engineer, Landscape, Property and Stormwater Officers have reviewed the application and are satisfied with the proposal. Council's Heritage, Strategic Planning and Traffic Officers have reviewed the application and raised significant concerns with the application.

The application was considered by the Design Review Panel.

External comments were received from Transport NSW (Roads and Maritime Service). The application was also referred to WaterNSW however a response has not yet been received.

#### Main Issues

The main issues are:

- Heritage
- Overshadowing
- Bulk and scale
- Character of the area
- Waste servicing

- Response to issues raised by Design Review Panel
- Issues raised in submissions

**Likely impacts**

There are expected to be adverse impacts on the amenity of the locality as a result of the proposal.

**RECOMMENDATION**

It is recommended the application be Refused.



## 1 APPLICATION OVERVIEW

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### 1.1 PLANNING CONTROLS

The following planning controls apply to the proposal:

State Environmental Planning Policies:

- SEPP No. 55 – Remediation of Land
- SEPP 65 Design Quality of Residential Apartment Development
- SEPP (Infrastructure) 2007
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Koala Habitat Protection) 2019

Local Environmental Planning Policies:

- Wollongong Local Environmental Plan (WLEP) 2009

Development Control Plans:

- Wollongong Development Control Plan 2009

Other policies

- Wollongong City Wide Development Contributions Plan 2019
- Wollongong Community Participation Plan 2019
- Apartment Design Guide
- Dapto Town Centre Plan

The proposal is unsatisfactory with regard to the applicable planning controls as discussed in the body of this report.

### 1.2 DETAILED DESCRIPTION OF PROPOSAL

The proposal involves the following:

- Consolidation of Lot 1 DP 745653 and Lot 1 DP 564523.
- Demolition of the existing single storey shops fronting the Princes Highway, carpark and landscaping.
- Retention of the existing Dapto Hotel and minor alterations to remove intrusive elements and enhance the heritage item as well as improve activation and site landscaping as outlined in the submitted Conservation Management Strategy prepared by Austral Archaeology dated 31 August 2020.
- Construction of an 9 storey mixed use development (commercial/residential) comprising:
  - Basement car park - 47 hotel and four commercial parking spaces, three commercial motor bike spaces and five commercial/visitor bicycle spaces.
  - Ground floor - three commercial spaces (two fronting the Princes Highway and one fronting Osborne Street), three commercial parking spaces, 10 visitor parking spaces and five bicycle spaces for commercial/visitors as well as four residential parking spaces and seven residential bicycle spaces.

Separate entrances/lift lobbies for the residential and commercial uses. East lobby to provide access to residential Building A and West lobby to provide access to

residential Building B and separate commercial lobby fronting the Princes Highway for hotel patrons and commercial visitors.

Pedestrian lane to provide a thoroughfare between the Princes Highway and Osborne Street including public art and historical panels as well landscape improvements to the rear courtyard of the hotel as detailed on the submitted Landscape Plan.

Substation, residential waste and separate commercial waste storage.

- Level 1 – Carpark comprising 46 residential car parking spaces, four motorbike and 11 bicycle spaces for residents and storage.
- Level 2 to 8 – two towers comprising 52 residential units comprising 12 x one bedroom, 36 x two bedroom and four x 3 bedroom units. Communal open space (618sqm in area) is provided on Level 2.

### **1.3 BACKGROUND**

A Design Review Panel meeting was held on 9 July 2019 (DE-2019/67) for proposed mixed use building comprising of residential apartments above commercial premises and carparking.

The current application DA-2019/1462 was lodged on 20 December 2019.

A second Design Review Panel meeting was held on 4 February 2020 following lodgement of the current application.

The DRP notes for both meetings are provided at Attachment 2.

#### Customer service actions

There are no outstanding customer service requests of relevance to the development.

### **1.4 SITE DESCRIPTION**

The site is located at 98-100 and 102-110 Princes Highway Dapto and comprises two lots - Lot 1 DP 745653 and Lot 1 DP 564523. The site is located in the Dapto Town Centre. The site is occupied by two attached single storey commercial buildings containing 6 commercial spaces in total and a detached single storey building located on the corner of the Princes Highway and Bong Bong Street occupied by the Dapto Hotel. The Dapto Hotel is listed as a Local Heritage item (61022) under the Wollongong Local Environmental Plan 2009. The site is affected by a road widening along the Princes Highway. The existing buildings currently encroach into the area mapped as proposed road widening.

There is an at grade car park to the rear with vehicular access from Osborne Street. The car park is extensively landscaped. There is also a small carpark and drive through between the Princes Highway and Bong Bong Street to service the hotel.

There is a pedestrian laneway between the hotel and commercial building that provides pedestrian access from the Princes Highway to the car park and Osborne Street at to the rear of the hotel where there is a single storey detached building that is currently occupied by an opportunity shop. The laneway contains a mural painted by a local artist.

The site is L-shaped and relatively flat with a slight fall of approximately 1.4m from the front to rear (Princes Highway to Osborne Street). The site has a 70.6m wide frontage to the Princes Highway and 30.2m wide frontage to Osborne Street.

Adjoining development is as follows:

- North: Single storey commercial building (occupied by Aldi supermarket and carpark).
- East: Princes Highway predominantly contain one and storey attached commercial buildings.
- South: Bong Bong Road

- West: Two storey attached commercial building.

The Dapto Square (public place) and Dapto Mall is located opposite the site on the Princes Highway. The Dapto Square is a newly refurbished public space containing a play space, community gardens, new seating, shade and a wall of murals.

The Dapto railway station is located approximately 150m to the west, accessed from Bong Bong Street/Station Street.

#### Property constraints

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

- Acid sulphate soils – Class 5
- Road widening - Princes Highway approximately 9 metres in depth
- Heritage Item – Dapto Hotel

There are no restrictions on the title



**Figure 1: Aerial photograph**



**Figure 2: WLEP 2009 zoning map**

### **1.5 SUBMISSIONS**

The application was exhibited in accordance with Council's Community Participation Plan 2019. This included a notice in The Advertiser on 15 January 2020. Four (4) submissions were received following the notification and the issues identified are discussed below:

Concern	Comment
1. Object to any affordable housing due to crime and anti-social behaviour.	The proposal is not identified as an affordable housing development.
2. Dapto does not have the infrastructure to support a building of this size i.e roads are congested and schools, parking at the train station and mall are at capacity.	This is a strategic planning matter and is of limited relevance to the current development application.
3. Building character and form – - Does not suit the architecture in Dapto - Height – most building in Dapto are no higher than 3 storeys	The proposal complies with maximum height and FSR controls. The proposed 9 storey development is not considered to be sympathetic to the surrounding one and two storey buildings in Dapto Town Centre. However the Dapto Town Centre is undergoing transition and the height and FSR development standards allow significantly greater built form. It is considered the proposal has not been designed to respond to the context of the site.  Council's Heritage and Strategic Planning Officers have raised concerns with the proposal as detailed in this report.
4. Units will not be suitable for families as it is adjacent to two licensed premises.	Noted.
5. The applicant has anticipated the whole block from Bong Bong Road to Baan Baan Street to become 9 levels which is unrealistic.	Noted. The photomontage submitted by the applicant sought to demonstrate possible future built form should the block be developed to its permitted capacity.
6. Impacts on operations and commercial viability of Aldi store and future redevelopment opportunities.	The proposal complies with the minimum car parking requirements and is unlikely to result in vehicles being parked in the Aldi carpark.  The proposal would not impede any proposed extension to the Aldi supermarket.
7. Units are in close proximity to existing Aldi loading dock – concerned that residents may complain about noise from loading dock.	If noise complaints are received Council may investigate whether Aldi is operating in accordance with the consent conditions.  Further, noise attenuation measures are proposed as recommended in the submitted Acoustic Report in order to comply with ISEPP guidelines which should alleviate any concerns in this regard.

## 1.6 CONSULTATION

### 1.6.1 INTERNAL CONSULTATION

Council's Community Safety, Environment, Geotechnical Engineer, Landscape, Property and Stormwater Officers have reviewed the application and are satisfied with the proposal.

Council's Heritage, Strategic Planning and Traffic Officers have reviewed the application and raised concerns with the application as detailed in this report.

### 1.6.2 EXTERNAL CONSULTATION

#### **Transport for NSW (formerly Roads and Maritime Services)**

The application was referred to Transport NSW for concurrence under Clause 101 of SEPP Infrastructure as the proposal adjoins the Princes Highway which is a classified road. Transport NSW advised that the Princes Highway in this location is a regional classified road managed by Wollongong City Council. It was also noted that the proposal does not involve direct access onto the classified road with access from Osborne Street. Having regard to this Transport NSW stated no objections to the proposal.

#### **WaterNSW**

The application was referred to WaterNSW in relation to dewatering for the excavation of the proposed basement carpark, however a response has not yet been received.

### 1.6.3 DESIGN REVIEW PANEL

The application was reviewed by the Design Review Panel as required by clause 28 of SEPP 65 both prior to lodgement on 9 July 2019 and post lodgement on the 4 February 2020. The notes of the meetings are provided at Attachment 2. The main conclusion/recommendations of the DRP on 4 February 2020 is provided below:

#### **Key issues, further Comments & Recommendations**

*'The urban design consequences of this development must be given greater consideration. This is an important development for Dapto town centre that should aim to set a high standard for the centre. It will play a key role in establishing a pattern of development to which future development must respond. The proposal must therefore establish a pattern of development that creates an appropriate urban design framework for Dapto town centre.'*

*Key issues are summarised as follows:*

- The site must be analysed and developed in its entirety. Consideration should also be given to restoration of and developments to the heritage-listed hotel and the interface between the existing and proposed buildings.*

*Cutback the podium adjacent to the hotel*

*Amendments to the through link, its activation, and interface with the hotel, including consideration of removal of Opportunity Shop (and/or lean-to additions to the main building).*

*Public Domain treatment*

*Built Form Analysis*

*View & Site Analysis*

- Whole of site approach to the landscape design to ensure the heritage portion is complemented by the new development and the interfaces between the old and the new are well-integrated.*

- *Role and amenity of level 2 COS and its relationship to POS and the public domain*
- *Lack of common room and plumbed facilities linked to the COS.'*

**Comment:**

The applicant amended the proposal in response to the issues raised by the DRP (as well as issues raised by Council in additional information letters dated 28 February and 30 July 2020) as summarised below:

- Southern setback of podium level 1 and 2 was increased by approximately 3m. This increased separation to the hotel and created a wider pedestrian lane and additional landscaping. Two units on Level 2 and residential parking spaces were removed.
- Commercial edges were redesigned to improve movement in and out of the pedestrian laneway. Access from the commercial lobby was relocated to improve access to the hotel to encourage access through the front of the hotel rather than the rear and to improve separation between residential and commercial lobbies and improve safety/security of patrons.
- Improved sightlines between Princes Highway and Osborne Street by relocating commercial lobby and fire stairs and other obstructions.
- Removal of four existing parking spaces in front of hotel and improved forecourt. Carpark layout updated to include all 47 hotel parking spaces. Removeable bollards provided to restrict access to existing drive through from Bong Bong Road to Princes Highway for hotel deliveries at certain times only.
- Site landscaping improved to integrate hotel site including an area of deep soil planting in front of the hotel building as well as along the pedestrian lane and forecourt area.
- Amended car park design.
- Brick patterning of the podium in lieu of chequerboard pattern.
- Updated detail on proposed hotel improvements and amended Heritage Report and Conservation Management Strategy for the hotel. BCA Report submitted in regards to upgarding of Dapto Hotel building.
- Solar access digrams submitted and minor removal of podium level NW and NE under Block A and B to allow for an increase in open north facing communal area. Changes to Level 2 COS to demonstrate compliance with ADG requirements. Facilities included in COS.
- Inclusion of artwork/historical boards to pedestrian lane.
- Bulk and Scale - the Applicant provided further justification for the proposed gross floor area as well as shadow diagrams in response to concerns raised regarding the proposed utilisation of land occupied by existing Dapto hotel into the FSR calculations as follows:
  - *'The hotel site alone is 1169sqm. Therefore the remainder of the site without the hotel is 2029sqm. (also excludes road widening)*
  - *The permissible GFA is therefore 5,072.5sqm for the standalone site.*
  - *The GFA of the proposed building is 5371.2sqm, representing 299sqm over the standalone max site FSR of 2.5:1. The resultant FSR would be 2.65:1. This represents an increase of 6% NOT 30%.*
  - *The proposed building GFA includes residential storage of 178sqm within the calculation because it is located above ground where normally it would be in the basement and excluded. But even with this inclusion and the inclusion of additional carspaces, we only need to remove 299sqm from the building to comply to the standalone maximum permissible GFA.*

- One Typical level of Building A is 355.6sqm. Therefore the removal of one level of Building A would result in a built form compliant (actually 56sqm under) with the maximum permissible GFA of the site if hypothetically it would be developed standalone. Please note that the 299sqm could be removed in part from Building B at the rear or from other parts.
- The attached shadow diagrams illustrate in both 2d and 3d that the removal of one storey across Building A has no material change to the shadowing of the hotel. That is, a complaint FSR envelope would have an impact no different to what is proposed.

*The amalgamation of the lots provide some significant benefits not only to the retention and conservation of the hotel, but the creation of a full level of new secure parking for the hotel, an accessible ground level open pedestrian lane and significantly more COS for the residential apartments than would otherwise be the case if the site was standalone.'*

## **2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

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### **2.1 SECTION 4.15(1)(A)(1) ANY ENVIRONMENTAL PLANNING INSTRUMENT**

#### **2.1.1 2.1.2 STATE ENVIRONMENTAL PLANNING POLICY NO 65—DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT**

This policy applies as the development is for a shoptop housing with a residential accommodation component more than 3 storeys and more than 4 dwellings.

The development is subject to the provisions of SEPP 65 and the Apartment Design Guide (ADG).

The application was accompanied by a statement by a qualified designer in accordance with Clauses 50(1A) & 50(1AB) of the Environmental Planning and Environment Regulation 2000. Clause 28 provides that the application must be referred to the relevant design review panel (if any) for advice concerning the design quality of the development while Clause 28(2) provides that a consent authority is to take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration):-

- (1) the advice (if any) obtained from the design review panel, and (b) the design quality of the development when evaluated in accordance with the design quality principles, and
- (2) the design quality of the development when evaluated in accordance with the design quality principles, and
- (3) the Apartment Design Guide

The Applicants Design Verification Statement is provided at Attachment 4.

#### Design Review Panel

The proposal has been reviewed by a Design Review Panel in accordance with clause 28. See Attachment 2.

#### Design quality principles

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 pursuant to clause 30(2)(a) of the Policy and are discussed below.



## **Schedule 1 Design quality principles**

### **Principle 1: Context and neighbourhood character**

The proposal is located in the Dapto Town Centre in a B3 Commercial Core with a maximum height limit of 30m and maximum floor space ratio of 2.5:1. The existing character in the surrounding area is characterised by one and two storey buildings. The site contains a single storey Heritage Item on the south east portion of the site occupied by the Dapto Hotel. The types of uses and height and FSR maximums are consistent with the desired future character of the Dapto Town Centre however the proposed built form is considered to result in unreasonable impacts on the locality and adjoining development. The DRP on 4 February advised that the Heritage Item should inform the design of the form and elevations of each of the towers including improving separation between the proposal and the heritage hotel. The proposal was amended to increase separation however the proposal still results in adverse overshadowing impacts to surrounding buildings particularly the rear of the Heritage Hotel to the detriment of the amenity of the hotel and hotel patrons.

The proposal has been amended to address a number of recommendations of the DRP including redesigning the commercial space to activate the laneway, provide clear sightlines along the pedestrian lane, improve the integration of the hotel with the development and consideration of restoring the heritage item as part of the proposal.

### **Principle 2: Built form and scale**

The proposal is the first significant mixed use development in the Dapto Town Centre. It is likely the area will undergo transition into the future. The DRP recommended a Built Form analysis be undertaken for the surrounding block to enable a better understanding of how the proposal relates to potential future context, also a better site analysis to understand views within the town centre. It was suggested the proposal should better understand the movements of hotel patrons from the basement parking to the hotel to develop a successful linkage and interface with the hotel building providing a generous forecourt area with good solar access between the development and the hotel.

It is noted that the proposal presented to the DRP in July 2019 was a single built form. The Panel recommended the building be redesigned to a two tower form with the main aim to improve solar access to the heritage hotel. The proposal has not achieved this as the shadow diagrams demonstrate overshadowing to the hotel at all times of day in winter particularly the external courtyard to the west of the hotel. The proposal should be redesigned to maximise direct solar access to this space on a winter lunch time (between 12 and 2pm).

### **Principle 3: Density**

The density of the development complies with the maximum floor space ratio (FSR) permitted for the land. However the development is of a scale that is expected to have an adverse impact on the locality. The FSR includes the portion of the site occupied by the Dapto hotel. When viewed in isolation (on the portion of site not containing the heritage hotel) the proposed building equates to a building form with an FSR of approximately 2.65:1 which is an additional 299sqm. This equates to approximately one level of Building A. Therefore if one level of Building A was removed the proposal would comply with the maximum permissible GFA of the site if hypothetically it would be developed standalone without the portion of the site occupied by the hotel.

The DRP advised that the proposal is likely read as being significantly bulkier than future neighbouring buildings and that the resultant built form must prioritise providing an appropriate urban design solution over maximizing the site's FSR.

### **Principle 4: Sustainability**

The proposal is considered acceptable regarding sustainable design as follows:

- BASIX Certificates provided indicating minimum requirements are met.

- A Site Waste Management and Minimisation Plan has been provided indicating recycling of materials from the demolished buildings.
- The proposal incorporates water capture and use
- The proposal complies with the minimum amenity requirements of the ADG and DCP with respect to outlook, solar access and natural ventilation.

#### **Principle 5: Landscape**

The proposal provides suitable landscaped areas and communal open space that will improve the amenity of the occupants and soften the appearance of the development from adjoining properties and the public domain. The footpath for the frontage of the development will be upgraded including provision of street trees. Landscaping has now been provided to the hotel site with deep soil planting proposed on front of the hotel.

#### **Principle 6: Amenity**

The proposal meets the minimum requirements for solar access, private and communal open space, storage, visual and acoustic privacy as required by ADG.

#### **Principle 7: Safety**

The proposal is satisfactory regarding the principles of Crime Prevention Through Environmental Design. The proposal was amended to address concerns raised by the DRP regarding safety of the pedestrian lane at night including improving sightlines.

#### **Principle 8: Housing diversity and social interaction**

The proposal provides a suitable mix of unit sizes and layouts appropriate to the locality including adaptable units and liveable units.

#### **Principle 9: Aesthetics**

The proposal is considered to be of high quality materials and finishes however there are significant concerns regarding the impacts associated with the proposed bulk and scale as detailed in this report. The proposal has addressed the DRP recommendations to change the pattern of the podium from chequerboard to brick.

#### Apartment Design Guide (ADG)

The development has been assessed against the provisions of the ADG and was found to be satisfactory regarding the objectives. A full assessment of the application against the ADG is contained at Attachment 3.

#### Clause 30 Standards that cannot be used as grounds to refuse development consent or modification of development consent

Council will not refuse the application on car parking, minimum internal area or ceiling heights if it is equal to, or greater than, the minimum amount of car parking specified in the relevant section of the Apartment Design Guide.

Development consent must not be granted if, Council is not satisfied, the development or modification does not demonstrate that adequate regard has been given to the design quality principles, and the objectives specified in the Apartment Design Guide for the relevant design criteria.

## 2.1.2 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.*

Council records do not indicate any historic use that would contribute to the contamination of the site and the land is not identified as being contaminated on Council mapping.

A Detailed Site Assessment Investigation prepared by Douglass Partners dated April 2019 was submitted and reviewed by Council's Environmental Officer. No contaminants were found which would preclude the development. The proposal involves demolition of the existing shops. Council's Environmental Officer has imposed a condition requiring a hazardous building survey be undertaken and site inspection undertaken following the demolition. Subject to the results of Council's Environmental Officer considers the site is highly likely to be suitable for the proposed residential development.

No concerns are raised in regard to contamination as relates to the intended use of the land and the requirements of clause 7.

## 2.1.3 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

Clause 101 and 102 apply as the proposal is located on the Princes Highway which is a classified road.

### Clause 101 Development with frontage to classified road

*(1) The objectives of this clause are—*

*(a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*

*(b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

*(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—*

*(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*

*(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*

*(i) the design of the vehicular access to the land, or*

*(ii) the emission of smoke or dust from the development, or*

*(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*

*(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

The application was referred to Transport NSW for concurrence under Clause 101 of SEPP Infrastructure as the proposal adjoins the Princes Highway which is a classified road. Transport NSW

advised that the Princes Highway in this location is a regional classified road managed by Wollongong City Council. It was also noted that the proposal does not involve direct access onto the classified road with access from Osborne Street. Having regard to this Transport NSW stated no objections to the proposal.

Clause 102 Impact of road noise or vibration on non-road development

*(1) This clause applies to development for any of the following purposes that is on land in or adjacent to the road corridor for a freeway, a tollway or a transitway or any other road with an annual average daily traffic volume of more than 20,000 vehicles (based on the traffic volume data published on the website of RMS) and that the consent authority considers is likely to be adversely affected by road noise or vibration—*

*(a) residential accommodation,*

*(b) a place of public worship,*

*(c) a hospital,*

*(d) an educational establishment or centre-based child care facility.*

*(2) Before determining a development application for development to which this clause applies, the consent authority must take into consideration any guidelines that are issued by the Secretary for the purposes of this clause and published in the Gazette.*

*(3) If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—*

*(a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10 pm and 7 am,*

*(b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.*

*(4) In this clause, **freeway**, **tollway** and **transitway** have the same meanings as they have in the Roads Act 1993.*

An Acoustic Report prepared by Harwood Acoustic dated 19 December 2019 was submitted in accordance with this Clause. Council's Environment Officer has reviewed the acoustic report and is satisfied.

2.1.4 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, a BASIX Certificate has been submitted in support of the application 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.

## 2.1.5 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

### Clause 1.4 Definitions

**Shop top housing** means one or more dwellings located above ground floor retail premises or business premises.

**Note.**

Shop top 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 B3 Commercial Core and SP2 Infrastructure. The development is wholly located in the B3 zoned portion of the site.

It is noted that the SP2 zoned portion of the land is required for future road widening purposes and the proposal does not encroach into the SP2 zoned portion of the site. Council's Property Officer has reviewed the proposal and is satisfied.

#### Clause 2.3 – Zone objectives and land use table

The objectives of the B3 Commercial Core zone are as follows:

- *To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.*
- *To encourage appropriate employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To strengthen the role of the Wollongong city centre as the regional business, retail and cultural centre of the Illawarra region.*
- *To provide for high density residential development within a mixed use development if it—*
  - (a) is in a location that is accessible to public transport, employment, retail, commercial and service facilities, and*
  - (b) contributes to the vitality of the Wollongong city centre.*

Whilst the proposal is consistent with the objectives in relation to the types of uses, employment opportunities and accessibility, the proposal is of a scale which is likely to result in unacceptable amenity impacts on surrounding development in particular the overshadowing impact on the heritage listed Dapto Hotel, pedestrian link and property to the south west. The extent of overshadowing is likely to have an adverse impact on the amenity of the Hotel in particular the outdoor area to the rear, the pedestrian link which is likely to be dark and uninviting and viability of the proposed landscaping to these areas which would require careful species selection and on going maintenance. The Applicants attempts to demonstrate that reduction of the height by one level to comply with FSR as a standalone site (excluding the portion of the site occupied by the Dapto Hotel) demonstrated negligible improvements to overshadowing, it appears that the overshadowing is largely being caused by the continuous 70m long 2 storey high podium.

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

*Advertising structures; Amusement centres; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Exhibition homes; Function centres; Helipads; Hostels; Hotel or motel accommodation; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport*

*facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Self-storage units; Seniors housing; Service stations; Sex services premises; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Veterinary hospitals; Wholesale supplies*

The proposal is categorised as **shop top housing** as defined above and is permissible in the zone with development consent.

#### Clause 2.7 Demolition requires development consent

Demolition is permitted with consent.

### **Part 4 Principal development standards**

#### Clause 4.1 Minimum subdivision lot size

The proposal involves lot consolidation which exceeds the minimum lot size of 449sqm.

#### Clause 4.3 Height of buildings

The proposed building height of 29.98m does not exceed the maximum of 30m permitted for the site.

Whilst the proposal complies with the maximum height it would result in significant overshadowing to the surrounding properties to the south particularly the heritage listed Dapto Hotel. The proposal is not considered to meet the objectives of encouraging high quality urban form and ensuring buildings continue to receive adequate solar access. As stated by the DRP the proposal is likely to read as being significantly bulkier than future neighbouring buildings and that the resultant built form must prioritise providing an appropriate urban design solution over maximising FSR on the site.

#### Clause 4.4 Floor space ratio

Maximum FSR permitted for the zone: 2.5:1

Site area: 3,198m<sup>2</sup> (excludes road widening)

GFA: 6,918.2m<sup>2</sup> (includes existing hotel GFA of 1,618sqm)

FSR:  $6918.2/3198m^2 = 2.18:1$  complies

Whilst the proposal complies with the FSR, the proposal utilises the portion of the site occupied by the Dapto Hotel which results in a building with a greater GFA than if it were calculated on the standalone site.

The site area is 3,198sqm (excluding road widening). The portion of the site occupied by the hotel is 1,169sqm and the portion of the site of the proposed mixed use development is 2,029sqm.

The GFA of the proposal is 5,072.5sqm. If the FSR was calculated on the standalone site, the FSR would be 2.65:1 which would exceed the maximum FSR 2.5:1.

The proposal is not considered to meet the objective to ensure buildings are compatible with the bulk and scale of the locality. The proposal is of a scale that is considered to be incompatible with the single storey heritage listed Dapto Hotel to the south of the development and is out of character with the one and two storey buildings in the surrounding area. As stated by the DRP the proposal is likely to read as being significantly bulkier than future neighbouring buildings and that the resultant built form must prioritise providing an appropriate urban design solution over maximising FSR on the site.

#### Clause 4.5 Calculation of floor space ratio and site area

The portion of the land identified for future road widening has been excluded from FSR calculation as required as the proposal is prohibited in the SP2 Zone.

## **Part 5 Miscellaneous provisions**

### Clause 5.1A Development on land intended to be acquired for a public purpose

The site is affected by proposed road widening of the Princes Highway approximately 9m wide which has been preserved as part of the proposal.

### Clause 5.10 Heritage conservation

The development site is partly occupied by the Dapto Hotel which is listed as a local heritage item (61022) under the WLEP 2009. The proposed development includes a proposed shop top housing development which is located partly within the listed curtilage of the heritage item, though it does not require or propose the demolition of the Hotel Buildings. The development would provide for a strata subdivision which would separate the ongoing concerns of the Hotel building from those of the new development.

The proposed development presents as a substantial built form that will significantly alter the existing setting and built form context of the heritage listed Hotel building. Whilst the development is generally compliant with the planning requirements for the site, the residential towers represent a significant variation to the existing character and surrounding context of the Hotel. The building as proposed would substantially alter and impact on the visual setting of the Hotel, particularly as perceived from the corner of the Princes Highway and Bong Bong Road. The extent of impact on the setting of the Hotel building, arising from the proposed built form is exaggerated by the use of some of the FSR from the Hotel site within the proposed development. The impacts of the proposed development on the setting of the heritage item, arising from the bulk, scale and height of the proposal are considered significant, and are not supported by Council's Heritage staff.

The submitted shadow diagram demonstrates that the proposal would overshadow the Dapto Hotel at all times of the day in mid-winter. The overshadowing impacts on the Hotel site are not supported by Council's Heritage Officer. The bulk and separation should be modelled to show how increased solar access of the Hotel Site can be better achieved.

Due to the extent of heritage impact outlined above, Council has indicated to the applicant that in order for these proposed impacts to be considered satisfactory, the development proposal should consider appropriate means to provide for positive conservation benefits (by way of mitigation) through positive improvements to the heritage item, and by demonstrating that the development will provide for the long term conservation and viability of the Hotel building in the medium to long term.

In response to additional information requests, the applicant has provided additional information in response to these concerns. The proposal now includes alterations to the hotel building as recommended in the submitted Conservation Management Strategy prepared by Austral Archaeology dated August 2020 including:

- Removal of intrusive elements;
- Reconstruction of the front verandah;
- Removal of intrusive signage;
- Removal of north wing pergola.

A BCA Report was also submitted that did not adequately consider the proposed conservation works.

The submitted Landscape Plan details proposed additional artwork/historic panel opportunities along the proposed pedestrian lane, removed the residential POS from the Hotel Site and removed car parking from the front of the site.

The proposed development site also includes an area of high archaeological potential relating to an earlier Hotel Building on the site. This archaeological feature has the potential to trigger requirements under the NSW Heritage Act 1977, but the impacts of the proposal are anticipated to be minor. This matter can be suitably conditioned.

Whilst Council's Heritage Staff are generally supportive of the proposed conservation works proposed in the Conservation Management Plan, insufficient and inconsistent information has been provided in relation to the detail and completion of these works. It is noted that these works are not detailed within the submitted Development Plans. Instead, the development is reliant on the Conservation Management Plan recommendations, and Council's Heritage Officer is not satisfied that the conservation outcomes have been adequately considered and integrated into the Development Application to provide clarity of outcome, and consideration of potential impacts and complications arising from these proposed works.

It is also noted that the first floor accommodation rooms within the Hotel are currently unused, and that this is not proposed to be addressed under the present application. This failure to consider the future of the full heritage building within the development defers significant considerations relating to the future use, operation and conservation of the Hotel until a later time and is likely to equally defer significant challenges related to BCA requirements, fire separation, access constraints etc related to the future use and occupation of these upstairs areas.

On balance, the development as proposed is considered to result in significant heritage impacts on the setting and context of the heritage item. These arise from the height, scale and bulk of the new development, and the separation of part of the heritage curtilage from the Hotel site. Whilst the development is supported by a Conservation Management Plan, and certain Conservation Works and measures are recommended and proposed to be completed as an outcome of the development, it is considered that the long term conservation of the Hotel has not been adequately integrated into the proposed development. This is demonstrated through the failure of the submitted development plans to clearly identify the proposed works to the existing Hotel Building, as well as through the failure of the application to address the future use and occupation of the 1<sup>st</sup> floor accommodation rooms. As such, whilst some mitigation of the heritage impacts may be provided through the implementation of the proposed conservation works, the lack of detail and clear commitments relating to how and to what extent these measures will be provided do not provide sufficient assurance that the heritage impacts arising from the proposal will be adequately delivered.

The heritage impacts arising from the development are considered on balance to be too significant to be approved without greater certainty regarding the future conservation and use of the Hotel.

## **Part 7 Local provisions – general**

### Clause 7.1 Public utility infrastructure

The development is already serviced by electricity, water and sewage services and existing services can be readily extended to service the development.

### Clause 7.5 Acid Sulfate Soils

The proposal is identified as being affected by class 5 acid sulphate soils. An acid sulphate soils management plan is not required as the works are not within 500m of adjacent Class 1, 2, 3 or 4 land and is unlikely to lower the water table.

### Clause 7.6 Earthworks

The proposal comprises excavation for one level of basement car parking. Subject to appropriate protection of adjoining property during construction, suitable removal and disposal of any hazardous fill material, the earthworks are not expected to have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features surrounding land.



### Clause 7.13 Certain land within business zones

This Clause applies to development in the B3 Commercial Core Zone and the objective of this clause is to ensure active uses are provided at the street level to encourage the presence and movement of people. The proposal provides three commercial spaces at ground level which is considered to provide an active use at ground floor level as required.

### **2.2 SECTION 4.15(1)(A)(II) ANY PROPOSED INSTRUMENT**

None.

### **2.3 SECTION 4.15(1)(A)(III) ANY DEVELOPMENT CONTROL PLAN**

#### **2.3.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009**

#### **CHAPTER A1 – INTRODUCTION**

#### **8 Variations to development controls in the DCP**

##### Issue (e.g. setbacks)

##### *(a) The control being varied;*

Chapter B3 Mixed Use Development - Clause 4.20.2

Chapter B4 Development in Business Zones - Clause 9.2.1 Floor Configuration

##### *(b) The extent of the proposed variation and the unique circumstances as to why the variation is requested; and*

Clause 4.20.2 of Chapter B3 permits a maximum building depth of 18m and Clause 9.2.1 permits a maximum building depth of 20m. The proposal has a building depth of approximately 23m.

##### *(c) Demonstrate how the objectives are met with the proposed variations; and*

The objectives of this control are:

*(a) To encourage apartment design which allows for natural ventilation of habitable rooms.*

*(b) To provide natural ventilation in non-habitable rooms, where possible.*

*(c) To reduce energy consumption by minimising the use of mechanical ventilation.*

The objectives of the control (detailed in *Section 4.20.1*) seek to ensure sufficient ventilation and reduce reliance on mechanical ventilation. In this regard the development complies with the required cross ventilation requirements of the ADG (60%).

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

As stated above the proposal complies with cross ventilation requirements of the ADG and therefore the proposal would not have additional adverse impacts as a result of the variation.

#### **CHAPTER A2 – ECOLOGICALLY SUSTAINABLE DEVELOPMENT**

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

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

#### **CHAPTER B2 – RESIDENTIAL SUBDIVISION**

The proposal involves consolidation of two lots into one lot. The proposal is considered to be consistent with this Chapter.

## CHAPTER B3: MIXED USE DEVELOPMENT

Controls/objectives	Comment	Compliance
<u>4.1 Minimum Site Width</u>  The minimum site width required for mixed use development is 24m. The proposal complies. The site is irregular L-shaped with a frontage of 70.6m to the Princes Highway and 30.2m to Osborne Street.		Yes
<u>4.2 Maximum Floor Space Ratio / Density</u>  A maximum FSR of 2.5:1 applies to the site. The proposed development has a floor space ratio of 2.18:1 and therefore complies. Council and DRP both raised concerns with regards to the FSR including the portion of the site containing the existing Dapto hotel. When the portion of the site occupied by the Dapto hotel is excluded from the FSR calculation the FSR is approximately 2.65:1. DRP considered the proposal is likely to read as being significantly bulkier than future neighbouring buildings and that the resultant built form must prioritise providing an appropriate urban design solution over maximising FSR on the site.  One of the objectives of this Clause is ensure that the bulk and scale of the building is compatible with surrounding built form and the desired future character of commercial precincts. Dapto Town Centre is predominantly characterised by one and two storey shops. The proposed 9 storey shop top housing is not considered to be compatible with surrounding built form. However it is likely the Dapto Town Centre will undergo change into the future as a result of the development of the West Dapto Urban Release Area as this will increase demand for shopping, services and recreation. The Dapto Town Centre is a regionally-significant centre offering a wide variety of high-order services and is a focal point for future jobs and housing growth. The height and FSR controls allow the existing built form in Dapto Town Centre to be significantly increased. This is consistent with the Dapto Town Centre Plan to strengthen its role and create a lively and vibrant town centre.  The proposal is not considered to be consistent with the second objective to ensure the density is appropriate for the site and its context. It is not considered appropriate to maximise the FSR in this case as the site contains a single storey heritage listed hotel on the southern side of the proposed development and the greater bulk and scale that is afforded by utilising the development rights of the hotel portion of the site results in a significantly bulkier building that would have an overbearing impact on the hotel and overshadow it at all times of the day in mid winter.  Council’s Strategic Planning and Heritage Officers have assessed the proposal and are not satisfied with the scale of the development and overshadowing impact to the Dapto hotel as discussed in this report.	Unsatisfactory	
<u>4.3 Building Height</u>  The proposal complies with the maximum 30m building height permitted on the site. However the proposal is not considered to be consistent with the objectives to minimise the potential impacts of overshadowing on adjoining building as the proposal would result in overshadowing the existing hotel building at all times of the day in mid winter to the detriment of the amenity of the hotel and users of the hotel.		Unsatisfactory

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<u>4.4 Front Setbacks</u>		
The front setback to the Princes Highway is setback in line with the proposed road widening 9m wide.		Satisfactory
<u>4.5 Side and Rear Setbacks / Building Separation</u>		
The setbacks are in line with ADG requirements however the setback of the southern side of the building is likely to contribute to overshadowing to the surrounding properties to the south.		No
<u>4.6 Built Form</u>		
The proposal has been designed by a qualified designer as required by SEPP 65 – Design Quality of Residential Development. An Architects Statement has been submitted with the application.		No
The proposed 9 storey development is not considered to be sympathetic to the surrounding one and two storey buildings. Although the Dapto Town Centre is undergoing transition and the height and FSR development standards allow significant greater built form, this proposal would be adjacent to a single storey heritage listed building and it is considered the proposal has not been designed to respond to the context of the site.		
The proposal provides active street frontages including a pedestrian lane between the Princes Highway and Osborne Street.		
Separate entrances and servicing are provided for retail and residential.		
<u>4.7 Active Street Frontages</u>	The proposal is considered to achieve active street frontages to both the Princes Highway and Osborne Street.	Yes
<u>4.8 Awnings</u>	Awnings are proposed to each frontage as required.	Yes
<u>4.9 Car Parking</u>	Council's Traffic Officer is satisfied with the parking provision.	Yes
<u>4.10 Basement Car Parking</u>	One level of basement parking is proposed. The basement podium does not extend above ground level.	Yes
<u>4.11 Driveways</u>	A driveway is proposed from the secondary street rather than the primary frontage. Council's Traffic Officer and RMS are satisfied with the proposed access.	Yes

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<u>4.12 Landscaping</u>	Council's Landscape Officer is satisfied with the proposed landscaping.	Yes
<u>4.13 Communal Open Space</u>	Minimum 5sqm per dwelling. A communal open space 618sqm is proposed which complies (minimum $52 \times 5 = 260\text{sqm}$ ). Minimum width of 5m is achieved.	Yes
<u>4.14 Private Open Space</u>	A POS is provided per unit in the form of a courtyard on Level 2 or balcony on all other levels that meet minimum size requirements. POS areas are screened where necessary and at least 70% of units would receive minimum solar access requirements.	Yes
<u>4.15 Solar Access</u>	The submitted shadow diagrams demonstrates overshadowing to the surrounding properties to the south particularly the heritage listed Dapto Hotel to the south. A substantial portion of the hotel site is in shadow at all times of the day, particularly the rear of the hotel site.  The proposal appears to maximise solar access to the units in the development.	No
<u>4.16 Visual privacy</u>	The proposal is considered to maintain visual privacy to neighbouring properties.	Yes
<u>4.17 Acoustic privacy</u>	An Acoustic Report was submitted detailing proposed acoustic measures to comply with ISEPP guidelines. Council's Environment Officer is satisfied.	Yes
<u>4.18 Adaptable Housing</u>	Minimum 10% of all dwellings must adaptable. The proposal involves 7 or 13% which complies.	Yes

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<u>4.19 Residential Component - Apartment Mix and Layout</u>	Apartment mix is considered satisfactory.	Yes
<u>4.20 Natural Ventilation</u>	More than 60 (61%) of units are cross-ventilated.	Yes
<u>4.21 Adaptive Re-use</u>	N/A	N/A
<u>4.22 Crime Prevention Through Environmental Design (Safety and Security)</u>	The proposed pedestrian lane is designed with clear sightlines. There are no concerns regards compliance with CPTED measures.	Yes
<u>5 GENERAL REQUIREMENTS FOR ALL MIXED USE DEVELOPMENT</u>		
<u>5.1 Floodplain Management</u>	N/A	N/A
<u>5.2 Land Re-Shaping Works (Cut and Fill Earthworks)</u>	Earthworks are proposed for basement carparking.	Satisfactory
<u>5.3 Retaining Walls</u>	N/A	N/A
<u>5.4 Soil Erosion and Sediment Control</u>	Soil erosion and sediment control conditions would be imposed on any consent to be granted.	Capable of compliance
<u>5.5 Fences</u>	N/A	N/A
<u>5.6 Access for People with a Disability</u>	An Accessibility Report has been submitted as required.	Capable of compliance
<u>5.7 Services</u>	The site is serviced and can be extended to service the development.	Yes
<u>5.8 Swimming Pools</u>	N/A	N/A

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<u>5.9 Fire Brigade Servicing</u>	The proposal can be adequately services by fire fighting vehicles.	Yes
<u>5.10 Site Facilities</u>	No details provided.	N/A
<u>5.11 Storage Facilities</u>	Minimum storage areas provided.	Yes
<u>5.12 Waste Management</u>	Council's Traffic Officer has raised concerns regarding waste management.	No

## **CHAPTER B4 – DEVELOPMENT IN BUSINESS ZONES**

The development is located in a business zone and as such this chapter is applicable to the development. An assessment against the relevant sections is outlined below.

### **2 Objectives**

The development is considered consistent with the objectives of development in business zones.

### **3. Retail and business centre hierarchy strategy**

Dapto is identified as a major regional centre.

### **4 Economic impact assessment – retail hierarchy**

Noted.

### **5 Planning requirements for development in the regional city and major regional centres**

See Chapter D16.

### **6 Planning requirements for development in the major town centres**

N/A

### **7 Planning requirements for development in the town centres**

N/A

### **8 Planning requirements for development in the village (local convenience) centres**

N/A

### **9 General design requirements for retail and business premises developments**

#### 9.2 Development Controls

##### *9.2.1 Floor Configuration*

Maximum building depth does exceed 20m – see Variation in Chapter A1.

##### *9.2.2 Building Appearance*

New retail or business development shall continue the predominant built form character of the locality, including parapets, floor to ceiling heights and roof pitches. The proposed built form adjacent to a heritage listed hotel is not considered to be appropriate given the context of the site.

### *9.2.3 Building Alignment*

The proposal is aligned to the proposed road widening along the Princes Highway and nil setback to Osborne Street which is considered acceptable in this instance.

### *9.2.4 Active Street Frontages*

Active uses are provided for both frontages at ground level with clear glazing addressing the street.

### *9.2.5 Urban Design / Streetscape Appearance*

The proposal is not considered to be compatible with the single storey heritage listed Dapto Hotel to the south of the proposed mixed use development or the one and two storey buildings in the area.

### *9.2.6 Pedestrian Access*

The proposal involves a pedestrian thoroughfare to provide access from the Princes Highway to Osborne Street.

Parking for the hotel patrons is provided within the basement level with pedestrian access via lifts and stairs to provide access to the hotel at ground level.

### *9.2.7 Awnings*

Awnings over the public footpath is proposed on each frontage as well as the pedestrian thoroughfare.

### *9.2.8 Public Domain – Footpath Paving*

New paving and street tree planting is proposed to the site frontages as well as the pedestrian thoroughfare.

### *9.2.9 Solar access and overshadowing*

The submitted shadow diagrams demonstrate significant overshadowing to the Dapto Hotel to the south.

### *9.2.10 Shower and Change Facilities & Parenting Facilities in Large Business Premises / Commercial Office Buildings*

N/A

### *9.2.11 Advertising Signage*

SEE SEPP 64 and Chapter C1.

### *9.2.12 Wind Impact Assessment*

N/A

### *9.2.13 Access, Car parking and Servicing*

See Chapter E3

### *9.2.14 Access for People with a Disability*

See Chapter E1

### *9.2.15 Land Consolidation*

The proposal involves consolidation of the two lots into one prior to the construction of the development.

## **10 General design requirements for retail shopping centres**

N/A

## **11 General building design requirements for fast food restaurants**

N/A

## **12 Peripheral sales (bulky goods) precincts**

N/A

## **13 Works in the public domain**

Satisfactory - the proposal involves new paving, street trees, pedestrian thoroughfare as well as public art.

### **CHAPTER D1 – CHARACTER STATEMENTS**

#### Dapto

The proposal is considered to be consistent with the existing and desired future character for the locality as follows:

- The Dapto Town Centre will expand into a sub-regional retail and business centre and will act as a key employment hub for existing residential suburbs surrounding Dapto as well as the West Dapto Release Area.
- Increased residential densities near the train station.
- Mixed use buildings containing upper level shop top housing will be encouraged, within close proximity to the Dapto railway station, the Princes Highway and Bong Bong Street.

However the proposed 9 storey development is not considered to be sympathetic to the surrounding one and two storey buildings. Although the Dapto Town Centre is undergoing transition and the height and FSR development standards allow significant greater built form, this proposal would be adjacent to a single storey heritage listed building and it is considered the proposal has not been designed to respond to the context of the site. As stated by the DRP the proposal is likely to read as being significantly bulkier than future neighbouring buildings and that the resultant built form must prioritise providing an appropriate urban design solution over maximising FSR on the site.

### **CHAPTER D16: WEST DAPTO RELEASE AREA**

There are no specific controls in this Chapter in regards to the Dapto Town Centre.

### **CHAPTER E1: ACCESS FOR PEOPLE WITH A DISABILITY**

An Accessibility Report has been provided indicating the development can achieve the requirements for equitable and dignified access to the building, adaptable units, liveable units in relation to the relevant standards, national Construction Code and ADG requirements.

### **CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN**

The proposal is considered to be consistent with this Chapter. The pedestrian lane provides clear sightlines as recommended by the DRP.

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

The development proposes parking which meets the DCP requirements for mixed-use development, while also incorporating the existing hotel parking within the design.

The additional network traffic expected to be generated by the development would be approximately 29 AM peak hour trips and 24 PM peak hour trips (roughly one vehicle entering or leaving every 2 minutes) which is not thought to result in any significant traffic capacity or safety concerns.

## **6 Traffic impact assessment and public transport studies**

### 6.1 Car Parking and Traffic Impact Assessment Study

A traffic impact assessment was submitted with the proposal and reviewed by Council's Traffic Officer who has not raised any concerns subject to conditions of consent.

The application was referred to Transport NSW and a satisfactory response was received.



## 7 Parking demand and servicing requirements

Use	Required	Proposed	Compliance
<b>Car parking</b>			
Residential	As per RTA Guide to Traffic Generating Developments  Required: 1 bed $0.6 \times 12 = 7.2$ 2 bed $0.9 \times 36 = 32.4$ 3 bed $1.4 \times 4 = 5.6$ Total: 45.2	Proposed: 52	Yes
Visitors	0.2 per dwelling  $0.2 \times 52 = 10.4$ visitors	10	No  Shortfall of 1 space.  The proposal should be redesigned to change one excess residential parking space for use by visitors.
Commercial	399sqm commercial floor area proposed.  1 space per 40sqm = 10 required  However under 7.4 Ch E3 WDCP commercial car parking can be reduced by 30% due to proximity to railway station and public transport. Therefore only 7 commercial spaces are required.	10	Yes
<b>Motorcycle</b>			
	1 motorcycle space per 15 dwellings  $52/15 = 4$	4	Yes
<b>Bicycle</b>			
Residential	1 bicycle space per 3 dwellings  $52/3 = 17$	18	Yes
Commercial	1 per 750sqm = 1	10 shared	Yes

Visitors	1 bicycle space per 12 dwellings (visitors) $52/12 = 4$ Total commercial and visitors = 5		
<b>Servicing</b>			
	Large Rigid Vehicle (Waste Contractor) >10 dwellings – side loading waste collection vehicle (refer to Chapter E7: Waste Management)	Council's Traffic Officer has raised concerns with the proposed waste servicing.	No

## 8 Vehicular access

Proposed driveway access off Osborne Street to carparks in basement, ground and level 1.

## 9 Loading / unloading facilities and service vehicle Manoeuvring

Loading zone provided on ground floor. Council's Traffic Officer has raised concerns with the proposed waste servicing as detailed in this report.

## 10 Pedestrian access

The proposal is satisfactory with regard to pedestrian access into the site and along the frontage.

## 11 Safety & security (Crime Prevention through Environmental Design) measures for car parking areas

The proposal is satisfactory with regard to the principles of CPTED. Changes were made to the proposal to improve sightlines of the pedestrian lane to address DRP concerns.

## CHAPTER E6: LANDSCAPING

A Landscape Plan has been submitted as required by this Chapter which details the proposed landscaping of the communal open space areas as well as proposed street trees and landscaping to the proposed pedestrian thoroughfare. Council's Landscape Officer has assessed the proposal and is satisfied.

## CHAPTER E7: WASTE MANAGEMENT

A Site Waste Minimisation and Management Plan has been provided in accordance with this Chapter.

The proposal involves demolition of the existing single storey shops on the Princes Highway frontage and a demolition plan has accordingly been provided.

The development proposed waste collection by private contractors using smaller (non-standard) waste collection vehicles. Council's Traffic Officer advised the following:

*Wollongong City Council is the Residential Waste Collection Authority and has an obligation to service all residential development sites in the LGA. It is noted that the applicant proposes waste collection by private contractors.*

*Chapter E7 provides controls relating to waste collection requirements. Clause 5.5.2 (14) of Chapter E7 states that residential flat buildings must be designed to allow for on-site access by garbage collection vehicles of dimensions specified in Appendix 7 of Chapter E7 of the DCP.*

*Councils Waste Team have reiterated the importance of complying with the DCP due to recent instances where Council has faced significant challenges servicing developments that have been approved for onsite waste collection using smaller waste collection vehicles. The waste collection vehicles shown in Chapter E7 of the DCP therefore must be able to service the site.*

*In this regard the applicant needs to submit revised plans and undertake a swept path assessment using the vehicle dimensions as detailed below. The overhead clearances/operating headroom must also be observed.*

Council's Traffic Officer has assessed the proposal and is not satisfied the proposal is consistent with this Chapter.

## **CHAPTER E11 HERITAGE CONSERVATION**

The development site is partly occupied by the Dapto Hotel which is listed as a local heritage item (61022) under the WLEP 2009. The proposed development includes a proposed shop top housing development which is located partly within the listed curtilage of the heritage item, though it does not require or propose the demolition of the Hotel Buildings. The development would provide for a strata subdivision which would separate the ongoing concerns of the Hotel building from those of the new development.

The proposed development presents as a substantial built form that will significantly alter the existing setting and built form context of the heritage listed Hotel building. Whilst the development is generally compliant with the planning requirements for the site, the residential towers represent a significant variation to the existing character and surrounding context of the Hotel. The building as proposed would substantially alter and impact on the visual setting of the Hotel, particularly as perceived from the corner of the Princes Highway and Bong Bong Road. The extent of impact on the setting of the Hotel building, arising from the proposed built form is exaggerated by the use of some of the FSR from the Hotel site within the proposed development. The impacts of the proposed development on the setting of the heritage item, arising from the bulk, scale and height of the proposal are considered significant, and are not supported by Council's Heritage staff.

The submitted shadow diagram demonstrates that the proposal would overshadow the Dapto Hotel at all times of the day in mid-winter. The overshadowing impacts on the Hotel site are not supported by Council's Heritage Officer. The bulk and separation should be modelled to show how increased solar access of the Hotel Site can be better achieved.

Due to the extent of heritage impact outlined above, Council has indicated to the applicant that in order for these proposed impacts to be considered satisfactory, the development proposal should consider appropriate means to provide for positive conservation benefits (by way of mitigation) through positive improvements to the heritage item, and by demonstrating that the development will provide for the long term conservation and viability of the Hotel building in the medium to long term.

In response to additional information requests, the applicant has provided additional information in response to these concerns. The proposal now includes alterations to the hotel building as recommended in the submitted Conservation Management Strategy prepared by Austral Archaeology dated August 2020 including:

- Removal of intrusive elements;
- Reconstruction of the front verandah;
- Removal of intrusive signage;
- Removal of north wing pergola.

A BCA Report was also submitted that did not adequately consider the proposed conservation works.

The submitted Landscape Plan details proposed additional artwork/historic panel opportunities along the proposed pedestrian lane, removed the residential POS from the Hotel Site and removed car parking from the front of the site.

The proposed development site also includes an area of high archaeological potential relating to an earlier Hotel Building on the site. This archaeological feature has the potential to trigger requirements under the NSW Heritage Act 1977, but the impacts of the proposal are anticipated to be minor. This matter can be suitably conditioned.

Whilst Council's Heritage Staff are generally supportive of the proposed conservation works proposed in the Conservation Management Plan, insufficient and inconsistent information has been provided in relation to the detail and completion of these works. It is noted that these works are not detailed within the submitted Development Plans. Instead, the development is reliant on the Conservation Management Plan recommendations, and Council's Heritage Officer is not satisfied that the conservation outcomes have been adequately considered and integrated into the Development Application to provide clarity of outcome, and consideration of potential impacts and complications arising from these proposed works.

It is also noted that the first floor accommodation rooms within the Hotel are currently unused, and that this is not proposed to be addressed under the present application. This failure to consider the future of the full heritage building within the development defers significant considerations relating to the future use, operation and conservation of the Hotel until a later time and is likely to equally defer significant challenges related to BCA requirements, fire separation, access constraints etc related to the future use and occupation of these upstairs areas.

On balance, the development as proposed is considered to result in significant heritage impacts on the setting and context of the heritage item. These arise from the height, scale and bulk of the new development, and the separation of part of the heritage curtilage from the Hotel site. Whilst the development is supported by a Conservation Management Plan, and certain Conservation Works and measures are recommended and proposed to be completed as an outcome of the development, it is considered that the long term conservation of the Hotel has not been adequately integrated into the proposed development. This is demonstrated through the failure of the submitted development plans to clearly identify the proposed works to the existing Hotel Building, as well as through the failure of the application to address the future use and occupation of the 1<sup>st</sup> floor accommodation rooms. As such, whilst some mitigation of the heritage impacts may be provided through the implementation of the proposed conservation works, the lack of detail and clear commitments relating to how and to what extent these measures will be provided do not provide sufficient assurance that the heritage impacts arising from the proposal will be adequately delivered.

The heritage impacts arising from the development are considered on balance to be too significant to be approved without greater certainty regarding the future conservation and use of the Hotel.

## **CHAPTER E12: GEOTECHNICAL ASSESSMENT OF SLOPE INSTABILITY**

A Geotechnical Report prepared by Douglas Partners dated 22 March 2019 was submitted as required by this Chapter. Council's Geotechnical Engineer has reviewed the report noting that basement excavations are proposed up to site boundaries and within the zone of influence of adjoining structures. Council's Geotechnical Engineer is satisfied and appropriate conditions will be imposed on any consent to be granted.

## **CHAPTER E14 STORMWATER MANAGEMENT**

Stormwater is proposed to be disposed of to the existing drainage system in Osborne Street. Council's Stormwater Engineer has reviewed the proposal and is satisfied and has recommended conditions to be imposed on any consent to be granted.

## CHAPTER E15: WATER SENSITIVE URBAN DESIGN

This Chapter applies as the proposal involves mixed use developments involving 20 or more residential apartments or a gross floor area of 3,000 square metres or more (whichever the lesser).

A Water Sensitive Urban Design Report prepared by JN Engineering dated 25 November 2019 was submitted as required by this Chapter. Council's Environment Officer has assessed the report and is satisfied and appropriate conditions will be included in any consent to be issued.

## CHAPTER E17 PRESERVATION AND MANAGEMENT OF TREES AND VEGETATION

The proposal involves removal of a number of trees within the carpark area and replacement with street trees. The proposal is considered acceptable in this instance. Council's Landscape Officer is satisfied with the proposal.

## CHAPTER E19 EARTHWORKS (LAND RESHAPING WORKS)

The proposal involves significant earthworks for a basement car park. The proposal earthworks are considered to be consistent with this Chapter.

## CHAPTER E20 CONTAMINATED LAND MANAGEMENT

A Detailed Site Assessment Investigation prepared by Douglass Partners dated April 2019 was submitted as required by this Chapter. Council's Environment Officer has assessed the report and is satisfied and appropriate conditions will be included in any consent to be issued.

## CHAPTER E21 DEMOLITION AND HAZARDOUS BUILDING MATERIALS MANAGEMENT

The proposal involves the demolition of the existing single storey shops fronting the Princes Highway. A Demolition Plan has been submitted as required by this Chapter. Appropriate conditions will be imposed on any consent to be granted in regards to demolition and asbestos management.

## CHAPTER E22 SOIL EROSION AND SEDIMENT CONTROL

Conditions of consent are recommended in regard to appropriate sediment and erosion control measures to be in place during works.

### 2.3.2 WOLLONGONG CITY WIDE DEVELOPMENT CONTRIBUTIONS PLAN 2018

#### **Part A - Schedules**

##### **1. Schedule 1 – City-Wide levy rates**

In accordance with clause 25K(1)(a) of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), the rate of the levy for development carried out on land to which this Plan applies (excluding Wollongong City Centre Commercial Core - see Schedule 2) is calculated as follows:

<b>Proposed cost of carrying out development (Determined in accordance with Clause 18 of this Plan)</b>	<b>Levy Rate</b>
Up to and including \$100,000	Nil
More than \$100,000 and up to and including \$200,000	0.5%
More than \$200,000	1%

##### **2. Schedule 2 - Wollongong City Centre Commercial Core levy rates**

In accordance with clause 25K(1)(b) of the EP&A Regulation, the rate of the levy for development carried out on land within the B3 Commercial Core zone in the Wollongong City Centre, as shown at Figure 2, is calculated as follows:

<b>Proposed cost of carrying out development (Determined in accordance with Clause 18 of this Plan)</b>	<b>Levy Rate</b>
Up to and including \$250,000	Nil
More than \$250,000	2%

The estimated cost of works is >\$ 200,000 and a levy of 1% is applicable under this plan.

**2.4 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.

**2.5 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?

Conditions of consent are recommended with regard to demolition.

93 Fire safety and other considerations

Not applicable.

94 Consent authority may require buildings to be upgraded

Not applicable.

**2.6 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?

In response to the first question, matters such as overshadowing, privacy concerns, bulk scale and setbacks are relevant. The development will result in overshadowing of the multi-dwelling development to the east. This is not however considered unacceptable given the circumstances of the case. The development is within the allowable height and FSR for the site however the proposed would result in unacceptable overshadowing and overbearing impact to the adjacent Dapto hotel, listed as local heritage item.

In regard to the visual impact, the development is not considered to be in harmony with the surrounding buildings and character of the street. The area is characterised by one and two storey commercial buildings however it is likely that more high density developments will occur in future given the height and FSR provisions for the area.

The scale of the development far exceeds the scale of development in the locality. The proposal is considered to have an overshadowing and overbearing impact on the adjacent single storey heritage listed Dapto hotel.

In summary, the proposal is not considered to be in context with the setting of the area.

#### Access, Transport and Traffic:

Access and parking is provided to satisfaction of Council's Traffic Officer with the exception of concerns raised in regards to visitor parking and waste servicing as detailed in this report.

#### Public Domain:

New paving and street tree planting is proposed to the site frontages as well as the pedestrian thoroughfare which would have a positive impact on the public domain.

It is noted that the SP2 zoned portion of the land is required for future road widening purposes and the proposal does not encroach into the SP2 zoned portion of the site. Council's Property Officer has reviewed the proposal and is satisfied.

#### Utilities:

The proposal is not envisaged to place an unreasonable demand on utilities supply. Existing utilities are adequate to service the proposal.

#### Heritage:

The proposal would have an adverse impact on a Heritage Item – Dapto Hotel located as detailed in this report.

#### Other land resources:

The proposal could be considered to contribute to orderly development of the site and is not envisaged to impact upon any valuable land resources.

#### Water:

The site is presently serviced by Sydney Water, which can be readily extended to meet the requirements of the proposed development.

The proposal is not envisaged to have unreasonable water consumption.

#### Soils:

There are no contamination concerns (see SEPP 55) and acid sulfate soils may be adequately managed.

#### Air and Microclimate:

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

#### Flora and Fauna:

The existing periphery trees in the carpark area to be removed and will be replaced with street trees. Landscaping is proposed to the communal open space, pedestrian thoroughfare and on the site corner in front of the hotel. Council's Landscape Officer has assessed the application and is satisfied.

#### Waste:

A condition could be attached to any consent granted that an appropriate receptacle be in place for any waste generated during the construction.

#### Energy:

The proposal is not envisaged to have unreasonable energy consumption.

#### Noise and vibration:

A condition could be attached to any consent granted that nuisance be minimised during any construction, demolition, or works.

Natural hazards:

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.

Council records list the site as acid sulphate soil affected. No concerns raised – see Clause 7.5 WLEP 2009.

Safety, Security and Crime Prevention:

This application does not result in any opportunities for criminal or antisocial behaviour. See Chapter E2 WDCP 2009.

Social Impact:

The proposal is not expected to create negative social impact. See Section 1.5.

Economic Impact:

The proposal is not expected to create negative economic impact.

Site Design and Internal Design:

The application does result in a departure from maximum building depth in Council's development control plans as detailed in this report.

A condition could be attached to any consent granted that all works are to be in compliance with the Building Code of Australia.

Construction:

Conditions of consent could be recommended in relation to construction impacts such as hours of work, erosion and sedimentation controls, works in the road reserve, excavation, demolition and use of any crane, hoist, plant or scaffolding.

Cumulative Impacts:

The proposal is expected to have negative cumulative impacts. The proposal is the first of this type in Dapto Town Centre.

## **2.7 SECTION 4.15(1)(C) THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT**

Does the proposal fit in the locality?

The proposal is considered appropriate with regard to the zoning of the site however it is expected to have negative impacts on the amenity of the locality and adjoining developments.

Are the site attributes conducive to development?

The site is not conducive to the proposed 9 storey development as the scale of the development in such close proximity to a single storey building to the south, the Dapto Hotel, which is listed as a local heritage item (61022) under the WLEP 2009 is likely to result in adverse impacts to the amenity of the heritage item.

The proposed utilisation of the portion of the site occupied by the Dapto Hotel into the FSR calculations results in a building of larger bulk and scale than what would normally be permitted and does not protect the long term integrity of the heritage item.



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

See Section 1.5.

## **2.9 SECTION 4.15(1)(E) THE PUBLIC INTEREST**

The proposal is considered appropriate in regard to zoning however it is of a scale which is likely to result in unacceptable amenity impacts on surrounding development and the character of the area and is therefore considered to be in the public interest.

## **3 RECOMMENDATION**

---

This application has been assessed as satisfactory having regard to the Heads of Consideration under Section 54.15(1) of the Environmental Planning and Assessment Act 1979, the provisions of Wollongong Local Environmental Plan 2009 and all relevant Council DCPs, Codes and Policies.

It is recommended that the development application be refused for the following reasons:

- 1 Pursuant to the provisions of Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, it is considered the proposal fails to demonstrate consistency with the provisions of the State Environmental Planning Policy No. 65.
- 2 Pursuant to the provisions of Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, it is considered the proposal fails to demonstrate consistency with the provisions of the Wollongong Local Environmental Plan 2009:
  - Objectives of the zone;
  - Objectives of Clause 4.3 Height of Buildings;
  - Objectives of Clause 4.4 Floor Space Ratio;
  - Clause 5.10 Heritage Conservation.
- 3 Pursuant to the provisions of Section 4.15 (1)(a)(iii) of the Environmental Planning and Assessment Act 1979, it is considered the proposal fails to demonstrate consistency with the provisions of the Wollongong Development Control Plan 2009:
  - Chapter B3: Mixed Use Development;
  - Chapter B4: Development in Business Zones;
  - Chapter D1: Character Statements;
  - Chapter E3: Car Parking, Access, Servicing/ Loading Facilities and Traffic Management
  - Chapter E7: Waste Management;
  - Chapter E11: Heritage Conservation.
- 2 Pursuant to the provisions of Section 4.15 (1)(b) of the Environmental Planning and Assessment Act, 1979, it is considered the proposal fails to demonstrate the likely impacts of the development will not be adverse.
- 3 Pursuant to the provisions of Section 4.15 (1)(c) of the Environmental Planning and Assessment Act, 1979, it is considered the proposal fails to demonstrate that the site is suitable for the development.
- 4 Pursuant to the provisions of Section 4.15 (1)(d) of the Environmental Planning and Assessment Act 1979, it is considered that having regard for public submissions.
- 5 Pursuant to the provisions of Section 4.15 (1)(e) of the Environmental Planning and Assessment Act, 1979, it is considered that approval of the development would set an undesirable precedent for similar inappropriate development and is therefore, not in the public interest.

#### **4 ATTACHMENTS:**

---

- 1 Plans /Landscape Plan/Shadow Diagrams/Photomontage
- 2 DRP notes 9 July 2019 & 4 February 2020
- 3 ADG Compliance Table
- 4 Design Verification Statement

Attachment 1

Project:	Princes Highway, DAPTO	
Project No:	2017-48	
Site Area:	3198m² (includes 1169m² hotel site, excludes road widening)	
Wollongong LEP 2009 Controls		
	Control	Proposed
Land use	Commercial Core	
FSR	2.5:1	2.18:1
Height (m)	30m	29.98m

Level	Commercial GFA	Residential GFA	1 bdrm	2 bdrm	3 bdrm	Unit Totals
Existing Hotel	1618m²					
Basement	-	-				
Ground	280m²	92.4m²				
Level 1	6 excess carspaces provided @13m² each =	78m²	-	-	-	-
	storage areas	178m²				
Level 2	-	666.8m²	-	6	-	6
Level 3	-	711.2m²	2	6	-	8
Level 4	-	711.2m²	2	6	-	8
Level 5	-	711.2m²	2	6	-	8
Level 6	-	707.1m²	2	6	-	8
Level 7	-	714m²	2	6	-	8
Level 8	-	521.3m²	-	-	4	4
TOTAL	1890m²	5091.2m²	10	36	4	50
Unit Mix			20%	72%	8%	100%
Proposed GFA		6981.2m²				
Permissible GFA		7995.0m²				

Car Parking Requirements (RMS)	Min Rate	Required	Provided
Commercial	1 / 40m²	7	7
1 bdrm	0.6 / unit	6.0	10
2 bdrm	0.9 / unit	32.4	36
3 bdrm	1.4 / unit	5.6	4
TOTAL		98.0	104

Existing Hotel Car Parking	Provided
TOTAL	47

Visitor Parking Requirements	Min Rate	Required	Provided
	1/5 units	10	10
TOTAL			

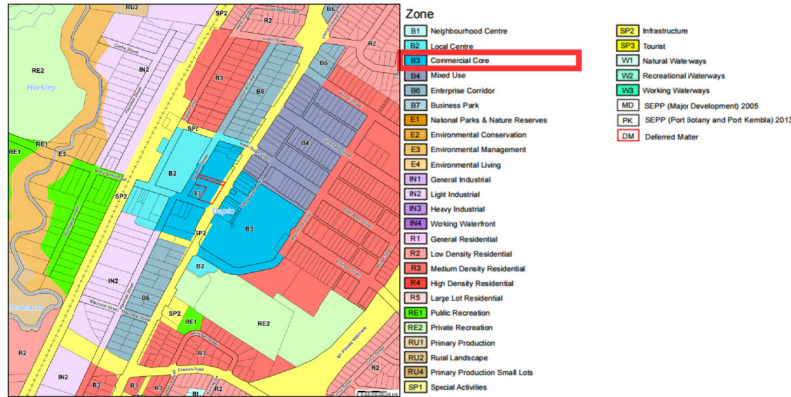
Bicycle Parking Requirements	Min Rate	Required	Provided
Residents	1/3 units	16.6	17
Visitors	1/12 units	4.2	5
TOTAL		21.0	22

Motorcycle Parking Requirements	Min Rate	Required	Provided
Residents	1/15 units	3.3	4
TOTAL		3.3	4

Waste Management Residential	General	Recycling	Green
Rate:	80L/unit/week	400L/unit/week	
Vweekly Total:	4000L/week	2000L/week	
Bins Required:	17 @ 240L	9 @ 240L	5 @ 240L
Bins Provided:	17 @ 240L	9 @ 240L	5 @ 240L
TOTAL		31 bins @ 240L	

Waste Management Commercial	General	Recycling
Rate:	50L/100m²/day	50L/100m²/day
Weekly Total:	1400L	1400L
Bins Required:	6 @ 240L	6 @ 240L
Bins Provided:	6 @ 240L	6 @ 240L
TOTAL	12 bins @ 240L	

Figure A: Land Zoning Map



B3 Commercial Core

Figure B: Floor Space Ratio Map

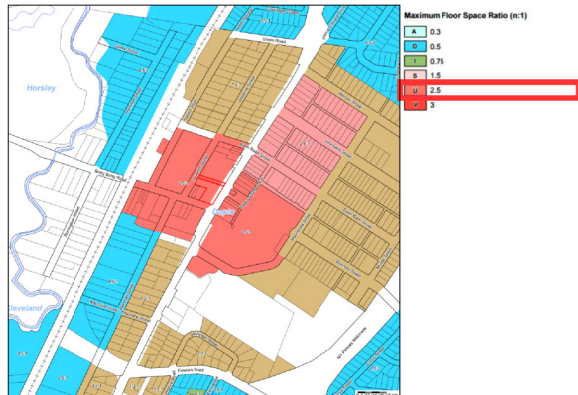


Figure C: Height of Building Map

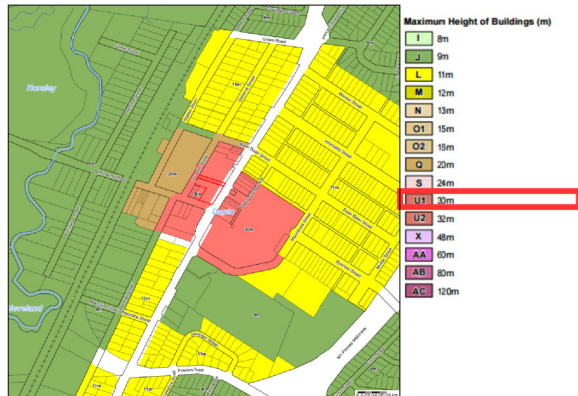


Figure D: Heritage Map



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ISSUE	DATE	DESCRIPTION
A	18.12.19	ISSUED FOR DA
B	22.05.20	AMENDED FOR DA
C	25.08.20	AMENDED FOR DA

NOT FOR CONSTRUCTION



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Project  
RETENTION OF HERITAGE HOTEL &  
PROPOSED MIXED USE BUILDING  
COMPRISING OF RESIDENTIAL APARTMENTS  
ABOVE SHOPS & CARPARKING

At  
98-110 PRINCES HIGHWAY,  
DAPTO, NSW

For  
P. HADLEY HOLDINGS PTY LTD &  
PHILLIL PTY LTD

Title  
DEVELOPMENT APPLICATION  
SITE DEVELOPMENT SUMMARY

Scale	Date
NTS	MAY 2020

Drawn	Checked
RAC	ADM

Project No.	Drawing No.	Issue
2017 - 48	A-001	C

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DAPTO, NSW

For  
P. HADLEY HOLDINGS PTY LTD &  
PHILLIL PTY LTD

Title  
DEVELOPMENT APPLICATION  
SITE / ROOF PLAN

Scale	Date
1:500 @ A3	MAY 2020

Drawn	Checked
RAC	ADM

Project No.	Drawing No.	Issue
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# SITE AND ROOF PLAN

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





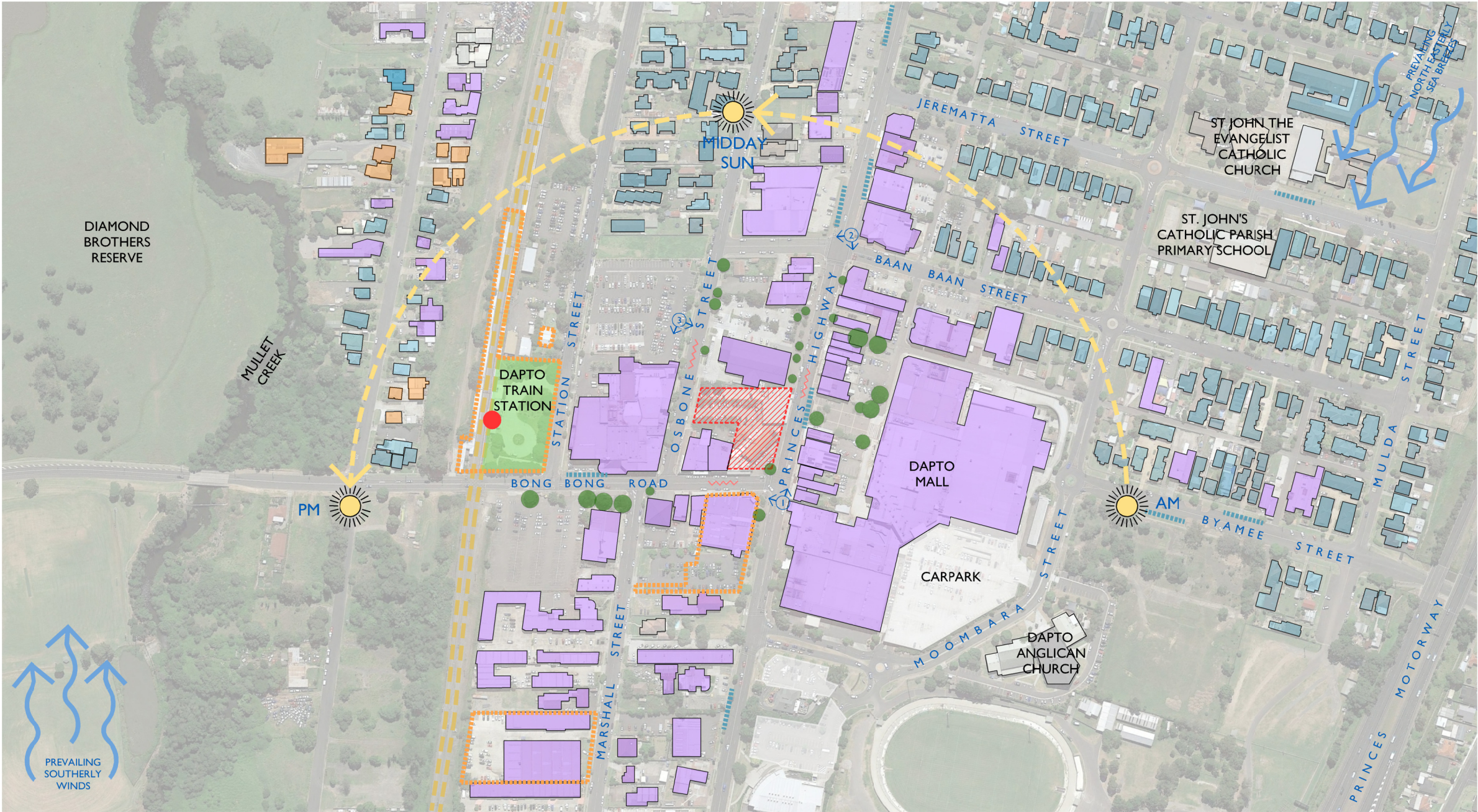
VIEW 1 - LOOKING NW ALONG THE PRINCES HIGHWAY TOWARDS SUBJECT SITE



VIEW 2 - LOOKING SOUTH ALONG THE PRINCES HIGHWAY TOWARDS SUBJECT SITE



VIEW 3 - LOOKING SE FROM OSBOURNE STREET TOWARDS SUBJECT SITE



# SITE ANALYSIS

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## LEGEND

- PROPOSED DEVELOPMENT
- DA APPROVED DEVELOPMENT
- HERITAGE LISTED ITEM
- TRAIN STATION
- TRAIN LINE
- BUS STOP
- WIND DIRECTION
- SOURCE OF NOISE
- LOCATION OF PHOTO
- SIGNIFICANT TREES IN PUBLIC DOMAIN
- RESIDENTIAL USE
- BUSINESS / COMMERCIAL PREMISES
- MIXED USE



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DAPTO, NSW

For  
P. HADLEY HOLDINGS PTY LTD &  
PHILLIP PTY LTD

Title  
DEVELOPMENT APPLICATION  
SITE ANALYSIS

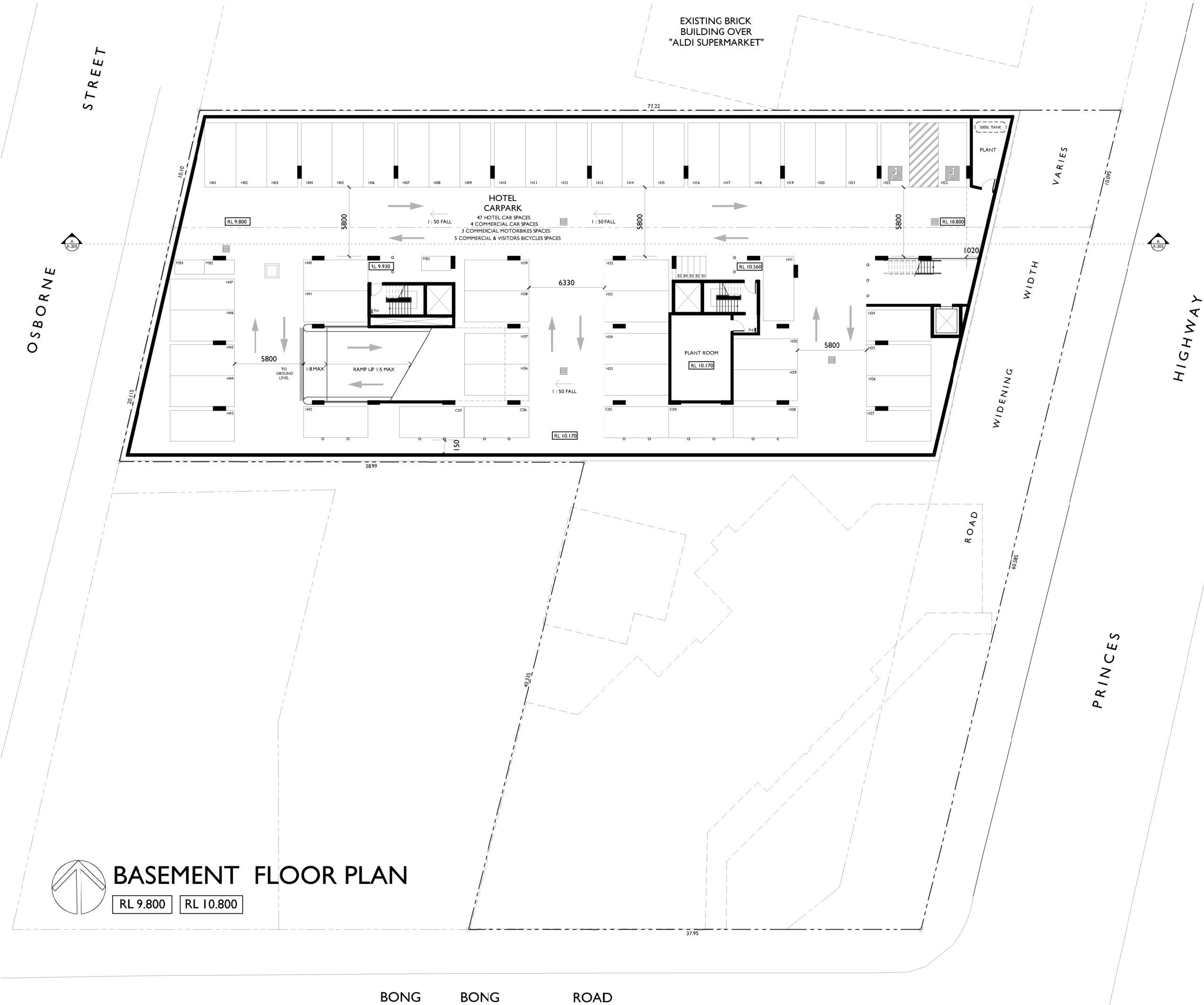
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Drawn SJ	Checked ADM
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Project No. 2017 - 48	Drawing No. A-002	Issue B
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DAPTO, NSW

For  
P. HADLEY HOLDINGS PTY LTD &  
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Title  
DEVELOPMENT APPLICATION  
BASEMENT FLOOR PLAN

Scale	Date
1:300 @ A3	MAY 2020

Drawn	Checked
LGD, SJ	ADM

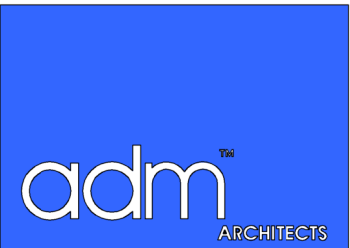
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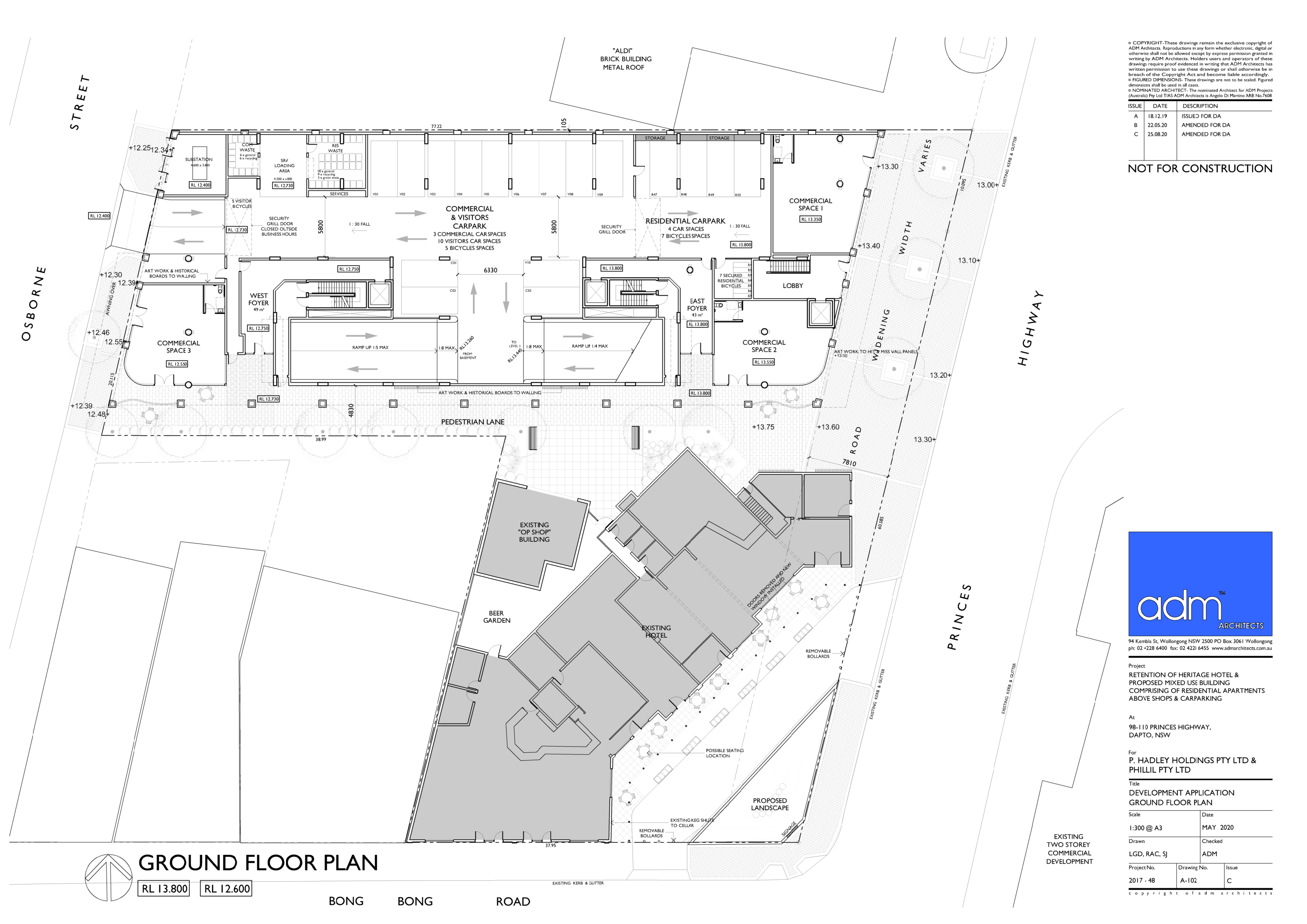
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For  
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Title  
DEVELOPMENT APPLICATION  
GROUND FLOOR PLAN

Scale		Date	
1:300 @ A3		MAY 2020	
Drawn		Checked	
LGD, RAC, SJ		ADM	
Project No.	Drawing No.	Issue	
2017 - 48	A-102	C	

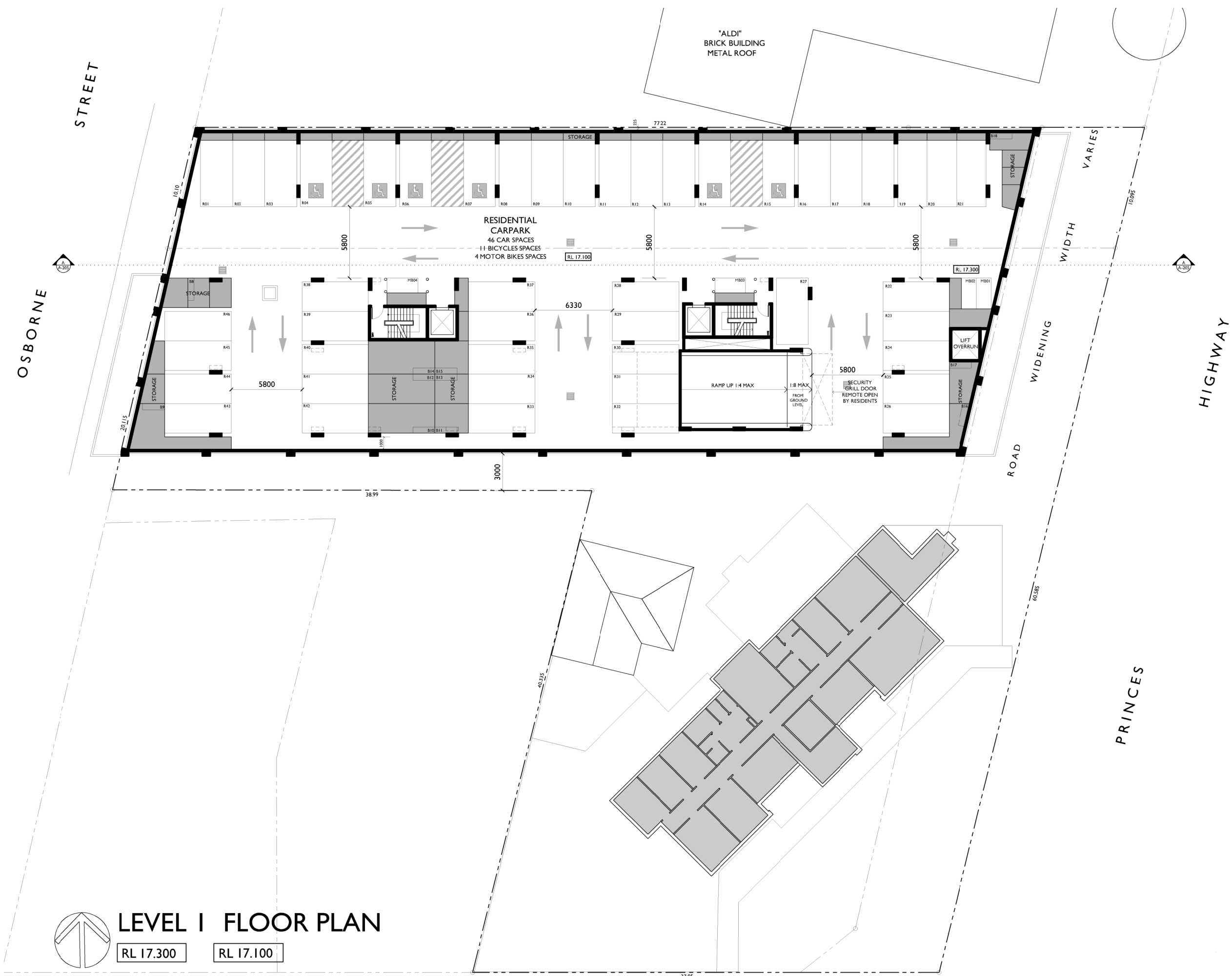
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# GROUND FLOOR PLAN

RL 13.800 RL 12.600

BONG BONG ROAD



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Project  
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PROPOSED MIXED USE BUILDING  
COMPRISING OF RESIDENTIAL APARTMENTS  
ABOVE SHOPS & CARPARKING

At  
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DAPTO, NSW

For  
P. HADLEY HOLDINGS PTY LTD &  
PHILLIL PTY LTD

Title  
DEVELOPMENT APPLICATION  
LEVEL 1 FLOOR PLAN

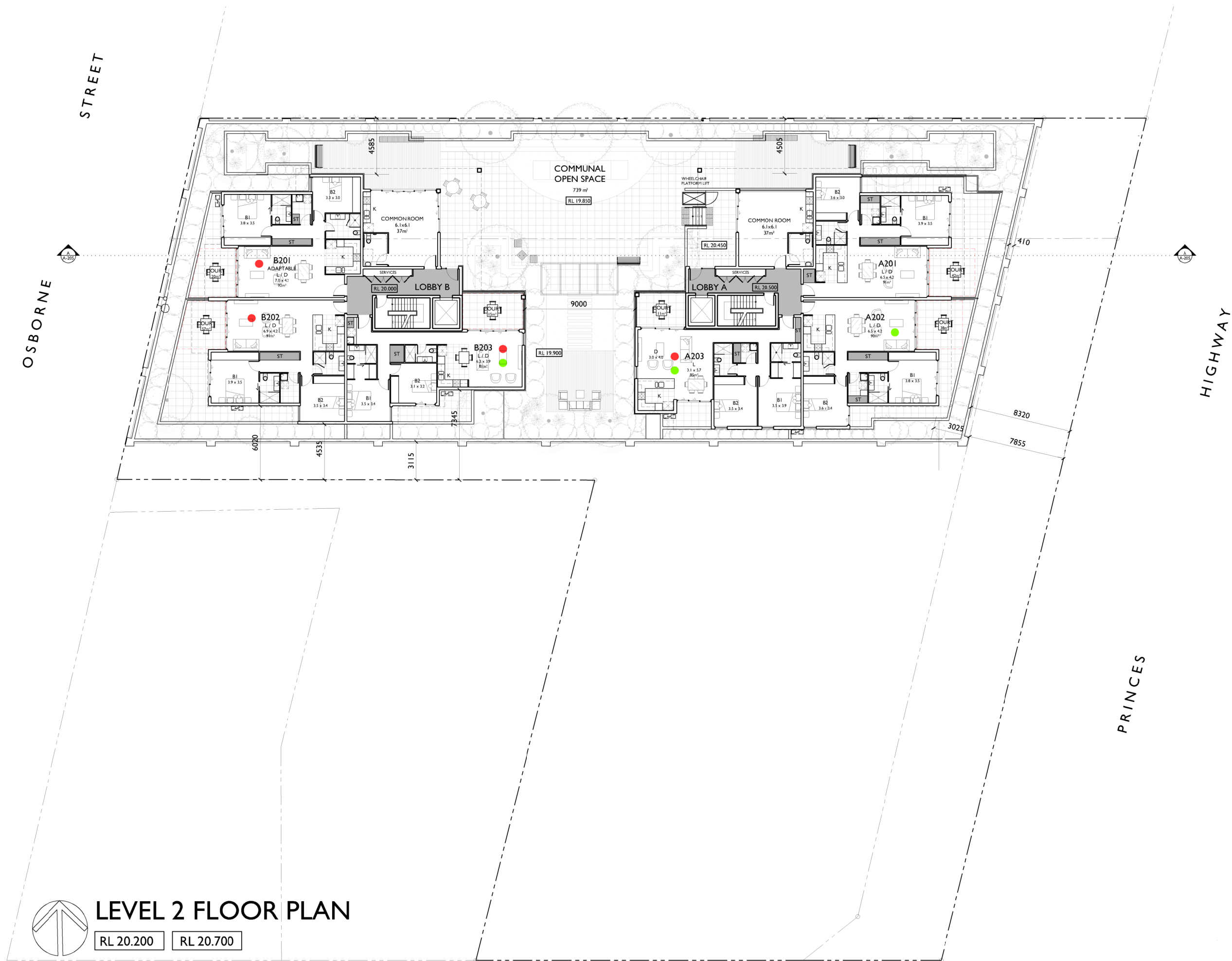
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LEGEND  
● SUNLIGHT ACCESS  
● CROSS VENTILATION



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Project  
RETENTION OF HERITAGE HOTEL &  
PROPOSED MIXED USE BUILDING  
COMPRISING OF RESIDENTIAL APARTMENTS  
ABOVE SHOPS & CARPARKING

At  
98-110 PRINCES HIGHWAY,  
DAPTO, NSW

For  
P. HADLEY HOLDINGS PTY LTD &  
PHILLIL PTY LTD

Title  
DEVELOPMENT APPLICATION  
LEVEL 2 FLOOR PLAN

Scale		Date
1:300 @ A3		MAY 2020
Drawn		Checked
LGD, RAC, SJ		ADM
Project No.	Drawing No.	Issue
2017 - 48	A-104	C

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ISSUE	DATE	DESCRIPTION
A	18.12.19	ISSUED FOR DA
B	22.05.20	AMENDED FOR DA



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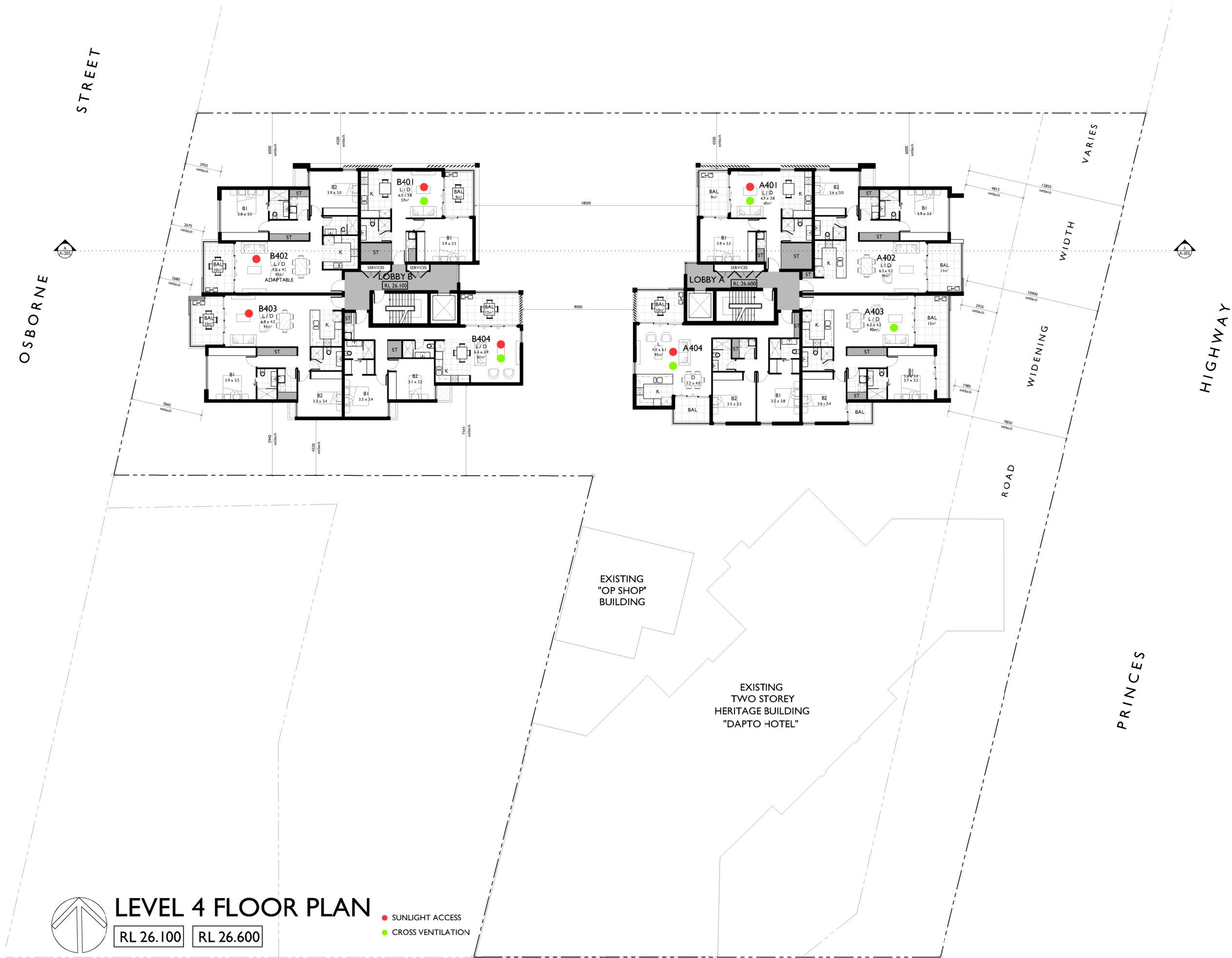
Title

Scale	Date
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Drawn	Checked
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Project No.	Drawing No.	Issue
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At  
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DAPTO, NSW

For  
P. HADLEY HOLDINGS PTY LTD &  
PHILLIL PTY LTD

Title  
DEVELOPMENT APPLICATION  
LEVEL 4 FLOOR PLAN

Scale	Date
1:300 @ A3	MAY 2020

Drawn	Checked
RAC	ADM

Project No.	Drawing No.	Issue
2017 - 48	A-106	B

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### REFERENCES

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Title

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Project No.	Drawing No.	Issue
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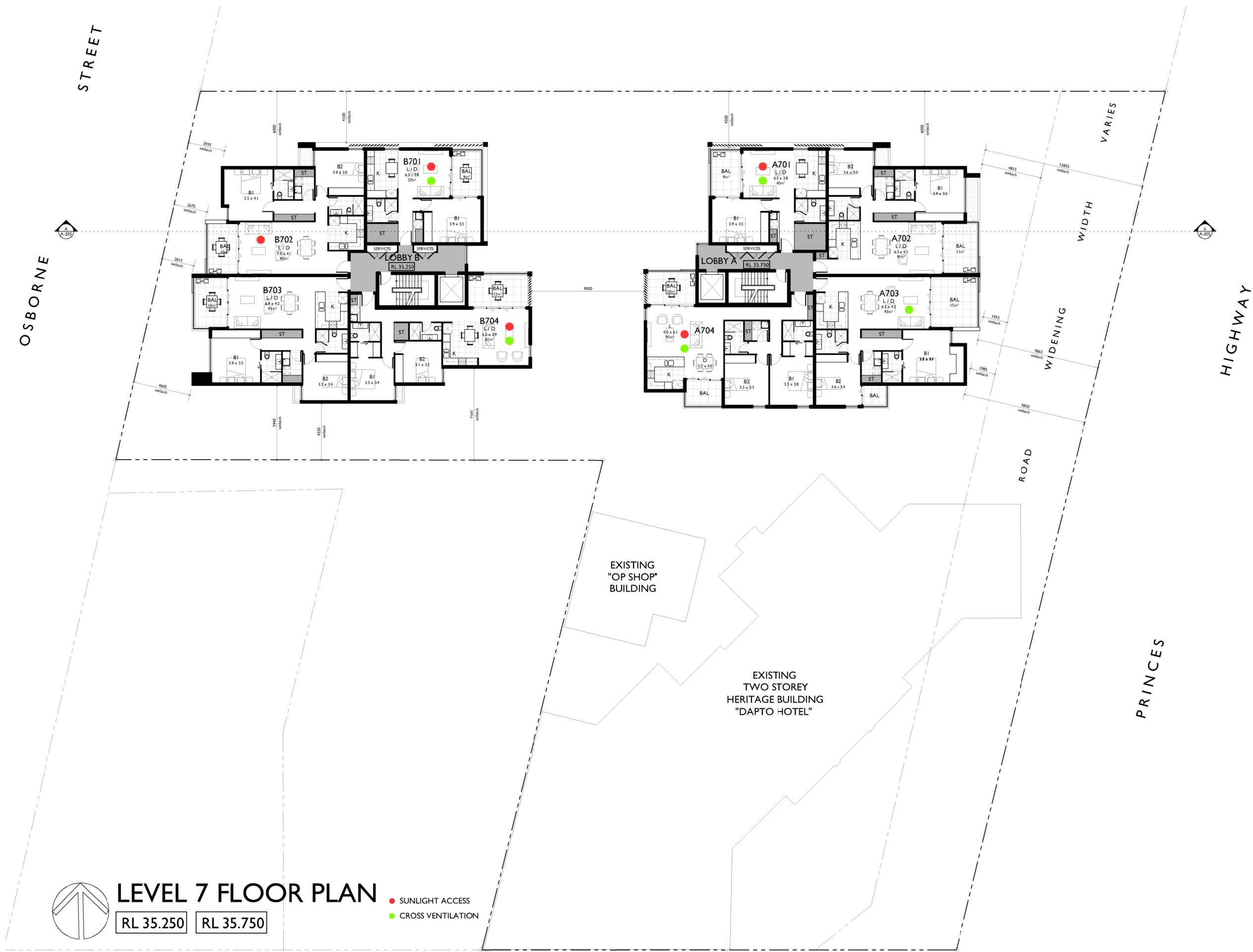
For  
P. HADLEY HOLDINGS PTY LTD &  
PHILLIL PTY LTD

Title  
DEVELOPMENT APPLICATION  
LEVEL 6 FLOOR PLAN

Scale	Date	
1:300 @ A3	MAY 2020	
Drawn	Checked	
RAC	ADM	
Project No.	Drawing No.	Issue
2017 - 48	A-108	B

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# LEVEL 7 FLOOR PLAN

RL 35.250 RL 35.750

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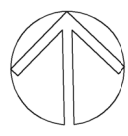
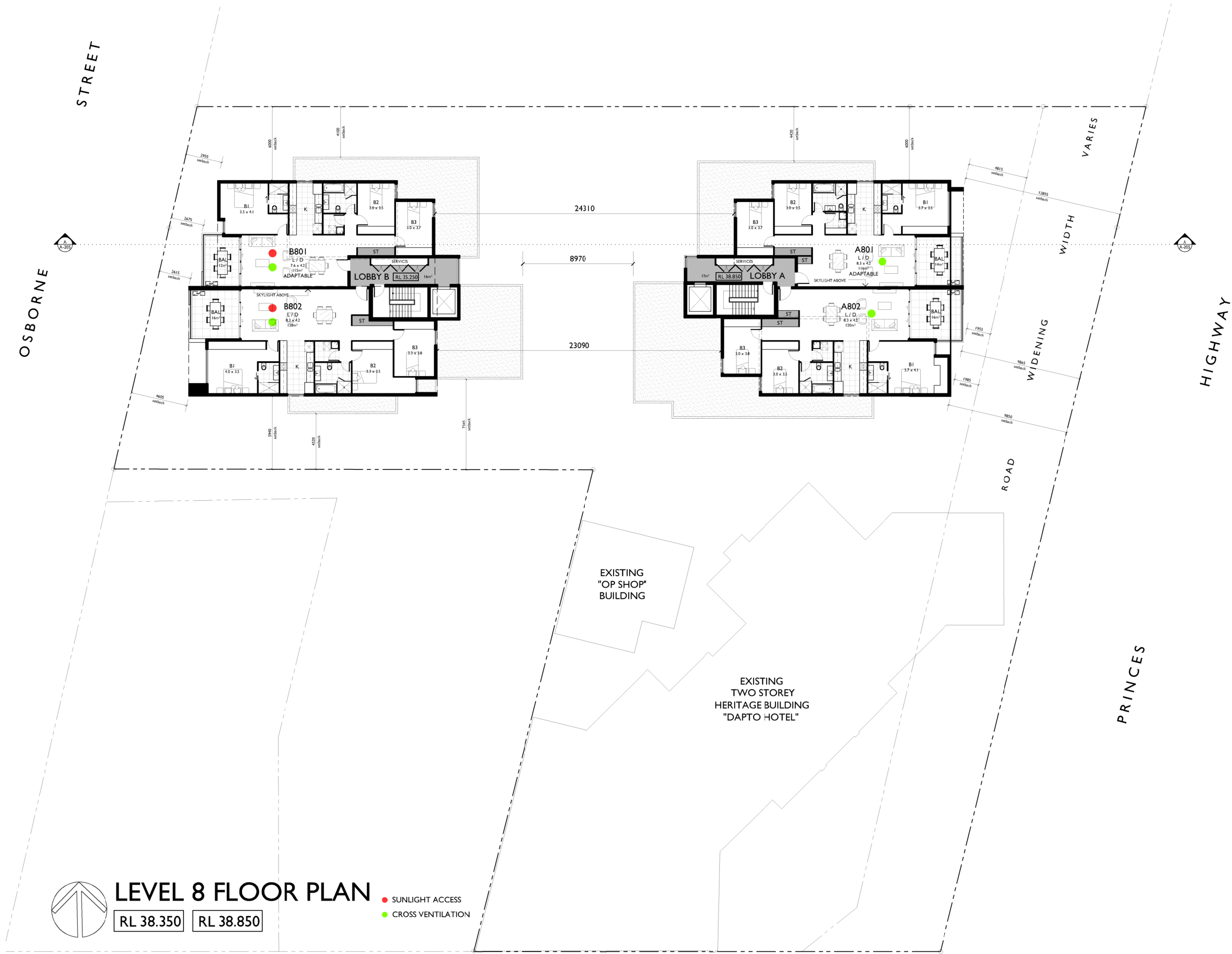
Project  
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COMPRISING OF RESIDENTIAL APARTMENTS  
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At  
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PHILLIL PTY LTD

Title  
DEVELOPMENT APPLICATION  
LEVEL 7 FLOOR PLAN

Scale	Date	
1:300 @ A3	MAY 2020	
Drawn	Checked	
RAC	ADM	
Project No.	Drawing No.	Issue
2017 - 48	A-109	B



# LEVEL 8 FLOOR PLAN

RL 38.350 RL 38.850

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For  
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Title  
DEVELOPMENT APPLICATION  
LEVEL 8 FLOOR PLAN

Scale	Date	
1:300 @ A3	MAY 2020	
Drawn	Checked	
RAC	ADM	
Project No.	Drawing No.	Issue
2017 - 48	A-110	B

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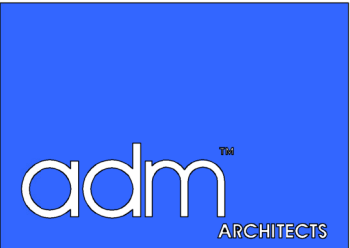
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EAST ELEVATION  
PRINCES HIGHWAY ASPECT



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ABOVE SHOPS & CARPARKING

At  
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For  
P. HADLEY HOLDINGS PTY LTD &  
PHILLIL PTY LTD

Title  
DEVELOPMENT APPLICATION  
EAST ELEVATION

Scale 1:150 @ A1 1:300 @ A3	Date MAY 2020
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Drawn SJ	Checked ADM
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Project No. 2017 - 48	Drawing No. A-201	Issue B
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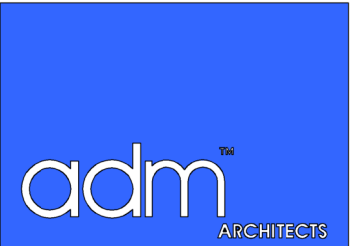
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SOUTH ELEVATION



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For  
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Title  
DEVELOPMENT APPLICATION  
SOUTH ELEVATION

Scale 1:150 @ A1 1:300 @ A3	Date MAY 2020
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Drawn SJ	Checked ADM
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Project No. 2017 - 48	Drawing No. A-202	Issue B
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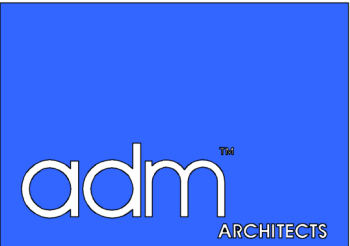
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WEST ELEVATION  
OSBORNE STREET ASPECT



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PHILLIL PTY LTD

Title  
DEVELOPMENT APPLICATION  
WEST ELEVATION

Scale 1:150 @ A1 1:300 @ A3	Date MAY 2020
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Drawn SJ	Checked ADM
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Project No. 2017 - 48	Drawing No. A-203	Issue B
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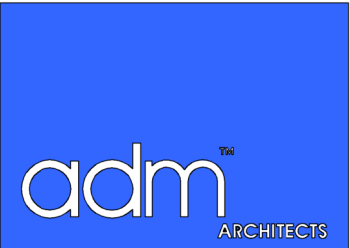
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NORTH ELEVATION



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For  
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Title  
DEVELOPMENT APPLICATION  
NORTH ELEVATION

Scale 1:150 @ A1 1:300 @ A3	Date MAY 2020
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Drawn SJ	Checked ADM
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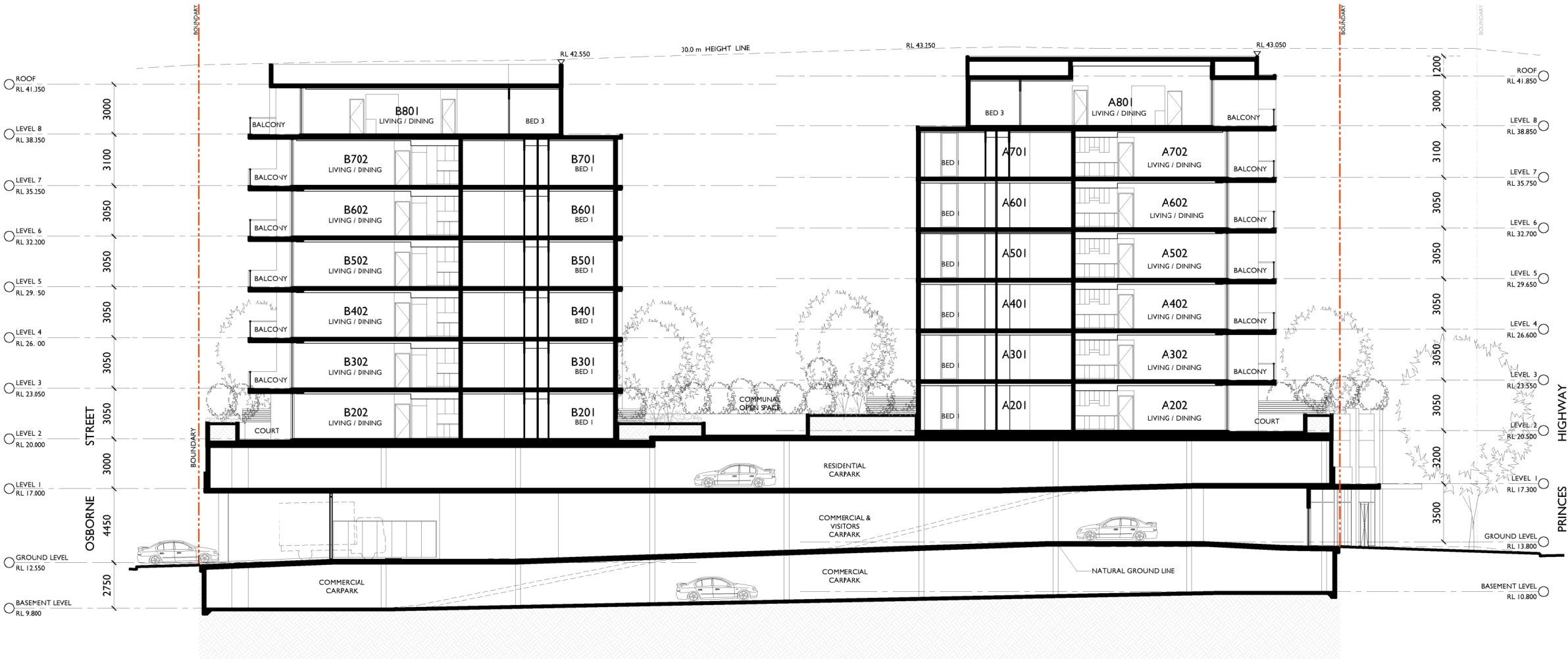
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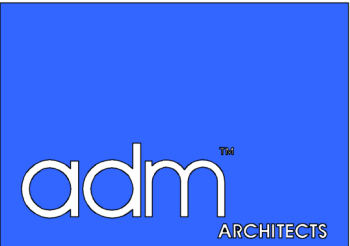
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SECTION A-A



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Title  
DEVELOPMENT APPLICATION  
SECTION AA

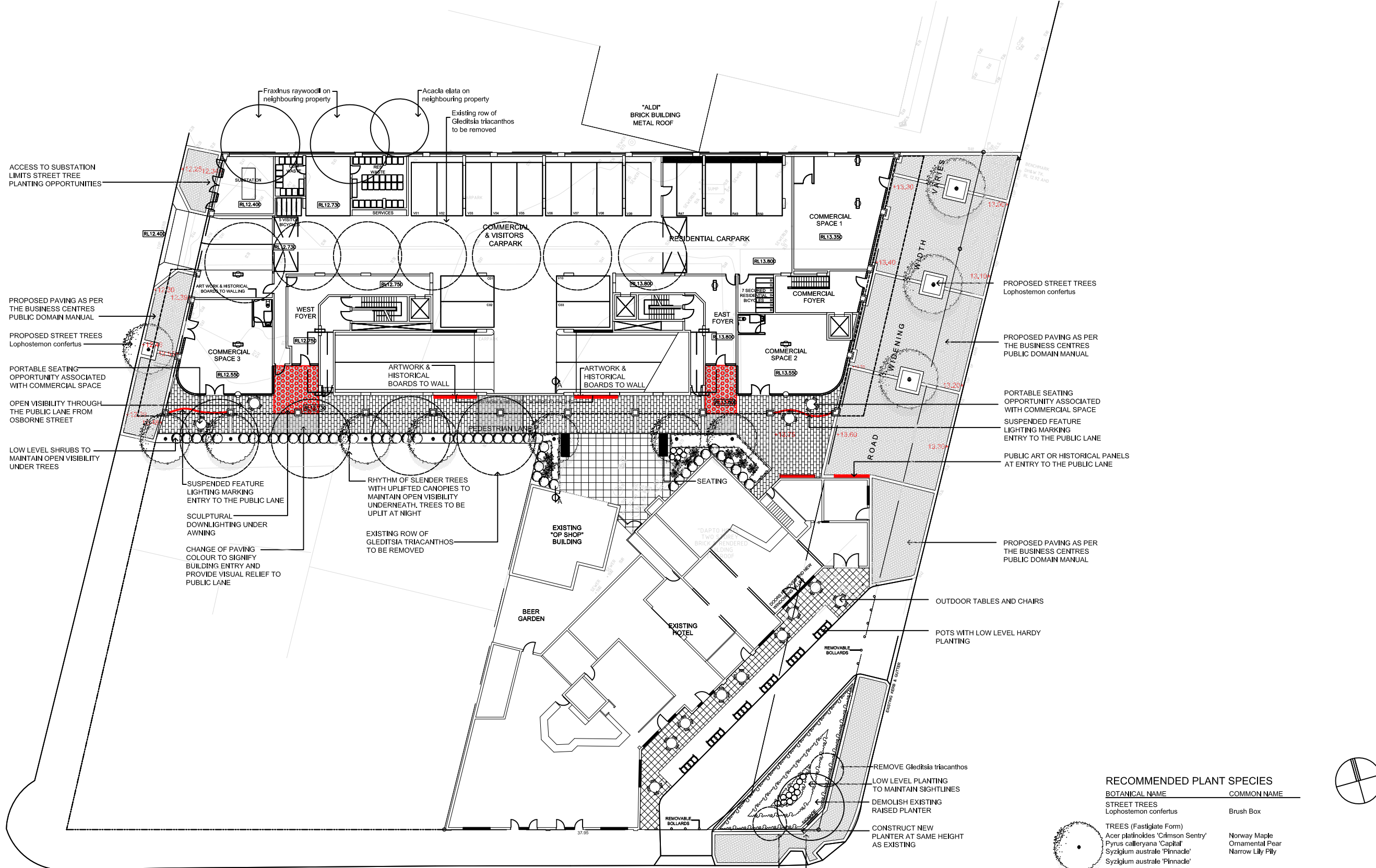
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Drawn	Checked
RAC	ADM

Project No.	Drawing No.	Issue
2017 - 48	A-205	B

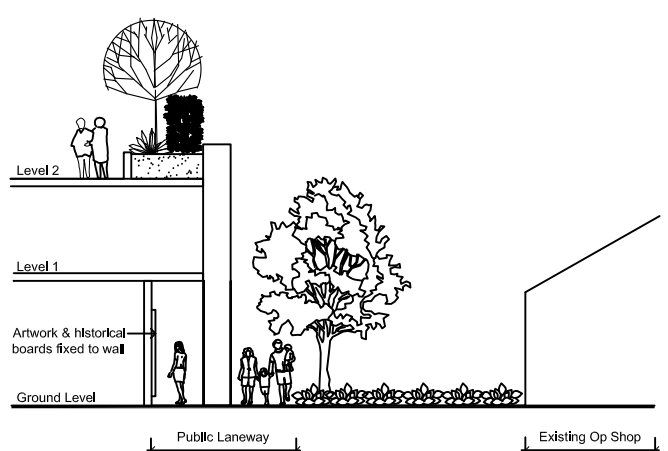
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### LEGEND

- Existing levels and contours
- Proposed spot levels
- Existing trees to be retained Indicative locations
- Existing trees to be removed Indicative locations
- Proposed tree planting
- Proposed low level shrub planting
- Proposed herringbone paving with 300mm header course as per WCC Business Centres Public Domain Manual
- Proposed select unit paving with feature banding
- Proposed select unit paving with different colour to provide visual variation to the Public Lane
- Proposed select unit paving
- Proposed feature lighting
- Proposed public art and historical panels
- Outdoor furniture
- Pots with low level hardy planting



### RECOMMENDED PLANT SPECIES

BOTANICAL NAME	COMMON NAME
<b>STREET TREES</b>	
Lophostemon confertus	Brush Box
<b>TREES (Fastigate Form)</b>	
Acer platanoides 'Crimson Sentry'	Norway Maple
Pyrus calleryana 'Capital'	Ornamental Pear
Syzygium australe 'Pinnacle'	Narrow Lilly Pilly
Syzygium australe 'Pinnacle'	
<b>SMALL SHRUBS</b>	
Acmena 'Ailyn Magic'	Dwarf Lilly Pilly
Loropetalum chinense 'Burgundy'	Loropetalum
Raphiolepis 'Snow Maiden'	Dwarf Hawthorn
Escallonia macrantha 'Apple Blossum'	Escallonia
Gardenia augusta 'Florida'	Gardenia
Carissa 'Emerald Star'	Carissa
Westringia 'Grey Box'	Dwarf Coastal Rosemary
<b>GROUND COVERS &amp; ACCENT PLANTS</b>	
Lomandra 'Tanika'	Fine Leaved Mat Rush
Dianella 'King Alfred'	Paroo Lilly
Dianella 'Cassa Blue'	Paroo Lilly
Gardenia radicans	Dwarf Gardenia
Myoporum parvifolium	Creeping Boobialla
Liriope muscari	Turf Lilly

ISSUE: Amended Development Application 25.08.20  
ISSUE: For Co-ordination 22.08.20, 25.08.20  
ISSUE: Amended Development Application 21.05.20  
ISSUE: For Co-ordination 16.04.20, 22.04.20  
ISSUE: Development Application 10.12.19  
ISSUE: For Co-ordination 22.11.19  
REV B: Amended site plan 22.08.20, 25.08.20  
REV A: Amended plan, landscape, paving 14.04.20, 22.04.20

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landscape architects

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

PROJECT

**Proposed Mixed Use Development**  
98-110 Princes Highway  
DAPTO

DRAWING TITLE

**Ground Level**  
Landscape Concept Plan

CLIENT

**P.Hadley Holdings Pty Ltd & Pillili Pty Ltd**

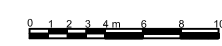
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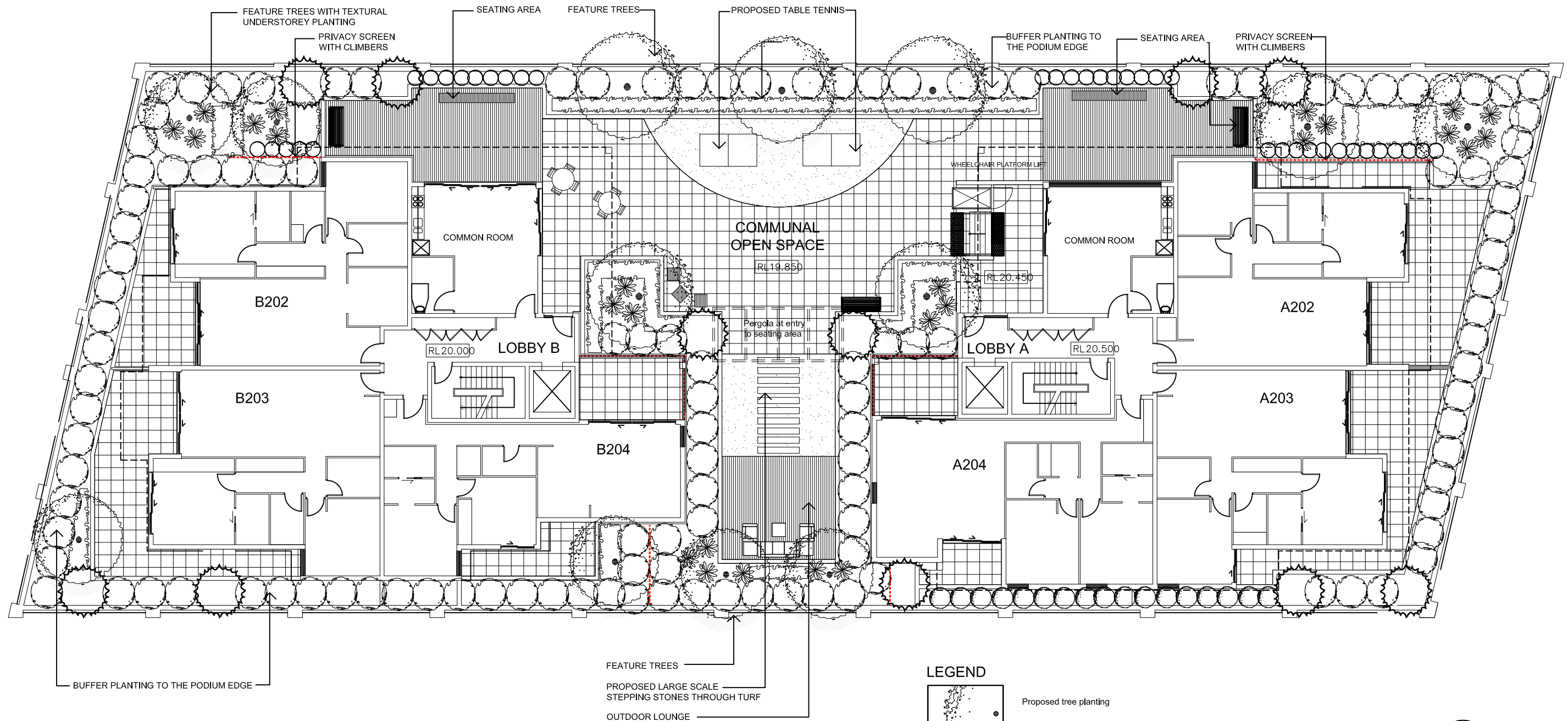
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SCALE: 1:200 @ A1, 1:200 @ A3

CHECKED: TW

DATE: 20.11.19





### RECOMMENDED PLANT SPECIES

BOTANICAL NAME COMMON NAME

STREET TREES  
*Lophostemon confertus*

Brush Box

#### TREES

*Acmena smithii* 'Minor'  
*Largerstroemia* 'Indian Summer'  
*Michelia* 'Bubbles'  
*Magnolia* 'Little Gem'  
*Magnolia* 'Teddy Bear'  
*Tristanopsis laurina* 'Luscious'

Lilly Pilly  
Crepe Myrtle  
Port Wine Magnolia  
Magnolia  
Magnolia  
Water Gum

#### LARGE SHRUBS

*Acmena* 'Cherry Surprise'  
*Backhousia citriodora*  
*Murraya paniculata*  
*Syzygium* 'Cascade'  
*Syzygium* 'Resilience'  
*Photinia* 'Red Robin'

Dwarf Lilly Pilly  
Lemon Myrtle  
Mexican Orange Blossum  
Weeping Lilly Pilly  
Dwarf Brush Cherry  
Photinia

#### SMALL SHRUBS

*Acmena* 'Allyn Magic'  
*Loropetalum chinense* 'Burgundy'  
*Raphiolepis* 'Snow Maiden'  
*Escallonia macrantha* 'Apple Blossum'  
*Gardenia augusta* 'Florida'  
*Phormium tenax* 'Purpurea'  
*Strelitzia reginae*  
*Zamia furfuracea*

Dwarf Lilly Pilly  
Loropetalum  
Dwarf Hawthorn  
Escallonia  
Gardenia  
NZ Flax  
Bird of Paradise  
Cardboard Plant

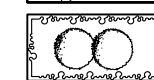
#### GROUND COVERS & ACCENT PLANTS

*Lomandra* 'Tanika'  
*Dianella* 'King Alfred'  
*Dianella* 'Cassa Blue'  
*Gardenia radicans*  
*Senecio serpens*  
*Liriope muscari*  
Fine Leaved Mat Rush  
Paroo Lilly  
Paroo Lilly  
Dwarf Gardenia  
Blue Chalksticks  
Turf Lilly

### LEGEND



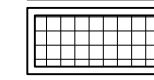
Proposed tree planting



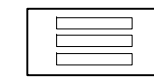
Proposed mass shrub planting



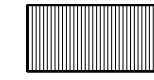
Proposed synthetic turf



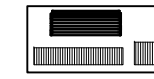
Proposed select tile paving



Proposed large format stepping stones



Proposed timber deck



Proposed seats

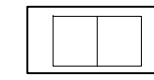
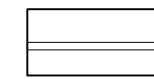


Table Tennis



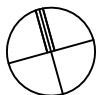
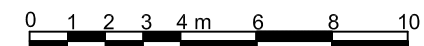
Proposed masonry raised planters



Privacy screen



Proposed pergola structure



ISSUE: Amended Development Application 25.08.20  
ISSUE: For Co-ordination 22.08.20  
ISSUE: Amended Development Application 21.05.20  
ISSUE: For Co-ordination 08.04.20, 16.04.20  
ISSUE: For Co-ordination 23.10.19, 22.11.19

REV.B: Amend building and landscape 22.08.20  
REV.A: Amend building and landscape 08.04.20, 15.04.20



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Tel. 0452 576427  
Email: design@ochre.net.au

#### PROJECT

Proposed Mixed Use Development  
98-110 Princes Highway  
DAPTO

#### DRAWING TITLE

Level 2  
Landscape Concept Plan

#### CLIENT

P.Hadley Holdings Pty Ltd & Pilli Pty Ltd

#### DRAWING NO.

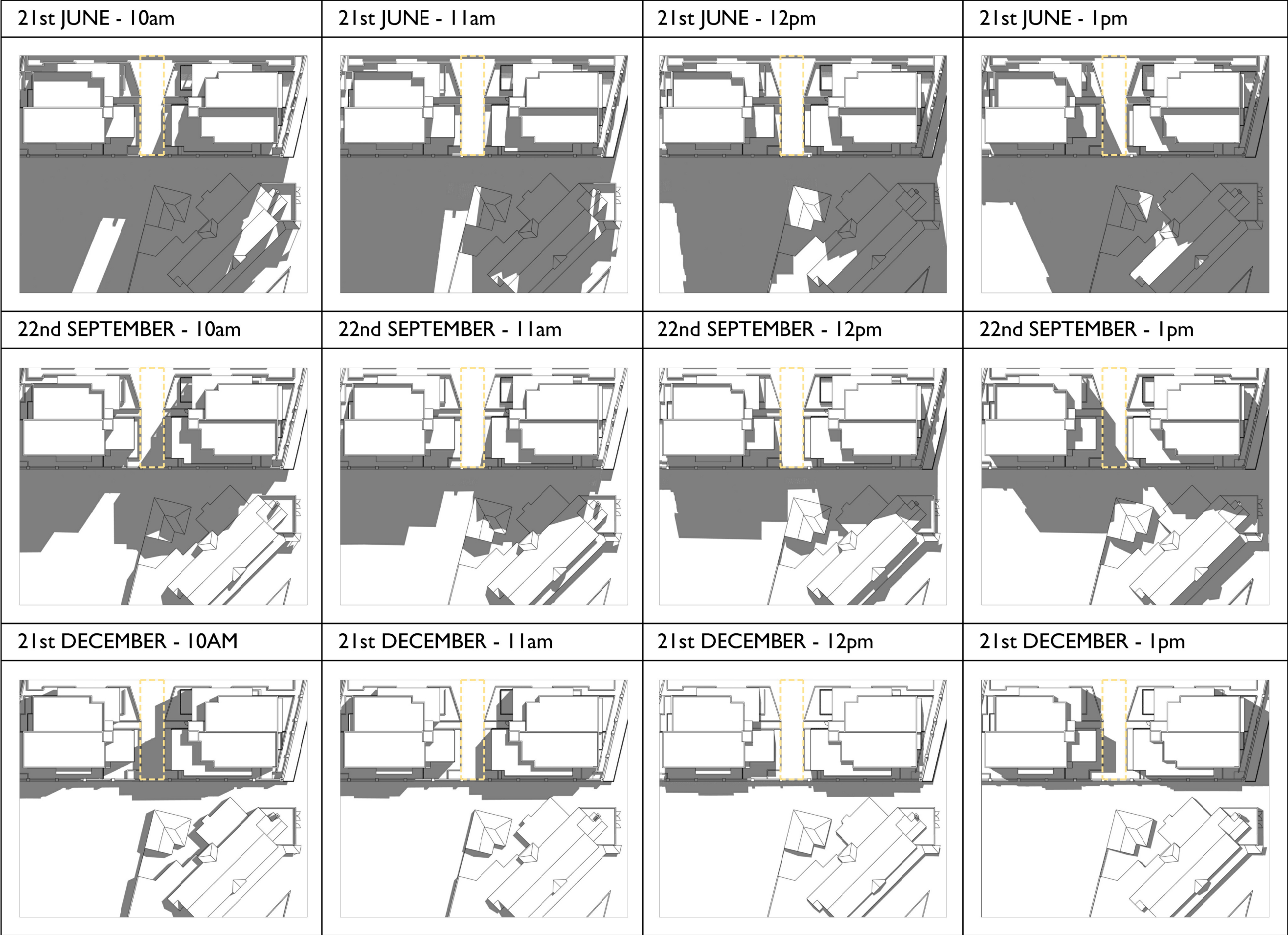
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DATE: 23.10.19





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Project  
RETENTION OF HERITAGE HOTEL &  
PROPOSED MIXED USE BUILDING  
COMPRISING OF RESIDENTIAL APARTMENTS  
ABOVE SHOPS & CARPARKING

At  
98-110 PRINCES HIGHWAY,  
DAPTO, NSW

For  
P. HADLEY HOLDINGS PTY LTD &  
PHILLIL PTY LTD

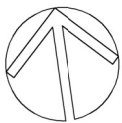
Title  
DEVELOPMENT APPLICATION  
C.O.S SHADOW ANALYSIS

Scale	Date
NTS	MAY 2020

Drawn	Checked
SJ	ADM

Project No.	Drawing No.	Issue
2017 - 48	A-404	A

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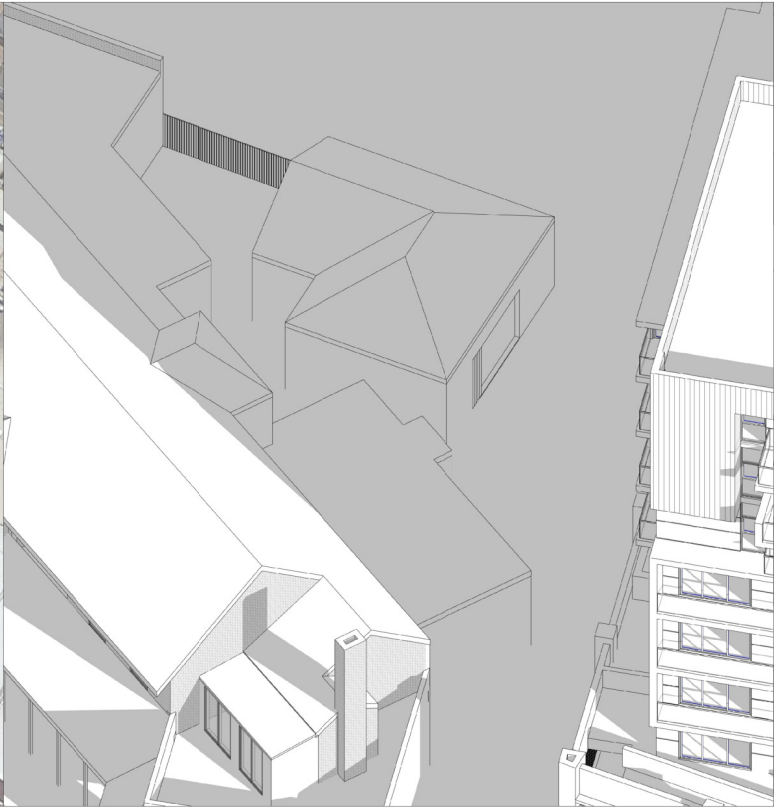


C.O.S SHADOW ANALYSIS

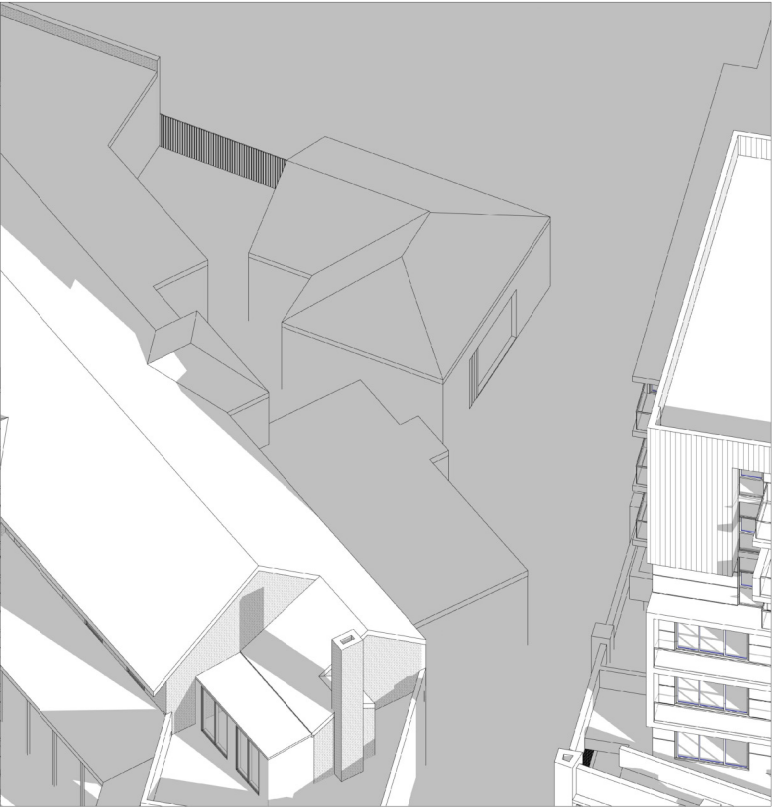




9AM



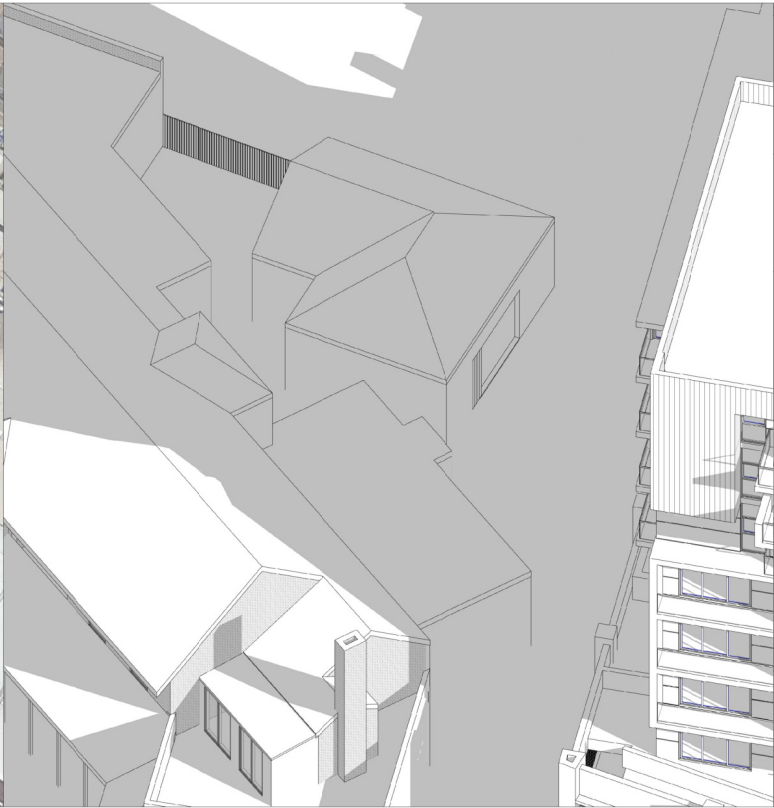
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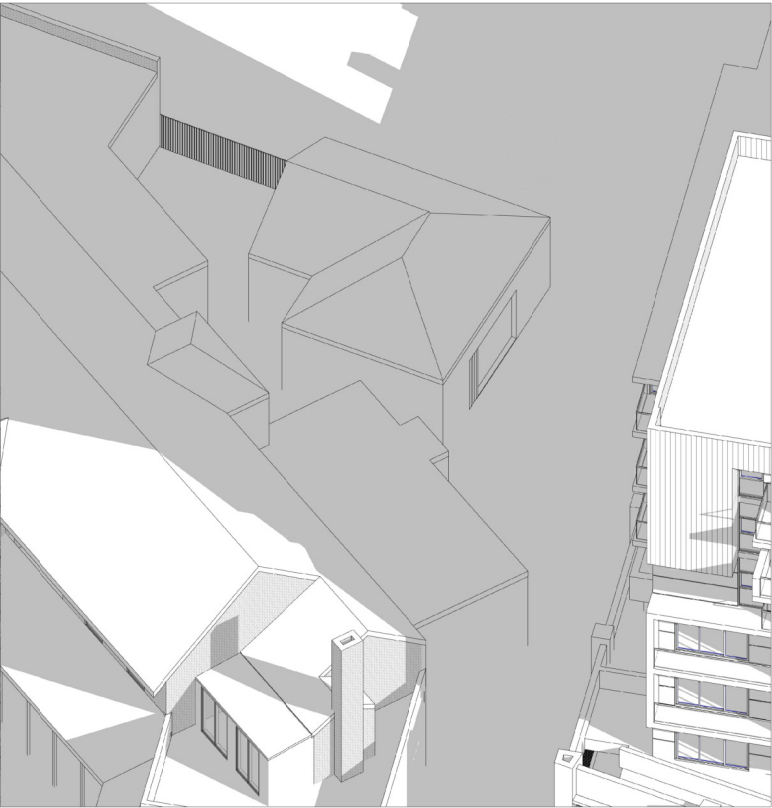
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10AM



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ABOVE SHOPS & CARPARKING

At  
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DAPTO, NSW

For  
P. HADLEY HOLDINGS PTY LTD &  
PHILLIP PTY LTD

Title  
DEVELOPMENT APPLICATION  
SHADOW ANALYSIS CI

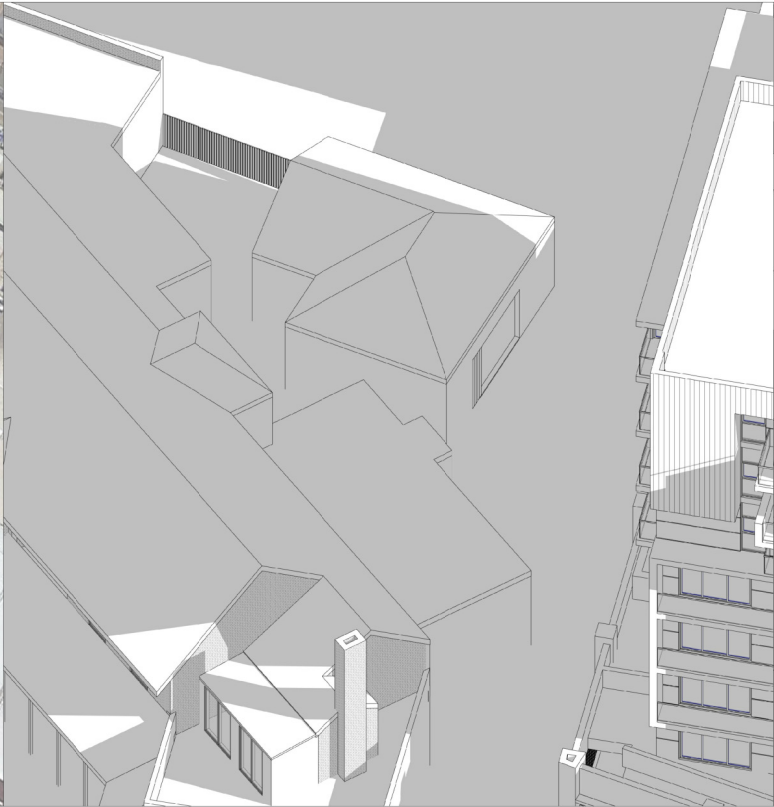
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Project No.	Drawing No.	Issue
2017 - 48	A-401.1	C

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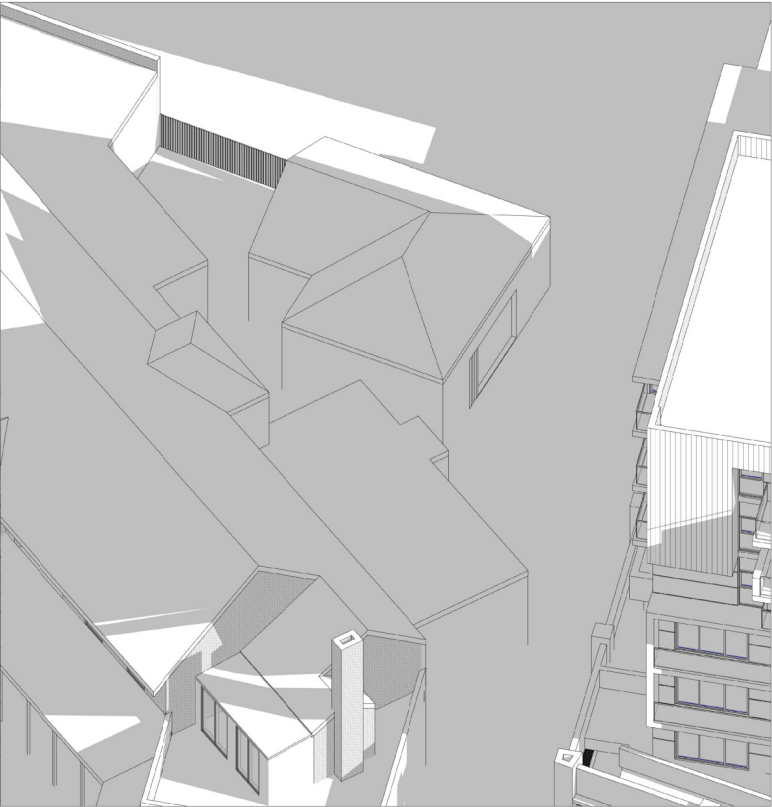




11AM



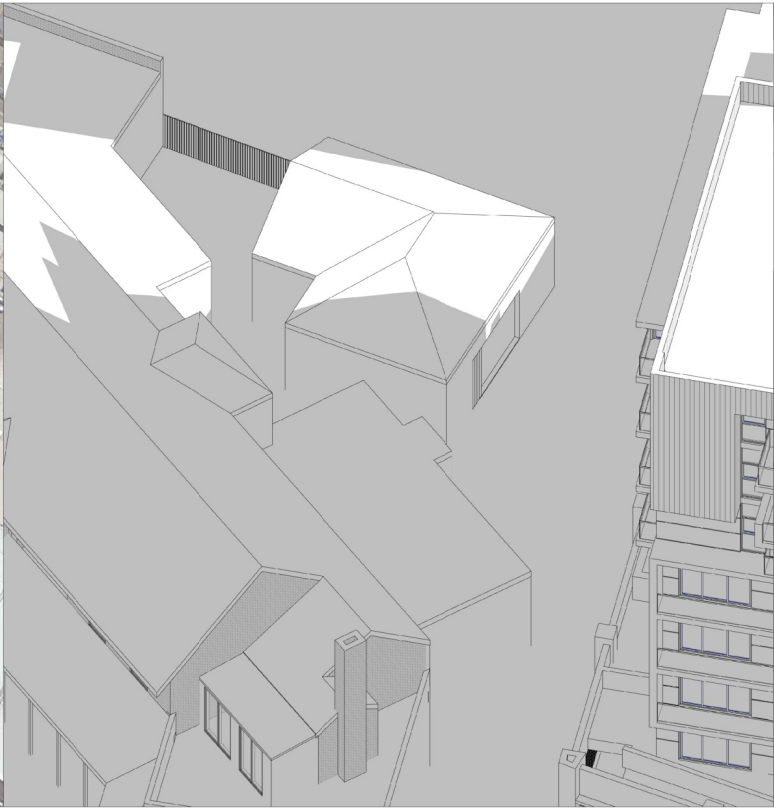
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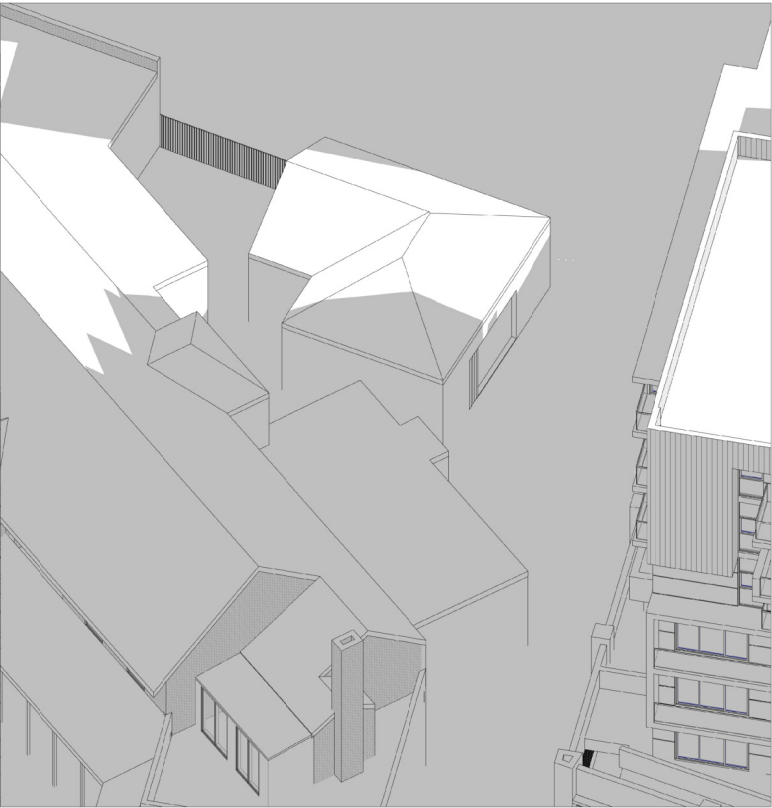
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12PM



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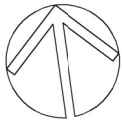
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DAPTO, NSW

For  
P. HADLEY HOLDINGS PTY LTD &  
PHILLIL PTY LTD

Title  
DEVELOPMENT APPLICATION  
SHADOW ANALYSIS 02

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NTS	MAY 2020	
Drawn	Checked	
SJ	ADM	
Project No.	Drawing No.	Issue
2017 - 48	A-401.2	C

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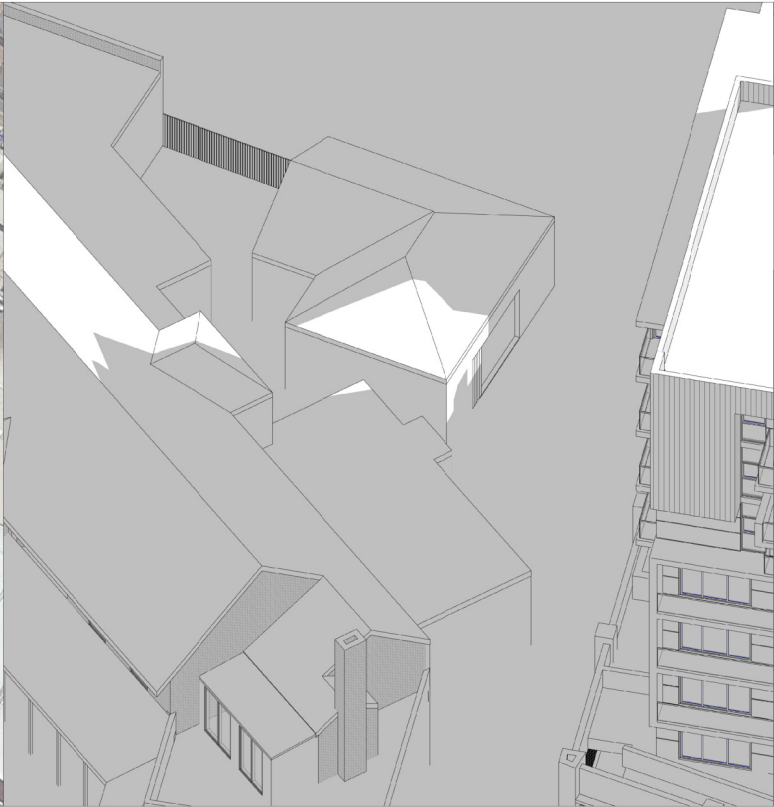


SHADOW ANALYSIS  
21ST OF JUNE

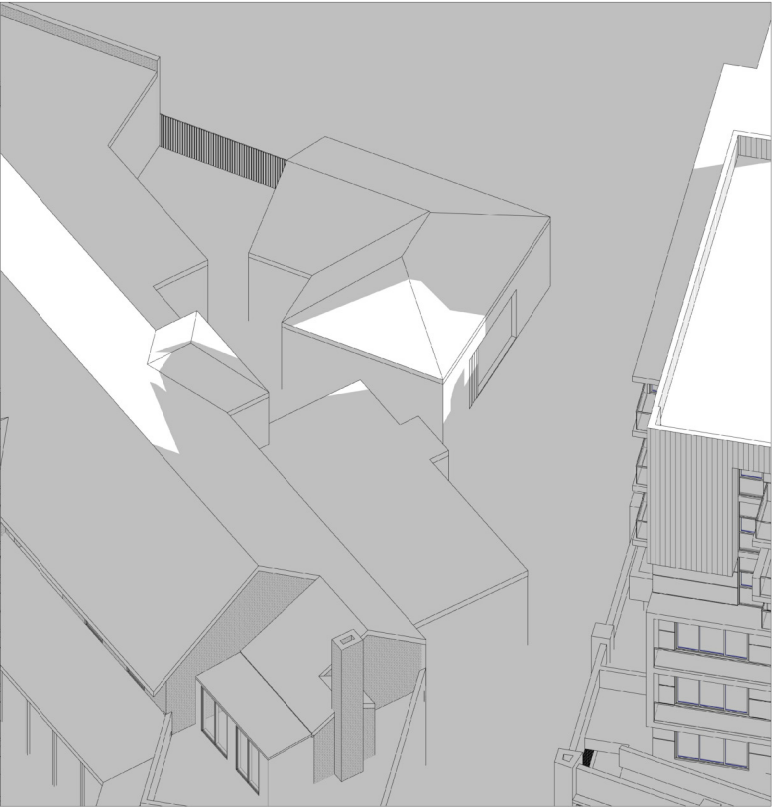




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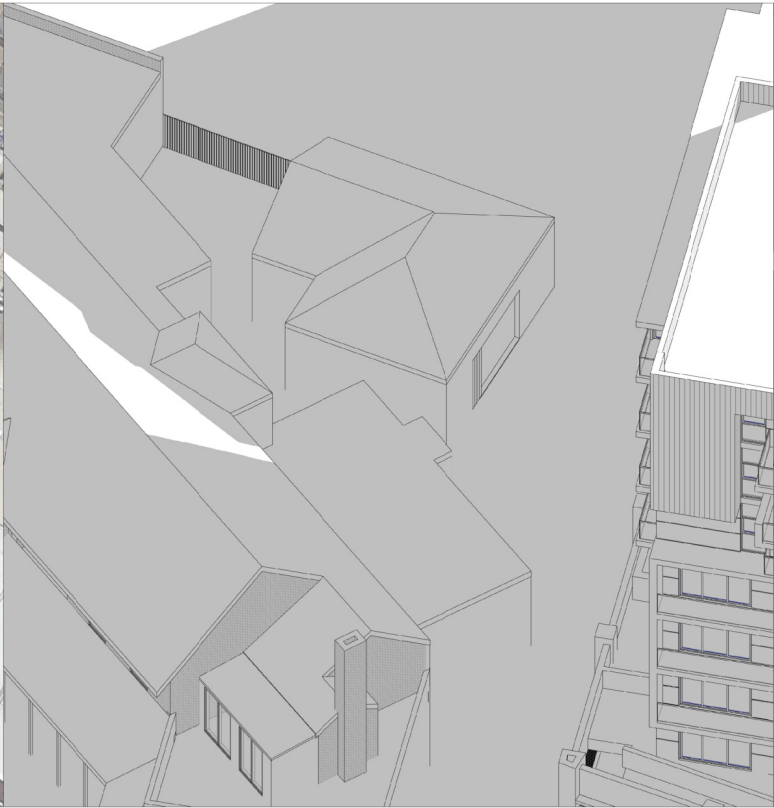
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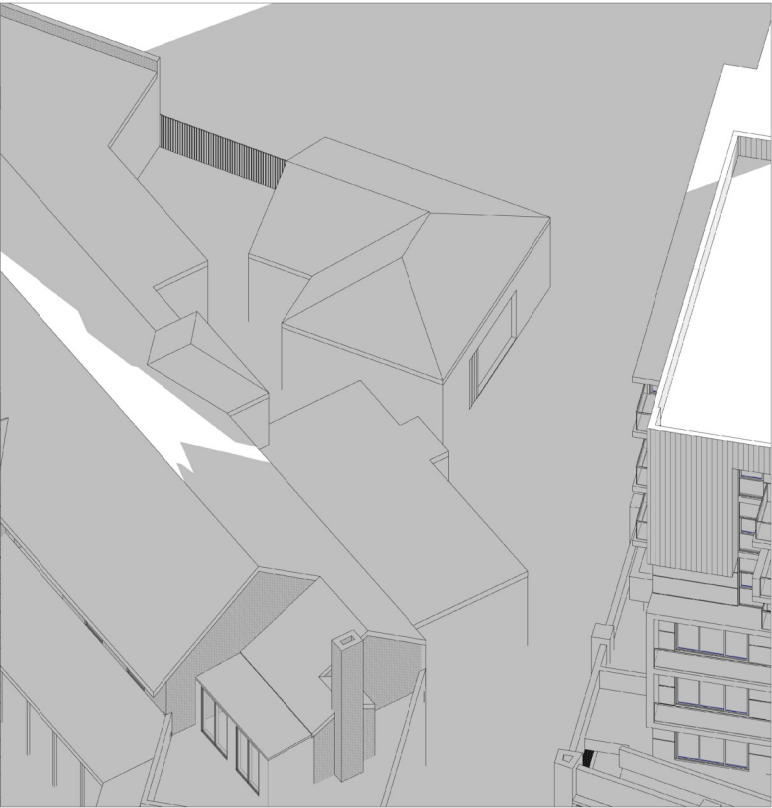
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2PM



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ABOVE SHOPS & CARPARKING

At  
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For  
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PHILLIL PTY LTD

Title  
DEVELOPMENT APPLICATION  
SHADOW ANALYSIS 03

Scale	Date	
NTS	MAY 2020	
Drawn	Checked	
SJ	ADM	
ProjectNo.	Drawing No.	Issue
2017 - 48	A-401.3	C

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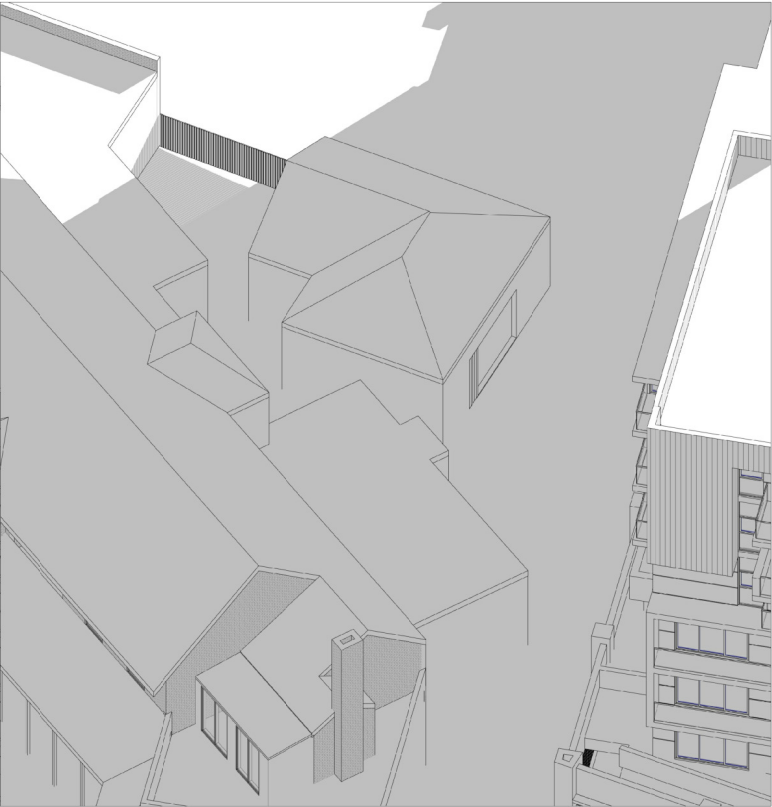




3PM



PROPOSED SHADOW





BUILDING A REDUCED BY 1 STOREY

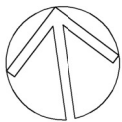
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For  
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Title  
DEVELOPMENT APPLICATION  
SHADOW ANALYSIS C4

Scale	Date	
NTS	MAY 2020	
Drawn	Checked	
SJ	ADM	
Project No.	Drawing No.	Issue
2017 - 48	A-401.4	C

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POTENTIAL FUTURE DEVELOPMENT



PHOTOMONTAGE I  
LOOKING NORTH WEST ALONG THE PRINCES HIGHWAY

POTENTIAL FUTURE DEVELOPMENT

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Title  
DEVELOPMENT APPLICATION  
PHOTOMONTAGE I

Scale	Date
NTS	MAY 2020

Drawn	Checked
SJ	ADM

ProjectNo.	Drawing No.	Issue
2017 - 48	A-004	B

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**Wollongong Design Review Panel**  
**Meeting minutes and recommendations**

<b>Date</b>	4 February 2020
<b>Meeting location</b>	Wollongong City Council Administration Offices
<b>Panel members</b>	Tony Quinn
	Sue Hobley
	David Jarvis
<b>Apologies</b>	Kristy Robinson – Senior Development Project Officer Mark Riordan – Manager City Planning
<b>Council staff</b>	John Wood – City Wide Development Manager
<b>Guests/ representatives of the applicant</b>	Angelo Di Martino – ADM Architects Luke Rollinson – MMJ Wollongong Paul Duggan – Property Owner Phil Hadley – Property Owner
<b>Declarations of Interest</b>	Nil
<b>Item number</b>	1
<b>DA number</b>	DA-2019/1462
<b>Determination pathway</b>	SEPP 65
<b>Property address</b>	98-110 Princes Highway Dapto NSW 2530
<b>Proposal</b>	Demolition of existing structures and retention of heritage hotel and construction of a mixed-use building
<b>Applicant or applicant's representative address to the design review panel</b>	Angelo Di Martino Architect
<b>Background</b>	The site was inspected by the Panel on 4 February 2020
<b>Design quality principals SEPP 65</b>	
<b>Context and Neighbourhood Character</b>	<p>The site is currently occupied by single storey shops with parapets fronting Princes Hwy. The heritage listed Dapto Hotel is located on the southern portion of the site. A supermarket (Aldi) is located to the north and Leagues club to the west. Existing surrounding context is predominantly single and two storey commercial development. The site is zoned B3 commercial with permissible FSR of 2.5:1 and a height of 30 metres.</p> <p>Views from the public domain of the heritage listed Dapto Hotel and of the escarpment are important considerations. A view analysis that identifies key views liable to be affected by the site's development is required to determine the merits of the proposal in this regard.</p> <p>The site was previously reviewed by a DRP on 9 July 2019. Concerns expressed at that time included compliance with the road widening setback, provision of a through site link, curtilage of the hotel, overshadowing of the public plaza opposite, street wall height and Osborne St and link activation. Further recommendations included breaking the apartment block above the podium into two towers. It is noted that many of these issues have been addressed including a 2 storey podium in lieu of a 3 storey base. However, the through site link is a covered colonnade with projections into it, affecting clear sightlines and ease of way- finding. The commercial lobby and fire stairs should be pulled back into the building envelope. The commercial spaces should be redesigned so as to relate strongly to the laneway (as well as the streets) without intruding into it.</p> <p>The western portion of the lane sits below the level 1 carpark within in a dark undercroft. Further development is required if this</p>

	<p>space is to provide a safe and positive contribution to Dapto town centre. Increasing the extent of retail space addressing the lane way will play an important role in providing an active and safe laneway.</p> <p>A Heritage assessment of the buildings on the heritage listed site is required. . It should inform the design of the form and elevations of each of the towers. It will enable an understanding of options in relation to the development of the Communal Open Space (COS) at ground level and of how access and circulation between the future carpark, the shared COS and the internal areas of the hotel can be optimally resolved. It will also enable an understanding of options for ensuring the COS is as generous and inviting as possible</p> <p>The Panel suggested pulling back the podium along the southern boundary, creating a wider gap to the hotel. This would greatly improve the separation between the proposal and the heritage hotel. Covered access must still be provided to allow access to residential entries., This could be provided by a glazed or translucent awning above for weather protection.</p> <p>The commercial foyer should be recessed back into the form of the building to allow clear sight lines through the lane between Princess highway and Osbourne Street.</p> <p>Plans of the existing hotel should be documented. It is essential to understand how the hotel relates to the proposed building to allow appropriate interfaces to be developed. This development must be considered in its entirety. Consideration should also be given to restoration and developments to the hotel, particularly those which will improve the interface between the new and existing buildings.</p>
<p><b>Built Form and Scale</b></p>	<p>A Built Form analysis needs to be undertaken for the surrounding block to enable a better understanding of how the proposal relates to potential future context. The analysis should model realistic building forms on neighbouring sites. Potential future building forms should:</p> <ul style="list-style-type: none"> <li>- realise the permissible FSR for each site</li> <li>- provide good amenity to each site. Particularly solar access, Sun's eye views should be provided demonstrating that all sites are capable of compliance with the minimum requirements of the ADG.</li> <li>- demonstrate an appropriate scale for the street.</li> <li>- respond to the heritage value of the Dapto Hotel in a way that will support its on-going commercial viability.</li> <li>- contribute to a pattern of development appropriate for Dapto Town centre.</li> </ul> <p>The Panel queried the alignment on Princes Hwy with the Aldi development and whether it was the wall or awning shown on the plans. Better site analysis is required in relation to adjoining properties. A view analysis of the public domain would be helpful in understanding the proposal.</p>

	<p>What does the through link, laneway experience feel like? It was suggested views should be provided similar to Lois Lane/Langs Corner development in Wollongong. Patrons of the Hotel would park within the basement carpark provided below the proposed building. Accessing the Hotel from the north via an area currently indicated as Communal open space. This space be will heavily trafficked by Hotel patrons and play a critical role in developing a successful interface between the proposed building and the existing heritage listed hotel. Ideally this space should be generously proportioned and direct solar access maximized. To achieve this goal, consideration should be given to removing the ancillary building currently accommodating a charity shop. This would create a more generous area of open space, that could add amenity to the public domain as well as creating a larger area of open space dedicated to the Hotel. A better visual and pedestrian connection between the Hotel and the carpark would also be created. Alternative options, such as the removal of the additions to the rear wall of the main building, should also be explored.</p> <p>Note: The panel's knowledge of the historical value of the Heritage Hotel is limited. and the absence of a comprehensive Heritage Report prevents the members from being able to provide substantive comments/recommendations in relation to it. However, it appears that the hotel's primary value may be the contribution made by the primary Hotel building to the scale and character of the street. The ancillary building to the west of the hotel appears to provide little contribution to Dapto town centre. It is recommended that further investigation by a heritage architect is undertaken to establish the value of the ancillary building. The heritage architect should establish if the benefits gained to the public domain and interface between the proposed building and heritage building justify the removal of the existing ancillary building.</p> <p>One of the primary aims of developing a two tower form (as opposed to a single form, refer to previous panel recommendation) was to improve solar access to the heritage hotel. Further detail is required to establish if the currently proposed building forms have achieved this goal. Sun's eye views should be provided that show the extent of solar access provided to the external courtyard to the west of the hotel. The aim should be to maximise direct solar access to this space on a winter lunch time (between 12 and 2pm). Further refinements to the tower forms may be necessary to achieve this goal.</p>
Density	<p>The FSR being proposed includes the Dapto hotel area. When viewed in isolation (on the portion of site not containing the heritage hotel) the proposed building equates to a building form with an FSR of approximately 3.5:1. Given this constraint the proposal is likely read as being significantly bulkier than future neighbouring buildings. As such the proposal's impact on the hotel and interfaces with the hotel / the sites future context needs to be further detailed and explained. A full public domain interface needs to be shown on architectural/landscape drawings.</p>

	<p>The resultant built form must prioritize providing an appropriate urban design solution over maximizing the site's FSR.</p>
<b>Sustainability</b>	<p>Solar access to the hotel needs to be considered as well as the podium landscape areas should the Aldi site be redeveloped.</p> <p>Opportunities to harvest rainwater for use in maintaining any plantings established on the building or the site should be integrated. Other water minimization measures should be considered including the reuse of rainwater for toilet flushing and use in washing machines.</p> <p>Species selection for any plantings should aim to support council's commitment to maintaining local biodiversity and natural landscapes, and preventing future weed problems.</p>
<b>Landscape</b>	<p>The issue of the existing trees along the northern boundary was raised and it was suggested an Arborist/Landscape report is required. This should be part of a site analysis that enables the approval authority to understand the environmental constraints of the site and impacts that need to be addressed through the design or conditions of consent. It is noted that the proposal as it stands will require the removal of all trees on the site and will involve significant impacts on mature trees on adjoining sites.</p> <p>The drainage across the entire site needs to be understood in order for the landscape designer to ensure drainage issues in the ground level communal open space are dealt with effectively. This too should be part of the site analysis.</p> <p>Concern is raised about the amenity and functionality of the level 2 COS (shown as level 1 on the Landscape Concept Plan). The COS consists of two linear axes, one running north-south between the towers and the other running east-west along the northern side of the entire development. In view of the recommendations made in relation to the built form of the development, it is anticipated that changes may be made to the spatial lay-out and dimensions of the COS. However, it is unlikely that they will substantially alter the design concept provided to the Panel.</p> <p>The following issues, concern and questions are raised about the Landscape Concept:</p> <ul style="list-style-type: none"> <li>- No deep soil is proposed on the portion of the site that is to be developed. Is there a deep soil zone on the hotel portion?</li> <li>- The applicant advised that no landscaping is proposed on the hotel site. This is problematic. Landscaping will contribute to the integration of the entire site and may result in a deep soil zone being identified on the heritage site. (Lack of a comprehensive site analysis precludes whether this is the case.)</li> <li>- What is the expected demographic of the residents that are intended to be served by the COS? (Who will use it and why will they go there? Why would anyone make</li> </ul>



	<p>their way to a "quiet nook" at the end of a passage through the landscape rather than sit on their own private balcony?)</p> <ul style="list-style-type: none"> <li>- How will the use of the COS impact on the privacy and amenity of the adjacent units, in particular bedrooms and living rooms but also private open space?</li> <li>- There are no kitchen, ablution or meeting facilities linked into the COS.</li> <li>- There appears to be no provision for shelter or shade. Shadow diagrams are needed to determine how the various elements of the COS will be exposed to or deprived of solar access throughout the year and how the landscape design responds to these constraints (or opportunities). The long, linear spaces along the northern elevation will be fully exposed so long as the Aldi site remains undeveloped, but will receive little sunlight if a permitted development occurs in the future. Overshadowing impacts on the central corridor would also result.</li> <li>- How will the landscape be affected by winds? In particular, it is expected that the central corridor between the towers will be severely affected by southerly winds, becoming a wind tunnel, while the north-facing corridor will be fully exposed to north-easterly winds until the Aldi site gets development, in which case it will also become a wind tunnel.</li> <li>- The long, linear lay-out of the landscape along 2 axes effectively creates three passageways that limit the use and privacy of the spaces through which they pass.</li> <li>- Opportunities for passive surveillance of the streetscapes, Town Square and ground level COS are lost due to the proposed plantings.</li> <li>- What/who will shade trees planted in the southernmost end of the landscape shade?</li> <li>- Certainty is required with regard to the landscape plan: "potential" features/fixtures/fittings/furniture cannot be meaningfully approved. (The words "proposed" and "potential" should be deleted and only what is planned be shown.)</li> </ul>
<b>Amenity</b>	<p>Street addresses to both residential and commercial entries need to be clear and separately distinguishable. The locations and species of street trees needs to be developed in consultation with Wollongong Council.</p> <p>The arrival sequence &amp; way-finding to residential entries needs further explanation.</p> <p>A heritage architect should advise on options for removing built additions and relocation of service infra-structure (such as gas meters, fire-fighting fixtures, etc.).</p> <p>Selection of materials should address issues such as the relationship with the heritage buildings, management of graffiti and treatment of large blank walls.</p> <p>The architect indicated the town plaza opposite now has sun access from 9am to 3pm in winter, this should be more clearly demonstrated with sun's eye diagrams at hourly intervals. Any</p>

	<p>proposed tree plantings to improve the amenity of the plaza need to relate to solar access issues.</p> <p>The internal depth of apartments was queried regarding ADG compliance, dimensions need to be shown.</p> <p>Solar access study (A-402A) appears to be demonstrating that all living rooms on the eastern sides of buildings do not receive solar access at 11am and there for do not meet the minimum ADG requirements for solar access. Two hours of solar access must be provided between 9am and 3pm, mid winter for a minimum of 70% of units. ADG compliance must be achieved and clearly demonstrated.</p> <p>See Landscape comments with regard to amenity of the building's residential COS.</p>
<b>Safety</b>	<p>Concern was expressed re CPTED issues of the colonnade after hours. The proposed cross site link must provide a safe and active contribution to Dapto town centre. The design and details of the communal open space at ground level must take safety issues into account.</p> <p>The applicant advised, and council confirmed, that the DaptoTown Square is a problematic space due to lack of surveillance arising to a substantial degree from the lack of activated interfaces around its perimeters. The design of the development on the proposed site should aim to improve surveillance opportunities that may help mitigate this problem in the future.</p> <p>The levels within the COS ground floor plaza must ensure accessibility and stormwater are safely managed.</p>
<b>Housing Diversity and Social Interaction</b>	<p>The proposal now addresses this issue with it's mix of apartments.</p> <p>There must be a clear delineation between open space provided for the hotel, open communal space provided for residents and public domain. Communal open space for residents should not be located in areas that are to thoroughfares for hotel patrons.</p>
<b>Aesthetics</b>	<p>The proposal has addressed the previous issues by providing a two storey podium and two separate towers above. The provision of brick patterning of the podium in lieu of the previous painted chequerboard pattern is commendable. With the suggested cutback of the podium adjacent to the hotel the apartment building can be brought to ground improving the separation and dominance of the new building.</p> <p>To ensure the design intent of the building (in particular the building base concealing the 1st floor carpark) is realized, a detail section through the building should be provided and included in the DA documentation package.</p>

<b>Design Excellence WLEP2009</b>	
<b>Whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved</b>	The overall composition, proportions and material selection are an improvement on the previous submission. With amendments suggested design excellence is achievable.
<b>Whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,</b>	Further development of the public domain is required-refer notes above. The proposal must be more rigorously test and in its potential future context.
<b>Whether the proposed development detrimentally impacts on view corridors,</b>	The view analysis needs updating/further work based on the above recommendations.
<b>Whether the proposed development detrimentally overshadows an area shown distinctively coloured and numbered on the Sun Plane Protection Map,</b>	With recommended amendments this needs updated diagrams.
<b>How the development addresses the following:</b>	
<b>the suitability of the land for development,</b>	Yes the development meets the LEP objectives.
<b>existing and proposed uses and use mix</b>	Yes
<b>heritage issues and streetscape constraints,</b>	Further work required as noted above.
<b>the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,</b>	Refer to notes above regarding cutting back of the podium adjacent to the hotel, form of towers in relation to future context and solar access to heritage hotel.
<b>bulk, massing and modulation of buildings</b>	Refer above notes.
<b>street frontage heights</b>	2 storey height proposed is suitable for the context.
<b>environmental impacts such as sustainable design, overshadowing, wind and reflectivity</b>	Degree of overshadowing of the hotel needs to be reviewed.
<b>the achievement of the principles of ecologically sustainable development</b>	None were provided or discussed.
<b>pedestrian, cycle, vehicular and service access, circulation and requirements</b>	This was discussed and raised with regard to all of the public domain, and needs to be addressed as noted above.

<p>impact on, and any proposed improvements to, the public domain</p>	<p>Ditto re above.</p>
<p>Key issues, further Comments &amp; Recommendations</p>	<p>The urban design consequences of this development must be given greater consideration. This is an important development for Dapto town centre that should aim to set a high standard for the centre. It will play a key role in establishing a pattern of development to which future development must respond. The proposal must therefore establish a pattern of development that creates an appropriate urban design framework for Dapto town centre.</p> <p>Key issues are summarised as follows:</p> <ul style="list-style-type: none"> <li>- The site must be analysed and developed in its entirety. Consideration should also be given to restoration of and developments to the heritage-listed hotel and the interface between the existing and proposed buildings.</li> </ul> <p>Cutback the podium adjacent to the hotel</p> <p>Amendments to the through link, its activation, and interface with the hotel, including consideration of removal of Opp Shop (and/or lean-to additions to the main building).</p> <p>Public Domain treatment</p> <p>Built Form Analysis</p> <p>View &amp; Site Analysis</p> <ul style="list-style-type: none"> <li>- Whole of site approach to the landscape design to ensure the heritage portion is complemented by the new development and the interfaces between the old and the new are well-integrated.</li> <li>- Role and amenity of level 2 COS and its relationship to POS and the public domain</li> <li>- Lack of common room and plumbed facilities linked to the COS.</li> </ul>



013

ADM Architects  
PO BOX 3061  
WOLLONGONG NSW 2520

**Reference** **DE-2019/67**

**Date** **22 July 2019**

Dear Sir/Madam

### Design Review Panel Information

Development	Proposed mixed use building comprising of residential apartments above commercial premises and carparking
Location	98-110 Princes Highway, DAPTO NSW 2530

Please find attached commentary following the Design Review Panel Meeting of 9 July 2019.

The Panel commentary is not an assessment of the overall proposal as relates to compliance with all relevant statutory requirements, but is intended as an information guide for matters relating to *Urban Design generally and /or the Apartment Design Guide associated with SEPP 65 and / or the design excellence provisions of WLEP2009*.

If you have any questions please contact me on the telephone number below.

This letter is authorised by

**Kristy Robinson**  
Senior Development Project Officer  
Wollongong City Council  
Telephone (02) 4227 7111



**Wollongong Design Review Panel 9 July 2019**  
**Meeting minutes and recommendations DE-2019/67**

<b>Date</b>	9 July 2019
<b>Meeting location</b>	Wollongong City Council Administration Offices
<b>Panel members</b>	Tony Quinn(chair)
	Sue Hobley
	Karla Castellanos
<b>Apologies</b>	
<b>Council staff</b>	John Wood – City Wide Development Manager Kristy Robinson - Senior Development Project Officer
<b>Guests/ representatives of the applicant</b>	Angelo Di Martino – ADM Architects Luke Rollinson – MMJ Wollongong Alex Baben – Heritage Consultant Paul Duggan – Property Owner Phil Hadley – Property Owner
<b>Declarations of Interest</b>	Nil
<b>Item number</b>	1
<b>DE number</b>	DE-2019/67
<b>Determination pathway</b>	Clause 28 SEPP65,
<b>Property address</b>	102 -110 Princes Highway Dapto
<b>Proposal</b>	Commercial - mixed use building comprising of residential apartments above commercial premises and car parking
<b>Applicant or applicant's representative address to the design review panel</b>	Angelo Di Martino Architect ADM Architects
<b>Background</b>	The site was inspected by the panel 9 July 2019
<b>Design quality principals SEPP65</b>	
Context and Neighbourhood Character	<p>The site is currently occupied by single storey parapeted shops fronting Princes Highway and is next to the heritage listed Dapto Hotel to the south and Aldi supermarket to the north. Surrounding context is predominantly single and two storey commercial development. Opposite the subject site is the town centre square leading to Dapto Mall and is flanked by two storey buildings to its north and south. Conceptual drawings show future context along Princes Hwy, but it's unlikely the current single storey Aldi supermarket will change anytime soon being less than 10 years old. A context analysis drawing showing the current single storey Aldi is required as is the interaction with the hotel and its curtilage on the site, particularly the space between it and the proposal. It was recommended that a through-site link be provided to assist with building separation and any implications for the heritage buildings. The Panel recommended exploring the option of opening the hotel onto the northern laneway space creating activity and surveillance. Melbourne laneways were mentioned as a benchmark.</p> <p>The Architect explained he had taken the datum of the ridgetop of the hotel to draw his corresponding streetwall height of 3 storeys in the absence of any Council controls. The panel expressed concern with this as the predominance and surrounding context was of generally two-storey streetwall height. One suggestion by the panel was to refer to the datum created by the underside of the eve at the heritage hotel, so that the heritage hotel at the corner retains a greater level of hierarchy as part of the pedestrian experience.</p> <p>The panel queried why the building setback for road widening on Princes Hwy had been ignored. The response was the applicant</p>

	<p>was unaware of this constraint. Council officers confirmed compliance with the setback is mandatory.</p> <p>The applicant also requested input with regards to the level of setback above the street wall height once the overall form was setback to accommodate the road widening dedication. The objective of the setback is to create and reinforce the human scale at the lower levels of the built form, which require the podium or street wall height to partially hide the extent of tower above. This requires a setback ranging between 3-6m for a compliant tower with the height control. The extent of the setback should allow for the visual disassociation of the upper tower from the lower street wall height and it should retain and open further views to important elements in the heritage hotel façade such as the chimney and the porthole window.</p> <p>One other recommendation by the Panel is to take into account the degree of overshadowing of the plaza across the street. The Panel is of the opinion that the reduction in overshadowing to the bus stop and the existing tree on the plaza would be an added benefit of the setback as well as assisting in the retention of greater view corridors from the plaza to the escarpment to either side of the tower.</p>
Built Form and Scale	<p>It was noted that based on the road widening setback not being provided the proposal was over the allowable FSR. As above the Panel recommends the streetwall be only two storeys. It was noted that carparking provision was in excess of requirements and this addition has potentially contributed to the unnecessary increase in the podium height. It is recommended this be removed with the net outcome of at least one less level of carpark, producing a more satisfactory result of a two storey podium. Along with the reduction of floorspace with the road widening taken into account the result will be a less bulky building, especially at the base when seen from publicly accessible areas along side-boundaries.</p> <p>The panel also expressed concern over the length of the building being in the order of 70 metres without a break. It recommended the building be broken up into two towers with clear separation between them. A two storey podium with two towers would present a better and more compatible scale with the neighbouring heritage hotel.</p>
Density	<p>As mentioned above, the proposal exceeds the FSR controls and hasn't allowed for the road widening so is over developed. The provision of car parking in excess of the Council's parking rates, also contributes to the GFA count and this is in the Panel's opinion a clear area where economies can be found, especially when the overall form needs to setback and reconfigured.</p>
Sustainability	<p>Solar access for the hotel was queried with the 3-storey podium built on the boundary, and the unrelieved 70m built form above, which create significant overshadowing effects. Again, this will be improved by a two-tower over 2-storey podium option. The Panel asked whether solar access had been considered should the Aldi site be redeveloped. This will be of particular concern to the longitudinal communal open space parallel to the northern boundary.</p>
Landscape	<p>The Panel expressed concern over the usefulness of long linear spaces for the communal open space above the podium.</p> <p>Splitting the building into two towers will allow a more useful shaped space between them.</p>

	<p>No deep soil zone has been shown.</p> <p>No Public Domain works were described in the proposal.</p> <p>No landscape plan was presented.</p> <p>The architectural plans indicate large areas of non-accessible on-slab plantings. The issue of access for maintenance must be addressed in any landscape plan.</p>
Amenity	<p>The Panel requested furniture layouts, storage, mailbox areas and room dimensions be shown in order to assess against ADG requirements. Visual privacy and separation must be considered to meet ADG requirements. Residential Foyer 3 was considered to be unsatisfactory due to the long deep undercroft. Apartment and lift lobbies were generally seen as satisfactory although their long narrow shape is not ideal and wayfinding is a concern in relation to some of them.</p> <p>The corridors servicing the podium units rely on lightwells cut into the façade facing the side boundaries. The panel questions the utility of these lightwells if redevelopment were to take place on adjacent sites that are allowed to build to the common boundary up to podium height.</p> <p>The lack of a passage link through the site will affect the ability of the residents in the Osborne Street building component to easily and directly access the shopping zone on Princes Highway. The applicant recognized the possibility of this being provided along the southern boundary, which will require the internalization of the lift core servicing the commercial parking for the pub. In turn, the panel is of the opinion that this can open possibilities for an active and naturally surveilled environment between the proposal, the heritage hotel and the Op-shop. This will be seen as a positive outcome adding amenity and convenience to the future residents of the proposal as well as the community at large.</p>
Safety	<p>The design needs to consider CPTED issues with the enclosed space between the proposal and the hotel. Providing activation from the hotel and commercial space is paramount in addressing it. It will be important to provide generous spaces in any through-site link wherever feasible, taking into account sight lines and lighting.</p> <p>The locations and layout of the lobbies should take into account safety of people entering and leaving the building, particularly at night. Again, wayfinding should be clear and straightforward.</p>
Housing Diversity and Social Interaction	<p>With only 5 x 1 bed apartments in the proposal, this doesn't provide a sufficient mix.</p>
Aesthetics	<p>The east and west elevations present well as a composition but the two long elevations (North &amp; South) with their chequerboard pattern at the podium level are not considered a satisfactory design solution, particularly as they can be seen from adjoining properties and as the backdrop to the heritage hotel. This will be improved by a two storey podium option being adopted. Materials and finishes need to be integral to the elevation and not applied. Any reliance of painted render as a means of avoiding the dreaded effects of a continuous blank wall will not be deemed to achieve design excellence. Robust solutions such as brick patterning or pre-cast, stamped walls are strongly recommended. As mentioned above the building needs to be broken down as a 70 metre façade lacking relief is unsatisfactory.</p>
<b>Design Excellence WLEP2009</b>	
Whether a high standard of architectural design, materials	<p>A redesign of the overall proposal is required in order to accommodate the need for a road widening setback. Therefore, the</p>

and detailing appropriate to the building type and location will be achieved	overall composition, proportions and articulation need to be examined once the overall form is setback.
Whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,	Due to the proposal lacking a response to the required setback for road widening, the proposed form and response to the public domain, especially to the front elevation need to be revisited. However, the proposal has the potential to make a positive contribution with the creation of a through site link along the southern boundary and the creation of an active gathering space for pub patrons in a similar way as a Melbourne Laneway.
Whether the proposed development detrimentally impacts on view corridors,	A setback of the façade from the existing proposed alignment should contribute to the opening of further view corridors to the escarpment from the public plaza across the street. Any opportunities for this to be achieved should be tested and documented.
Whether the proposed development detrimentally overshadows an area shown distinctively coloured and numbered on the Sun Plane Protection Map,	The development has detrimental impact on the heritage hotel. Breaking the continuous built form above the podium as well as lowering the podium height can contribute to the creation of view and solar corridors and this will be a positive outcome.
How the development addresses the following:	
the suitability of the land for development,	Yes, the proposal is suitable for the site according to Council's LEP controls.
existing and proposed uses and use mix	Yes, it complies with zoning objectives.
heritage issues and streetscape constraints,	The proposal requires a more sympathetic response as the potential long-term backdrop to the heritage item.
the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,	Please refer to comments under the <i>Built Form and Scale</i> section above.
bulk, massing and modulation of buildings	Ditto.
street frontage heights	The panel recommends the Applicant to relate better to datum created by the underside of the hotel eave in the formulation of the streetwall heights fronting Princes Highway.
environmental impacts such as sustainable design, overshadowing, wind and reflectivity	<p>Not enough information was provided with regards to sustainable measures at this stage; however, the current proposal is considered to perform poorly with regards to some critical areas including:</p> <ul style="list-style-type: none"> <li>- Overreliance on units and communal open space facing the common boundary to the north, when a redevelopment of the Aldi site can detrimentally impact the proposed levels of solar access.</li> <li>- Degree of overshadowing of the heritage hotel.</li> <li>- No information is provided with regards to potential rainwater harvesting.</li> </ul>

	<ul style="list-style-type: none"> <li>- Semi-transparent balconies do not provide a dedicated area where clothes drying can be done in a concealed way when viewed from the public domain.</li> </ul> <p>The panel also recommends that:</p> <ul style="list-style-type: none"> <li>- The selection of low embodied-energy materials is considered.</li> <li>- The demolition of materials and removal of waste materials complies with state and local government standards.</li> <li>- Measures are introduced to reduce the dependency on artificial lighting.</li> </ul>
the achievement of the principles of ecologically sustainable development	Not enough information has been provided at this point regarding ecological principles.
pedestrian, cycle, vehicular and service access, circulation and requirements	The Panel is concerned with the lack of a convenient link across the site for the residents using the Osborne Street entrance to reach the public plaza and the heritage Hotel.
impact on, and any proposed improvements to, the public domain	The Panel recommends the investigation of any opportunities to further activate the Osborne Street interface at ground level.
Key issues, further Comments & Recommendations	Summary of key issues discussed-refer above comments. Due to not providing the front setback the proposal is redundant and requires a redesign taking into account the above commentary.



### Attachment 3: Apartment Design Guide Compliance Table

<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<b>Part 3 Siting the development</b>		
<p><b><u>3A Site analysis</u></b></p> <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"> <li>- Site location plan</li> <li>- Aerial photograph</li> <li>- Local context plan</li> <li>- Site context and survey plan</li> <li>- Streetscape elevations and sections</li> <li>- Analysis</li> </ul> <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>A site analysis plan and aerial photograph has been provided as required.</p> <p>A written statement explaining how the design of the proposed development has responded to the site analysis has been provided to Council's satisfaction.</p>	Yes
<p><b><u>3B Orientation</u></b></p> <p><b>3B-1 Design Guidance</b></p> <ul style="list-style-type: none"> <li>- Buildings should define the street by facing it and providing direct access.</li> <li>- Where the street frontage is east or west, rear buildings should be oriented to the north.</li> <li>- Where the street frontage is to the north or south, overshadowing to the south should be minimised and buildings behind the street frontage should be orientated to the east and west</li> </ul> <p><b>3B-2 Design Guidance</b></p> <ul style="list-style-type: none"> <li>- Living areas, private open space and communal open space should receive solar access in accordance with sections 3D Communal and public open space and 4A Solar and daylight access</li> <li>- Solar access to living rooms, balconies and private open spaces of neighbours should be considered</li> </ul>	<p>The building is designed to address both frontages (Princes Highway and to Osborne Street).</p> <p>The site is oriented east and west. The proposal is considered to have been designed to be oriented north. COS is oriented north.</p> <p>The proposal appears to provide sufficient solar access to living areas, POS and COS.</p> <p>The submitted shadow diagrams demonstrates overshadowing to the surrounding properties to the south particularly the heritage listed Dapto Hotel to the south. A substantial portion of the hotel site is in shadow at all times</p>	<p>Yes</p> <p>No</p>

<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<ul style="list-style-type: none"> <li>- Where an adjoining property does not currently receive the required hours of solar access, the proposed building ensures solar access to neighbouring properties is not reduced by more than 20%</li> <li>- If the proposal will significantly reduce the solar access of neighbours, building separation should be increased beyond minimums contained in section 3F Visual privacy</li> <li>- Overshadowing should be minimised to the south or down hill by increased upper level setbacks</li> <li>- It is optimal to orientate buildings at 90 degrees to the boundary with neighbouring properties to minimise overshadowing and privacy impacts, particularly where minimum setbacks are used and where buildings are higher than the adjoining development</li> <li>- A minimum of 4 hours of solar access should be retained to solar collectors on neighbouring buildings</li> </ul>	of the day, particularly the rear of the hotel site.	
<p><b><u>3C Public domain interface</u></b></p> <p><b>3C-1 Design Guidance</b></p> <ul style="list-style-type: none"> <li>- Terraces, balconies and courtyards should have direct street entry, where appropriate</li> <li>- Upper level balconies should overlook the public domain.</li> <li>- Length of solid walls should be limited along street frontages.</li> <li>- Opportunities should be provided casual interaction between residents and the public domain eg seating at building entries, near letterboxes etc</li> <li>- Development with multiple entries should be differentiated to improve legibility.</li> </ul> <p><b>3C-2 Design Guidance</b></p> <ul style="list-style-type: none"> <li>- Planting softens the edges of any raised terraces to the street (eg basement podium)</li> <li>- Mailboxes should be located in lobbies perpendicular to street</li> </ul>	<p>No ground floor residential units proposed.</p> <p>Upper level balconies overlook the public domain.</p> <p>The proposal minimises solid walls on the street frontage.</p> <p>No concerns regarding legibility of entries to commercial versus residential units.</p> <p>Landscaping proposed will soften the built form.</p>	<p>Satisfactory</p> <p>Yes</p>

<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<p>alignment or integrated into front fences.</p> <ul style="list-style-type: none"> <li>- Garbage storage areas, substations, pump rooms and other service requirements should be located in basement car parks.</li> <li>- Durable, graffiti resistant materials should be used</li> </ul>	<p>Waste storage in basement.</p>	
<b><u>3D Communal and public open space</u></b>		
<p><u>Design Criteria</u></p> <ul style="list-style-type: none"> <li>- Communal open space has a minimum area of 25% of the site area</li> <li>- 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</li> <li>- Communal open space should be consolidated into a well designed, usable area.</li> <li>- Minimum dimension of 3m</li> <li>- Should be co-located with deep soil areas</li> <li>- Direct &amp; equitable access required</li> <li>- Where not possible at ground floor it should be located at podium or roof level.</li> <li>- Where developments are unable to achieve the design criteria, such as on small lots, sites within business zones, or in a dense urban area, they should: <ul style="list-style-type: none"> <li>• provide communal spaces elsewhere such as a landscaped roof top terrace or a common room</li> <li>• provide larger balconies or increased private open space for apartments</li> </ul> </li> </ul>	<p>COS is proposed with a total area of 618sqm which is &lt;25% of site area. However if the portion of the site occupied by the hotel is removed from the calculation the proposal complies i.e 25% of 2,029sqm is 507.25sqm. On merit the amount of COS provided is satisfactory. It is also noted that additional outdoor area is proposed to be provided at the rear of the hotel for hotel patrons.</p> <p>The COS is north facing and would receive adequate solar access.</p> <p>Minimum 3m dimension is achieved throughout the COS.</p> <p>Adequate landscaping is provided in the COS. Council's Landscape Officer is satisfied with the proposal.</p> <p>Direct and equitable access provided.</p>	<p>Yes</p>

<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>												
<ul style="list-style-type: none"> <li>demonstrate good proximity to public open space and facilities and/or provide contributions to public open space</li> </ul> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>Facilities to be provided in communal open spaces for a range of age groups, and may incorporate seating, barbeque areas, play equipment, swimming pools</li> </ul> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>Communal open space should be visible from habitable rooms and POS areas and should be well lit.</li> </ul>	<p>Facilities provided within the COS as shown on the plan.</p> <p>The COS area will be visible from some units.</p>	<p>Yes</p> <p>Yes</p>												
<p><b><u>3E Deep soil zones</u></b></p> <p><u>Design Criteria:</u></p> <p>1. Deep soil zones are to meet the following minimum requirements:</p> <table border="1"> <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 650m<sup>2</sup></td><td>-</td><td rowspan="4">7%</td></tr> <tr> <td>650m<sup>2</sup> - 1,500m<sup>2</sup></td><td>3m</td></tr> <tr> <td>greater than 1,500m<sup>2</sup></td><td>6m</td></tr> <tr> <td>greater than 1,500m<sup>2</sup> with significant existing tree cover</td><td>6m</td></tr> </tbody> </table> <p><u>Design guidance:</u></p> <ul style="list-style-type: none"> <li>Deep soil zones should be located to retain existing significant trees.</li> </ul>	Site area	Minimum dimensions	Deep soil zone (% of site area)	less than 650m <sup>2</sup>	-	7%	650m <sup>2</sup> - 1,500m <sup>2</sup>	3m	greater than 1,500m <sup>2</sup>	6m	greater than 1,500m <sup>2</sup> with significant existing tree cover	6m	<p>Council's Landscape Officer is satisfied with the proposal.</p> <p>No significant trees retained as all existing trees are to be removed as part of the demolition of the car park to prepare the site for development.</p>	<p>Yes</p> <p>Satisfactory</p>
Site area	Minimum dimensions	Deep soil zone (% of site area)												
less than 650m <sup>2</sup>	-	7%												
650m <sup>2</sup> - 1,500m <sup>2</sup>	3m													
greater than 1,500m <sup>2</sup>	6m													
greater than 1,500m <sup>2</sup> with significant existing tree cover	6m													
<b><u>3F Visual privacy</u></b>														
<p><u>Design Criteria:</u></p> <p>1. Minimum required separation distances from buildings to the side and rear boundaries are as follows:</p>	<p>The building is 9 storeys.</p> <p>Setbacks to the proposed development are:</p> <p><u>Ground:</u></p> <p>Northern – Nil does not comply.</p>	<p>No</p>												

Standards/controls	Comment	Compliance									
<table border="1" data-bbox="212 275 687 439"> <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> </tbody> </table> <p><b>Design Guidance</b></p> <ul style="list-style-type: none"> <li>- Direct lines of sight should be avoided</li> <li>- No separation is required between blank walls</li> </ul> <p><b>Design Guidance</b></p> <ul style="list-style-type: none"> <li>- Communal open space, common areas and access paths should be separated from private open space and windows to apartments. Design solutions include: <ul style="list-style-type: none"> <li>• Setbacks,</li> <li>• Solid or partly solid balustrades to balconies</li> <li>• Fencing or vegetation to separate spaces</li> <li>• Screening devices</li> <li>• Raising apartments/private open space above the public domain</li> <li>• Planter boxes incorporated into walls and balustrades to increase visual separation</li> <li>• Pergolas or shading devices to limit overlooking</li> <li>• Only on constrained sites where it's demonstrated that building layout opportunities are limited – fixed louvres or screen panels</li> </ul> </li> <li>- Windows should be offset from the windows of adjoining buildings</li> </ul>	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	<p>Southern – Minimum 4.83m side setback to southern boundary creating a pedestrian lane between the Princes Highway and Osborne Street increasing as the site widens out in the vicinity of the Dapto hotel. Complies, however the proposal would result in adverse overshadowing the surrounding properties to the south particularly the heritage listed Dapto Hotel.</p> <p><u>Level 1:</u></p> <p>Northern – nil does not comply.</p> <p>Southern – 3m. Complies, however the proposal would result in adverse overshadowing the surrounding properties to the south particularly the heritage listed Dapto Hotel.</p> <p><u>Level 2:</u></p> <p>Northern - Approximately 4.5m to wall with no windows. Complies.</p> <p>Southern – Approximately 4.5m to wall with windows to bedrooms only. Complies.</p> <p><u>Level 3-8:</u></p> <p>Northern and Southern - 4.5m.</p> <p>Level 8 setback increases to approximately 6m.</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									
<p><b><u>3G Pedestrian access and entries</u></b></p> <p><b>Design Guidance</b></p> <ul style="list-style-type: none"> <li>- Multiple entries should be provided to activate the street edge.</li> <li>- Buildings entries should be clearly identifiable and communal entries</li> </ul>	<p>Multiple entries provided to each street frontage. No concerns regarding legibility of entries.</p>	<p>Yes</p>									



<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<p>should be clearly distinguishable from private entries.</p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> <li>- Building access areas should be clearly visible from the public domain and communal spaces</li> <li>- Steps and ramps should be integrated into the overall building and landscape design.</li> </ul>	<p>Building entries clearly visible from street.</p> <p>Ground level is close to natural ground – no steps or ramps required.</p>	Yes
<p><b><u>3H Vehicle access</u></b></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> <li>- Car park entries should be located behind the building line</li> <li>- Access point locations should avoid headlight glare to habitable rooms</li> <li>- Garbage collection, loading and service areas should be screened</li> <li>- Vehicle and pedestrian access should be clearly separated to improve safety.</li> <li>- Where possible, vehicle access points should not dominate the streetscape and be limited to the minimum width possible.</li> </ul>	<p>Parking in basement for hotel patrons. Separate parking for commercial parking residential uses.</p> <p>Driveway acceptable.</p> <p>Enclosed garbage store for commercial and residential (separate) on ground floor.</p> <p>Separate pedestrian access to vehicular access.</p> <p>Vehicle access point is not considered to dominate the streetscape.</p> <p>Council's Traffic Officer has raised concerns regarding the proposed waste collection.</p>	No
<p><b><u>3J Bicycle and car parking</u></b></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>B3 zone within 400m of Dapto railway station.</p> <p>Parking complies with RMS guidelines. A Traffic Report has been submitted. Council's Traffic Officer has assessed the proposal is satisfied.</p>	Yes

<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<u>Design Guidance</u> <ul style="list-style-type: none"> <li>- Conveniently located and sufficient numbers of parking spaces should be provided for motorbikes and scooters</li> <li>- Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas.</li> </ul>	<p>Bicycle parking and motorcycle parking is provided.</p> <p>Bicycle storage is secure.</p>	Yes
<u>Design Guidance</u> <ul style="list-style-type: none"> <li>- Supporting facilities within car parks (garbage rooms, storage areas, car wash bays) can be accessed without crossing parking spaces</li> <li>- A clearly defined and visible lobby or waiting area should be provided to lifts and stairs.</li> <li>- On grade car parking should be avoided</li> <li>- Positive street address and active street frontages should be provided at ground level.</li> </ul>	<p>Access to service areas does not conflict with parking spaces.</p> <p>Lobby areas are well defined.</p> <p>No on grade parking is provided. All parking is provided in basement and on ground level and level 1.</p> <p>Active street frontage provided.</p>	Yes
<b>(1) Part 4 – Designing the building - Amenity</b>		
<b><u>4A Solar and daylight access</u></b> <p><u>Design Criteria</u></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. A maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm at mid winter</li> </ol> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> <li>- The design maximises north aspect and the number of single aspect south facing apartments is minimised</li> <li>- To optimise the direct sunlight to habitable rooms and balconies, the following design features are used:</li> </ul>	<p>Shadow diagrams have been provided which appear to demonstrate compliance for solar access into living areas and POS and COS.</p> <p>The design is considered to maximise the northern aspect.</p> <p>There are no single aspect units.</p>	<p>Yes</p> <p>Yes</p>

Standards/controls	Comment	Compliance
<p>Dual aspect,</p> <p>Shallow apartment layouts</p> <p>Bay windows</p> <ul style="list-style-type: none"> <li>- To maximise the benefit to residents, a minimum of 1m<sup>2</sup> of direct sunlight measured at 1m above floor level, is achieved for at least 15 minutes.</li> </ul> <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"> <li>- Courtyards, skylights and high level windows (sill heights of 1500mm or greater) are used only as secondary light sources in habitable rooms</li> </ul> <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"> <li>- Balconies</li> <li>- Shading devices or planting</li> <li>- Operable shading</li> <li>- High performance glass that minimises external glare</li> </ul>	<p>Majority of units are dual aspect units.</p>	
<p><b><u>4B natural ventilation</u></b></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> <li>- A building's orientation should maximise the prevailing winds for natural ventilation in habitable rooms</li> <li>- The area of unobstructed window openings should be equal to at least 5% of the floor area served.</li> <li>- Doors and openable windows should have large openable areas to maximise ventilation.</li> </ul> <p><u>Design Guidance</u></p>	<p>The building design maximises the predominate northern aspect.</p> <p>The percentage of the window opening appear to exceed 5% of the floor area it would serve.</p> <p>Large openings are provided to maximise ventilation.</p>	<p>No – however variation supported</p>

<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<p>- Single aspect apartments should use design solutions to maximise natural ventilation.</p> <p><u>Design Criteria:</u></p> <ol style="list-style-type: none"> <li>1. 60% of apartments are naturally cross ventilated in the first nine storeys</li> <li>2. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.</li> </ol>	<p>Single aspect apartments generally have reduced unit depth.</p> <p>Minimal cross ventilation achieved for units on lower levels.</p> <p>Majority dual aspects and would be naturally ventilated.</p> <p>The two tower buildings A and B exceed the maximum 18m building depth. A variation has been requested as discussed in Chapter A1.</p>	
<p><b><u>4C Ceiling heights</u></b></p> <ol style="list-style-type: none"> <li>1. Minimum 2.7m for habitable rooms and 2.4m for non-habitable rooms</li> </ol> <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 flexibility and conversion to non-residential uses.</p>	<p>It appears that all habitable rooms within the proposed units would have a minimum ceiling height of 2.7m, with bathroom areas having a ceiling height of 2.4m.</p> <p>The ground floor retail ceiling levels is slightly higher than other levels at approx. 3.3m in height.</p>	Satisfactory
<p><b><u>4D Apartment size and layout</u></b></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> <ol style="list-style-type: none"> <li>1. Minimum internal areas:  Studio – 35m<sup>2</sup>  1 bed – 50m<sup>2</sup>  2 bed – 70m<sup>2</sup></li> </ol>	<p>All units internal areas appear to comply with the Apartment Design Guide minimum area requirements.</p> <p>All units have external windows/doors.</p>	Satisfactory.



Standards/controls	Comment	Compliance
<p>3 bed – 90m<sup>2</sup></p> <p>The minimum internal areas include only 1 bathroom. Additional bathrooms increase the minimum internal areas by 5m<sup>2</sup> 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 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 Criteria:</u></p> <p>1. Master bedrooms have a minimum area of 10m<sup>2</sup> and other bedrooms 9m<sup>2</sup> (excl wardrobe space)</p> <p>2. Bedrooms have minimum dimension of 3m (excl wardrobe)</p> <p>3. Living rooms have minimum width of:</p> <ul style="list-style-type: none"> <li>- 3.6m for studio and 1 bed apartments and</li> <li>- 4m for 2+ beds.</li> </ul> <p>4. The width of the crossover or cross through apartments are at least 4m internally to avoid deep narrow apartment layouts.</p> <p><u>Design Guidance:</u></p> <ul style="list-style-type: none"> <li>- Access to bedrooms, bathrooms and laundries is separated from living areas</li> <li>- Minimum 1.5m length for bedroom wardrobes</li> <li>- Main bedroom apartment: minimum 1.8m long x 0.6m deep x 2.1m high wardrobe</li> <li>- Apartment layouts allow for flexibility over time, including furniture removal, spaces for a range of</li> </ul>	<p>The depth of the habitable rooms are considered appropriate.</p> <p>The proposed bedrooms have a minimum area of 10sqm and dimension of 3m.</p> <p>The size of the main living areas are considered satisfactory.</p> <p>It appears that all proposed dwellings would be provided with adequate wardrobe space.</p> <p>It is considered that the minimum bedroom wardrobe length depth and height have been achieved for all proposed bedrooms.</p>	

Standards/controls	Comment	Compliance									
activities and privacy levels within the apartments.											
<p><b><u>4E Private open space and balconies</u></b></p> <p><u>Objective 4E-1</u></p> <p><i>Apartments provide appropriately sized private open space and balconies to enhance residential amenity</i></p> <p>1. Minimum balcony depths are:</p> <table border="1"> <thead> <tr> <th>Dwelling type</th><th>Minimum area</th><th>Minimum depth</th></tr> </thead> <tbody> <tr> <td>Studio apartments</td><td>4m<sup>2</sup></td><td>-</td></tr> <tr> <td>1 bedroom apartments</td><td>8m<sup>2</sup></td><td>2m</td></tr> </tbody> </table> <p>The minimum balcony depth to be counted as contributing to the balcony area is 1m.</p> <p>2. Ground level apartment POS must have minimum area of 15m<sup>2</sup> and min. depth of 3m</p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> <li>- Primary private open space and balconies should be located adjacent to the living room, dining room or kitchen to extend the living space.</li> <li>- POS &amp; Balconies should be oriented with the longer side facing outwards to optimise daylight access into adjacent rooms.</li> </ul> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> <li>- A combination of solid and transparent materials balances the need for privacy with surveillance of the public domain</li> <li>- Full width glass balustrades alone are not desirable</li> <li>- Operable screens etc are used to control sunlight and wind, and provide increased privacy for occupancy while allowing for storage and external clothes drying.</li> </ul> <p><u>Objective 4E-4</u></p>	Dwelling type	Minimum area	Minimum depth	Studio apartments	4m <sup>2</sup>	-	1 bedroom apartments	8m <sup>2</sup>	2m	<p>Some units have two balconies that comply if combined.</p> <p>All proposed POS areas are located directly off the living areas.</p> <p>The location and orientation of the private open space balconies comply with location and orientation requirements.</p> <p>A combination of materials is proposed. Clear glazing provided to activate the street frontage.</p>	<p>Yes</p> <p>Yes</p>
Dwelling type	Minimum area	Minimum depth									
Studio apartments	4m <sup>2</sup>	-									
1 bedroom apartments	8m <sup>2</sup>	2m									

<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<p><i>Private open space and balcony design maximises safety</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> <li>- Changes in ground levels or landscaping are minimised.</li> </ul>	<p>There would not be expected to be any significant change in levels within each proposed POS area.</p>	<p>Yes</p>
<p><b><u>4F Common circulation and spaces</u></b></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"> <li>1. The maximum number of apartments off a circulation core on a single level is eight</li> </ol> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> <li>- Long corridors greater than 12m in length should be articulated through the use of windows or seating.</li> <li>- 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.</li> </ul> <p><u>Design Guidance:</u></p> <ul style="list-style-type: none"> <li>- Incidental spaces can be used to provide seating opportunities for residents, and promotes opportunities for social interaction.</li> </ul>	<p>Good amenity is achieved as the maximum number of dwellings proposed on each floor is eight.</p> <p>Adequate corridors and circulation areas appear to be provided.</p> <p>The lobby/hallway areas and the communal open space areas are considered to provide for reasonable opportunities for social interaction.</p>	<p>Satisfactory</p> <p>Yes</p> <p>Yes</p>

Standards/controls	Comment	Compliance										
<p><b><u>4G Storage</u></b></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>4m<sup>3</sup></td></tr><tr><td>1 bedroom apartments</td><td>6m<sup>3</sup></td></tr><tr><td>2 bedroom apartments</td><td>8m<sup>3</sup></td></tr><tr><td>3+ bedroom apartments</td><td>10m<sup>3</sup></td></tr></table>	Dwelling type	Storage size volume	Studio apartments	4m <sup>3</sup>	1 bedroom apartments	6m <sup>3</sup>	2 bedroom apartments	8m <sup>3</sup>	3+ bedroom apartments	10m <sup>3</sup>	<p>Storage proposed would be expected to exceed the minimum requirements.</p>	<p>Satisfactory</p>
Dwelling type	Storage size volume											
Studio apartments	4m <sup>3</sup>											
1 bedroom apartments	6m <sup>3</sup>											
2 bedroom apartments	8m <sup>3</sup>											
3+ bedroom apartments	10m <sup>3</sup>											
<p><b><u>4H Acoustic privacy</u></b></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"><li>- Adequate building separation is required (see section 2F above).</li><li>- Noisy areas within buildings should be located next to or above each other and quieter areas next to or above quieter areas.</li><li>- Storage, circulation areas and non-habitable rooms should be located to buffer noise from external sources.</li><li>- Noise sources such as garage doors, plant rooms, active communal open spaces and circulation areas should be located at least 3m away from bedrooms.</li></ul> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"><li>- 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.</li></ul>	<p>Noise sources are not located adjacent to bedrooms.</p>	<p>Satisfactory</p>										
<p><b><u>4J Noise and pollution</u></b></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"><li>- Minimise impacts through design solutions such as physical</li></ul>	<p>The subject property is located within frontage to the Princes Highway. POS and</p>	<p>Satisfactory</p>										



<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<p>separation from the noise or pollution source,</p> <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"> <li>- Design solutions include limiting openings to noise sources &amp; providing seals to prevent noise transfer.</li> </ul>	<p>living room areas are orientated towards the Princes Highway and will be subject to road noise.</p> <p>An acoustic report submitted and Council's Environment Officer is satisfied.</p>	
<p><b>(2) Part 4 – Designing the building - Configuration</b></p>		
<p><b><u>4K Apartment mix</u></b></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- A variety of apartment types is provided</li> <li>- The apartment mix is appropriate, taking into consideration the location of public transport, market demands, demand for affordable housing, different cultural/social groups</li> <li>- Flexible apartment configurations are provided to support diverse household types and stages of life</li> </ul> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- 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</li> </ul>	<p>52 units in total: 12 x 1 bed 36 x 2 bed 1 x 3 bed</p> <p>The apartment mix is considered satisfactory.</p> <p>Larger apartments are located on the top floor.</p>	Yes
<p><b><u>4L Ground floor apartments</u></b></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Direct street access should be provided to ground floor apartments</li> <li>- Activity is achieved through front gardens, terraces and the facade of the building.</li> </ul>	<p>No units are proposed on the ground floor with frontage to the street. The design of the ground floor apartments is not considered inappropriate for a business zone.</p>	Satisfactory.

<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<ul style="list-style-type: none"> <li>- 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</li> </ul>		
<p><b><u>4M Facades</u></b></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- To ensure that building elements are integrated into the overall building form and façade design</li> <li>- 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.</li> <li>- Building services should be integrated within the overall facade</li> <li>- Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale.</li> <li>- To ensure that new developments have facades which define and enhance the public domain and desired street character.</li> </ul> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Building entries should be clearly defined</li> </ul>	<p>No details provided however the photomontage appears to provide a mix of materials appears to be proposed.</p> <p>The building entries are considered to be clearly defined.</p>	<p>Satisfactory</p> <p>No</p>
<p><b><u>4N Roof design</u></b></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Roof design should use materials and a pitched form complementary to the building and adjacent buildings.</li> </ul> <p><u>Design guidance</u></p>	<p>A flat roof is proposed. The area surrounding the development includes a mix of roof forms. The proposed flat roof could not be considered out of character with the surrounding area.</p> <p>N/A COS is provided on Level 2.</p>	<p>Yes</p> <p>Satisfactory</p>

<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<ul style="list-style-type: none"> <li>- Habitable roof space should be provided with good levels of amenity.</li> <li>- Open space is provided on roof tops subject to acceptable visual and acoustic privacy, comfort levels, safety and security considerations</li> </ul> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Roof design maximises solar access to apartments during winter and provides shade during summer</li> </ul>	<p>The roof design is not expected to result in overshadowing to units. The number of storeys and the two storey wall height contributes to overshadowing to properties to the south, particularly the heritage listed Dapto Hotel.</p>	No
<p><b><u>4O Landscape design</u></b></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Landscape design should be environmentally sustainable and can enhance environmental performance</li> <li>- Ongoing maintenance plans should be prepared</li> </ul>	<p>A landscape plan has been submitted to the satisfaction of Council's Landscape Officer.</p>	Yes
<p><b><u>4P Planting on Structures</u></b></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"> <li>- Structures are reinforced for additional saturated soil weight</li> <li>- Minimum soil standards for plant sizes should be provided in accordance with Table 5</li> </ul> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Plants are suited to site conditions</li> </ul> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Building design incorporates opportunities for planting on structures. Design solutions may include: <ul style="list-style-type: none"> <li>• green walls with specialised lighting for indoor green walls</li> <li>• wall design that incorporates planting</li> </ul> </li> </ul>	<p>A landscape plan has been submitted to the satisfaction of Council's Landscape Officer.</p>	Yes

<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<ul style="list-style-type: none"> <li>• green roofs, particularly where roofs are visible from the public domain</li> <li>• planter boxes</li> </ul>		
<p><b><u>4Q Universal design</u></b></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- A universally designed apartment provides design features such as wider circulation spaces, reinforced bathroom walls and easy to reach and operate fixtures</li> </ul> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Adaptable housing should be provided in accordance with the relevant council policy</li> </ul> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Apartment design incorporates flexible design solutions</li> </ul>	Seven or 13% of units are adaptable units.	Yes
<p><b><u>4R Adaptive reuse</u></b></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> <li>- Contemporary infill can create an interesting dialogue between old and new, adding to the character of a place</li> </ul>	N/A	N/A
<p><b><u>4S Mixed use</u></b></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Mixed use development should be concentrated around public transport and centres</li> <li>- Mixed use developments positively contribute to the public domain.</li> </ul> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Residential circulation areas should be clearly defined.</li> <li>- Landscaped communal open space should be provided at podium or roof levels</li> </ul>	<p>The mixed use development is located in Dapto Regional Centre and close to public transport.</p> <p>The proposal involves public domain improvements including street tree planting.</p> <p>The breakup of residential v commercial floor space is considered appropriate.</p> <p>Council's Landscape Officer is satisfied with the proposed landscaping.</p>	Yes

<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<p><b><u>4T Awnings and signage</u></b></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"> <li>- Awnings should be located along streets with high pedestrian activity and active frontages</li> </ul> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Signage should be integrated into the building design and respond to the scale, proportion and detailing of the development</li> </ul>	<p>Awnings are proposed on both frontages.</p>	<p>Satisfactory</p>
<p><b>(3) Part 4 – Designing the building - Configuration</b></p>		
<p><b><u>4U Energy efficiency</u></b></p> <p><u>Objective 4U-1</u></p> <p><i>Development incorporates passive environmental design</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Adequate natural light is provided to habitable rooms (see 4A Solar and daylight access)</li> </ul> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> <li>- Provision of consolidated heating and cooling infrastructure should be located in a centralised location</li> </ul>	<p>The application submission has demonstrated that 73% or at least 70% of all apartments in a building would receive a minimum of 2 hours direct sunlight in mid winter.</p> <p>BASIX certificate has been provided.</p>	<p>Yes</p>
<p><b><u>4V Water management and conservation</u></b></p> <p><u>Objective 4V-1</u></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Water sensitive urban design systems are designed by a suitably qualified professional</li> </ul>	<p>Council's Environment Officer has assessed the proposed WSUD and is satisfied.</p>	<p>Yes</p>



<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<u>Design guidance</u> <ul style="list-style-type: none"> <li>- Detention tanks should be located under paved areas, driveways or in basement car parks</li> </ul>		
<b><u>4W Waste management</u></b>  <u>Design guidance</u> <ul style="list-style-type: none"> <li>- Common waste and recycling areas should be screened from view and well ventilated</li> </ul> <u>Design guidance</u> <ul style="list-style-type: none"> <li>- Communal waste and recycling rooms are in convenient and accessible locations related to each vertical core</li> <li>- For mixed use developments, residential waste and recycling storage areas and access should be separate and secure from other uses</li> <li>- Alternative waste disposal, such as composting, can be incorporated into the design of communal open space areas</li> </ul>	<p>Garbage storage is proposed to be located within the ground floor. Separate facilities are provided for commercial and residential in enclosed spaces.</p> <p>Council's Traffic Officer has raised concerns regarding the proposed waste collection as detailed in this report.</p>	No
<b><u>4X Building maintenance</u></b>  <u>Design guidance</u> <ul style="list-style-type: none"> <li>- Design solutions such as roof overhangs to protect walls and hoods over windows and doors to protect openings can be used.</li> </ul> <u>Design guidance</u> <ul style="list-style-type: none"> <li>- Window design enables cleaning from the inside of the Building</li> </ul>	<p>The applicant proposes to use durable and cleanable materials.</p> <p>It does not appear that any unreasonable roof overhangs, or hoods over windows are proposed.</p>	Satisfactory

## **SEPP 65 DESIGN REPORT**

### **RETENTION OF HERITAGE HOTEL & PROPOSED MIXED USE BUILDING COMPRISING OF RESIDENTIAL APARTMENTS ABOVE SHOPS AND CARPARKING**

AT

**98-110 PRINCES HIGHWAY  
DAPTO**

Prepared By



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**Revision A | November 2019**

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# 1

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## **DESIGN VERIFICATION STATEMENT**

The purpose of this statement is to outline the design rationale and process that was adopted to prepare the application scheme.

## 1.0 SEPP 65 DESIGN VERIFICATION STATEMENT

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**Prepared to accompany the Development Application submitted to Council**

25 November, 2019

Project Address

98-110 Princes Highway  
Dapto, NSW

Prepared on behalf:  
Paul Hadley Holdings Pty Ltd & Phillil Pty Ltd

Prepared by:  
ADM Architects

### **Verification of Qualifications**

Angelo Di Martino is a registered Architect in New South Wales and is enrolled in the Division of Chartered Architects in the register of Architects pursuant to the Architect Act 1921, registration number 7608.

Angelo Di Martino completed his Bachelor of Architecture in 1995 from the University of Technology Sydney with honours and is the director of ADM Architects. He is also a member of the Australian Institute of Architects.

### **Statement of Design**

Angelo Di Martino has been responsible for the design of the project since its inception and has worked with other related professionals and experts in developing the design to DA submission. The project has been designed to provide a development that is respectful of local planning and design controls and responds to the nine design quality principles of SEPP No. 65.

Angelo Di Martino, verifies that as required by the Clause 50 (1AB) of the Environmental Planning and Assessment Regulation 2000 the design quality principles set out in Schedule 1, design quality principles of the State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development and the objectives in Part 3 and Part 4 of the Apartment Design Guide have been achieved for the proposed development as described in the following document.

Signed:



Name: **Angelo Di Martino** DIRECTOR B.Arch (Hon) AIA

NSW ARB No. 7608



# 2

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## **SEPP 65 DESIGN QUALITY PRINCIPLES**

## **2.0 SEPP 65 DESIGN QUALITY PRINCIPLES**

### **2.1 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.*

Statement of Compliance:

The proposal has been developed in relation to the desired future character of the area as set out in the 2009 Wollongong Local Environmental Plan. The proposal provides residential uses above commercial and retail uses, consistent with the objectives of the zoning. The siting of the building responds to its location, the road widening easement, its relationship to the two roads, its relationship with the adjoining heritage hotel and the varying environmental conditions of the site. These responses result in a building form and articulation that will contribute to the existing and future desired streetscape.

### **2.2 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.*

Statement of Compliance:

The proposed building is appropriate in terms of its bulk and height. Its overall height complies with what is identified as the maximum permissible height for the site as defined by the Wollongong 2009 Local Environmental Plan.

### **2.3 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.*

Statement of Compliance:

The proposal meets the density objectives of the site as defined by the 2009 Wollongong Local Environmental Plan.

## **2.4 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.*

Statement of Compliance:

Apartments have been designed to optimise thermal performance, provide increased amenity to occupants and reduce greenhouse emissions and therefore the cost of energy supply. Where possible, layouts promote cross ventilation and good solar orientation. Extensive areas of planting have been provided to promote biodiversity.

## **2.5 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 usability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long-term management.*

Statement of Compliance:

The landscape design is integrated with the building design and arrangement of external public and communal spaces. The landscape elements proposed play an important role in defining the key spaces within and around the site and enhance the occupants' privacy across public and private thresholds. The species proposed have been selected in consideration of the climatic conditions on the site, the existing ecosystem, water management on the site and their long-term success in relation to these factors. There is no existing vegetation within the site to be maintained.

## **2.6 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.*

Statement of Compliance:

The building has been designed to optimise unit internal amenity, maintain the amenity of the adjoining properties and provide adequate open space between them. The site layout meets the requirements for accessibility and building separation. Appropriate room sizes and shapes are provided and supported by access to sunlight and ventilation, sufficient storage, efficient layouts and service areas. Access to sunlight, ventilation and views are maximised throughout.

## **2.7 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.*

Statement of Compliance:

The proposal optimises safety and security both within the development and public domain. Apartment layouts have been designed to provide overlooking of the public spaces and communal whilst providing privacy for the occupants. The public spaces are clearly defined and distinct from private space. They are well lit and avoid dark, dead end spaces that are not visible. The building various entry points are clearly defined from the public domain.

## **2.8 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.*

Statement of Compliance:

There are 6 different unit types ranging in size from 57sqm to 120sqm, providing appropriate housing choice for different groups. 6 apartments are adaptable to meet the requirements of AS4299.

## **2.9 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.*

Statement of Compliance:

The proposal contributes to both the existing streetscape and the desired future character of the area. The building's structure and architectural proportions respond both to its internal uses and external environmental factors, the buildings relationship with the adjoining heritage hotel, in our opinion, resulting in a positive architectural aesthetic comprising of forms, materials and colours.

# 3

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## **ADG RESPONSE TABLE**

The following content outlines the response to Part 3 & Part 4 of the Apartment Design Guide.



### 3.0 APARTMENT DESIGN GUIDE RESPONSE TABLE

ITEM	GUIDELINE	COMPLIES	COMMENT
<b>PART 3 – Siting the Development</b>			
<b>3A Site Analysis</b>	<b>3A-1</b> Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context	Yes	Refer Architectural submission and supporting Statement of Environmental Effects.
<b>3B Orientation</b>	<b>3B-1</b> Building types and layouts respond to the streetscape and site while optimising solar access within the development	Yes	The primary living and balcony areas of the majority of apartments are oriented to address both road frontages and optimise solar access.
	<b>3B-2</b> Overshadowing of neighbouring properties is minimised during mid-winter	Yes	The building is separated into two smaller towers (instead of one continuous block) to reduce overshadowing and maximise solar gains to adjoining properties.
	<b>3C-1</b> Transition between private and public domain is achieved without compromising safety and security	Yes	The residential entries are accessed from the pedestrian cross site link.
<b>3C Public Domain Interface</b>	<b>3C-2</b> Amenity of the public domain is retained and enhanced	Yes	The proposal includes new paving to the street frontages and establishing a new cross site pedestrian lane connecting the Princes highway to Osborne Street.
	<b>3D-1</b> Communal open space is consolidated, well configured and designed	Yes	30.7% of the site area comprises of communal space, located along the ground level pedestrian spine and the podium level, in between the two buildings and stretching along the northern side.
<b>3D Communal and Public Open Space</b>	<b>3D-2</b> Communal open space can be used for a range of activities	Yes	The communal space comprises of a variety of different spaces of various shapes and sizes, and incorporates soft landscaping, decking, seating, BBQ areas, vegetable garden and hard stand areas which encourage a variety of active and passive uses.
	<b>3D-3</b> Safety of communal open space is maximised	Yes	The communal space is readily visible from the habitable rooms and balconies of at least half of the proposed apartments.
	<b>3D-4</b> Public open space, where provided, responds to the existing pattern and uses of the neighbourhood	Yes	The proposal includes new paving to the street frontages and establishing a new cross site pedestrian lane connecting the Princes highway to Osborne Street.
	<b>3E-1</b> Deep soil zones are suitable for healthy plant and tree growth, improve residential amenity and promote management of water and air quality	No	Because the site is located within a commercial zone, the building footprint covers the entire site limiting opportunity for deep soil zone areas.
<b>3D Deep Soil Zones</b>	<b>3F-1</b> Visual separation distances are shared equitably between neighbouring sites, providing reasonable levels of external and internal visual privacy	Yes	The building adjoins commercial development only. Setbacks are in accordance with the ADG design criteria.
<b>3F Visual Privacy</b>	<b>3F-2</b> Site and building design elements increase	Yes	Communal spaces, common areas and access paths are

	privacy without compromising access to light and air, balance outlook and views from habitable rooms and private open space		separated from private open space by landscaping or screen fencing.
<b>3G Pedestrian Access and Entries</b>	<b>3G-1</b> Building entries and pedestrian access connects to and addresses the items public domain	Yes	The pedestrian entries are directly from each lobby are directly visible and universally accessible from both Young and Belmore Street frontages.
	<b>3G-2</b> Access, entries and pathways are accessible and easy to identify	Yes	The primary entry lobbies are accessible to AS1428.1.1. from the pedestrian lane connecting both street frontages.
	<b>3G-3</b> Pedestrian links through developments provide access to streets and connect destinations	Yes	The proposal includes new paving to the street frontages and establishing a new cross site pedestrian lane connecting the Princes Highway to Osbourne Street.
	<b>3H-1</b> Vehicle access points are designed and located to achieve safety and high-quality streetscapes	Yes	The vehicular access point was selected and coordinated with the consulting traffic engineer. No vehicular access is possible from the Princes Highway.
<b>3J Bicycle and Car Parking</b>	<b>3J-1</b> Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas	No	Carparking is provided in accordance with the RMS rates.
	<b>3J-2</b> Parking and facilities are provided for other modes of transport	Yes	Motor bike and bicycle parking are provided.
	<b>3J-3</b> Car park design and access is safe and secure	Yes	Carpark design is in accordance with AS2890. The residential portions of the carpark are separated
	<b>3J-4</b> Visual and environmental impacts of underground car parking are minimised	Yes	Part of the carpark is underground, however due to topography and geotechnical issues, a large part is above ground.
	<b>3J-5</b> Visual and environmental impacts of on-grade car parking are minimised	Yes	On grade car parking is located behind shop fronts and not visible from the primary street frontage.
	<b>3J-6</b> Visual and environmental impacts of above ground enclosed car parking are minimised	Yes	All carparking is screened from public streets behind articulated brick parapet walling.
<b>PART 4 – Designing the Building</b>			
<b>4A Solar and Daylight Access</b>	<b>4A-1</b> Optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space	Yes	37/54 (70%) of apartments receive more than the minimum 2 hours of sun between 9am and 3pm mid- winter. Also refer Section 4 –Compliance Summary Table for more information.
	<b>4A-2</b> Daylight access is maximised where sunlight is limited	Yes	No apartments face south.
	<b>4A-3</b> Design incorporates shading and glare control, particularly for warmer months	Yes	
<b>4B Natural Ventilation</b>	<b>4B-1</b> All habitable rooms are naturally ventilated	Yes	All habitable rooms are cross ventilating.
	<b>4B-2</b> Natural ventilation for single aspect apartments is maximised	Yes	All habitable rooms are provided with full height sliding doors.
	<b>4B-3</b> The number of apartments with natural cross ventilation is maximised	Yes	32/54 (60%) of apartments achieve natural cross ventilation. Also refer Section 4 –Compliance Summary Table for more

<b>4C Ceiling Heights</b>	<b>4C-1</b> Ceiling height achieves sufficient natural ventilation and daylight access	Yes	information. 3.050m floor to floor generally provides for 2.7m floor to ceiling (approx.). Also refer Section 4 –Compliance Summary Table for more information.
	<b>4C-2</b> Ceiling height increases the sense of space in apartments and provides for well-proportioned rooms	Yes	Ceiling heights are maximised in habitable rooms by limiting bulkhead intrusions. The design stacks service rooms between floors to minimise lower ceilings from plumbing voids.
	<b>4C-3</b> Ceiling heights contribute to the flexibility of building use over the life of the building	N/A	
<b>4D Apartment Size and Layout</b>	<b>4D-1</b> Spatial arrangement and layout of apartments is functional, well organised and provides a high standard of amenity	Yes	Apartments exceed the minimum internal areas described in the ADG, in this case being 57m <sup>2</sup> for a 1 bed type, 81m <sup>2</sup> for a 2 bed type & 115m <sup>2</sup> for a 3 bed type.
	<b>4D-2</b> Environmental performance of the apartment is maximised	Yes	All living areas and bedrooms are located on the external face of the building.
	<b>4D-3</b> Apartment layout can accommodate a variety of household activities and needs	Yes	Access to bedroom, bathrooms and laundries is separated from living rooms to minimise direct openings between living and service areas. Apartment layouts provide room dimensions which facilitate a variety of furniture arrangements and spaces for a range of activities and privacy levels between them.
<b>4E Private Open Space and Balconies</b>	<b>4E-1</b> Primary private open space and balconies are appropriately sized	Yes	Balconies exceed the minimum required in the ADG, in and a minimum depth of 2.0m.
	<b>4E-2</b> Primary private open space and balconies are appropriately located	Yes	Primary open space and balconies are located adjacent to the living room, dining rooms and master bed room.
	<b>4E-3</b> Private open space and balcony design is integrated into the overall architectural form and detail of the building	Yes	Balconies are designed to respond to the location and to allow views while maintaining visual privacy. Screens improve amenity in terms of wind and sun control and conceal condenser units. Water and gas outlets are provided to all primary balcony spaces.
	<b>4E-4</b> Private open space and balcony design maximises safety	Yes	Balustrades and services locations will be designed to avoid climbing hazards and in accordance with BCA.
<b>4F Common Circulation and Spaces</b>	<b>4F-1</b> Common circulation spaces achieve good amenity and provide for a variety of apartment types	Yes	Daylight and natural ventilation are provided to common circulation areas. All common circulation areas facilitate universal access.
	<b>4F-2</b> Common circulation spaces provide for interaction between residents	Yes	Each lobby is a linear circulation spine with direct and legible access between the lift and the apartment entry doors and natural lighting at both ends.
<b>4G Storage</b>	<b>4G-1</b> Adequate, well designed storage is provided in each apartment	Yes	Storage is provided within the apartment and the basement area for each apartment.
	<b>4G-2</b> Additional storage is conveniently located,	Yes	Storage is provided in the carpark at the rear or side of car

	accessible and nominated for individual apartments		spaces.
<b>4H Acoustic Privacy</b>	<b>4H-1</b> Noise transfer is minimised through the siting of buildings and building layout	Yes	Adequate separation is provided to adjacent buildings. Nosier areas such as lift and entries are located away from habitable areas. Party walls and floors will exceed the minimum sound impact ratings.
	<b>4H-2</b> Noise impacts are mitigated through internal apartment layout and acoustic treatments	Yes	Internal layout separates living areas from bedroom areas. Robe areas in bedrooms buffer bathroom walls.
<b>4I Noise and Pollution</b>	<b>4I-1</b> In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of the buildings	Yes	The design responds both to solar and noise requirements.
	<b>4I-2</b> Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission.	Yes	Solid balcony balustrades fronting the primary road reduces the perception of noise and increases the physical separation to the road.
<b>4K Apartment Mix</b>	<b>4K-1</b> A range of apartment types and sizes is provided to cater for different types now and into the future	Yes	There are multiple apartment types ranging in size from 57m <sup>2</sup> to 120qm <sup>2</sup> and configured as 1, 2 and 3 bedroom.
	<b>4K-2</b> The apartment mix is distributed to suitable locations within the building	Yes	The larger 3 bed apartment types are located on the top floor where they are afforded greater open space and views.
<b>M<sup>2</sup>4L Ground Floor Apartments</b>	<b>4L-1</b> Street frontage activity is maximised where ground floor apartments are located	N/A	
	<b>4L-2</b> Design of ground floor apartments delivers amenity and safety for residents	N/A	
<b>4M Facades</b>	<b>4M-1</b> Building facades provide visual interest along the street while respecting the character of the local area	Yes	The façade includes a composition of varied building elements forming a base, middle and top of the building.
	<b>4M-2</b> Building functions are expressed by the facade	Yes	All building services and rainwater pipes will be concealed within the structure.
<b>4N Roof Design</b>	<b>4N-1</b> Roof treatments are integrated into the building design and positively respond to the street	Yes	The roof design is integrated into the overall form and massing of the building, providing shading and protection to the façade and visual interest.
	<b>4N-2</b> Opportunities to use roof space for residential accommodation and open space are maximised	No	All communal space is provided at ground and podium levels. Roof access would exceed the maximum permissible height and difficult to achieve given the buildings smaller footprint at top floor level.
<b>4O Landscape Design</b>	<b>4N-3</b> Roof design incorporates sustainability features	Yes	The roof design maximises solar access to the roof top apartment in winter and shade in summer.
	<b>4O-1</b> Landscape design is viable and sustainable	Yes	The landscape design incorporates appropriately scaled trees along the street frontage and around the communal space.
	<b>4O-2</b> Landscape design contributes to the streetscape	Yes	Landscaping is proposed between the building line and the

	and amenity		street boundary at the level change.
<b>4P Planting on Structures</b>	<b>4P-1</b> Appropriate soil profiles are provided open spaces	Yes	Refer landscape plan
	<b>4P-2</b> Plant growth is optimised with appropriate selection and maintenance	Yes	Refer landscape plan.
	<b>4P-3</b> To contribute to the quality and amenity of communal and public	Yes	Refer landscape plan.
	<b>4Q Universal Design</b>	Yes	The building achieves a benchmark 20% of the total yield incorporating the Livable Housing Standard and 10% adaptable to AS4299. Also refer Access report.
<b>4Q Adaptive Reuse</b>	<b>4Q-2</b> A variety of apartments with adaptable designs are provided	Yes	6 apartments are required to be made suitable for adaptation are provided
	<b>4Q-3</b> Apartment layouts are flexible and accommodate a range of lifestyle needs	Yes	Internal structure is non -loadbearing and can be altered in future.
	<b>4R-1</b> New additions to existing buildings are contemporary and complementary	N/A	
<b>4S Mixed Use</b>	<b>4R-2</b> Adapted buildings provide residential amenity while not precluding future adaptive reuse	N/A	
	<b>4S-1</b> Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement	Yes	Shop frontages are maximized along each street frontage to encourage movement and activation.
	<b>4S-2</b> Residential floors are integrated within the development, safety and amenity is also maximised	Yes	Residential floors begin two storey above ground level.
<b>4T Awnings and Signage</b>	<b>4T-1</b> Awnings are well located and complement and integrate with the building design	Yes	An extended awning is provided over each of the main entries to provide weather protection and assist in identifying the buildings main entry point.
	<b>4T-2</b> Signage responds to the context and desired streetscape character	Yes	Signage is limited to a single wall along the street front. The signage will be discrete in scale in response to the scale of the development.
	<b>4U-1</b> Development incorporates passive environmental design	Yes	Adequate natural light is provided to habitable rooms.
<b>4U Energy Efficiency</b>	<b>4U-2</b> Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer	Yes	The design response provides for overhangs and shading devices such as awnings, screens and balconies. Roofs and floors are concrete, providing thermal mass to the building. Walls are insulated and all openings will be thermally sealed.
	<b>4U-3</b> Adequate natural ventilation minimises the need for mechanical ventilation	Yes	Natural ventilation is provided to all habitable rooms, common circulation areas and lobby areas.
	<b>4V-1</b> Potable water use is minimised	Yes	Water efficient fittings and appliances are incorporated. Refer

<b>Management and Conservation</b>	<b>4V-2</b> Urban stormwater is treated on site before being discharged to receiving waters	Yes	BASIX certificates.
	<b>4V-3</b> Flood management systems are integrated into site design	N/A	Runoff is collected and used for re-use for irrigation. Also refer BASIX certificates. The site is not in a known flood area.
	<b>4W-1</b> Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents	Yes	Waste storage is located with the carparking area and concealed from the building entry and streetscape.
<b>4W Waste Management</b>	<b>4W-2</b> Domestic waste is minimised by providing safe and convenient source separation and recycling	Yes	Recycling and waste bin areas will be provided in a mechanically ventilated secure room within the basement.
	<b>4X-1</b> Building design detail provides protection from weathering	Yes	Roof overhangs protect walls, windows and openings. Architectural detailing will ensure horizontal edges will not cause drip or staining of wall surfaces.
	<b>4X-2</b> Systems and access enable ease of maintenance	Yes	Centralised services risers are provided from common spaces. Windows are able to be cleaned from the inside or adjoining balcony areas.
	<b>4X-3</b> Material selection reduces ongoing maintenance costs	Yes	Robust materials and finishes are selected, refer materials and finishes schedule as part of DA submission.
<b>4X Building Maintenance</b>			



# 4

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## COMPLIANCE SUMMARY TABLE

## 4.0 COMPLIANCE SUMMARY TABLE

The following section outlines how the numerical standards in the primary design objectives outlined in the Apartment Design Guide are achieved.

BLOCK A								
LEVEL	UNIT	TYPE	SIZE (1)	LOBBY (2)	POS AREA (3)	SUNLIGHT ACCESS (4)	CROSS VENT. (5)	NO DIRECT SUNLIGHT (6)
L2	A201	1B	60m <sup>2</sup>	17m <sup>2</sup>	26m <sup>2</sup>	1	0	0
	A202	2B	91m <sup>2</sup>		42m <sup>2</sup>	0	0	0
	A203	2B	90m <sup>2</sup>		38m <sup>2</sup>	0	1	0
	A204	2B	95m <sup>2</sup>		27m <sup>2</sup>	1	1	0
L3	A301	1B	60m <sup>2</sup>	17m <sup>2</sup>	9m <sup>2</sup>	1	1	0
	A302	2B	91m <sup>2</sup>		11m <sup>2</sup>	0	0	0
	A303	2B	90m <sup>2</sup>		14m <sup>2</sup>	0	1	0
	A304	2B	95m <sup>2</sup>		16m <sup>2</sup>	1	1	0
L4	A401	1B	60m <sup>2</sup>	17m <sup>2</sup>	9m <sup>2</sup>	1	1	0
	A402	2B	91m <sup>2</sup>		11m <sup>2</sup>	0	0	0
	A403	2B	90m <sup>2</sup>		15m <sup>2</sup>	0	1	0
	A404	2B	95m <sup>2</sup>		16m <sup>2</sup>	1	1	0
L5	A501	1B	60m <sup>2</sup>	17m <sup>2</sup>	9m <sup>2</sup>	1	1	0
	A502	2B	91m <sup>2</sup>		11m <sup>2</sup>	0	0	0
	A503	2B	90m <sup>2</sup>		15m <sup>2</sup>	0	1	0
	A504	2B	95m <sup>2</sup>		16m <sup>2</sup>	1	1	0
L6	A601	1B	60m <sup>2</sup>	17m <sup>2</sup>	9m <sup>2</sup>	1	1	0
	A602	2B	91m <sup>2</sup>		11m <sup>2</sup>	0	0	0
	A603	2B	90m <sup>2</sup>		11m <sup>2</sup>	0	1	0
	A604	2B	95m <sup>2</sup>		16m <sup>2</sup>	1	1	0
L7	A701	1B	60m <sup>2</sup>	17m <sup>2</sup>	9m <sup>2</sup>	1	1	0
	A702	2B	91m <sup>2</sup>		11m <sup>2</sup>	0	0	0
	A703	2B	93m <sup>2</sup>		15m <sup>2</sup>	0	1	0
	A704	2B	95m <sup>2</sup>		16m <sup>2</sup>	1	1	0
L8	A801	3B	116m <sup>2</sup>	15m <sup>2</sup>	14m <sup>2</sup>	0	1	0
	A802	3B	120m <sup>2</sup>		18m <sup>2</sup>	0	1	0
TOTALS			2255m <sup>2</sup>	117m <sup>2</sup>	415m <sup>2</sup>	12	19	0

BLOCK B								
LEVEL	UNIT	TYPE	SIZE (1)	LOBBY (2)	POS AREA (3)	SUNLIGHT ACCESS (4)	CROSS VENT. (5)	NO DIRECT SUNLIGHT (6)
L2	B201	1B	57m <sup>2</sup>	19m <sup>2</sup>	18m <sup>2</sup>	1	0	0
	B202	2B	92m <sup>2</sup>		20m <sup>2</sup>	1	0	0
	B203	2B	91m <sup>2</sup>		57m <sup>2</sup>	1	0	0
	B204	2B	81m <sup>2</sup>		39m <sup>2</sup>	1	1	0
L3	B301	1B	57m <sup>2</sup>	19m <sup>2</sup>	9m <sup>2</sup>	1	1	0
	B302	2B	92m <sup>2</sup>		10m <sup>2</sup>	1	0	0
	B303	2B	91m <sup>2</sup>		10m <sup>2</sup>	1	0	0
	B304	2B	81m <sup>2</sup>		12m <sup>2</sup>	1	1	0
L4	B401	1B	57m <sup>2</sup>	19m <sup>2</sup>	9m <sup>2</sup>	1	1	0
	B402	2B	92m <sup>2</sup>		10m <sup>2</sup>	1	0	0
	B403	2B	91m <sup>2</sup>		10m <sup>2</sup>	1	0	0
	B404	2B	81m <sup>2</sup>		12m <sup>2</sup>	1	1	0
L5	B501	1B	57m <sup>2</sup>	19m <sup>2</sup>	9m <sup>2</sup>	1	1	0
	B502	2B	92m <sup>2</sup>		10m <sup>2</sup>	1	0	0
	B503	2B	91m <sup>2</sup>		10m <sup>2</sup>	1	0	0
	B504	2B	81m <sup>2</sup>		12m <sup>2</sup>	1	1	0
L6	B601	1B	57m <sup>2</sup>	19m <sup>2</sup>	9m <sup>2</sup>	1	1	0
	B602	2B	91m <sup>2</sup>		10m <sup>2</sup>	1	0	0
	B603	2B	91m <sup>2</sup>		10m <sup>2</sup>	1	0	0
	B604	2B	81m <sup>2</sup>		12m <sup>2</sup>	1	1	0
L7	B701	1B	57m <sup>2</sup>	19m <sup>2</sup>	9m <sup>2</sup>	1	1	0
	B702	2B	92m <sup>2</sup>		10m <sup>2</sup>	1	0	0
	B703	2B	91m <sup>2</sup>		10m <sup>2</sup>	0	0	0
	B704	2B	81m <sup>2</sup>		12m <sup>2</sup>	1	1	0
L8	B801	3B	115m <sup>2</sup>	16m <sup>2</sup>	12m <sup>2</sup>	1	1	0
	B802	3B	117m <sup>2</sup>		15m <sup>2</sup>	1	1	0
TOTALS			2157m <sup>2</sup>	130m <sup>2</sup>	366m <sup>2</sup>	25	13	0

Notes:

- (1) (1) Studio >35m<sup>2</sup>, 1b>50m<sup>2</sup>, 2b>70m<sup>2</sup>, 3b>90m<sup>2</sup>
- (2) No more than 8 apartments per lobby
- (3) Studio >4m<sup>2</sup>, 1b>8m<sup>2</sup>, 2b>10m<sup>2</sup>, 3b>12m<sup>2</sup> & ground floor(L1) apartments>15m<sup>2</sup>
- (4) >70% min. of apartments to receive 2 hours of sun between 9am and 3pm on June 21
- (5) >60% min. of apartments to be naturally ventilated
- (6) <15% max. of apartments receive no sunlight