

# Wollongong Local Planning Panel Assessment Report | 1 September 2020

<b>WLPP No.</b>	Item 4
<b>DA No.</b>	DA-2019/1356
<b>Proposal</b>	Residential - Eight storey residential flat building comprising 14 residential units over two levels of basement carparking.
<b>Property</b>	9-11 Park Street, Wollongong
<b>Applicant</b>	PRD Architects
<b>Responsible Team</b>	Development Assessment and Certification - City Centre Team (MJ)

## ASSESSMENT REPORT AND RECOMMENDATION

### Executive Summary

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#### Reason for consideration by Local Planning Panel

The proposal has been referred to 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. The proposal is also classified as a contentious development under Part 2 (b) as it is the subject of 10 or more unique submissions by way of objection.

#### Proposal

The proposal is for an eight (8) storey residential flat building comprising 14 residential units over two (2) levels of basement carparking.

#### Permissibility

The site is zoned R1 General Residential pursuant to Wollongong Local Environmental Plan 2009. The proposal is categorised as a residential flat building and is permissible in the zone with development consent.

#### Consultation

The proposal was notified in accordance with Council's Notification Policy and received 20 submissions from separate objectors over two (2) exhibition periods, which are discussed at section 1.3 of the assessment report.

#### Main Issues

The main issues include;

SEPP 65 - Apartment Design Guide:

- Impacts on solar access to neighbouring property to south (ADG Objective 3B-2).
- Lack of detail regarding potential substations and augmented service requirements (ADG Objective 3C-2 and WDCP 2009 Chapter B1 Cl 4.13).
- Building Separation encroachments on the southern and eastern boundaries on levels 5, 6 and 7 (ADG Objective 3F-1).
- The actual number of bedrooms for several units is not clear due to use of ancillary study rooms, which has further implications for required apartment mix, private open space, storage and living room dimensions (ADG Objective 4D-3).
- Several living rooms do not meet minimum dimensions (ADG Objective 4D-3).
- Privacy and glare impacts associated full width glass balustrades on north east and west elevations (ADG Objective 4E-2).

Wollongong Local Environmental Plan 2009:

- The proposal is unsatisfactory with regard to the objectives of the R1 General Residential Zone (WLEP 2009 Cl 2.3).
- The proposed floor space ratio of 1.527:1 exceeds the 1.5:1 which is permitted for the site. A written request seeking to justify the contravention of the FSR development standard has not been submitted by the applicant (WLEP 2009 Cl 4.4 & 4.6).
- The development fails to exhibit design excellence (WLEP 2009 Cl 7.18).

Wollongong Development Control Plan 2009:

- Creation of an isolated lot (WDCP 2009 Chapter B1 Cl 6.2).
- Setback encroachment and scale of feature entry awning into front setback (WDCP 2009 Chapter D13 Cl 2.2).
- Excessive width of vehicle footpath crossing (WDCP 2009 Chapter D13 Cl 3.6).
- Visual impact of basement podium on north western corner (WDCP 2009 Chapter D13 Cl 6.6 and ADG Objective 3J-4).

**RECOMMENDATION**

It is recommended that the application be refused for the reasons listed at Attachment 10.

## 1 APPLICATION OVERVIEW

### 1.1 DETAILED DESCRIPTION OF PROPOSAL

The proposal entails the construction of a residential flat building at 9-11 Park Street, Wollongong.

Specifically, the proposal requires the demolition of two (2) existing dwelling houses, removal of nine (9) trees, consolidation of two (2) lots and the erection of an eight (8) storey residential flat building development, comprising 14 residential apartments over two (2) levels of basement car parking.

The building comprises a single tower over a podium with double height entry. Materials generally include a mix of cladding, concrete and glass balustrades. The elevations are further articulated by aluminium (timber batten) screening over the first three (3) floors and roof, operable screens and feature entry awning.

The proposal includes ground floor communal open space which is integrated with the deep soil zone. Landscaping is provided around the perimeter of the development, internal communal “zen gardens” are provided throughout the building. Vehicular and pedestrian entry is provided via from the Park St frontage.

LAYOUT SUMMARY		
LEVEL	UNITS	GFA
8	Units 13 (3 bedroom (br)) & 14 (3 br), roof terrace POS	114m
7	Units 13 (3 br) & 14 (3 br), zen garden	242m <sup>2</sup>
4 - 6	Units 7, 8, 9, 10 (2 br + study) & Units 11, 12 (3 br), zen garden	261 x 3 = 783m
3	Units 5 (adaptable - 1 br + study) & 6 (3 br), zen garden	236m
2	Units 3 (adaptable - 1 br + study) & 4 (3 br)	231m
GF / 1	Units 1 (3 br) & 2 (3 br + study), communal open space, deep soil zone	303m
B 1	9 x car spaces (3 x visitor, 2 x accessible), 6 x bicycle spaces (2 x visitor), motorbike space, garbage storage (15 x bins), residential storage (x3)	NA
B 2	13 x car parking spaces, 1 x bicycle, residential storage (x 4), services cupboard/storage	27.5m

### 1.1 BACKGROUND

The subject lots have historically been used for residential purposes.

- **Prelodgement Meeting**

A prelodgement meeting was held for this proposal on 6 August 2019 (ref. PL-2019/97).

#### Summary of issues raised at the prelodgement

i. Council objected to potential removal of street tree.

This matter has been resolved, tree is no longer proposed to be removed.

ii. Council raised concerns regarding the creation of an Isolated lot at 13 Park Street.

This matter has not been resolved, see Wollongong DCP 2009 section of this report.

iii. Council raised concerns over solar access & overshadowing of 13 Park Street.

This matter has not been resolved, see SEPP 65 and Wollongong DCP 2009 sections of this report.

iv. Council raised concerns over privacy & overlooking impacts on dwellings to the north.

This matter has been partially resolved, see SEPP 65 and Wollongong DCP 2009 sections of this report.

- v. *Council raised concerns over view loss affecting surrounding residential development.*

This matter has been partially resolved, see SEPP 65 and Wollongong DCP 2009 sections of this report.

- vi. *Council raised concerns calculation of gross floor area & floor space ratio, resulting in non-compliant FSR.*

This matter has not been resolved, see Wollongong LEP 2009 section of this report.

- vii. *Council raised concerns over mis-calculation of car parking requirement.*

This matter has been partially resolved, see SEPP 65 and Wollongong DCP 2009 sections of this report.

- viii. *Council raised concerns over non-compliance with ADG Setbacks & building separation requirements.*

This matter has been partially resolved, see SEPP 65 section of this report.

- ix. *Council raised concerns over non-compliance Deep soil zone.*

This matter has been partially resolved, see Wollongong DCP 2009 section of this report.

- x. *General design issues.*

Some general design issues remain with the proposal, generally relating to room sizes and the use of 'study' rooms in some units, see SEPP 65 section of this report.

- **Design Review Panel**

The proposal referred to the Design Review Panel (DRP) twice, the initial panel meeting occurred after the prelodgement meeting, the second occurred after lodgement. See consultation section below for summary of panel commentary and applicant's design response.

#### **CUSTOMER SERVICE ACTIONS**

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

### **1.2 SITE DESCRIPTION**

The subject lot is located at 9-11 Park Street, Wollongong. The title references are Lot 1 DP 780693 and Lot 1 DP 1246328.

The site is the consolidation of two allotments with the northern allotment (No.9) having a greater depth than the southern allotment (No.11) as No. 9 Park Street extends further to the east. In all other regards the site is a regular shape with a consolidated width of 30.48m and a consolidated area of 1,268m<sup>2</sup>. The site slopes to the north-western corner and drains to Park Street.

The site is zoned R1 General Residential and the immediate locality is characterised by a varied scale of residential development including dwelling houses, multi dwelling housing and residential flat buildings. Immediately adjoining the site includes:

- North: Single dwelling
- South: 4 unit Multi dwelling Housing (Strata subdivided)
- East: 7 storey residential flat building (Strata subdivided)
- West: Park Street road reserve

#### **Property constraints**

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

- Acid sulphate soils (class 5): Council's Environment Officer has recommended conditions in this regard, should the application be approved.



There are no restrictions on the title that would preclude the development.

### 1.3 SUBMISSIONS

The application was notified in accordance Community Participation Plan 2019. This included a notice in The Advertiser. The application was notified an again following amended plans being provided. Exhibition was also extended to include likely affected residents of Edward Street.



**Figure 1: Notification Map**

18 original submissions were received in the initial exhibition period and 13 during the second period. There were two (2) new objectors during the second period.

The issues raised in during both exhibition periods were similar and are summarised in a consolidated table below.

**Table 1: Submissions**

Concern	Comment
1. Excavation impact on adjoining building.	This matter may be resolved by condition of consent. Notwithstanding, refusal is recommended.
2. Insufficient parking has been provided.	Sufficient car parking has been provided in accordance with WDCP 2009 requirements. Car parking is not considered to be an issue.
3. Excessive Building height.	~27m building height is below maximum 32m permitted by WLEP 2009. Building height is not considered to be an issue.

Concern	Comment
4. Impact on Solar Access to 13 Park St. “Timber” Batten screen will intensify impacts. Plans of 13 Park St are incorrect.	The development does not meet the minimum solar access requirements provided by the ADG or WDCP 2009.  See further discussion in ADG & WDCP 2009 sections of this report.
5. Front setback encroaches into setback established in street, affecting views.	The proposed 4m setback complies with that required under WDCP 2009.  However, the level of encroachment of the feature awning into the front setback is not acceptable.  See further discussion in WDCP 2009 section of this report.
6. Retain and protect street tree.	The tree is not proposed to be removed. Tree protection is addressed via a condition of consent. Notwithstanding, refusal is recommended.
7. Side and Rear Setback control variation.	The proposal entails several side and rear setback variations which are not supported.  See further discussion in ADG section of this report.
8. General Visual impact.	The redevelopment of this site to the scale expected by permitted heights and floor space ratio is likely to have some visual impact.  Noting the proposed variations to setbacks and basement podium height, the development will have negative visual impacts.  Due to the impacts attributed to these variations, the development does not exhibit design excellence.  Visual impact is further discussed at the ADG, WLEP 2009 and WDCP 2009 sections of this report.
9. Inappropriate design in context of older dwellings and existing streetscape.	Aesthetically, the proposed design is considered acceptable in the immediate context of the site, which contains a variety of residential ages and densities.
10. Creation of isolated lot – 13 Park St.	The proposal has not satisfactorily addressed the Minimum Site Width – Isolated Lot controls of the WDCP 2009.  See further discussion in WDCP 2009 section of this report.

Concern	Comment
11. Privacy impacts.	<p>The development does not adequately protect the privacy of surrounding residential development.</p> <p>See further discussion in ADG &amp; WDCP 2009 sections of this report.</p>
12. Impact of basement & retaining walls on north east boundary landscaping	<p>This matter may be resolved by condition of consent. Notwithstanding, refusal is recommended.</p>
13. Non-compliant with Floor Space Ratio requirements.	<p>The development does not comply with the maximum FSR for the site.</p> <p>See further discussion in WLEP 2009 section of this report.</p>
14. Does not exhibit Design Excellence.	<p>Given the proposed variations to the ADG, WLEP 2009 and WDCP 2009 controls, and related impacts, the development does not exhibit design excellence.</p> <p>See further discussion in WLEP 2009 section of this report.</p>
15. Trees number 5 ( <i>Araucaria columnaris</i> ) and 9 ( <i>Howea forsteriana</i> ) should be retained or replanted.	<p>The removal of the trees does not specify treatment (replanting etc), this would be at the discretion of the owner. The removal of these trees has been supported by Council's Landscape division.</p>
16. Safety of Entry design.	<p>The proposal has been assessed against CPTED principles and is acceptable</p> <p>See further discussion in WDCP 2009 section of this report.</p>
17. Health concerns due to asbestos removal, building materials and noise.	<p>This matter may be resolved by condition of consent. Notwithstanding, refusal is recommended.</p>
18. Blocking of sea breezes.	<p>The redevelopment of this site and surrounding area to the scale expected by permitted heights and floor space ratio is likely to have some impact on sea breezes.</p>
19. Shadow documents do not consider 15 Park St.	<p>Shadow diagrams are only required to demonstrate impacts on adjoining lots.</p> <p>Notwithstanding, based on the shadow diagrams, minimal overshadowing of 15 Park Street would occur and the development would comply with ADG &amp; WDCP 2009 solar access requirements.</p>

Concern	Comment
20. Bin Collection occupying street.	<p>Given the required number of bins, the development complies with WDCP 2009 controls for bin collection.</p> <p>See further discussion in WDCP 2009 section of this report.</p>
21. Solar access Impacts on 14-16 Church St (east).	<p>The development would not impact 14-16 Church St until approximately 2pm.</p> <p>Assessment of solar access under the ADG and WDCP 2009 require consideration of 2 &amp; 3 hours access between 9am and 3pm only. The development complies in this respect.</p>
22. Construction impacts (noise / dust), request notice.	<p>This matter may be resolved by condition of consent. Notwithstanding, refusal is recommended.</p>
23. Impact on views through site.	<p>Varying levels of view impacts are anticipated based on location of the affected property.</p> <p>It is anticipated that given maximum heights and FSR for the surrounding area, and anticipated development types, further impacts to views will occur (and are to be expected) in this locality.</p> <p>See further discussion in WDCP 2009 section of this report.</p>
24. Maximum height / depth not provided.	<p>The plans have shown adequate RLs and dimensions to allow building height and depth to be determined.</p>
25. Timber screening will add to view loss and overshadowing.	<p>See comments above regarding view impacts and overshadowing.</p> <p>See further discussion in ADG &amp; WDCP 2009 section of this report.</p>
26. Dark colour will accentuate impacts.	<p>The proposed colour palate is appropriately varied and is acceptable.</p>
27. Concern over accuracy of documents exhibited, brief length of notification period and request for additional notification.	<p>The application was notified in accordance with the Community Participation Plan 2019.</p> <p>Formatting issues were identified with the exhibited 'DCP Compliance Table' document. Document was subsequently amended and made available for viewing.</p> <p>Additional time was provided to make submissions following end of initial exhibition period.</p>

It is noted there were further concerns raised regarding administrative matters not relevant to the consideration of the current version of the proposal, including; request for referral to Councillors, matters related to previous plan revisions and financial devaluation of objector's properties.

## **1.4 CONSULTATION**

### **1.4.1 INTERNAL CONSULTATION**

#### **Geotechnical Engineer**

Council's Geotechnical Officer has reviewed the application and has provided a satisfactory referral. Conditions of consent were recommended and are included in the consent.

#### **Stormwater Engineer**

Council's Stormwater Officer has reviewed the application and given a satisfactory referral. Conditions of consent were recommended and are included in the consent.

#### **Landscape Architect**

Council's Landscape Officer has reviewed the application and given a satisfactory referral. Conditions of consent were recommended and are included in the consent.

#### **Traffic Engineer**

Council's Traffic Officer has reviewed the application and given a satisfactory referral. of consent were recommended and are included in the consent.

#### **Environment Officer**

Council's Environment Officer has reviewed the application and given a satisfactory referral subject to conditions of consent.

### **1.4.2 EXTERNAL CONSULTATION**

#### **Endeavour Energy**

Both the original and amended design were referred to Endeavour Energy.

Endeavour energy has reviewed the most recent version of the application and given a satisfactory referral subject to conditions of consent.

Regarding the requirements for a potential padmount substation, Endeavour Energy advised:

"Typically a development of 15 residential units (replacing 2 existing premises) would not require the provision of a padmount substation on the site. However with the significant medium density residential development in the area, Endeavour Energy's G/Net master facility model indicates that the nearby existing pole mounted substations are at or near maximum capacity. Accordingly the existing local network may not have sufficient spare capacity to facilitate the proposed development.

...

In due course the applicant for the proposed development will need to submit an application for connection of load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and the method of supply will be determined."

#### **Design Review Panel**

1. DRP – 20 August 2019 (DE-2019/90)

Recommendation:

"While the proposal is at a preliminary stage only, it will benefit from a thorough review with special regard for the following:

- Impacts on southern property
- Outlook and privacy impacts from side facing windows and
- Balconies
- ADG building separation requirements
- Building expression, materials and streetscape character
- Landscape and large trees

To properly assess the proposal, all plans, sections and elevations MUST include adjoining properties, existing and likely future built form, trees and landscape features, public domain and all elements that contribute to context and streetscape qualities.”

## 2. DRP – 22 January 2020

A summary of DRP commentary (full commentary – see attachment 6):

1. *The adjacent properties and public domain (incl. slope) MUST be included on the final DA plans, elevations and sections.*

The plans have been amended accordingly.

2. *Ground interface and expression of first two levels. Setting back and unifying the two lower levels, might allow a more generous engagement with streetscape, entry and front garden. Propose a material that is more consistent with the existing streetscape (masonry or render for example) and is less likely to be “value managed” down to an inferior product.*

Ground floor levels have not been setback and 4m front setback retained. The feature awning significantly encroaches into front setback.

The proposed materials have been modified but do not demonstrate consistency with existing streetscape (e.g. masonry or render).

**The amended design has not addressed this issue.**

3. *Northern basement levels and retaining walls along the northern elevation and interface with northern boundary. Adjacent levels are no higher than absolutely necessary, as well as to maximise the functionality of the communal open space.*

North western edge of podium still exceeds ADG and WDCP 2009 requirements, largely due to slope and basement RLs.

Communal open space (COS) functionality is not compromised by change in levels.

**The amended design has not addressed this issue.**

4. *Multiple concerns over roof top COS or POS, regarding functionally, shade and exclusive use.*

Rooftop design has been changed from single unit private open space (POS) to shared dwelling and POS areas for units 13 & 14. As adequate COS has been provided, this amendment partially resolves the issue of exclusivity.

5. *Southern building Setbacks and Separation above four storeys, bedrooms encroach into required setback need to comply.*

The amended proposal still includes setback encroachments at levels 5, 6 and 7, affecting the southern and eastern elevations and relationship with development to south.

**This issue remains unresolved.**

*6. Waste room should be setback into building envelope.*

The waste room has been incorporated into the basement, resolving this issue.

*7. Ground floor POS to align with site levels and are not affected by COS.*

Ground floor POS (Units 1 & 2) are acceptable with regard to layout and privacy.

*8. Levels, layout, circulation and landscaping of ground floor communal open space area is to be simplified*

Functionality of COS has been addressed and is acceptable.

*9. Excessive glazing and associated impacts to north and east. Introduce solid spandrels to elevations.*

Impact of glazing has been somewhat reduced by incorporation of operable louvers on northern elevation. However, large areas of clear glazing still remain on North, East and Western elevations, which have the potential for privacy and glare impacts. Solid spandrels have not been introduced.

**This issue remains unresolved.**

*10. Any variation to FSR controls is not supported.*

The amended proposal results in an FSR which exceeds the maximum allowed 1.5:1, which is not supported.

*11. Retention of Trees 10 & 11, as identified in Arborist report*

This matter may be addressed as condition of consent, should the application be approved. Notwithstanding, refusal is recommended.

*12. Appropriate selection of materials, variation to be consolidated and informed by windy seaside context*

The proposed materials have been modified and do incorporate masonry and render as recommended by the DRP.

*13. Clarify location of Basement Entry Gate*

Location of gate is clear on plans, allowing access to visitor parking, and is acceptable.

*14. Landscape materials, treatments and species, to complement street tree and provide front garden aspect, and consider solar access throughout COS.*

Use of native species in front setback complements street tree.

Planting is integrated throughout COS, whilst some shading is anticipated this is acceptable. Council's Landscape Architect has reviewed the landscape plan and found it satisfactory.

*15. Sensitively incorporate boosters, substation and other required services.*

The plans do not provide any information regarding the location of boosters, substation and other required services.

**This issue remains outstanding.**

*16. Regarding exhibition of design excellence, above matters need to be resolved.*

**As several matters remain unresolved, based on the criteria established by SEPP 65 and WLEP 2009 as identified by the DRP, the design does not exhibit design excellence.**

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

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.

The Stage –I (Preliminary Site Investigation) report prepared by ‘Geofirst Pty Ltd’ dated 5 June 2020 and submitted with the application stated the was used as dwellings since in 1948 and there is no historical record stated site could be potentially contaminated and concluded the report stating that the site is suitable for proposed development in the event that approval is granted.

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

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

SEPP 65 aims to deliver a better living environment for the residents within residential apartment developments and enhance the streetscapes and neighbourhoods in which these buildings are located.

The development meets the definition of a ‘residential flat building’ as it is more than 3 storeys and comprises more than 4 dwellings. As such, the provisions of SEPP 65 apply. The proposal has been considered by Council’s DRP in accordance with Clause 28 and Schedule 1, as reflected at section 1.4.2 above.

A statement has been prepared by a Registered Architect addressing the requirements of SEPP 65 and was submitted with the application at lodgement accordance with Clauses 50(1A) & 50(1AB) of the Environmental Planning and Environment Regulation 2000. A revised statement was not submitted with the amended plans.

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.

##### ***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.*

An assessment against WDCP 2009 controls indicates the development will create an isolated lot (13 Park St). In addition, the proposal includes several side and rear setback encroachments, privacy impacts and is non-compliant with regard to solar access to the adjoining lot to the south.

The current proposal is not consistent with the desired future character of the area as identified through the development standards and controls applicable to the land.

##### ***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.*

The development is well within the maximum allowable height however it does exceed the maximum FSR permitted for this site.

Whilst the approximate building envelope is largely consistent with that which is to be anticipated given the applicable development standards, the clear impacts of the development (overshadowing, visual impacts etc) can be linked with non-compliances with built form controls & standards, confirming the built form and scale is not acceptable.

### **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.*

Whilst the increased density of dwellings is consistent with the anticipated increase in population for the Wollongong City Centre, the development results in a variation to FSR standards which is not supported.

The development has not anticipated location of additional service requirements (substation, hydrants etc) which may result in poor streetscape outcomes.

### **Principle 4: Sustainability**

*Good design combines positive environmental, social and economic outcomes.*

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

The design meets all building depth and cross ventilation controls.

A Site Waste Management and Minimisation Plan has been provided which is acceptable.

It is noted the proposal does not impact on any heritage items or environmentally sensitive areas.

A BASIX Certificate provided indicating minimum sustainability requirements are met.

### **Principle 5: Landscape**

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

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

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

The proposal provides integrated landscaped areas that will improve the amenity of the occupants and soften the appearance of the development from adjoining properties and the public domain.

Deep soil zones are of inadequate size when assessed against WDCP 2009 controls, indicating landscape treatment could be further improved. It is noted that the ADG requirements are met (requiring lesser area and minimum dimensions). SEPP 65 does not specify deep soil zone requirements as a DCP control that is of no effect under Clause 6A of the SEPP.

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

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

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

The development does not comply with solar access requirements for adjoining residential development. Overshadowing impacts, combined with the visual impact arising from non-compliant setbacks indicates an acceptable level of amenity of adjoining development is not retained.

Amenity for the majority of units with regard to solar access and layout is acceptable, however there are several instances of rooms, labelled as studies, which do not meet minimum dimension or storage requirements for bedrooms or living areas. There is concern these may be used as bedrooms by future occupants, whilst potentially not meeting amenity or storage requirements provided by the ADG.

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

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

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

The proposal is satisfactory with regard to safety and security.

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

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

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

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

The proposal appears to provide a mix of unit sizes and layouts appropriate to the locality.

The provision of study rooms throughout the development confuse the ultimate mix of bedroom numbers and amenity of the affected rooms.

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

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

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

The proposal is considered to be of a high quality with regard to its appearance. A mixture of materials and finishes is provided and the development is suitably articulated.

The DRP commentary called for a simplification of materials, which reflected the existing character of the locale, citing masonry and render. While their advice has been incorporated somewhat, there are large

architectural elements comprising zinc & aluminium cladding in addition to aluminium (timber grain) batten screening.

An assessment of the application against the Apartment Design Guide (ADG) is contained below.

### Apartment Design Guide

Objectives of ADG which include matters of non-compliance are listed below, the full compliance table is listed at attachment 7.

<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<b>Part 3 Siting the development</b>		
<p><b><u>3B Orientation</u></b></p> <p>Buildings must be oriented to maximise northern orientation, response to desired character, promote amenity for the occupant and adjoining properties, retain trees and open spaces and respond to contextual constraints such as overshadowing and noise.</p> <p><u>Objective 3B-1:</u></p> <p><i>Building types and layouts respond to the streetscape and site while optimising solar access within the development</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> <li>- Buildings should define the street by facing it and providing direct access.</li> </ul> <p><u>Objective 3B-2</u></p> <p><i>Overshadowing of neighbouring properties is minimised during mid- winter</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> <li>- Overshadowing should be minimised to the south or down hill by increased upper level setbacks</li> <li>- Refer sections 3D &amp; 4A below for solar access requirements</li> <li>- A minimum of 4 hours of solar access should be retained to solar collectors on neighbouring buildings</li> <li>- 70% of apartments – Living &amp; POS - 2 hours direct sunlight between 9am – 3pm</li> <li>- Where an adjoining property does not currently receive the required hours of solar access, the proposed building ensures solar access to neighbouring</li> </ul>	<p>Building is oriented to take advantage of northern orientation.</p> <p>Street frontage addresses Park Street. Direct Pedestrian Access is provided.</p> <p>OVERSHADOWING OF NEIGHBOURING PROPERTY TO SOUTH (13 Park St):</p> <p>13 Park St contains a four (4) unit townhouse development.</p> <p><u>70% of 4 = 2.8 (3 UNITS)</u></p> <p>3 unit's POS &amp; living areas required to receive 2 hours solar access between 9am – 3pm.</p> <p>Shadow diagrams have been submitted with the application which demonstrate the following:</p> <p><u>Solar Access:</u></p> <p>UNIT 1: Solar access 1pm – 3pm = ~2 hours</p> <p>UNIT 2: 9 – 10am (partial) = less than 1 hour</p> <p>UNIT 3: 9 – 10am = ~1 hour</p> <p>UNIT 4: 9am – 12pm = ~3 hours</p>	<p>Y</p> <p>N</p>

Standards/controls	Comment	Compliance
<p>properties is not reduced by more than 20%</p> <ul style="list-style-type: none"> <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> </ul>	<p>Less than 50% of dwellings receive the minimum solar access.</p> <p>It was noted by the applicant that the affected townhouse development includes awnings which shade the living and POS areas.</p> <p>The occupants of the townhouses have claimed the awnings have been designed to allow winter solar access into the living and POS areas.</p> <p>If it is assumed the affected dwellings do not currently receive the minimum solar access, the development would still result in an excess of 20% reduction in solar access.</p> <p>The development also entails several building separation encroachments on the southern eastern elevation which exacerbates overshadowing impacts.</p> <p>Considering the context of the related non-compliances, variation to this guidance is not supported.</p>	
<p><b><u>3C Public domain interface</u></b></p> <p>Key components to consider when designing the interface include entries, private terraces or balconies, fences and walls, changes in level, services locations and planting.</p> <p>The design of these elements can influence the real or perceived safety and security of residents, opportunities for social interaction and the identity of the development when viewed from the public domain</p> <p><b><u>Objective 3C-1:</u></b></p> <p><i>Transition between private and public domain is achieved without compromising safety and security</i></p> <p><b><u>Design Guidance</u></b></p> <ul style="list-style-type: none"> <li>- Terraces, balconies and courtyards should have direct street entry, where appropriate</li> <li>- Changes in level between private terraces etc above street level provide surveillance and improved visual privacy for ground level dwellings.</li> </ul>	<p>Street entry is available to Unit 1</p> <p>Clear definition has been provided between private and public domain.</p> <p>Surveillance public domain provided from unit balconies &amp; windows.</p>	Y

Standards/controls	Comment	Compliance
<ul style="list-style-type: none"> <li>- Front fences and walls along street frontages should use visually permeable materials and treatments. The height of solid fences or walls should be limited to 1m.</li> <li>- Opportunities should be provided casual interaction between residents and the public domain eg seating at building entries, near letterboxes etc</li> </ul> <p><u>Objective 3C-2:</u> <i>Amenity of the public domain is retained and enhanced</i></p> <p><u>Design Guidance</u></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 alignment or integrated into front fences.</li> <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> <li>- Where development adjoins public parks or open space the design should address this interface.</li> </ul>	<p>Planting is utilised heavily throughout the development.</p> <p>The mailboxes are located adjacent the covered entry control point for easy access as residents enter the building.</p> <p>The garbage room is located within the basement (Level B1).</p> <p>Ground Floor walls are durable finished, predominately concrete with some screening elements above.</p> <p>The basement carpark is located to the South and minimal in appearance so as not to impact on negatively on the public domain. The entry to the carpark will be flanked by boundary planting and concrete balustrades to reduce the visual impact of the opening.</p> <p>No detail has been provided regarding substations hydrants etc</p>	N
<p><b><u>3F Visual privacy</u></b></p>		
<p><u>Objective 3F-1</u> <i>Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual amenity.</i></p> <p><u>Design Criteria:</u></p> <ol style="list-style-type: none"> <li>1. Minimum required separation distances from buildings to the side and rear boundaries are as follows:</li> </ol>	<p>Separation encroachments are proposed the southern and eastern boundaries on levels 5, 6 and 7, see below.</p> <p>Given the solar access and visual impacts of the development, and advice from DRP, variations to building separation guidance is not supported.</p> <p><b><u>Up to 12M (LEVELS 1 – 4)</u></b></p> <p><u>LEVEL 1/G</u></p> <p><u>Habitable:</u></p> <p>North: 6 – 12.5m</p>	Y

Standards/controls	Comment	Compliance												
<table border="1"> <thead> <tr> <th>Building height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr> </thead> <tbody> <tr> <td>up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr> <tr> <td>up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr> <tr> <td>over 25m (9+ storeys)</td><td>12m</td><td>6m</td></tr> </tbody> </table> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> <li>- Apartment buildings should have an increased separation distance of 3m (in addition to the above requirements) when adjacent to a different zone that permits lower density residential development to provide for a transition in scale.</li> <li>- Direct lines of sight should be avoided</li> <li>- No separation is required between blank walls</li> </ul> <p><u>Objective 3F-2:</u></p> <p><i>Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space</i></p> <p><u>Design Guidance</u></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> </ul> </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	over 25m (9+ storeys)	12m	6m	<p>South: 7.9m</p> <p>East/Rear: 6 – 12m</p> <p><u>Non-Habitable:</u></p> <p>North: 6 -9m</p> <p>South: 6.8 – 7.8m</p> <p>East/Rear: 6 – 18m</p> <p><u>LEVEL 2</u></p> <p><u>Habitable:</u></p> <p>North: 6 – 9m</p> <p>South: 8m</p> <p>East/Rear: 8 – 14m</p> <p><u>Non-Habitable:</u></p> <p>North: NA</p> <p>South: 6.8-8m</p> <p>East/Rear: NA</p> <p><u>LEVEL 3</u></p> <p><u>Habitable:</u></p> <p>North: 6 – 9m</p> <p>South: 7.9m</p> <p>East/Rear: 7.8 – 12m</p> <p><u>Non-Habitable:</u></p> <p>North: NA</p> <p>South: 6.9 – 7.9m</p> <p>East/Rear: NA</p> <p><u>LEVEL 4</u></p> <p><u>Habitable:</u></p> <p>North: 9m</p> <p>South: 7.9 – 9m</p> <p>East/Rear: 9 – 13.1m</p> <p><u>Non-Habitable:</u></p>	<p>Y</p> <p>Y</p> <p>Y</p>
Building height	Habitable rooms and balconies	Non-habitable rooms												
up to 12m (4 storeys)	6m	3m												
up to 25m (5-8 storeys)	9m	4.5m												
over 25m (9+ storeys)	12m	6m												

Standards/controls	Comment	Compliance
<ul style="list-style-type: none"> <li>Only on constrained sites where it's demonstrated that building layout opportunities are limited – fixed louvres or screen panels</li> <li>Windows should be offset from the windows of adjoining buildings</li> </ul>	<p>North: 8.2m South: 6.9m East/Rear: NA</p> <p><b><u>Between 12 and 24M (LEVELS 5-8)</u></b></p> <p><b><u>LEVELS 5 - 6</u></b></p> <p><u>Habitable:</u> North: 9m South: <b><u>7.9 (BED 2)</u></b> – 9m East/Rear: <b><u>7.5 (EAST BALCONY)</u></b> – 13.1m</p> <p><u>Non-Habitable:</u> North – 8.2m South – 6.9m East/Rear: NA</p> <p><b><u>LEVEL 7</u></b></p> <p><u>Habitable:</u> North: 9.1m South: 9m (no openings) East/Rear: <b><u>7.5 (EAST BALCONY)</u></b> - 15m</p> <p><u>Non-Habitable:</u> North: 8.2m South: 9 - 9.2m East/Rear: NA</p> <p><b><u>LEVEL 8</u></b></p> <p><u>Habitable:</u> North: 9.9m South: 9.3m (no openings) East/Rear: 9.8 – 15.8m</p> <p><u>Non-Habitable:</u> North: 8.2m South: 9.3 – 10.5m</p>	<p>N</p> <p>N</p> <p>Y</p>

<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
	<p>East/Rear: 9 – 13.3m</p> <p><b><u>Over 25M (LEVEL 8 - PARTIAL)</u></b></p> <p>It is noted part of the level 8 structure (wall, ceiling, batten screening) extends beyond 25m in height, these areas are setback as follows:</p> <p>North: 12.57m</p> <p>South: 9m</p> <p>East/Rear: 12m</p> <p>These areas comply with setback requirements for habitable and non-habitable areas.</p> <p>As this level is not a 9<sup>th</sup> storey and the subject areas over 25m in height comprise only part of the level, these setback requirements should not be extended to the full extent of level 8.</p>	Y
<p><b><u>Objective 3J-3</u></b></p> <p><i>Car park design and access is safe and secure</i></p> <p><b><u>Design Guidance</u></b></p> <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>- Permeable roller doors allow for natural ventilation and improve the safety of car parking areas by enabling passive surveillance.</li> </ul> <p><b><u>Objective 3J-4</u></b></p> <p><i>Visual and environmental impact of underground car parking are minimised</i></p> <p><b><u>Design Guidance</u></b></p> <ul style="list-style-type: none"> <li>- Excavation should be minimised through efficient carpark layouts and ramp design.</li> <li>- Protrusion of car parks should not exceed 1.0m above ground level.</li> </ul>	<p>Supporting facilities adequately located.</p> <p>Lobby is defined.</p> <p>Roller Shutter doors proposed within the basement beyond visitor parking.</p> <p>All parking below street level in basement.</p> <p>Ventilation incorporated into the design.</p> <p>The basement podium protrudes ~1.5m on north western edge of building, largely due to slope of site.</p> <p>This is further discussed at the WDCP 2009 section of this report</p>	<p>Y</p> <p>N</p>



Standards/controls	Comment	Compliance
<ul style="list-style-type: none"> <li>- Natural ventilation should be provided to basement and sub-basement car parking areas.</li> <li>- Ventilation grills or screening devices should be integrated into the façade and landscape design.</li> </ul> <p><u>Objective 3J-5</u></p> <p><i>Visual and environmental impacts of on-grade car parking are minimised</i></p> <ul style="list-style-type: none"> <li>- On grade car parking should be avoided</li> <li>- Design guidelines provided where it's unavoidable</li> </ul> <p><u>Objective 3J-6</u></p> <p><i>Visual and environmental impacts of ground enclosed car parking are minimised</i></p> <ul style="list-style-type: none"> <li>- Exposed parking should not be located along primary street frontages</li> <li>- Positive street address and active street frontages should be provided at ground level.</li> </ul>	<p>Not applicable</p> <p>Not applicable</p>	
<p><b><u>4D Apartment size and layout</u></b></p> <p>Note:</p> <ol style="list-style-type: none"> <li>1. Under Clause 30, apartment size cannot be used as a reason for refusal where the proposal meets the minimum standards</li> <li>2. Also, under the amended SEPP 65 apartment size has become a non-discretionary development standard (in accordance with Cl. 79(C) of the EP&amp;A Act. Therefore, a departure from this is likely to generate referral to LPP, despite not specifically being a "Local Environment Planning" development standard (Charter 3.3)</li> </ol> <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:</li> </ol>	<p>All units meet minimum internal areas</p>	<p>Y</p>



<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<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 activities and privacy levels within the apartments.</li> </ul>	<p>Majority bedroom &amp; living room dimensions comply.</p> <p>Units 2, 3 and 5 contain rooms labelled 'study' which do not meet minimum dimension requirements for living or bedroom areas, the future use is unknown.</p> <p>Whether or not these rooms are proposed to be bedrooms has implications for unit mix, POS, storage and living room dimension requirements.</p> <p>Units 3 &amp; 5 (1 br + study) contain a living rooms which do not satisfy minimum width (2.7m &amp; 3m proposed). The amenity and use of these areas is compromised</p> <p>Units 13 &amp; 14 contain living rooms which don't meet minimum widths, however as these are supplementary to primary living areas, this is acceptable.</p> <p>Crossover/through apartments exceed 4m width</p>	<p>N</p> <p>Y</p>
<p><b><u>4Q Universal design</u></b></p> <p><u>Objective 4Q-1</u></p> <p><i>Universal design features are included in apartment design to promote flexible housing for all community members</i></p> <p><u>Design guidance</u></p>	<p>An adaptable unit layout has been provided on Units 3 &amp; 5 with equitable access provided.</p>	<p>Y</p>

Standards/controls	Comment	Compliance
<p>- A universally designed apartment provides design features such as wider circulation spaces, reinforced bathroom walls and easy to reach and operate fixtures</p> <p>future, should it be required.</p> <p>The seven core design features elements in the silver level they are:</p> <ol style="list-style-type: none"> <li>1 A safe continuous and step free path of travel from the street entrance and / or parking area to a dwelling entrance that is level.</li> <li>2 At least one, level (step-free) entrance into the dwelling.</li> <li>3 Internal doors and corridors that facilitate comfortable and unimpeded movement between spaces.</li> <li>4 A toilet on the ground (or entry) level that provides easy access.</li> <li>5 A bathroom that contains a hobless (step-free) shower recess.</li> <li>6 Reinforced walls around the toilet, shower and bath to support the safe installation of grabrails at a later date</li> <li>7 A continuous handrail on one side of any stairway where there is a rise of more than 1 metre.</li> </ol> <p>-</p> <p><b>Objective 4Q-2</b></p> <p><i>A variety of apartments with adaptable designs are provided</i></p> <p><b>Design guidance</b></p> <p>- Adaptable housing should be provided in accordance with the relevant council policy</p> <p><b>Objective 4Q-3</b></p> <p><i>Apartment layouts are flexible and accommodate a range of lifestyle needs</i></p> <p><b>Design guidance</b></p> <p>- Apartment design incorporates flexible design solutions</p>	<p>No certification from an access consultant has been provided, this is discussed further at the WDCP 2009 section of this report.</p> <p>With exception of units which do not satisfy minimum living room dimensions (see discussion above), layouts are flexible to accommodate a range of lifestyle needs.</p>	<p>N</p> <p>Y</p>

### 2.1.3 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 was submitted in support of the application at lodgement and to support revised plans, demonstrating that the proposed scheme achieves the BASIX targets.

### 2.1.4 STATE ENVIRONMENTAL PLANNING POLICY (COASTAL MANAGEMENT) 2018

#### Division 3 Coastal environment area

#### 13 Development on land within the coastal environment area

The proposal is unlikely to cause an adverse impact on the following:

- (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,

- (b) coastal environmental values and natural coastal processes,
- (c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,
- (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,
- (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,
- (f) Aboriginal cultural heritage, practices and places,
- (g) the use of the surf zone.

The proposal is satisfactory with regard to the following:

- (a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or
- (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

#### **Division 4 Coastal use area**

##### **14 Development on land within the coastal use area**

The proposal is unlikely to cause an adverse or undue impact on the following:

- (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,
- (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,
- (iii) the visual amenity and scenic qualities of the coast, including coastal headlands,
- (iv) Aboriginal cultural heritage, practices and places,
- (v) cultural and built environment heritage, and

The proposal is satisfactory with regard to the following:

- (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or
- (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
- (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and

The proposal has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.

#### **Division 5 General**

##### **15 Development in coastal zone generally—development not to increase risk of coastal hazards**

The proposed development is not likely to cause increased risk of coastal hazards on the site or other land.

## 16 Development in coastal zone generally—coastal management programs to be considered

The applicable coastal management plan does not indicate the site is subject to any coastal hazards or further considerations.

### 2.1.5 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

#### Clause 1.4 Definitions

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

#### **Note.**

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

### **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 R1 General Residential.

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

The objectives of the zone are as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Whilst the development is of a type and general scale of that which is to be anticipated in this zone, the proposal results in unacceptable amenity impacts on surrounding development in addition to several related non-compliances with the ADG, WLEP 2009 and WDCP 2009 controls. The ability to affectively provide for the housing needs of the community is therefore compromised and the development cannot be considered satisfactory with regard to the objectives of the R1 Zone.

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

*Attached dwellings; Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Exhibition homes; Group homes; Hostels; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; **Residential flat buildings**; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Signage; Tank-based aquaculture*

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

#### Clause 2.7 Demolition requires development consent

Development consent has been sought for the demolition of two (2) dwelling houses.

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

#### Clause 4.3 Height of buildings

The proposed maximum building height of approximately 27m does not exceed the maximum 32m permitted for the site.

#### Clause 4.4 Floor space ratio

The maximum allowable floor space ratio (FSR) for this site is 1.5:1 or 1,902m<sup>2</sup> of gross floor area (GFA).

The proposed GFA is 1936.5<sup>2</sup> which equates to 1.527:1.

Several elements contribute to this technical FSR non-compliance

- Two (2) car spaces surplus to Council requirements which add 27.5m<sup>2</sup> of GFA (included by applicant).
- Five (5) internal 'zen gardens' have been provided throughout the building which equate to approximately 28.5m<sup>2</sup> of GFA and do not appear to have been considered in the GFA calculation.

The FSR non-compliance may be addressed with minor amendments to the design. Notwithstanding, the current design does not comply and no variation to the FSR development standard would be supported. The DRP supported this view in their commentary.

A written request seeking to justify the contravention prepared in accordance with Clause 4.6 has not been submitted. It is noted, a request was not formally requested of the applicant, however clarification of correct calculation of GFA was noted in the prelodgement meeting minutes, DRP meeting minutes and additional information request.

#### Clause 4.6 Exceptions to development standards

A written request seeking to justify the contravention of the FSR development standard has not been submitted by the applicant. Therefore, the requirements of this clause have not been met.

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

#### Clause 7.1 Public utility infrastructure

The subject site is serviced by utilities to service the proposal.

Endeavour energy could not confirm whether a pad mount substation would be required to facilitate required service.

#### Clause 7.5 Acid Sulfate Soils

The proposal is identified as being affected by class 5 acid sulfate soils. An acid sulfate soils management plan would be required as a condition of consent. Notwithstanding, refusal is recommended.

#### Clause 7.6 Earthworks

The proposal comprises significant earthworks. 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 7.14 Minimum site width

The site width of 30.48m exceeds the 24m width required for a residential flat building.

#### Clause 7.18 Design excellence in Wollongong city centre and at key sites

*(4) In considering whether development to which this clause applies exhibits design excellence, the consent authority must have regard to the following matters:*

*(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,*

The DRP raised concerns with material choice and detailing.

The proposed mix of materials and articulation in built form are acceptable for the building type and location.

*(b) whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,*

When experienced from the public domain the form and external appearance are of acceptable quality.

*(c) whether the proposed development detrimentally impacts on view corridors,*

The subject site is located within the nominated distant panoramic view corridor identified in Figure 3.12 (Clause 3.10 of Chapter D13 of WDCP 2009), given the allowable building height and FSR for this area, the impacts on the available view corridor are not considered to be unreasonable.

The encroachment of the entry awning into the front setback will affect views through Park Street and should be reduced.

- (d) *whether the proposed development detrimentally overshadows an area shown distinctively coloured and numbered on the Sun Plane Protection Map,*

The development will not overshadow any areas shown on the map.

- (e) *how the proposed development addresses the following matters:*

- (i) *the suitability of the land for development,*
- (ii) *existing and proposed uses and use mix,*
- (iii) *heritage issues and streetscape constraints,*
- (iv) *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,*
- (v) *bulk, massing and modulation of buildings,*
- (vi) *street frontage heights,*
- (vii) *environmental impacts such as sustainable design, overshadowing, wind and reflectivity,*
- (viii) *the achievement of the principles of ecologically sustainable development,*
- (ix) *pedestrian, cycle, vehicular and service access, circulation and requirements,*
- (x) *impact on, and any proposed improvements to, the public domain.*

The land is appropriately zoned for this development and site width, FSR and height controls anticipate a building of this scale. However, there remain design issues which inhibit it from achieving design excellence, namely its impacts upon the adjoining development to the south, potential impacts on the public due to unknown servicing requirements and the encroaching entry awning are also of concern.

These matters are in addition to several unresolved matters raised by the DRP, which include; ground interface and expression of first two levels, northern basement levels and retaining walls, southern setbacks, excessive glazing and sensitive incorporation of services.

For these reasons, the development does not exhibit design excellence.

## **Part 8 Local provisions—Wollongong city centre**

### **Clause 8.1 Objectives for development in Wollongong city centre**

The objectives of this Part and (in so far as it relates to the Wollongong city centre) clause 7.18 are as follows—

- (a) *to promote the economic revitalisation of the Wollongong city centre,*
- (b) *to strengthen the regional position of the Wollongong city centre as a multifunctional and innovative centre that encourages employment and economic growth,*
- (c) *to protect and enhance the vitality, identity and diversity of the Wollongong city centre,*
- (d) *to promote employment, residential, recreational and tourism opportunities within the Wollongong city centre,*
- (e) *to facilitate the development of building design excellence appropriate to a regional city,*
- (f) *to promote housing choice and housing affordability,*



*(g) to encourage responsible management, development and conservation of natural and man-made resources and to ensure that the Wollongong city centre achieves sustainable social, economic and environmental outcomes,*

*(h) to protect and enhance the environmentally sensitive areas and natural and cultural heritage of the Wollongong city centre for the benefit of present and future generations.*

The proposal is generally consistent with the objectives for development in the city centre with regard to promotion of residential opportunities, housing choice and housing affordability. However, changes to the design would be required for the building to exhibit design excellence.

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

NA

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

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

WDCP 2009 Chapters and Variations to development controls are discussed below.

See Attachment 8 – WDCP 2009 Chapters B1 and D13 Compliance Tables.

## **CHAPTER A1 – INTRODUCTION**

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

#### **Chapter B1 Residential Development**

##### **4.13 Fire Brigade Servicing**

*Objective:*

*(a) To ensure that all dwellings can be serviced by fire fighting vehicles.*

*Development Controls:*

*1. All dwellings, particularly dual occupancy and dwellings on battle axe allotment must be located within 60m of a fire hydrant, or the required distance as required by Australian Standard AS2419.1. Provision must be made so that Fire and Rescue NSW vehicles can enter and leave the site in a forward direction where:*

*a) Fire and Rescue NSW cannot park their vehicles within the road reserve due to the distance of hydrants from dwellings and/or restricted vehicular access to hydrants; and*

*b) The site has an access driveway longer than 15m*

#### **COMMENT:**

No detail of location of potential fire brigade booster requirements have been provided.

Considered siting of these services is critical to minimise adverse streetscape impacts.

Variation to this control is not supported.

##### **4.14 Services**

*Objective:*

*(a) To encourage early consideration of servicing requirements, to ensure that all residential development can be appropriately serviced.*

*Development Controls:*

- 1. Applicants shall contact service authorities early in the planning stage to determine their requirements regarding conduits, contributions, layout plans, substations and other relevant details.*
- 2. Consideration shall be given to the siting of any proposed substation during the design stage, to minimise its visual impact on the streetscape. Any required substation must not be located in a prominent position at the front of the property.*

**COMMENT:**

No detail of correspondence with service authorities or location of potential substation requirements have been provided.

Considered siting of these services is critical to minimise adverse streetscape impacts.

Variation to this control is not supported.

## 6.2 Minimum Site Width Requirement

*Objectives:*

- (a) To allow for development of sites, which are of sufficient width to accommodate the required building envelope, car parking and landscaping requirements.*
- (b) To promote the efficient utilisation of land.*
- (c) To encourage amalgamation of allotments to provide for improved design outcomes including greater solar access and amenity.*

*Development Controls:*

- 2. Within the R1 General Residential, R3 Medium Density Residential and R4 High Density Residential zones, development for the purpose of a residential flat building must not result in the creation of an "isolated lot". An "isolated lot" is a lot which is bounded on both sides by properties (or a property and a second street frontage) which comprise existing development other than a single dwelling house and redevelopment of such adjoining properties is unlikely. This includes cases where there is high separation of ownership of dwelling ownership in the adjoining developments. Amalgamation of allotments will be required in the circumstance where an isolated allotment would otherwise be created.*

**COMMENT:**

South:

The neighbouring lot to south, 13 Park Street (Lot 1 DP 1014832 / SP 63234), is 15.24m wide and contains a strata subdivided townhouse development (multi dwelling housing). Adjoining 13 Park St to the south is 15 Park St which contains a recently constructed strata subdivided residential flat building (SP 97803).

As development of 15 Park St contains development other than a dwelling and redevelopment is unlikely, the proposal will result in 13 Park Street becoming an isolated lot.

North:

The neighbouring lot to the north, 7 Park St (Lot 1 DP 780638), is also 15.24m wide, and contains a dwelling. Adjoining 7 Park St to the north is 5 Park St (Lot 16 DP 604914), which contains a residential flat building (single owner). Both 7 and 5 Park St are under the same ownership.

As both lots are under the same ownership the likelihood of redevelopment is not unlikely.

- 3. Council will only allow development which would result in the creation of an "isolated lot", where it is demonstrated that:*

*(a) The “isolated lot” achieves a site width of 24 metres or more and is capable of accommodating the proposed residential flat building, taking into account other relevant development controls.*

**COMMENT:**

13 Park St site width is 15.24 and is incapable of the proposed development or any conceptual residential flat building, without significantly contravening development standards and controls.

*(b) The following planning principles as outlined in the NSW Land and Environment Court judgment in Melissa Grech v Auburn Council[2004] NSWLEC 40 (“Grech Case”) are met:*

*(i) Where a property will be “isolated” by a proposed development and that property cannot satisfy the minimum lot width requirements then negotiations between the owners of the properties should commence at an early stage and prior to the lodgement of the Development Application.*

*(ii) Where no satisfactory result is achieved from the negotiations, the Development Application should include details of the negotiations between the owners of the properties. These details should include offers to the owner of the isolated lot. A reasonable offer for the purposes of determining the Development Application and addressing the planning implications of an “isolated lot”, is to be based at least on one recent independent valuation report and may include other reasonable expenses likely to be incurred by the owner of the “isolated lot” in the sale of that property.*

*(iii) The level of negotiation and any offers made for the “isolated lot” are matters that will be given weight in the consideration of the Development Application. The amount of weight will depend on the level of negotiation, whether any offers are deemed reasonable or unreasonable, any relevant planning requirements and the “matters for consideration” under Section 79C of the Environmental Planning & Assessment Act 1979.*

**COMMENT:**

There is no evidence of any negotiations between the proponent and owner/s of 13 Park Street.

The applicant has provided advice prepared by ‘PDC Lawyers & Planners’ LEF: 20/1226 dated 20 April 2020. A summary of the advice is as follows;

- The townhouse development located on 13 Park St may now constitute an RFB and be subject to the provisions of SEPP 65.
- 13 Park St has reached its development potential and is not approaching the end of its life cycle.
- 13 Park St development and is consistent with R1 Zone Objectives and WDCP 2009 Character Statement, which seeks to provide a variety of housing types and densities.
- Provides example of recent caselaw, considered after the “Grech Case”, related to isolated allotments, in the context of other Council’s isolated lot development controls.
- The opinion of the advice is that 13 Park St is not an isolated lot and the assessment proceed with purposive approach with regard to the caselaw or apply clause 6.2 in a flexible manner, without requiring compliance with the planning principle outlined in the “Grech Case”.

Classification of 13 Park St Development

Regarding the classification of development of 13 Park St, the approved development satisfies the standard instrument definition of ‘multi dwelling housing’ (commonly known as townhouses), not ‘residential flat building’, as follows:

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

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

Each unit in the 13 Park St development has dedicated access at ground level, therefore satisfying the multi dwelling housing development definition.

As to whether SEPP 65 applies, subclause (1) (b) of clause 4 of the SEPP clarifies to what development the SEPP applies, being:

*“(b) the building concerned is at least 3 or more storeys (not including levels below ground level (existing) or levels that are less than 1.2 metres above ground level (existing) that provide for car parking), and*

*(c) the building concerned contains at least 4 or more dwellings.”*

The approved plans for the subject development (DA-1991/116) confirm the design is four (4) x two (2) storey dwellings over a level of basement parking. Stamped plans indicating built form and layout are provided at attachment 9. It is also noted an awning was approved to be constructed at unit 1 under DA-2006/856, which is not shown on these stamped plans.

A review of the approved plans and relevant RLs suggests a relatively small part of the north western corner of basement level for parking protrudes 1.2m or more above the natural ground level, and besides the basement level this area is predominantly occupied by an external courtyard/terrace.

The area of the development which is occupied by the two (2) storey dwelling component does not appear to sit over the basement area of interest and fails to reach three (3) storeys, as defined by the SEPP. Therefore, the SEPP would not be applicable.

#### Commentary on application of Clause 6.2

From the perspective of this Council’s controls, the adjoining land meets the definition of an “isolated lot”, and thus central consideration needs to be given to the terms of cl 6.2 in determining whether the proposed development can still proceed.

Cl 6.2 dictates that negotiation is required with the owners of 13 Park St, the outcome of negotiations add weight to an argument as to whether the proposal can proceed.

In considering the flexibility in which Cl 6.2 may be applied, the objectives need to be considered, which read as follows:

*(a) To allow for development of sites, which are of sufficient width to accommodate the required building envelope, car parking and landscaping requirements.*

*(b) To promote the efficient utilisation of land.*

*(c) To encourage amalgamation of allotments to provide for improved design outcomes including greater solar access and amenity.*

The development site width would seem to inherently achieve objectives (a) and (b).

Regarding (c) the objective of amalgamation is to provide for improved design outcomes including greater solar access and amenity. The development proposes several variations to setback/separation and solar access controls, resulting in a design outcome with clear amenity and overshadowing impacts. Thereby not achieving the objectives of the clause, therefore a variation would not be supported.

Furthermore, if the premise is accepted that 13 Park St has reached its full development potential and is not near end of life cycle, the significance of solar and amenity impacts is further exacerbated.

Objective (c) would need to be fully satisfied in order to consider a variation (or flexible approach) to the application of Cl 6.2.

Given that the opinion of the applicant’s legal opinion is that the development will not create an isolated lot, there have been no negotiations with the owners of 13 Park Street to purchase the site in an effort to amalgamate the subject site and the adjoining property. This does not address the planning principle for isolated lots as outlined in the Grech case.

## **Chapter D13 – Wollongong City Centre**

### **2.2 Building to street alignment and street setbacks**

#### *Objectives*

- a) To provide a hierarchy of street edges from commercial core with no street setbacks to residential locations with landscaped setbacks.*
- b) To establish the desired spatial proportions of the street and define the street edge.*
- c) To increase a clear transition between public and private space.*
- d) To locate active uses, such as shopfronts, closer to pedestrian activity areas.*
- e) To assist in achieving visual privacy to apartments from the street.*
- f) To create good quality entry spaces to lobbies, foyers or individual dwelling entrances.*
- g) To allow an outlook to, and surveillance of, the street.*
- h) To allow for street landscape character, where appropriate.*
- i) To maintain shared views to the ocean.*
- j) To maintain sun access to the public domain*

#### *Development Control*

- a) General Residential - 4m minimum setback.*
- d) Minor projections into front building lines and setbacks for sun shading devices, entry awnings and cornices are permissible (see also Building Exteriors at 3.7)*

#### **COMMENT:**

Front building line achieves minimum setback of 4m to the façade of the building.

Feature entry awning projects 2.2m into front setback up to three (3) storey height. A projection of this height and scale impedes solar access & views down Park Street. A relatively minor reduction or redesign to reduce the visual impact is required.

### **2.7 Deep soil zone**

#### *Objectives*

- a) To provide an area on sites that enables soft landscaping and deep soil planting, permitting the retention and/or planting of trees that will grow to a large or medium size.*
- b) To limit building bulk on a site and improve the amenity of developments, allowing for good daylight access, ventilation, and improved visual privacy.*
- c) To provide passive and active recreational opportunities.*

#### *Development Controls*

- b) The deep soil zone shall comprise no less than 15% of the total site area preferably provided in one continuous block and shall have a minimum dimension (width or length) of 6 metres.*

#### **COMMENT:**

$1268\text{m}^2 \times 0.15 = 190\text{m}^2$  DSZ is required.

75m<sup>2</sup> or 5.9% with a minimum dimension of 6m is proposed.

If 6m dense planting was provided across the whole rear of the lot this would result in 210m<sup>2</sup> of DSZ. The area within this 6m not currently DSZ is occupied by turf, paving and integrated into COS.

Dense planting is provided throughout the site providing adequate in density of medium and large trees in addition to recreational opportunities though integration with COS.

It is noted the DSZ complies with ADG requirements and Council's Landscape Architect has reviewed the landscape plan and found it to be satisfactory.

This variation is acceptable.

### 3.6 Vehicular footpath crossings

#### *Objectives*

- a) To make vehicle access to buildings more compatible with pedestrian movements and the public domain.*
- b) To ensure vehicle entry points are integrated into building design and contribute to high quality architecture.*

#### *Development Control*

- (a) Wherever practicable, vehicle access is to be a single lane crossing with a maximum width of 2.7 metres over the footpath, and perpendicular to the kerb alignment. In exceptional circumstances, a double lane crossing with a maximum width of 5.4 metres may be permitted for safety reasons.*

#### **COMMENT:**

A 6m vehicle crossing is proposed, this is to be reduced to 5.4m to reduce visual dominance of driveway and improve compatibility with pedestrian movements through the road reserve.

### 6.2 Housing choice and mix

#### *Objectives*

- a) Ensure that residential development provides a mix of dwelling types and sizes to cater for a range of household types.*
- b) Ensure that dwelling layout is sufficiently flexible for residents' changing needs over time.*
- c) Ensure a sufficient proportion of dwellings include accessible layouts and universally designed features to accommodate changing requirements of residents.*
- d) Ensure the provision of housing that will, in its adaptable features, meet the access and mobility needs of any occupant.*

#### *Development Control*

- d) For residential apartment buildings and multi-unit housing, 10% of all dwellings (or at least one dwelling) must be designed to be capable of adaptation for disabled or elderly residents. Dwellings must be designed in accordance with the Australian Adaptable Housing Standard (AS 4299-1995), which includes "pre-adaptation" design details to ensure visitability is achieved.*

...

- f) The development application must be accompanied by certification from an accredited Access Consultant confirming that the adaptable dwellings are capable of being modified, when required by the occupant, to comply with the Australian Adaptable Housing Standard (AS 4299-1995).*

#### **COMMENT:**

No Access Report has been submitted. Certification is required from an accredited access consultant confirming adaptable dwellings are capable of being modified, when required by the occupant. Certification would need to be provided to satisfy this control.

## 6.6 Basement Carparks

### *Objective*

*a) Integrate the siting, scale and design of basement parking into the site and building design.*

### *Development Control*

*b) The roof of any basement podium, measured to the top of any solid wall located on the podium, must not be greater than 1.2m above natural or finished ground level, when measured at any point on the outside walls of the building. On sloping sites, a change in level in the basement must be provided to achieve this maximum 1.2m height.*

*Generally variation to this 1.2m height will not be supported however Council recognises that there may be occasions where this standard cannot be achieved. Should such a circumstance arise, the additional portion of the basement podium above 1.2m height must be included in the total gross floor area calculation for the development.*

### **COMMENT:**

Podium appears to extend greater than 1.2m north west corner, potentially up to 1.7m. This is largely due to the slope of the site.

This variation may result in an area of up to 20 – 30m<sup>2</sup> of additional GFA, which would theoretically exacerbate an already non-compliant FSR. However it is noted the WLEP 2009 GFA definition takes precedence over this control. Whilst this WDCP 2009 variation may not technically add to the GFA of the development, the adverse impact of such a design element is reiterated throughout the development controls.

This variation is not supported.

## **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 B1 – RESIDENTIAL DEVELOPMENT**

See Attachment 8 – WDCP 2009 Chapter B1 Compliance Table. Non-compliances and Variations are discussed above at Chapter A1.

## **CHAPTER D1 – CHARACTER STATEMENTS**

### Wollongong City Centre

The character statement anticipates increased opportunities for higher density housing in Wollongong,

Whilst there are outstanding issues to resolve with this particular development, the proposal is of general type and scale which is generally consistent with the desired future character for the locality.

## **CHAPTER D13 – WOLLONGONG CITY CENTRE**

See Attachment 8 – WDCP 2009 Chapter D13 Compliance Table. Non-compliances and Variations are discussed above at Chapter A1.

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

### 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.

The recommendations of the study were incorrect and required additional information be requested. This matter has been addressed.

The traffic impact of the proposal has been reviewed by Council's Traffic Officer who has not raised any further concerns subject to conditions of consent.

### 7 Parking demand and servicing requirements

#### Resident

<70 (.75 space) = 0

70-110 (1 space) x 2 = 2

>110 (1.25 space) x 12 = 15

**Total = 17 spaces**

#### Visitor

0.2 x 14 = **2.8 (3) spaces**

#### Total

**19.8 (20) spaces**

1 x motorcycle

6 x bicycle (4.5 resident 1 visitor)

#### Provided

**19 x resident spaces (2 x accessible)**

**3 x Visitor Spaces**

**7 x Bicycle area provided (5 x res. & 2 x vis.)**

**1 x Motorcycle**

Adequate vehicular parking, motor bike and bicycle parking proposed. No concerns were raised from Traffic Engineer.

Two (2) additional spaces have been provided which contribute to the overall GFA of the development.

Appropriate resident bicycle arrangements proposed.

### 8 Vehicular access

Driveway grades and sight distances comply.

### 9 Loading / unloading facilities and service vehicle manoeuvring

Council's Traffic Engineer has reviewed the proposal and found it satisfactory with regard to maneuvering.

Waste servicing will occur from the kerb.

### 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.

#### **CHAPTER E6: LANDSCAPING**

Landscape concept plan prepared by 'Site Design + Studios' submitted with application and satisfies controls of Chapter E6.

Council's Landscape Architect has assessed the plan and found it satisfactory.

#### **CHAPTER E7: WASTE MANAGEMENT**

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

The proposal involves demolition of two (2) dwelling houses and a demolition plan has accordingly been provided.

Suitable waste storage and servicing arrangements have been provided as follows:

- Basement waste storage.
- Kerbside pickup acceptable based on not exceeding maximum occupation of frontage.

Council's Traffic Engineer has assessed the proposal and found it satisfactory.

#### **CHAPTER E14 STORMWATER MANAGEMENT**

A stormwater management plans prepared by 'ATB Consulting Engineers' was submitted with the application and is acceptable with regard to the controls of Chapter E14.

Council's Stormwater Engineer has assessed the plan and found it satisfactory.

#### **CHAPTER E17 PRESERVATION AND MANAGEMENT OF TREES AND VEGETATION**

Several trees are proposed to be removed. An Arboricultural report prepared by 'Allied Tree Consultancy' was submitted in support of the proposal.

It is noted the DRP requested additional tree retention, see section 1.4.2 for discussion.

Council's Landscape Architect assessed the proposal and found it satisfactory.

#### **CHAPTER E19 EARTHWORKS (LAND RESHAPING WORKS)**

Significant earthworks are required to enable the development.

Council's Geotechnical Engineer has assessed the proposal and found it satisfactory in this respect.

#### **CHAPTER E21 DEMOLITION AND HAZARDOUS BUILDING MATERIALS MANAGEMENT**

Two (2) dwelling houses are proposed to be demolished as part of the proposal. If the application were to be approved, standard conditions of consent regarding demolition and asbestos management would apply. Notwithstanding, refusal is recommended.

#### **CHAPTER E22 SOIL EROSION AND SEDIMENT CONTROL**

A soil erosion and sediment control plan was submitted with the proposal.

#### **2.3.2 WOLLONGONG CITY WIDE DEVELOPMENT CONTRIBUTIONS PLAN 2019**

As refusal is recommended, no development levy is applicable.

#### **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?

Any potential demolition impacts would be managed via condition of consent. Notwithstanding, refusal is recommended.

## **2.6 SECTION 4.15(1)(B) THE LIKELY IMPACTS OF DEVELOPMENT**

<u>Context and Setting:</u> The proposed land use and overall building envelope is permitted at this site, however the clear linkages with local amenity impacts the proposed departures from ADG Design criteria & guidance, WLEP 2009 standards and WDCP 2009 controls indicate the development is not suitable for the context of the site.
<u>Access, Transport and Traffic:</u> No significant impacts with regard to access, transport and traffic are anticipated.
<u>Public Domain:</u> Excessively wide driveway and encroaching entry awning will have adverse impact on public domain experience.
<u>Utilities:</u> Further information is required with regard to potential augmenting of services, and resultant streetscape impacts.
<u>Heritage:</u> No heritage items will be impacted by the proposal.
<u>Other land resources:</u> The proposal is not envisaged to impact upon any valuable land resources.
<u>Water:</u> Further information is required with regard to potential augmenting of services, and resultant streetscape impacts.
<u>Soils:</u> There are no contamination concerns and any acid sulfate soils may be adequately managed.
<u>Air and Microclimate:</u> The proposal is not expected to have any negative impact on air or microclimate.
<u>Flora and Fauna:</u> Proposed vegetation removal has been supported by appropriate reporting, there are no issues in this regard.
<u>Waste:</u> Proposed waste management is acceptable.

<u>Energy:</u>
Further information is required with regard to potential augmenting of services, and resultant streetscape impacts.
<u>Noise and vibration:</u>
The development is not envisaged to have adverse noise or vibration impacts.
<u>Natural hazards:</u>
There are no natural hazards affecting the site that would prevent the proposal.
<u>Technological hazards:</u>
There are no technological hazards affecting the site that would prevent the proposal.
<u>Safety, Security and Crime Prevention:</u>
This development does not result in any opportunities for criminal or antisocial behaviour.
<u>Social Impact:</u>
The development does not result in any adverse social impacts
<u>Economic Impact:</u>
The proposal is not expected to create any negative economic impact.
<u>Site Design and Internal Design:</u>
The proposal entails several departures from ADG Design criteria & guidance, WLEP 2009 standards and WDCP 2009 controls, indicating that it will have unacceptable impacts with regard to site & internal design.
<u>Construction:</u>
Should the development be approved, standard construction management conditions would be imposed. Notwithstanding, refusal is recommended.
<u>Cumulative Impacts:</u>
<p>Whilst some of the non-compliances with ADG Design criteria &amp; guidance, WLEP 2009 standards and WDCP 2009 controls may be technical in nature, there are clear links between compliance and impacts on the surrounding residents and the public domain.</p> <p>The cumulative impacts result in clear amenity impacts that would set an undesirable precedent for similar development.</p>

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

There are several outstanding concerns with the proposal indicating the site is not be suitable for the development in its current form.

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

See section 1.3 of this report.

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

With reference to the non-compliances discussed in this report, the application is not considered appropriate with consideration to the zoning and the character of the area and is therefore not considered to be in the public interest.

### 3 CONCLUSION

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This application has been assessed as unsatisfactory having regard to the Heads of Consideration under Section S4.15(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.

The proposal involves a departure to the floor space ratio, variations to setbacks under the Apartment Design Guide and Wollongong DCP 2009 which are not supported. These issues also contribute to adverse impacts on the adjoining properties, particularly 13 Park Street to the south. These impacts have been considered in context that the development creates an isolated lot at 13 Park Street. The creation of the isolated lot has not been adequately addressed having regard to the planning principle outlined in the NSW Land and Environment Court judgment in *Melissa Grech v Auburn Council*[2004] NSWLEC 40.

The submissions have been considered in the assessment of the application as discussed in part 1.3 of the report.

### 4 RECOMMENDATION

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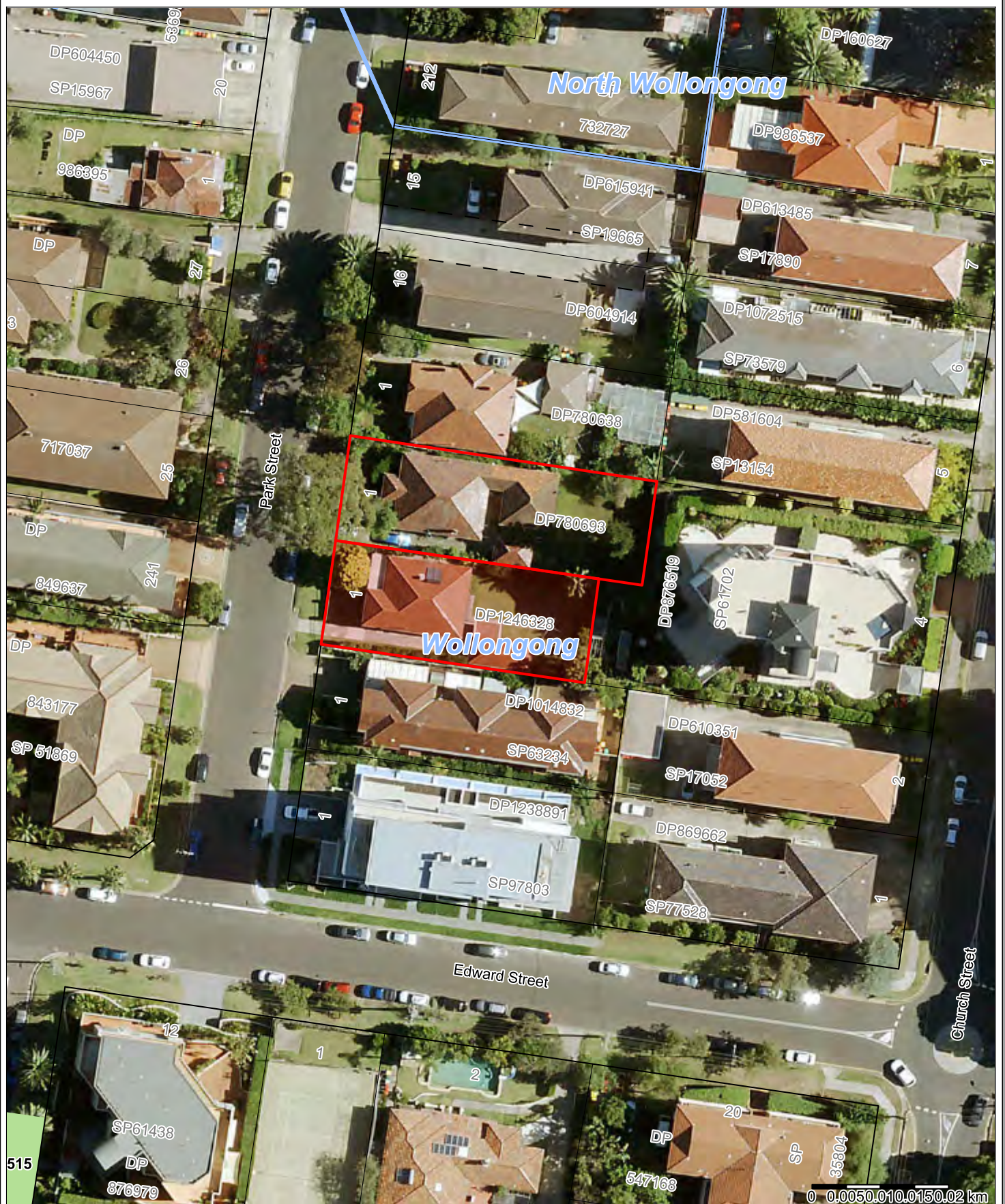
It is recommended that the development application be approved refused for the reason listed at Attachment 10.

### 5 ATTACHMENTS

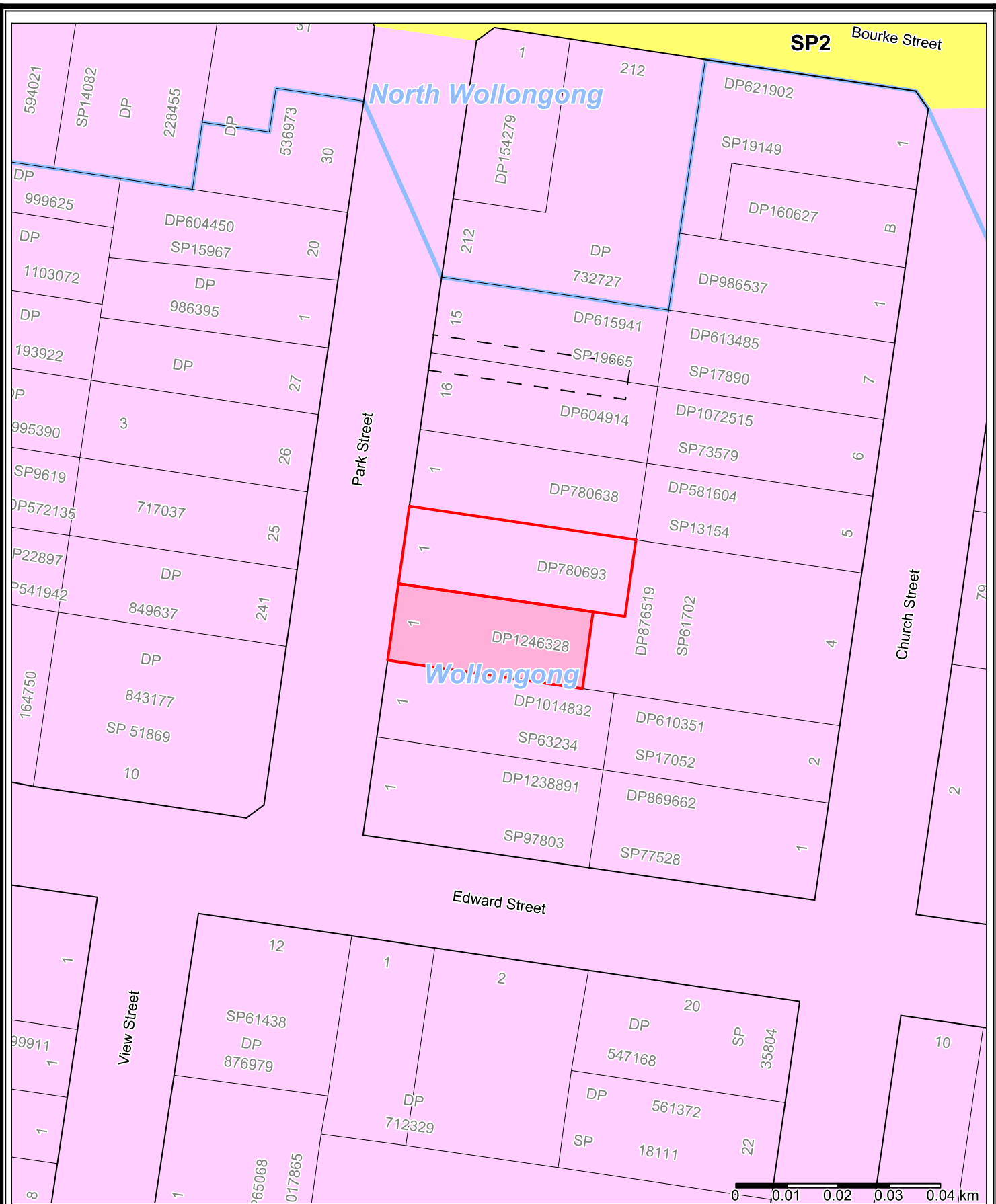
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- 1 Aerial photograph
- 2 WLEP 2009 zoning map
- 3 Plans
- 4 Shadow Diagrams
- 5 Legal Advice (PDC Lawyers & Planners)
- 6 Design Review Panel minutes - 22 January 2020
- 7 Apartment Design Guide Assessment – Compliance Tables
- 8 Wollongong DCP 2009 Assessment – Compliance Tables
- 9 Stamped Plans – DA-1991/116 – 13 Park St
- 10 Draft Reasons for refusalw









## Wollongong LEP 2009 Land Use Zone Map



### FOR INTERNAL USE ONLY

Printed: 19/08/2020

Printed By: Martin Jameson

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Drawing List					
Sheet Number	Current Revision	Sheet Name	Rev . By	Revision Date	Approved
DA-00	E	TITLE SHEET	DC	07.07.2020	PR
DA-01	D	SURVEY DEMOLITION PLAN	DC	23.06.2020	PR
DA-02	D	SITE ANALYSIS	DC	23.06.2020	PR
DA-03	D	SITE PLAN	DC	23.06.2020	PR
DA-04	D	BASEMENT B2	DC	23.06.2020	PR
DA-05	D	BASEMENT B1	DC	23.06.2020	PR
DA-06	E	LEVEL 1 FLOOR PLAN	DC	07.07.2020	PR
DA-07	D	LEVEL 2 FLOOR PLAN	DC	23.06.2020	PR
DA-08	D	LEVEL 3 FLOOR PLAN	DC	23.06.2020	PR
DA-09	D	LEVEL 4-6 FLOOR PLAN	DC	23.06.2020	PR
DA-10	D	LEVEL 7 FLOOR PLAN	DC	23.06.2020	PR
DA-11	D	LEVEL 8 FLOOR PLAN	DC	23.06.2020	PR
DA-12	D	ELEVATIONS	DC	23.06.2020	PR
DA-13	D	ELEVATIONS	DC	23.06.2020	PR
DA-14	D	SECTION	DC	23.06.2020	PR
DA-16	D	STREET CONTEXT SECTION	DC	23.06.2020	PR
DA-17	D	3D PERSPECTIVES	DC	23.06.2020	PR
DA-18	D	3D PERSPECTIVES	DC	23.06.2020	PR
DA-19	E	SHADOW DIAGRAMS- WINTER SOLSTICE	DC	23.06.2020	PR
DA-20	F	SHADOW DIAGRAMS- WINTER SOLSTICE	DC	23.06.2020	PR
DA-21	F	SHADOW DIAGRAMS- SUMMER SOLSTICE	DC	23.06.2020	PR
DA-22	F	SHADOWS TO 13 PARK STREET	DC	23.06.2020	PR
DA-25	D	AERIAL 3D PERSPECTIVES	DC	23.06.2020	PR
DA-26	C	PERSPECTIVES	DC	23.06.2020	PR
DA-27	D	FSR. CALCULATION	DC	07.07.2020	PR

Thermal Comfort Specifications	
Glazing Doors/windows	<u>Aluminium framed, single clear glazing</u>  A – awning windows + hinged glazed doors U-Value: 6.7 (equal to or lower than) SHGC: 0.57(±10%)  B – sliding doors/windows + fixed glazing + louvres windows U-Value: 6.7 (equal to or lower than) SHGC: 0.70 (±10%)  <u>Aluminium framed, performance glazing to units 06, 07, 09, 11, 13 and 15.</u> U-Value: 4.50 (equal to or lower than) SHGC: 0.50 (±10%) Given values are AFRC, total window system values (glass and frame)
Roof	Concrete roof – no insulation required External colour <u>Medium colour (0.475&lt;SA&lt;0.7)</u>
Ceiling	Plasterboard ceiling R3.5 insulation (insulation only value) - excluding Garage <u>Note: All ceiling penetrations have been modelled in accordance with NatHERS protocols, all downlights are assume non-ventilated LED down lights IC abutted and covered.</u>
External wall	External walls: Brick veneer with a minimum R2.0 insulation (insulation only value) Lightweight cladding with a minimum R2.5 insulation (insulation only value) to unit 15 only Colour backed spandrel with a minimum R2.0 insulation (insulation only value) External colour Default colour modelled
Inter tenancy walls	Hebel power panels to walls between neighbours – no insulation required. Concrete to walls facing fire stairs and lift shafts – no insulation required Hebel power panels to walls facing hallways and lobbies– min. R1.2 required (insulation only value)
Walls with-in dwellings	Plasterboard on studs – no insulation required
Floors	Concrete between levels – no insulation required Suspended concrete with min R1.2 insulation to units above carpark or with open subfloor below
Floor coverings	Carpet to bedrooms and tiles elsewhere
BASIX Water Commitments	
Alternative Water	Retewater tank with a minimum capacity of 5,000L, harvested from min. 100m² roof area and connected to at least one outdoor tap for irrigation of common landscaping.
Common Pool	Outdoor pool with a maximum volume of 31kL
BASIX Energy Commitments	
Hot Water System	Individual 6-stars gas instantaneous system to all units
Common Pool	Heating system: solar (gas boosted) Pump controlled by timer.
Alternative Energy	Photovoltaic system with a minimum output of 7kW

PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

TITLE SHEET

9-11 PARK STREET  
PROPOSED APARTMENT BUILDING



Site Information

9-11 Park Street, Wollongong  
Lot 1, DP 780693 &  
Lot 1, DP 1246328

Zone R1  
Site Area- 1268m  
1.5 FSR (Compliant)  
32m height limit (Compliant)

Max GFA 1902m²

Floor Areas

L1: 303.9m²  
L2: 229.9m²  
L3: 229.9m²  
L4-6: 763.5m² (254.5m² x3)  
L7: 235.7m²  
L8: 111m²  
Total :1873.9m²

+2 Excess Car Parking Spaces (27.5m²)

Total :1901.4m²  
(2 excess car parking spaces included)

UNIT FLOOR AREA:

UNIT 1 : 131.3m²  
UNIT 2 : 143.5m²  
UNIT 3 : 83.2m²(adaptable)  
UNIT 4 : 131.3m²  
UNIT 5 : 83.2m²(adaptable)  
UNIT 6 : 131.3m²  
UNIT 7 : 120m²  
UNIT 8 : 120m²  
UNIT 9 : 120m²  
UNIT 10 : 120m²  
UNIT 11 : 120m²  
UNIT 12 : 120m²  
UNIT 13 : 161.4m² (110m² + 51.4m²)  
UNIT 14 : 159.5m² (110m² + 49.5m²)

Communal Open Space, Landscape Area & Deep  
Soil Zone - REFER TO LANDSCAPE PLAN

Refer to Traffic report & Landscape plan

NOTE:  
GENERAL AMENDMENT ACCORDING  
TO DRP REQUIREMENTS.

MORETTI CONSTRUCTION18-60

DA-00 -E



7/07/2020 1:17:26 PM



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SP73579  
NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

AMENDMENTS			
No.	Revision Description	Date	BY:
A	DA SUBMISSION	2019.11	SH
B	DA REVISION TO DRP	05.05.2020	DC
C	GENERAL DRP CLIENT CHANGES	09.06.2020	DC
D	BASEMENT PARKINGS & FSR CALCULATION	23.06.2020	DC



PARK STREET  
STREET

DP12463

WEATHERBOARD  
COTTAGE TO BE  
DEMOLISHED

DP780693  
678m<sup>2</sup>  
Available

TREES TO BE  
REMOVED AS PER  
ARBOIST REPORT  
FROM ALLIED TREES

SHED TO BE  
DEMOLISHED

CONCRETE DRIVEWAYS AND  
PATHS TO BE DEMOLISHED

BRICK COTTAGE TO BE  
DEMOLISHED

DP1246328  
590m<sup>2</sup>

SHED TO BE  
DEMOLISHED

CONCRETE DRIVEWAYS AND  
PATHS TO BE DEMOLISHED

SP61702

Wall  
Boundary

130.33

**NOTE:**  
GENERAL AMENDMENT ACCORDING  
TO DRP REQUIREMENTS.

1 0.5 0 1 4  
1:50 @ A1 1:100 @ A3



PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

SURVEY DEMOLITION PLAN

MORETTI CONSTRUCTION 18-60

DA-01 -D







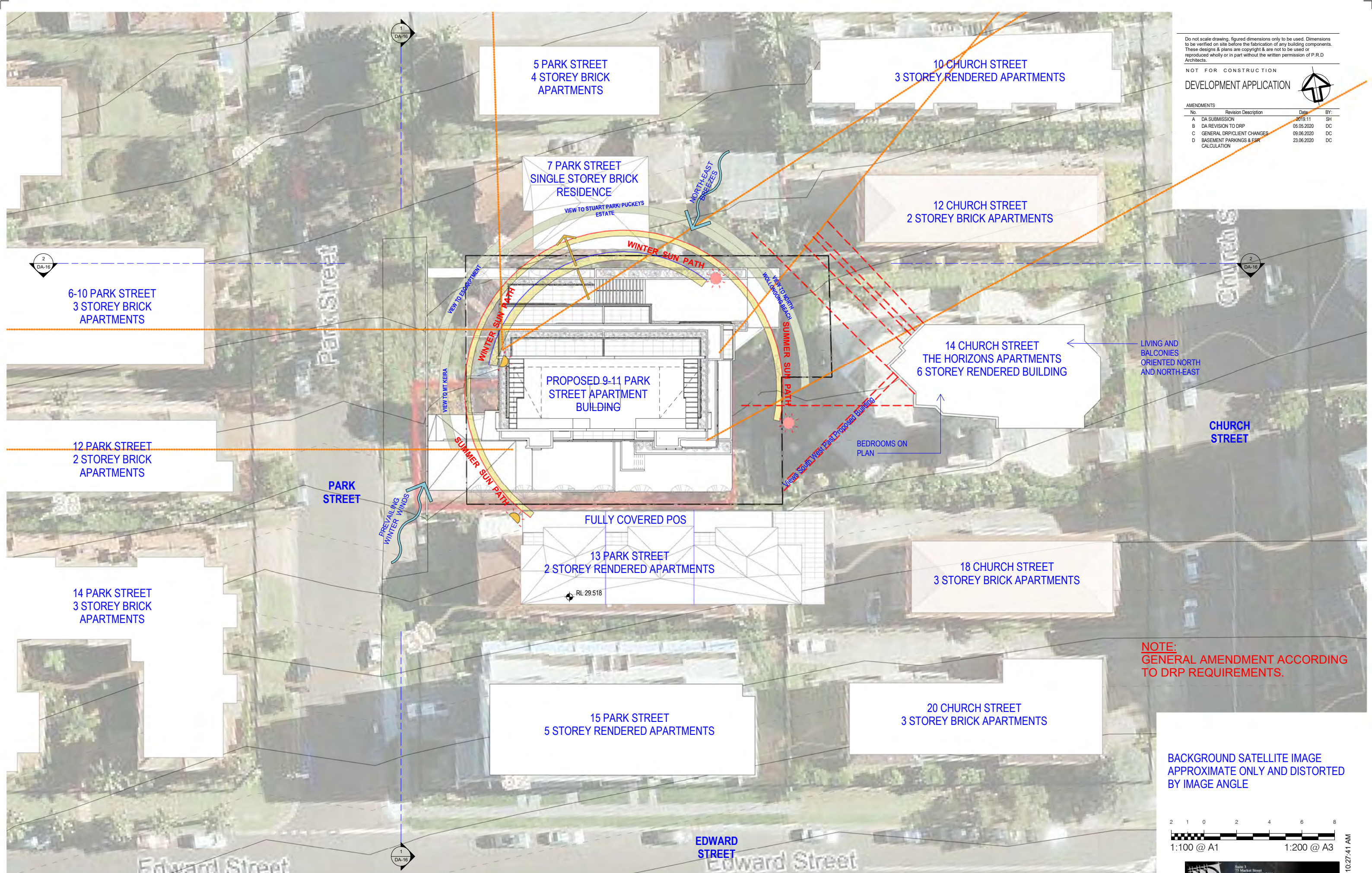
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DEVELOPMENT APPLICATION

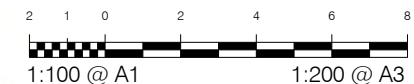


AMENDMENTS			
No.	Revision Description	Date	BY:
A	DA SUBMISSION	2019.11	SH
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D	BASEMENT PARKINGS & FSR CALCULATION	23.06.2020	DC



**NOTE:**  
GENERAL AMENDMENT ACCORDING  
TO DRP REQUIREMENTS.

BACKGROUND SATELLITE IMAGE  
APPROXIMATE ONLY AND DISTORTED  
BY IMAGE ANGLE



PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

SITE ANALYSIS

MORETTI CONSTRUCTION18-60

DA-02 -D

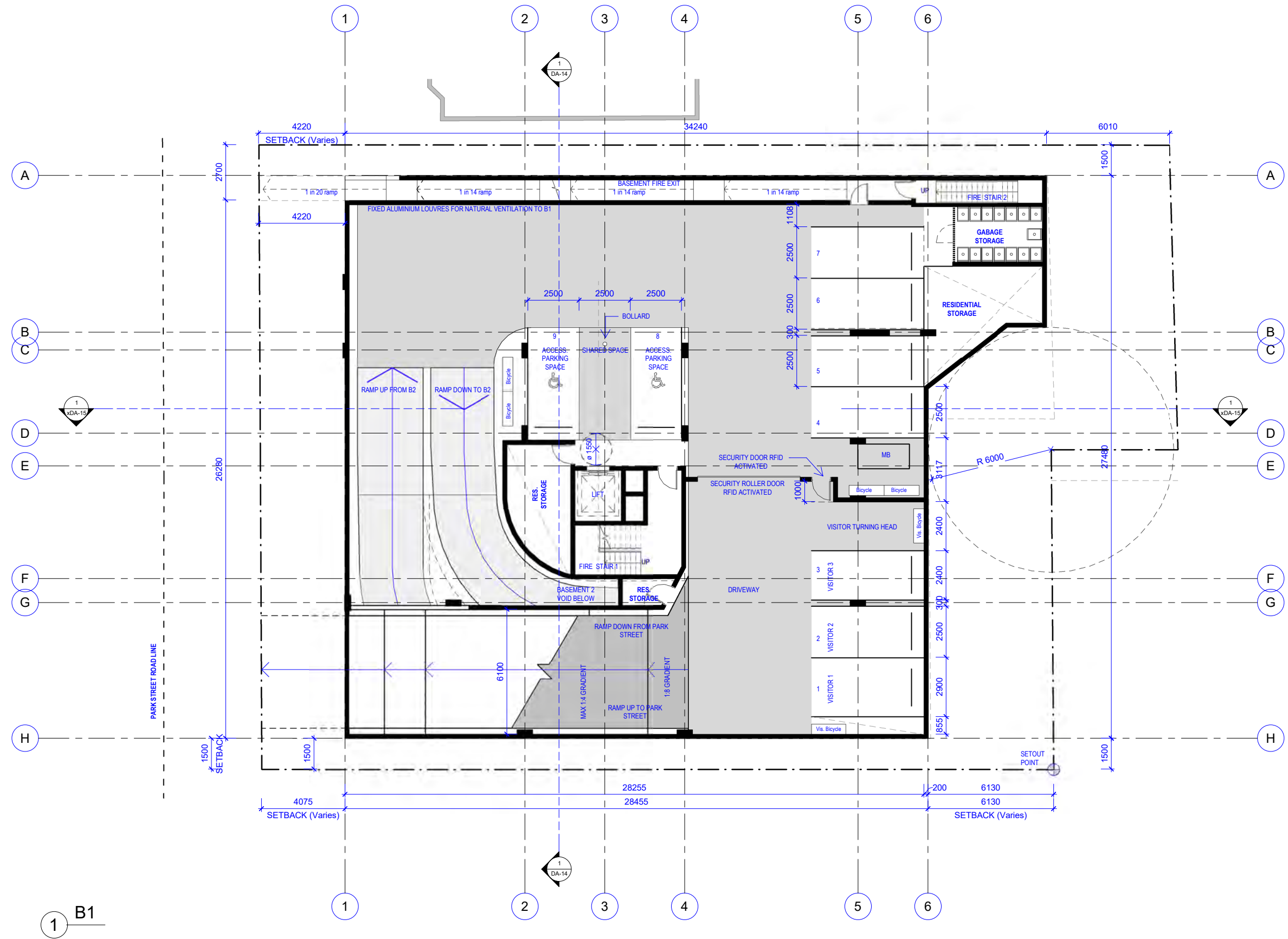
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AMENDMENTS			
No.	Revision Description	Date	BY:
A	DA SUBMISSION	2019.11	SH
B	DA REVISION TO DRP	05.05.2020	DC
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#### CAR PARK INFORMATION

##### Basement 1

Resident Car Spaces =9  
(including 2 access parkings)  
Resident Motorbike =1  
Resident Bicycles =4  
Visitors Bicycles =2

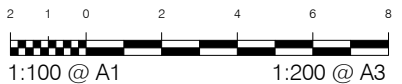
##### Basement 2

Resident Car Spaces =13 (including 2 excess parkings)  
Resident Bicycles =1

**Total parking spaces 22** (including 2 excess parkings)  
**Total Bicycles 7** (including 2 visitor bicycles)  
**Total Motorbike 1**

**Note: See Traffic Report**

**NOTE:**  
GENERAL AMENDMENT ACCORDING  
TO DRP REQUIREMENTS.



## PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

## BASEMENT B1

MORETTI CONSTRUCTION18-60

DA-05 -D





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DEVELOPMENT APPLICATION



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B	DA REVISION TO DRP	05.05.2020	DC
C	GENERAL DRP/CIL CHANGES	09.06.2020	DC
D	BASEMENT PARKINGS & FSR CALCULATION	23.06.2020	DC
E	SITE INFORMATION UPDATED	07.07.2020	DC

#### Site Information

9-11 Park Street, Wollongong  
Lot 1, DP 780693 &  
Lot 1, DP 1246328

Zone R1  
Site Area- 1268m  
1.5 FSR (Compliant)  
32m height limit (Compliant)

Max GFA 1902m<sup>2</sup>

#### Floor Areas

L1: 303.9m<sup>2</sup>  
L2: 229.9m<sup>2</sup>  
L3: 229.9m<sup>2</sup>  
L4-6: 763.5m<sup>2</sup> (254.5m<sup>2</sup> x3)  
L7: 235.7m<sup>2</sup>  
L8: 111m<sup>2</sup>  
Total :1873.9m<sup>2</sup>

+2 Excess Car Parking Spaces(27.5m<sup>2</sup>)

Total :1901.4m<sup>2</sup>  
(2 excess car parking spaces included)

#### UNIT FLOOR AREA:

UNIT 1 : 131.3m<sup>2</sup>  
UNIT 2 : 143.5m<sup>2</sup>  
UNIT 3 : 83.2m<sup>2</sup>(adaptable)  
UNIT 4 : 131.3m<sup>2</sup>  
UNIT 5 : 83.2m<sup>2</sup>(adaptable)  
UNIT 6 : 131.3m<sup>2</sup>  
UNIT 7 : 120m<sup>2</sup>  
UNIT 8 : 120m<sup>2</sup>  
UNIT 9 : 120m<sup>2</sup>  
UNIT 10 : 120m<sup>2</sup>  
UNIT 11 : 120m<sup>2</sup>  
UNIT 12 : 120m<sup>2</sup>  
UNIT 13 : 161.4m<sup>2</sup> (110m<sup>2</sup> + 51.4m<sup>2</sup>)  
UNIT 14 : 159.5m<sup>2</sup> (110m<sup>2</sup> + 49.5m<sup>2</sup>)

Communal Open Space, Landscape Area & Deep Soil Zone - REFER TO LANDSCAPE PLAN

Refer to Traffic report & Landscape plan

NOTE:  
GENERAL AMENDMENT ACCORDING  
TO DRP REQUIREMENTS.

2 1 0 2 4 6 8  
1:100 @ A1 1:200 @ A3

## PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

## LEVEL 1 FLOOR PLAN

MORETTI CONSTRUCTION18-60

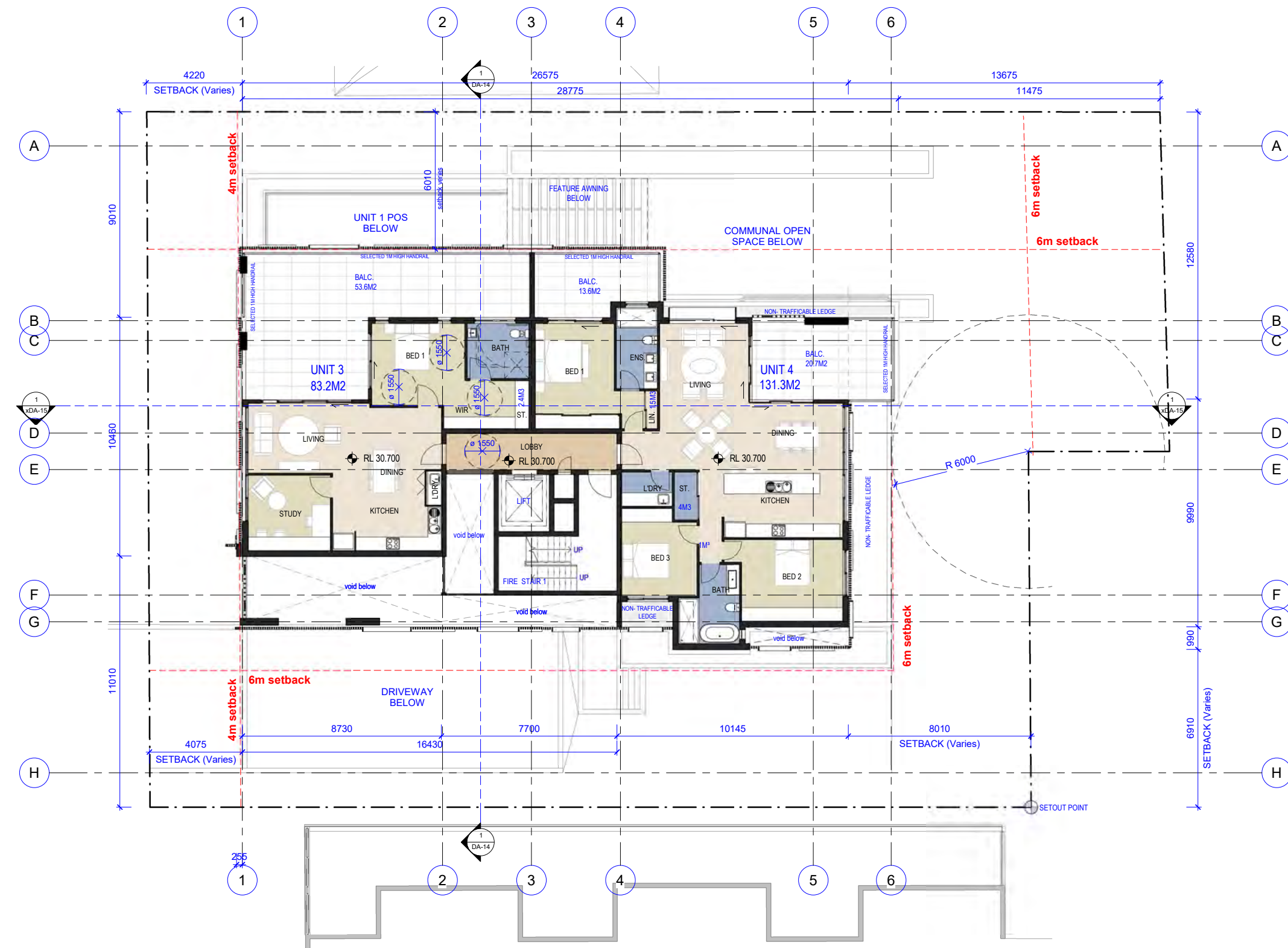
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No.	Revision Description	Date	BY:
A	DA SUBMISSION	2019.11	SH
B	DA REVISION TO DRP	05.05.2020	DC
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D	BASEMENT PARKINGS & FSR CALCULATION	23.06.2020	DC



**NOTE:**  
**GENERAL AMENDMENT ACCORDING**  
**TO DRP REQUIREMENTS.**



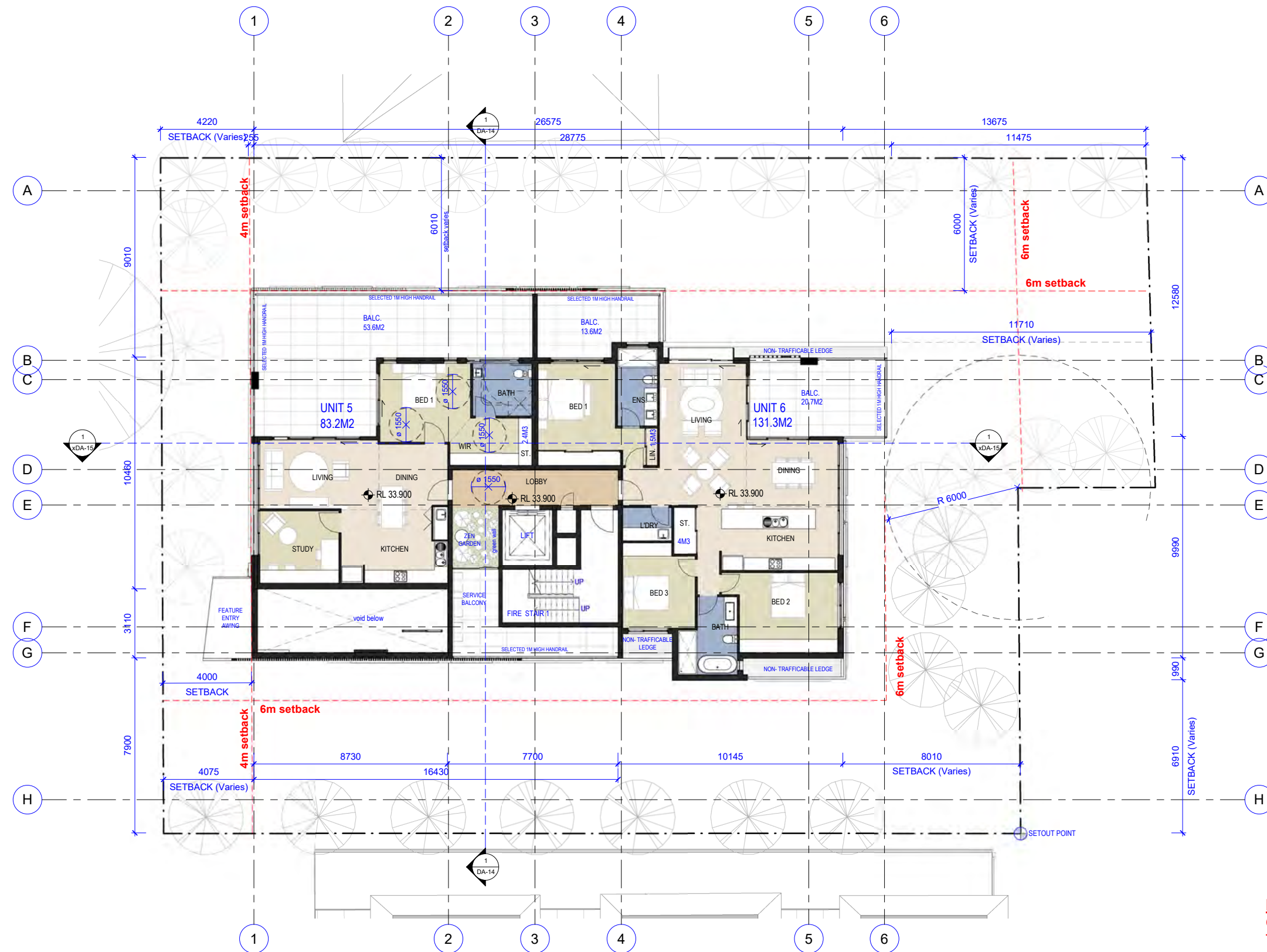
Suite 3  
 73 Market Street  
 Wollongong NSW 2500  
 P: 4228 3699 F: 4229 1145  
 E: office@prdarchitects.com



**PRD ARCHITECTS**

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No.	Revision Description	Date	BY:
A	DA SUBMISSION	2019.11	SH
B	DA REVISION TO DRP	05.05.2020	DC
C	GENERAL DRP/CLIENT CHANGES	09.06.2020	DC
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**NOTE:**  
**GENERAL AMENDMENT ACCORDING**  
**TO DRP REQUIREMENTS.**

1 L3

## PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

### LEVEL 3 FLOOR PLAN

MORETTI CONSTRUCTION18-60

DA-08 -D

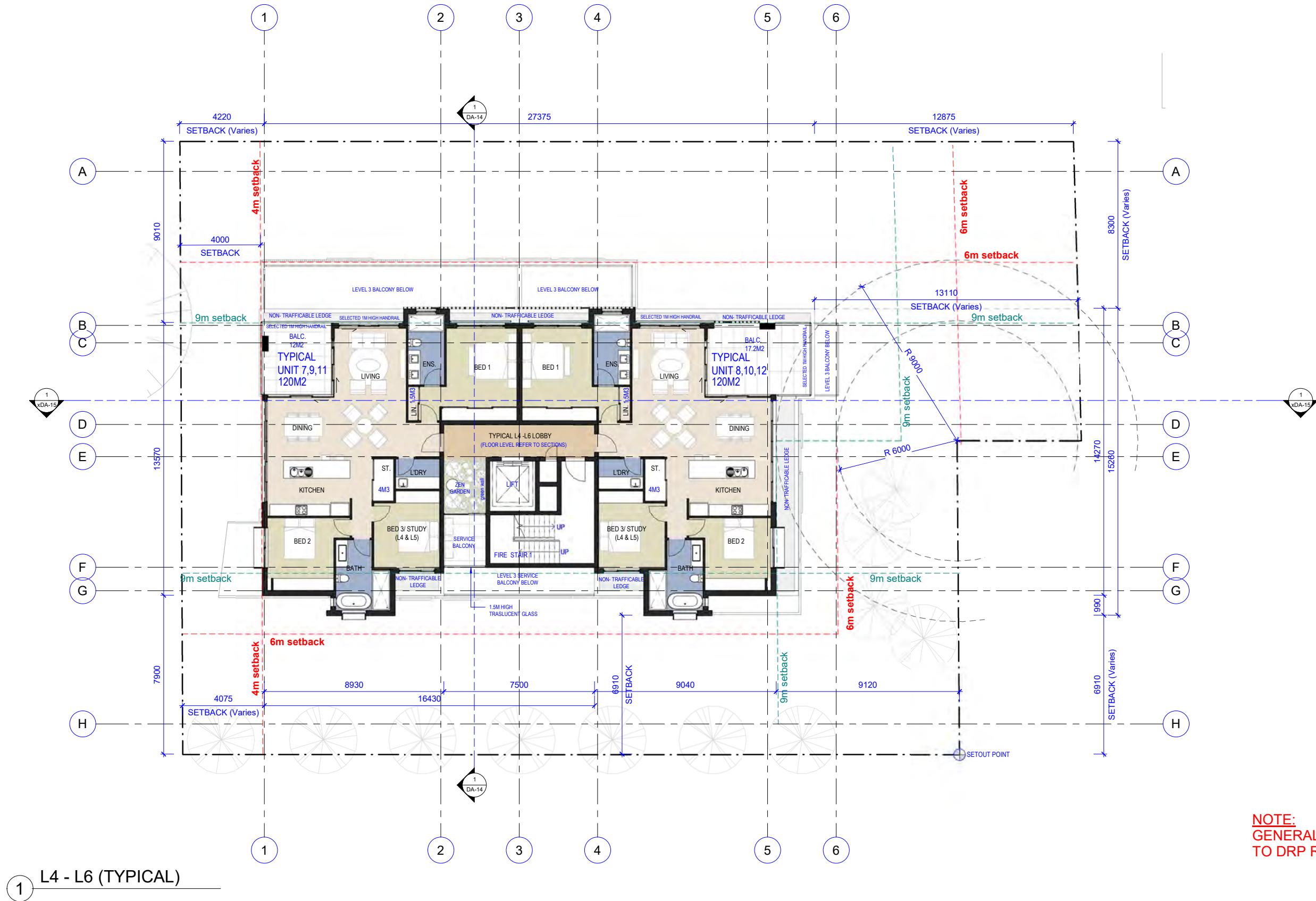


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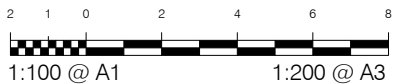




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C	GENERAL DRP/CIENT CHANGES	09.06.2020	DC
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**NOTE:**  
GENERAL AMENDMENT ACCORDING  
TO DRP REQUIREMENTS.



PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

LEVEL 4-6 FLOOR PLAN

MORETTI CONSTRUCTION18-60

DA-09 -D

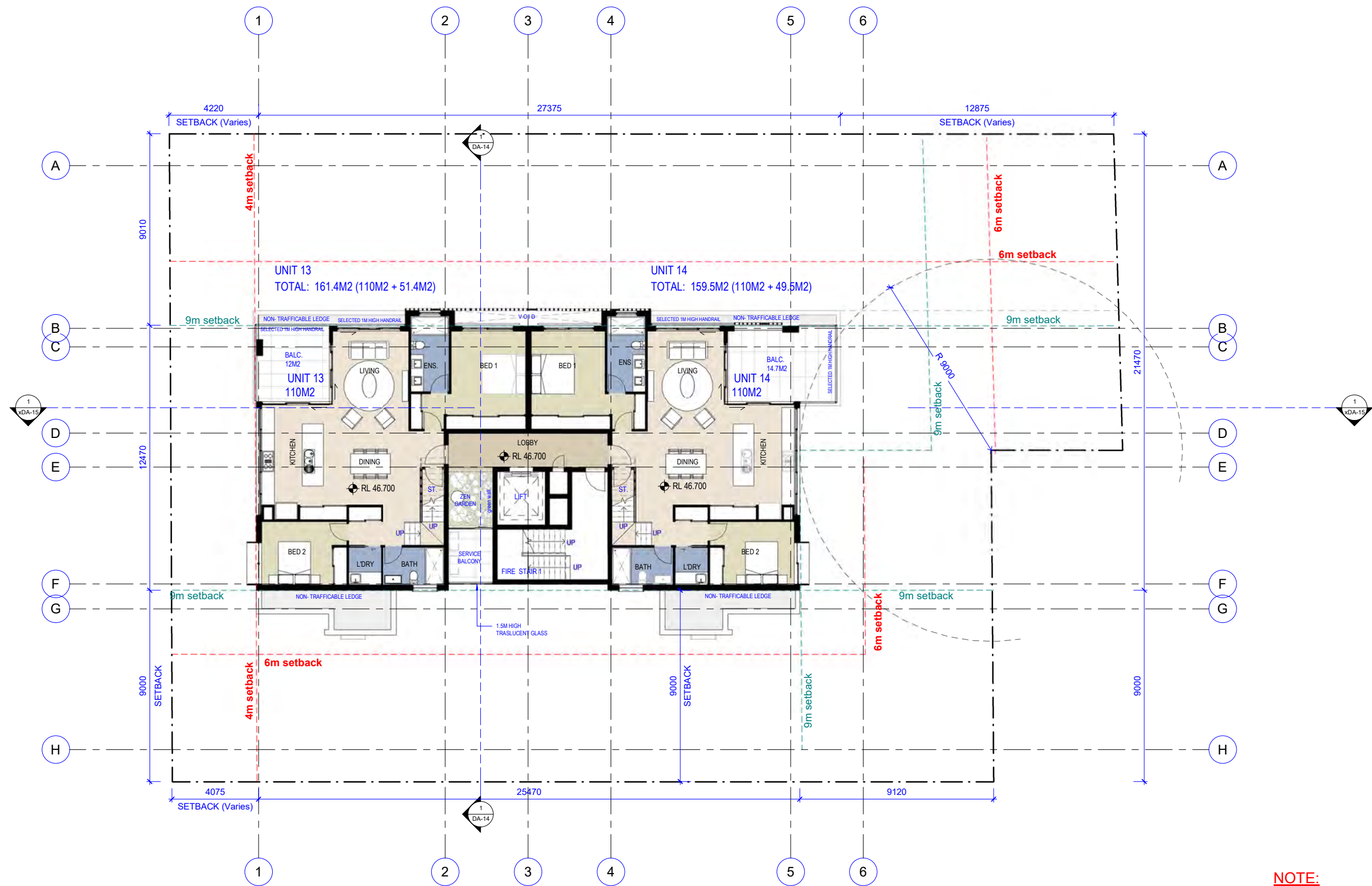






AMENDMENTS

No.	Revision Description	Date	BY:
A	DA SUBMISSION	2019.11	SH
B	DA REVISION TO DRP	05.05.2020	DC
C	GENERAL DRP/CIENT CHANGES	09.06.2020	DC
D	BASEMENT PARKINGS & FSR CALCULATION	23.06.2020	DC



**NOTE:**  
GENERAL AMENDMENT ACCORDING  
TO DRP REQUIREMENTS.

PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

LEVEL 7 FLOOR PLAN

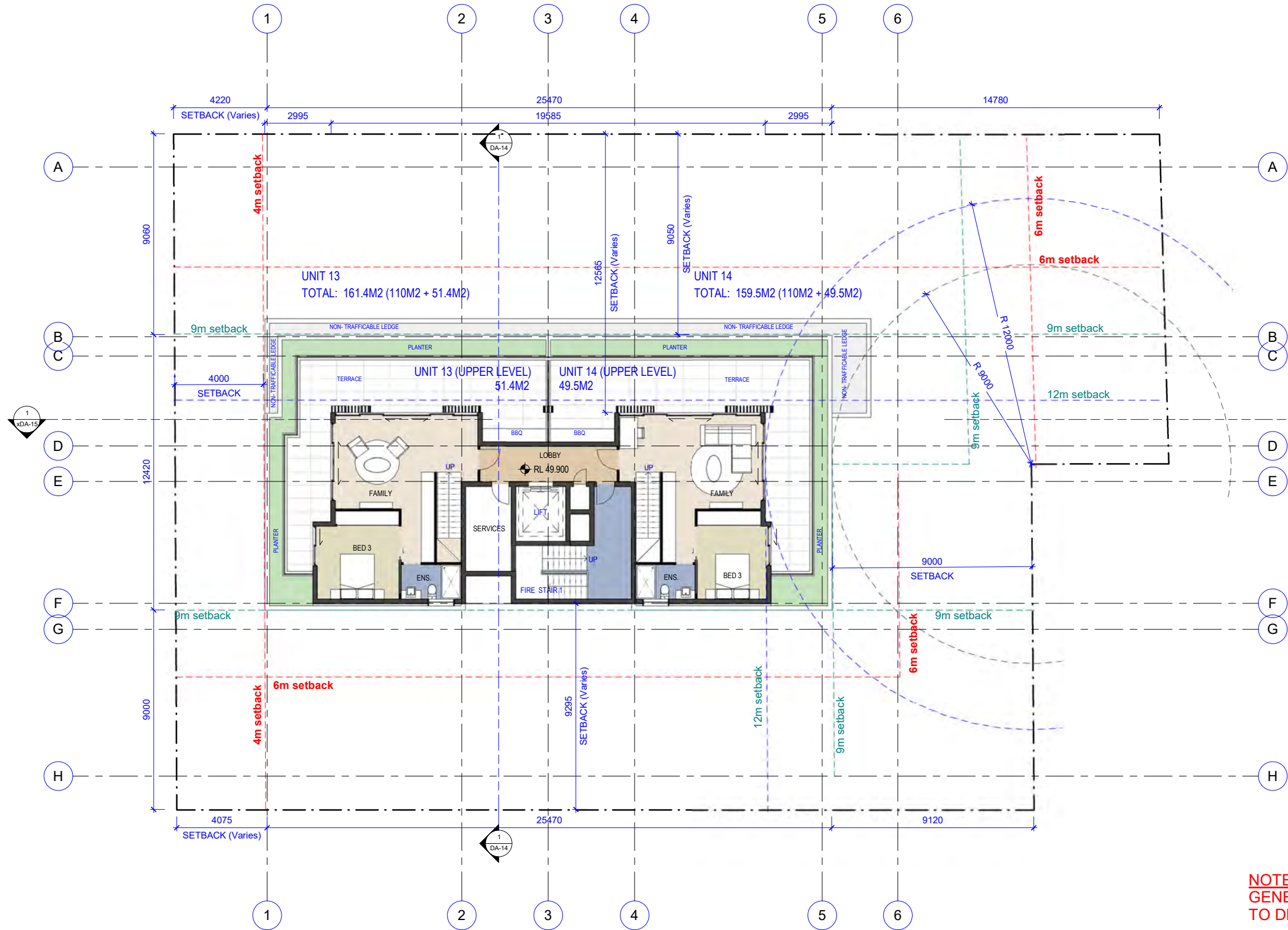
MORETTI CONSTRUCTION18-60

DA-10 -D





AMENDMENTS			
No.	Revision Description	Date	BY:
A	DA SUBMISSION	2019.11	SH
B	DA REVISION TO DRP	05.05.2020	DC
C	GENERAL DRP/CLIENT CHANGES	09.06.2020	DC
D	BASEMENT PARKINGS & FSR CALCULATION	23.06.2020	DC



1 L8  
1:100

2 1 0 2 4 6 8  
1:100 @ A1 1:200 @ A3

PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

LEVEL 8 FLOOR PLAN

MORETTI CONSTRUCTION18-60

DA-11 -D



23/06/2020 10:29:30 AM



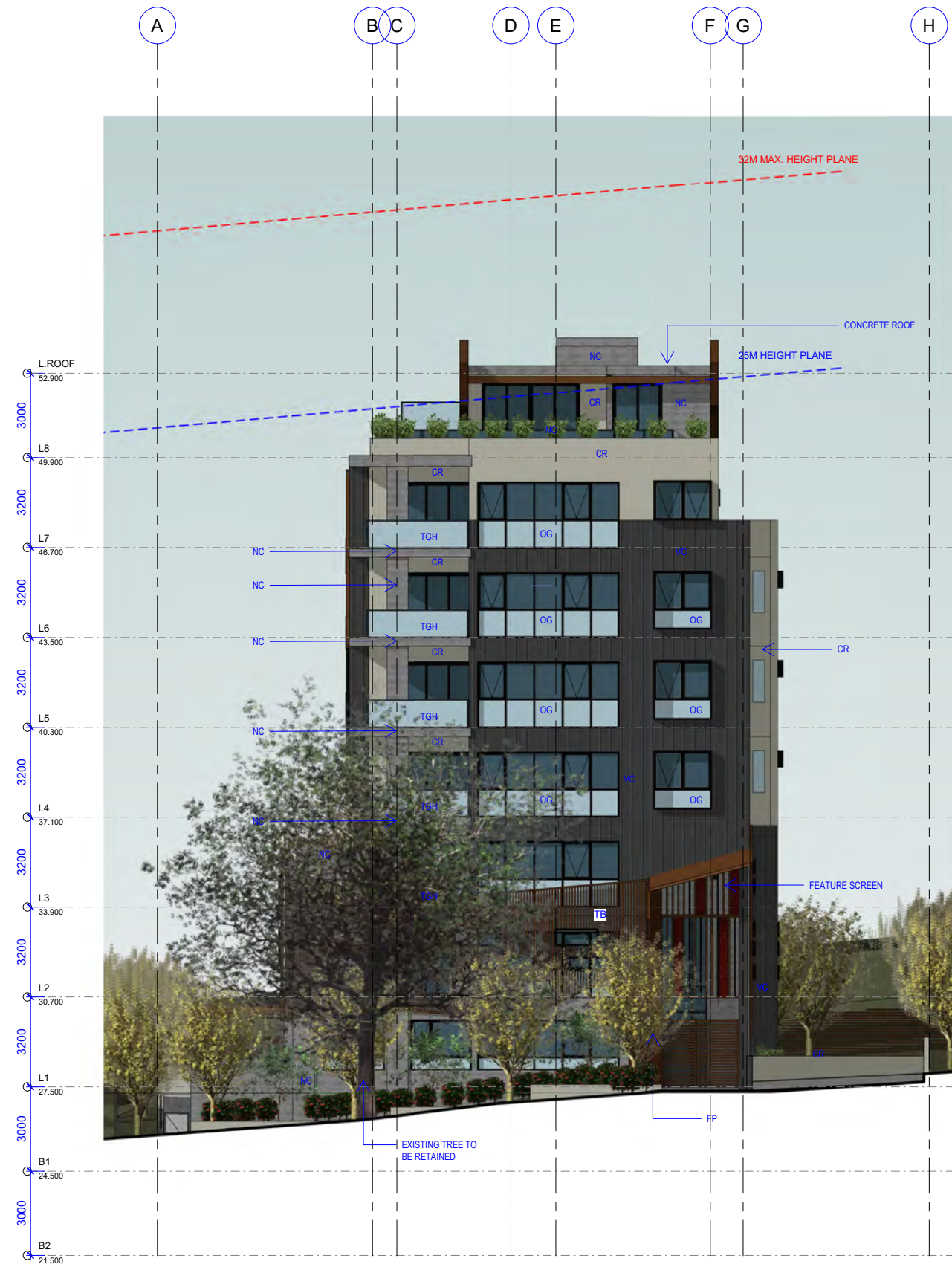
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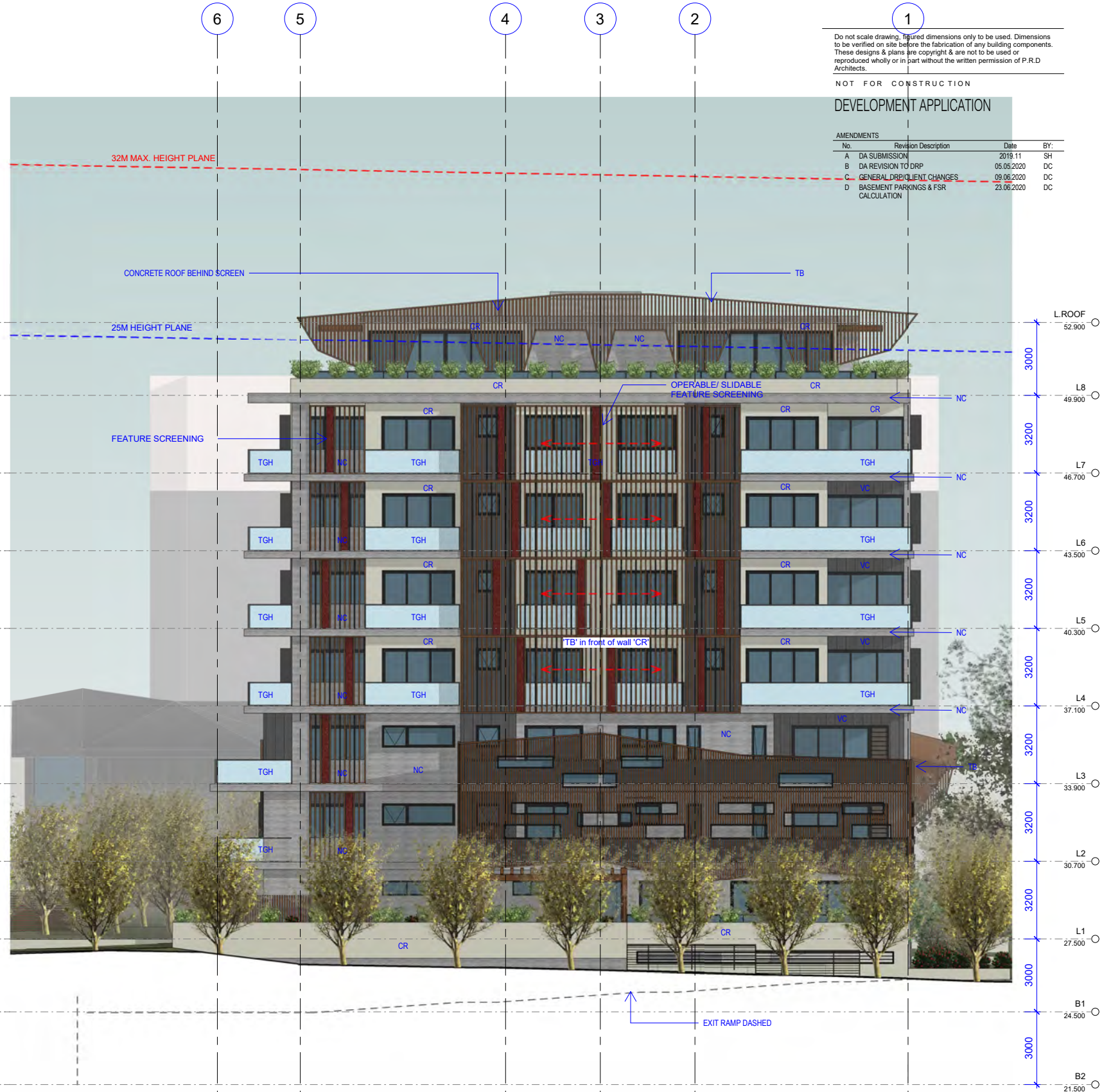
DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
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B	DA REVISION TO DRP	05.05.2020	DC
C	GENERAL DRP CLIENT CHANGES	09.06.2020	DC
D	BASEMENT PARKINGS & FSR CALCULATION	23.06.2020	DC



2 WEST ELEVATION

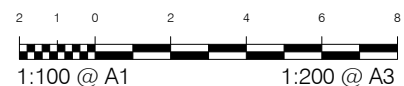


1 NORTH ELEVATION

**NOTE:**  
GENERAL AMENDMENT ACCORDING  
TO DRP REQUIREMENTS.

**ELEVATION KEY:**  
VC - VERTICAL ZINC STANDING SEAM CLADDING OR SIMILAR  
TB - ALUMINIUM (TIMBER GRAIN) BATTEN SCREEN WITH CHARCOAL ALUMINIUM FRAME  
NC - NATURAL CONCRETE RENDER FINISH  
CB - COLORBOND 'SHALE GREY' CUSTOM ORB CLADDING  
CR - RENDER FINISH- PANTED 'DUNE'  
FP - FEATURE TIMBER PANNELLING  
TGH - TRANSLUCENT GLASS HANDRAIL WITH ALUMINIUM HANDRAIL  
OG - OPAQUE GLASS (CLOUR TO MATCH GLASS)

**NOTE:** ALL MATERIALS SUBJECT TO SUBSTITUTION WITH SIMILAR FINISHES.  
BATH/SHOWER WINDOW GLASS TO BE TRANSLUCENT.



PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

ELEVATIONS

MORETTI CONSTRUCTION18-60

DA-12 -D



23/06/2020 10:30:30 AM



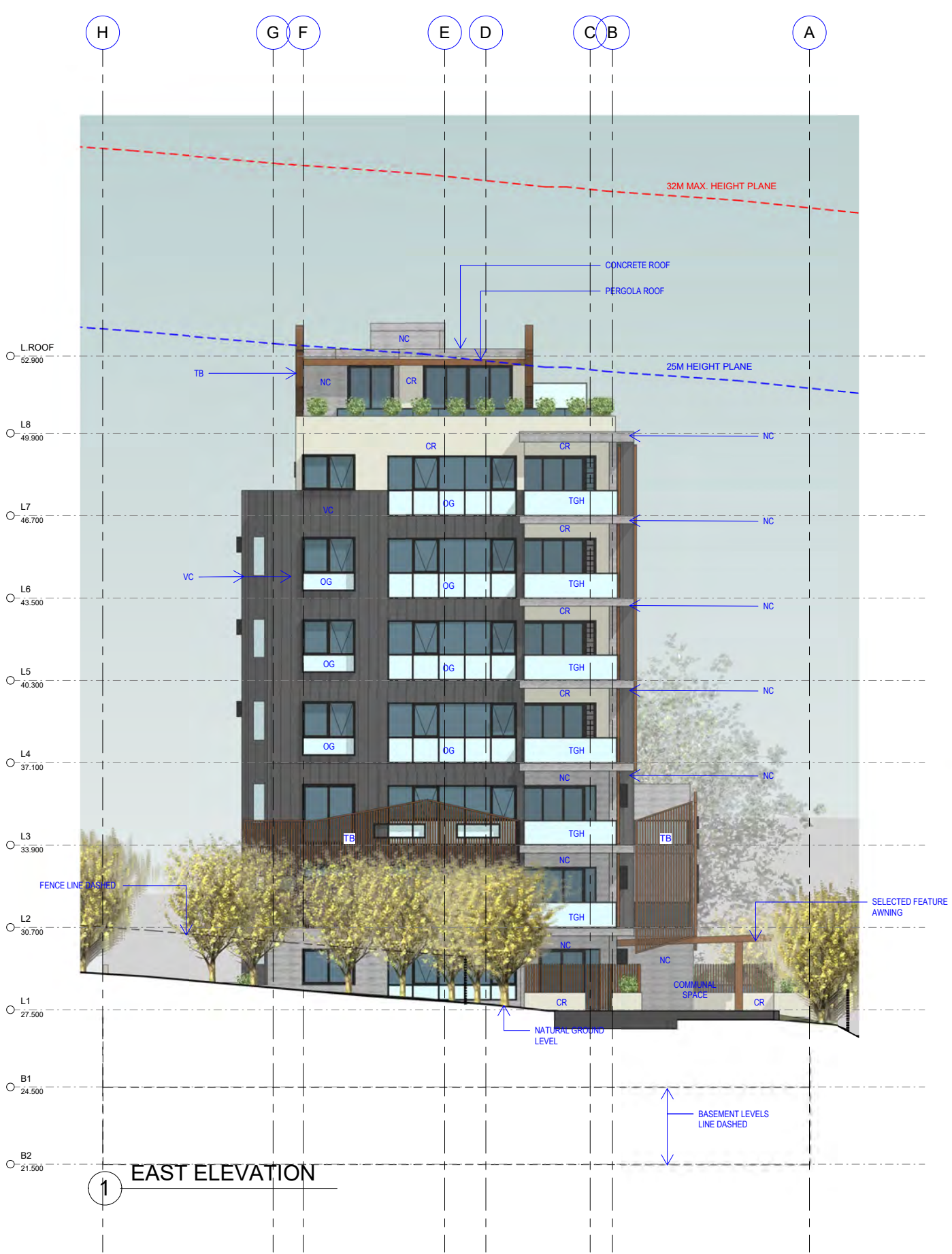
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DEVELOPMENT APPLICATION

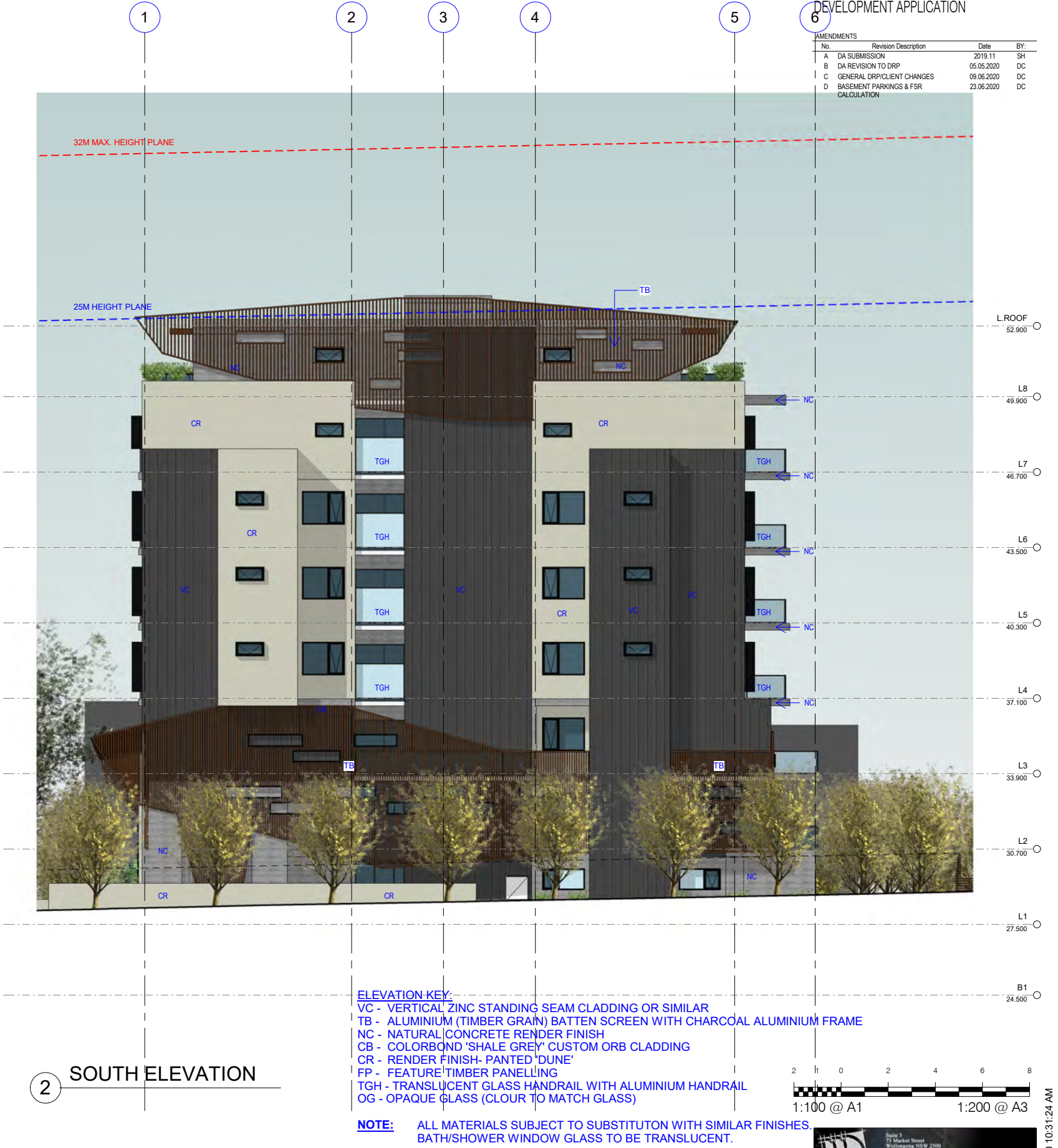
AMENDMENTS			
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B	DA REVISION TO DRP	05.05.2020	DC
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PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

ELEVATIONS



ELEVATION KEY:  
VC - VERTICAL ZINC STANDING SEAM CLADDING OR SIMILAR  
TB - ALUMINIUM (TIMBER GRAIN) BATTEN SCREEN WITH CHARCOAL ALUMINIUM FRAME  
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NOTE: ALL MATERIALS SUBJECT TO SUBSTITUTION WITH SIMILAR FINISHES.  
BATH/SHOWER WINDOW GLASS TO BE TRANSLUCENT.



MORETTI CONSTRUCTION 18-60

DA-13 -D



23/06/2020 10:31:24 AM



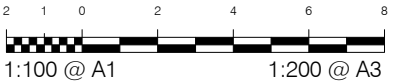
AMENDMENTS

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13 PARK STREET, 2 STOREY  
BRICK APARTMENT  
DEVELOPMENT

7 PARK STREET  
BRINCK AND WEATHERBOARD  
RESIDENCE

**NOTE:**  
GENERAL AMENDMENT ACCORDING  
TO DRP REQUIREMENTS.



PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

SECTION

MORETTI CONSTRUCTION18-60

DA-14 -D



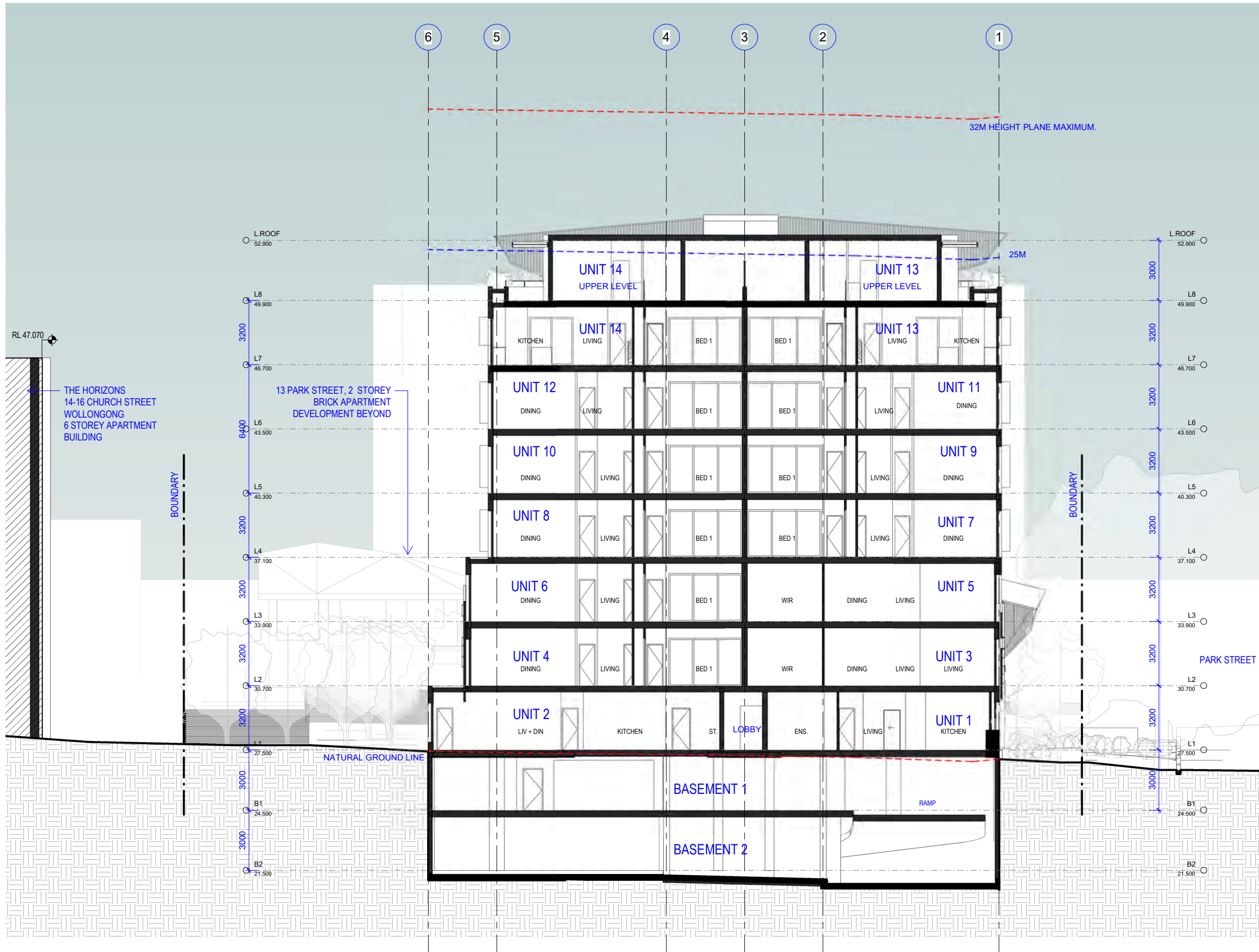
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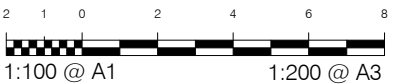
DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	DA SUBMISSION	2019.11	SH
B	DA REVISION TO DRP	05.05.2020	DC
C	ADDITIONAL INFORMATION UPDATED	30.07.2020	DC



NOTE:  
GENERAL AMENDMENT ACCORDING  
TO DRP REQUIREMENTS.



PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

SECTION

MORETTI CONSTRUCTION18-60

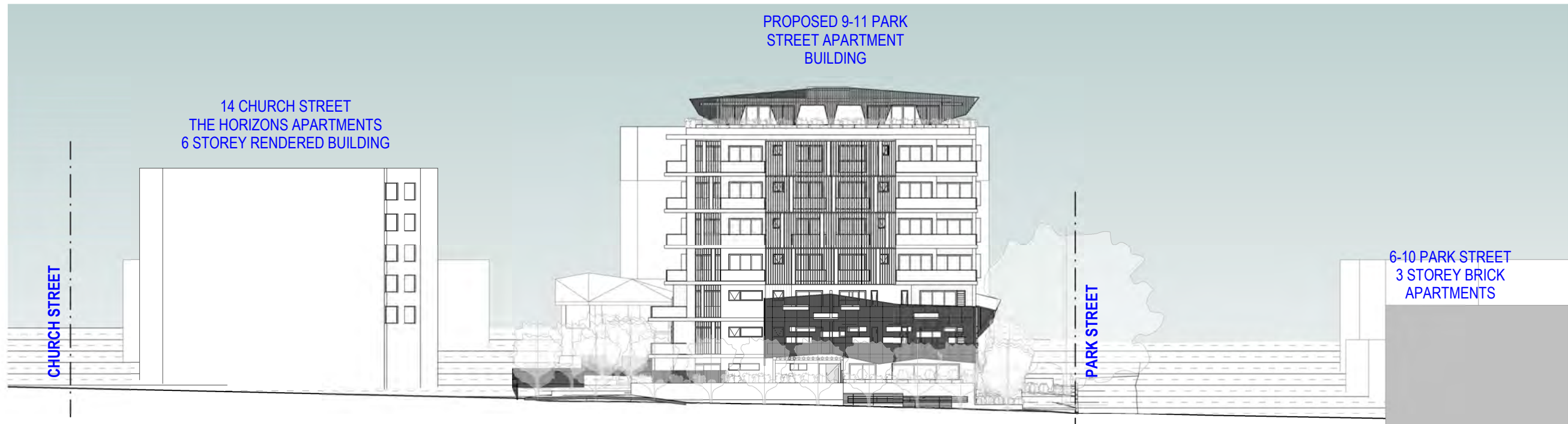
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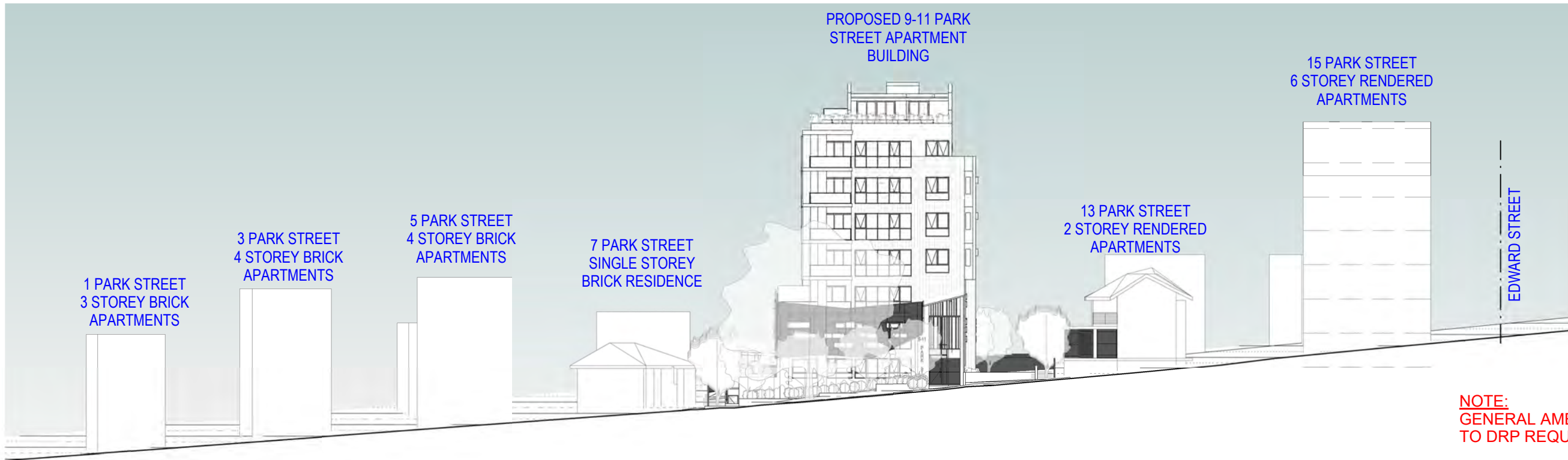
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AMENDMENTS

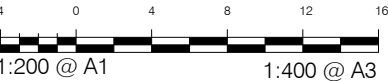
No.	Revision Description	Date	BY:
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2 BLOCK CROSS SECTION



1 PARK STREET SECTION



PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

STREET CONTEXT SECTION

MORETTI CONSTRUCTION18-60

DA-16 -D







VIEW FROM INFRONT OF 7 PARK STREET



VIEW FROM ENTRY POINT

**NOTE:**  
GENERAL AMENDMENT ACCORDING  
TO DRP REQUIREMENTS.

PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

3D PERSPECTIVES

MORETTI CONSTRUCTION18-60

DA-17 -D

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DEVELOPMENT APPLICATION

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VIEW FROM NORTH EAST



VIEW FROM SOUTH EAST

**NOTE:**  
GENERAL AMENDMENT ACCORDING  
TO DRP REQUIREMENTS.

PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

3D PERSPECTIVES

MORETTI CONSTRUCTION18-60

DA-18 -D

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NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

AMENDMENTS			
No.	Revision Description	Date	BY:
A	DA SUBMISSION	2019.11	SH
B	DA REVISION TO DRP	05.05.2020	DC
C	GENERAL DRP/CLIENT CHANGES	09.06.2020	DC
D	BASEMENT PARKINGS & FSR CALCULATION	23.06.2020	DC







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NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

AMENDMENTS			
No.	Revision Description	Date	BY:
A	DA REVISION TO DRP	05.05.2020	DC
B	GENERAL DRP/CLIENT CHANGES	09.06.2020	DC
C	BASEMENT PARKINGS & FSR CALCULATION	23.06.2020	DC

**NOTE:**  
GENERAL AMENDMENT ACCORDING  
TO DRP REQUIREMENTS.

PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

PERSPECTIVES

MORETTI CONSTRUCTION18-60

DA-26 -C





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NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	GENERAL	22.01.2020	SH
B	DA REVISION TO DRP	05.05.2020	DC
C	GENERAL DRP/CCLIENT CHANGES	09.06.2020	DC



1 AERIAL PERSPECTIVE 01  
-- SOUTH WEST ASPECT



2 AERIAL PERSPECTIVE 02  
-- SOUTH EAST ASPECT



3 AERIAL PERSPECTIVE 03  
-- NORTH EAST ASPECT



4 AERIAL PERSPECTIVE 04  
-- NORTH WEST ASPECT

NOTE:  
GENERAL AMENDMENT ACCORDING  
TO DRP REQUIREMENTS.

PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

AERIAL 3D PERSPECTIVES

MORETTI CONSTRUCTION18-60

DA-25 -C



10/06/2020 3:46:12 PM



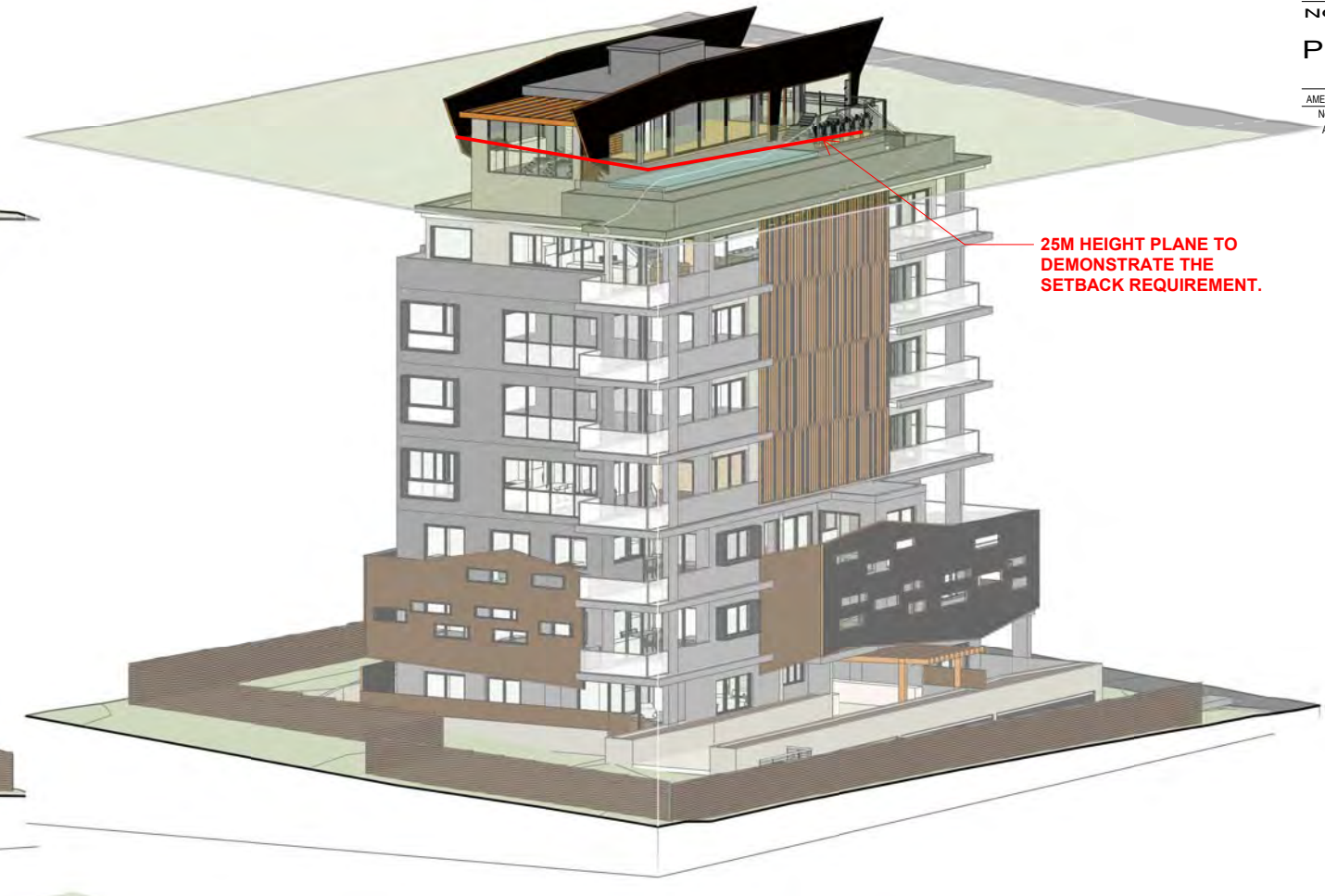
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NOT FOR CONSTRUCTION  
PRELIMINARY

AMENDMENTS			
No.	Revision Description	Date	BY:
A	DA REVISION TO DRP	05.05.2020	DC



25M HEIGHT PLANE TO DEMONSTRATE THE SETBACK REQUIREMENT.



25M HEIGHT PLANE TO DEMONSTRATE THE SETBACK REQUIREMENT.



25M HEIGHT PLANE TO DEMONSTRATE THE SETBACK REQUIREMENT.

NOTE: 32M HEIGHT PLANE ALLOWANCE TO THIS ZONE

Project:

PROPOSED APARTMENT BUILDING  
Project Address

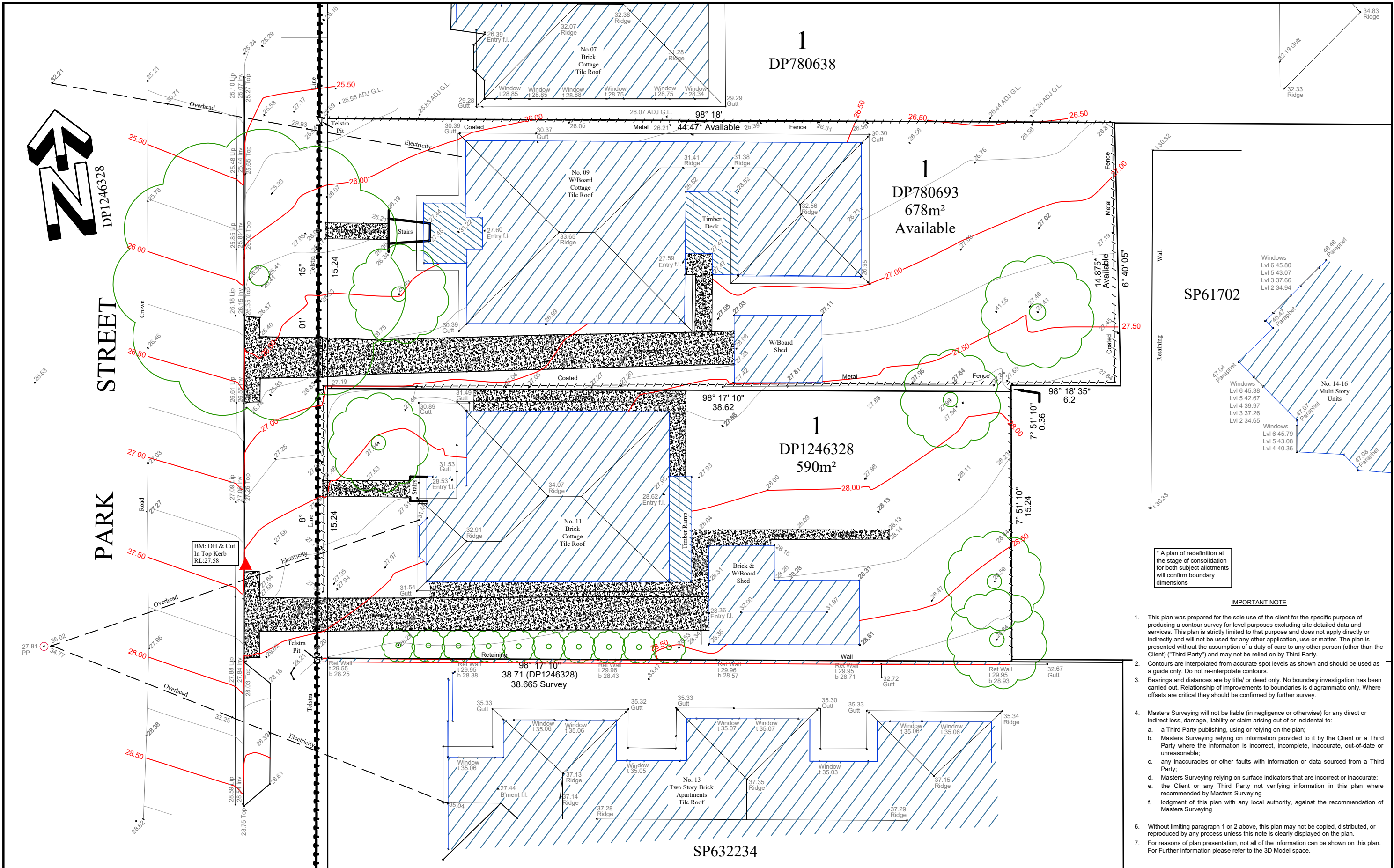
Client:  
MORETTI CONSTRUCTION



Title:  
25M HEIGHT PLANE

Date: xx.xx.xx	Job No:	Dwg:	Rev:
Scale:	18-60	DA-29	





\* A plan of redefinition at the stage of consolidation for both subject allotments will confirm boundary dimensions

IMPORTANT NOTE

- This plan was prepared for the sole use of the client for the specific purpose of producing a contour survey for level purposes excluding site detailed data and services. This plan is strictly limited to that purpose and does not apply directly or indirectly and will not be used for any other application, use or matter. The plan is presented without the assumption of a duty of care to any other person (other than the Client) ("Third Party") and may not be relied on by Third Party.
- Contours are interpolated from accurate spot levels as shown and should be used as a guide only. Do not re-interpolate contours.
- Bearings and distances are by title/ or deed only. No boundary investigation has been carried out. Relationship of improvements to boundaries is diagrammatic only. Where offsets are critical they should be confirmed by further survey.
- Masters Surveying will not be liable (in negligence or otherwise) for any direct or indirect loss, damage, liability or claim arising out of or incidental to:
  - a Third Party publishing, using or relying on the plan;
  - Masters Surveying relying on information provided to it by the Client or a Third Party where the information is incorrect, incomplete, inaccurate, out-of-date or unreasonable;
  - any inaccuracies or other faults with information or data sourced from a Third Party;
  - Masters Surveying relying on surface indicators that are incorrect or inaccurate;
  - the Client or any Third Party not verifying information in this plan where recommended by Masters Surveying
  - lodgment of this plan with any local authority, against the recommendation of Masters Surveying
- Without limiting paragraph 1 or 2 above, this plan may not be copied, distributed, or reproduced by any process unless this note is clearly displayed on the plan.
- For reasons of plan presentation, not all of the information can be shown on this plan. For Further information please refer to the 3D Model space.

0	ORIGINAL ISSUE	31/01/2019	ZS	NB	NB
Rev.	Reason for Issue or Amendment	Date	Drawn	Checked	Surveyed



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**MASTERS SURVEYING**

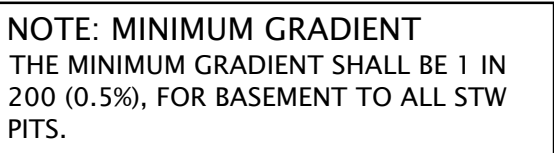
116 Corrimall Street, Wollongong NSW 2500 P 02 4228 9911 [masterssurveying.com.au](http://masterssurveying.com.au)

Project:	9-11 PARK STREET WOLLONGONG - LOT 1 DP780693 & LOT 1 DP1246328		Masters Job No:	W18210		Scale:	1:200 at A3	
Title:	DETAILED SITE SURVEY		Level Datum:	A.H.D.	Origin:	PM16930	Co-ord System:	N/A
Client:	MORETTI CONSTRUCTIONS		Masters Drawing No:	W18214	Revision:	0	Sheet:	2 OF 2



[illegible]





1. ALL PIPES SHOW 100Ø SEWER GRADE WITH 1% FALL UNLESS OTHERWISE SPECIFIED.
2. EXACT LOCATION OF DOWNPIPES TO BE CONFIRMED BY ARCHITECT PRIOR TO DETAILED LOCATION.
3. GRADE ALL PERVIOUS AREAS AWAY FROM BUILDINGS.
4. PROVIDE OVERFLOW PATHS THRU LANDSCAPING BEDS AS REQUIRED OR AS DIRECTED BY ENGINEER ON SITE.
5. GEOTECHNICAL REPORT TO BE FITTED TO ALL OUTLET PIPES FOR ALL PITS. THIS IS REQUIRED TO STOP SEDIMENT FROM EXITING THE PROPERTY.
6. DOWNPIPES CONNECTED TO THE RAINWATER TANKS SHOULD BE VIA A CHARGED SYSTEM Ø100mm SEWER GRADE AND CLEANOUT RISER AT OPPOSITE SIDE OF RAINWATER TANK(S)

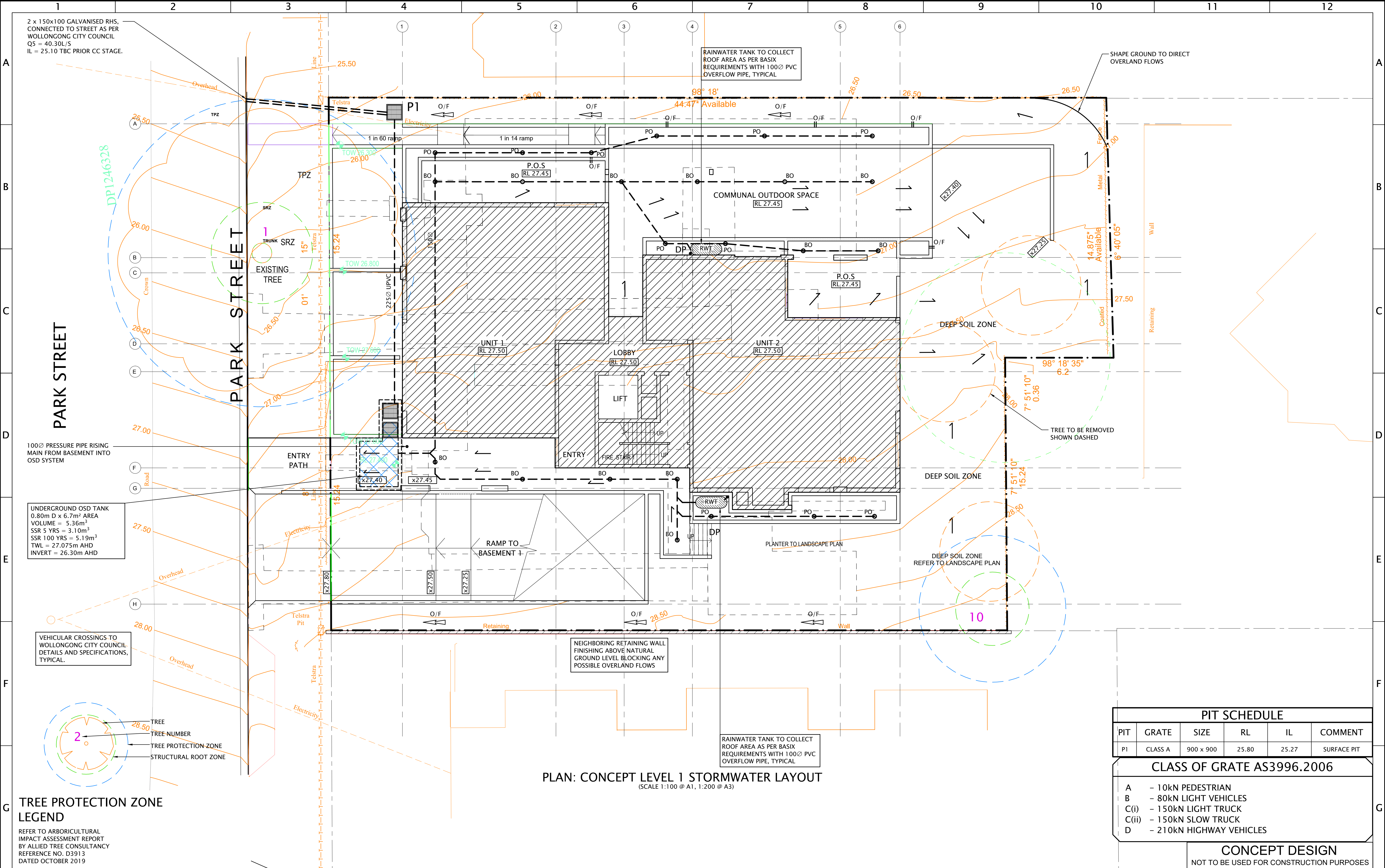
CLASS OF GRATE AS3996.2006	
A	- 10kN PEDESTRIAN
B	- 80kN LIGHT VEHICLES
C(i)	- 150kN LIGHT TRUCK
C(ii)	- 150kN SLOW TRUCK
D	- 210kN HIGHWAY VEHICLES

## CONCEPT DESIGN

ISSUE		AMENDMENT		DATE	PLANS		 <div>11 VICTORIA STREET WOLLONGONG NSW 2500 TELEPHONE: 02 42 266 646 Email: info@atbconsulting.com.au</div>	 <div>The Association of Consulting Engineers Australia</div>	Title				PLAN: CONCEPT BASEMENT 2 STORMWATER LAYOUT		SCALES AS SHOWN		DATE PLOTTED	
1	ISSUE FOR COORDINATION ISSUE FOR DA APPLICATION MINOR AMENDMENTS	22/10/19 07/11/19 24/06/20		<div>DO NOT SCALE IF IN DOUBT ASK</div> <div>A1</div> <div>THIS DRAWING SHALL BE READ IN CONJUNCTION WITH SPECIFICATIONS</div> <div>COPYRIGHT: Concepts and information contained in these engineering drawings and related documents are the copyright of ATB Consulting Engineers Pty Ltd. Unauthorised copying or reuse of any part of this document is a breach of copyright.</div>	Project				PROPOSED APARTMENT DWELLING			DRAWN D.K.		13/05/19				
A					At				9-11 PARK STREET WOLLONGONG, NSW			DESIGNED G.U.		DATUM A.H.D.				
B												CHECKED G.U.	DATE CHK'D					
													___/05/19					
					Client				MORETTI CONSTRUCTION			PROJECT NO		DWG	REVISION			
									19044		SW2	B						

ISSUE		AMENDMENT	DATE	PLANS	0	1000	2000	3000	4000	5000		<div>ATB</div> <div>CONSULTING ENGINEERS CIVIL &amp; STRUCTURAL</div>	<div>11 VICTORIA STREET WOLLONGONG NSW 2500</div> <div>TELEPHONE: 02 42 266 646</div> <div>Email: info@atbconsulting.com.au</div>		Title		PLAN: CONCEPT BASEMENT 1 STORMWATER LAYOUT		SCALES		AS SHOWN	DATE PLOTTED	
1	ISSUE FOR COORDINATION	22/10/19	<div>DO NOT SCALE IF IN DOUBT ASK</div> <div>THIS DRAWING SHALL BE READ IN CONJUNCTION WITH SPECIFICATIONS</div> <div>COPYRIGHT: Concepts and information contained in these engineering drawings and related documents are the copyright of ATB Consulting Engineers Pty Ltd. Unauthorised copying of any or whole of this document is a breach of copyright.</div>	A1	Project	PROPOSED APARTMENT DWELLING		DRAWN	D.K.	13/05/19													
A	ISSUE FOR DA APPLICATION	07/11/19			At	9-11 PARK STREET WOLLONGONG, NSW	DESIGNED	G.U.	DATUM A.H.D.														
B	MINOR AMENDMENTS	08/05/20					CHECKED	G.U.	DATE CHK'D														
C	MINOR AMENDMENTS	24/06/20					--/05/19																
					Client	MORETTI CONSTRUCTION		PROJECT No	19044	DWG	SW3	REVISION	C										





PLAN: CONCEPT LEVEL 1 STORMWATER LAYOUT  
(SCALE 1:100 @ A1, 1:200 @ A3)

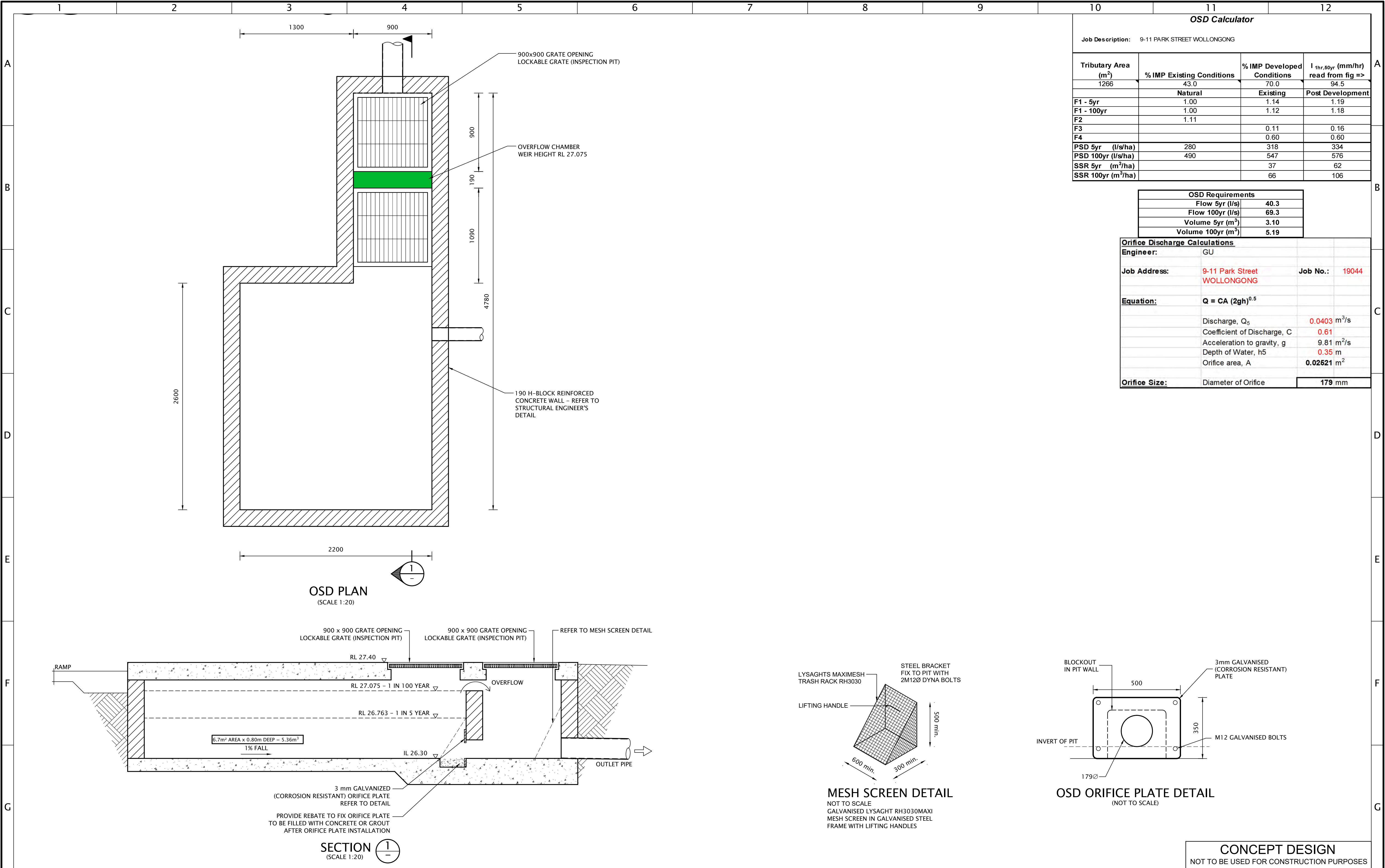
PIT SCHEDULE					
PIT	GRATE	SIZE	RL	IL	COMMENT
P1	CLASS A	900 x 900	25.80	25.27	SURFACE PIT

CLASS OF GRATE AS3996.2006	
A	- 10kN PEDESTRIAN
B	- 80kN LIGHT VEHICLES
C(i)	- 150kN LIGHT TRUCK
C(ii)	- 150kN SLOW TRUCK
D	- 210kN HIGHWAY VEHICLES

CONCEPT DESIGN  
NOT TO BE USED FOR CONSTRUCTION PURPOSES

ISSUE			AMENDMENT		DATE	PLANS				Title		Project		At		Client		Title		Scales		AS SHOWN		DATE PLOTTED		
1		ISSUE FOR COORDINATION		22/10/19	0 1000 2000 3000 4000 5000		DO NOT SCALE IF IN DOUBT ASK			A1		PLAN: CONCEPT LEVEL 1 STORMWATER LAYOUT		PROPOSED APARTMENT DWELLING		9-11 PARK STREET		MORETTI CONSTRUCTION		DRAWN		D.K.		13/05/19		
A		ISSUE FOR DA APPLICATION		07/11/19			THIS DRAWING SHALL BE READ IN CONJUNCTION WITH SPECIFICATIONS													DESIGNED		G.U.		DATUM A.H.D.		
B		MINOR AMENDMENTS		08/05/20			COPYRIGHT: Concepts and information contained in these engineering drawings and related documents are the copyright of ATB Consulting Engineers Pty. Ltd. Unauthorised copying of part or whole of the document/s is a breach of copyright.													CHECKED		G.U.		DATE CHK'D		
C		MINOR AMENDMENTS		24/06/20																						





ISSUE	AMENDMENT	DATE	PLANS	010002000300040005000		11 VICTORIA STREET WOLLONGONG NSW 2500 TELEPHONE: 02 42 286 646 Email: info@atbconsulting.com.au	ACEA The Association of Consulting Engineers Australia	Title OSD DETAILS Project PROPOSED APARTMENT DWELLING At 9-11 PARK STREET WOLLONGONG, NSW Client MORETTI CONSTRUCTION	SCALES AS SHOWN DRAWN D.K. DESIGNED G.U. CHECKED G.U.	DATE PLOTTED 13/05/19 DATE CHK'D .../05/19 PROJECT No 19044 DWG SW5 REVISION A
1 A	ISSUE FOR COORDINATION ISSUE FOR DA APPLICATION	22/10/19 07/11/19	DO NOT SCALE IF IN DOUBT ASK THIS DRAWING SHALL BE READ IN CONJUNCTION WITH SPECIFICATIONS COPYRIGHT: Concepts and information contained in these engineering drawings and related documents are the copyright of ATB Consulting Engineers Pty. Ltd. Unauthorised copying of part or whole of the document/s is a breach of copyright.	A1						





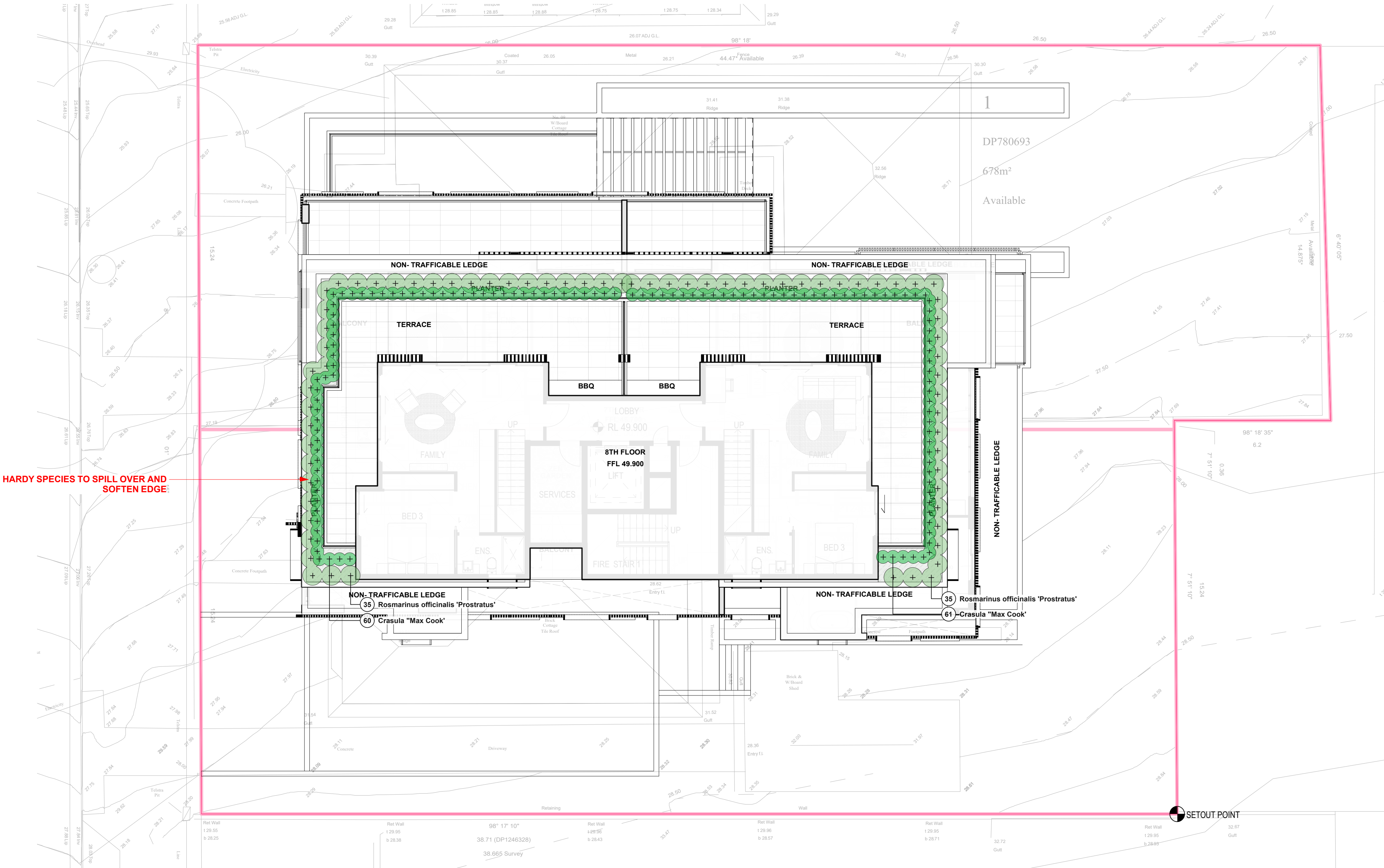




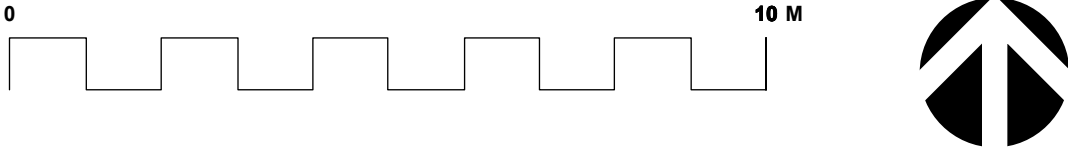








LEGEND	
DRIVEWAY	
TURF AREAS	
POOLUM GARDENS	
DEEP SOIL GARDENS	
PROPOSED BUILDING	
PAVED TYPE 1	
PAVED TYPE 2	
PAVED TYPE 3	
DEEP SOIL AREAS	



HARDY SPECIES TO SPILL OVER AND SOFTEN EDGE

C 7/7/20 FOR DA  
ISSUE DATE COMMENT  
AMENDMENTS

**GENERAL NOTES**  
All work to be carried out in accordance with the Building Code of Australia, all Local and State Government Ordinances, relevant Australian Standards, Local Authorities Regulations and all other relevant Authorities concerned.  
All structural work and site drainage to be subject to Engineer's details or certification where required by Council. This shall include r.c. slabs and footings, r.c. and steel beams & columns, wind bracing to AS 1170 and AS4055, anchor rods or bolts, tie downs, fixings etc., driveway slabs and drainage to Council's satisfaction. All timbers to be in accordance with SAA Timber Structure Code AS1720 and SAA Timber Framing Code AS 1684. All work to be carried out in a professional and workman-shiplike manner according to the plans and specification.  
**NOTE**  
Do not scale off the drawings unless otherwise stated and use figured dimensions in preference.  
All dimensions are to be checked and verified on site before the commencement of any work, all dimensions and levels are subject to final survey and set-out. No responsibility will be accepted by Sitedesign for any variations in design, builder's method of construction or materials used, deviation from specification without permission or accepted work practices resulting in inferior construction. Locate and protect all services prior to construction.  
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SOUTH SYDNEY STUDIO  
PO BOX 978  
CRONULLA 2230  
p 1300 22 44 55  
info@sdstudios.com.au  
www.sdstudios.com.au

Project **PROPOSED APARTMENT BUILDING**  
Address **9-11 PARK STREET, WOLLONGONG**  
Drawing Title **ROOFTOP LANDSCAPE PLAN**  
Client **MORETTI CONSTRUCTION**

Scale **1:100@A1**

Drawing No.

Page  
**L-03 C**





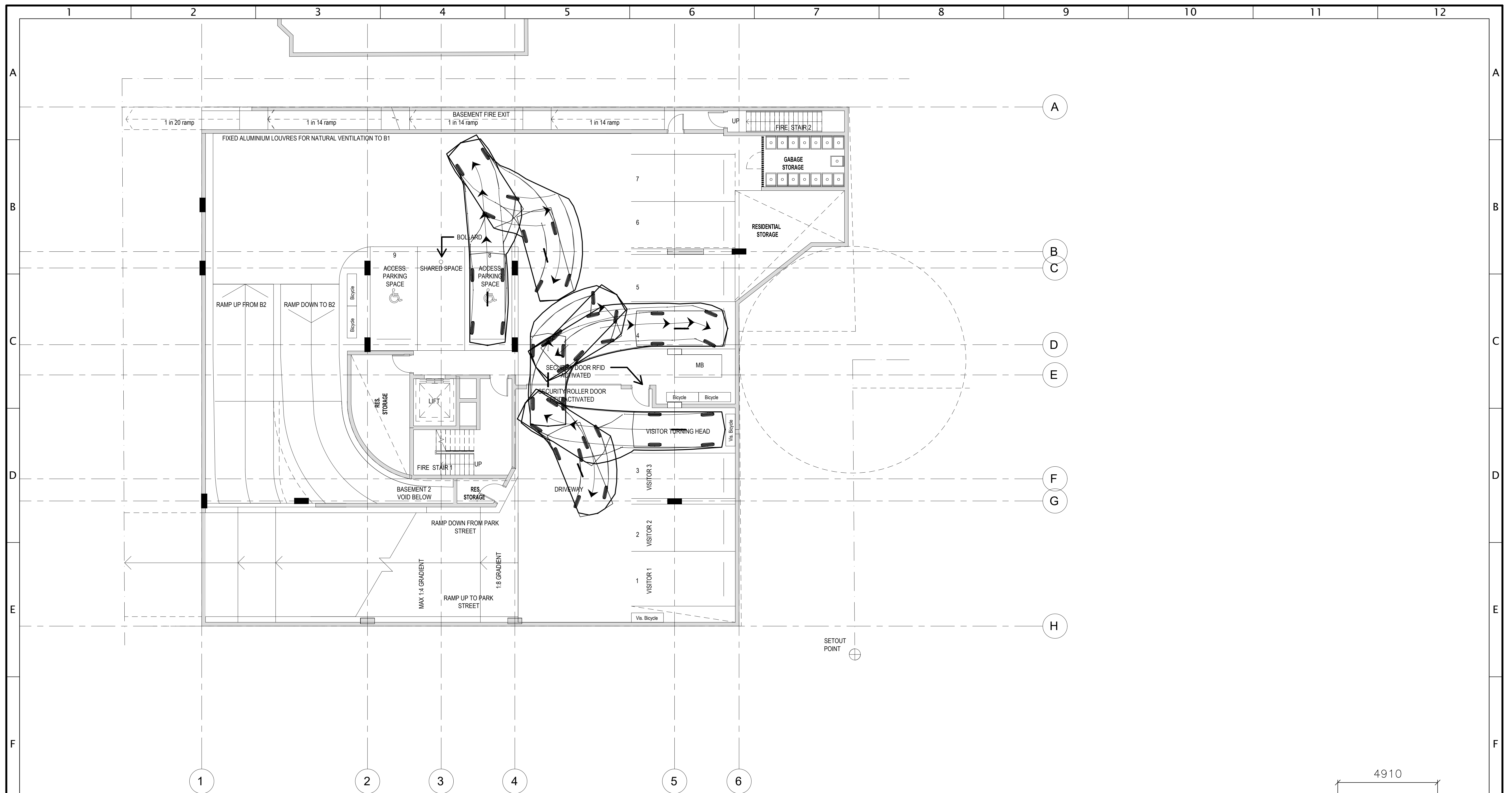




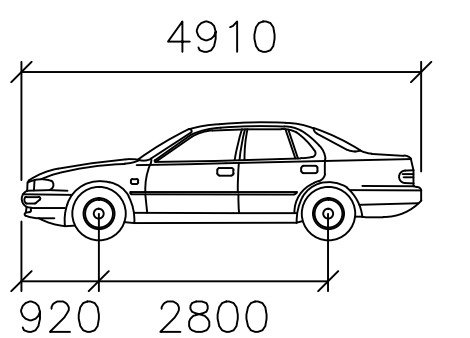








BASEMENT 1 B85 EXITING PARKING SPACES



B85	mm
Width	: 1870
Track	: 1770
Lock to Lock Time	: 6.0
Steering Angle	: 37.5

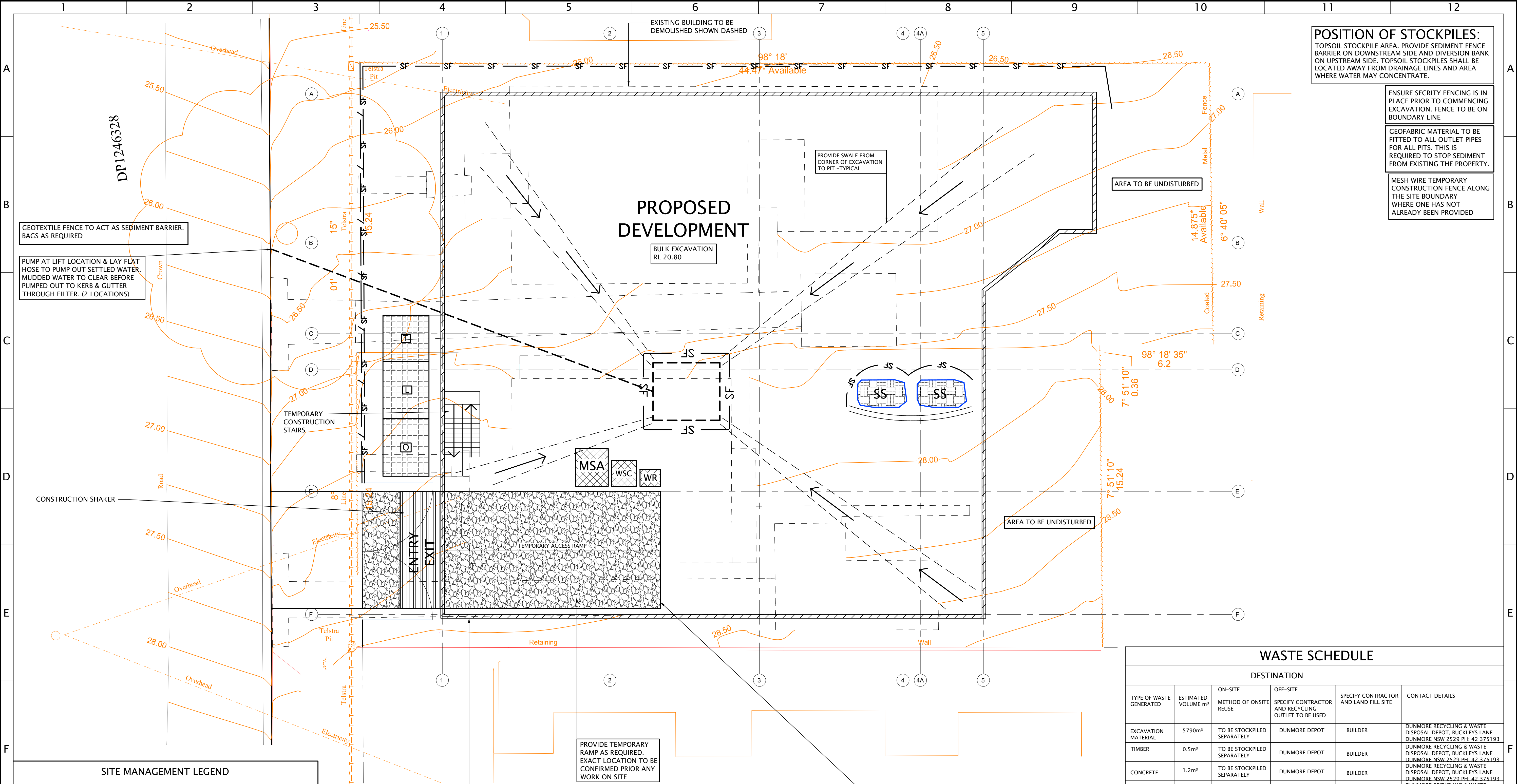
ISSUE		AMENDMENT	DATE	PLANS	0 1000 2000 3000 4000 5000		<div><div>ATB</div><div>CONSULTING ENGINEERS CIVIL &amp; STRUCTURAL</div></div> <div>11 VICTORIA STREET WOLLONGONG NSW 2500 TELEPHONE: 02 42 266 646 Email: info@atbconsulting.com.au</div>		Title		TRAFFIC ASSESSMENT		SCALES		AS SHOWN	DATE PLOTTED	
A	ISSUE FOR DA APPLICATION MINOR AMENDMENTS MINOR AMENDMENTS	07/11/19 08/05/20 24/06/20	Project		PROPOSED APARTMENT DWELLING				DRAWN		D.K.		13/05/19				
B			DESIGNED		G.U.				DATUM A.H.D.								
C			CHECKED		G.U.				DATE CHK'D								
									---/05/19								
			Client		MORETTI CONSTRUCTION				PROJECT NO		19044		DWG	T5	REVISION	C	











**POSITION OF STOCKPILES:**  
TOPSOIL STOCKPILE AREA. PROVIDE SEDIMENT FENCE BARRIER ON DOWNSTREAM SIDE AND DIVERSION BANK ON UPSTREAM SIDE. TOPSOIL STOCKPILES SHALL BE LOCATED AWAY FROM DRAINAGE LINES AND AREA WHERE WATER MAY CONCENTRATE.

ENSURE SECURITY FENCING IS IN PLACE PRIOR TO COMMENCING EXCAVATION. FENCE TO BE ON BOUNDARY LINE

GEOFABRIC MATERIAL TO BE FITTED TO ALL OUTLET PIPES FOR ALL PITS. THIS IS REQUIRED TO STOP SEDIMENT FROM EXISTING THE PROPERTY.

MESH WIRE TEMPORARY CONSTRUCTION FENCE ALONG THE SITE BOUNDARY WHERE ONE HAS NOT ALREADY BEEN PROVIDED

### PROPOSED DEVELOPMENT

BULK EXCAVATION  
RL 20.80

GEOTEXTILE FENCE TO ACT AS SEDIMENT BARRIER. BAGS AS REQUIRED

PUMP AT LIFT LOCATION & LAY FLAT HOSE TO PUMP OUT SETTLED WATER. MUDDIED WATER TO CLEAR BEFORE PUMPED OUT TO KERB & GUTTER THROUGH FILTER. (2 LOCATIONS)

TEMPORARY CONSTRUCTION STAIRS

PROVIDE SWALE FROM CORNER OF EXCAVATION TO PIT -TYPICAL

AREA TO BE UNDISTURBED

14.875' Available

Coated

98° 18' 35"

7° 51' 10"

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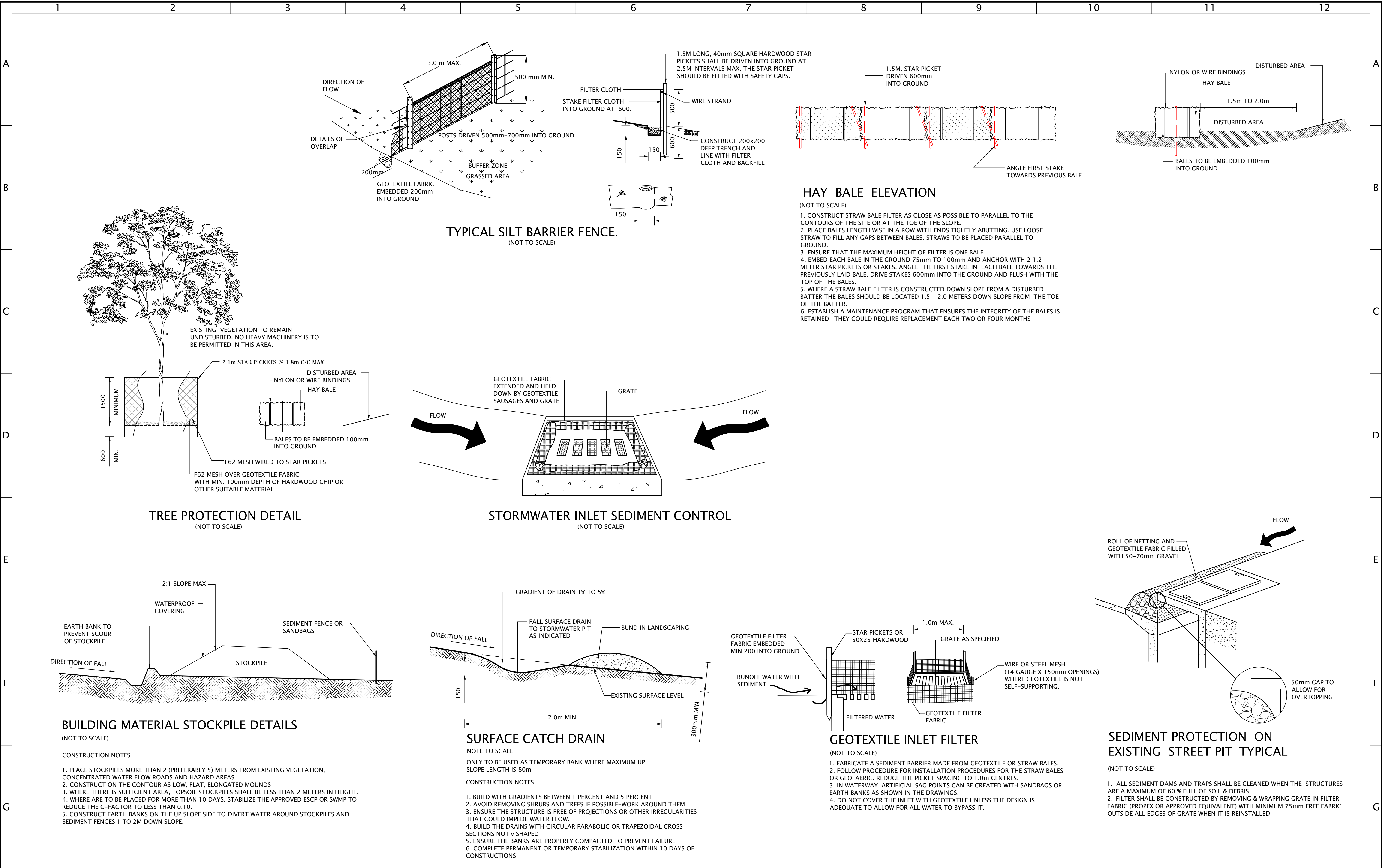
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ISSUE		AMENDMENT		DATE		PLANS		010002000300040005000						Title		SOIL EROSION & SEDIMENTATION DETAILS		SCALES		AS SHOWN		DATE PLOTTED									
A		ISSUE FOR DA APPLICATION		07/11/19												11 VICTORIA STREET WOLLONGONG NSW 2500 TELEPHONE: 02 42 266 646 Email: info@atbconsulting.com.au				Project		PROPOSED APARTMENT DWELLING		DRAWN		D.K.		13/05/19			
																										DESIGNED		G.U.		DATUM A.H.D.	
																												CHECKED		G.U.	
																								PROJECT No		19044		DWG		C3	
																						</									



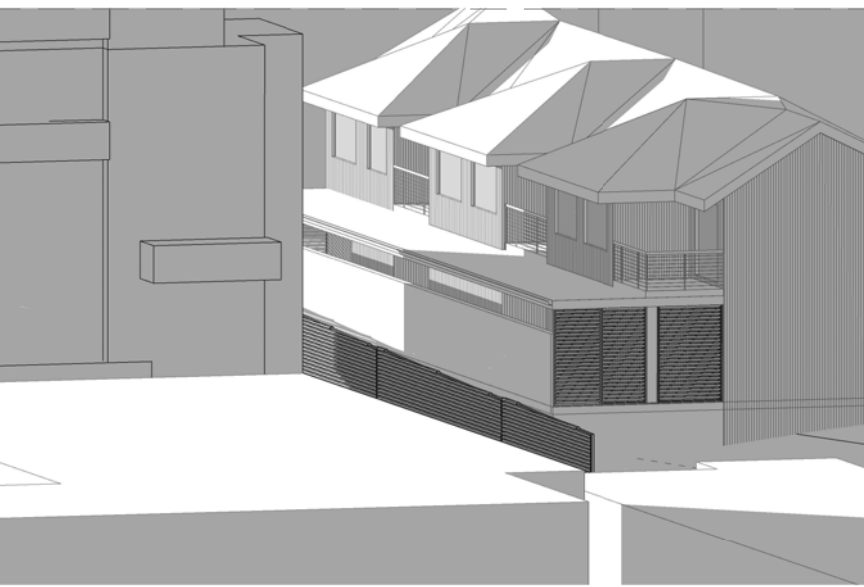
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NOT FOR CONSTRUCTION

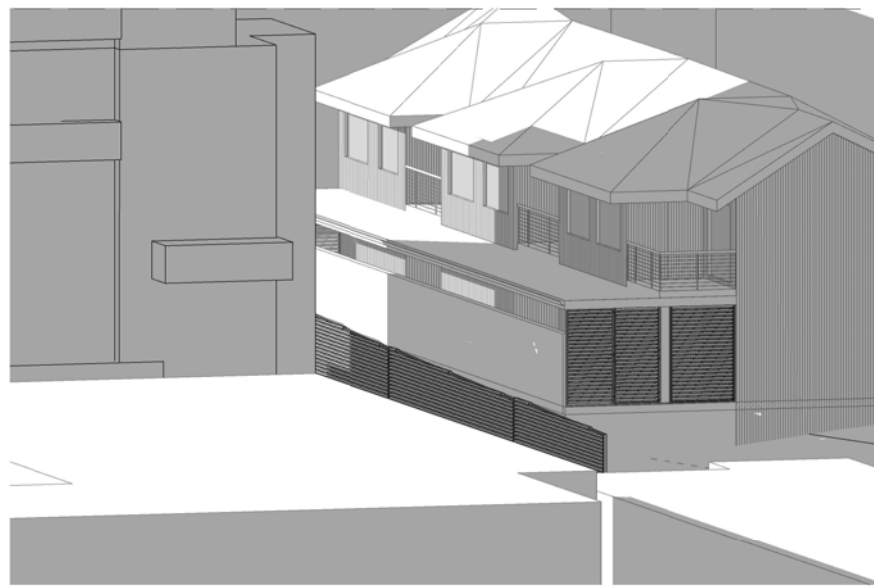
DEVELOPMENT APPLICATION

AMENDMENTS

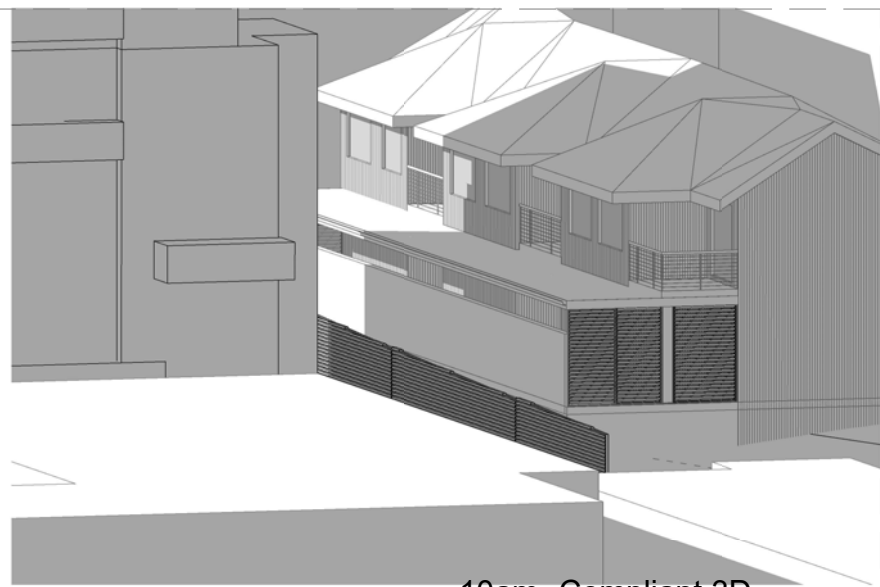
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B	AMENDMENT TO TEXT COLOUR ON SHADOW DIAGRAMS	21.01.2020	SH



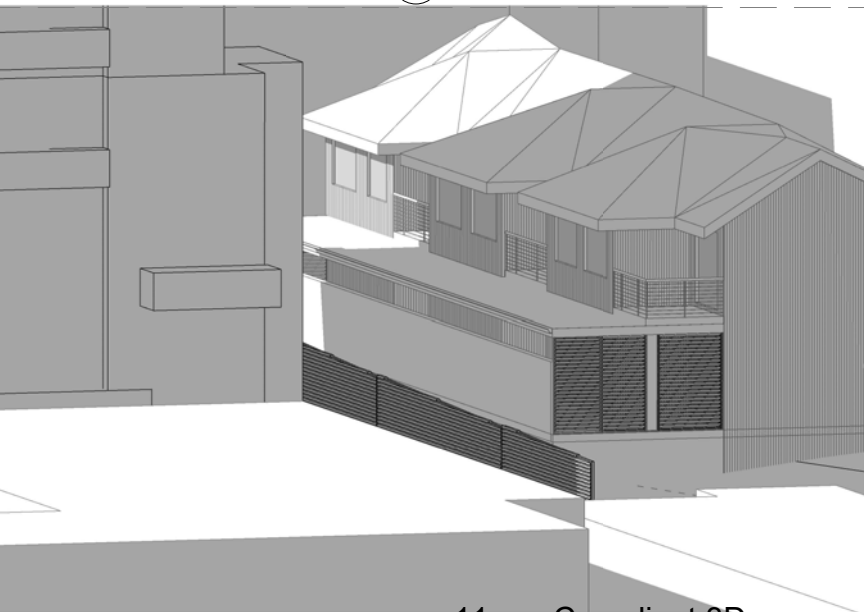
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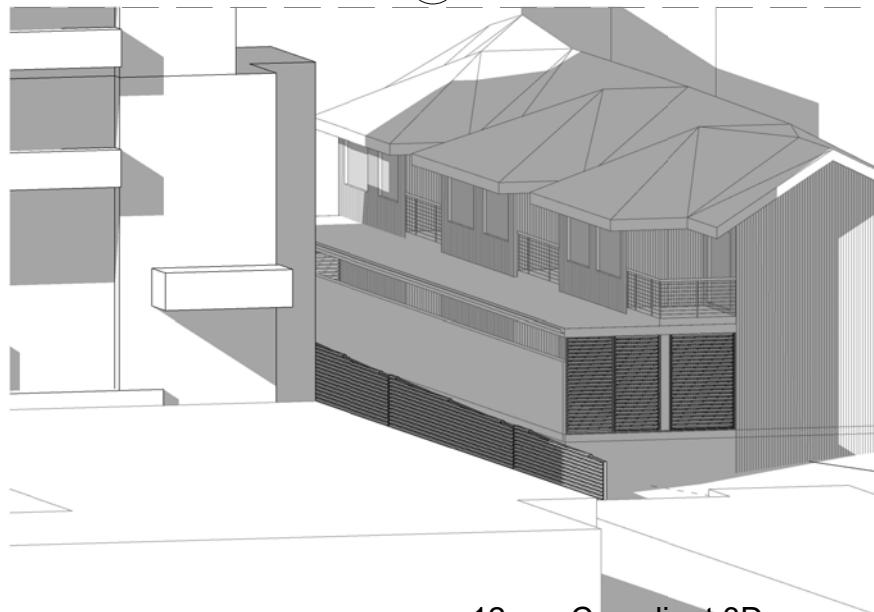
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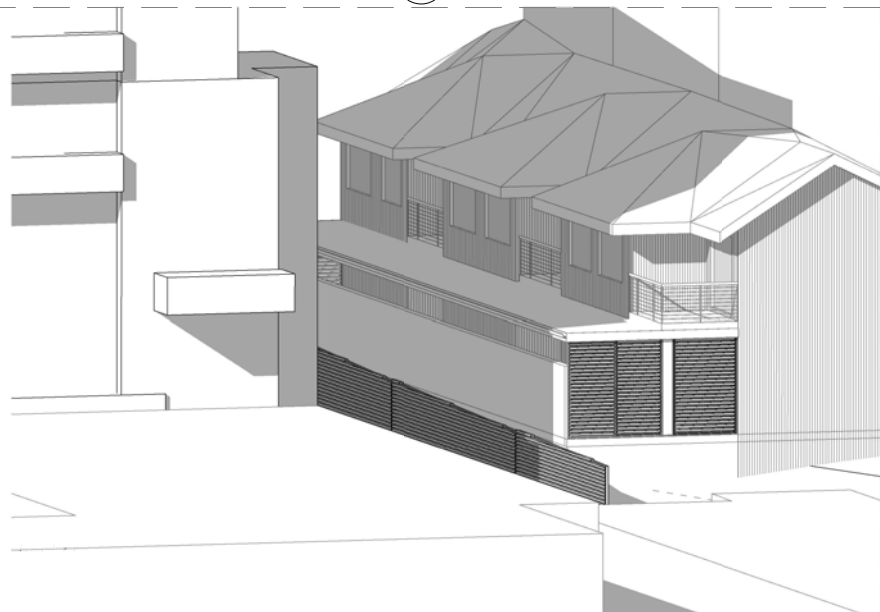
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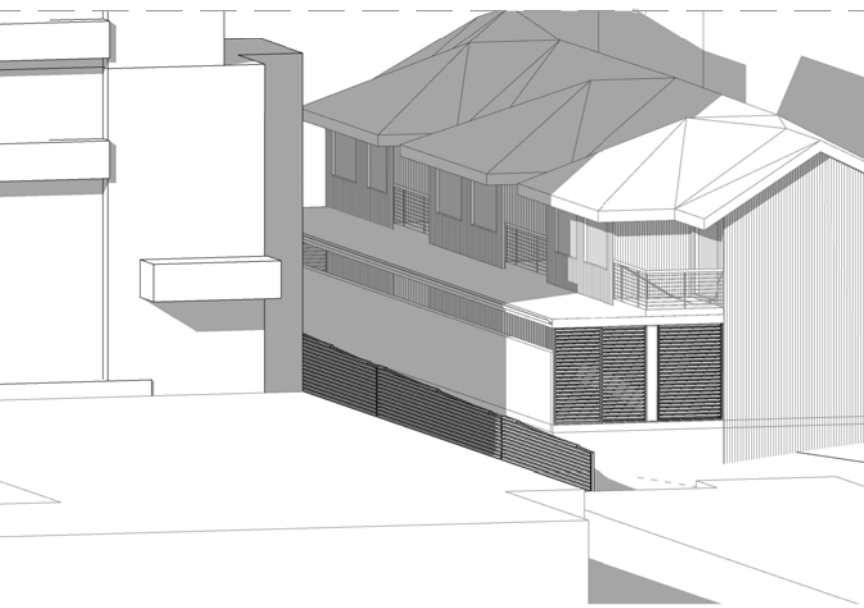
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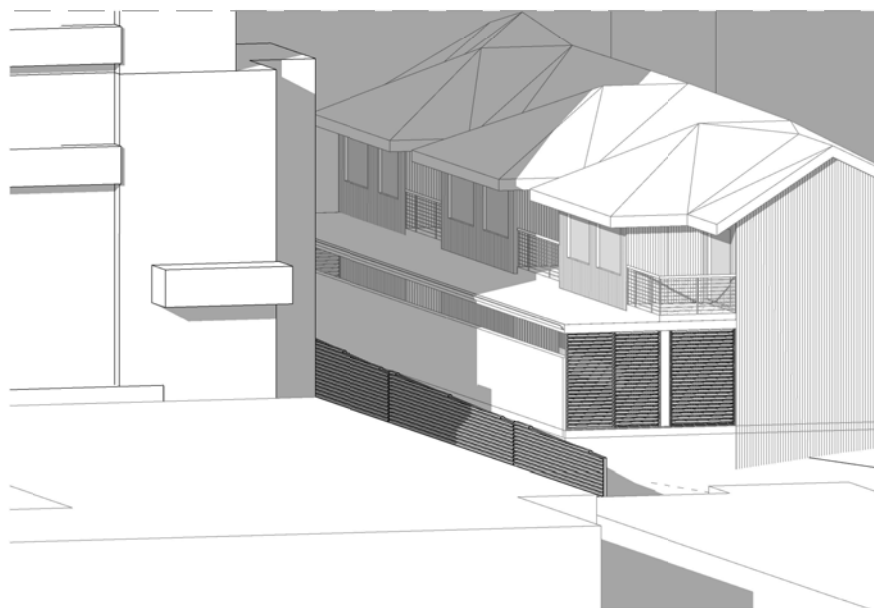
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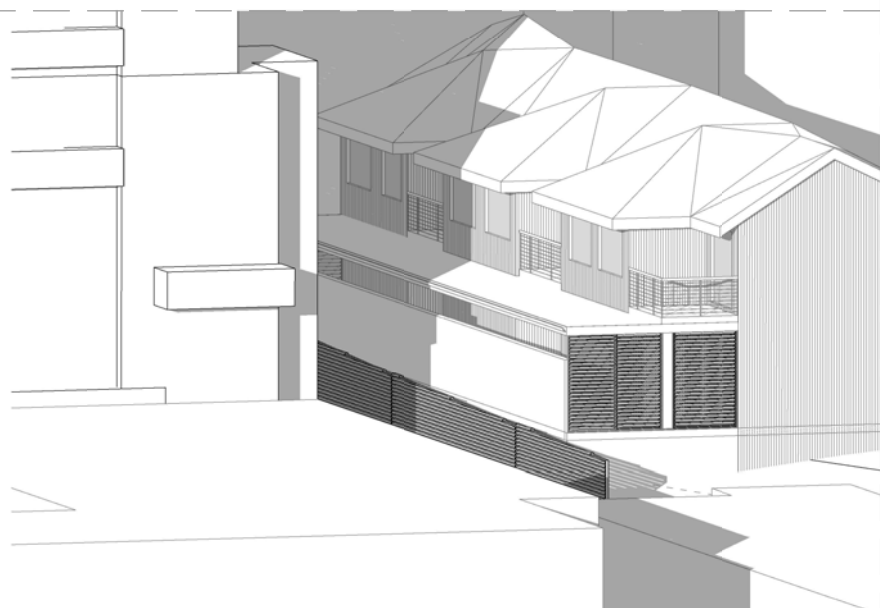
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7 2pm- Compliant 3D Massing



8 3pm- Compliant 3D Massing



9 4pm- Compliant 3D Massing

PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

3D SHADOWS- COMPLIANT MASSING

MORETTI CONSTRUCTION18-60

DA-25 -B



21/01/2020 1:21:49 PM



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NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION



AMENDMENTS			
No.	Revision Description	Date	BY:
A	DA SUBMISSION	2019.11	SH
B	AMENDMENT TO TEXT COLOUR ON SHADOW DIAGRAMS	21.01.2020	SH

RL 28,000

COMMUNAL OPEN SPACE

POS

6080  
UP TO LEVEL 4  
9000  
LEVELS 5-8

POS ROOF OVER

POS ROOF OVER

POS ROOF OVER

POS

1 9am- Compliant Massing

RL 28,000

COMMUNAL OPEN SPACE

POS

6080  
UP TO LEVEL 4  
9000  
LEVELS 5-8

POS ROOF OVER

POS ROOF OVER

POS ROOF OVER

POS

2 10am- Compliant Massing

RL 28,000

COMMUNAL OPEN SPACE

POS

6080  
UP TO LEVEL 4  
9000  
LEVELS 5-8

POS ROOF OVER

POS ROOF OVER

POS ROOF OVER

POS

3 11am- Compliant Massing

RL 28,000

COMMUNAL OPEN SPACE

POS

6080  
UP TO LEVEL 4  
9000  
LEVELS 5-8

POS ROOF OVER

POS ROOF OVER

POS ROOF OVER

POS

4 12pm- Compliant Massing

PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

SHADOW DIAGRAMS- COMPLIANT MASSING

MORETTI CONSTRUCTION18-60

DA-20 -B



21/01/2020 1:18:48 PM

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DEVELOPMENT APPLICATION



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RL 28.000

COMMUNAL OPEN SPACE

POS

POS ROOF OVER

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COMMUNAL OPEN SPACE

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POS ROOF OVER

POS ROOF OVER

POS

RL 28.000

COMMUNAL OPEN SPACE

POS

POS ROOF OVER

POS ROOF OVER

POS ROOF OVER

POS

① 1pm- Compliant Massing

② 2pm- Compliant Massing

RL 28.000

COMMUNAL OPEN SPACE

POS

POS ROOF OVER

POS ROOF OVER

POS ROOF OVER

POS

③ 3pm- Compliant Massing

PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

SHADOW DIAGRAMS- COMPLIANT MASSING

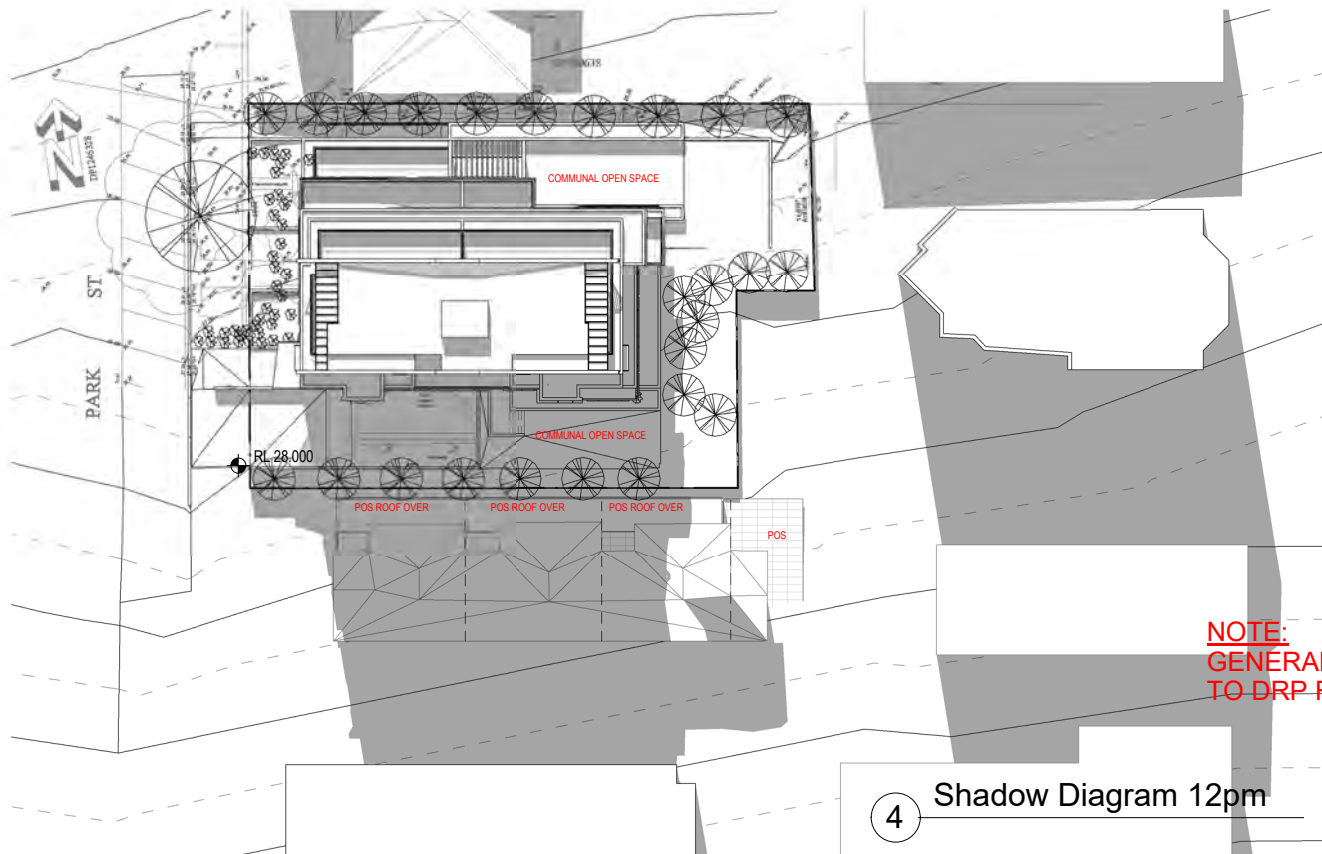
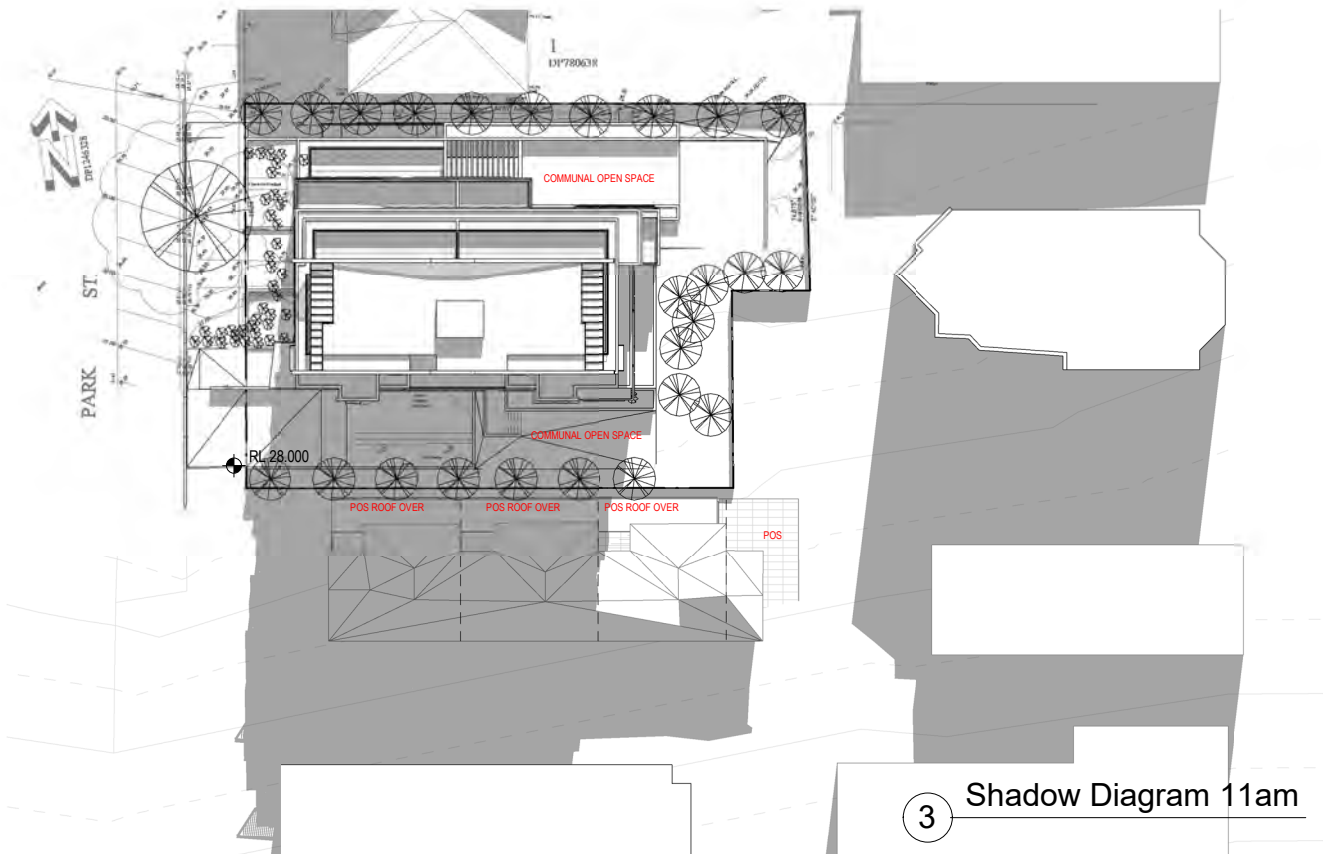
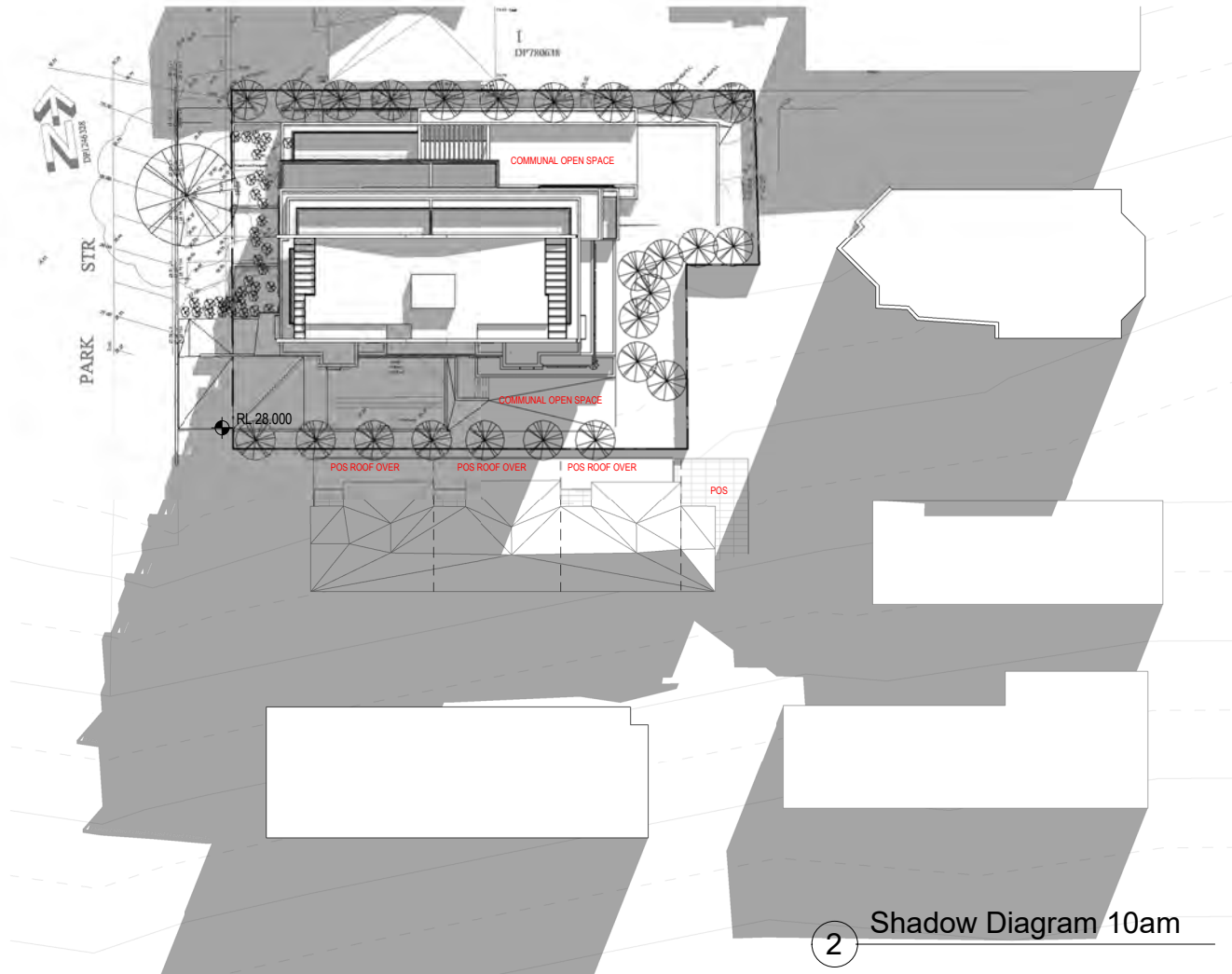
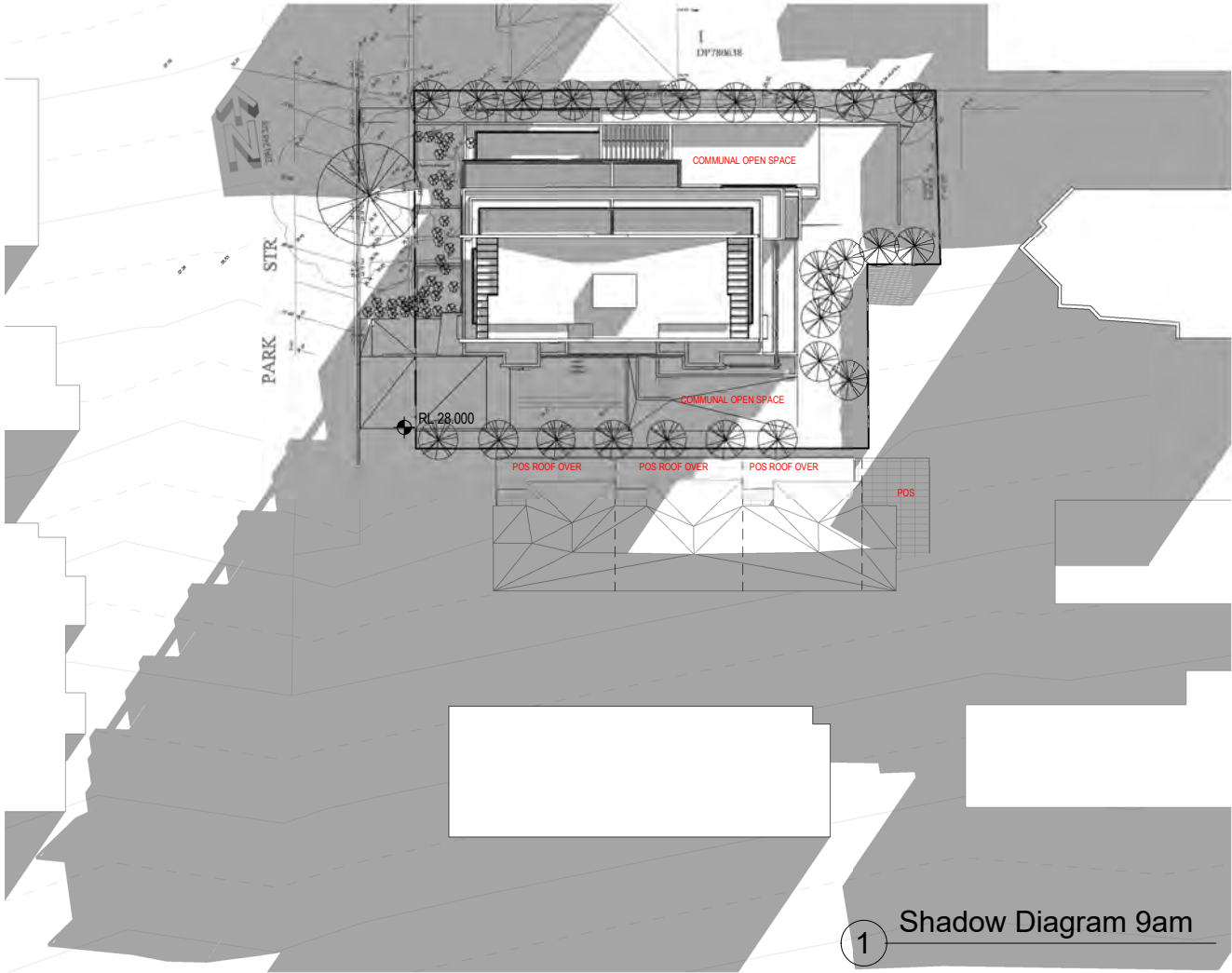
MORETTI CONSTRUCTION18-60

DA-22 -B



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DEVELOPMENT APPLICATION

AMENDMENTS			
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A	DA SUBMISSION	2019.11	SH
B	AMENDMENT TO TEXT COLOUR ON SHADOW DIAGRAMS	21.01.2020	SH
C	DA REVISION TO DRP	05.05.2020	DC
D	GENERAL DRP/CIENT CHANGES	09.06.2020	DC
E	BASEMENT PARKINGS & FSR CALCULATION	23.06.2020	DC

NOTE:  
GENERAL AMENDMENT ACCORDING  
TO DRP REQUIREMENTS.

# PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

## SHADOW DIAGRAMS- WINTER SOLSTICE

# MORETTI CONSTRUCTION18-60

DA-19 -E



23/06/2020 10:32:19 AM

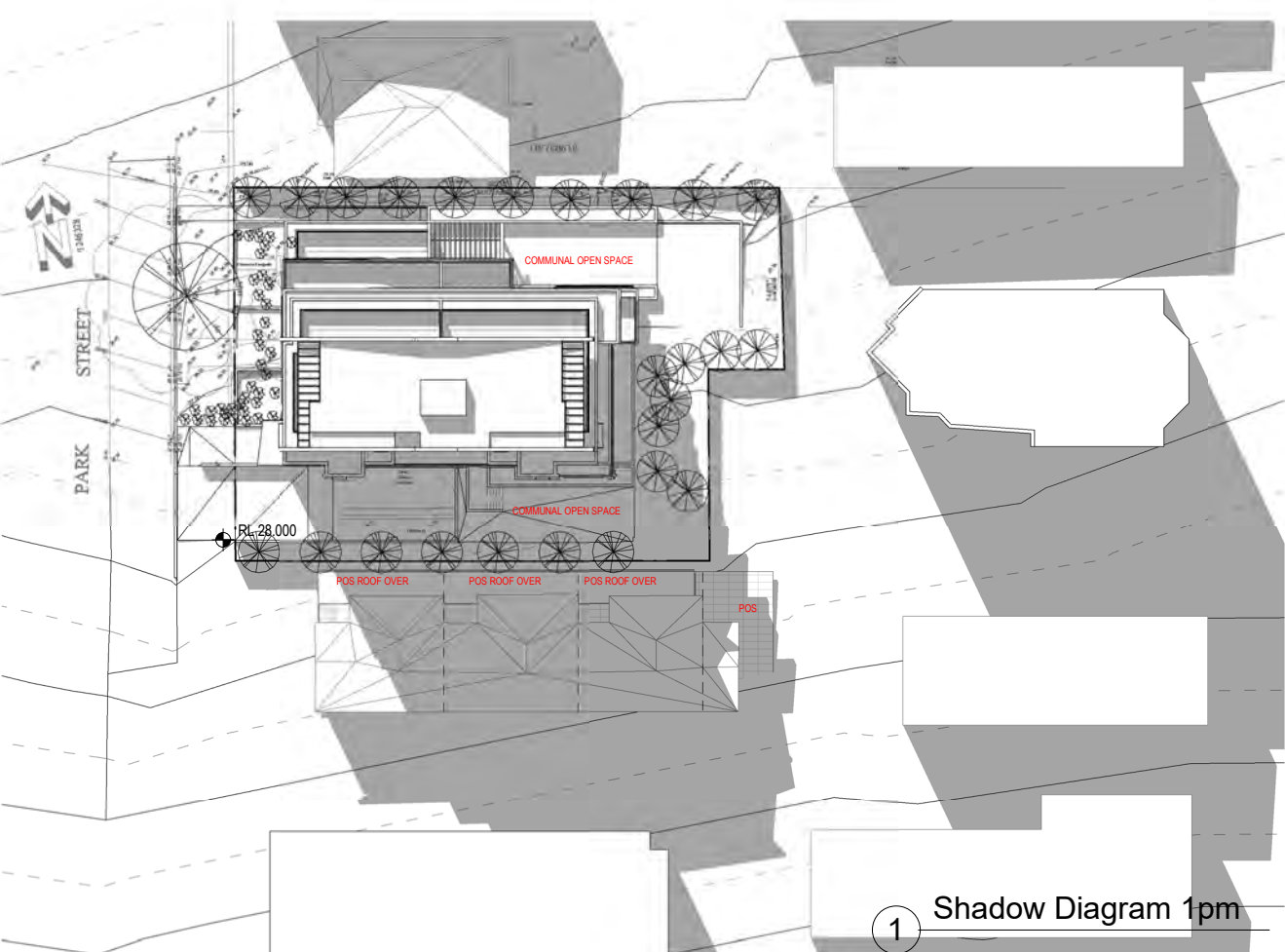
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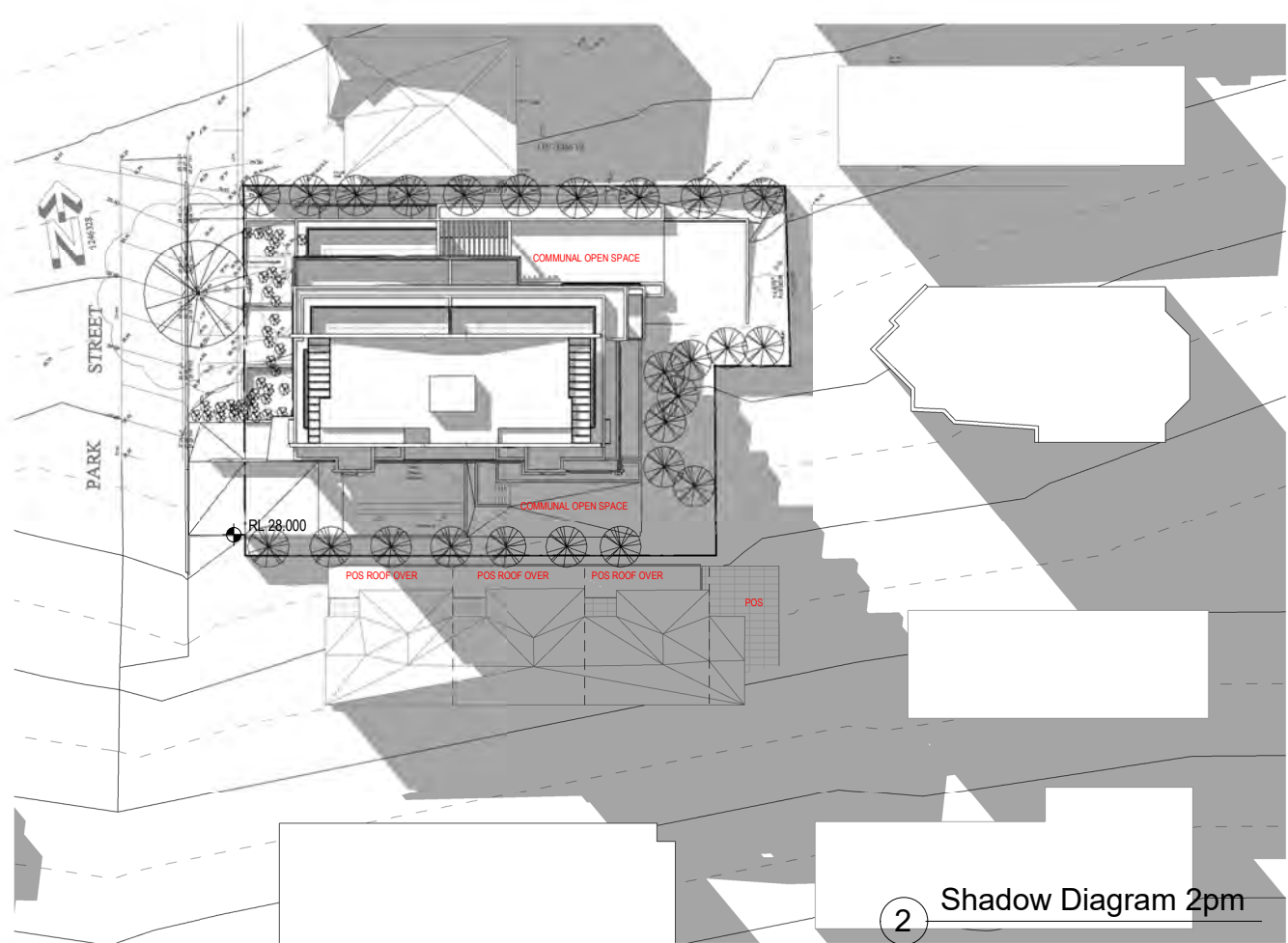
DEVELOPMENT APPLICATION



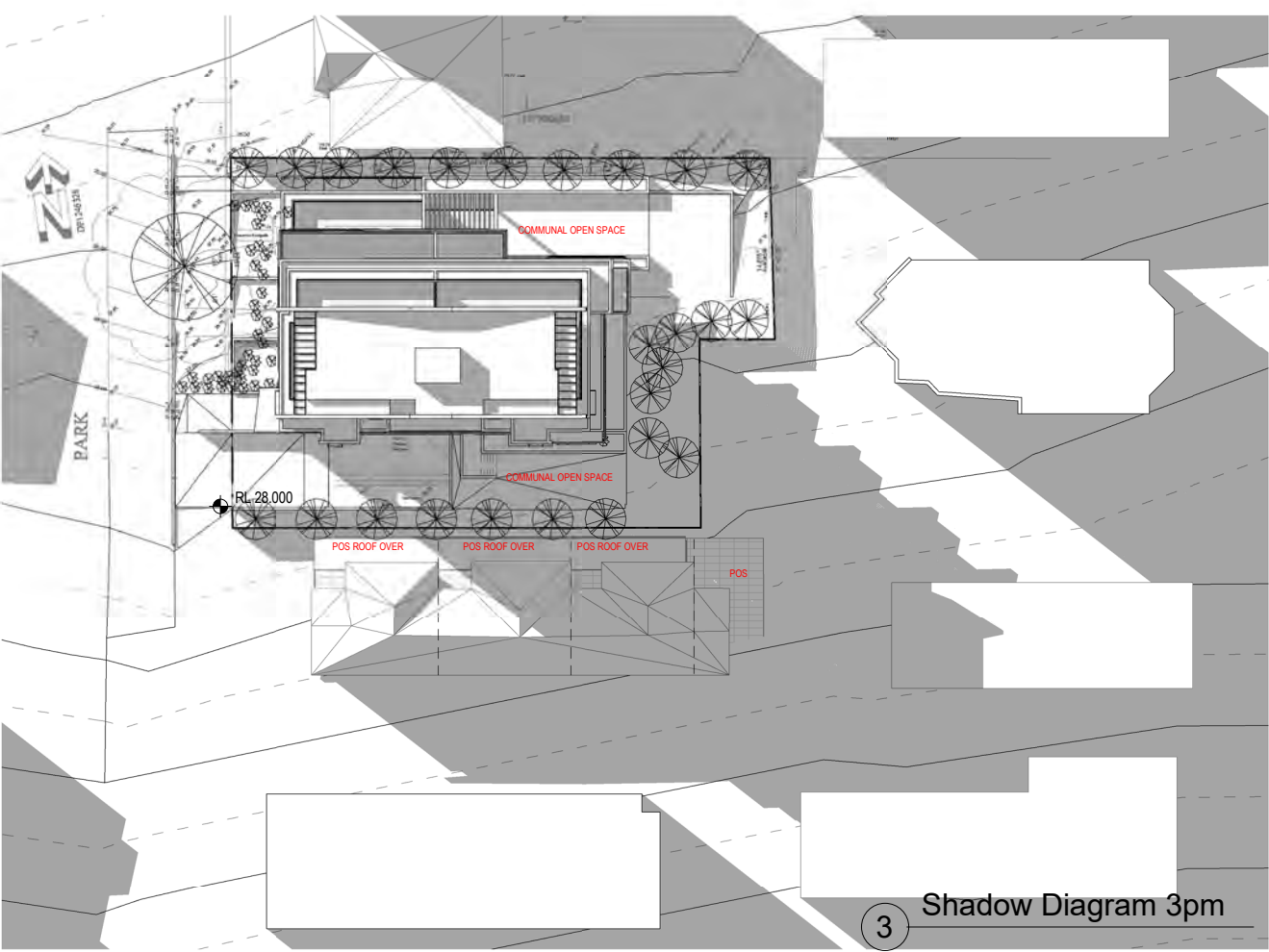
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E	GENERAL DRP/CIENT CHANGES	09.06.2020	DC
F	BASEMENT PARKINGS & FSR CALCULATION	23.06.2020	DC



① Shadow Diagram 1pm

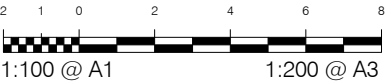


② Shadow Diagram 2pm



③ Shadow Diagram 3pm

**NOTE:**  
GENERAL AMENDMENT ACCORDING  
TO DRP REQUIREMENTS.



PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

SHADOW DIAGRAMS- WINTER SOLSTICE

MORETTI CONSTRUCTION18-60

DA-20 -F



23/06/2020 10:32:48 AM



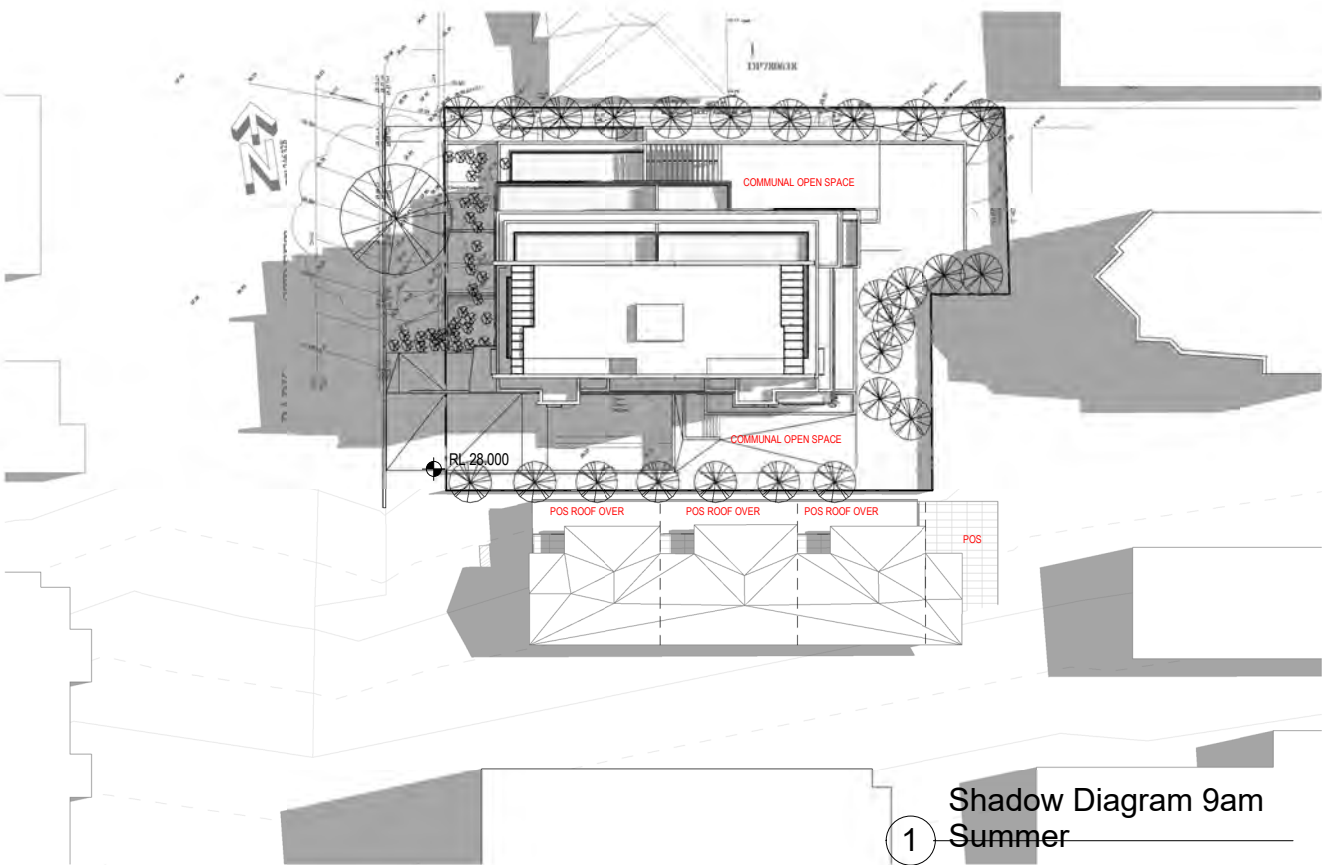
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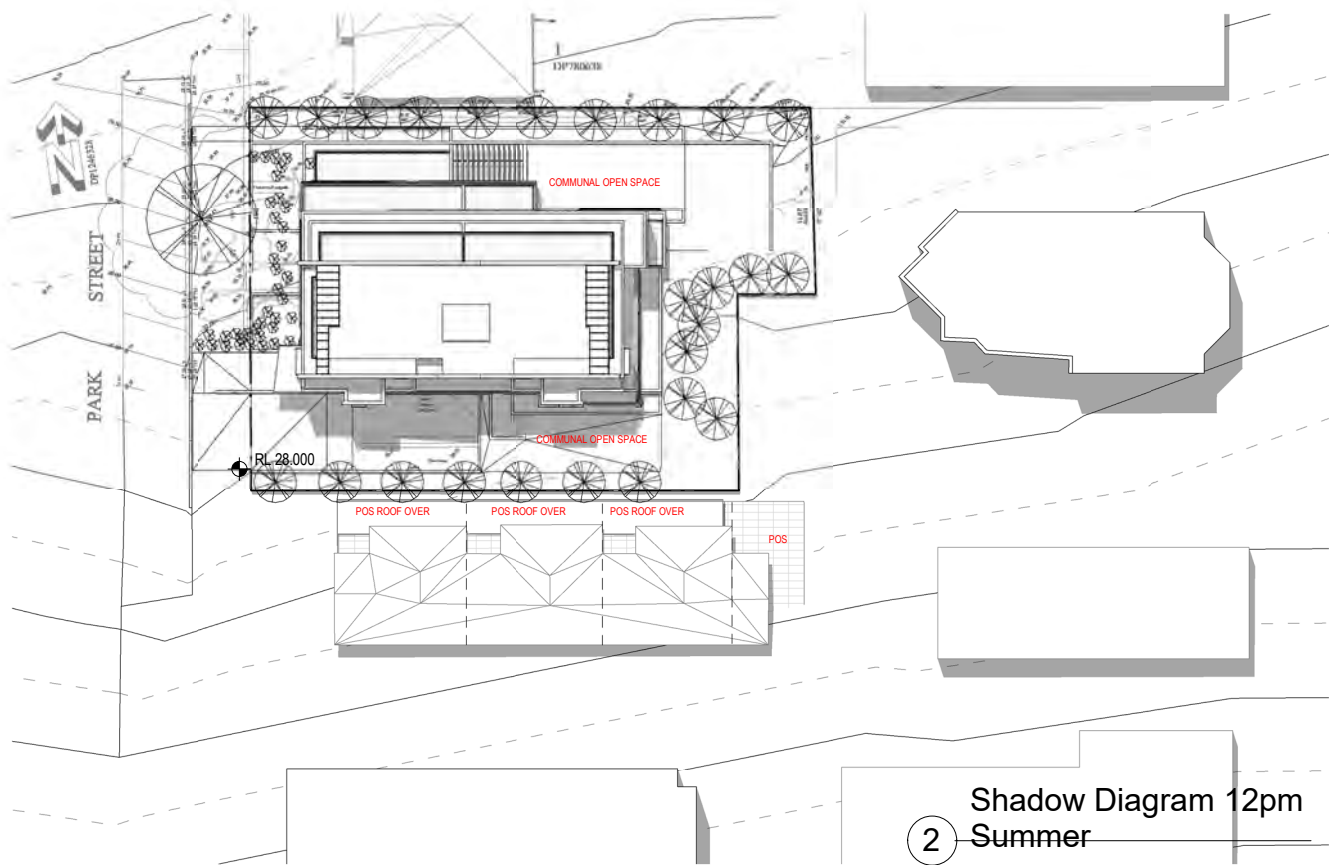
DEVELOPMENT APPLICATION



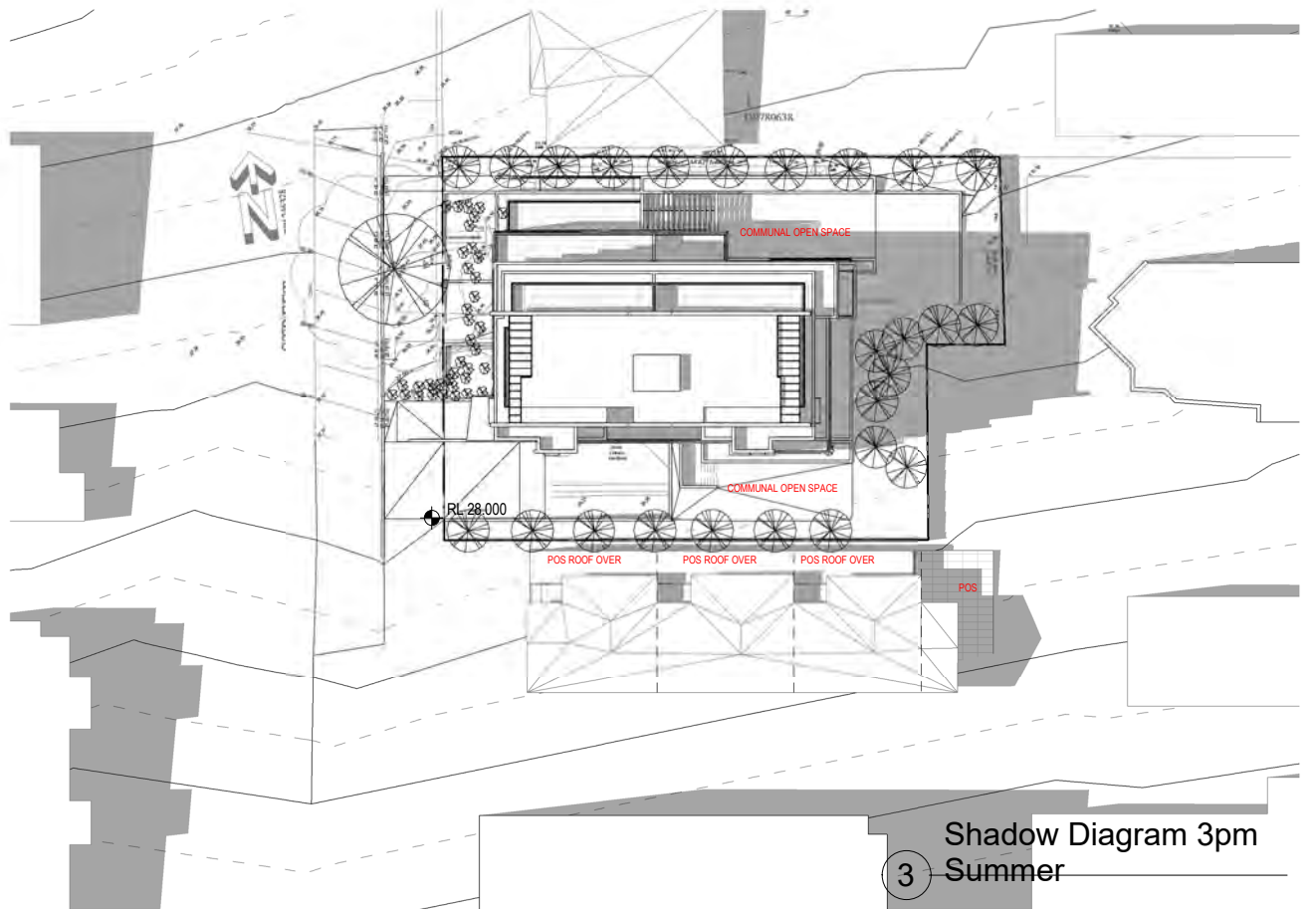
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No.	Revision Description	Date	BY:
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Shadow Diagram 9am  
1 Summer



Shadow Diagram 12pm  
2 Summer



Shadow Diagram 3pm  
3 Summer

NOTE:  
GENERAL AMENDMENT ACCORDING  
TO DRP REQUIREMENTS.

PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

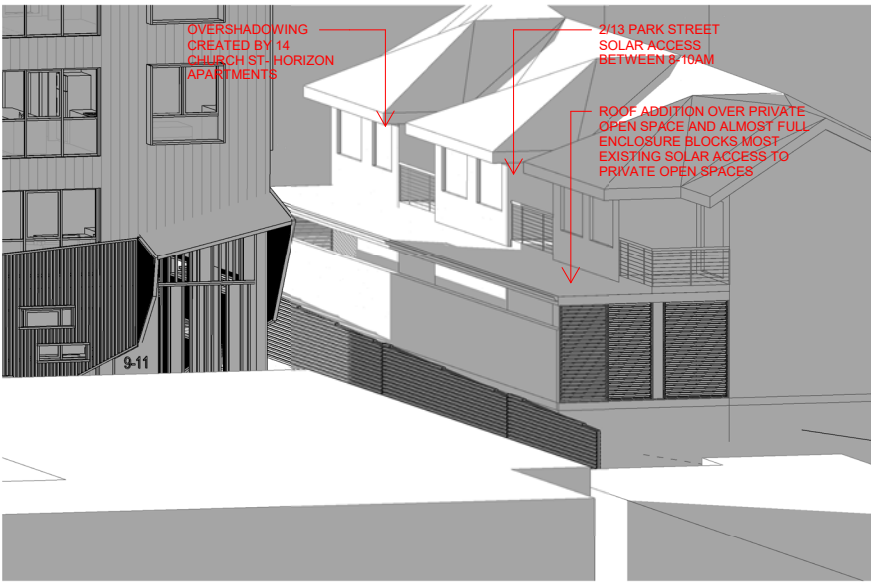
SHADOW DIAGRAMS- SUMMER SOLSTICE

MORETTI CONSTRUCTION18-60

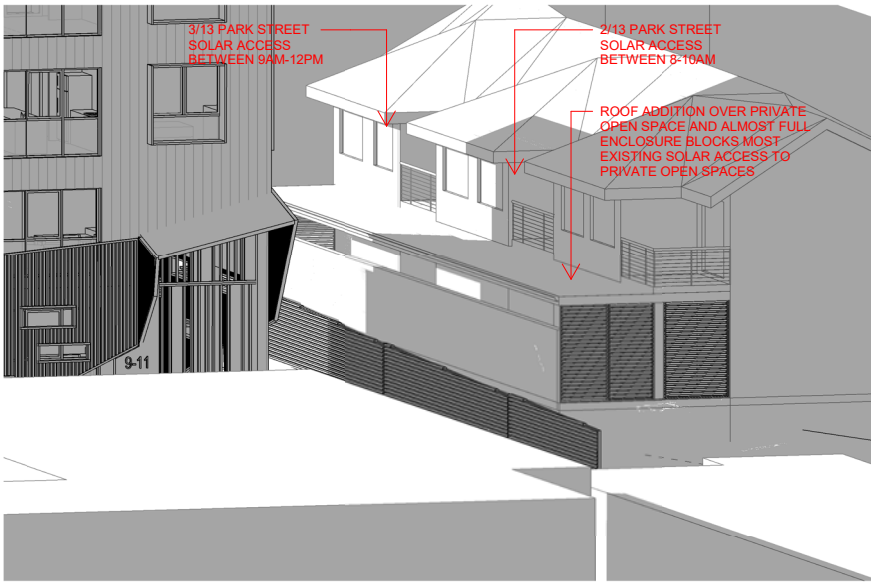
DA-21 -F



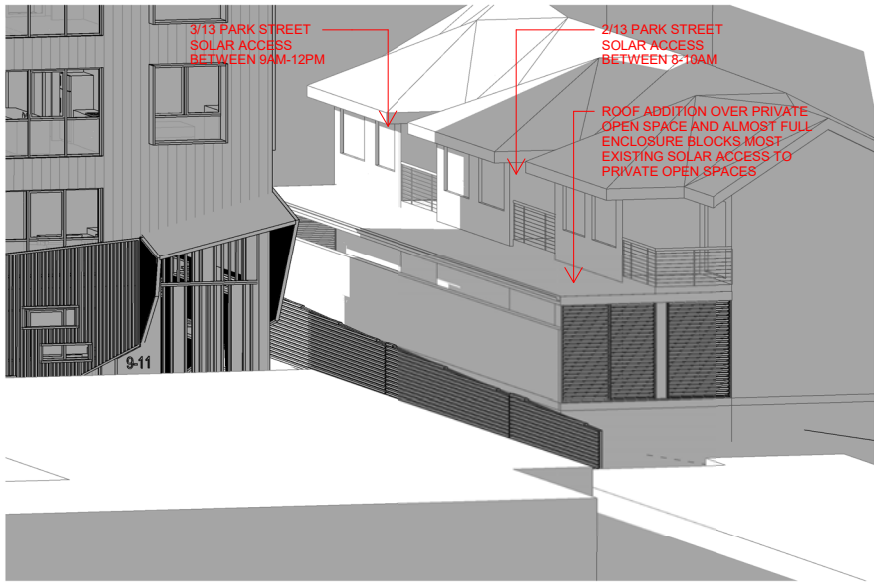
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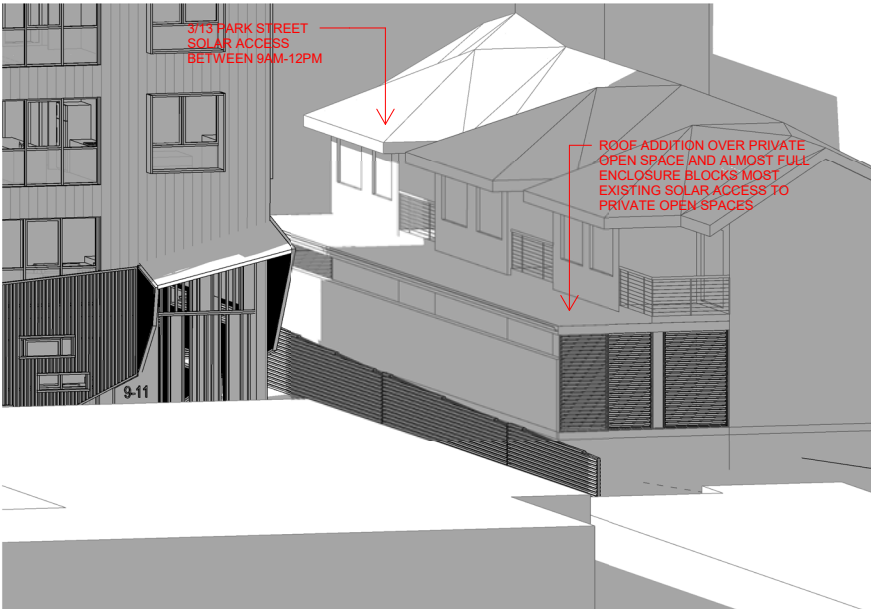
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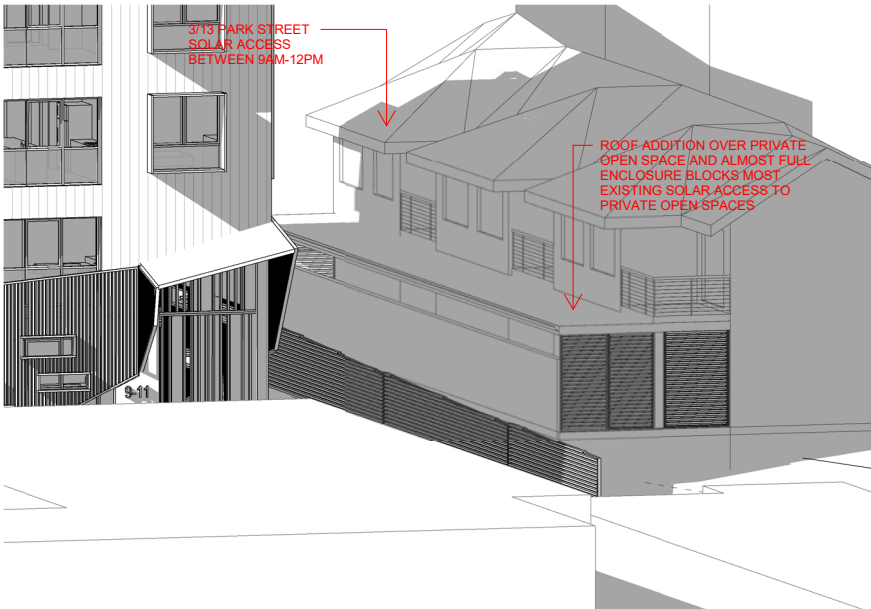
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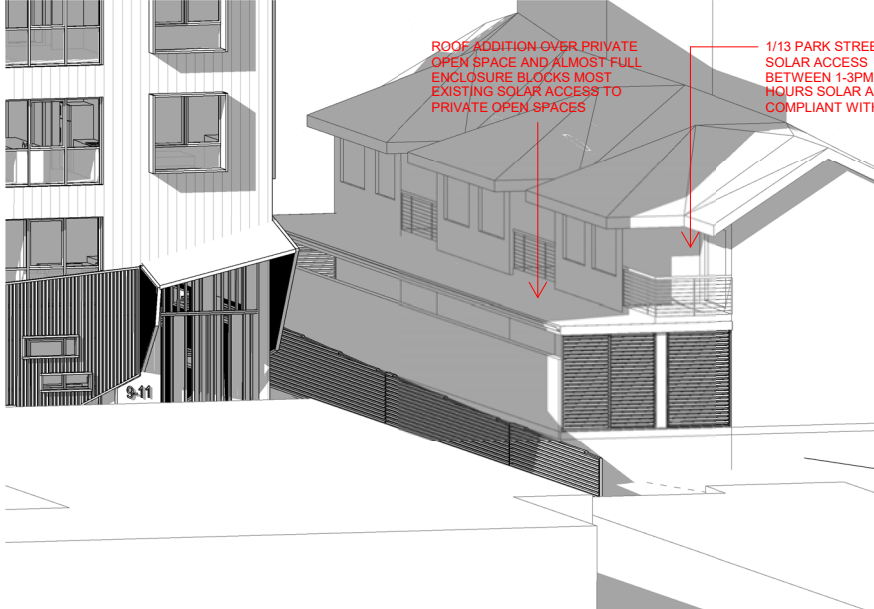
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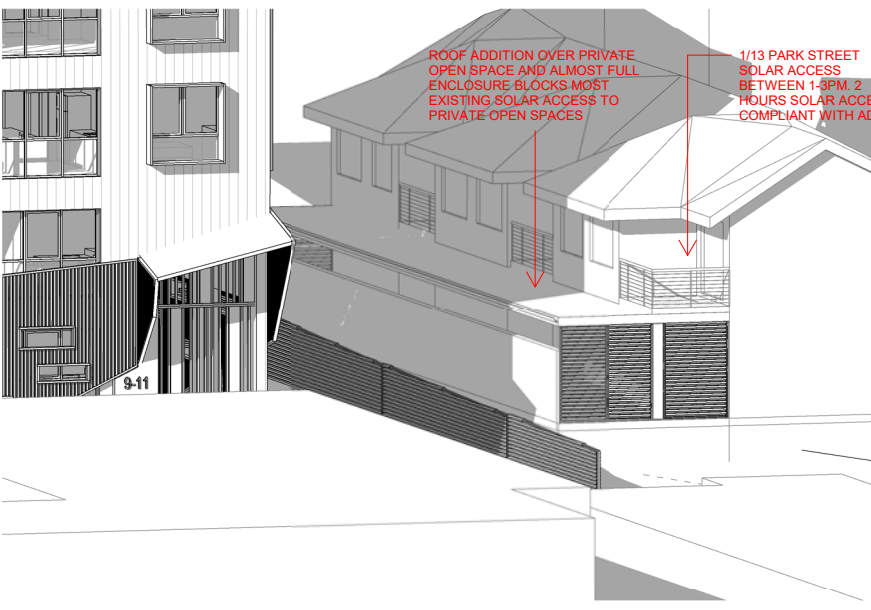
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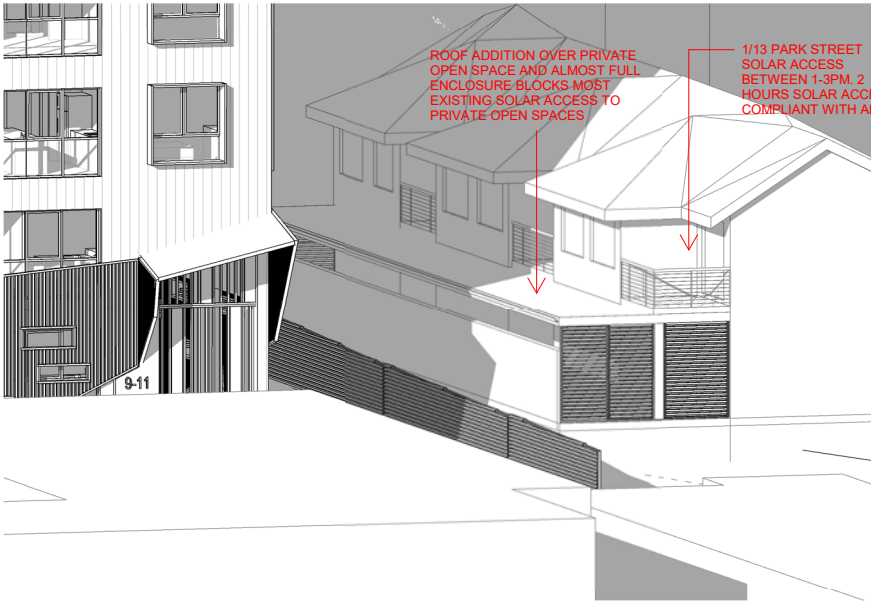
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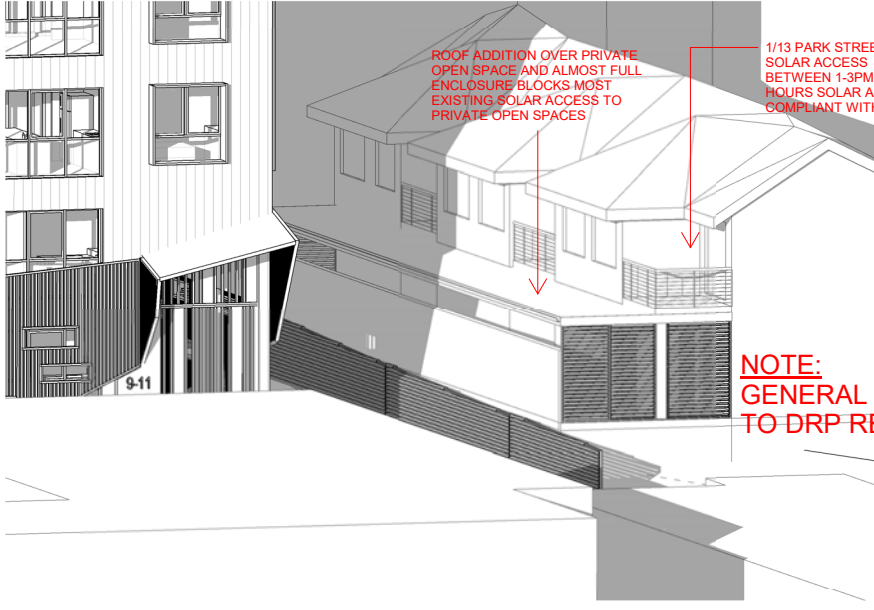
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7 2pm 13 PARK STREET

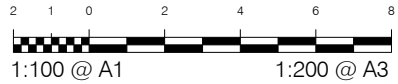


8 3pm 13 PARK STREET



9 4pm 13 PARK STREET

NOTE:  
GENERAL AMENDMENT ACCORDING  
TO DRP REQUIREMENTS.



PROPOSED APARTMENT BUILDING

9-11 PARK STREET WOLLONGONG. LOT 1, DP 780693 & LOT 1, DP 1246328

SHADOWS TO 13 PARK STREET

MORETTI CONSTRUCTION18-60

DA-22 -F



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NOT FOR CONSTRUCTION  
DEVELOPMENT APPLICATION

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20 April 2020

Our Ref: LEF:20/1226

PRD Architects  
2/73 Market Street  
WOLLONGONG NSW 2500

**By email only:** [scott.millican@prdarchitects.com](mailto:scott.millican@prdarchitects.com)

RE: PRD ARCHITECTS | ADVICE REGARDING ISOLATED ALLOTMENT| LOT 1 DP  
780693 & LOT 1 DP 1246328 |

## 1. Background and Instructions

- 1.1 PRD Architects is the proponent of a development application submitted to Wollongong Council ("Council") for the development of 9-11 Park Street Wollongong, legally known as Lot 1 DP 780693 and Lot 1 DP 1246328 ("Site").
- 1.2 It is proposed to construct a residential flat building ('RFB') consisting of 15 apartments over 2 levels of basement car parking on the Site ("Proposal"). The Proposal also includes the consolidation of the two allotments which, together, form the Site.
- 1.3 The Site is zoned R1 General Residential under the Wollongong Development Control Plan ('WDCP').
- 1.4 At the pre-lodgment meeting on 6 August 2019, Council raised concern that the proposal would create an isolated lot to the south, being No. 13 Park Street, Wollongong, legally known as Lot 1 DP 1014832 ("No 13"). Specifically, Council requested that the circumstances in which an isolated lot is permitted by the WDCP be addressed in the development application.
- 1.5 The issue was addressed in the Statement of Environmental Effects ('SEE') prepared by SET Consultants dated 15 November 2019 which accompanied the development application. In summary, it was submitted that isolation of No. 13 Park Street would not occur. An extract of the Statement is provided below:



Planning Development Commercial Lawyers  
Level 2, 73 Church Street, Wollongong NSW 2500  
Suite 1, Level 2, 144 Junction Street, Nowra NSW 2541  
PO Box 214 Wollongong NSW 2520  
ABN 64 612 774 848

Liability limited by a scheme approved under Professional Standards Legislation  
Legal practitioners employed by Planning Development Commercial Lawyers are members of the scheme.

*“... it is considered the No. 13 Park Street has reached its full development potential within the expectation of the R1 General Residential zone and the process of the planning principle is not required to be undertaken. The proposed development therefore does not create an isolated lot”.*

- 1.6 Council have indicated that they remain of the view that No. 13 will become an isolated site should the development be approved.
- 1.7 You have sought our advice as to whether No. 13 would properly be characterised as an isolated lot for the purposes of assessment of this development application.

## **2. Summary of opinion**

- 2.1 It is our opinion that No. 13 will not become an isolated lot having regard to the matters below:
  - (a) the current development of No 13;
  - (b) the objectives of the relevant zone and character statement for the North Wollongong area;
  - (c) case law relating to what will constitute an isolated allotment; and
  - (d) the Wollongong Development Control Plan.

## **3. Current Development of No 13**

- 3.1 No. 13 has been developed by way of a two-storey building over basement parking ('existing development'). It is approximately 700m<sup>2</sup> in area with a 15 metre frontage.
- 3.2 The building comprises four residencies approved as townhouses in 1991 which were subsequently strata subdivided in 1997. As a result of the strata subdivision, the strata lots in No 13 are held in four separate ownerships.
- 3.3 The development on the lot is properly characterised as medium density development and, as outlined in the SEE, it may constitute a RFB that would now be subject to the provision of SEPP 65.
- 3.4 The following figure is an aerial view of North Wollongong with No. 13 located approximately in the centre of the image and identified with a green marker.





Figure 1 – North Wollongong aerial photograph obtained from Nearmaps on 18 April 2020

- 3.5 Figure 1 demonstrates that both the size of No 13 and the existing development on No 13 accords with much of the surrounding development.
- 3.6 Having regard to the surrounding development, it is **not** an example of a small allotment or of an underdeveloped property.
- 3.7 The current development is not approaching the end of its lifecycle and compared to many of the surrounding properties, has been the subject of relatively recent development.

#### **4. Zone objectives and character statement**

- 4.1 The objectives of the R1 General Residential Zone are as follows [emphasis added]:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

- 4.2 The existing development at No 13 is entirely consistent with these objectives. It provides for the diverse housing needs of the community and makes a positive contribution to housing variety in the area.
- 4.3 Chapter D1 of the WDCP provides character statements which identify the existing character and desired future character for each particular suburb within the city. The North Wollongong Character Statement provides [emphasis added]:

*North Wollongong is situated directly to the north of Wollongong City Centre and is a medium to high density residential suburb. It comprises predominantly of residential apartment buildings as well as a mix of other low to medium density residential development, including detached dwelling-houses, townhouses and walk up flats.*

*North Wollongong will remain a medium to high density residential area and is likely to experience the replacement of some older housing stock with the erection of new multi-dwelling housing and residential flat buildings given the suburb's proximity to Wollongong City Centre, North Wollongong Beach and Wollongong Harbour / Belmore Basin.*

- 4.4 It is clear from this statement that Council envision a mix of both medium and high-density development in the North Wollongong area.
- 4.5 If Council intended for North Wollongong (and more specifically, Park Street) to be high-density development only, this would have been reflected in the character statement and zoning of the area. Park Street and surrounds are zoned R1 rather than a zone which would only allow for higher density development.

## **5. Case law related to isolated allotments**

- 5.1 *Karavellas v Sutherland Shire Council* [2004] NSW LEC 251 ("Karavellas Case") is a seminal case in relation to the amalgamation of sites and isolation of sites through redevelopment.
- 5.2 In the Karavellas Case, the Court restated that *Melissa Grech v Auburn Council* [2004] NSWLEC 40 ("Grech Case") is the appropriate starting point for the general questions in relation to site isolation.
- 5.3 In the Grech Case it was found that, although the adjoining property could technically be suitable for other permissible forms of development, the form of development most likely to occupy the adjoining development was a residential flat development and the site that was found to be isolated would not be suitable for a residential flat development.
- 5.4 Contrasting the circumstances of the Grech Case against the present development squarely demonstrates the reasons why No 13 is not an isolated allotment. These reasons include:
  - (a) in the Grech Case the adjoining allotment was a single dwelling house in an area where the predominant form of accommodation was residential flat buildings. This can be contrasted to the present case where:



- i. No 13 is substantially greater than a single dwelling house. It has multiple ownership and could be classified as a residential flat building in its own right;
  - ii. there is a mix of surrounding development in the area and the development of No 13 is already consistent with the general form of development in the area; and
- (b) the Grech Case related to a property in a Residential (Residential Flat Buildings) Zone. This zone had within its zone objectives the objective of permitting residential flat buildings. This can be contrasted with the objectives of the relevant R1 General Residential zone the subject of No 13 which include the provision of a variety of housing types and densities [emphasis added].

5.5 In *Hamdan Co Group Pty Ltd v Canterbury-Bankstown Council* [2018] NSWLEC 1255 ('Hamdan') the Court adopted a wide approach when considering the respective prohibitive clause in the Bankstown DCP which states:

*Isolation of sites occurs where a property that adjoins a development site would be narrower or smaller than required to be developed under Canterbury LEP. Consequently the isolated site would be incapable of accommodating the form of redevelopment envisaged by the planning controls.*

The Court interpreted the objective of the clause as follows:

*[39] The objectives of the provision are to ensure sites are not sterilised by adjoining development so as to be incapable of being reasonably developed under the applicable controls.*

- 5.6 Adopting the approach of *Hamdan*, we conclude that the objective of isolated lot provisions is to prevent land being sterilized in the sense that, due its isolation, it is no longer capable of accommodating development that is consistent with the planning controls in the area.
- 5.7 Lot 13 is not isolated in this sense, given that its existing development is consistent with both the planning controls and the general form of development in the area.
- 5.8 Further in *Hamdan*, the Court considered an area in which the zone objectives encouraged a variety of dwelling types and an alleged isolated allotment that would not accommodate a residential flat building and made the following assessment:

*".....the zone objectives encourage a variety of dwelling types which translate to a likely diversity in future built form outcome. Therefore, development which does not reflect an RFB outcome, with the associated design controls, should not be considered to be incompatible simply because it isn't an RFB."*

- 5.9 This demonstrates that it is improper in the present case to determine that No 13 is an isolated allotment, merely on the basis that it doesn't comply with the controls for an RFB.

- 5.10 In *680-682 Kingsway Caringbah Pty Ltd v Sutherland Shire Council* [2017] NSWLEC 99, Acting Justice Molesworth reiterated the relevant considerations for determining lot isolation:

*[117]...the factor of "isolation" can be considered from two perspectives: first, can the potentially isolated blocks be acceptably developed, as a single site, in a manner which accords with the relevant planning controls? Secondly, can the alleged isolation of the adjoining blocks be overcome in the future by way of amalgamation with other adjoining land?*

- 5.11 As No 13 has already been 'acceptably developed, as a single site, in a manner which accords with the relevant planning controls' it follows that No 13 will not be isolated by the proposal. It is therefore not necessary to consider the second perspective.

## **6. Wollongong Development Control Plan**

- 6.1 Clause 6.2 of Chapter B1 of the WDCP prohibits development that would result in the creation of an "isolated lot" on land zoned R1 General Residential Zone. An isolated lot is defined as follows:

*An "isolated lot" is a lot which is bounded on both sides by properties (or a property and a second street frontage) which comprise, existing development other than a single dwelling house and redevelopment of such adjoining properties is unlikely.*

- 6.2 This definition of isolated lot is extremely wide, particularly when compared to equivalent definitions contained in other DCP's. For example, Clause 2.19 of the Lake Macquarie DCP 2014 provides:

*An isolated lot means an allotment that is bounded on all sides (excluding any road frontage) by existing (or approved) medium to high-density residential or commercial development that will preclude the development of the allotment beyond a dwelling house or dual occupancy dwelling or a two storey commercial building [emphasis added].*

- 6.3 The WDCP definition specifies that neighbouring development need only be 'development other than a single dwelling house' as opposed to medium or high-density development. Conceivably, this would include dual occupancies and other low-density development.
- 6.4 Further, the definition does not allow for consideration of the characteristics of the isolated lot. No concession is made where an isolated lot is already highly developed, or developed by a kind which is not dissimilar to that proposed on neighbouring allotments. It follows that a strict interpretation of the clause leads to an anomalous outcome whereby an 'isolated lot' may be a lot that is already highly developed, or already established with development which is similar to that proposed.
- 6.5 Finally, the WDCP does not comment on the impact that the neighbouring development would have on a subject lot in order to effectively 'isolate it'. Rather an exception is granted for lots with a site width of 24 metres or more. Twenty-four metres is the minimum site width required for residential apartment buildings. Mandating a width to accommodate residential flat buildings does



not give reasonable regard to the R1 zone objectives or the current form and desired character of the area.

- 6.6 A strict technical approach to clause 6.2 of the WDCP would be unwarranted and inconsistent with the purposive approach routinely adopted by the Court as outlined above.
- 6.7 For these reasons it is appropriate to either:
- (a) construe the relevant provisions of WDCP with a purposive approach having regard to the case law defining the characteristics that will render a lot isolated; or
  - (b) follow the requirements of section 4.15(3A)(b) of the *Environmental Planning and Assessment Act 1979* and apply clause 6.2 of the WDCP in the flexible manner required by the Act.
- 6.8 Both of these approaches will result in the sensible outcome that recognises that the proposed development will not result in the sterilisation of No 13 having regard to its existing development, the zone objectives and the character of the area.

## 7. Conclusion

- 7.1 As thoroughly examined above, it is our strong view that the proposal will not result in No. 13 becoming an 'isolated lot' as the existing development of the property is:
- (a) appropriate for the area and in keeping with surrounding land uses;
  - (b) compliant with the zone objectives; and
  - (c) relatively recent, having regard to the ages of surrounding development in the North Wollongong area.
- 7.2 In these circumstances it is appropriate for Council to proceed with the assessment of the development application without requiring compliance with the planning principle outline in the Grech Case.
- 7.3 Should you have any questions or wish to discuss further, please do not hesitate to contact the writer.

Yours sincerely

A handwritten signature in black ink, appearing to read 'L. Field'.

Lorri Field  
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## Attachment 6

### Wollongong Design Review Panel Meeting minutes and recommendations

Date	22 January 2020
Meeting location	Wollongong City Council Administration Offices
Panel members	Brendan Randles Carlo Di Giulio Sue Hobley
Apologies	Pier Panozzo – City Centre & Major Development Manager Rachel Harrison - SET Consultants
Council staff	Mark Riordan – Manager City Planning Martin Jameson – Development Project Officer
Guests/ representatives of the applicant	Scott Millican – PRD Architect Diego Quinones – PRD Architects
Declarations of Interest	Nil
Item number	1
DA number	DA-2019/1356
Determination pathway	Wollongong Local Planning Panel
Reasons for consideration by DRP	Clause 28 SEPP 65, Clause 7.18 WLEP 2009
Property address	9-11 Park Street, Wollongong NSW 2500
Proposal	Eight storey residential flat building comprising 15 residential units over two levels of basement carparking.
Applicant or applicant's representative address to the design review panel	
Background	The site previously seen by the Panel on 30 August 2019 under DE-2019/90. The Panel inspected the site at that time. Notes from the previous Panel Report are shown below in italics,
<b>Design quality principals SEPP 65</b>	
Context and Neighbourhood Character	<p><i>The subject site is located on the east side of a sloping north south street in an evolving context in North Wollongong. While Park Street is lined with a mixture of single storey detached houses and three storey walk up units, a seven/eight storey building on the corner of Edward Street provides an indication of the scale currently proposed on the subject site. Located close to North Beach and adjacent parklands, with outstanding views to the Escarpment, the context is ideally located for high quality residential development.</i></p> <p><i>To the north of the subject site is a single storey cottage, while to the south are relatively recently built townhouses. The townhouses raise a number of issues for the proposal. Due to the massing and scale proposed, the townhouses are liable to be heavily impacted, exacerbated by the slope - which falls to the north. Although the townhouse site is strata titled, the potential for increased development at a similar height currently proposed, could indicate that it is "isolated" by the current proposal.</i></p> <p><i>The context is not well described in the drawing package. No site or context analysis has been provided; nor was any "opportunities and constraints" analysis undertaken or any other documents provided to explain how the proposal has responded to its contextual challenges. This is not acceptable for a proposal at this scale.</i></p> <p><i>To properly assess the proposal, all plans, sections and elevations MUST include adjoining properties, existing and likely future built form, trees and landscape features, public domain and all elements that contribute to context and streetscape qualities.</i></p> <p>Contextual elevations have now been provided, which are very</p>



	<p>helpful. Aside from that however, the site analysis provides basic information only; slope, for example – which to a large part drives the proposal - is not indicated on the site analysis at all. Plans, elevations and sections do not extend beyond the boundaries of the site – which is again noted as unacceptable. The adjacent properties and public domain MUST be included on the final DA plans, elevations and sections.</p>
<b>Built Form and Scale</b>	<p><i>The built form proposal comprises two to three units/ floor within an eight storey rectangular form, considerably lower than the site's height limit. The basement layout provides ample setbacks for deep soil and large trees at the front and rear of the site.</i></p> <p><i>With a four metre street setback and rear and side setbacks exceeding six metres, the proposal would appear to meet the setback requirements of the DCP. However, the proposal does not meet the building separation requirements of the ADG, which require a nine metre setback from all internal and external habitable space. To improve amenity, minimise impacts on streetscape and adjacent properties (especially to the south) and achieve compliance, the Panel recommends the following modifications :</i></p> <ul style="list-style-type: none"> <li>- <i>increase the southern setback above four storeys to nine metres (minimum)</i></li> </ul> <p>The southern setback generally has been increased; however two master bedrooms protrude into the setback, which increases apparent bulk and visual impacts on the adjacent property. As this property is the recipient of the proposal's major impacts, it is recommended that both these bedrooms are realigned to comply with the ADG's building separation requirements.</p> <ul style="list-style-type: none"> <li>- <i>to address the weak ground interface (the building appears to be driven into the ground), provide a double level expression with double height entry and continuous two storey expression</i></li> </ul> <p>This comment identified the uncomfortable outcome caused by the significant slope impacting on the entry and base of building. It was suggested that setting back and unifying the two lower levels, might allow a more generous engagement with streetscape, entry and front garden.</p> <p>This recommendation has been misinterpreted by the applicant. Now presented is a two storey timber like skin applied directly to the face of otherwise standard balconies and façade elements. Some odd outcomes include the doubling up of the entry awning, odd voids at levels two and walls that appear to serve no purpose except to "appear like" a two storey base.</p> <p>The response to this recommendation needs to be fully resolved to better integrate with the built form. It may be better to propose a material that is more consistent with the existing streetscape (masonry or render for example) and is less likely to be "value managed" down to an inferior product.</p> <ul style="list-style-type: none"> <li>- <i>to improve neighbouring amenity along the northern boundary, relate the finished levels better to the existing levels on the adjoining site so as to minimize the need for high retaining walls</i></li> </ul> <p>More clarity is required along the northern elevation to ensure that proposed retaining walls and planting are completely resolved. Basement depth should be maximized to ensure that adjacent levels are no higher than absolutely necessary, as well as to maximise the functionality of the communal open space. That is,</p>

	<p>COS throughout multiple small and narrow terraces is not ideal and would not be useful to residents. See Landscape below.</p> <ul style="list-style-type: none"> <li>- <i>remove the discrete waste enclosure and relocate waste room into the building envelope</i></li> </ul> <p>The waste room still protrudes from the building envelope. It should be set back into the built form as previously recommended and the increased area of open space used to create a better resolved garden – see Landscape below.</p> <ul style="list-style-type: none"> <li>- <i>increased to improve street activation and surveillance, rotate Unit 1 living room to face the street</i></li> </ul> <p>Unit 1 living room has been rotated as required. The front garden still requires clarification of species and retaining wall to ensure that the streetscape achieves an excellent visual and physical amenity</p> <ul style="list-style-type: none"> <li>- <i>provide clear spatial continuity between upper and lower private living spaces and private pool deck</i></li> </ul> <p>This has been achieved – but only by removing the communal open space (COS) from roof level. The Panel prefer that COS is retained at this level and that spatial and functional separation is achieved – as discussed at meeting. See Landscape below.</p> <ul style="list-style-type: none"> <li>- <i>provide stronger circulation The following links between the different communal open spaces and deep soil plantings of the rear landscapes to the north, east and south at ground level</i></li> </ul> <p>As discussed, the ground level open spaces need to be completely reviewed in order to align with existing and proposed levels, as well as to maximise use by the proposal's residents; achieve higher amenity generally; allow for coherent circulation; and ensure that adjacent units and open spaces are amenable and do not suffer adverse privacy impacts by COS. See Landscape below.</p> <ul style="list-style-type: none"> <li>- <i>create a discrete, accessible and amenable communal roof terrace, unimpeded by adjacent private spaces</i></li> </ul> <p>See notes above and below in Landscape.</p> <p>Other Built Form issues include :</p> <ul style="list-style-type: none"> <li>- Despite complying with ADG separation requirements, excessive glazing will adversely impact on adjoining properties (especially to the north and east) and unnecessarily increase heat loads. It is recommended that glazing is substantially reduced and solid spandrels introduced along the western elevation.</li> <li>- minor movements in and out on all facades are liable to weaken the expression and create unnecessary junction details</li> <li>- due to changes in layout from one level to the next, wet rooms appear over living and sleeping spaces – this is a poor design outcome and risks severe issues in the future.</li> </ul>
<p><b>Density</b></p>	<p><i>Acceptable; however, the Panel does not support any breach of density requirements for the site</i></p> <p>As advised by Council officers, the density has significantly increased since the late DRP meeting, mainly due to excessive car spaces and additional private circulation. It is now approximately 100sqm over the allowable GFA. As stated above, no breach of the density requirements for the site will be supported.</p>



Sustainability	<p><i>With a small footprint and openness to north sun, the proposal provides high levels of solar access and natural ventilation. With ample basement setbacks, the proposal also provides high potential for substantial boundary planting and large trees to the front and rear of the site.</i></p> <p><i>Although sustainability was not discussed at the meeting, a raft of well integrated sustainability measures should be developed during the next design stage including water sensitive design, solar panels, plantings for biodiversity and so on.</i></p> <p>Solar panels and water collection re use for public open areas is proposed, which is highly commended.</p>
Landscape	<p>The amended proposal includes a Landscape Plan but the recommended changes to the architectural scheme will require changes to the landscape design.</p> <p>In relation to the issues previously raised and identified in the latest scheme, the amended Landscape Plan will need to better address the following:</p> <ul style="list-style-type: none"> <li>- <i>The Panel strongly supports the retention of the large street tree to the front of the property and would oppose any design that required its removal.</i></li> </ul> <p>This is proposed.</p> <ul style="list-style-type: none"> <li>- <i>The proposal should work with the sloping topography and minimise the need for extensive retaining walls of visually intrusive heights.</i></li> </ul> <p>The latest scheme is an improvement but more work needs to be done, particularly in relation to level changes in the COS that affect accessibility, reduce functionality and unnecessarily complicate the relationships between various spaces (both interior and exterior).</p> <p>Once the lowering of the basement levels is resolved, the landscape architect should work with the architect to ensure the landscape levels support simple and easy access and circulation within the landscape and between the interior and exterior of the building.</p> <p>The proposal to provide steps in the northern side setback is considered a poor approach to the slope of a heavily planted garden bed. If possible, the retaining wall along this elevation should be wholly or partially deleted. The steps in the southern setback limit accessibility and spatial amenity.</p> <ul style="list-style-type: none"> <li>- <i>The front garden should be planted to soften the built form, maximise environmental benefits (eg provide shade from summer western sun), provide excellent streetscape amenity, and support an attractive and clear entry experience to the building's users.</i></li> </ul> <p>Additional work is required once the basement levels are resolved. Whilst it is accepted that it may be desirable to use plantings to conceal above-ground points in the carpark, it is considered that a much lighter approach to the streetscape is required to achieve a more open, 'front garden' character to the landscape. The scheme should consider the significant role of the existing tree in the nature strip and develop a planting plan and species list that complements/incorporates the tree into a coherent outcome.</p> <p>If permissible, the letterboxes should be located under cover in the front entry area.</p> <ul style="list-style-type: none"> <li>- <i>The threshold entry to the building should be more</i></li> </ul>

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*generous and take advantage of the amenity benefits of the “Zen Garden”, noting that the relocation of the garbage enclosure will greatly improve the latter.*

The garbage enclosure remains a significant feature of this space, severely reducing its amenity. Once the enclosure is relocated and the driveway lowered, the space should be developed in consultation with the landscape architect to create a functional, accessible and delightful communal space that provides high amenity to the entry lobby. This space should be linked to the deep soil zone (COS) along the eastern boundary and the COS in the northern setback.

- *Plantings within the northern and southern boundary setbacks, as proposed, are promoted by the Panel on the basis that they should provide screening and amenity between adjoining properties and reduce the unsightliness of features such as driveway access without adversely impacting on neighbouring solar access or outlook. As noted previously, the interface between the site and the property to the north needs to be reconsidered in terms of walling and screening of level changes, and it is anticipated that the boundary plantings will play a role in this without being the sole solution.*

The planting plan must better address the solar access issues along the northern boundary. A dense line of large trees along the boundary will affect the viability of vegetable gardens and lawn, and the amenity of the area during cooler periods. Access through these plantings for landscape maintenance will be problematic. A more sensitive approach to screening and horticultural management is recommended.

- *The proposed communal open space (COS) at ground level will be acceptable provided that it is designed to support socialising and recreational activities (including communal gardening where appropriate) by the building's future residents.*

The design of the COS needs further development to address levels, circulation, functionality of spaces, plantings and amenity. The Panel does not support the proposal to extend private open space of unit 2 into the deep soil zone. The use of decomposed granite is not recommended.

- *The role of the “Deep Soil Zone” and its relationship to the COS needs to be clarified. It has the potential to support the functionality of the COS. It also links the COS to the Zen Garden and space that will be created by the relocation of the garbage enclosure and this should be incorporated into the design without compromising the safety and security of the residents.*
- *Steps to deal with level changes should be kept to a minimum.*

This needs to be addressed. It should be dedicated as COS but designed and planted to support its role as a particular space in the whole landscape and as the link between the northern and southern COS. The Arborist's Report recommends retention of tree 10 (and possibly tree11); this has not been addressed.

- *The Panel does not support the dedication of the roof to the penthouse unit but accepts that it may be feasible to provide both a discrete COS and private terrace for the upper unit. Achieving this will require that roof level open*
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	<p><i>are better resolved in terms both of clear separation of the private space from the COS and of level changes. The relationships between functional spaces for each need to be further considered in relation to environmental amenity, access and circulation, and privacy.</i></p> <p>This has not been achieved and remains an issue. The landscape architect should consult with the architect to ensure a COS is provided on the rooftop and that it offers particular function(s) that are not available elsewhere. It should have (as a minimum) kitchen and toilet facilities. Shade and shelter should be provided through careful design.</p> <ul style="list-style-type: none"> <li>- <i>The Panel strongly promotes the predominant use of locally indigenous plant species to support biodiversity and other environmental benefits.</i></li> </ul> <p>This needs to be better addressed. Aside from selecting local species, the plantings should be more diverse. Vegetable/food gardens and lawns are acceptable, provided it is clear that they will serve the expected demographic of the residents.</p> <p>The Landscape Plan will need to address the impacts on amenity from locations of sub-station, fire hydrants, etc.</p>
Amenity	<p><i>The following amenity issues need to be addressed :</i></p> <ul style="list-style-type: none"> <li>- <i>overshadowing and privacy impacts on the southern property need to be minimised through increased setbacks, screening, modelling of built form and potential reduction in the number and/or size of north facing balconies.</i></li> </ul> <p>As noted above, there is still excessive glazing and balconies facing north and east.</p> <ul style="list-style-type: none"> <li>- <i>provide a double height entry</i></li> </ul> <p>While a double height entry has been introduced, the modeling and materiality of this volume is highly unresolved</p> <ul style="list-style-type: none"> <li>- <i>relocate waste room within the building envelope</i></li> </ul> <p>As noted above, the waste room still needs to be pushed back into the building envelope</p> <ul style="list-style-type: none"> <li>- <i>rotate Unit 1 living room to face the street</i></li> </ul> <p>This has been achieved.</p> <ul style="list-style-type: none"> <li>- <i>provide defined entry spaces to Unit 1</i></li> </ul> <p>The Panel acknowledges that without a front fence, direct entry to Unit 1 will not be achievable.</p> <ul style="list-style-type: none"> <li>- <i>remove south facing balconies</i></li> </ul> <p>While south facing balconies have been removed, protruding bedrooms fail to meet the ADG's separation requirements and will create adverse visual impacts on the adjacent property to the south. These rooms should be pushed back into building envelope.</p> <ul style="list-style-type: none"> <li>- <i>modify east facing balconies to contain privacy impacts</i></li> </ul> <p>East facing glazed balconies include obscure glazing. With excessive east facing glazing generally, the resultant façade composition will struggle with too much glass. Further, this amount of glazing is liable to be adversely impacts on adjacent properties. Therefore the Panel recommends that glazing is substantially reduced and solid balcony spandrels are investigated.</p> <ul style="list-style-type: none"> <li>- <i>resolve penthouse level as noted above in Built Form and Landscaping</i></li> </ul>



	<p>Unresolved. See notes above in Scale and Built Form and Landscape.</p> <ul style="list-style-type: none"> <li>- <i>Consideration of proposed RLs, particularly along the northern edge of the top of the basement so as to minimise the extent to which it extends above ground level, thereby improving the relationship with the adjoining northern property and the street.</i></li> </ul> <p>As discussed at the meeting, this still requires resolution. See notes above in Scale and Built Form and Landscape.</p>
<b>Safety</b>	<p><i>It is not clear where gates are located either to the entry or vehicular ramp.</i></p> <p>An entry gate has been shown on plan but not on perspective views. It is still not clear where the basement gate is located or how it operates.</p> <p>It is noted that the fire stairs are accessed via 2 doors and that a better option is feasible.</p>
<b>Housing Diversity and Social Interaction</b>	<p><i>Acceptable</i></p> <p>No change.</p>
<b>Aesthetics</b>	<p><i>While the proposal is at a preliminary stage only, it will benefit from the following :</i></p> <ul style="list-style-type: none"> <li>- <i>provide a two storey expression to ground and first levels with a distinctive finish – such as stone facing</i></li> </ul> <p>Unresolved as yet – see notes above in Scale and Built Form.</p> <ul style="list-style-type: none"> <li>- <i>provide a double height entry</i></li> </ul> <p>Provided but unresolved. See notes above in Scale and Built Form.</p> <ul style="list-style-type: none"> <li>- <i>provide a consistent expression above level 1, perhaps incorporating rendered solid street facing spandrels with generous landscaped planter boxes</i></li> </ul> <p>Discussed but not implemented. See notes above in Scale and Scale and Built Form.</p> <ul style="list-style-type: none"> <li>- <i>extend the spandrel expression with horizontal fenestration</i></li> </ul> <p>Discussed but not implemented. See notes above in Scale and Scale and Built Form.</p> <ul style="list-style-type: none"> <li>- <i>complement built form with large existing and new trees</i></li> </ul> <p>See Landscape above</p> <ul style="list-style-type: none"> <li>- <i>sensitively incorporate boosters, substation and other required services</i></li> </ul> <p>Not shown as yet.</p> <ul style="list-style-type: none"> <li>- <i>incorporate a high quality landscape that contributes to the environmental amenity of the development within the locality and within the site</i></li> </ul> <p>Still to be provided. See notes above in Landscape.</p> <p>It was discussed at the DRP meeting that too many materials are currently proposed, leading to compositional and detail issues. It is recommended that the materials proposed are greatly reduced in quantity and more informed by the windy, seaside context.</p>

<b>Design Excellence WLEP2009</b>	
Whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved	Still to be resolved.
Whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,	Yes – provided that material, composition and landscape are resolved.
Whether the proposed development detrimentally impacts on view corridors,	No
Whether the proposed development detrimentally overshadows an area shown distinctively coloured and numbered on the Sun Plane Protection Map,	No
How the development addresses the following:	
the suitability of the land for development,	Yes
existing and proposed uses and use mix	Yes
heritage issues and streetscape constraints,	Streetscape would benefit from a more refined palette of materials, less glazing and simpler expression generally.  The landscape treatment needs to relate better to the existing street tree and the neighbourhood.
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,	Yes – provided that side bedrooms are set back within building envelope.
bulk, massing and modulation of buildings	Still to be resolved.
street frontage heights	Base of building still to be resolved.
environmental impacts such as sustainable design, overshadowing, wind and reflectivity	Solar panels and water collection and reuse for public areas is commendable.
the achievement of the principles of ecologically sustainable development	Yes
pedestrian, cycle, vehicular and service access,	Excessive car spaces currently proposed

<b>circulation and requirements</b>	
<b>impact on, and any proposed improvements to, the public domain</b>	Base of building, height of ground level above street, retaining walls and perimeter landscaping still to be resolved.
<b>Recommendations</b>	Integrate above recommendations into a revised proposal and proceed to Council.



## Attachment 7 - APARTMENT DESIGN GUIDE – COMPLIANCE TABLES

<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<b>Part 1 – Identifying the context</b>		
<p><b><u>1A Apartment building types</u></b></p> <p>Generic apartment building types can be used to:</p> <ul style="list-style-type: none"> <li>- Determine the appropriate scale of future built form</li> <li>- Communicate the desired character of an area</li> <li>- Assist when testing envelope and development controls to achieve high amenity and environmental performance.</li> </ul>	<p>The proposal is a Residential flat development, most aptly described as “Narrow Infill apartments”</p> <p>The development consists of 14 units above 2 levels of basement car parking.</p>	Y
<p><b><u>1B Local character and context</u></b></p> <p>This guideline outlines how to define the setting and scale of a development, and involves consideration of the desired future character, common settings and the range of scales.</p>	<p>The strategic desired future character of the area is set by Wollongong LEP 2009 and accompanying DCPs particularly Chapter D13 Wollongong City Centre.</p> <p>Detailed site analysis information has been submitted.</p>	Y
<b><u>1C Precincts and individual sites</u></b>		
<p>Individual sites:</p> <p>New development on individual sites within an established area should carefully respond to neighbouring development, and also address the desired future character at the neighbourhood and street scales. Planning and design considerations for managing this include:</p> <ul style="list-style-type: none"> <li>- Site amalgamation where appropriate</li> <li>- Corner site and sites with multiple frontages can be more efficient than sites with single frontages</li> <li>- Ensure the development potential for adjacent sites is retained</li> <li>- Avoid isolated sites that are unable to realise the development potential.</li> </ul>	<p>The application proposes the amalgamation of two (2) lots with a single frontage to Park Street.</p> <p>There is no guidance on regarding the creation of isolated lots at this section, this is further discussed at the WDCP 2009 section of this report.</p>	Y
<b>Part 2 – Developing the controls</b>		
<p>These guidelines include tools to support the strategic planning process when preparing planning controls, and aren't</p>	<p>Strategic Planning controls have been established and incorporated into the DCP and LEP.</p>	Y

[illegible]

Standards/controls	Comment	Compliance
<ul style="list-style-type: none"> <li>- A minimum of 4 hours of solar access should be retained to solar collectors on neighbouring buildings</li> <li>- 70% of apartments – Living &amp; POS - 2 hours direct sunlight between 9am – 3pm</li> <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> </ul>	<p>Shadow diagrams have been submitted with the application which demonstrate the following:</p> <p><u>Solar Access:</u></p> <p>UNIT 1: Solar access 1pm – 3pm = ~2 hours</p> <p>UNIT 2: 9 – 10am (partial) = less than 1 hour</p> <p>UNIT 3: 9 – 10am = ~1 hour</p> <p>UNIT 4: 9am – 12pm = ~3 hours</p> <p>Less than 50% of dwellings receive the minimum solar access.</p> <p>It was noted by the applicant that the affected townhouse development includes awnings which shade the living and POS areas.</p> <p>If it is assumed the affected dwellings do not currently receive the minimum solar access, the development would still result in an excess of 20% reduction in solar access.</p> <p>The occupants of the townhouses have claimed the awnings have been designed to allow winter solar access into the living and POS areas.</p> <p>The development also entails several building separation encroachments on the southern elevation which exacerbates overshadowing impacts.</p> <p>For any variation to this guidance to be considered building separation controls would need to be complied with in full.</p>	
<p><b><u>3C Public domain interface</u></b></p> <p>Key components to consider when designing the interface include entries, private terraces or balconies, fences and walls, changes in level, services locations and planting.</p> <p>The design of these elements can influence the real or perceived safety and security of residents, opportunities for social interaction and the identity of the development when viewed from the public domain</p> <p><u>Objective 3C-1:</u></p> <p><i>Transition between private and public domain is achieved without compromising safety and security</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> <li>- Terraces, balconies and courtyards should have direct street entry, where appropriate</li> </ul>	<p>Street entry is available to Unit 1</p> <p>Clear definition has been provided between private and public domain.</p> <p>Surveillance public domain provided from unit balconies &amp; windows.</p>	Y



<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<ul style="list-style-type: none"> <li>- Changes in level between private terraces etc above street level provide surveillance and improved visual privacy for ground level dwellings.</li> <li>- Front fences and walls along street frontages should use visually permeable materials and treatments. The height of solid fences or walls should be limited to 1m.</li> <li>- Opportunities should be provided casual interaction between residents and the public domain eg seating at building entries, near letterboxes etc</li> </ul> <p><u>Objective 3C-2:</u> <i>Amenity of the public domain is retained and enhanced</i></p> <p><u>Design Guidance</u></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 alignment or integrated into front fences.</li> <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> <li>- Where development adjoins public parks or open space the design should address this interface.</li> </ul>	<p>Planting is utilised heavily throughout the development.</p> <p>The mailboxes are located adjacent the covered entry control point for easy access as residents enter the building.</p> <p>The garbage room is located within the basement (Level B1).</p> <p>Ground Floor walls are durable finished, predominately concrete with some screening elements above.</p> <p>The basement carpark is located to the South and minimal in appearance so as not to impact on negatively on the public domain. The entry to the carpark will be flanked by boundary planting and concrete balustrades to reduce the visual impact of the opening.</p> <p>No detail has been provided regarding substations hydrants etc</p>	N
<b><u>3D Communal and public open space</u></b>		
<p><u>Objective 3D-1</u> <i>An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping</i></p> <p><u>Design Criteria</u></p> <ol style="list-style-type: none"> <li>1. Communal open space has a minimum area of 25% of the site area</li> <li>2. 50% direct sunlight provided to principal usable part of communal open space for a minimum of 2 hours between 9am and 3pm on 21 June</li> </ol> <p><u>Design Guidance</u></p>	<p>25% of 1268 = 317m<sup>2</sup> COS required</p> <p>217m<sup>2</sup> (open space) + ~120 (integrated with DSZ) = 337m<sup>2</sup> or 27%</p>	Y

[illegible]

Standards/controls	Comment	Compliance												
<p><b><u>3E Deep soil zones</u></b></p> <p><u>Objective 3E-1</u></p> <p><i>3E-1 Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality.</i></p> <p><u>Design Criteria:</u></p> <p>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>7% of 1268 = 88.76m<sup>2</sup> of DSZ is required.</p> <p>175m<sup>2</sup> of DSZ provided with minimum dimension of 3m = 13.8%</p> <p>It is noted that the DSZ does not comply with WDCP 2009 controls, see WDCP 2009 section of this report.</p>	Y
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>Arborist report and Council's Landscape Architect indicate no significant trees within DSZ are to be retained.</p>	NA												
<b><u>3F Visual privacy</u></b>														
<p><u>Objective 3F-1</u></p> <p><i>Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual amenity.</i></p> <p><u>Design Criteria:</u></p> <p>1. Minimum required separation distances from buildings to the side and rear boundaries are as follows:</p>	<p>Separation encroachments are proposed the southern and eastern boundaries on levels 5, 6 and 7, see below.</p> <p>Given the solar access and visual impacts of the development, and advice from DRP, variations to building separation guidance is not supported.</p> <p><b><u>&lt;12M (LEVELS 1 – 4)</u></b></p> <p><u>LEVEL 1/G</u></p> <p><u>Habitable:</u></p> <p>North: 6 – 12.5m</p>	Y												



Standards/controls	Comment	Compliance												
<table border="1" data-bbox="201 293 724 506"> <thead> <tr> <th>Building height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr> </thead> <tbody> <tr> <td>up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr> <tr> <td>up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr> <tr> <td>over 25m (9+ storeys)</td><td>12m</td><td>6m</td></tr> </tbody> </table> <p><b>Design Guidance</b></p> <ul style="list-style-type: none"> <li>- Apartment buildings should have an increased separation distance of 3m (in addition to the above requirements) when adjacent to a different zone that permits lower density residential development to provide for a transition in scale.</li> <li>- Direct lines of sight should be avoided</li> <li>- No separation is required between blank walls</li> </ul> <p><b>Objective 3F-2:</b></p> <p><i>Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space</i></p> <p><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> </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	over 25m (9+ storeys)	12m	6m	<p>South: 7.9m</p> <p>East/Rear: 6 – 12m</p> <p><b>Non-Habitable:</b></p> <p>North: 6 -9m</p> <p>South: 6.8 – 7.8m</p> <p>East/Rear: 6 – 18m</p> <p><b>LEVEL 2</b></p> <p><b>Habitable:</b></p> <p>North: 6 – 9m</p> <p>South: 8m</p> <p>East/Rear: 8 – 14m</p> <p><b>Non-Habitable:</b></p> <p>North: NA</p> <p>South: 6.8-8m</p> <p>East/Rear: NA</p> <p><b>LEVEL 3</b></p> <p><b>Habitable:</b></p> <p>North: 6 – 9m</p> <p>South: 7.9m</p> <p>East/Rear: 7.8 – 12m</p> <p><b>Non-Habitable:</b></p> <p>North: NA</p> <p>South: 6.9 – 7.9m</p> <p>East/Rear: NA</p> <p><b>LEVEL 4</b></p> <p><b>Habitable:</b></p> <p>North: 9m</p> <p>South: 7.9 – 9m</p> <p>East/Rear: 9 – 13.1m</p> <p><b>Non-Habitable:</b></p> <p>North: 8.2m</p> <p>South: 6.9m</p> <p>East/Rear: NA</p> <p><b>12-24M (LEVELS 5-8)</b></p>	<p></p> <p>Y</p> <p>Y</p> <p>Y</p>
Building height	Habitable rooms and balconies	Non-habitable rooms												
up to 12m (4 storeys)	6m	3m												
up to 25m (5-8 storeys)	9m	4.5m												
over 25m (9+ storeys)	12m	6m												

<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<p>- Windows should be offset from the windows of adjoining buildings</p>	<p><b><u>LEVELS 5 - 6</u></b></p> <p><u>Habitable:</u></p> <p>North: 9m</p> <p>South: <b><u>7.9 (BED 2)</u></b> – 9m</p> <p>East/Rear: <b><u>7.5 (EAST BALCONY)</u></b> – 13.1m</p> <p><u>Non-Habitable:</u></p> <p>North – 8.2m</p> <p>South – 6.9m</p> <p>East/Rear: NA</p>	N
	<p><b><u>LEVEL 7</u></b></p> <p><u>Habitable:</u></p> <p>North: 9.1m</p> <p>South: 9m (no openings)</p> <p>East/Rear: <b><u>7.5 (EAST BALCONY)</u></b> - 15m</p> <p><u>Non-Habitable:</u></p> <p>North: 8.2m</p> <p>South: 9 - 9.2m</p> <p>East/Rear: NA</p>	N
	<p><b><u>LEVEL 8</u></b></p> <p><u>Habitable:</u></p> <p>North: 9.9m</p> <p>South: 9.3m (no openings)</p> <p>East/Rear: 9.8 – 15.8m</p> <p><u>Non-Habitable:</u></p> <p>North: 8.2m</p> <p>South: 9.3 – 10.5m</p> <p>East/Rear: 9 – 13.3m</p>	Y
	<p><b><u>24M&gt; (LEVEL 8)</u></b></p> <p>It is noted part of the level 8 structure (wall, ceiling, batten screening) extend beyond 24m. However, these areas do form part of level 8 and the additional setback requirements are not applicable as they do not form part of a 9<sup>th</sup> storey, either practically or visually.</p>	
<p><b><u>3G Pedestrian access and entries</u></b></p> <p><u>Objective 3G-1</u></p>	<p>Single main entry is proposed and clearly identifiable.</p>	Y

<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<p><i>Building entries and pedestrian access connects to and addresses the public domain</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> <li>- Multiple entries should be provided to activate the street edge.</li> <li>- Buildings entries should be clearly identifiable and communal entries should be clearly distinguishable from private entries.</li> </ul> <p><u>Objective 3G-2</u></p> <p><i>Access, entries and pathways are accessible and easy to identify</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> <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><u>Objective 3G-3</u></p> <p><i>Large sites provide pedestrian links for access to streets and connection to destinations</i></p>	<p>A second fire exit to the basement levels is provided on northern boundary.</p> <p>Additional entry to ground floor units was not required by the DRP, instead favouring landscape treatment to the front setback.</p>	
<p><b><u>3H Vehicle access</u></b></p> <p><u>Objective 3H-1</u></p> <p><i>Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> <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>Car park entry is provided behind the building line.</p> <p>Garbage storage located in the basement.</p> <p>Whilst the vehicular entry does not dominate the streetscape, it is noted the driveway width exceeds WDCP 2009 requirements. This is further discussed at the WDCP 2009 section of this report.</p>	Y
<p><b><u>3J Bicycle and car parking</u></b></p> <p>Note:</p>	<p>The site is not located within 400m of B3 or B4 Zone. Chapter E3 of WDCP 2009 requires:</p> <ul style="list-style-type: none"> <li>- 20 car spaces</li> </ul>	Y





<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<ul style="list-style-type: none"> <li>- A clearly defined and visible lobby or waiting area should be provided to lifts and stairs.</li> <li>- Permeable roller doors allow for natural ventilation and improve the safety of car parking areas by enabling passive surveillance.</li> </ul> <p><u>Objective 3J-4</u></p> <p><i>Visual and environmental impact of underground car parking are minimised</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> <li>- Excavation should be minimised through efficient carpark layouts and ramp design.</li> <li>- Protrusion of carparks should not exceed 1.0m above ground level.</li> <li>- Natural ventilation should be provided to basement and sub-basement car parking areas.</li> <li>- Ventilation grills or screening devices should be integrated into the façade and landscape design.</li> </ul> <p><u>Objective 3J-5</u></p> <p><i>Visual and environmental impacts of on-grade car parking are minimised</i></p> <ul style="list-style-type: none"> <li>- On grade car parking should be avoided</li> <li>- Design guidelines provided where it's unavoidable</li> </ul> <p><u>Objective 3J-6</u></p> <p><i>Visual and environmental impacts of ground enclosed car parking are minimised</i></p> <ul style="list-style-type: none"> <li>- Exposed parking should not be located along primary street frontages</li> <li>- Positive street address and active street frontages should be provided at ground level.</li> </ul>	<p>The basement podium protrudes ~1.5m on north western edge of building, largely due to slope of site.</p> <p>This is further discussed at the WDCP section of this report</p> <p>Not applicable</p> <p>Not applicable</p>	<p><b>N</b></p>
<b>Part 4 – Designing the building - Amenity</b>		
<p><b><u>4A Solar and daylight access</u></b></p> <p><u>Objective 4A-1</u></p> <p><i>To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space</i></p> <p><u>Design Criteria</u></p>		<p><b>Y</b></p>





Standards/controls	Comment	Compliance
<p><i>All habitable rooms are naturally ventilated.</i></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>Objective 4B-2</u></p> <p><i>The layout and design of single aspect apartments maximises natural ventilation</i></p> <p><u>Design Guidance</u></p> <ul style="list-style-type: none"> <li>- Single aspect apartments should use design solutions to maximise natural ventilation.</li> </ul> <p><u>Objective 4B-3</u></p> <p><i>The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents</i></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>100% of units are cross ventilated.</p> <p>Maximum depth 14-15m</p>	
<p><b><u>4C Ceiling heights</u></b></p> <p><u>Objective 4C-1</u></p> <p><i>Ceiling height achieves sufficient natural ventilation and daylight access</i></p> <p><u>Design Criteria</u></p> <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>Objective 4C-2</u></p> <p><i>Ceiling height increases the sense of space in apartments and provides for well-proportioned rooms</i></p> <p><u>Objective 4C-3</u></p> <p><i>Ceiling height contribute to the flexibility of building use over the life of the building</i></p> <p><u>Design Guidance</u></p>	<p>Minimum ceiling height of 2.7m proposed to habitable (all) rooms.</p> <p>Ceiling heights in lower level units are adequate to cater for conversion, noting land use limitations of R1 Zone.</p>	Y

Standards/controls	Comment	Compliance
<ul style="list-style-type: none"> <li>- 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.</li> </ul>		
<p><b><u>4D Apartment size and layout</u></b></p> <p>Note:</p> <ol style="list-style-type: none"> <li>1. Under Clause 30, apartment size cannot be used as a reason for refusal where the proposal meets the minimum standards</li> <li>2. Also, under the amended SEPP 65 apartment size has become a non-discretionary development standard (in accordance with Cl. 79(C) of the EP&amp;A Act. Therefore, a departure from this is likely to generate referral to LPP, despite not specifically being a "Local Environment Planning" development standard (Charter 3.3)</li> </ol> <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>  3 bed – 90m<sup>2</sup>  The minimum internal areas include only 1 bathroom. Additional bathrooms increase the minimum internal areas by 5m<sup>2</sup> each.</li> <li>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</li> </ol> <p><u>Design Guidance:</u></p> <ul style="list-style-type: none"> <li>- Where minimum areas are not met, need to demonstrate the usability and functionality of the space with realistically scaled furniture layouts and circulation areas.</li> </ul> <p><u>Objective 4D-2</u></p>	<p>All units meet minimum internal areas</p> <p>Habitable rooms exceed minimum glass area</p> <p>Levels 1 – 6: 2.5 x 2.8 = 7m max depth</p>	<p>Y</p> <p>Y</p>

<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<p><i>Environmental performance of the apartment is maximised</i></p> <p><u>Design Criteria:</u></p> <ol style="list-style-type: none"> <li>1. Habitable room depths are limited to a maximum of 2.5 x ceiling height</li> <li>2. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.</li> </ol> <p><u>Design Guidance:</u></p> <ul style="list-style-type: none"> <li>- Greater than the minimum ceiling heights can allow proportionate increases in room depths.</li> <li>- Where possible, bathrooms and laundries should have an external openable window.</li> <li>- Main living spaces should be oriented towards the primary outlook.</li> </ul> <p><u>Objective 4D-3</u></p> <p><i>Apartment layouts are designed to accommodate a variety of household activities and needs</i></p> <p><u>Design Criteria:</u></p> <ol style="list-style-type: none"> <li>1. Master bedrooms have a minimum area of 10m<sup>2</sup> and other bedrooms 9m<sup>2</sup> (excl wardrobe space)</li> <li>2. Bedrooms have minimum dimension of 3m (excl wardrobe)</li> <li>3. Living rooms have minimum width of: <ul style="list-style-type: none"> <li>- 3.6m for studio and 1 bed apartments and</li> <li>- 4m for 2+ beds.</li> </ul> </li> <li>4. The width of the crossover or cross through apartments are at least 4m internally to avoid deep narrow apartment layouts.</li> </ol> <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,</li> </ul>	<p>All habitable rooms comply</p> <p>Levels 7 &amp; 8: 2.5 x 2.9 = 7.25m max depth</p> <p>All habitable rooms comply</p> <p>Open plan rooms have less than 8m depth from windows</p> <p>Majority bedroom &amp; living room dimensions comply.</p> <p>Units 2, 3 and 5 contain rooms labelled 'study' which do not meet minimum dimension requirements for living or bedroom areas, the future use is unknown.</p> <p>Whether or not these rooms are proposed to be bedrooms has implications for unit mix, POS, storage and living room dimension requirements.</p> <p>Units 3 &amp; 5 (1 br + study) contain a living rooms which do not satisfy minimum width (2.7 &amp; 3m proposed). The amenity and use of these areas is compromised</p> <p>Units 13 &amp; 14 contain living rooms which don't meet minimum widths, however as these are supplementary to primary living areas, this is acceptable.</p> <p>Crossover/through apartments exceed 4m width</p>	<p>Y</p> <p>N</p> <p>Y</p>



Standards/controls	Comment	Compliance															
spaces for a range of activities and privacy levels within the apartments.																	
<p><b><u>4E Private open space and balconies</u></b></p> <p><b><u>Objective 4E-1</u></b></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> <tr> <td>2 bedroom apartments</td><td>10m<sup>2</sup></td><td>2m</td></tr> <tr> <td>3+ bedroom apartments</td><td>12m<sup>2</sup></td><td>2.4m</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><b><u>Objective 4E-2</u></b></p> <p><i>Primary private open space and balconies are appropriately located to enhance liveability for residents</i></p> <p><b><u>Design Guidance</u></b></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><b><u>Objective 4E-3</u></b></p> <p><i>Primary private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building</i></p> <p><b><u>Design Guidance</u></b></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> </ul>	Dwelling type	Minimum area	Minimum depth	Studio apartments	4m <sup>2</sup>	-	1 bedroom apartments	8m <sup>2</sup>	2m	2 bedroom apartments	10m <sup>2</sup>	2m	3+ bedroom apartments	12m <sup>2</sup>	2.4m	<p><b><u>1 Bedroom Apartments</u></b></p> <p><u>Unit 3:</u> 53m<sup>2</sup> balcony (min. dimension 2.5m)</p> <p><u>Unit 5:</u> 53m<sup>2</sup> balcony (min. 2.6m)</p> <p><b><u>2 Bedroom Apartments</u></b></p> <p><u>Unit 7/9:</u> 12m<sup>2</sup> balcony (min. 3.1m)</p> <p><u>Unit 8/10:</u> 17.2m<sup>2</sup> balcony (min. 3.5m)</p> <p><b><u>3 Bedroom Apartments</u></b></p> <p><u>Unit 1:</u> 25m<sup>2</sup> courtyard (min. 2.4m)</p> <p><u>Unit 2:</u> 27m<sup>2</sup> courtyard (min. 4.3m)</p> <p><u>Unit 4:</u> 21 + 13.6m<sup>2</sup> balconies (min 2m)</p> <p><u>Unit 6:</u> 21 + 13.6m<sup>2</sup> balconies (min 2m)</p> <p><u>Unit 11:</u> 12m<sup>2</sup> balcony (min. 3.1m)</p> <p><u>Unit 12:</u> 17.2m<sup>2</sup> balcony (min. 3.5m)</p> <p><u>Unit 13:</u> 12m<sup>2</sup> balcony (min. 3.3m) + 51m<sup>2</sup> terrace (min. 1.2m)</p> <p><u>Unit 14:</u> 17m<sup>2</sup> balcony (min. 3.3m) + 49m<sup>2</sup> terrace (min. 1.6m)</p> <p>Private open space and balconies are located adjacent to living rooms and extend the living space.</p> <p>POS optimises daylight access into rooms, utilising northern sunlight where possible.</p> <p>Balustrades are predominantly full width transparent glass, with some opaque glass provided on eastern &amp; western elevations.</p> <p>Extent of glazing on north, east and western elevations (balconies) will result in privacy and glare impacts on dwellings on surrounding sites.</p>	<p>Y</p> <p>Y</p> <p>Y</p> <p>N</p>
Dwelling type	Minimum area	Minimum depth															
Studio apartments	4m <sup>2</sup>	-															
1 bedroom apartments	8m <sup>2</sup>	2m															
2 bedroom apartments	10m <sup>2</sup>	2m															
3+ bedroom apartments	12m <sup>2</sup>	2.4m															

Standards/controls	Comment	Compliance
<ul style="list-style-type: none"> <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> <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>Operable shutters provided along parts of northern elevation, will reduce privacy impacts somewhat to the north, however issues remain on the western and eastern elevations.</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> <li>2. For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.</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>Objective 4F-2</u></p> <p><i>Common circulation spaces promote safety and provide for social interaction between residents</i></p> <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>Maximum of two (2) units are proposed off a circulation core.</p> <p>Corridor length is acceptable.</p> <p>There are no openings onto common circulation space from the units.</p> <p>Zen gardens are provided off circulation spaces on levels 3 – 7 which may function as incidental spaces.</p>	Y
<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>Basement Storage: <math>53\text{m}^2 \text{ (B2)} + 40.5\text{m}^2 \text{ (B1)} \times 2.6 = 243\text{m}^3 / 14 = 17.4\text{m}^3 \text{ per unit.}</math></p> <p><b><u>1 Bedroom Apartments</u></b></p> <p><u>Unit 3:</u> <math>2.4\text{m}^3</math> (located in bedroom)</p>	Y

Standards/controls	Comment	Compliance										
<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> <p>At least 50% of the required storage is to be located within the apartment</p> <p><b><u>Objective 4G-2</u></b></p> <p><i>Additional storage is conveniently located, accessible and nominated for individual apartments</i></p> <p><b><u>Design Guidance:</u></b></p> <ul style="list-style-type: none"><li>- Storage not located within apartments should be allocated to specific apartments.</li></ul>	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><u>Unit 5:</u> 2.4m<sup>3</sup> (located in bedroom)</p> <p>These units contain rooms labelled ‘study’ which may function as ancillary storage.</p> <p>In addition to basement storage afforded to each unit, this provision of storage is acceptable.</p> <p><b><u>3 Bedroom Apartments</u></b></p> <p><u>Unit 1:</u> 6m<sup>3</sup></p> <p><u>Unit 2:</u> 5.1m<sup>3</sup></p> <p><u>Unit 4:</u> 4m<sup>3</sup></p> <p><u>Unit 6:</u> 4m<sup>3</sup></p> <p><u>Unit 7/9/11:</u> 4m<sup>3</sup></p> <p><u>Unit 8/10/12:</u> 4m<sup>3</sup></p> <p><u>Unit 13:</u> ~3m<sup>3</sup></p> <p><u>Unit 14:</u> ~3m<sup>3</sup></p> <p><i>Storage provided both within apartments and basement 50/50.</i></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><b><u>Objective 4H-1</u></b></p> <p><i>Noise transfer is minimised through the siting of buildings and building layout</i></p> <p><b><u>Design Guidance</u></b></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><b><u>Objective 4H-2</u></b></p> <p><i>Noise impacts are mitigated within apartments through layout and acoustic treatments</i></p> <p><b><u>Design Guidance</u></b></p> <ul style="list-style-type: none"><li>- In addition to mindful siting and orientation of the building, acoustic</li></ul>	<p>Adequate building separation is proposed.</p> <p>There are no major external noise sources.</p> <p>Noise sources are generally located away from bedrooms.</p> <p>Bedrooms in units 1 and 2 are in close proximity to GF COS and circulation spaces. Landscape screening is proposed, this in addition to appropriate window glazing should be sufficient to retain adequate amenity.</p>	Y										



<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
seals and double or triple glazing are effective methods to further reduce noise transmission.		
<p><b><u>4J Noise and pollution</u></b></p> <p><b><u>Objective 4J-1</u></b></p> <p><i>In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings</i></p> <p><b><u>Design Guidance</u></b></p> <ul style="list-style-type: none"> <li>- Minimise impacts through design solutions such as physical separation from the noise or pollution source,</li> </ul> <p><b><u>Objective 4J-2</u></b></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><b><u>Design guidance:</u></b></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>	The site is not affected by a noisy or hostile environment.	Y
<b>Part 4 – Designing the building - Configuration</b>		
<p><b><u>4K Apartment mix</u></b></p> <p><b><u>Objective 4K-1</u></b></p> <p><i>A range of apartment types and sizes is provided to cater for different household types now and into the future</i></p> <p><b><u>Design guidance</u></b></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><b><u>Objective 4K-2</u></b></p> <p><i>The apartment mix is distributed to suitable locations within the building</i></p> <p><b><u>Design guidance</u></b></p>	<p>A mix of 1, 2 and 3 bedroom apartments is proposed.</p> <p>It is noted several units contain ‘study’ rooms which do not meet minimum dimension requirement for bedroom. On balance a suitable mix is proposed.</p> <p>Units 3 and 5 are designed to be adaptable, see WDCP 2009 for further discussion.</p> <p>Large apartments are located on the ground floor.</p>	Y

<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
- Larger apartment types are located on the ground or roof level where there is potential for more open space and on corners where more building frontage is available		
<p><b><u>4L Ground floor apartments</u></b></p> <p><u>Objective 4L-1</u></p> <p><i>Street frontage activity is maximised where ground floor apartments are located</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <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> <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><u>Objective 4L-2</u></p> <p><i>Design of ground floor apartments delivers amenity and safety for residents</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- The design of courtyards should balance the need for privacy of ground floor apartments with surveillance of public spaces. Design solutions include:               <ul style="list-style-type: none"> <li>• elevation of private gardens and terraces above the street level by 1-1.5m (see figure 4L.4)</li> <li>• landscaping and private courtyards</li> <li>• window sill heights that minimise sight lines into apartments</li> <li>• integrating balustrades, safety bars or screens with the exterior design</li> </ul> </li> <li>- Solar access should be maximised through:               <ul style="list-style-type: none"> <li>• high ceilings and tall windows</li> <li>• trees and shrubs that allow solar access in winter and shade in summer</li> </ul> </li> </ul>	<p>Direct street access is not available to ground floor unit 1. Difficult to achieve due to landscaping and level change.</p> <p>This was accepted by the DRP.</p>          <p>Design of private open space, common open space and surveillance is satisfactory.</p> <p>Good solar access to these spaces is provided.</p> <p>There are no major level changes within the landscaping plan.</p>	Y
<b><u>4M Facades</u></b>		Y

Standards/controls	Comment	Compliance
<p><u>Objective 4M-1</u></p> <p><i>Building facades provide visual interest along the street while respecting the character of the local area</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <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>Objective 4M-2</u></p> <p><i>Building functions are expressed by the facade</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Building entries should be clearly defined</li> </ul>	<p>The applicant has provided a colour and materials schedule with this DA. The schedule is considered acceptable and incorporates a number of elements, textures and colours. An improvement has been made the façade in response to the DRP</p> <p>Double height entry has been proposed and is clearly defined.</p>	
<p><b><u>4N Roof design</u></b></p> <p><u>Objective 4N-1</u></p> <p><i>Roof treatments are integrated into the building design and positively respond to other street</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Roof design should use materials and a pitched form complementary to the building and adjacent buildings.</li> </ul> <p><u>Objective 4N-2</u></p> <p><i>Opportunities to use roof space for residential accommodation and open space are maximised</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Habitable roof space should be provided with good levels of amenity.</li> </ul>	<p>A concrete roof over upstairs (Units 13 &amp; 14) and POS areas which include landscaping.</p> <p>Architectural batten screening to be applied, which is repeated on lower levels.</p> <p>POS is provided on roof space which integrates planting areas.</p>	Y



<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<ul style="list-style-type: none"> <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>Objective 4N-3</u></p> <p><i>Roof design incorporates sustainability features</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Roof design maximises solar access to apartments during winter and provides shade during summer</li> </ul>		
<p><b><u>4O Landscape design</u></b></p> <p><u>Objective 4O-1</u></p> <p><i>Landscape design is viable and sustainable</i></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><u>Objective 4O-2</u></p> <p><i>Landscape design contributes to the streetscape and amenity</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Landscape design responds to the existing site conditions including: <ul style="list-style-type: none"> <li>• changes of levels</li> <li>• views</li> <li>• significant landscape features</li> </ul> </li> </ul>	<p>Landscape design is satisfactory and no concerns have been raised from Council's landscape division.</p> <p>The amended landscape plans has addressed those matters raised by the DRP.</p>	Y
<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>Objective 4P-2</u></p> <p><i>Plant growth is optimised with appropriate selection and maintenance</i></p>	<p>The planting to the level podium is detailed by SD Studios on their landscape plan. Species have been selected to appropriately respond to the site conditions and available soil depths.</p> <p>Structural landscape design is satisfactory and no concerns have been raised from Council's Landscape Architect.</p>	Y

Standards/controls	Comment	Compliance
<p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Plants are suited to site conditions</li> </ul> <p><u>Objective 4P-3</u></p> <p><i>Planting on structures contributes to the quality and amenity of communal and public open spaces</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <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> <li>• green roofs, particularly where roofs are visible from the public domain</li> <li>• planter boxes</li> </ul> </li> </ul>		
<p><b><u>4Q Universal design</u></b></p> <p><u>Objective 4Q-1</u></p> <p><i>Universal design features are included in apartment design to promote flexible housing for all community members</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <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>future, should it be required.</p> <p>The seven core design features elements in the silver level they are:</p> <ol style="list-style-type: none"> <li>1 A safe continuous and step free path of travel from the street entrance and / or parking area to a dwelling entrance that is level.</li> <li>2 At least one, level (step-free) entrance into the dwelling.</li> <li>3 Internal doors and corridors that facilitate comfortable and unimpeded movement between spaces.</li> <li>4 A toilet on the ground (or entry) level that provides easy access.</li> <li>5 A bathroom that contains a hobless (step-free) shower recess.</li> <li>6 Reinforced walls around the toilet, shower and bath to support the safe installation of grabrails at a later date</li> <li>7 A continuous handrail on one side of any stairway where there is a rise of more than 1 metre.</li> </ol> <ul style="list-style-type: none"> <li>-</li> </ul> <p><u>Objective 4Q-2</u></p> <p><i>A variety of apartments with adaptable designs are provided</i></p> <p><u>Design guidance</u></p>	<p>An adaptable unit layout has been provided on Units 3 &amp; 5 with equitable access provided.</p> <p>No certification from an access consultant has been provided, this is discussed further at the WDCP 2009 section of this report.</p>	<p>Y</p> <p>N</p>

<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<ul style="list-style-type: none"> <li>- Adaptable housing should be provided in accordance with the relevant council policy</li> </ul> <p><u>Objective 4Q-3</u></p> <p><i>Apartment layouts are flexible and accommodate a range of lifestyle needs</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Apartment design incorporates flexible design solutions</li> </ul>		
<b><u>4R Adaptive reuse</u></b>	NA	
<b><u>4S Mixed use</u></b>	NA	
<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>Objective 4T-2</u></p> <p><i>Signage responds to the context and desired streetscape character</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Signage should be integrated into the building design and respond to the scale, proportion and detailing of the development</li> </ul>	<p>An awning is provided to the primary entry point of the building which is architecturally integrated into several design elements of the building.</p> <p>It is noted the projection of the awning into the front setback is significant. Design and impacts are discussed further at the WDCP 2009 section of this report.</p> <p>Signage - NA</p>	Y
<b>Part 4 – Designing the building - Configuration</b>		
<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>Objective 4U-2</u></p> <p><i>Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer</i></p> <p><u>Design Guidance</u></p>	<p>Adequate natural light can be provided to habitable rooms.</p> <p>Plant rooms are located within the basement.</p> <p>Natural ventilation can be achieved.</p> <p>A BASIX Certificate has been submitted with the application in accordance with NSW requirements.</p>	Y



Standards/controls	Comment	Compliance
<ul style="list-style-type: none"> <li>- Provision of consolidated heating and cooling infrastructure should be located in a centralised location</li> </ul> <p><u>Objective 4U-3</u></p> <p><i>Adequate natural ventilation minimises the need for mechanical ventilation</i></p>		
<p><b><u>4V Water management and conservation</u></b></p> <p><u>Objective 4V-1</u></p> <p><i>Potable water use is minimised</i></p> <p><u>Objective 4V-2</u></p> <p><i>Urban stormwater is treated on site before being discharged to receiving waters</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Water sensitive urban design systems are designed by a suitably qualified professional</li> </ul> <p><u>Objective 4V-3</u></p> <p><i>Flood management systems are integrated into site design</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Detention tanks should be located under paved areas, driveways or in basement car parks</li> </ul>	<p>Landscape and Stormwater plan are compatible with each other. Council's Stormwater Engineer has advised that the stormwater layout is satisfactory.</p> <p>A BASIX Certificate has been submitted with the application in accordance with NSW requirements.</p>	Y
<p><b><u>4W Waste management</u></b></p> <p><u>Objective 4W-1</u></p> <p><i>Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Common waste and recycling areas should be screened from view and well ventilated</li> </ul> <p><u>Objective 4W-2</u></p> <p><i>Domestic waste is minimised by providing safe and convenient source separation and recycling</i></p> <p><u>Design guidance</u></p> <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</li> </ul>	<p>The applicant proposes a water storage room within the basement. Waste collection from the street is to occur and is satisfactory. Council's Traffic Engineer has reviewed the proposal and found it satisfactory in this respect.</p>	Y

<i>Standards/controls</i>	<i>Comment</i>	<i>Compliance</i>
<p>areas and access should be separate and secure from other uses</p> <ul style="list-style-type: none"> <li>- Alternative waste disposal, such as composting, can be incorporated into the design of communal open space areas</li> </ul>		
<p><b><u>4X Building maintenance</u></b></p> <p><u>Objective 4X-1</u></p> <p><i>Building design detail provides protection from weathering</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Design solutions such as roof overhangs to protect walls and hoods over windows and doors to protect openings can be used.</li> </ul> <p><u>Objective 4X-2</u></p> <p><i>Systems and access enable ease of maintenance</i></p> <p><u>Design guidance</u></p> <ul style="list-style-type: none"> <li>- Window design enables cleaning from the inside of the Building</li> </ul> <p><u>Objective 4X-3</u></p> <p><i>Material selection reduces ongoing maintenance costs easily cleaned surfaces that are graffiti resistant</i></p>	<p>Durable and cleanable materials are proposed. Window placement and design does not introduce maintenance concerns.</p> <p>Window cleaning from the interior of the building is largely attainable.</p>	Y

## Attachment 8 - WOLLONGONG DEVELOPMENT CONTROL PLAN 2009 – COMPLIANCE TABLES

### CHAPTER B1 – RESIDENTIAL DEVELOPMENT

#### 4.0 General Residential controls

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<u>4.8 Building Character and Form</u>	Refer to Chapter D13 / ADG	Y
<u>4.9 Fences</u>	Existing fence may be replaced without consent.	Y
<u>4.12 Site Facilities</u>	Letter boxes proposed within the front setback which will be incorporated into the entry ramp/pedestrian pathway design. Service balconies provided to house Air Conditioners.	Y
<u>4.13 Fire Brigade Servicing</u>	See Variation - Chapter A1 Section	N
<u>4.14 Services</u>	See Variation - Chapter A1 Section	N
<u>4.15 Development near the coastline</u>	The site is located within the coastal zone however is approximately 550m from the coastal foreshore. No concerns are raised.	Y
<u>4.16 View sharing</u>		
<ul style="list-style-type: none"> <li>Visual impact assessment</li> <li>Appropriate siting of the building on the land so as to provide a strip of land, unencumbered with structures, down one side of the dwelling. This strip of land must be a minimum width of 3m or 25% of the lot width whichever is the greater.</li> </ul>	<p>10m / 30.48 = 32% width of site unencumbered.</p> <p>The applicant addressed view impacts in the Statement of Environmental Effects, concluding the proposed development will not have a detrimental effect on any significant primary view corridors. A formal view analysis was not undertaken.</p> <p><u>Assessment of View impacts</u></p> <p>The Land and Environment Court has set a Planning Principle to assess view sharing based on the court case <i>Tenacity Consulting v Warringah Council [2004] NSWLEC 140</i>. This planning principle has adopted a four-step assessment which will be used to evaluate view loss arising from the proposed development.</p> <p>The site occupies two (2) lots which comprise half of the Park St and Church St block. The proposal will lead to some loss of views from surrounding properties. The</p>	Y



surrounding properties are of mixed height and land use.

Submissions have been received from occupants of surrounding dwelling contained with varying development types. The views that will be affected relate to northern coastal views and the focus of view impacts will be in relation to this property.

The 4 step *Tenacity Consulting v Warringah Council [2004] NSWLEC 140* planning principle assessment is outlined as follows:

***Step 1 – Assessment of views to be affected***

Views of the escarpment from dwellings (mostly apartment buildings) located to east of the development site will be partially compromised.

Views of the coastline from dwellings (mostly apartment buildings) located to south and west of the development site will be partially compromised

The extent is of the affectation in each case is dictated by exact location and RL of the affected party.

***Step 2 – What part of the property are the views obtained?***

The views affected are obtained from balconies, living areas and POS of surrounding properties.

***Step 3 – Assess the extent of the impact***

The proposed development will obstruct existing north eastern coastal views and western escarpment views from surrounding and distant properties.

The view impact for adjoining sites will be significant, especially those located to the north and south, due to the orientation of the design.

Whilst the significant impact is noted, the view corridors throughout the surrounding area is largely compromised by existing development.

***Step 4 – Assess the reasonableness of the proposal that is causing the impact***

The development will result in a loss of coastal and escarpment views.

The proposed development is compliant with regard to the 32m building height limit for the site however the proposal is not

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<p><u>4.17. Retaining walls</u></p>	<p>compliant with the maximum 1.5:1 floor space ratio for the site.</p> <p>In order to reduce the view loss, the development would need a substantial reduction in height and increased setbacks on all boundaries.</p> <p>The development as proposed is of a scale generally permitted under the WLEP 2009 with regard to zoning, FSR and building height. Whilst the proposal exceeds the permitted FSR, the impacts on views does not necessarily correlate with the issue non-compliant FSR.</p> <p>Whilst there are several outstanding matters to resolve with regard to compliance with ADG guidance, WLEP 2009 standards and WDCP 2009 controls, provided these matters are resolved, view impacts are acceptable.</p> <p>Condition compliance with relevant Australian Standards and require engineering design and certification</p>	<p>Y</p>
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## 6 Residential flat buildings

Controls/objectives	Comment	Compliance
<p><u>6.1 General</u></p> <p><u>6.2 Minimum Site Width Requirement</u></p> <p><i>(a) To allow for development of sites, which are of sufficient width to accommodate the required building envelope, car parking and landscaping requirements.</i></p> <p><i>(b) To promote the efficient utilisation of land.</i></p> <p><b><i>(c) To encourage amalgamation of allotments to provide for improved design outcomes including greater solar access and amenity.</i></b></p> <p><u>6.3 Front Setbacks</u></p> <p><u>6.4 Side and Rear Setbacks / Building Separation</u></p> <p><u>6.5 Built Form</u></p>	<p>See Variation - Chapter A1 Section</p> <p>Refer to Chapter D13</p> <p>Refer to ADG Assessment</p> <p>Refer to ADG Assessment</p>	<p>N</p>

<u>6.6 Visual privacy</u>	Refer to ADG Assessment
<u>6.7 Acoustic privacy</u>	Refer to ADG Assessment
<u>6.8 Car Parking Requirements</u>	Refer to Chapter D13 / Chapter E3
<u>6.9 Basement Car Parking</u>	Refer to Chapter D13 / Chapter E3
<u>6.10 Access Requirements</u>	Refer to Chapter D13 / Chapter E3
<u>6.11 Landscaping Requirements</u>	Refer to Chapter D13 / Chapter E6
<u>6.12 Deep Soil Zone</u>	Refer to Chapter D13 / Chapter E6
<u>6.13 Communal Open Space</u>	Refer to ADG Assessment
<u>6.14 Private Open Space</u>	Refer to ADG Assessment
<u>6.15 Adaptable Housing</u>	Refer to Chapter D13
<u>6.16 Access for People with a Disability</u>	Refer to Chapter D13 / E1
<u>6.17 Apartment Size and Layout Mix for Larger Residential Flat Building Developments</u>	Refer to Chapter D13 & ADG Assessment
<u>6.18 Solar Access</u>	Refer to ADG Assessment
<u>6.19 Natural Ventilation</u>	Refer to ADG Assessment

## CHAPTER B2 - SUBDIVISION

Lot consolidation proposed, limited controls are applicable.

## CHAPTER D13 – WOLLONGONG CITY CENTRE

### 2 Building form

<i>Objectives/controls</i>	<i>Comment</i>	<i>Compliance</i>
<u>2.2 Building to street alignment and street setbacks</u> 4m Required	4.075 - 4.22m Minor (~500mm) compliant balcony projections	Y



<i>Objectives/controls</i>	<i>Comment</i>	<i>Compliance</i>
Minor projections into front building lines and setbacks for sun shading devices, entry awnings and cornices are permissible	Regarding awning: See Variation - Chapter A1 Section	N
<u>2.3 Street frontage heights in commercial core</u>	NA	
<u>2.4 Building depth and bulk</u> 900m <sup>2</sup> / 18 depth	Floorplate <900m <sup>2</sup> Max depth 15m (building oriented East/West width as per site configuration)	
<u>2.5 Side and rear building setbacks and building separation</u>	Refer to ADG Assessment	
<u>2.6 Mixed used buildings</u>	NA	
<u>2.7 Deep soil zone</u> Deep soil zone shall comprise no less than 15% of the total site area preferably provided in one continuous block and shall have a minimum dimension (width or length) of 6 metres.	See Variation - Chapter A1 Section	N
<u>2.8 Landscape design</u>	See ADG & Chapter E6. Landscape referral acceptable	
<u>2.9 Green roofs, green walls and planting on structures</u>	Roof planting and Zen garden component. Landscape referral acceptable	
<u>2.10 Sun access planes</u>	NA	
<u>2.11 Development on classified roads</u>	NA	

### 3 Pedestrian amenity

<i>Objectives/controls</i>	<i>Comment</i>	<i>Compliance</i>
<u>3.1 General</u>		
<u>3.2 Permeability</u>	NA	
<u>3.3 Active street frontages</u> Residential developments are to provide a clear street address and direct pedestrian access off the primary street front, and allow for residents to overlook all surrounding streets.	Clear street address and pedestrian access provided.	

<u>3.4 Safety and security</u>	<p>Surveillance and adequate site lines provided throughout site and over street frontage.</p> <p>Lighting of basement common areas provided.</p> <p>See further assessment under Chapter E2</p>	
<u>3.5 Awnings</u>	NA	
<u>3.6 Vehicular footpath crossings</u>		
One vehicle access point only (including the access for service vehicles and parking for non-residential uses within mixed use developments) will be generally permitted.	<p>Single crossing proposed.</p> <p>Regarding crossing width: See Variation - Chapter A1 Section</p>	<p>Y</p> <p>N</p>
<u>3.7 Pedestrian overpasses, underpasses and encroachments</u>	NA	
<u>3.8 Building exteriors</u>	Refer to Assessment under ADG	
<u>3.9 Advertising and signage</u>	NA	
<u>3.10 Views and view corridors</u>	<p>Controls relates largely to public domain views.</p> <p>Park St not identified as 'Framed View' for preservation.</p> <p>Public E/W Views to escarpment from Flagstaff Hill will not be noticeably affected.</p> <p>See Chapter B1 for assessment of view impacts on private dwellings.</p>	Y

#### 4 Access, parking and servicing

<i>Objectives/controls</i>	<i>Comment</i>	<i>Compliance</i>
<u>4.1 General</u>		
<u>4.2 Pedestrian access and mobility</u>	<p>Pedestrian access is available from the street frontage with one common entry point.</p> <p>Car parking for the adaptable units is provided within the basement car parking levels, with access throughout the building available via the lifts.</p>	Y

	The finish of pedestrian pathways and the like can be dealt with by consent conditions.	
<u>4.3 Vehicular driveways and manoeuvring areas</u>		
Setback a minimum of 1.5m from the relevant side property boundary	<p>Driveway located and designed appropriately.</p> <p>Vehicles can turn on site and leave in a forward direction.</p> <p>Car spaces, driveway grades comply with relevant standards.</p> <p>Council's Traffic Engineer found the design satisfactory.</p>	Y
<u>4.4 On-site parking</u>		
	<p>Basement parking provided. Sufficient car parking, motorcycle and bicycle parking is provided. Sufficient car parking to support the adaptable units is also proposed.</p> <p>Council's Traffic Engineer has found the proposal satisfactory.</p>	Y
<u>4.5 Site facilities and services</u>		
Development must ensure that adequate provision has been made for all essential services including water, sewerage, electricity and telecommunications and stormwater drainage to the satisfaction of all relevant authorities.	<p>The building is serviced by the major utilities and the proposal is not expected to result in any need to augment these services.</p> <p>Letter boxes proposed within the front setback which will be incorporated into the entry ramp/pedestrian pathway design.</p> <p>No rooftop ancillary structures or services shown on the plans.</p> <p>Provision has been made for waste storage rooms within the basement.</p> <p>On-street collection is proposed which is acceptable due to site width and number of units/bins.</p> <p>Consideration of boosters, substations etc have been considered under 4.13 &amp; 4.14 of Chapter B1</p>	Y

## 5 Environmental management

<i>Objectives/controls</i>	<i>Comment</i>	<i>Compliance</i>
<u>5.2 Energy efficiency and conservation</u>	<p>The proposal is not expected to result in significant energy consumption and there are no particular opportunities to require energy saving measures under this DA other than to require water saving devices, such as flow regulators, 3 stars rated shower heads, dual flush toilets and tap aerators.</p>	Y



<u>5.3 Water conservation</u>	BASIX certificates submitted indicate the BASIX targets are satisfied by the residential units.	
	The proposal is not expected to result in significant water consumption and there are no particular opportunities to require water saving measures under this DA other than to require new water fixtures (shower heads, taps, toilets, urinals etc.) to be 3 stars or better rated.	Y
<u>5.4 Reflectivity</u>	BASIX certificates submitted indicate the BASIX targets are satisfied by the residential units	
<u>5.5 Wind mitigation</u>	Refer to ADG Assessment	
<u>5.6 Waste and recycling</u>	NA	
	Garbage bins to be stored in basement. Garbage is to be collected from street. Required = 1120L waste, 1120L recycling and a communal green waste bin. Based on 240L bins a total of 9.5 bins are required. The design provides for 15 bin spaces within the basement bin storage area.	Y

## 6 Residential development standards

<i>Objectives/controls</i>	<i>Comment</i>	<i>Compliance</i>
<u>6.1 SEPP 65</u>	Refer to SEPP 65 / ADG Assessment	
<u>6.2 Housing choice and mix</u>		
10% of all dwellings (or at least one dwelling) must be designed to be capable of adaptation for disabled or elderly residents.	Apartment choice/mix includes: 2 x 1 bedroom 4 x 2 bedroom 8 x 3 bedroom	Y
	It is noted several include study rooms, which may potentially substitute as bedrooms that do not satisfy ADG requirements – Refer to ADG assessment.	N
The development application must be accompanied by certification from an accredited Access Consultant confirming that the adaptable dwellings are capable of being modified, when required by the occupant, to	See Variation - Chapter A1 Section	

Objectives/controls	Comment	Compliance
comply with the Australian Adaptable Housing Standard (AS 4299-1995).		
<u>6.3 Dwelling houses</u>	NA	
<u>6.4 Multi dwelling housing</u>	NA	
<u>6.5 Dual occupancy</u>	NA	
<u>6.6 Basement Carparks</u>		
The scale and siting of the basement car park must not impact upon the ability of the development to satisfy minimum landscaping and deep soil zone requirements.	Landscaping and Deep Soil interaction is compliant	Y
The roof of any basement podium, measured to the top of any solid wall located on the podium, must not be greater than 1.2m above natural or finished ground level.	See Variation - Chapter A1 Section	N
<u>6.7 Communal open space</u>		
The minimum size of this open space is to be calculated at 5m <sup>2</sup> per dwelling (min. dimension on 5m)	70m <sup>2</sup> required 217m <sup>2</sup> (open space) + ~120 integrated DSZ / = 337 proposed Refer to ADG assessment.	Y
<u>6.8 Private open space</u>	Refer to SEPP 65 / ADG Assessment	
<u>6.9 Overshadowing</u>	Refer to SEPP 65 / ADG Assessment	
<u>6.10 Solar access</u>	Refer to SEPP 65 / ADG Assessment	
<u>6.11 Natural ventilation</u>	Refer to SEPP 65 / ADG Assessment	
<u>6.12 Visual privacy</u>	Refer to SEPP 65 / ADG Assessment	
<u>6.13 Acoustic Privacy</u>	Appropriate rooms are co-located together. Apartments above and below provide similar room uses in similar locations. Wall construction adequate to address acoustic privacy.	Y
<u>6.14 Storage</u>	Refer to SEPP 65 / ADG Assessment	

Do not scale drawing, figured dimensions only to be used. Dimensions to be verified on site before the fabrication of any building component.

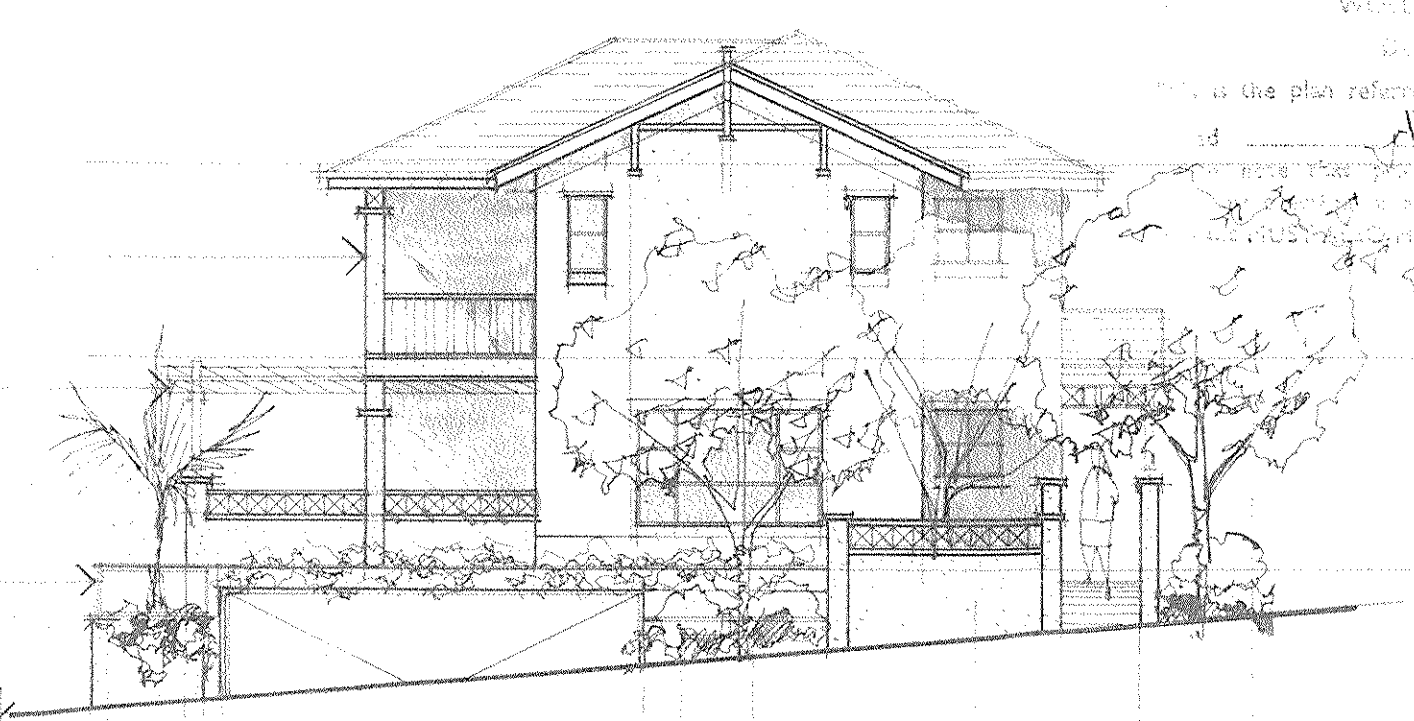
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WOLLONGONG CITY COUNCIL  
BY COUNCIL CONSENT

17/01/91  
09/11/16  
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NORTHERN ELEVATION



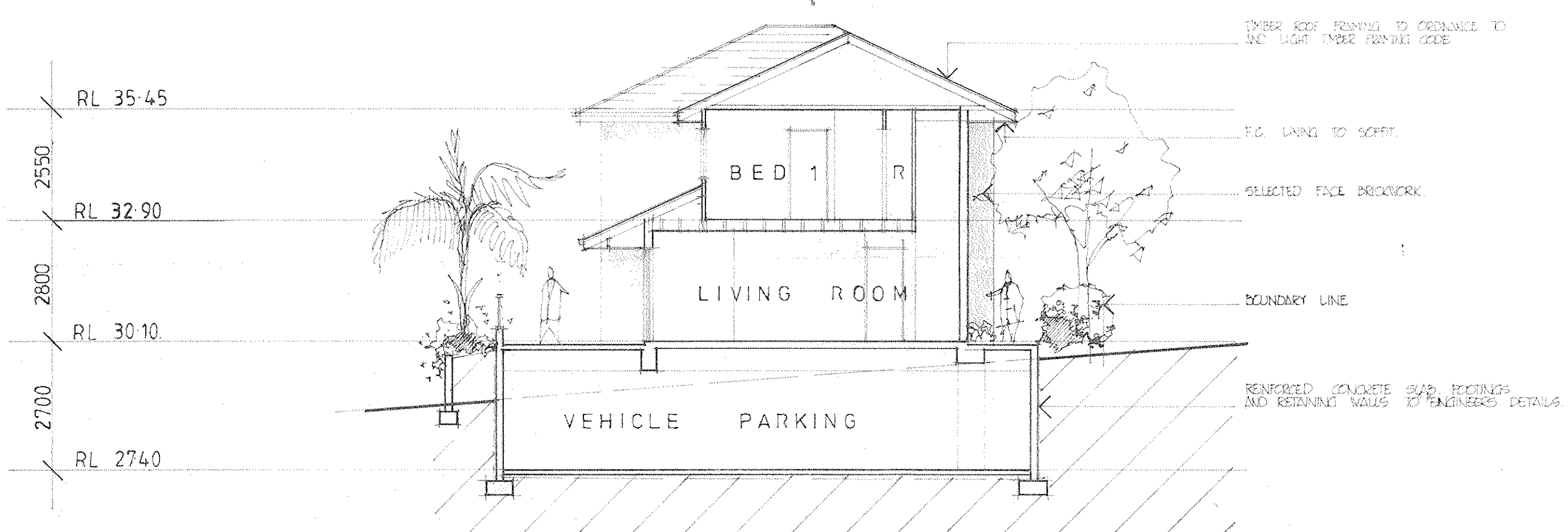
WESTERN ELEVATION



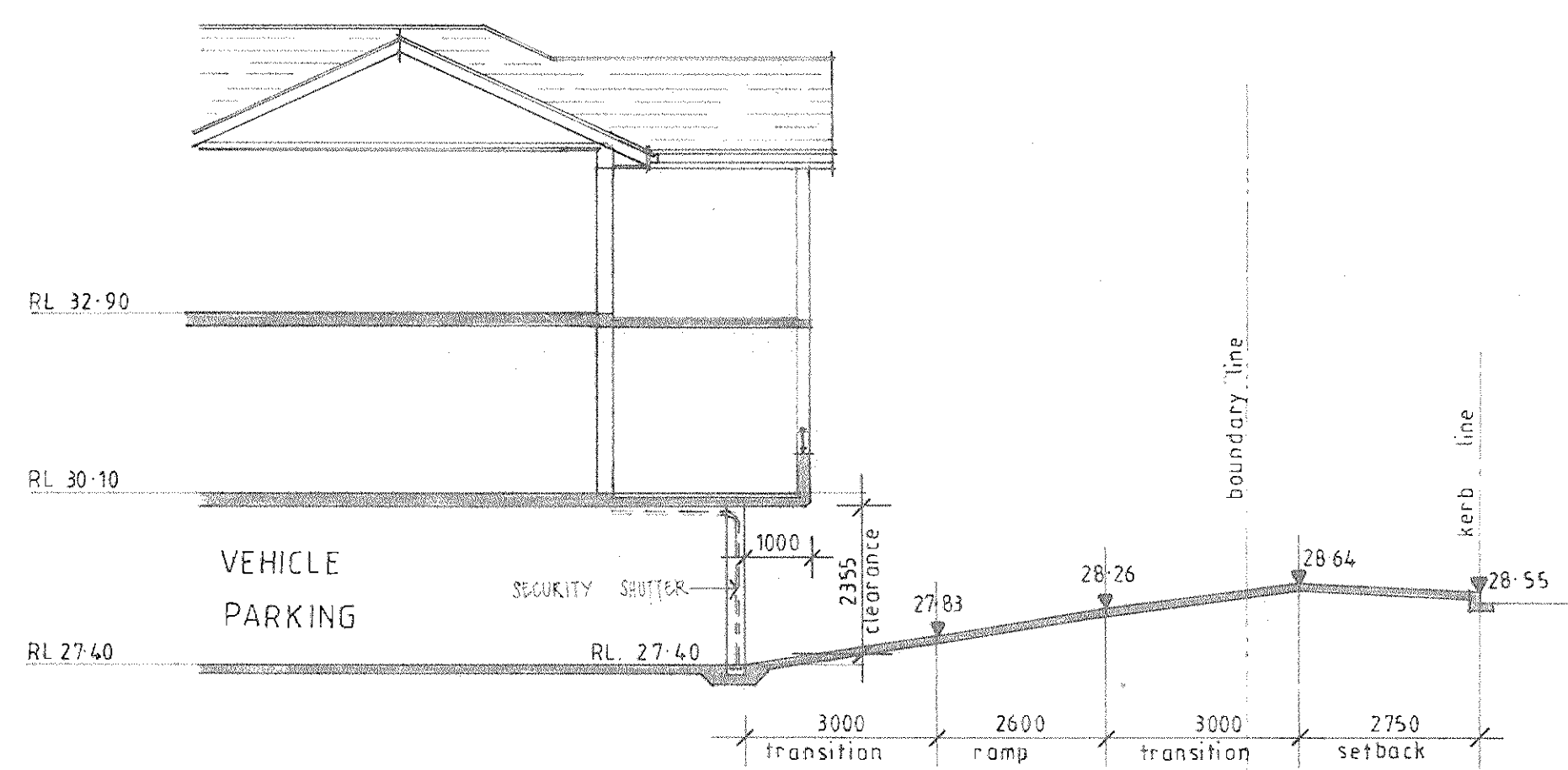
SOUTHERN ELEVATION



EASTERN ELEVATION



SECTION



SECTION THRU LINE OF RAMP

client  
mr. losurdo  
proposed 2 x 2 bed &  
2 x 3 bed townhouses

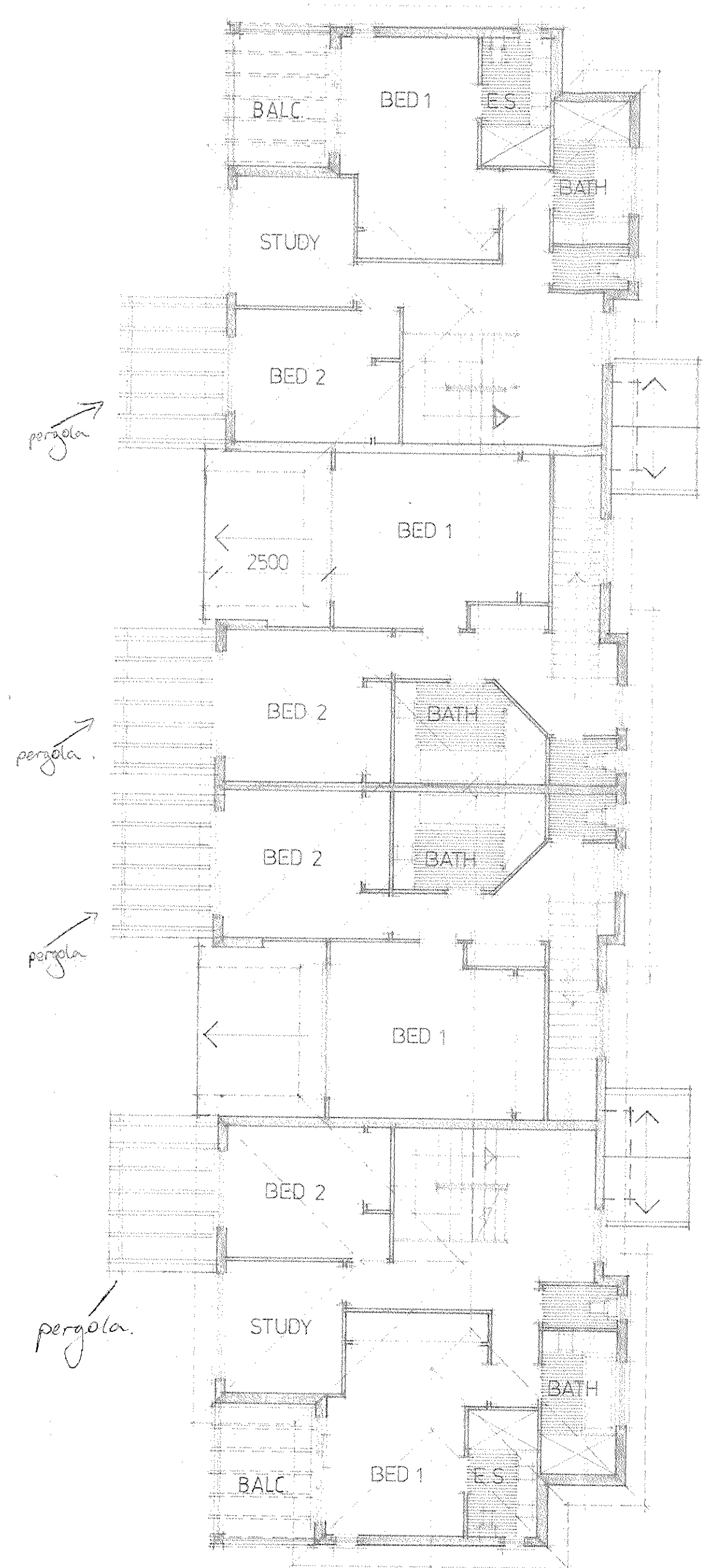
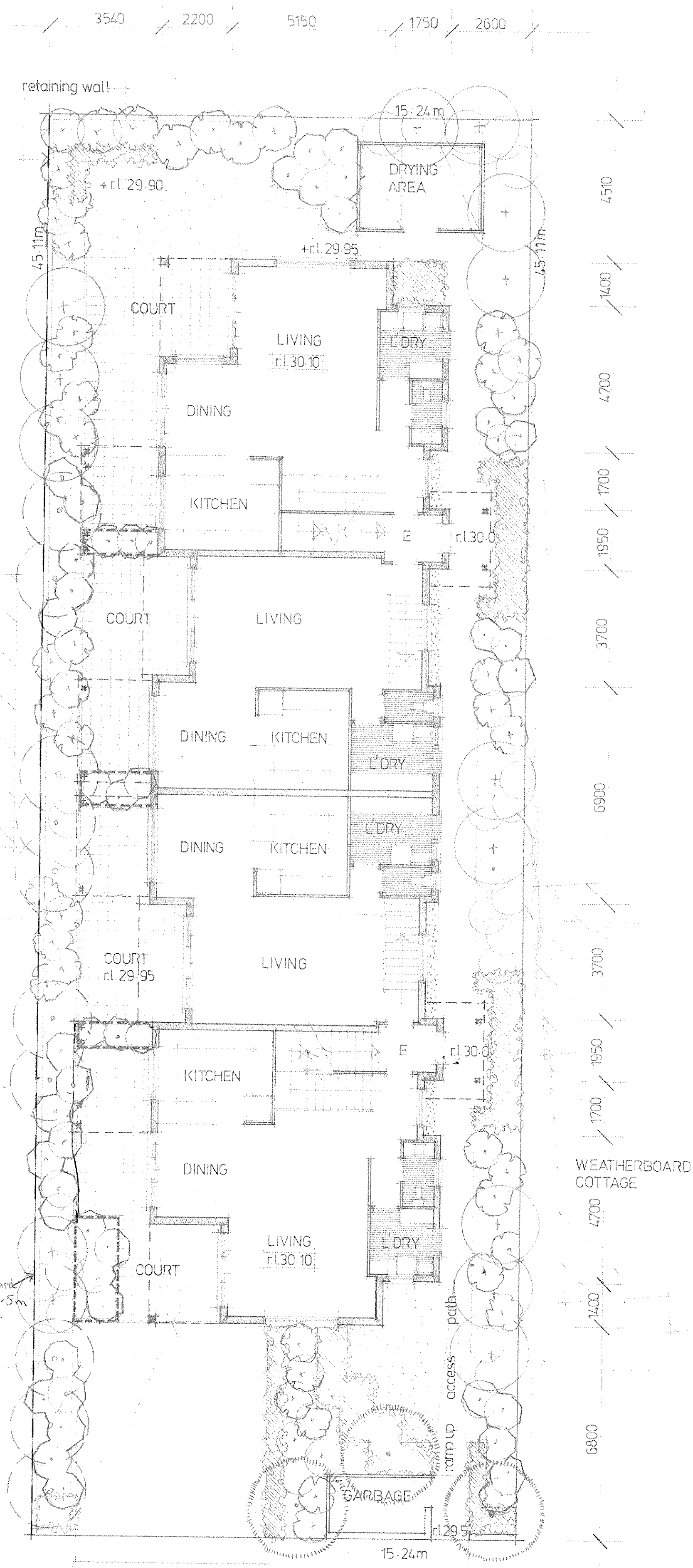
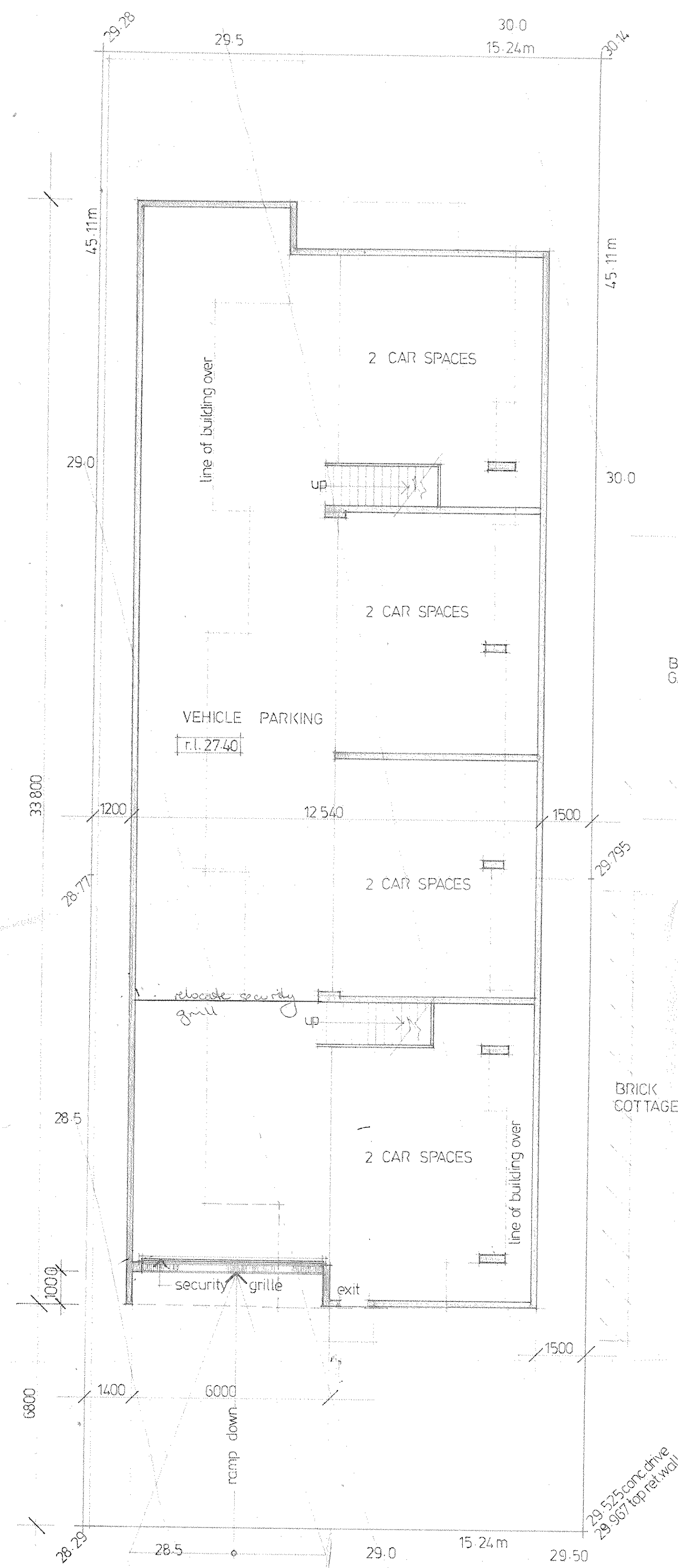
13 park st. wollongong

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architecture ~ interiors ~ landscape

graovac house,  
2nd floor 73 church street  
wollongong 2500  
telephone 042 283699  
fax no. 042 291145

date dwn june '91	scale 1:100	dwn no 02
dwn pr/sam	chkd job 91034	





FIRST FLOOR PLAN

## SITE CALCULATIONS

SITE AREA	687.47	m <sup>2</sup>	
MAX FSR 1:25:1	859.35	m <sup>2</sup>	
REDUCTION FOR WIDTH	544.50	m	permissible - 25 %
ACTUAL FSR	531.815	m <sup>2</sup>	
PARKING REQUIRED	78		
ACTUAL	8	SPACES	

Do not scale drawing, figured dimensions only to be used. Dimensions to be verified on site before the fabrication of any building component.

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## Amendments

Rev. \_\_\_\_\_ Date \_\_\_\_\_ By \_\_\_\_\_ Check \_\_\_\_\_

RECEIVED BY THE CHAIRMAN  
OF THE BOARD OF CONSENT

to the plan referred to in the Minutes of \_\_\_\_\_ 2011/116

1. If \_\_\_\_\_  
I note that prior to the submission of my letter to the  
Chairman of the Board of Consent, I had already obtained a  
Letter of Approval of the \_\_\_\_\_ and a Letter of Approval of the \_\_\_\_\_  
and MUST ALSO OBTAIN A BUILDING PERMIT.

Kisumu TDF

legend :

- CORRUGATED KIRKO TOPE  
 AND MUST ALSO HAVE A CURRENT BUILDING PERMIT.
- NEPENS PAVED DRIVEWAY.
- TERRAZZOCOTTA TILES.
- EXPOSED AGGREGATE CONC PAVING
- TIMBER SCREED - 1300mm HIGH
- PAISED PLANK BOX TO 750mm HEIGHT
- IRVING AREA - HILLS FORMALINE
- EXISTING SPOT LEVEL  
 PROPOSED SPOT LEVEL  
 PERIMETER WALL.

indicative planting list:

- FEATURE PLANT**
- *Azaphanthus plicatoc*
  - *Miscanthus sinensis*
  - *Hemerocallis*
- SMALL SHRUB**
- *Choisya ternata*
  - *Pimelia ferruginea*
  - *Gardenia florida*
- MEDIUM SHRUB**
- *Plumbago auriculata*
  - *Nandina domestica*
  - *Eriostemon myoporoides*
- LARGE SHRUB**
- *Murraya paniculata*
  - *Hibiscus rosa sinensis*
  - *Coprosma repens*
- FEATURE TREE**
- *Schefflera actinophylla*
- PALM PLANTING**
- *Howea forsteriana*
- SMALL TREE**
- *Homalium parvifolium*
  - *Albizia leonensis*
  - *Tristania laurina*
- ENTRY TREE**
- *Robinia hisia*
  - *Hyperstroemia indica*
  - *Faxinger Baywood*

client  
mr. losurdo  
proposed 2 x 2 bed &  
2 x 3 bed townhouses

13 park st. wollongong

p.r. design co.  
architecture ~ interiors ~ landscape

date dwn	scale	dwg no
june '91	1:100	01
dwn	chkd	
pr/sam	job	
	91034	

## **Attachment 10 – Draft Reasons for Refusal**

The draft reasons for the refusal of the proposed development are:

- 1 Pursuant to the provisions of Section 4.15 (1)(a)(ii) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development is inconsistent with the State Environmental Planning Policy No 65 with respect to the following objectives of the Apartment Design Guide; Objective 3B Solar Access, Objective 3C Location of Services, Objective 3F Building Separation, Objective 4B Room Layout & Dimensions and Objective 4E Privacy Impacts.
- 2 Pursuant to the provisions of Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development is inconsistent with Wollongong Local Environmental Plan 2009 with respect to Clause 2.2 and the zone objectives of the R1 General Residential Zone.
- 3 Pursuant to the provisions of Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development is inconsistent with Wollongong Local Environmental Plan 2009 with respect to Clause 4.4 and the variation to maximum floor space ratio.
- 4 Pursuant to the provisions of Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development is inconsistent with Wollongong Local Environmental Plan 2009 with respect to Clause 4.6 as no statement seeking to justify a variation to development standards has been submitted.
- 5 Pursuant to the provisions of Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development is inconsistent with Wollongong Local Environmental Plan 2009 as the development fails to exhibit design excellence under Clause 7.18.
- 6 Pursuant to the provisions of Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development is inconsistent with the provisions of Wollongong City Council's Development Control Plan 2009 with respect to Clause 6.2 of Chapter B1 as the development will result in the creation of an isolated lot.
- 7 Pursuant to the provisions of Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development is inconsistent with the provisions of Wollongong City Council's Development Control Plan 2009 with respect to Clause 2.2, 3.6, 6.2 and 6.6 of Chapter D13 Wollongong City Centre.
- 8 Pursuant to the provisions of Section 4.15 (1)(b) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development is excessive in floor space ratio and would adversely impact upon the amenity of the locality.
- 9 Pursuant to the provisions of Section 4.15 (1)(c) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development site is not suitable for the proposed development due to the resultant solar access and amenity impacts.
- 10 Pursuant to the provisions of Section 4.15 (1)(e) of the Environmental Planning and Assessment Act 1979 it is considered that in the circumstances of the case, approval of the development would set an undesirable precedent for similar inappropriate development and is therefore not in the public interest.