Wollongong Local Planning Panel Assessment Report | 8 March 2022

WLPP No.	Item 2
DA No.	DA-2021/1053
Proposal	Demolition of existing structures, tree removals, construction of multi dwelling housing comprising 11 x 3 bedroom dwellings and Subdivision - Strata title
Property	3-5 James Road Corrimal Lot 7-8 DP 19666
Applicant	McDonough Developments
Responsible Team	Development Assessment and Certification - City Wide Team (KR/MB)

ASSESSMENT REPORT AND RECOMMENDATION

Executive Summary

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. The referral is triggered via Schedule 2 of the Local Planning Panels Direction of 1 March 2018, as the proposal is the subject of ten or more unique submissions by way of objection.

Proposal

The proposal is for demolition of existing structures, tree removals, construction of multi dwelling housing comprising 11 x 3 bedroom dwellings and Subdivision - Strata title.

Permissibility

The site is zoned R2 Low Density Residential pursuant to the Wollongong Local Environmental Plan (WLEP) 2009. The proposal is categorised as *multi-dwelling housing* and is permissible in the zone with development consent. Tree removal is ancillary works to facilitate the development and as such is also permissible. Demolition and subdivision is permitted pursuant to Clause 2.6 and 2.7 of the WLEP.

Consultation

The proposal was exhibited in accordance with Council's Community Participation Plan 2019. Thirteen (13) submissions were received. The issues identified are discussed at section 1.5 of this report.

<u>Internal</u>

Details of the proposal were referred to Council's Development Engineering, Environment Landscaping and Safety (SCAT) Officers for assessment. Satisfactory referrals were received from Council's Environment and SCAT Officer's. Unsatisfactory referral advice was received from Council's Development Engineering and Landscape Officer's. Assessment considerations of internal groups as relates to relevant Chapters of the Wollongong Development Control Plan (WDCP) 2009 are presented at section 2.3.1 of this report.

External

Details of the proposal were referred to the Natural Resources Access Regulator (NRAR) as the proposal is Integrated Development involving works within 40m of a watercourse and requires a Controlled Activity Approval. General Terms of Approval for a Controlled Activity Approval were issued by NRAR on 3 November 2021.

Main Issues

- Inconsistency with the objectives of the zone
- Impact on streetscape and character of the area
- Bulk and scale
- Variation to side setbacks
- Parking, bicycle and motorcycle space requirements
- Landscaping
- Impact on existing trees to be retained
- Poor design of private open space and communal open space
- Solar access
- Impact on amenity of adjoining residents visual, overshadowing, privacy and on street parking availability
- Impact on amenity of future residents of the development
- Waste requirements
- Site suitability

RECOMMENDATION

DA-2021/1053 be **refused** for the reasons provided in Attachment 2.

1 APPLICATION OVERVIEW

1.1 PLANNING CONTROLS

The following planning controls apply to the proposal:

State Environmental Planning Policies:

- SEPP No. 55 Remediation of Land
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Housing) 2021

Local Environmental Planning Policies:

• Wollongong Local Environmental Plan (WLEP) 2009

Development Control Plans:

• Wollongong Development Control Plan (WDCP) 2009

Other policies

- Wollongong City-Wide Development Contributions Plan 2021
- Wollongong Community Participation Plan 2019

1.2 DETAILED DESCRIPTION OF PROPOSAL

The proposal comprises the following:

Site preparation

- Demolition of two existing dwellings.
- Removal of 12 trees (three (3) significant trees are proposed to be retained).
- Earthworks

Works / Construction / building details

• Construction of 11 x two storey townhouses:

Ground floor comprises open plan living/kitchen/dining, WC, store, laundry and private open space.

First floor comprises 3 bedrooms (one master with ensuite), bathroom and store. Units 4, 7 and 10 also have a sitting room on the first floor.

- Includes one adaptable dwelling including ramp and lift access
- Communal open space and private open space for each dwelling
- Bin store
- Landscaped area and deep soil zone
- Stormwater drainage via on-site detention storage and discharging into proposed inter-allotment drainage easement at the rear in principle agreement submitted

Traffic, parking and servicing

- Residential parking in garages (Units 1-4, 6, 7, 9 and 11 have single garage and Units 5, 8 and 10 have double garages). Total 14 spaces.
- Four (4) visitor parking spaces

• Access via a central driveway off James Road.

A copy of the submitted plans is provided at Attachment 1.

1.3 BACKGROUND

Application Number	Description	Decision	Decision Date
BA-1959/1741	Garage & Additions	Approved	26-Aug-1959
BA-1990/2142	Carport	Approved	24-Oct-1990
BA-1992/1784	Additions To Dwelling	Approved	08-Sep-1992
PL-2020/113	Residential - demolition of existing structures and construction of multi dwelling housing and Subdivision - strata title - 12 units - MS Teams 11.8.20	None	01-Sep-2020
PL-2020/134	Residential - Multi dwelling housing - MS TEAMS 25.9.20	None	16-Oct-2020
DA-2021/1053	Demolition of existing structures, tree removals, construction of multi dwelling housing comprising 11 x 3 bedroom dwellings and Subdivision - Strata title		

PL-2020/113

A pre-lodgement meeting was held for proposed *Residential demolition of existing structures and construction of multi dwelling and subdivision – strata title – 12 units. The summary of notes provided* were as follows:

'The proposal is permissible in the zone; however, the site is constrained in particular by existing trees that are required to be retained. Therefore, the number of units will need to be reduced and the proposal redesigned. Attention should be given to providing an area of communal open space that incorporates the existing trees on site.

A minimum 1 metre wide inter-allotment drainage easement will be required over the downstream land to facilitate piping of all stormwater from the development to the natural watercourse downstream of the site.

A further pre lodgement meeting is advised once the proposal has been revised and informed by the advice provided within these notes. LEP departures and /or DCP variations are to be kept to a minimum to ensure the development is suitable for the site.'

Customer service actions

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

NSW Land and Environment Court

Following lodgement of the application on 20 September 2021 Council conducted an initial assessment of the proposal and forwarded an application status letter to the applicant on 17 November 2021 identifying threshold issues to be addressed.

The applicant responded by way of a Class 1 Appeal against deemed refusal lodged with the NSW Land and Environment Court on 29 November 2021. The section 34 conciliation conference for this matter is to be conducted on 24 February 2022.

In the circumstances should the Panel concur with Council's report recommendation for refusal, delegation to defend is requested from the Panel via s2.20(8) of the Act to permit Council officers with the appropriate delegation to control and direct lawyers in the Appeal.

1.4 SITE DESCRIPTION

The site is located at 3-5 James Road Corrimal and the title reference is Lot 7-8 DP 19666. The site is occupied by a single dwelling on each lot.

The site is regular in shape and slightly sloping with a fall of 6m from front to rear.

The locality is characterised by low density residential development, predominantly single dwellings with some medium density.

- North: Dwelling house and secondary dwelling at No. 7 James Road and a 10 townhouse development at 7A James Road.
- East: 10 residential units 17 The Avenue Corrimal.
- South: Dwelling at No. 1 James Road Corrimal.
- West: Single dwellings.

Property constraints

Council records identify the land as being impacted by flooding.

There are no restrictions on Title that would preclude the proposal.



Figure 1: Aerial photograph



Figure 2: WLEP 2009 zoning map

1.5 SUBMISSIONS

The application was exhibited in accordance with Council's Community Participation Plan 2019. Thirteen (13) submissions were received, and the issues identified are discussed below:

Table 1: Submissions

Concern	Comment
 Variations to DCP – particularly setbacks and car parking variation (site is more than 1km from Corrimal railway station therefore not within close walking distance). 	Council does not support the variations to side setback or shortfall in parking.
 Scale of development – number of townhouses should be reduced. 	The scale of the development is considered an overdevelopment of the site given the non-compliances with applicable planning controls, site constraints and impacts of the development.
• Character of the area - the area is characterised by single dwellings and this development will change the character of the neighbourhood from low density to medium density. Does not satisfy Chapter D1 Character Statements.	The proposal is considered to have an adverse impact on the character of the area as discussed in Chapter D1 WDCP.

Cor	ncern	Comment
•	Traffic impacts – increased traffic and impact on availability of on street parking, no space for bins on collection day, visitor parking, Safety of children from vehicles reversing out of the driveway. Each townhouse should have a double garage and the development should provide more visitor parking.	Council does not support the shortfall in parking as it will impact on availability of on-street parking. Council does not support the shortfall in waste storage.
•	Height	The height complies with maximum two storeys and 9m in WDCP2009 and WLEP2009 respectively.
•	Privacy of neighbouring properties	The inadequate side setbacks and landscaping is considered to have an adverse impact on privacy of neighbouring properties.
•	Retention of trees	The proposal is not considered to have been designed

tion of trees	The proposal is not considered to have been designed
	appropriately to ensure the retention of the 3
	significant trees such as encroachment into the tree
	protection zones (private open space and visitor
	parking), changes in levels in proximity to existing trees
	and conflicts with stormwater drainage lines.

1.6 CONSULTATION

1.6.1 INTERNAL CONSULTATION

The application has been assessed by Council's Landscape, Environment, Development Engineering and Community Safety Officer's. Satisfactory referrals were received from Council's Environment and SCAT Officer's. Unsatisfactory referral advice was received from Council's Development Engineering and Landscape Officer's.

1.6.2 EXTERNAL CONSULTATION

Natural Resources Access Regulator

The application is Integrated Development as it involves works within 40m of a watercourse. The application was referred to NRAR and a satisfactory response was received 3 November 2021 including GTA's for a Controlled Activity Approval under the Water Management Act 2000.

2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

2.1 Application of Part 7 of Biodiversity Conservation Act 2016 and Part 7A of Fisheries Management Act 1994

This Act has effect subject to the provisions of Part 7 of the Biodiversity Conservation Act 2016 and Part 7A of the Fisheries Management Act 1994 that relate to the operation of this Act in connection with the terrestrial and aquatic environment.

NSW BIODIVERSITY CONSERVATION ACT 2016

Section 1.7 of the Environmental Planning and Assessment Act 1979 (EP&A Act) provides that Act has effect subject to the provisions of Part 7 of the Biodiversity Conservation Act 2016 (BC Act).

Part 7 of the BC Act relates to Biodiversity assessment and approvals under the EP&A Act where it contains additional requirements with respect to assessments, consents and approvals under this Act.

Clause 7.2 of the Biodiversity Conservation Regulation 2017 provides the minimum lot size and area threshold criteria for when the clearing of native vegetation triggers entry of a proposed development into the NSW Biodiversity offsets scheme. For the subject site, entry into the offset scheme would be triggered by clearing of an area greater than 0.25 hectares based upon the minimum lot size of the WLEP 2009 R2 zoned land (i.e. less than 1 hectare minimum lot size).

The minimum subdivision lot size for the land under WLEP 2009 is 449sqm. The proposed area of native vegetation clearing does not exceed the BOS area threshold (0.25 hectares for a minimum lot size of 449m2). Most of the trees proposed to be removed are exotic.

The site is not identified as being of high biodiversity value on the **Biodiversity Values Map**.

Council's Environmental Officer has considered whether the development site would potentially provide suitable habitat for any threatened species and the test of significance and has concluded that the proposed development is not expected likely to significantly affect threatened species or ecological communities, or their habitats. The development proposed would not be considered a key threatened process.

None of the trees on the site were identified as containing hollows.

The development would therefore not be considered to result in adverse impacts on biodiversity and is consistent with the provisions of the Biodiversity Conservation Act 2016.

Council's Environment Officer has reviewed the application and considered the proposal satisfactory with regards the requirements of the BC Act subject to imposition of conditions relating to the above matters.

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

2.2.1 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 - REMEDIATION OF LAND

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

- (a) it has considered whether the land is contaminated, and
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.
- (2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.
- (3) The applicant for development consent must carry out the investigation required by subclause (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.
- (4) The land concerned is—

(a) land that is within an investigation area,

- (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,
- (c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land—
 - (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and
 - (ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).

A check of the historical aerial photos in IntraMaps did not reveal fill material has necessarily been brought on to the subject lots or indicate any historic uses that would contribute to the contamination of the subject lots. A search of Council records has revealed no development applications for potentially contaminating commercial/industrial uses have been submitted. Council's Environment officer has reviewed the proposal including a preliminary site investigation and is satisfied the subject lots are not considered potentially contaminated and therefore is considered suitable for the proposed continued residential use as relates to clause 7.

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

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

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

2.2.3 STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021

SEPP (Housing) 2021 came in force on 26 November 2021 supporting delivery on NSW Housing strategy by driving the development of affordable and diverse housing.

The Housing SEPP mainly consolidated five existing housing-related SEPPs:

- State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARHSEPP);
- State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 (Seniors SEPP);
- State Environmental Planning Policy No 70 Affordable Housing (Revised Schemes) (SEPP 70);
- State Environmental Planning Policy No 21—Caravan Parks; and
- State Environmental Planning Policy No 36—Manufactured Home Estates.

Given the proposal is for multi-dwelling housing the SEPP is of no specific relevance.

2.2.4 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Clause 1.4 Definitions

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

Note-

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

Part 2 Permitted or prohibited development

Clause 2.2 – zoning of land to which Plan applies

The zoning map identifies the land as being zoned R2 Low Density Residential.

Clause 2.3 – Zone objectives and land use table

The objectives of the zone are as follows:

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

The proposal is unsatisfactory with regard to the above objectives. The proposal is considered to provide for the housing needs of the community within a medium density environment. The proposal exceeds the maximum floor space ratio in Clause 4.4 of the Wollongong LEP and as such the bulk and scale is considered incompatible with the surrounding low density residential environment. The proposal involves significant variations to the development controls in the Wollongong DCP in order to achieve the proposed dwelling yield and as a result is again considered incompatible with the low density residential environment. The proposed dwelling yield and as a result is not commensurate to the highly constrained site, particularly in relation to the proposed retention of 3 significant trees. The proposal is considered to be an overdevelopment of the Site in the context of the surrounding low density residential environment and site constraints.

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

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

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

Clause 2.6 Subdivision—consent requirements

Subdivision is permitted with consent.

Clause 2.7 Demolition requires development consent

Demolition is permitted with consent.

Part 4 Principal development standards

Clause 4.1 Minimum subdivision lot size

This Clause does not apply to strata subdivision.

Clause 4.3 Height of buildings

The proposed building height of 7.6m does not exceed the maximum of 9m permitted for the site.

Clause 4.4 Floor space ratio

Maximum FSR permitted for the zone: 0.5:1

Site area: 2,340m²

GFA: 1,207.4

Clause 4.6 Exceptions to development standards

The proposal does comply with the maximum FSR for the site. No submission has been provided addressing cl 4.6(3) to justify the departure.

Part 5 Miscellaneous provisions

Clause 5.21 Flood planning

The site is flood affected. The application has been assessed by Council's Development Engineer and found to be satisfactory in relation to flooding.

Part 7 Local provisions – general

Clause 7.1 Public utility infrastructure

The development is already serviced by electricity, water and sewage services which could be readily augmented to service the proposal.

Clause 7.14 Minimum site width

The site complies with the minimum 18m site width required for multi-dwelling housing.

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

Draft Environment SEPP

The Explanation of Intended Effect for the Environment SEPP was on exhibition from 31 October 2017 until the 31 January 2018.

This consolidated SEPP proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property.

Changes proposed include consolidating the following seven existing SEPPs:

- State Environmental Planning Policy No. 19 Bushland in Urban Areas
- State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011
- State Environmental Planning Policy No. 50 Canal Estate Development
- Greater Metropolitan Regional Environmental Plan No. 2 Georges River Catchment
- Sydney Regional Environmental Plan No. 20 Hawkesbury-Nepean River (No.2-1997)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Willandra Lakes Regional Environmental Plan No. 1 World Heritage Property.

Changes are also proposed to the Standard Instrument – Principal Local Environmental Plan. Some provisions of the existing policies will be transferred to new Section 9.1 Local Planning Directions where appropriate.

Engagement is now closed and feedback is being considered by the Department.

In relation to Items 1.2 and 4 it is considered the draft SEPP is of limited relevance at this point in time

Draft Remediation of Land SEPP

The Explanation of Intended Effect for the Remediation of Land SEPP and the Managing Land Contamination guidelines were exhibited between 25 January 2018 and 13 April 2018.

The proposed SEPP: provides a state-wide planning framework for the remediation of land requires consent authorities to consider the potential for land to be contaminated when determining development applications clearly lists the remediation works that require development consent

FSR:

introduces certification and operational requirements for remediation works that can be undertaken without development consent.

Engagement is now closed and feedback is being considered by the Department.

In relation to Items 1.2 and 4 it is considered the draft SEPP is of limited relevance at this point in time.

Draft Design and Place SEPP

Public exhibition of the Design and Place SEPP Explanation of Intended Effect closed in April 2021.

The Design and Place SEPP will establish principles for the design and assessment of places in urban and regional NSW: PRINCIPLE 1. Design places with beauty and character that people feel proud to belong to PRINCIPLE 2. Design inviting public spaces to support engaged communities PRINCIPLE 3. Design productive and connected places to enable thriving communities PRINCIPLE 4. Design sustainable and greener places for the wellbeing of people and the environment PRINCIPLE 5. Design resilient and diverse places for enduring communities

The draft Design and Place SEPP will go on public exhibition later in 2021 to provide more opportunities for feedback. Supporting guidance and tools, drafts of which will also go on exhibition with the draft SEPP. These guides include revisions to the Apartment Design Guide and improvements to the Building Sustainability Index (BASIX), as well as the proposed Urban Design Guide, and Design Review Guide. The Department is currently conducting workshops with Council's around the State.

In relation to Items 1.2 and 4 it is considered the draft SEPP is of limited relevance at this point in time.

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

2.4.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

CHAPTER A1 – INTRODUCTION

8 Variations to development controls in the DCP

<u>Issue (e.g. setbacks)</u>

(a) The control being varied;

Chapter B1 Clause 5.4 Side and Rear Setbacks.

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

The applicant's variation request is summarised as follows:

- The variations are a consequence of the natural topography of the land where a portion of the dwelling will comply due to cut and fill requirements.
- The variations will not compromise landscaped area, POS or solar access for the site and adjoining
 properties. The retention of established trees has been achieved and this has resulted in some
 dwellings being designed on steeper sloping parts of the site. The resultant cut and fill in those
 locations has resulted in portions of the building in instances encroaching into the side setbacks.
 Strict application of the DCP control can be achieved more easily on a flatter site. The concession
 being sought will still achieve the desired performance requirement of the setback control.
- The variations to side setbacks, albeit in most instances minor, must be considered in the context
 of the surrounding development in the locality. The site is adjoined to the rear and northern side
 boundary by existing multi dwelling housing. There is evidence that the locality is undergoing
 change by recent medium density housing developments due to the ideal proximity of the locality
 to nearby shops and transport services. If the site were to be located within a low density
 residential area that was characterised by single detached dwelling houses with large spatial
 separation between buildings, it would be reasonable to require strict compliance with setback
 requirements to maintain an existing character. In this instance, the site context would suggest

that the proposed setbacks to side boundaries are acceptable and will not result in a built form that is incompatible with other development in the immediate locality.

• The encroachments are minor and only apply to small elements of the buildings proposed on the site. There will be no detrimental impacts upon the amenity of the adjoining sites as a result of overshadowing, bulk and scale or privacy.

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

The proposal does not meet objective '(a) To provide adequate setbacks from boundaries and adjoining dwellings to retain privacy levels, views, sunlight and daylight access and to minimise overlooking' as the side setbacks are inadequate to minimise overlooking and overshadowing.

The proposal has been designed with bedrooms on the first floor which are considered low use rooms, however unit 8 also has a sitting room on the first floor which encroaches into the side setback (required 5.44m and proposed 4.7m). The proposal would increase overlooking to the southern neighbouring property.

All units except for the ground floor of unit 7 encroach into the southern side setback. The shadow diagrams demonstrate that the proposal would overshadow the southern neighbouring property at all times per day in mid-winter.

The proposal does not meet objective '(b) To provide appropriate separation between buildings to achieve the desired urban form' as the proposal would not achieve appropriate setbacks to the boundary and increased bulk and scale not in keeping with the surrounding R2 Low Density Residential Zone.

The proposal does not meet objective '(d) To minimise overshadowing of adjacent properties and private or shared open space' as discussed above the shadow diagrams demonstrate that the proposal would overshadow the southern neighbouring property at all times per day in mid winter.

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

The effect of the breach would result in adverse impacts on the amenity of the neighbourhood. For this reason the variation cannot be supported in its current form. As it is a new build there is no justifiable reason why the proposal cannot be designed to comply, particularly given the proposed scale of the development and the site location in a low density residential zone.

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. A BASIX certificate has been submitted in accordance with SEPP BASIX.

CHAPTER B1 – RESIDENTIAL DEVELOPMENT

4.0 General Residential controls

Controls/objectives	Comment
4.11 Storage Facilities	
• 10m ³ / 5m ²	Each dwelling has a designated store room and under stair storage as well as robes in each of the bedrooms which exceeds the minimum storage requirements.
4.12 Site Facilities	
• To ensure that site facilities (such as clothes drying, mail boxes, recycling	The proposal is inconsistent with the objectives to ensure that site facilities are effectively integrated into

Controls/objectives	Comment	
and garbage disposal units/areas, screens, lighting, storage areas, air conditioning units, rainwater tanks and communication structures) are effectively integrated into the	the development and are unobtrusive. The store and disabled access ramp is locate front boundary and will be obtrusive in th as it does not allow for 1.5m landscape so the development.	ed within the ne streetscape
development and are unobtrusive	The bin store location is also likely to in amenity of the future residents in unit 1 visual amenity and odours.	•
4.13 Fire Brigade Servicing		
 ensure that all dwellings can be serviced by fire fighting vehicles. 	This matter could be addressed via condit	tion
4.14 Services		
 encourage early consideration of servicing requirements, to ensure that all residential development can be appropriately serviced. 	The site is serviced with sewer, water a which could be readily augmented to proposal	•
4.15 Development near the coastline	N/A	
4.16 View sharing	The proposal is not anticipated to result in for surrounding properties.	n loss of views
4.17 Retaining walls	Additional information is sought in regard retaining walls to confirm compliance.	s to proposed
5.0 Attached dwellings and multi -dwelling	g housing	
Controls/objectives	Comment	Compliance
5.1 Minimum Site Width Requirement		
Minimum 18m	The site exceeds the minimum 18m.	Yes
5.2 Number of Storeys		
Maximum two storeys.	Maximum two storeys.	Yes

5.3 Front Setbacks

Minimum 6m.

6m

However the proposal is inconsistent with the objectives to reinforce the existing character of the street by acknowledging building setbacks and to promote compatibility in front setbacks to provide for unity in the building line.

The required 6m setback is provided however balconies, front courtyard fences and other building extrusions may be set back up to 900mm closer than the required front or secondary setback.

The POS for Units 1 and 6, bin store and ramp access to unit 6 encroach into the required 6m front setback. The encroachment exceeds the maximum 900mm encroachment that is permitted.

The bin store also has a shortfall of 18 bins and would therefore need to be redesigned to be even larger than currently proposed.

The proposed POS for unit 1 and 6, bin store and ramp access to Unit 6 is likely to have an adverse impact on the streetscape as these structures would be obtrusive and impedes the ability to provide a minimum 1.5m wide landscape strip along the frontage to screen these structures when viewed from the public street.

5.4 Side and Rear Setbacks

0.8 x ceiling height

1 x ceiling height where balconies or living areas at first floor level.

North boundary			
Unit	Required	Proposed	
1	GF 4.1 x 0.8 = 3.28	2.014	No
	FF 6.855 x 0.8 = 5.4	3.839	No
2	GF 4.8 x 0.8 = 3.84	2.3	No
	FF 7.4 x 0.8 = 5.92	3.839	No
3	GF 3.7 x 0.8 = 2.96	1.85	No
		3.89	No

No and variation request not supported

FF 6.4 x 0.8 = 5.12No4GF 4.4 x 0.8 = 3.521.5No5GF 3.9 x 0.8 = 5.683.89No5GF 3.9 x 0.8 = 3.121.5No5GF 4.x 0.8 0.8 = 5.284.4NoEast burdary5GF 4 x 0.8 3.28.2Yes6GF 3.1 x 0.8 = 5.367.7Yes11GF 3.1 x 0.8 = 5.364.6Yes11GF 3.1 x 0.8 = 2.484.6Yes5GF 4.2 x 0.8 = 4.663.6No7GF 4.1 x 0.8 = 4.963.6No7GF 4.1 x 0.8 = 3.283.6No7GF 4.1 x 0.8 = 5.684.7No8GF 4.2 x 0.8 = 3.36NoNo9GF 3.1 x 0.8 = 5.444.7No9GF 3.1 x 0.8 = 5.441.5No9GF 3.1 x 0.8 = 5.441.5No10GF 3.6 x 0.8 = 2.881.5No				
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	Clause 5.4 requires a minimum side setback of 0.8 x ceiling height. The proposal does not comply for units 1 to 10. Ceiling height is to be measured from natural ground level in this case as it is lower. The definition of ceiling height in the Wollongong DCP is:	
	'Ceiling height means the vertical distance from the ceiling level at the outside wall to natural ground level or finished ground level whichever is lower.'	
	A submitted variation request has been considered and is not supported as discussed in Chapter A1.	
5.5 Building Character and Form	Whilst the proposal is considered to be well articulated and does not present any blank walls to the street or homogenous materials it is considered an overdevelopment of the site in allow density residential zone.	Yes
	Entrances do not address the street however they are considered satisfactory as they are clearly discernible.	
	Habitable rooms face the street to assist with casual surveillance.	

5.6 Access / Driveway Requirements	The proposal will have single central driveway access from James Road.	Ye
	The onsite vehicular manoeuvring space is sufficient to allow B85 vehicle to turn, in a maximum 3 turns and leave the site in forward direction.	
	No concerns raised by Council's Development Engineer in relation to access/driveway requirements.	
<u>5.7 Car Parking Requirements</u>	Council's Development Engineer has assessed the proposal against the requirements in Chapter E3 and advised there is a shortfall of 2 parking spaces, 4 bicycle spaces for residents, 1 bicycle space for visitors and 1 motorcycle space.	Nc
5.8 Landscaping Requirements	Council's Landscape Officer has assessed the proposal and is not satisfied. Additional information has been requested in relation to the landscape information provided, insufficient landscaped area and deep soil zone, encroachment into tree protection zones, design of open space and conflicts between stormwater and landscaping, impact on streetscape and amenity of neighbouring properties due to inadequate landscaping along boundaries.	Nc
<u>5.9 Deep Soil Planting</u>	Council's Landscape Officer has assessed the proposal and is not satisfied. Additional information has been requested. The deep soil (DSZ) is to be minimum dimension of 6m. The development in relation to tree 2 and tree 6 indicates that the DSZ is compromised by paving and POS areas.	Nc
5.10 Communal Open Space	Council's Landscape Officer has assessed the proposal and is not satisfied. Additional information has been requested including the need to provide resident facilities for use of the Communal Open Space such as table, seats and barbecue.	Nc

Council's Landscape Officer has assessed the proposal and is not satisfied, requesting additional information. The private open space areas are to be minimum 4mx5m and are to be paved or decked. A turf surface is not acceptable.

Private open space (POS) areas are to be directly accessible from living areas and are not include a significant change of level from the living space to the POS. Currently units 2, 4, 5, 7 and 8 include steps to the POS. Decks would be a suitable solution for this conflict. The proposed stepped access to the POS and elevated POS is likely to impact on the privacy of neighbouring properties.

POS are not to be located forward of the front building alignment by more than 900mm. Units 1 and 6 do not comply with this control.

The POS of unit 1 and 6 is located forward of the building line in close proximity to the front boundary with limited landscaping separating the POS from the public road. This is likely to result in poor privacy for the future residents of unit 1 and 6.

POS in TPZ of trees. The POS of units 2 and 3 is positioned directly beneath Tree No. 6, the POS of units 8 and 9 is positioned directly beneath Tree 2 and POS of units 5 and 11 is located directly beneath Tree 15. The location of the are of POS directly beneath the dripline of existing significant trees is unlikely to receive at least 3 hours of direct solar access per day in mid-winter in accordance with Clause 5.12 and result in poor amenity for the future residents.

The outdoor areas are poorly designed as there is poor access between internal living areas and outdoor private open space. Additionally the layout of units 5 and 8 have resulted in large residual yard space to the rear of the garages that would be underutilised as they are disconnected from the POS. No

Clause 5.12 requires windows to living rooms of adjoining dwellings must receive 3 hours of sunlight between 9.00am and 3.00pm on 21 June and at least 50% of the private open areas of adjoining residential properties must receive at least 3 hours of sunlight between 9.00am and 3.00pm on June 21. The submitted shadow diagrams demonstrate overshadowing to southern neighbouring property at all times of the day. The proposal does not comply with minimum 3 hours of direct sunlight to neighbouring property living rooms and 50% private open space in mid-winter.

A minimum of 50% of the private open space area for each of the subject dwellings in the development must receive at least 3 hours of sunlight between 9.00am and 3.00pm on 21 June. The majority of the POS for each Unit is located directly under the dripline of existing trees or proposed trees and is unlikely to receive at least 3 hours of direct solar access per day in mid-winter as required.

Clause 5.12 requires windows to north facing living rooms for each of the subject dwellings in the development must receive at least 3 hours of sunlight between 9.00am and 3.00pm on 21 June and at least 50% of the private open space (POS) area for each of the subject dwellings in the development must receive at least 3 hours of sunlight between 9.00am and 3.00pm on 21 June.

The living room windows of units 5-9 are not oriented to the north and are unlikely to receive the minimum 3 hours of sunlight between 9.00am and 3.00pm on 21 June as required by Clause 5.12. The majority of the POS for each unit is located directly under the dripline of existing trees or proposed trees and is unlikely to receive at least 3 hours of direct solar access per day in mid-winter as required by Clause 5.12.

No

5.13 Additional Control for Multi Dwelling Housing - Dwelling Mix and Layout	No mix – all units have 3 bedrooms.	No
5.14 Additional Control for Multi Dwelling Housing - Adaptable Housing	One adaptable unit is proposed which is considered satisfactory as it meets the minimum 10% requirement. An Access Statement has been submitted to state that it complies with the relevant requirements.	Yes
5.15 Additional Control for Multi Dwelling Housing – Crime Prevention through Environmental Design	No concerns – CPTED conditions could be imposed.	Yes

CHAPTER B2 RESIDENTIAL SUBDIVISION

This Chapter has limited requirements for Strata Subdivision.

CHAPTER D1 – CHARACTER STATEMENTS

<u>Corrimal</u>

The character statements include identification of a desired future character of Corrimal. The desired future character is for lower density residential areas in Corrimal is to retain their low density character and for additional medium density housing is likely to occur within or in close walking distance (ie 400 – 600 metres) of the Corrimal retail and business centre.

The proposal is inconsistent with the desired future character for lower density residential areas of Corrimal to retain their low density character. The site is located within 400m of the Corrimal town centre and is therefore considered to be appropriate for medium density development however the scale of the proposal is considered inappropriate for the low density residential zoning of the site.

The proposal exceeds the maximum floor space in Clause 4.4 of the Wollongong LEP and involves significant variations to the development controls in the Wollongong DCP in order to achieve the proposed dwelling yield. Existing development in James Road is characterised by predominantly single dwelling-houses.

The site is highly constrained particularly in relation to the proposed retention of 3 significant trees.

The proposed bulk and scale is considered to incompatible with the surrounding low density residential environment. The proposed dwelling yield is not commensurate to the highly constrained site. The proposal is considered to be an overdevelopment of the site in the context of the surrounding low density residential environment and site constraints.

CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

No concerns as relates to this Chapter. The building design is considered to minimise areas for potential entrapment and landscaping is considered to minimise areas for potential concealment

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

6 Traffic impact assessment and public transport studies

A traffic impact assessment was not required for the development.

7 Parking demand and servicing requirements

Council's Development Engineer has assessed the proposal against the requirements in Chapter E3.

A minimum of 1.5 car parking spaces per dwelling (70-110m2) or 2 car parking spaces per dwelling (>110m2). Eight (8) units have gross floor area between 70-110sqm and require 1.5 spaces each. Three (3) units have a gross floor area over 110sqm and require 2 spaces each. Visitor parking is required to be provided at a rate of 0.2 car parking spaces per dwelling for visitors. In addition 1 bicycle space per 3 dwellings (residents) and 1 bicycle space per 12 dwellings (visitors) and 1 motorcycle space per 15 dwellings.

A total of 20 car parking spaces are required however only 18 spaces are provided, a shortfall of 2 parking spaces. The required four (4) bicycle for residents, 1 bicycle for visitors and 1 motorcycle space have not been provided.

The proposed car parking space dimensions also do not comply with the requirements outlined in Section 4.10.2, Chapter B1, Wollongong DCP.

The proposal is seeking a waiver under Clause 7.4 of Chapter E3 due to proximity to public transport however the waiver does not apply to residential use and in any event the site is not considered to be in close proximity to public transport or public parking as detailed below. Chapter E3 Clause 7.4 allows a waiver in the following circumstances:

City Wide:

• 10% reduction* if bus stop within 400m of site (measured along an existing footpath)

Comment:

The site is located more than 400m to a bus stop (484m).

• 20% reduction* if railway station within 800m of site (measured along an existing footpath)

Comment:

The site is located more than 800m to a railway station (site is 1300m to Corrimal Railway Station)

• 10% reduction* if public car park with greater than 50 car spaces within 400m of site (measured along an existing footpath)

Comment:

The site is 800m to nearest public carpark.

8 Vehicular access

Driveway grades and sight distances comply.

9 Loading / unloading facilities and service vehicle manoeuvering

The development complies with AS 2890.2.

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

Council's Landscape Officer has assessed the proposal and is not satisfied, requesting additional information.

The proposal does not provide a minimum 1.5m wide landscape bed for hedge type planting along the side boundaries. Clothes lines, water tanks, access paths, bin storage are not permitted within the 1.5m side boundary landscape setback.

The proposal does not provide a minimum 1.5m wide garden bed along the front boundary to satisfy Clause 5.1 of Chapter E6 Landscaping. Clause 5.1 requires landscape design should maintain or improve the amenity and visual quality of the site and landscaping measures are required to help to screen visually obtrusive land uses or buildings.

The proposed bin store and ramp within the front setback impedes the ability to provide a minimum 1.5m wide landscape strip along the frontage.

The deep soil (DSZ) does not comply with minimum dimension of 6m. The development in relation to Tree 2 and tree 6 indicates that the DSZ is compromised by paving and private open space areas.

The proposal has not demonstrated compliance with height and setback of the proposed retaining walls as per Clause 4.17 Chapter B1 of the Wollongong DCP.

The proposal is inconsistent with the objectives of Chapter E6 of Wollongong DCP 2009 to minimise the impacts from development on natural site features in particular the objective of retaining existing trees where feasible.

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 existing dwellings and a demolition plan has accordingly been provided.

Council's Development Engineer has assessed the proposed future residential waste requirements and is not satisfied with the amount of waste bins provided. The submitted waste management plan indicates that each unit will be serviced by 120L bin for general, recycling and green waste, bringing the total to 33 bins required. Proposed waste storage is designed to house 5 general, 5 recycling and 5 green waste bins which is a shortfall of 18 bins.

The proposal does not provide a compliant waste bin storage capacity and this is unlikely to satisfy the waste storage needs for future residents.

The space required for waste collection is not permitted to exceed 50% of the street frontage. General waste and green waste is collected on a weekly basis and recycling is collected on a fortnightly basis (2 bins/unit every week and 3 bins/unit every fortnight). It is estimated that 12m of length of kerb within the frontage will be required for weekly pick up with the space required being less than 50% of total frontage width. However every fortnight 18m of length of kerb within the frontage will be required 50% of the street frontage.

CHAPTER E13 FLOODPLAIN MANAGEMENT

The site is identified as being located within a flood risk precinct. A flood study and concept stormwater plan have been provided. Council's stormwater engineer has reviewed the proposal with respect to the provisions of this chapter and clause 5.21 of WLEP 2009 and has recommended conditions.

CHAPTER E14 STORMWATER MANAGEMENT

Stormwater is proposed to be disposed of to an existing watercourse via an easement on adjoining land. An in principle agreement has been provided as part of the submission. Council's stormwater engineer has reviewed the proposal with respect to the provisions of this chapter and has recommended conditions.

CHAPTER E17 PRESERVATION AND MANAGEMENT OF TREES AND VEGETATION

The proposal is inconsistent with the objectives of Chapter E17 of Wollongong DCP 2009 to protect trees within the City of Wollongong Local Government Area and ensure that any new development considers and maximises the protection of existing vegetation in the site planning, design, development, construction and operation of the development.

The site contains a number of significant trees, three (3) of which are proposed to be retained as part of the proposal, these being Tree 2, 6 and 15 as identified in the Arborist Report and on the Site Plan. The proposed design conflicts with the existing trees and is likely to have an adverse impact on the trees.

- The private open space of Unit 2 and 3 as well as the four (4) visitor spaces encroach within the tree protection zone (TPZ) of Tree 6.
- The private open space of Unit 5 and 11 encroach within the TPZ of Tree 15.
- The private open space of Unit 8 and 9 encroach within the TPZ of Tree 2.
- The proposed design would necessitate proposed fencing between each unit/POS in close proximity to existing trees.
- As such the proposal is likely to have an adverse impact on existing trees Tree 2, 6 and 15.

There are unacceptable level changes within the TPZ of existing trees to be retained.

No Arboricultural advice has been submitted in regard to impacts of the proposed stormwater infrastructure works on existing trees.

CHAPTER E19 EARTHWORKS (LAND RESHAPING WORKS)

Minor earthworks are proposed to prepare the site for development. No concerns as relates to this Chapter.

CHAPTER E20 CONTAMINATED LAND MANAGEMENT

No concerns – see SEPP 55 commentary.

CHAPTER E21 DEMOLITION AND HAZARDOUS BUILDING MATERIALS MANAGEMENT

The proposal involves demolition of all existing structures. A Site Waste Minimisation Plan has been submitted as required. No concerns are raised. Appropriate conditions could be imposed.

CHAPTER E22 SOIL EROSION AND SEDIMENT CONTROL

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

2.4.2 WOLLONGONG CITY WIDE DEVELOPMENT CONTRIBUTIONS PLAN

Wollongong City-Wide Development Plan - City Wide

The Wollongong City-Wide Development Contributions Plan applies to the subject property. This Plan levies a contribution based on the estimated cost of development.

The proposed cost of development* is over \$200,001 – a levy rate of 1% applies.

2.5 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.

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

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

Conditions could be recommended with regard to demolition.

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

The proposal is considered unacceptable with regard to the likely impacts as follows:

- The proposal will have unacceptable impact on existing trees.
- The bulk and scale is likely to have an adverse impact on the amenity of neighbouring properties by way of visual impact, overshadowing and privacy.
- The site adjoins residential properties on each side, comprising a single dwelling at No. 1 James Road to the south and to the north the site adjoins a single dwelling at No. 7 James Road and a multi dwelling development on a battleaxe lot at 7A James Road.
- The proposal exceeds the maximum FSR permitted in the WLEP 2009 and does not satisfy minimum side setback requirements of WDCP2009. The bulk and scale is likely to have an adverse impact on the amenity of neighbouring properties by way of visual impact, overshadowing and privacy.
- Inadequate setbacks deny opportunities for useful landscaping and screen planting along side boundaries to protect the amenity of neighbouring properties.
- The bulk and scale and insufficient setbacks will have an adverse impact on the visual amenity of surrounding residential properties.
- The proposed stepped access to the POS and elevated POS is likely to impact on the privacy of neighbouring properties.
- Minimal landscaping is provided along site boundaries to screen the development from view from neighbouring properties and minimise overlooking. The landscape design does not provide a compliant deep soil zone.
- The shadow diagrams demonstrate significant overshadowing to the southern neighbouring properties at all times per day in mid winter.
- The proposed structures within the front setback will have an adverse impact on the streetscape.
- The proposal does not provide sufficient onsite parking and is likely to result in overspill of parking onto the public road.

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

Does the proposal fit in the locality?

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

Are the site attributes conducive to development?

There are site constraints - retention of significant trees that must be considered in the proposal.

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

See Section 1.5.

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

The proposal is not considered to be in the public interest with consideration of likely impacts, inconsistency with the objectives of the zone and applicable planning controls, impact on streetscape and character of the area, and the significant issues raised in submissions and by Council's referral officer's.

3 CONCLUSION

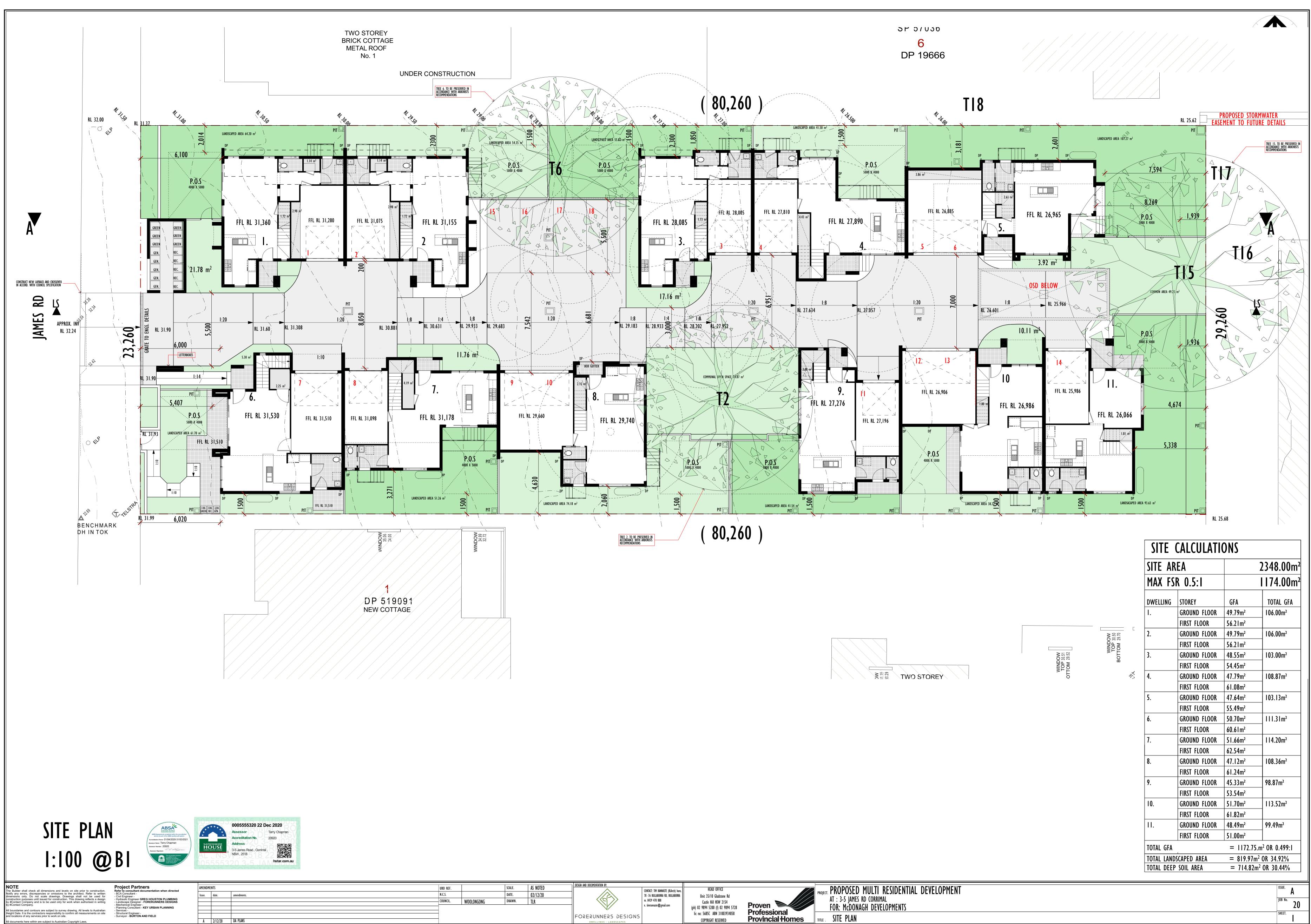
This application has been assessed as unsatisfactory having regard to the Heads of Consideration under Section S4.15(1) of the Environmental Planning and Assessment Act 1979, the provisions of Wollongong Local Environmental Plan 2009 and all relevant Council DCPs, Codes and Policies. The proposal cannot be supported in its current form.

4 **RECOMMENDATION**

DA-2021/1053 be refused for the reasons provided at Attachment 2.

5 ATTACHMENTS

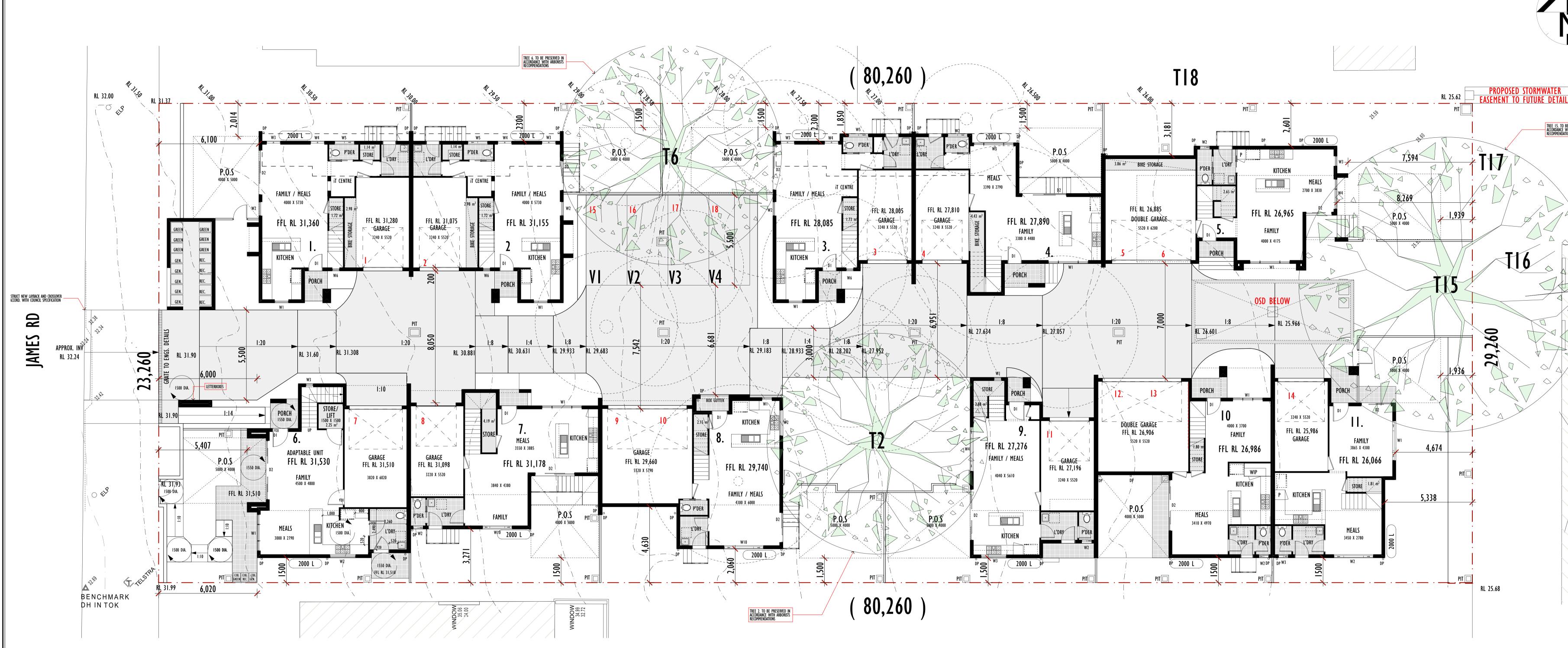
- 1 Plans
- 2 Reasons for Refusal



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UBD REF.		SCALE.	AS NOTED		CONTACT: TIM RANNASTE (BLArch) hons.	HEAD OFFICE		PROJECT.	PRO
N.C.S.		DATE.	02/12/20		70 -76 BULLABURRA RD, BULLABURRA				
COUNCIL.	WOOLONGONG	DRAWN.	TLR		m. 0429 470 888	Castle Hill NSW 2154			AT : 3
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SITE PLAN



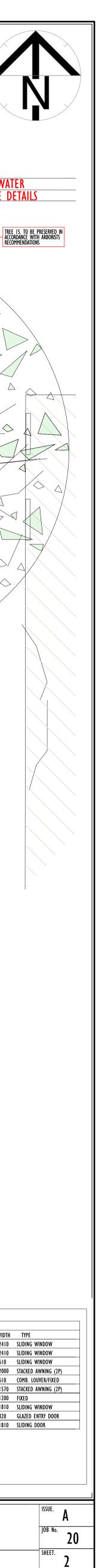
GROUND FLOOR PLAN I:100 @ B1

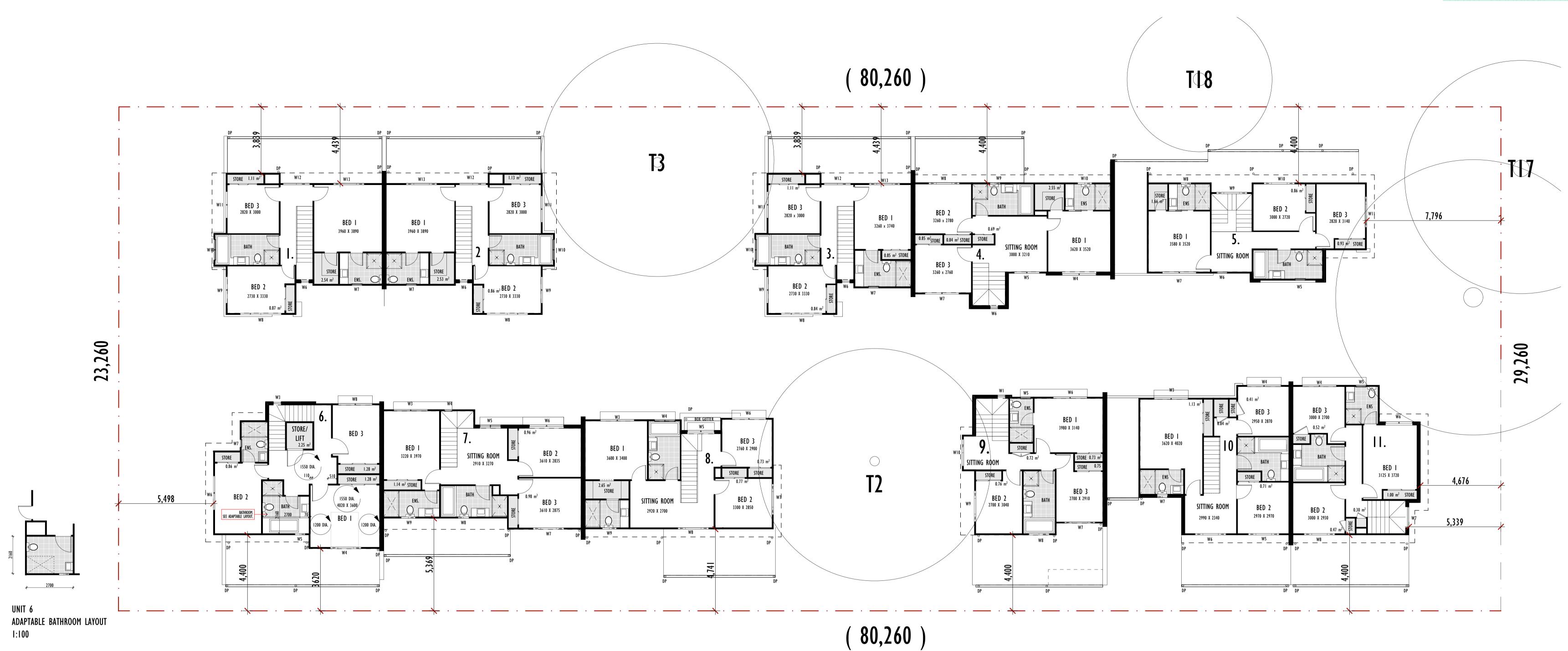


NOTE	Project Partners	AMENDME	ENTS	
The Builder shall check all dimensions and levels on site prior to construction. Notify any errors, discrepancies or omissions to the architect. Refer to written dimensions only. Do not scale drawings. Drawings shall not be used for	BCA Consultant - Civil Engineer - Hydraulic Engineer GREG HOUSTON PLUMBING Landscape Designer - FORERUNNERS DESIGNS Mechanical Engineer - Planning Consultant - KEY URBAN PLANNING	lssue.	date.	amendments.
construction purposes until issued for construction. This drawing reflects a design				
by #Contact Company and is to be used only for work when authorised in writing by #Contact Company.				
All boundaries and contours are subject to survey drawing. All levels to Australian Height Data. It is the contractors responsibility to confirm all measurements on site	- Services - - Structural Engineer -			
and locations of any services prior to work on site.	- Surveyor - BURTON AND FIELD			
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NO. HEIGHT X WIDTH TYPE	NO. HEIGHT X WIDTH TYPE	NO. HEIGHT X WIDTH TYPE	NO. HEIGHT X WIDTH TYPE	NO. HEIGHT X WIDTH TYPE	NO. HEIGHT X WIDTH TYPE	NO. HEIGHT X WIDTH TYPE	NO. HEIGHT X WIDTH			
WI 1800 X 850 LOUVER	WI 1800 X 850 LOUVER	WI 1800 X 850 LOUVER	WI 1800 X 2410 COMB. LOUVER/FIXED/LOUVER	WI 1800 X 2410 COMB. LOUVER/FIXED/LOUVER	WI 1800 X 2200 COMB. LOUVER/FIXED/LOUVER	WI 1800 X 2410 COMB. LOUVER/FIXED/LOUVER	WI 1200 X 610 LOUVER	WI 3300 X 450 FIXED	WI 1800 X 1810 COMB. LOUVER/FIXED/LOUVER	WI 600 X 2410
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		SCALE.	AS NOTED	DESIGN AND DOCUMENTATION BY:					
 UBD REF.		JCALL.			CONTACT: TIM RANNASTE (BLArch) hons.	HEAD OFFICE		PROIECT.	PRC
N.C.S.		DATE.	02/12/20		70 -76 BULLABURRA RD, BULLABURRA	Unit 35/10 Gladstone Rd		PROJECT.	
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ADAPTABLE BATHROOM LAYOUT
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FIRST FLOOR PLAN 1:100 @ BI

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	 Planning Consultant - KEY URBAN PLANNING 									
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nents on site	- Surveyor - BURTON AND FIELD									
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UNIT I	UNIT 2	UNIT 3	UNIT 4	UNIT 5	UNIT 6	UNIT 7	UNIT 8	UNIT 9	UNIT 10	UNIT I I
NO. HEIGHT X WIDTH TYPE	NO. HEIGHT X WIDTH TYPE	NO. HEIGHT X WIDTH TYPE	NO. HEIGHT X WIDTH TYPE	NO. HEIGHT X WIDTH TYPE	NO. HEIGHT X WIDTH TYPE	NO. HEIGHT X WIDTH TYPE	NO. HEIGHT X WIDTH			
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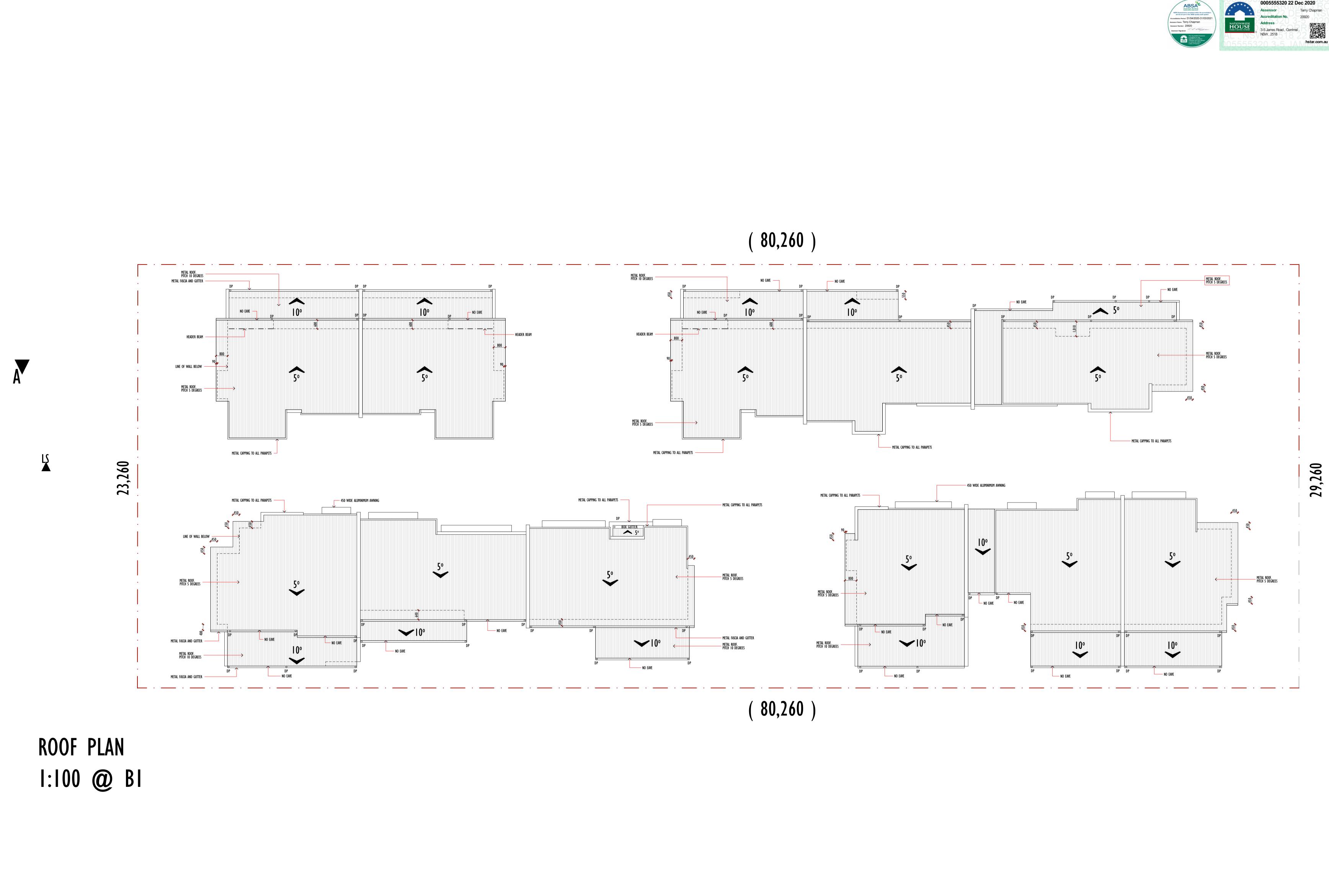
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DTH	TYPE	
10	SLIDING WINDOW	
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0	GLAZED ENTRY DOOR	
10	SLIDING DOOR	

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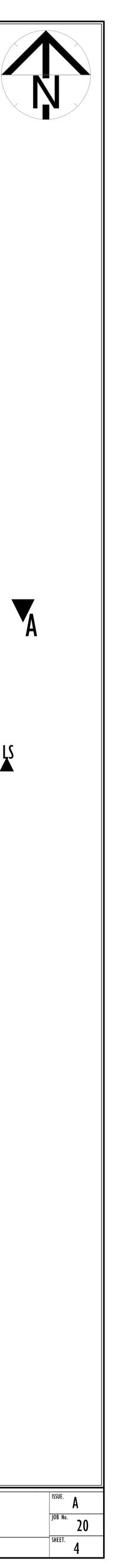


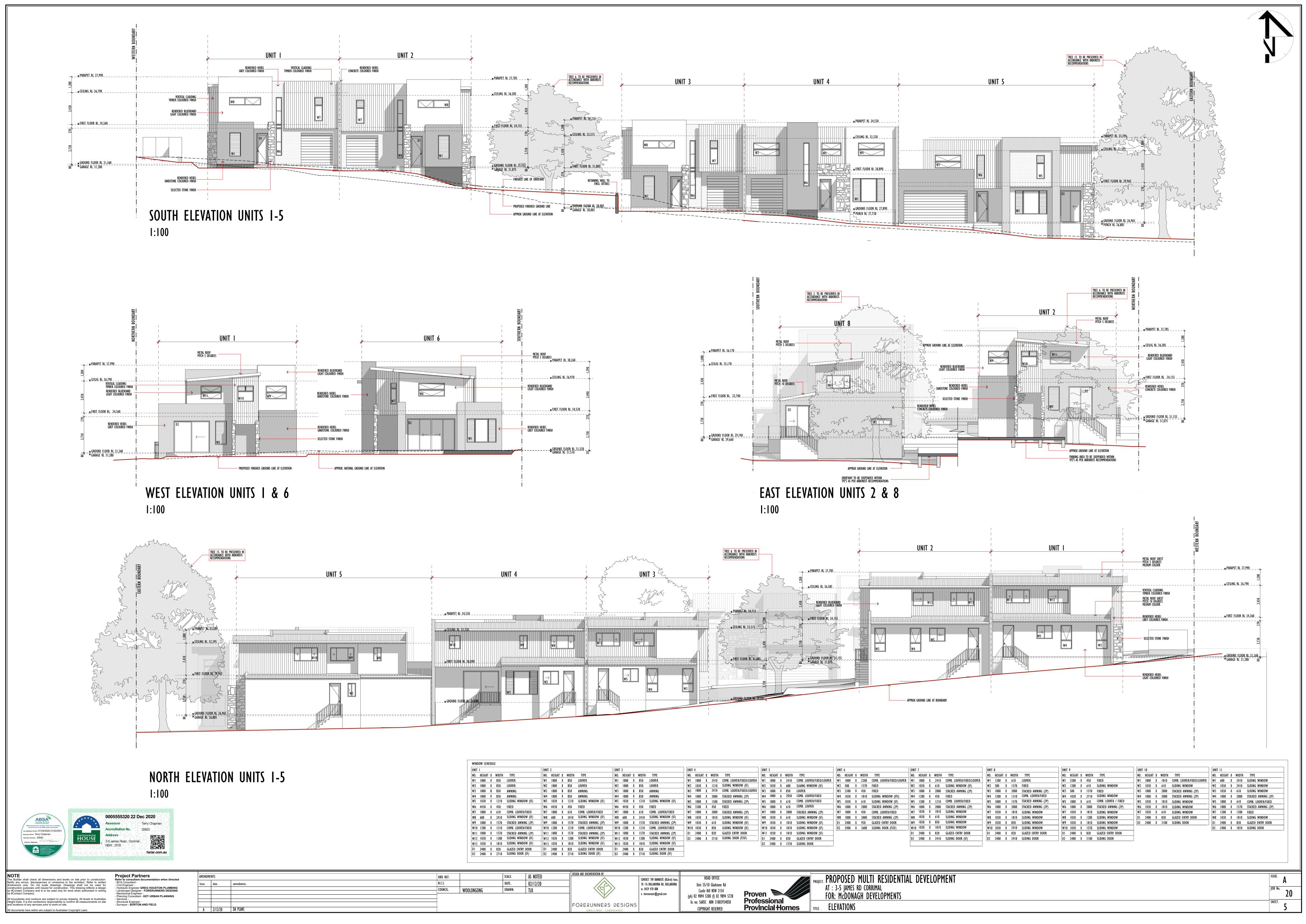
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Notify any errors, discrepancies or omissions to the architect. Refer to written dimensions only. Do not scale drawings. Drawings shall not be used for	- BCA Consultant - - Civil Engineer -	lssue.	date.	amendments.
construction purposes until issued for construction. This drawing reflects a design	- Hydraulic Engineer GREG HOUSTON PLUMBING			
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N.C.S.		DATE.	02/12/20		70 -76 BULLABURRA RD, BULLABURRA			PROJECT.	
COUNCIL.	WOOLONGONG	DRAWN.	TLR		m. 0429 470 888	Castle Hill NSW 2154			AT :
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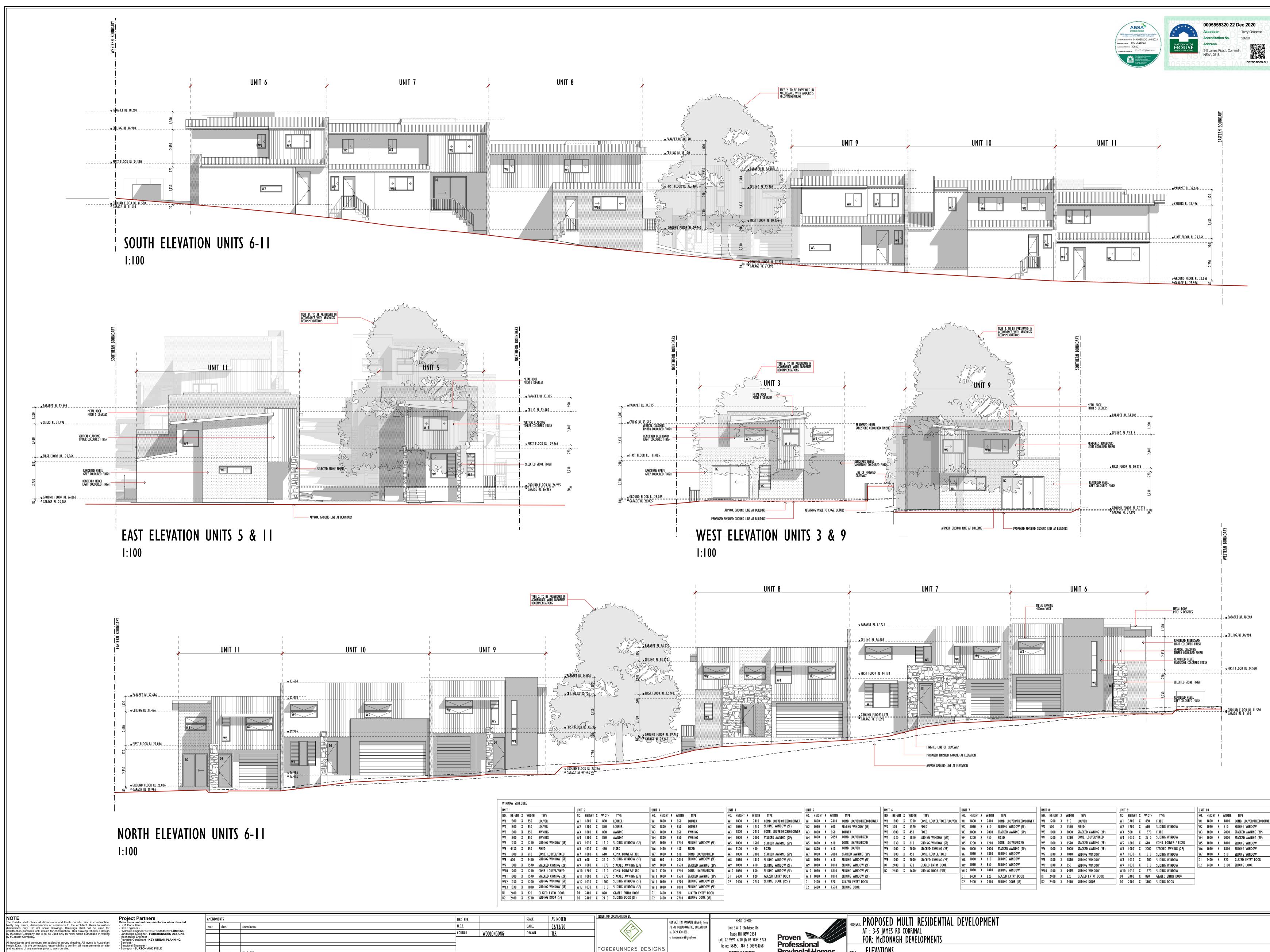


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W7 1800 X 610 COMB. LOUVER/FIXED	W7 1800 X 610 COMB. LOUVER/FIXED	W7 I800 X 610 COMB. LOUVER/FIXED	W7 1000 X 2000 STACKED AWNING (2P)	W7 1000 X 2000 STACKED AWNING (2P)	W7 1800 X 450 COMB. LOUVER/FIXED	W7 1030 X 1810 SLIDING WINDOW	W7 1030 X 1810 SLIDING WINDOW	W7 1030 X 1810 SLIDING WINDOW	W7 1030 X 610 SLIDING WINDOW	W7 1200 X 1200 FIXED
W8 600 X 2410 SLIDING WINDOW (SF)	W8 600 X 2410 SLIDING WINDOW (SF)	W8 600 X 2410 SLIDING WINDOW (SF)	W8 1030 X 1810 SLIDING WINDOW (SF)	W8 1030 X 610 SLIDING WINDOW (SF)	W8 I 000 X 2000 STACKED AWNING (2P)	W8 1030 X 610 SLIDING WINDOW	W8 1030 X 1810 SLIDING WINDOW	W8 1030 X 1200 SLIDING WINDOW	DI 2400 X 820 GLAZED ENTRY DOOR	W8 1030 X 1810 SLIDING
W9 1000 X 1570 STACKED AWNING (2P)	W9 I000 X I570 STACKED AWNING (2P)	W9 I000 X I570 STACKED AWNING (2P)	W9 1030 X 610 SLIDING WINDOW (SF)	W9 1030 X 1810 SLIDING WINDOW (SF)	DI 2400 X 920 GLAZED ENTRY DOOR	W9 1030 X 850 SLIDING WINDOW	W9 1030 X 850 SLIDING WINDOW	W9 1030 X 1810 SLIDING WINDOW	D2 2400 X 3100 SLIDING DOOR	DI 2400 X 820 GLAZED
WIO 1200 X 1210 COMB. LOUVER/FIXED	W10 I200 X I210 COMB. LOUVER/FIXED	W10 I200 X I210 COMB. LOUVER/FIXED	WIO 1030 X 850 SLIDING WINDOW (SF)	W10 1030 X 1810 SLIDING WINDOW (SF)	D2 2400 X 3600 SLIDING DOOR (FSSF)	W10 1030 X 1810 SLIDING WINDOW	WIO 1030 X 2410 SLIDING WINDOW	W10 1030 X 1570 SLIDING WINDOW		D2 2400 X 1810 SLIDING
WII 1000 X 1570 STACKED AWNING (2P)	WII 1000 X 1570 STACKED AWNING (2P)	WII 1000 X 1570 STACKED AWNING (2P)	DI 2400 X 820 GLAZED ENTRY DOOR	WII 1030 X 1810 SLIDING WINDOW (SF)		DI 2400 X 820 GLAZED ENTRY DOOR	DI 2400 X 820 GLAZED ENTRY DOOR	DI 2400 X 820 GLAZED ENTRY DOOR		
W12 1030 X 1200 SLIDING WINDOW (SF)	W12 1030 X 1200 SLIDING WINDOW (SF)	W12 1030 X 1200 SLIDING WINDOW (SF)	D2 2400 X 2710 SLIDING DOOR (FSSF)	DI 2400 X 820 GLAZED ENTRY DOOR		D2 2400 X 2410 SLIDING DOOR (SF)	D2 2400 X 2410 SLIDING DOOR	D2 2400 X 3100 SLIDING DOOR		
WI3 1030 X 1810 SLIDING WINDOW (SF)	W13 1030 X 1810 SLIDING WINDOW (SF)	W13 1030 X 1810 SLIDING WINDOW (SF)		D2 2400 X 1570 SLIDING DOOR					_	
DI 2400 X 820 GLAZED ENTRY DOOR	DI 2400 X 820 GLAZED ENTRY DOOR	DI 2400 X 820 GLAZED ENTRY DOOR			-					
D2 2400 X 2710 SLIDING DOOR (SF)	D2 2400 X 2710 SLIDING DOOR (SF)	D2 2400 X 2710 SLIDING DOOR (SF)								

UBD REF. N.C.S. COUNCIL. WOOLONGONG	SCALE. DATE. DRAWN.	AS NOTED 02/12/20 TLR	DESIGN AND DOCUMENTATION BY:	CONTACT: TIM RANNASTE (BLArch) hons. 70 -76 BULLABURRA RD, BULLABURRA m. 0429 470 888 e. timrannaste@gmail.com	Unit 35/10 Gladstone Rd Castle Hill NSW 2154	Proven		AT :
			FORERUNNERS DESIGNS		(ph) 02 9894 5200 (f) 02 9894 5728 lic no: 5685C ABN 31003934058 COPYRIGHT RESERVED	Professional Provincial Homes	TITLE .	<u>FOR:</u> Ele



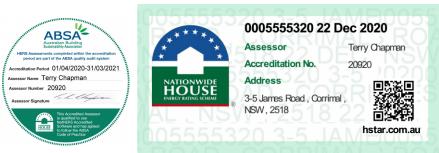
WINDOW SCHEDULE											
UNIT I	UNIT 2	UNIT 3	UNIT 4	UNIT 5	UNIT 6	UNIT 7	UNIT 8	UNIT 9	UNIT IO	UNIT I I	
NO. HEIGHT X WIDTH TYPE	NO. HEIGHT X WIDTH TYPE	NO. HEIGHT X WIDTH TYPE	NO. HEIGHT X WIDTH TYPE	NO. HEIGHT X WIDTH TYPE	NO. HEIGHT X WIDTH TYPE	NO. HEIGHT X WIDTH TYPE	NO. HEIGHT X WIDTH				
WI 1800 X 850 LOUVER	WI 1800 X 850 LOUVER	WI 1800 X 850 LOUVER	WI 1800 X 2410 COMB. LOUVER/FIXED/LOUVER	WI 1800 X 2410 COMB. LOUVER/FIXED/LOUVER	WI 1800 X 2200 COMB. LOUVER/FIXED/LOUVER	WI 1800 X 2410 COMB. LOUVER/FIXED/LOUVER	WI 1200 X 610 LOUVER	WI 3300 X 450 FIXED	WI 1800 X 1810 COMB. LOUVER/FIXED/LOUVER	WI 600 X 2410	
W2 1800 X 850 LOUVER	W2 1800 X 850 LOUVER	W2 1800 X 850 LOUVER	W2 1030 X 1210 SLIDING WINDOW (SF)	W2 1030 X 600 SLIdING WINDOW (SF)	W2 500 X 1570 FIXED	W2 1030 X 610 SLIDING WINDOW (SF)	W2 500 X I570 FIXED	W2 1200 X 610 SLIDING WINDOW	W2 1030 X 610 SLIDING WINDOW	W2 1030 X 2410	
W3 1800 X 850 AWNING	W3 1800 X 850 AWNING	W3 1800 X 850 AWNING	W3 1800 X 2410 COMB. LOUVER/FIXED/LOUVER	W3 1800 X 850 LOUVER	W3 3300 X 450 FIXED	W3 1000 X 2000 STACKED AWNING (2P)	W3 1000 X 2000 STACKED AWNING (2P)	W3 500 X 1570 FIXED	W3 1000 X 2000 STACKED AWNING (2P)	W3 1030 X 610	
W4 1800 X 850 AWNING	W4 1800 X 850 AWNING	W4 1800 X 850 AWNING	W4 1000 X 2000 STACKED AWNING (2P)	W4 1800 X 2050 COMB. LOUVER/FIXED	W4 1030 X 1810 SLIDING WINDOW (SFS)	W4 I 200 X 450 FIXED	W4 I200 X I210 COMB. LOUVER/FIXED	W4 1030 X 2710 SLIDING WINDOW	W4 1000 X 2000 STACKED AWNING (2P)	W4 1000 X 2000	
W5 1030 X 1210 SLIDING WINDOW (SF)	W5 1030 X 1210 SLIDING WINDOW (SF)	W5 1030 X 1210 SLIDING WINDOW (SF)	W5 1000 X 1500 STACKED AWNING (2P)	W5 1800 X 610 COMB. LOUVER/FIXED	W5 1030 X 610 SLIDING WINDOW (SF)	W5 I200 X I210 COMB. LOUVER/FIXED	W5 1000 X 1570 STACKED AWNING (2P)	W5 1800 X 610 COMB. LOUVER / FIXED	W5 1030 X 1810 SLIDING WINDOW	W5 1800 X 610	
W6 4430 X 450 FIXED	W6 4430 X 450 FIXED	W6 4430 X 450 FIXED	W6 3300 X 450 FIXED	W6 1800 X 610 COMB. LOUVER	W6 1000 X 2000 STACKED AWNING (2P)	W6 I 000 X 2000 STACKED AWNING (2P)	W6 1000 X 2000 STACKED AWNING (2P)	W6 1000 X 2000 STACKED AWNING (2P)	W6 1030 X 1810 SLIDING WINDOW	W6 1000 X 1570	
W7 1800 X 610 COMB. LOUVER/FIXED	W7 1800 X 610 COMB. LOUVER/FIXED	W7 1800 X 610 COMB. LOUVER/FIXED	W7 1000 X 2000 STACKED AWNING (2P)	W7 1000 X 2000 STACKED AWNING (2P)	W7 1800 X 450 COMB. LOUVER/FIXED	W7 1030 X 1810 SLIDING WINDOW	W7 1030 X 1810 SLIDING WINDOW	W7 1030 X 1810 SLIDING WINDOW	W7 1030 X 610 SLIDING WINDOW	W7 1200 X 1200	
W8 600 X 2410 SLIDING WINDOW (SF)	W8 600 X 2410 SLIDING WINDOW (SF)	W8 600 X 2410 SLIDING WINDOW (SF)	W8 1030 X 1810 SLIDING WINDOW (SF)	W8 1030 X 610 SLIDING WINDOW (SF)	W8 1000 X 2000 STACKED AWNING (2P)	W8 1030 X 610 SLIDING WINDOW	W8 1030 X 1810 SLIDING WINDOW	W8 1030 X 1200 SLIDING WINDOW	DI 2400 X 820 GLAZED ENTRY DOOR	W8 1030 X 1810	
W9 1000 X 1570 STACKED AWNING (2P)	W9 1000 X 1570 STACKED AWNING (2P)	W9 1000 X 1570 STACKED AWNING (2P)	W9 1030 X 610 SLIDING WINDOW (SF)	W9 1030 X 1810 SLIDING WINDOW (SF)	DI 2400 X 920 GLAZED ENTRY DOOR	W9 1030 X 850 SLIDING WINDOW	W9 1030 X 850 SLIDING WINDOW	W9 1030 X 1810 SLIDING WINDOW	D2 2400 X 3100 SLIDING DOOR	DI 2400 X 820	
WIO 1200 X 1210 COMB. LOUVER/FIXED	WIO 1200 X 1210 COMB. LOUVER/FIXED	W10 I200 X I210 COMB. LOUVER/FIXED	W10 1030 X 850 SLIDING WINDOW (SF)	WIO 1030 X 1810 SLIDING WINDOW (SF)	D2 2400 X 3600 SLIDING DOOR (FSSF)	WIO 1030 X 1810 SLIDING WINDOW	WIO 1030 X 2410 SLIDING WINDOW	W10 1030 X 1570 SLIDING WINDOW		D2 2400 X 1810	
WII 1000 X 1570 STACKED AWNING (2P)	WII 1000 X 1570 STACKED AWNING (2P)	WII 1000 X 1570 STACKED AWNING (2P)	DI 2400 X 820 GLAZED ENTRY DOOR	WII 1030 X 1810 SLIDING WINDOW (SF)		DI 2400 X 820 GLAZED ENTRY DOOR	DI 2400 X 820 GLAZED ENTRY DOOR	DI 2400 X 820 GLAZED ENTRY DOOR			
W12 1030 X 1200 SLIDING WINDOW (SF)	W12 1030 X 1200 SLIDING WINDOW (SF)	W12 1030 X 1200 SLIDING WINDOW (SF)	D2 2400 X 2710 SLIDING DOOR (FSSF)	DI 2400 X 820 GLAZED ENTRY DOOR		D2 2400 X 2410 SLIDING DOOR (SF)	D2 2400 X 2410 SLIDING DOOR	D2 2400 X 3100 SLIDING DOOR			
W13 1030 X 1810 SLIDING WINDOW (SF)	W13 1030 X 1810 SLIDING WINDOW (SF)	W13 1030 X 1810 SLIDING WINDOW (SF)		D2 2400 X 1570 SLIDING DOOR					_		
DI 2400 X 820 GLAZED ENTRY DOOR	DI 2400 X 820 GLAZED ENTRY DOOR	DI 2400 X 820 GLAZED ENTRY DOOR			_						
D2 2400 X 2710 SLIDING DOOR (SF)	D2 2400 X 2710 SLIDING DOOR (SF)	D2 2400 X 2710 SLIDING DOOR (SF)									

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UBD REF.		SCALE.	AS NOTED	DESIGN AND DOCUMENTATION BY:	CONTACT: TIM RANNASTE (BLArch) hons.	HEAD OFFICE		PROJECT.	DD/
N.C.S.		DATE.	02/12/20		70 -76 BULLABURRA RD, BULLABURRA	Unit 35/10 Gladstone Rd			
COUNCIL.	WOOLONGONG	DRAWN.	TLR		m. 0429 470 888	Castle Hill NSW 2154			AT :
					e. timrannaste@gmail.com	(ph) 02 9894 5200 (f) 02 9894 5728	Proven Street		FOR
				FORERUNNERS DESIGNS		lic no: 5685C ABN 31003934058	Professional		
				DWELLINGS - LANDSCAPES		COPYRIGHT RESERVED	Provincial Homes	TITLE .	EL

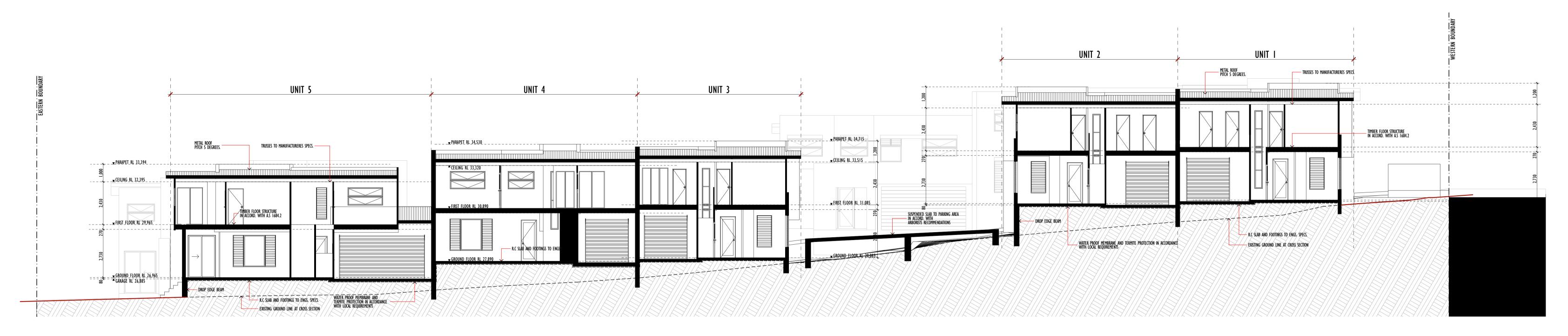
All boundaries and contours are subject to survey drawing. All levels to Australian Height Data. It is the contractors responsibility to confirm all measurements on site and locations of any services prior to work on site.

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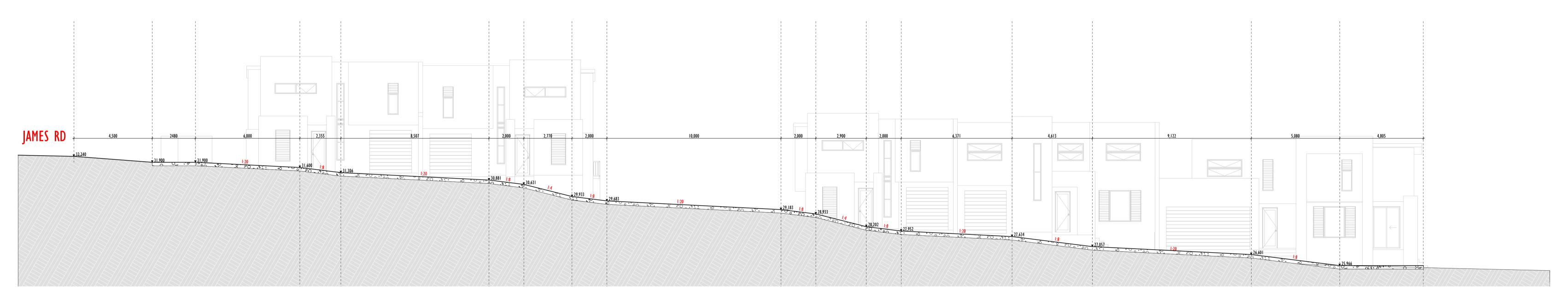
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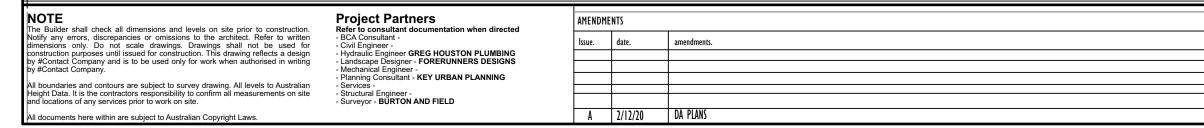
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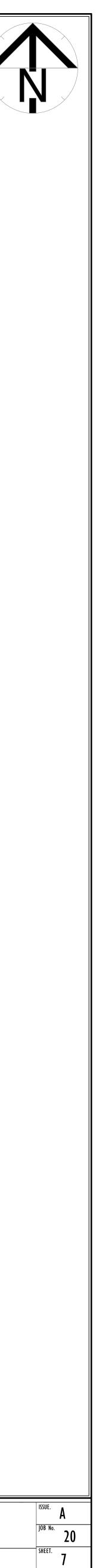


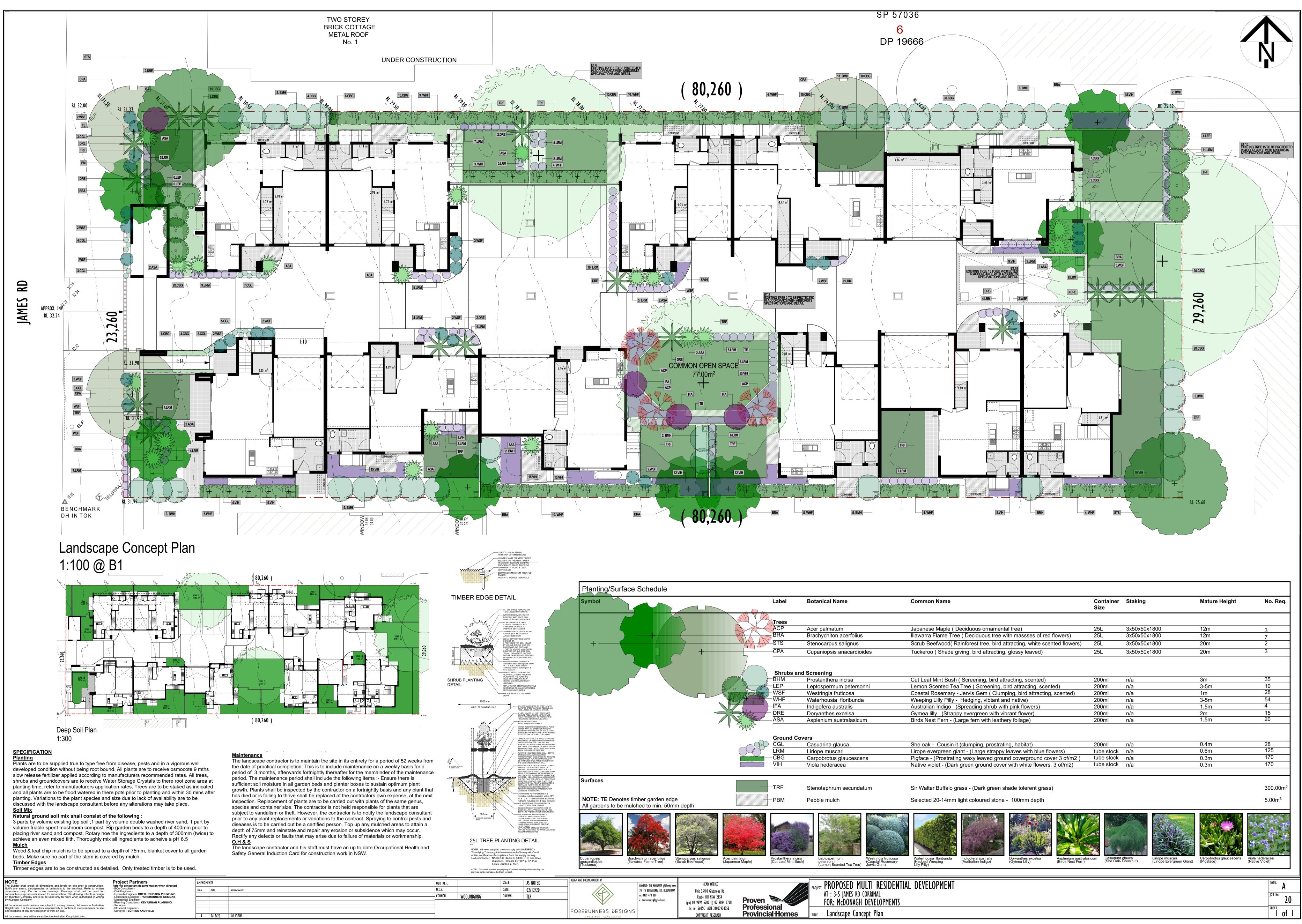
LONGITUDINAL SECTION THROUGH DRIVEWAY



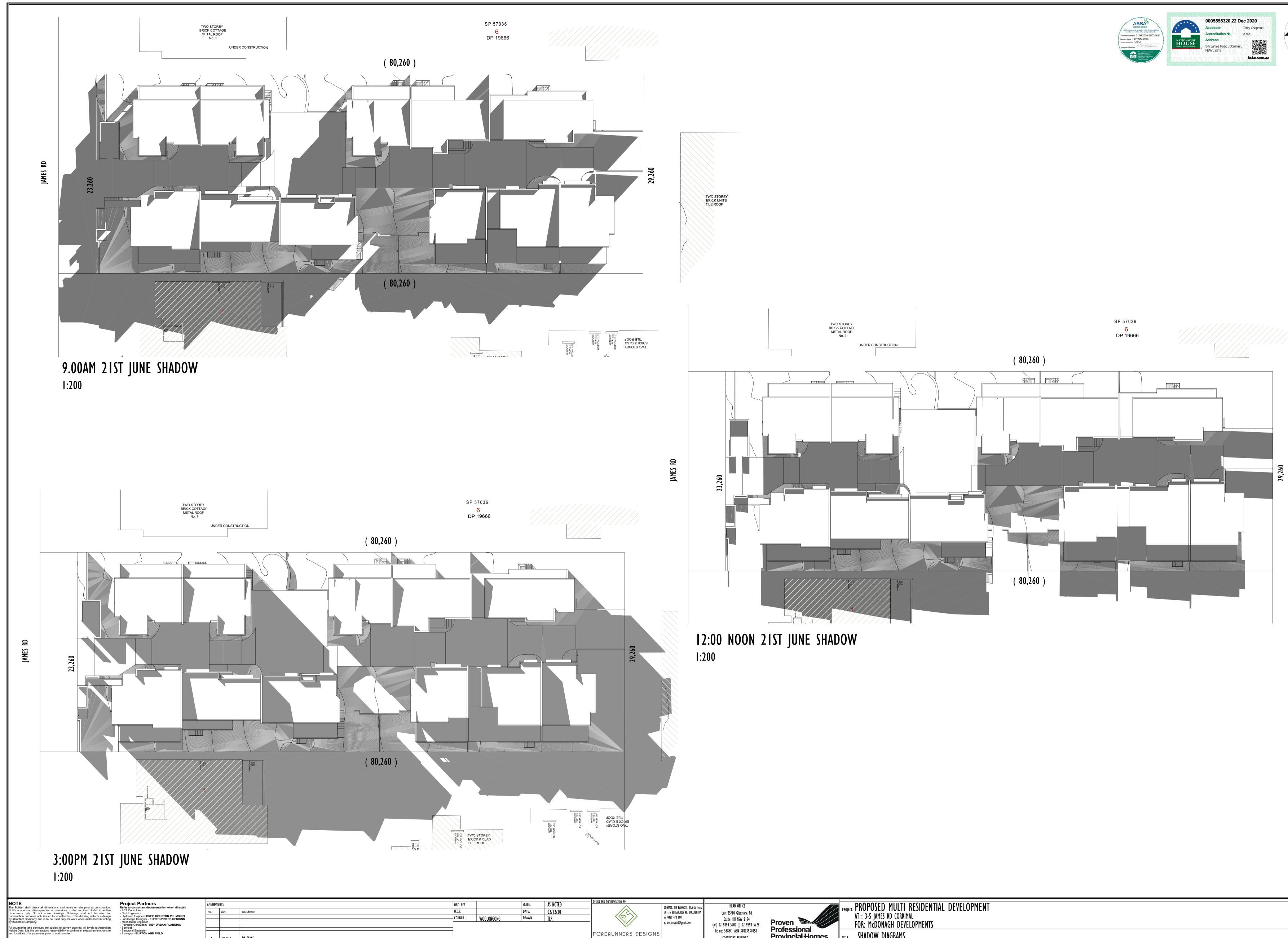
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COUNCIL.	WOOLONGONG	DRAWN.	TLR	$\langle\langle O \rangle\rangle$	m. 0429 470 888	Castle Hill NSW 2154			AT : 3
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al Name	Common Name	Container Size	Staking	Mature Height
matum	Japanese Maple (Deciduous ornamental tree)	25L	3x50x50x1800	12m
hiton acerfolius	Illawarra Flame Tree (Deciduous tree with massses of red flowers)	25L	3x50x50x1800	12m
rpus salignus	Scrub Beefwood(Rainforest tree, bird attracting, white scented flowers)	25L	3x50x50x1800	20m
psis anacardioides	Tuckeroo (Shade giving, bird attracting, glossy leaved)	25L	3x50x50x1800	20m
20				
1g hera incisa	Cut Leaf Mint Bush (Screening, bird attracting, scented)	200ml	n/a	3m
ermum petersonni	Lemon Scented Tea Tree (Screening, bird attracting, scented)	200ml	n/a	3-5m
lia fruticosa	Coastal Rosemary - Jervis Gem (Clumping, bird attracting, scented)	200ml	n/a	1m
usia floribunda	Weeping Lilly Pilly - Hedging, vibtant and native)	200ml	n/a	3-5m
a australis	Australian Indigo (Spreading shrub with pink flowers)	200ml	n/a	1.5m
nes excelsa	Gymea lilly (Strappy evergreen with vibrant flower)	200ml	n/a	2m
m australasicum	Birds Nest Fern - (Large fern with leathery foilage)	200ml	n/a	1.5m
na glauca	She oak - Cousin it (clumping, prostrating, habitat)	200ml	n/a	0.4m
nuscari	Lirope evergreen giant - (Large strappy leaves with blue flowers)	tube stock	n/a	0.6m
otus glaucescens	Pigface - (Prostrating waxy leaved ground coverground cover 3 of/m2)	tube stock	n/a	0.3m
deracea	Native violet - (Dark green ground cover with white flowers, 3 of/m2)	tube stock	n/a	0.3m
phrum secundatum	Sir Walter Buffalo grass - (Dark green shade tolerent grass)			
nulch	Selected 20-14mm light coloured stone - 100mm depth			

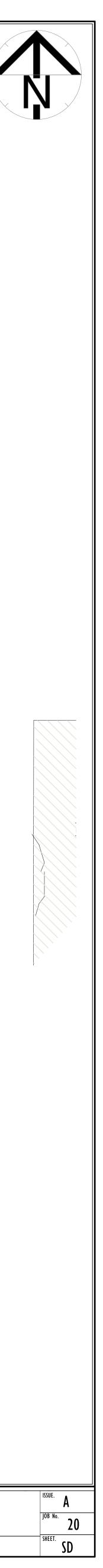


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UBD REF.		SCALE.	AS NOTED		CONTACT: TIM RANNASTE (BLArch) hons.	HEAD OFFICE		PROJECT.	PR
N.C.S.		DATE.	02/12/20		70 -76 BULLABURRA RD, BULLABURRA	Unit 35/10 Gladstone Rd		PROJECT.	
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					e. timrannaste@gmail.com	(ph) 02 9894 5200 (f) 02 9894 5728	Proven		FOF
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Attachment 2: Reasons for Refusal

- Insufficient information has been submitted pursuant to the provisions of Section 4.12 (formerly 78A) of the Environmental Planning and Assessment Act 1979 to enable Council to properly assess the application. Additional details were requested in correspondence to the applicant but remain outstanding. Determination has been made on the basis of information submitted to date.
- 2. Pursuant to the provisions of Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development does not satisfy the objectives of the R2 Low Density Residential Zone under Wollongong Local Environmental Plan 2009.
- 3. Pursuant to the provisions of Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development does not satisfy Clause 4.4 Floor Space Ratio.
- 4. Pursuant to the provisions of Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the provisions of the Wollongong Development Control Plan 2009 with respect to front and side setbacks, character, parking/bicycle/motorcycle spaces, landscaping/deep soil zone/tree protection, private open space, communal open space, solar access, waste, dwelling mix and site facilities.
- 5. Pursuant to the provisions of Section 4.15 (1)(b) of the Environmental Planning and Assessment Act 1979, the proposed development is excessive in bulk and scale and would likely adversely impact upon the amenity of the locality.
- 6. Pursuant to the provisions of Section 4.15 (1)(b) of the Environmental Planning and Assessment Act 1979, the proposed development does not achieve a high quality design and would adversely impact upon the existing and future desired streetscape.
- 7. Pursuant to the provisions of Section 4.15 (1)(b) of the Environmental Planning and Assessment Act 1979, the proposed development would have an adverse impact upon the environment with respect to retention of existing trees.
- 8. Pursuant to the provisions of Section 4.15 (1)(b) of the Environmental Planning and Assessment Act 1979, the proposed development would have an adverse impact upon amenity of adjoining residents by way of visual, overshadowing, privacy and on street parking impacts.
- 9. Pursuant to the provisions of Section 4.15 (1)(b) of the Environmental Planning and Assessment Act 1979, the proposed development would have an adverse impact upon amenity of future residents of the development.
- 10. Pursuant to the provisions of Section 4.15 (1)(c) of the Environmental Planning and Assessment Act 1979, the site is not suitable for the proposed development.
- 11. Pursuant to the provisions of Section 4.15 (1)(d) and (e) of the Environmental Planning and Assessment Act 1979 it is considered that with submissions received 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.