

Wollongong Local Planning WLPP Assessment Report | 12 December 2018

WLPP No.	Item No. 2
DA No.	DA-2018/68
Proposal	Erection of a nine (9) storey building containing eight (8) floors of boarding house accommodation with 95 rooms, ground floor commercial premises and two (2) basement levels with parking for 25 cars. Lodged 25 January 2018
Property	9 Crown Lane Wollongong, Pt Lot 1 DP 27990
Applicant	PRD Architects
Responsible Team	Development Assessment and Certification - City Centre Team (AS)

ASSESSMENT REPORT AND RECOMMENDATION

Executive Summary

Reason for consideration by Wollongong Local Planning Panel - Determination

The proposal has been referred to Wollongong Local Planning Panel (WLPP) for determination pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. Under Schedule 2 (3) of the Local Planning Panels Direction of 1 March 2018, as the proposal involves a development standard departure of building separation by 55%.

Proposal

The proposal is for erection of a nine-storey building containing an 8 storey general boarding house with 95 rooms and ground floor commercial suites. Two levels of basement parking contain 25 parking spaces, vehicle loading areas, waste room and services.

Permissibility

The site is zoned B3 Commercial Core pursuant to WLEP 2009. The proposal is categorised as a 'boarding house' and 'commercial premises' and is permissible in the zone with development consent. The development is not subject to State Environmental Planning Policy (Affordable Rental Housing) 2009.

Consultation

The proposal was notified in accordance with Council's Notification Policy and received three submissions which are discussed at section 1.32.8 of the assessment report.

Main Issues

The main issues are

- Development departure WLEP 2009 clause 4.3 building height and clause 8.6 building separation
- Heritage context and setting
- Encumbrance of title – right of way and road widening
- Endeavour energy servicing requirements/safe clearance to adjoining electricity pole

RECOMMENDATION

It is recommended that DA-2018/68 is approved subject to conditions contained in Attachment 7.

1 APPLICATION OVERVIEW

1.1 PLANNING CONTROLS

The following planning controls apply to the development:

State Environmental Planning Policies:

- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Coastal Management) 2016 (draft)

Local Environmental Planning Policies:

- Wollongong Local Environmental Plan (WLEP) 2009

Development Control Plans:

- Wollongong Development Control Plan 2009

Other policies

- Wollongong City Wide Development Contributions Plan 2018

1.2 DETAILED DESCRIPTION OF PROPOSAL

The development involves construction of a nine storey mixed use building, containing an eight level boarding house and separate ground floor commercial tenancies. The development contains:

- 95 boarding rooms, with and communal living areas on each boarding floor
- One on-site manager's office and ground floor reception area
- 25 car parking spaces comprising 21 for the boarding house and 95 bicycle spaces, located on the secure lower basement level and 4 car parking spaces for commercial suites, 2 bicycle spaces and 1 motorcycle space located on the unsecured upper basement level.
- Two ground floor commercial tenancies (124m² and 150.7m²)
- Building height 32.32m
- 3374.3m² gross floor area (FSR 2.56:1)

No demolition is required as the land is currently vacant.

Strata subdivision is not proposed.

The building is a Class 3 building under the Building Code of Australia.

The applicant confirms the building would be a general registrable boarding house under the Boarding Houses Act 2012 (BH Act). Registration with the Department of Fair Trading is required prior to operation and the BH Act requires Council to conduct inspections within the first year of operation.

An operational plan of management has been provided. The plan confirms an on-site boarding manager would be available 24hrs a day, 7 days a week. Use of the outdoor communal open spaces would be permitted 7.30am-10pm, 7 days a week. Indoor communal areas are available 6am-10pm, 7 days a week. Visitors to the premises are allowed and must vacate the premises by 10pm. The communal kitchen can be used 5am-midnight, 7 days a week. The plan notes waste collection would be via Council's residential on-street service, which is not acceptable and a condition of consent is recommended deleting this notation as the upper basement provides a waste collection area. Contract cleaners would be employed to clean the premises. Annual pest inspection would occur. All residents would have a security card access to the building and where appropriate to additional areas such as the parking level. Safety and security measures would include signage, emergency contact information and a landline telephone for emergency calls. The number of occupants would be in accordance with a lease.

Amended plans and supporting documentation were submitted 25 October 2018 and are the subject of this assessment report. The amended plans did not require notification.

1.1 BACKGROUND

Pre-lodgement meeting PL-2017/127 was held for a ten-storey, 100 bed boarding house on 6 September 2017. Council advised that the significant height exceedance would not be supported.

Two design review panel meetings have been conducted for previous applications; under DE-2017/61 and DA-2016/1352.

Customer service actions

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

1.2 SITE DESCRIPTION

The 1314m² site is located at 9 Crown Lane Wollongong and the title reference is Pt Lot 1 DP 27990. The land has frontage to Crown Lane and slopes down to the east. The survey plan shows a building on the site, but this has been demolished under an earlier consent and the site is currently vacant.

The land is burdened by a Right of Way providing vehicle access from Crown Lane to the rear of adjoining Crown Street properties. No building is proposed in this right of way.

The north western corner of the site (at the Rawson/Regent intersection) is affected by road widening. Lots 102 and 103 DP 551125 was created from the site and adjoining 1 Rawson Street for the purpose of acquisition by Council. Lot 103 will be registered when the acquisition is implemented and is shown in Attachment 1. The impact of the creation of Lot 103 is a reduction in lot size of Pt Lot 1 DP 27990, and the proposed building has a nil setback to the (unregistered) boundary of Lot 103. The proposed building has been designed to be entirely within private property. Council's Property Officer has advised that Council would pay the owner for the portion of the site when the acquisition is finalised. The 1314m² site area referred to throughout the application includes the area to be acquired.

Crown Lane and the Rawson/Regent precinct have undergone a renewal with two substantial mixed commercial/residential apartment buildings under construction. One is at 3 Rawson Street and the other is 10-18 Regent Street. Crown Lane plays a significant role in the broader retail precinct of the City Centre, being a short distance from the GPT Keira Street shopping complex and offering pedestrian and vehicular access to Keira Street. Views up Crown Lane from the shopping complex terminate in the residential development at 10-18 Regent Street. The site is at the topographic high point of the CBD and enjoys views to the coast and escarpment. The subject site and other premises on the southern side of Crown Lane back onto the rear of Crown Street properties, several of which are heritage listed.

Adjoining development includes a commercial (office) building directly to the west at 1 Rawson Place. Downslope, the site adjoins a two storey food and drink premises and further retail. On the north side of Crown Lane is a four storey residential flat building. To the rear, several Crown Street properties adjoin the site, five of which are heritage listed.

Property constraints

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

- Acid sulfate soils: excavation for two basement levels is proposed and is considered acceptable by Council's geotechnical and environmental officers.
- Road widening north-western corner of the site. The proposed development is compatible with the road widening.
- Rights of carriageway burdening the land, benefiting Crown Street properties. The proposed building does not encroach on this area.

1.3 SUBMISSIONS

The application was notified in accordance with WDCP 2009 Appendix 1: Public Notification and Advertising, with submissions invited between 9-28 February 2018. This included a notice in The Advertiser. Three submissions were received (one support, two objection) and the issues identified are discussed below.

Table 1: Submissions

Nature of objection	Comment
1. Boarding house use	
Inappropriate use not in keeping with surroundings. Strata apartments' would be a better use.	Boarding houses are permissible in the CBD, and the proposed development presents as a residential apartment building.
The site is a 40 minute walk to the university; there are other sites closer to the university which are more appropriate.	Boarding houses are permissible throughout the LGA, generally in residential and business zones. The site is adequately serviced by public transport and meets boarding house locational requirements of WDCP 2009.
Impacts on neighbourhood peace and quiet if building all students. Apartment building would have a greater mix of residents	A revised management plan has been provided, which includes measures to minimise neighbour disruption. The building would have secure access and have a building manager and receptionist. Use of outdoor communal areas will be restricted by conditions of consent.
More demand for retail than student housing	Council is not required to undertake analysis of demand. Both retail and boarding house uses are permissible in the zone.
2. Impact on views and privacy	
Residential balconies of 5-7 Regent Street face the site. The proposed building will block views to Port Kembla. Acknowledge it is not possible to retain everyone's views given scale of future buildings.	The proposed building is likely to block views south and southeast from the residential apartment building. This view loss is a function of the permitted height on the site. WLEP2009 allows taller heights to the south of the site, which if developed to full potential, would also impact on views. The residential apartment building would retain some views south west.
Student housing residents would be able to look into those balconies of living rooms and kitchens. Suggest installing privacy screens or change windows.	The proposed building contains 3-4 balconies per floor on the northern elevation, with setbacks of 4m from the boundary. This distance is not considered to present significant impacts upon the residential flat building.
3. Noise	
Commercial spaces could be source of noise if used for bars or hospitality. Suggest redesigning commercial spaces so noisy activities moved to southern edge and imposing conditions of consent limiting night hours.	Two commercial spaces are located on Level 1. Tenancy B is to the west of the building and has a setback of approx. 14m to the current boundary at Crown Lane. Tenancy A has open louvre doors facing Crown Lane at a setback of approx. 2.5m. It is unlikely that the setback area will be occupied due to the slope of Crown Lane. Conditions of consent are recommended
4. Traffic and parking	
Pedestrian safety at intersection Rawson, Regent and Crown Lane is currently difficult as cars move fast around Rawson and Regent. No footpath southern side of Crown Lane.	Detailed pedestrian works are not proposed as part of this application. The Rawson/Regent intersection will benefit from road widening and associated public domain works. The development has minimum setbacks of 2.5m to Crown Lane. The setbacks of some properties to the east of the subject site are built to boundary, making it impractical to construct a footpath on the southern side of Crown Lane.
Would prefer less parking spaces. Delighted that every boarding room will have a bicycle space.	The proposed car and bicycle parking meets the requirements of WDCP 2009.
Would prefer reduction in cars and reduction in basement levels; developer likely to hit	A reduction in car parking has not been proposed or justified. Council's geotechnical officer has provided conditions of

Nature of objection	Comment
hard rock in excavation.	consent addressing excavation.
Nature of support	Comment
Height and scale acceptable	Noted
Support proposed use; student housing in short supply	Noted
Support subject to Council being satisfied with setbacks.	Noted

1.4 CONSULTATION

1.4.1 INTERNAL CONSULTATION

Council's stormwater, landscape, traffic, property, environment and geotechnical officers have advised they have no objection, subject to recommended conditions of consent. These are contained in Attachment 7.

Heritage Officer

Council's Heritage Officer initially had reservations about aspects of the proposal in relation to site analysis and documentation and bulk and height. The amended plans address these matters in the following manner:

- A revised Heritage Impact Statement includes an expanded assessment of heritage impacts,
- The revised plans show reduced bulk on the western and eastern sides, which is apparent from north and south elevations.
- Revised external colours and materials are proposed (now timber veneer and white).

A condition of consent is contained in Attachment 7 which requires Council's heritage officer to endorse a colour scheme prior to issue of the Construction Certificate.

1.4.2 EXTERNAL CONSULTATION

Roads and Maritime Services

RMS provided comment on 2 March 2018. They advised they have no objection to the development. No conditions of consent were recommended.

Endeavour Energy

Endeavour Energy provided advice on 28 February and 28 March 2018. The February advice noted that the adjoining building located at 1 Rawson Street (Lot 1 DP 34420) is currently serviced by a low voltage overhead wire, originating in the streetlight in the area of road widening and then connected to a private pole. This private pole is in close proximity to the western boundary of the development site. In this initial advice Endeavour queried whether the streetlight connection was temporary until underground connection occurred. Endeavour noted that the location of the private pole could potentially require greater clearance distance to the proposed building to satisfy Endeavour's minimum safety distances.

Further investigation by both Endeavour and Council's Design staff have determined that the development at 10-18 Regent Street (diagonally opposite) proposed some works to the Rawson /Regent intersection including new street lights, however the timing of these works may not coincide favourably with redevelopment of 9 Crown Lane or the road widening. Therefore, Endeavour's requirements for clearance to the existing private pole are reasonable and the revised plans reflect these requirements. Additionally, a condition of consent is recommended which requires the developer to provide street lighting at a Category 3 standard.

Design Review Panel

There is no statutory requirement for referral to the Design Review Panel (DRP), however Council's recent practice has been to refer boarding house applications to the Panel for comment. The DRP were also privy to earlier schemes on the site.

The Panels' notes of the 23 March 2018 meeting and a statement in response from the architect form Attachment 5. The Panel's recommendations have been addressed in the following manner:

- Reconfiguration of the ground floor

Improve surveillance by management

Response: reception relocated adjacent to lobby entrance providing good surveillance

Provide better linkages between the administrative spaces

Response: The boarding house reception area adjacent to the lobby acts as the first point of contact for boarders. The manager's office is not required to be located at the building entry.

Improve circulation (including between the entries, the commercial spaces, the administrative spaces and the residential areas)

Response: the layout has been improved by reducing the size of the lobby, introducing a separate reception area and changing the angle of the lobby, and recessing fire stairs.

Clarify usage of the storage area and of the outdoor private open space

Response: More details have been provided regarding basement storage and private open space areas.

Provide a more generous terrace area and better sightlines by amending the footprint of the lobby to angle inwards from the east, and

Response: The building has been opened up by reconfiguring the lobby and reception area and recessing fire stairs.

Allow for easy waste management by the commercial units

Response: garbage chutes now service the commercial tenancies.

b) Communal areas in the residential component need to be detailed to ensure that the development remains a boarding house type without any units being converted to apartments;

Response: communal areas are now open to all boarders on each level, where previously doors had separated each side of the floorplan.

c) The treatment of the overall building facades and elevations needs to be simplified in terms of materials and colour placement;

Response: a simplified and revised palette is proposed.

d) The treatment of the curtain wall to the car park needs to be amended to address visual amenity from the public and private domains;

Response: the basement wall has been articulated through use of louvre panels.

e) The entrance to the forecourt needs to be redesigned to:

Relate more strongly to its key role in the streetscape by opening it up to support a plaza character that will invite meeting and socialising by the wider public

Response: the planter box species on Crown Lane has been reduced in height. Moveable planter boxes can be used to delineate boundaries when Council's road design is finalised.

Provide better amenity through canopy tree plantings, other plantings, furniture, public art, and facilitating use by the commercial units in the event that they are developed as cafes/restaurants or bars

Response: more space is provided for outdoor seating in the forecourt and inside Tenancy A, where the required setback precludes outdoor dining.

Provide more generous access to the building from the eastern stairs

Response: the fire exit door has been recessed.

Allow for future expansion into the road widening easement if it does not proceed to its full extent

Response: the revised plans provide more opportunities for outdoor dining or seating, within a landscaped area. The forecourt could be readily modified if the road widening was not to occur.

f) The Level 4 communal outdoor space needs to be detailed to account for its potential use by students and to allow for a screened outlook to the streetscape; and

Response: Plan L-02 E by Site Design Studios provides detail of this area.

- g) The outdoor terraces need to be effectively screened from undesirable winds and to contain plantings that address the need to conserve Wollongong's local biodiversity and the environmental constraints imposed by the exposed coastal environment of the elevated site.

Response: The revised landscape plan has been reviewed by Council's landscape officer and is acceptable. Clear glazing is provided for wind protection.

2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 – 4.15 EVALUATION

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

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

The applicant provided a Preliminary Site Investigation prepared by Douglas Partners at lodgement. This indicated some ambiguity as to whether the site was suitable for a residential use and Council requested a detailed site investigation (DSI) during assessment. This was prepared by Australian Geotechnical. The DSI considered risks associated with potential importation of fill material and included soil sampling. The report noted one physical area of high lead levels; however this soil is expected to be removed during excavation for basement levels. The DSI concluded that the site does not present a risk to human health or the environment.

This report has been considered by Council's Environmental Officer who has recommended suitable conditions of consent be imposed. Subject to conditions of consent the site is suitable for the intended use of the land with regard to clause 7 of this policy.

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

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

2.1.3 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

Clause 45

Endeavour Energy was notified of the development as outlined above.

Clause 104

The Roads and Maritime Services were notified of the development as outlined above.

2.1.4 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

State Environmental Planning Policy No 65 and State Environmental Planning Policy No (affordable rental housing) 2009 do not apply to the development.

Part 2 Permitted or prohibited development

Clause 2.2 – zoning of land to which Plan applies

The zoning map identifies the land as being zoned B3 Commercial Core.

Clause 2.3 – Zone objectives and land use table

The objectives of the zone are as follows:

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

The proposal is satisfactory with regard to the above objectives.

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

*Advertising structures; Amusement centres; **Boarding houses**; Car parks; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Exhibition homes; Function centres; Helipads; Hostels; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Self-storage units; Seniors housing; Service stations; Sex services premises; Shop top housing; Tourist and visitor accommodation; Veterinary hospitals; Wholesale supplies*

The proposal is categorised as a 'boarding house' and 'commercial premises' as defined below and is permissible in the zone with development consent.

Clause 1.4 Definitions

boarding house means a building that:

- (a) is wholly or partly let in lodgings, and
 - (b) provides lodgers with a principal place of residence for 3 months or more, and
 - (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
 - (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,
- but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

commercial premises means any of the following:

- (a) business premises,
- (b) office premises,
- (c) retail premises.

Part 4 Principal development standards

Clause 4.3 Height of buildings

The proposed building height of 32.32m exceeds the maximum of 32m permitted for the site. That part of the roof that is greater than 32m is shown on plan DA-17-C. A justification statement has been submitted as required by clause 4.6.

Clause 4.4A Floor space ratio – Wollongong city centre

The proposed development has a total GFA of 3374.3m², which is FSR of 2.56:1, which is less than the maximum permitted by this clause.

Subclauses (3) and (4) apply as the land is located in the B3 Commercial Core zone and has a site area between 800 and 2000m² and a street frontage greater than 20m.

- Subclause 3
 - (2 + 1.5X):1 if only residential
 - (3.5 + 2.5X):1 if only commercial
 - Where X = (the site area in m² - 800)/1200 = 0.42
 - Maximum 2.63:1 if residential
 - Maximum 4.55:1 if non-residential
- Subclause 4 formula applies
 - (NRFSR x NR/100) + (RFSR x R/100):1
 - (4.55 x 8.9/100) + (2.63 x 91.1/100) = 0.4049 + 2.3959
 - = maximum FSR permitted 2.80:1
 - = maximum GFA permitted 3679.2m²

Clause 4.6 Exceptions to development standards

The development involves two departures to development standards; clause 4.3 building height and clause 8.6 building separation. Clause 4.6 statements have been provided for the departures and contained in Attachments 3 and 4. Matters for consideration under clause 4.6 are addressed below.

Building height – clause 4.3

WLEP 2009 clause 4.6 proposed development departure assessment	
Development departure	<p>Clause 4.3 maximum permitted building height 32m.</p> <p>Proposed building height 32.32 and 32.06 in two areas, as shown on Plan DA-17-C. The overrun occurs on the front (Crown Lane) roof edge.</p>
Is the planning control in question a development standard	Yes
4.6 (3) Written request submitted by applicant contains a justification:	
that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and	Yes
that there are sufficient environmental planning grounds to justify contravening the development standard.	Yes
4.6 (4) (a) Consent authority is satisfied that:	
the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and	<p>The written request has adequately addressed the matters required to be addressed under subclause (3).</p> <p>The applicant's written request asserts that compliance is unnecessary in the circumstances of the case, as the objectives of the standard are achieved notwithstanding the non-compliance. The applicant contends that the additional height would not adversely impact upon overshadowing or diminish skyline views nor detract from the architectural merit of the building.</p>
the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and	<p>The objectives of clause 4.3 are as follows:</p> <p><i>(a) to establish the maximum height limit in which buildings can be designed and floor space can be achieved,</i></p> <p><i>(b) to permit building heights that encourage high quality urban form,</i></p> <p><i>(c) to ensure buildings and public areas continue to have views of the sky and receive exposure to sunlight.</i></p> <p>The underlying objectives of the standard are considered to be met, notwithstanding the non-compliance. These objectives include establishing maximum height in which buildings and floor space can be achieved, permitting high quality urban form and ensure buildings and public areas have views of the skyline and receive sunlight.</p> <p>In the circumstances, compliance with the standard is considered unnecessary and there are sufficient environmental planning grounds specific to the site to justify contravening the development standard.</p>
the concurrence of the Secretary has been obtained.	Council has delegation to grant the concurrence.

Building separation - clause 8.6

WLEP 2009 clause 4.6 proposed development departure assessment	
Development departure	<p>Clause 8.6 building separation</p> <p>Western boundary: Level 5 has window openings to boarding rooms, with a setback of setback 8.8m. The adjoining commercial building is built to the boundary and therefore a maximum 8.8m separation is</p>

	provided, where 16m is required.
Is the planning control in question a development standard	Yes
4.6 (3) Written request submitted by applicant contains a justification:	
that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and	Yes
that there are sufficient environmental planning grounds to justify contravening the development standard.	Yes
4.6 (4) (a) Consent authority is satisfied that:	
the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and	<p>The written request has adequately addressed the matters required to be addressed under subclause (3).</p> <p>The applicant's request asserts that compliance with the standard is unnecessary, as the underlying objectives of the standard are achieved, notwithstanding the non-compliance.</p>
the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and	<p>The objectives of clause 8.6 is as follows:</p> <p><i>to ensure sufficient separation of buildings for reasons of visual appearance, privacy and solar access.</i></p> <p>The boarding rooms in question contain two windows adjoining the study area of rooms 43 and 53. It is not expected that these windows will adversely impact the adjoining building at 1 Rawson Street. There are no openings in the corresponding eastern elevation of 1 Rawson Street, and therefore no privacy impacts upon the existing building are anticipated.</p> <p>The objectives of the standard are satisfied notwithstanding the short separation; the objectives include ensuring adequate separation for reasons of visual appearance, solar access and privacy.</p> <p>In the circumstances, compliance with the standard is considered unnecessary and there are sufficient environmental planning grounds specific to the site to justify contravening the development standard.</p>
the concurrence of the Secretary has been obtained.	Council has delegation to grant the concurrence.

Part 5 Miscellaneous provisions

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

The site is not shown on the Land Reservation Acquisition Map. The road widening area has been created under Lot 103 DP 551125.

Clause 5.10 Heritage conservation

The site does not contain a heritage item nor is it located within a heritage conservation area. Several heritage items adjoin the site and are shown in Attachment 2. Sub clause 5 allows Council to request a heritage management document that assesses the extent to which the proposed development would impact upon adjoining heritage items or conservation areas. A Statement of Heritage Impact prepared by Heritage 21 was provided at lodgement and revised in October 2018 at Council's request.

Part 7 Local provisions – general

Clause 7.1 Public utility infrastructure

The land has previously been serviced by electricity, water and sewage services. Renewed connection approvals would be required as a condition of consent.

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 is not required. Conditions of consent are recommended in relation to excavation, and soil and water quality.

Clause 7.13 Certain land within business zones

Development must not be granted if ground floor is used for the purpose of accommodation. The proposed ground floor contains only reception and services areas and commercial tenancies. The building has at least one ground entrance and window as required.

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

The proposal has been amended in response to Design Review Panel comments issued in March 2018. Matters raised by the Panel related to both internal amenity and external architectural expression, and have been satisfactorily resolved.

The proposal is considered to be consistent with the provisions for design excellence as follows:

- The site is suitable for the development
- The use is compatible with the existing and likely future uses in the locality
- The proposal is not expected to result in any adverse environmental impacts.
- The proposal is satisfactory with regard to access, servicing and parking
- Landscaping and open space works are proposed in the forecourt, consistent with planned road widening.

Part 8 Local provisions—Wollongong city centre

Clause 8.1 Objectives for development in Wollongong city centre

The development is consistent with these objectives.

Clause 8.4 Minimum building street frontage

The frontage to Crown Lane is approximately 47m, which exceeds the minimum 20m required.

Clause 8.6 Building separation within Zone B3 Commercial Core or Zone B4 Mixed Use

This clause requires no separation up to 24m height where the proposed building is built to the front boundary. The exception to this is where a proposed building contains habitable areas. In that case, minimum separation of 20m from the habitable areas of the proposed building to habitable parts of other buildings is required or 16m to non-habitable areas in other buildings.

Adjoining development is commercial up to corresponding height of Level 6 (west), commercial up to Level 2 (east), commercial up to Level 1 (south).

Building separation relates to buildings of corresponding heights i.e. separation between existing buildings. This clause is not a setback control. The development proposes the following building separation (i.e. where adjoining buildings are of a corresponding height);

- West
 - Level 1: street frontage height applies and proposed building contains commercial tenancy with nil separation (both proposed and adjoining building built to boundary). **Complies.**
 - Levels 2-3: nil separation (street frontage height applies). Floor plan contains two boarding rooms (Suites 14 and 15) however there are no openings on this elevation. **Complies.**
 - Level 4: boarding house communal outdoor terrace with nil separation (where street frontage height applies). **Complies**
 - Levels 5: window openings to boarding rooms, setback 8.8m to nil boundary commercial building, resulting in 8.8m separation where 16m required. **Does not comply.**

- Levels 6-9: no adjoining building of corresponding height.
- East
 - Basement: 5.18m separation between fire escape and adjoining commercial building. Street frontage height applies. **Complies**
 - Level 1: approx. 7.2m car park edge to adjoining commercial building. Street frontage height applies. **Complies**
 - Levels 2-9: no adjoining building of corresponding height.
- South
 - Basement: 11.61m separation car park and rear courtyard/open space commercial tenancies and boarding manager to rear Crown Street buildings. **Complies**
 - Levels 1-9: no adjoining building of corresponding height.

A development departure statement has been provided and is discussed in clause 4.6.

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

Draft State Environmental Planning Policy (Coastal Management) 2016

A draft SEPP and associated maps was open for public consultation during November 2016 (exhibition ended 23 December 2016), with submissions accepted up until 20 January 2017. The exhibition also included a draft section 117 Ministerial direction and a draft Standard Instrument (Local Environmental Plans) Amendment (Coastal Management) Order.

The legislation changes certain development controls/ permissibility within the management zones of the maps and relationship to future changes to the standard instrument clause 5.5.

The draft maps identified the site is not within any area mapped in the draft SEPP.

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

2.3.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

CHAPTER A1 – INTRODUCTION

The development has been assessed against the relevant chapters of WDCP2009 and found to be satisfactory. A full compliance table can be found at attachment 6 to this report; only the variation is discussed below in relation to Level 9 building setback eastern side. This complies with building separation requirements of WLEP 2009 and is considered acceptable.

8 Variations to development controls in the DCP

Chapter D13 Clause 2.5 Side and rear building setbacks and building separation

This clause requires the following setbacks:

Up to street frontage height:-

- habitable rooms with openings and balconies – nil
- non-habitable rooms and habitable rooms without openings – nil

Residential uses (habitable rooms) between street frontage height and 45m

- habitable rooms with openings and balconies – 12m
- non-habitable rooms and habitable rooms without openings –12m

All uses (including non-habitable residential) between street frontage height and 45m

- habitable rooms with openings and balconies – 6m
- non-habitable rooms and habitable rooms without openings –6m

Response

Street frontage height applies, and the southern and western elevations comply at all levels. The Eastern elevation: does not comply at level 9, however this control superseded by clause 8.6 of WLEP 2009 which is discussed in detail above.

2.3.2 WOLLONGONG CITY WIDE DEVELOPMENT CONTRIBUTIONS PLAN 2018

The estimated cost of works exceeds \$16,081,960 and a levy of 2% is applicable under this plan as the site is located within the City Centre B3 zone.

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 affects 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?

Not applicable

93 Fire safety and other considerations

Not applicable

94 Consent authority may require buildings to be upgraded

Not applicable

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

Context and Setting:

The proposed 32.32m tower development is located in the Wollongong City Centre, where residential buildings of similar or greater heights have been approved in Rawson Street. The building responds to the Rawson/Regent intersection and maximises streetscape opportunities offered by the proposed road widening and associated public domain works. The street alignment of Crown Lane is emphasised in the sharp eastern corner of the building. The tower will be visible from Keira, Crown and surrounding streets, set behind the two storey heritage buildings in Crown Street.

Use of the building as a boarding house is compatible with other residential development in the vicinity and residents would be well served by transport, retail and other facilities.

Access, Transport and Traffic:

Car parking is proposed at rates required by WDCP 2009. Vehicle ramp grades and aisle widths meet relevant Australian Standards.

Public Domain:

No works are proposed in the public domain. Works in the allotment created for the purpose of road widening would be carried out by Council.

Utilities:

The proposal is not envisaged to place an unreasonable demand on utilities supply. Existing utilities are adequate to service the proposal. The revised plans provide safe clearances to the existing private electricity pole located at 1 Rawson Street.

Heritage:

The site adjoins items of environmental heritage. Impacts have been considered in the Heritage Impact Statement prepared by Heritage 21. The revised plans reduce the bulk of the building and amend the colour schedule. A condition of consent is recommended requiring endorsement of the final colour scheme by Council's heritage staff.

Other land resources:

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

Water:

The site is presently serviced by Sydney Water, which can be readily extended to meet the requirements of the proposed development. A condition of consent is recommended requiring the applicant to obtain a section 73 certificate.

Soils:

The land contains acid sulfate soils. Conditions of consent are recommended in this regard.

Air and Microclimate:

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

Flora and Fauna:

Tree removal is proposed and is supported by Council's landscape officer. A landscape plan is proposed and is acceptable.

Waste:

It is recommended that a condition of consent is imposed requiring an appropriate receptacle to be in place for any waste generated during the construction.

Energy:

The proposal is not envisaged to have unreasonable energy consumption. A condition of consent is recommended requiring utility connection approvals to be obtained prior to Construction Certificate.

Noise and vibration:

It is recommended that a condition of consent is imposed requiring nuisance to be minimised during any construction, demolition, or works and dilapidation reports to be prepared.

Natural hazards:

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

Technological hazards:

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

Safety, Security and Crime Prevention:

The Boarding House Plan of Management details measures to reduce opportunities for criminal or antisocial behaviour.

Social Impact:

Adverse social impact is not expected. Boarding houses are a permissible use and provide a legitimate form of residential accommodation. The boarding must be registered with the Department of Fair Trading and operate in accordance with the Plan of Management.

Economic Impact:

The proposal is not expected to result in adverse economic impact.

Site Design and Internal Design:

The application involves departures from development standards relating to building separation and building height. These departures have been adequately justified.

No part of the building is proposed in the area of road widening and right of way.

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

Construction:

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

Cumulative Impacts:

The proposal is not expected to have any negative cumulative impacts.

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

Does the proposal fit in the locality?

The proposal is considered appropriate with regard to the zoning of the site and is not expected to have any negative impacts on the amenity of the locality or adjoining developments. The site is located within the Wollongong City Centre and is well serviced by public transport, retail and recreation opportunities.

Are the site attributes conducive to development?

There are no site constraints that would prevent the proposal. The design has regard to constraints presented by the right of way at the rear, road widening acquisition on the north-western corner and Endeavour Energy safe clearances.

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

Three submissions have been received and are discussed in section 1.3.

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

The application is not expected to result in unreasonable impacts on the environment or the amenity of the locality. It is considered appropriate with regard to the zoning and the character of the area and approval is therefore consistent with the public interest.

3 CONCLUSION

This application has been assessed as satisfactory having regard to the Heads of Consideration under Section 4.15(1) of the Environmental Planning and Assessment Act 1979. The proposed development is permissible with consent and has regard to the objectives of the zone and is consistent with the applicable provisions of the relevant planning instruments including Wollongong LEP 2009, Wollongong DCP 2009, Codes and Policies.

The recommendations of the Design Review Panel have been incorporated into revised plans. The proposal involves variations to WLEP2009 in relation to height and building separation and Side and rear building setbacks and building separation under WDCP2009. Variation request statements have been submitted and assessed as reasonable. Internal and external referrals are satisfactory and submissions have been considered in the assessment.

The application involves construction of a landscaped courtyard near the Rawson/Regent Street intersection, which complements the approved development at 10-18 Regent Street. Council has indicated it will proceed with acquisition of road widening area in the north-western corner of the site, which has been accommodated in the proposed development.

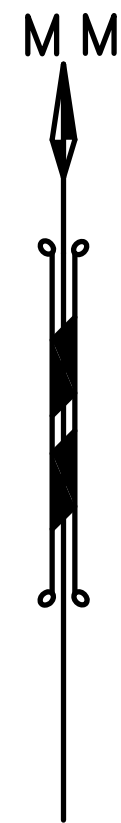
It is considered that the proposed development has otherwise been designed appropriately given the nature and characteristics of the site and is unlikely to result in significant adverse impacts on the character or amenity of the surrounding area.

4 RECOMMENDATION

It is recommended that development application DA-2018/68 be approved subject to draft conditions of consent included in Attachment 7.

5 ATTACHMENTS

- 1 Plans
- 2 Aerial Photograph and Zoning Map
- 3 Applicant's WLEP 2009 clause 4.6 Request - Building Height
- 4 Applicant's WLEP 2009 clause 4.6 Request - Building Separation
- 5 Design Review Panel notes and applicant's written response
- 6 Compliance Table WDCP2009
- 7 Draft Conditions of Consent



RAWSON STREET

CROWN LANE

PROPOSED
BITUMEN
CARPARK

102
D.P. 551125

FOUR STOREY BUILDING
TRANSPORT HOUSE
METAL ROOF
No. 1

1
D.P. 34420

BRICK COTTAGE
METAL ROOF
No. 9

103
D.P. 551125

N
D.P. 420338

B
D.P. 368540

2
D.P. 27990

3
D.P. 27990

4
D.P. 27990

5
D.P. 27990

1
1314m²
D.P. 27990
BITUMEN CAR PARK

A
D.P. 33437

TWO STOREY
BRICK BUILDING

BRICK BUILDING

BRICK BUILDING

NOTES :

CONTOURS ARE INTERPOLATED FROM ACCURATE
SPOT LEVELS AS SHOWN AND SHOULD BE USED
AS A GUIDE ONLY.
DO NOT RE-INTERPOLATE CONTOURS.

SERVICES SHOWN HEREON HAVE BEEN DETERMINED FROM
VISUAL EVIDENCE ONLY PRIOR TO ANY DEMOLITION,
DESIGN, EXCAVATION OR CONSTRUCTION ON SITE THE
RELEVANT AUTHORITY SHOULD BE CONTACTED TO
ESTABLISH DETAILED LOCATION AND DEPTH.

RELATIONSHIP OF IMPROVEMENTS TO BOUNDARIES IS
DIAGRAMMATIC ONLY WHERE OFFSETS ARE CRITICAL THEY
SHOULD BE CONFIRMED BY FURTHER SURVEY.

PROJECT :	CONTOUR SURVEY	DATUM :	A.H.D.
	LOT 1 D.P. 27990	REDUCTION RATIO	1:100 A1 1:200 A3
	9 CROWN LANE WOLLONGONG	DATE :	22-5-2008
CLIENT :	ED KELLY CONSTRUCTIONS	SURVEYOR :	CR
C. ROBSON & ASSOCIATES PTY. LTD. LAND & ENGINEERING SURVEYORS 12 FOOTHILLS ROAD CORRIMAL P.O. BOX 93 CORRIMAL 2518 Ph. (02) 4284 0787 FAX (02) 4284 0787 MOBILE (02) 641 693 EMAIL : crobson@fishinternet.com.au		DRAWN :	AT
		CHECKED	CR
		REFERENCE :	80171/1
		SHEET 1 OF 1	

9 CROWN LANE- MIXED USE DEVELOPMENT

Do not scale drawing, figured dimensions only to be used.
Dimensions to be verified on site before the fabrication of any building component.
These designs and plans are copyright and are not to be used or reproduced wholly or in part without the written permission of PRD Architects Pty Ltd.
NOT FOR CONSTRUCTION

AMENDMENTS			
No	Revision Description	Date	BY:
-	DRP COMMENT RESPONSE	2018.04.26	
D	RESPONSE TO WCC RFI JULY 18	2018.09	



SITE FIGURES

SITE AREA 1314m2

SITE W/ FRONTAGE GREATER THAN 20m BUT
SITE AREA LESS THAN 2000m²
MAX COMMERCIAL 4.5708:1 (6006.0m²)
MAX RESIDENTIAL 2.6425:1 (3472.2m²)

LEVEL 1 BUSINESS PREMESIS 301.1m²
LEVEL 1 BOARDING ADMIN 68.1m²
LEVEL 1 LOBBY 24.9m²
LEVEL 2-3 537.9m²
LEVEL 4-8 336.4m²
LEVEL 9 222.4m²

(TOTAL RES 3073.2m²)
(TOTAL COMM 301.1m²)

TOTAL RES 3073.2m2 91.1%
TOTAL COMM 301.1m2 8.9%

TOTAL FLOOR AREA 3374.3m²
MAX TOTAL FLOOR AREA 3697.7m²

TOTAL STUDENT UNITS SUITES 95

Drawing List					
Sheet Number	Current Revision	Sheet Name	Revision Date	Drawn By	Approved By
CD-01 A		FUTURE CONTEXT PLAN	2018.01.25	SH	SM, PR
CD-02 A		3D FUTURE CONTEXT	2018.01.25	SH	SM, PR
CD-03 A		EXISTING CONTEXT PLAN	2018.01.25	SH	SM, PR
CD-04 A		3D EXISTING CONTEXT	2018.01.25	SH	SM, PR
CD-05 A		CROWN STREET SECTION	2018.01.25	SH	SM, PR
CD-06 A		CROSS SECTION-CROWN ST/ CROWN LANE	2018.01.25	SH	SM, PR
CD-07 D		CROWN LANE ELEVATION	2018.09	SH	SM, PR
CD-08 D		HERITAGE CONTEXT- CROWN LANE INTERSECTION	2018.09	SH	SM, PR
CD-09 D		HERITAGE CONTEXT- STATION ST INTERSECTION	2018.09	Author	Approver
CD-10 D		HERITAGE CONTEXT- ATCHISON ST INTERSECTION	2018.09	Author	Approver
DA-00 D		TITLE	2018.09	SH	SM, PR
DA-03 C		SITE PLAN/ ROOF PLAN	2018.04.26	SH	SM, PR
DA-04 D		BASEMENT 2	2018.09	SH	SM, PR
DA-05 D		BASEMENT 1	2018.09	SH	SM, PR
DA-06 D		LEVEL 1 PLAN	2018.09	SH	SM, PR
DA-07 D		LEVELS 2-3 FLOOR PLANS	2018.09	SH	SM, PR
DA-08 D		LEVEL 4 FLOOR PLANS	2018.09	SH	SM, PR
DA-09 C		LEVELS 5-8	2018.04.26	SH	SM, PR
DA-10 C		LEVEL 9 FLOOR PLANS	2018.04.26	SH	SM, PR
DA-12 D		ELEVATIONS	2018.09	SH	SM, PR
DA-13 D		ELEVATIONS	2018.09	SH	SM, PR
DA-14 D		ELEVATIONS	2018.09	SH	SM, PR
DA-15 C		SECTION	2018.04.26	SH	SM, PR
DA-16 C		SECTION	2018.04.26	SH	SM, PR
DA-17 C		EXTENT HEIGHT OVERRUN	2018.04.26	SH	SM, PR
DA-18 D		3D IMPRESSION	2018.09	SH	SM, PR
DA-19 C		3D IMPRESSION	2018.04.26	SH	SM, PR
DA-20 D		3D IMPRESSION	2018.09	SH	SM, PR
DA-21 D		3D IMPRESSION	2018.09	SH	SM, PR
DA-22 C		SUMMER SHADOW DIAGRAMS	2018.04.26	SH	SM, PR
DA-23 C		WINTER SHADOW DIAGRAMS	2018.04.26	SH	SM, PR
DA-24 D		MATERIALS AND FINISHES	2018.09	SH	SM, PR
DA-25 B		BUILDING SEPARATION SECTIONS	2018.03.12	SH	SM, PR
DA-26 C		FLOOR AREA INCLUSIONS	2018.04.26	SH	SM, PR
DA-27 C		FLOOR AREA INCLUSIONS	2018.04.26	SH	SM, PR
SK-28		POWER POLE SAFE WORK ZONES		Author	Approver

PROPOSED STUDENT HOUSING

9 CROWN LANE, WOLLONGONG

TITLE

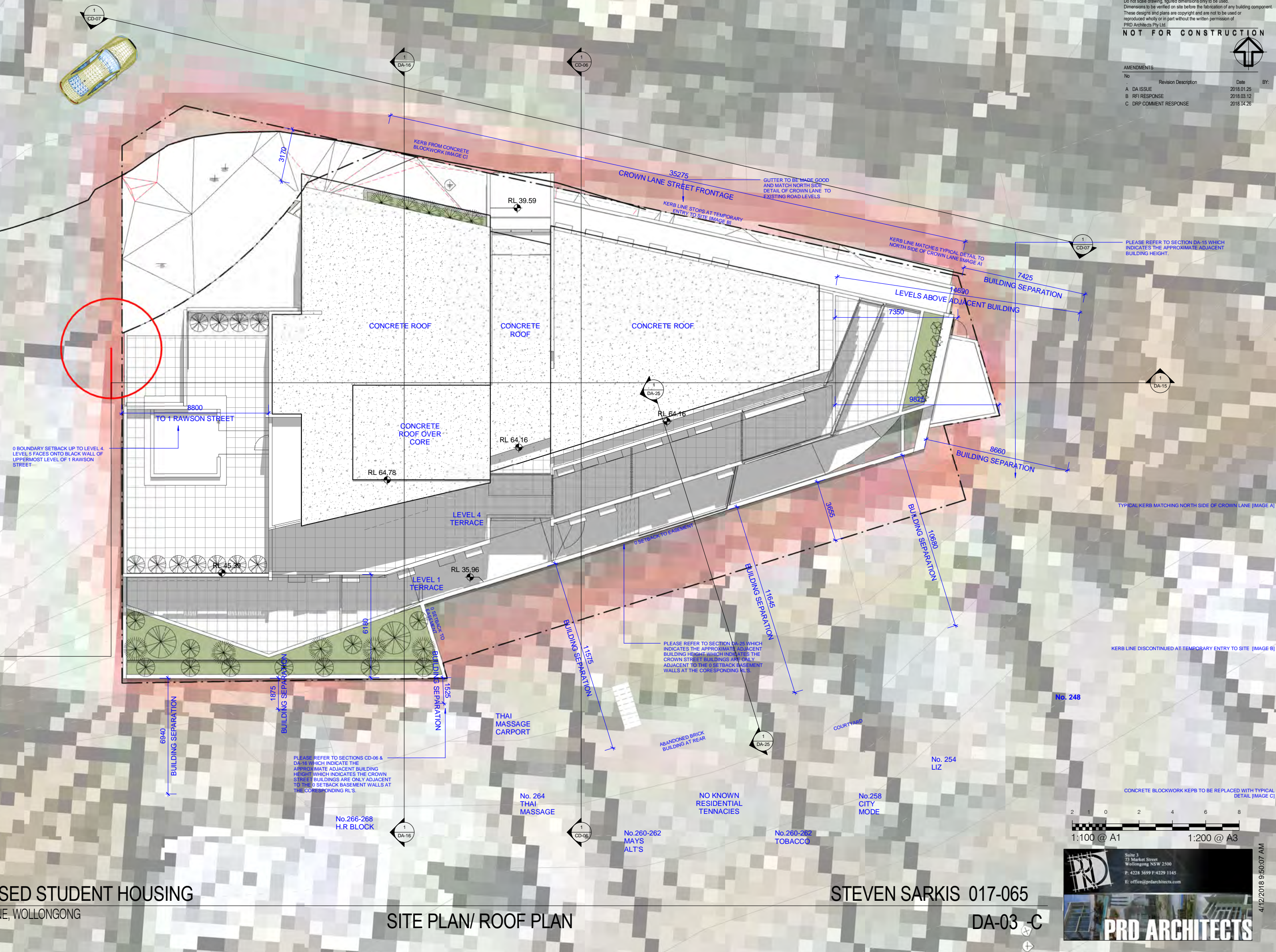
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DA-00 -D



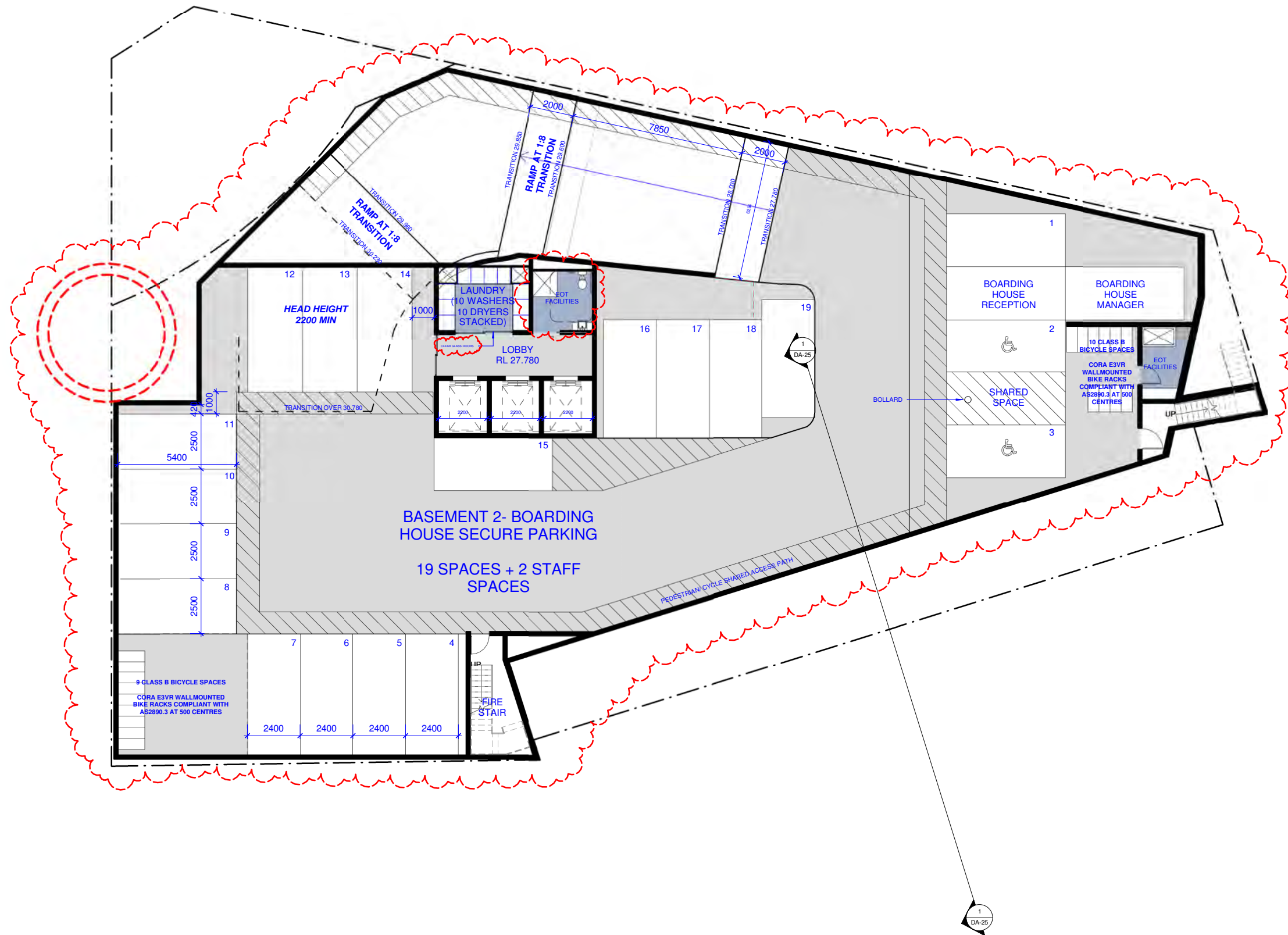
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AMENDMENTS			BY:
No	Revision Description	Date	
A	DA ISSUE	2018.01.25	
B	RFI RESPONSE	2018.03.12	
C	DRP COMMENT RESPONSE	2018.04.26	





AMENDMENTS			
No	Revision Description	Date	BY
C	DRP COMMENT RESPONSE	2018.04.26	
D	RESPONSE TO WCC RFI JULY 18	2018.09	





AMENDMENTS

No	Revision Description	Date	BY
B	RFI RESPONSE	2018.03.12	
C	DRP COMMENT RESPONSE	2018.04.26	
D	RESPONSE TO WCC RFI JULY 18	2018.09	

PARKING CALCULATIONS

30% Reduction for the city centre

Commerical

240m² of commercial Buissiness/
Retail Premis @ 1:60m² for B3
zone

= 4 Spaces

4 Provided @ B1- DA-05
Inc. 1 Accessible

1 Motorbike Space provided

2 Bicycles

Boarding House

95 Sudent Beds @ 1:5 Beds
= 19 Spaces - 30%
= 13.3 Spaces required

14 Spaces Provided @ B2- DA-04
Inc 2 Accessible

Staff
Manager + Receptionist= 2
0.5 Spaces required per Staff

=1 Space required
1 Space Required @ B2- DA-04

95 Bicycles



BALER DIMENSIONS	
Height	2,120 mm
Width	1,160 mm
Depth	1,150 mm
Weight	270 kg
Power Supply	240V 1 Phase
Motor	1.5kW
Pressing Force	Up to 3.5T
Noise Level	72 dB
Cycle Time	20 Seconds

BALE DIMENSIONS	
Height	-
Width	-
Depth	-
Weight	-

LOADING APERTURE SIZES	
Height	-
Width	-



1:100 @ A1

1:200 @ A3

PROPOSED STUDENT HOUSING

9 CROWN LANE, WOLLONGONG

BASEMENT 1

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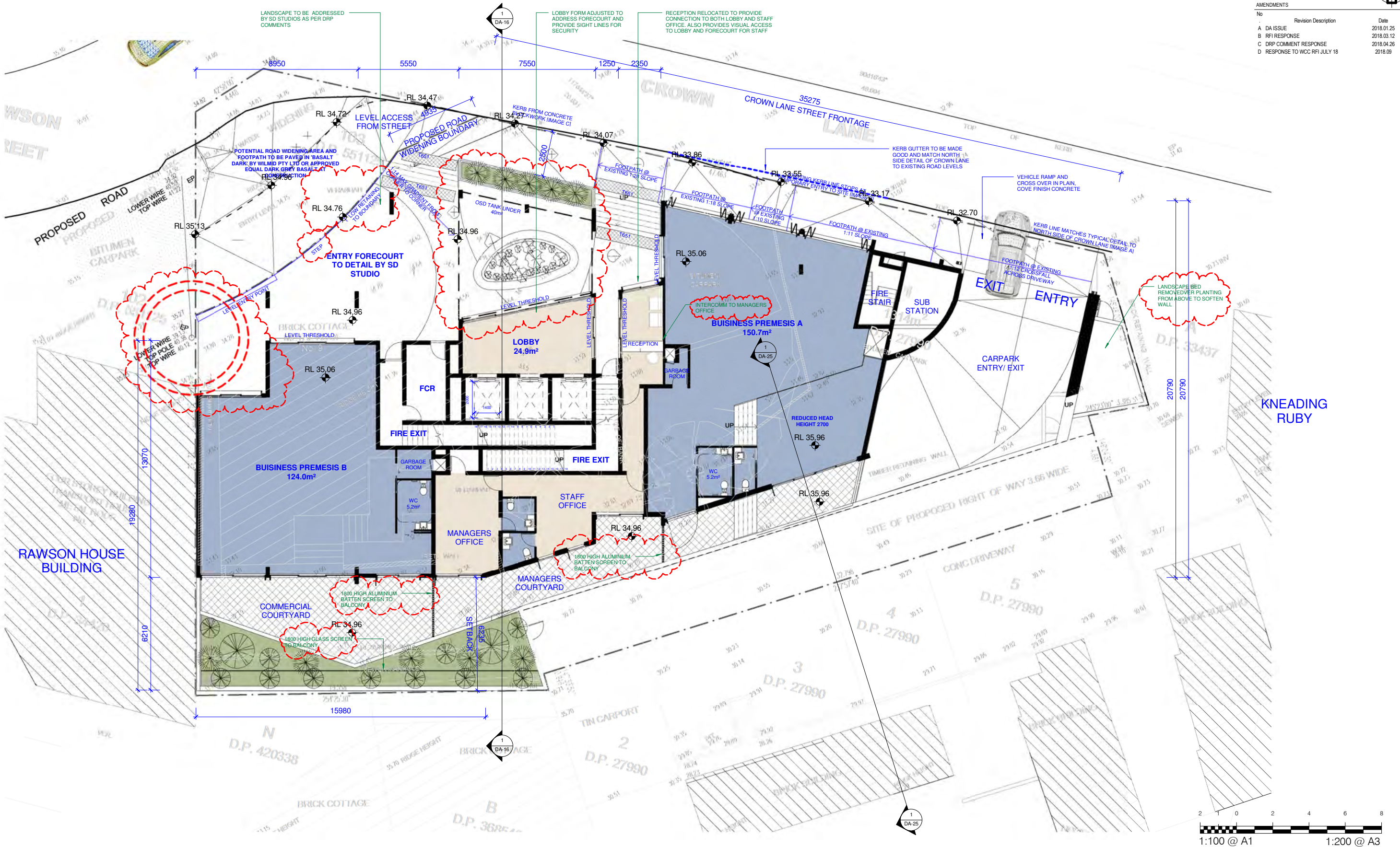
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B	RFI RESPONSE	2018.03.12	
C	DRP COMMENT RESPONSE	2018.04.26	
D	RESPONSE TO WCC RFI JULY 18	2018.09	



PROPOSED STUDENT HOUSING

9 CROWN LANE, WOLLONGONG

LEVEL 1 PLAN

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DA-06 -D



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AMENDMENTS			
No	Revision Description	Date	BY
A	DA ISSUE	2018.01.25	
C	DRP COMMENT RESPONSE	2018.04.26	
D	RESPONSE TO WCC RFI JULY 18	2018.09	



TOTAL STUDENT ACCOMODATION MODULES 97

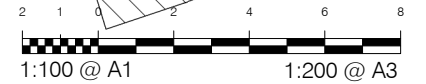
PROPOSED STUDENT HOUSING

9 CROWN LANE, WOLLONGONG

LEVELS 2-3 FLOOR PLANS

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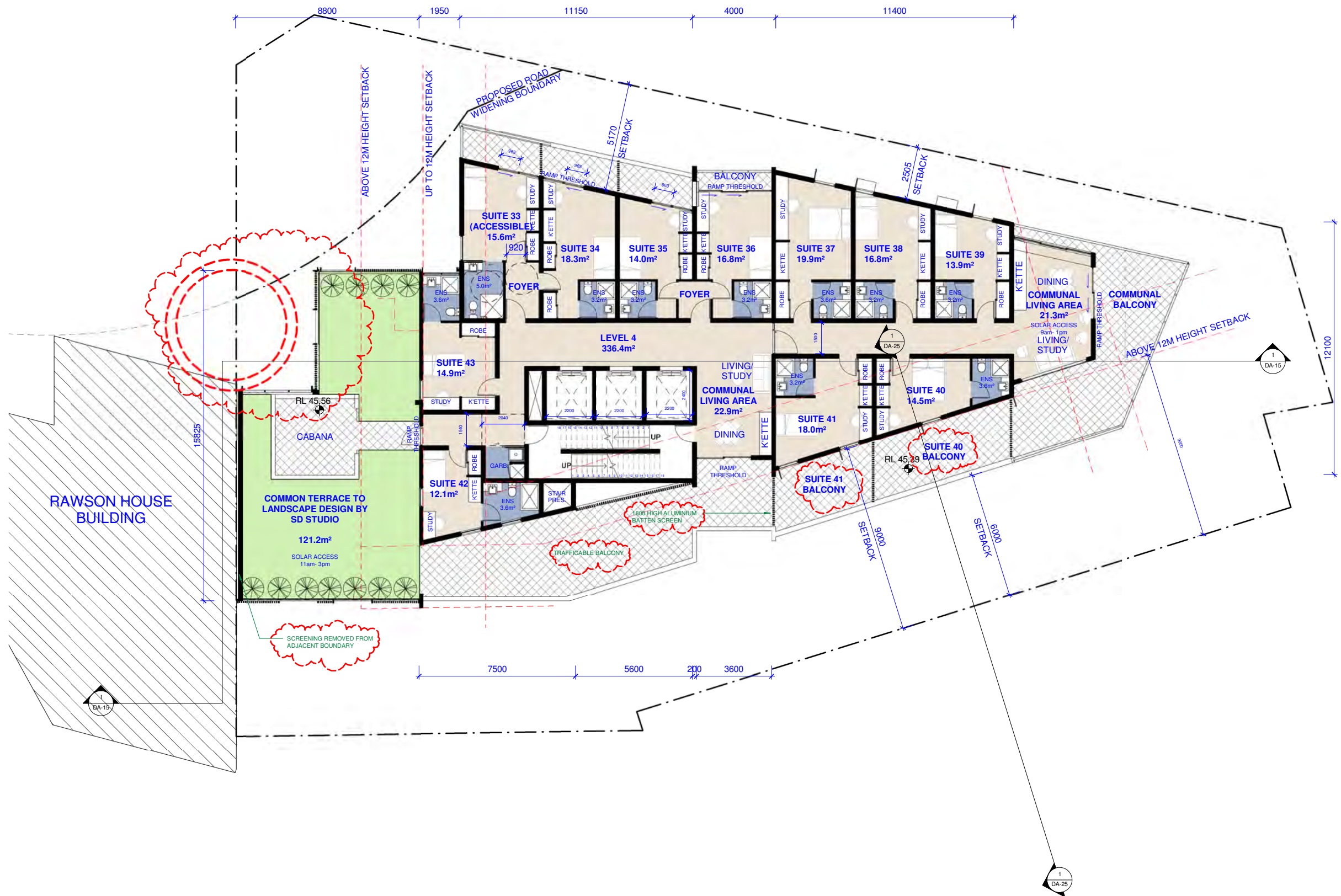
DA-07 -D





AMENDMENTS

No	Revision Description	Date	BY
C	DRP COMMENT RESPONSE	2018.04.26	
D	RESPONSE TO WCC RFI JULY 18	2018.09	



PROPOSED STUDENT HOUSING

9 CROWN LANE, WOLLONGONG

LEVEL 4 FLOOR PLANS

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DA-08 -D

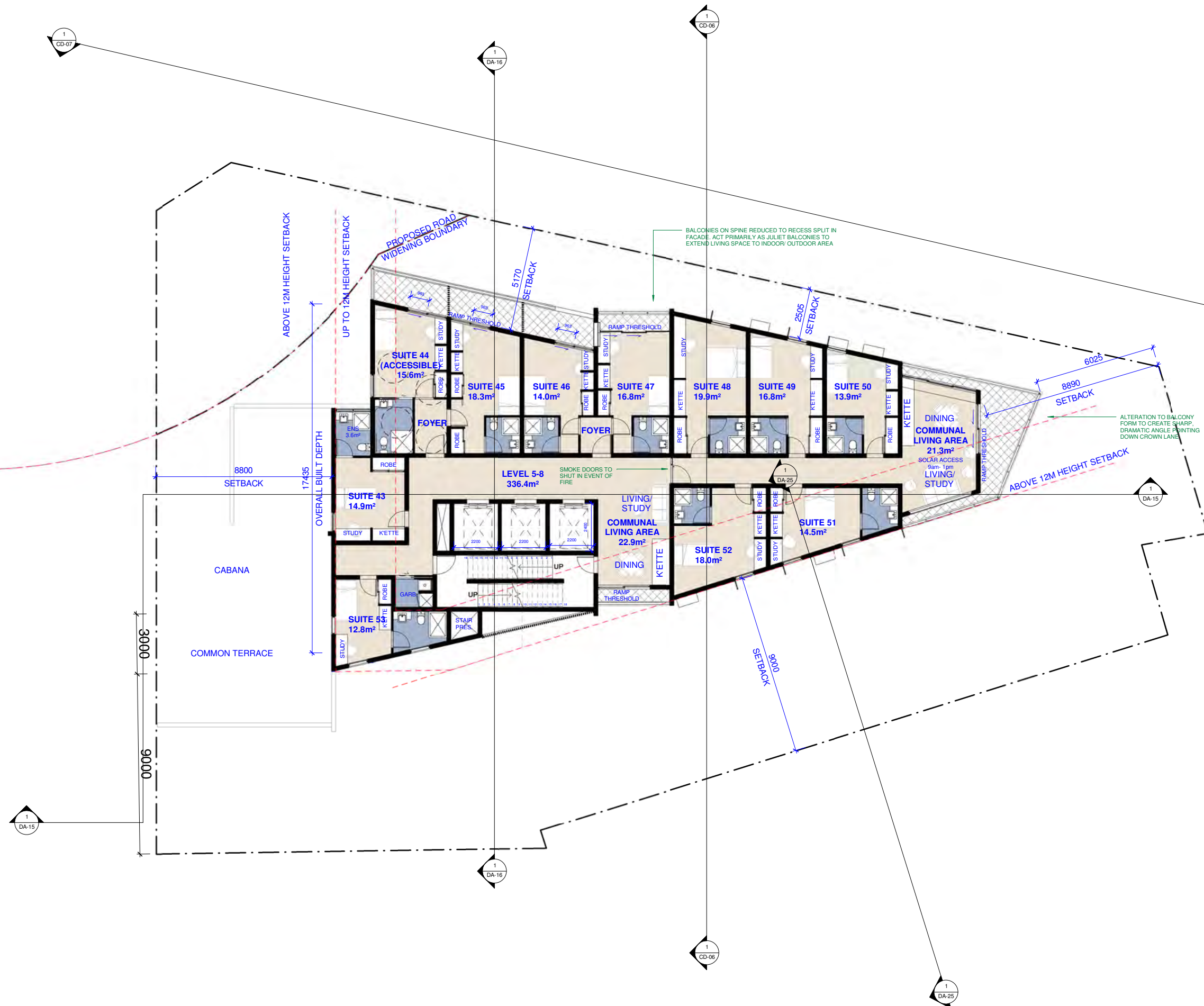


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AMENDMENTS

No	Revision Description	Date	BY
-	DRP COMMENT RESPONSE	2018.04.26	



PROPOSED STUDENT HOUSING

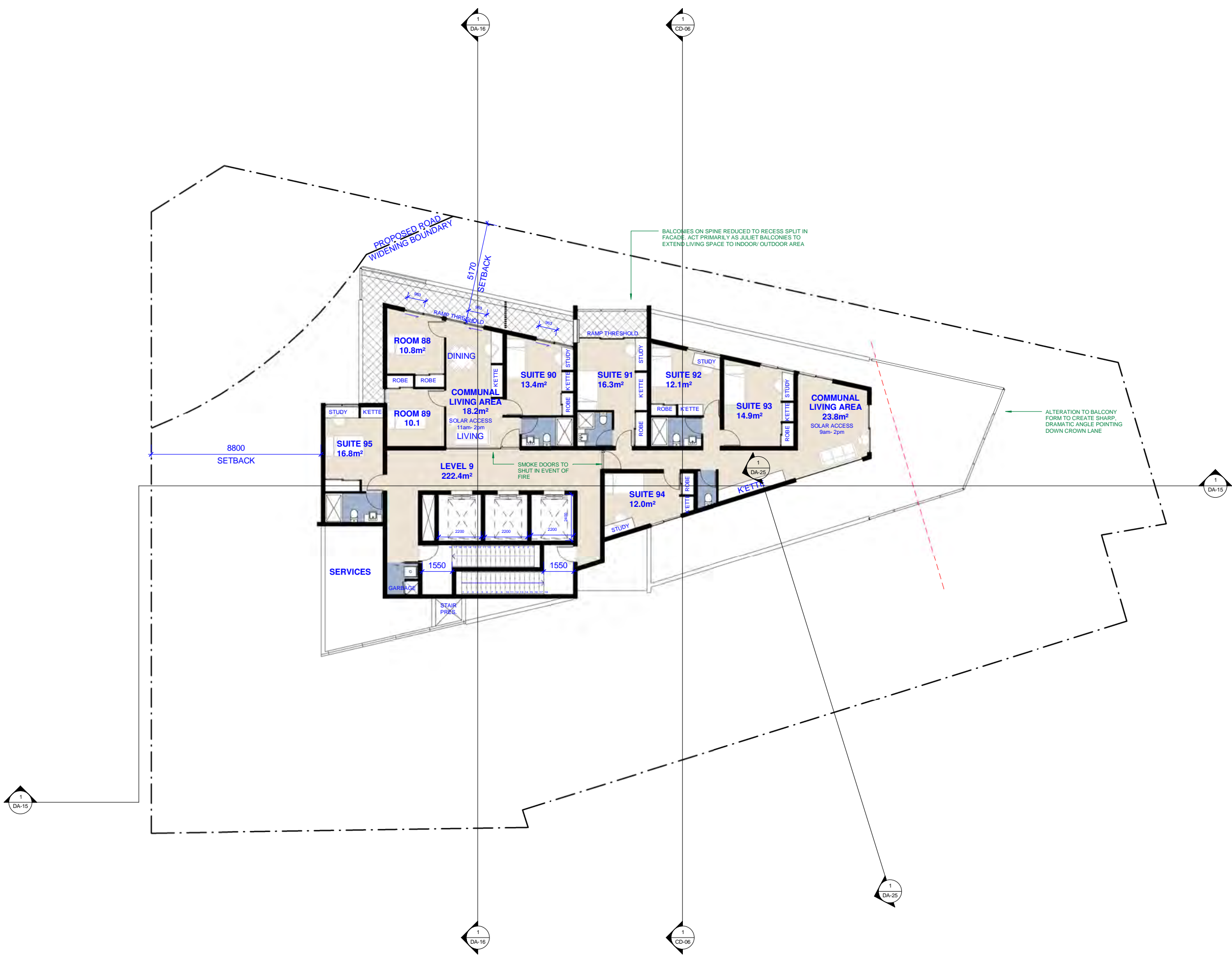
9 CROWN LANE, WOLLONGONG

LEVELS 5-8

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DA-09 -C

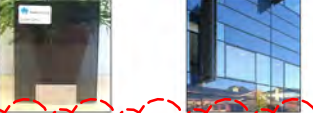




AMENDMENTS			
No	Revision Description	Date	BY:
C	DRP COMMENT RESPONSE	2018.04.26	
D	RESPONSE TO WCC RFI JULY 18	2018.09	

FINISHES SCHEDULE:

(GSG) Veridian 'Super Grey' tinted glazing with clear coat aluminium frame of similar



(AC) alucobond 'Pure White 10-100' cladding or similar



(FC) Equitone 'Tectiva' Fibre Cement panels with mixed patterned natural finish



(CP) Charcoal render concrete with light charcoal oxide finish or similar



(GC) Clear glazing with clear coat aluminium frame of similar



Charcoal slate tiles to street scape to match Wollongong CBD



Sandstone feature tile or similar to entry, landscape and balconies



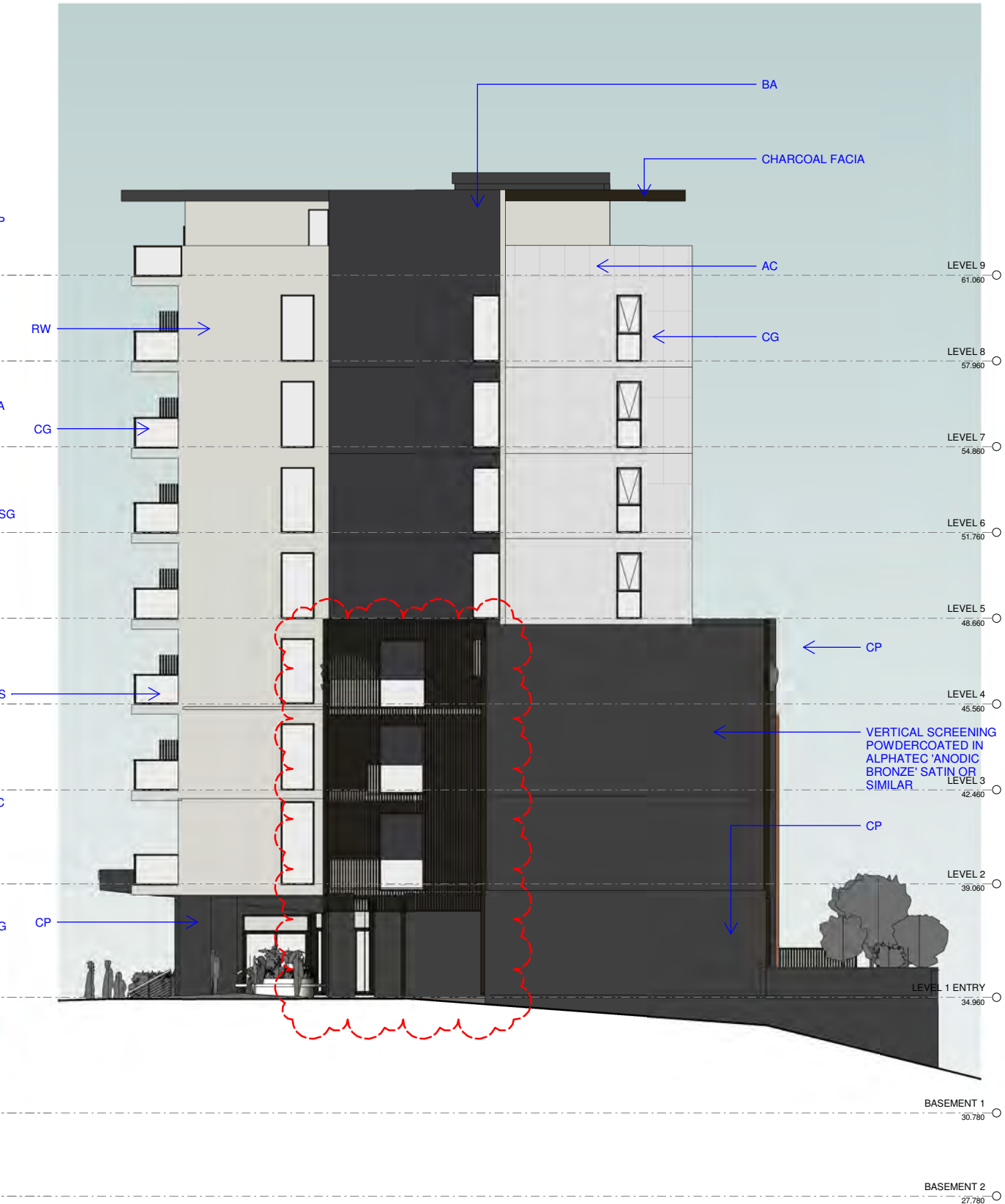
(RW) White concrete render



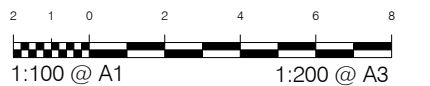
(OS) Alucobond Legno Rubra Ulmus or Similar



1 EAST ELEVATION
1 : 100



2 WEST ELEVATION
1 : 100



AMENDMENTS			
No	Revision Description	Date	BY:
C	DRP COMMENT RESPONSE	2018.04.26	
D	RESPONSE TO WCC RF1 JULY 18	2018.09	

FINISHES SCHEDULE:

(GSG) Veridian 'Super Grey' tinted glazing with clear coat aluminium frame of similar



(AC) alucobond 'Pure White 10-100' cladding or similar



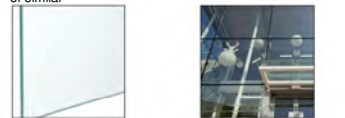
(EC) Equitone 'Tectiva' Fibre Cement Panels with mixed patterned natural finish



(CP) Charcoal render concrete with light charcoal oxide finish or similar



(GC) Clear glazing with clear coat aluminium frame of similar



Charcoal slate tiles to street scape to match Wollongong CBD



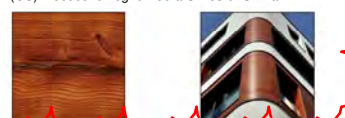
Sandstone feature tile or similar to entry, landscape and balconies



(RW) White concrete render



(OS) Alucobond Legno Rubra Ulmus or Similar



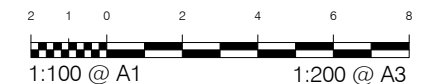
1 NORTH ELEVATION
1 : 100

PROPOSED STUDENT HOUSING
9 CROWN LANE, WOLLONGONG

ELEVATIONS

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DA-13 -D



AMENDMENTS			
No	Revision Description	Date	BY:
C	DRP COMMENT RESPONSE	2018.04.26	
D	RESPONSE TO WCC RFI JULY 18	2018.09	

FINISHES SCHEDULE:
(GSG) Veridian 'Super Grey' tinted glazing with clear coat aluminium frame of similar

(AC) alucobond 'Pure White 10-100' cladding or similar

(FC) Equitone 'Tectiva' Fibre Cement panels with mixed patterned natural finish

(CP) Charcoal render concrete with light charcoal oxide finish or similar

(GC) Clear glazing with clear coat aluminium frame of similar

Charcoal slate tiles to street scape to match Wollongong CBD

Sandstone feature tile or similar to entry, landscape and balconies

(RW) White concrete render

(OS) Alucobond Legno Rubra Ulmus or Similar



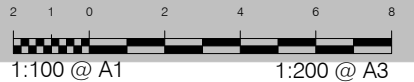
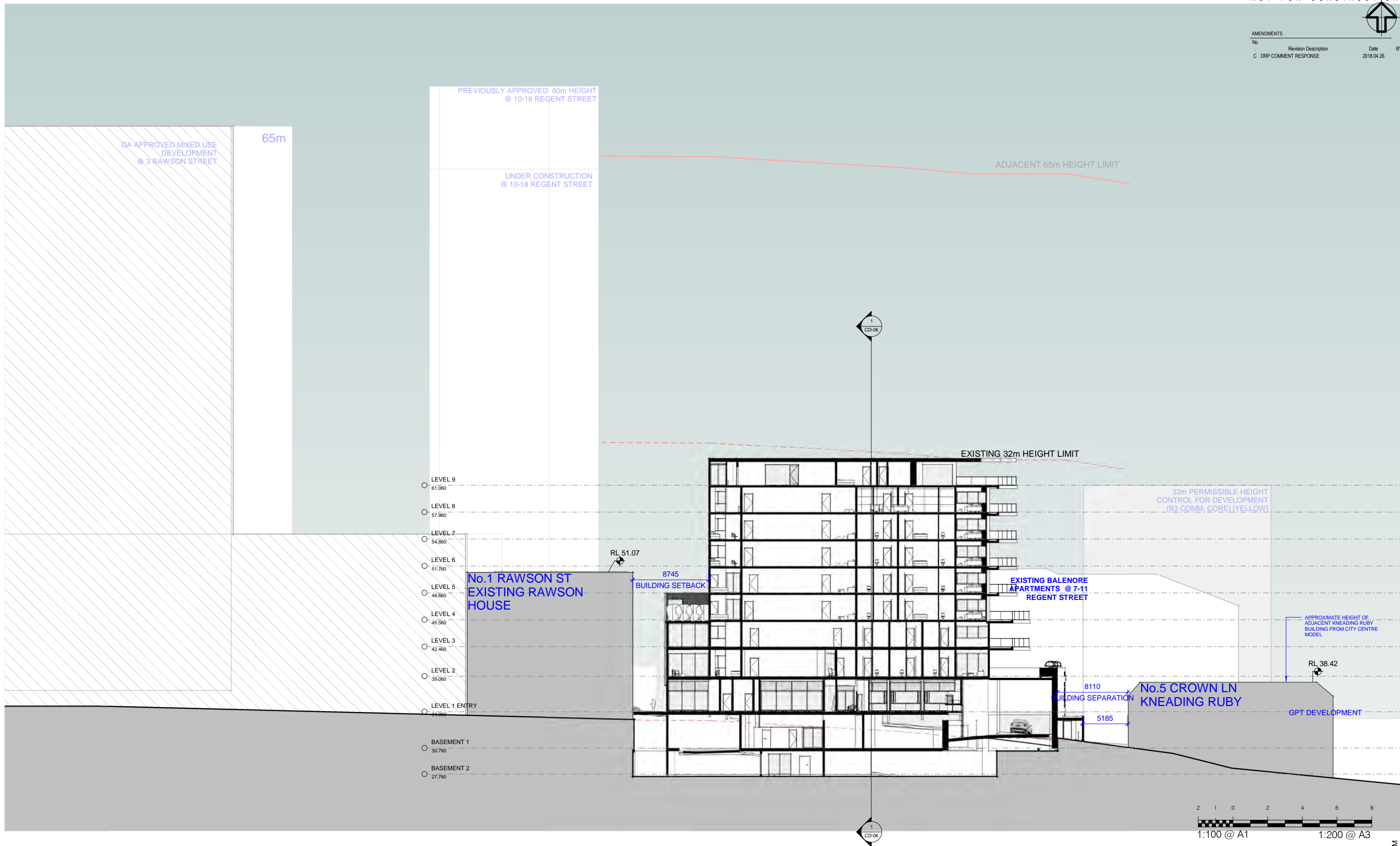
1 SOUTH ELEVATION
1 : 100

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



AMENDMENTS

No	Revision Description	Date	BY
-	DRP COMMENT RESPONSE	2018.04.26	



PROPOSED STUDENT HOUSING

9 CROWN LANE, WOLLONGONG

SECTION

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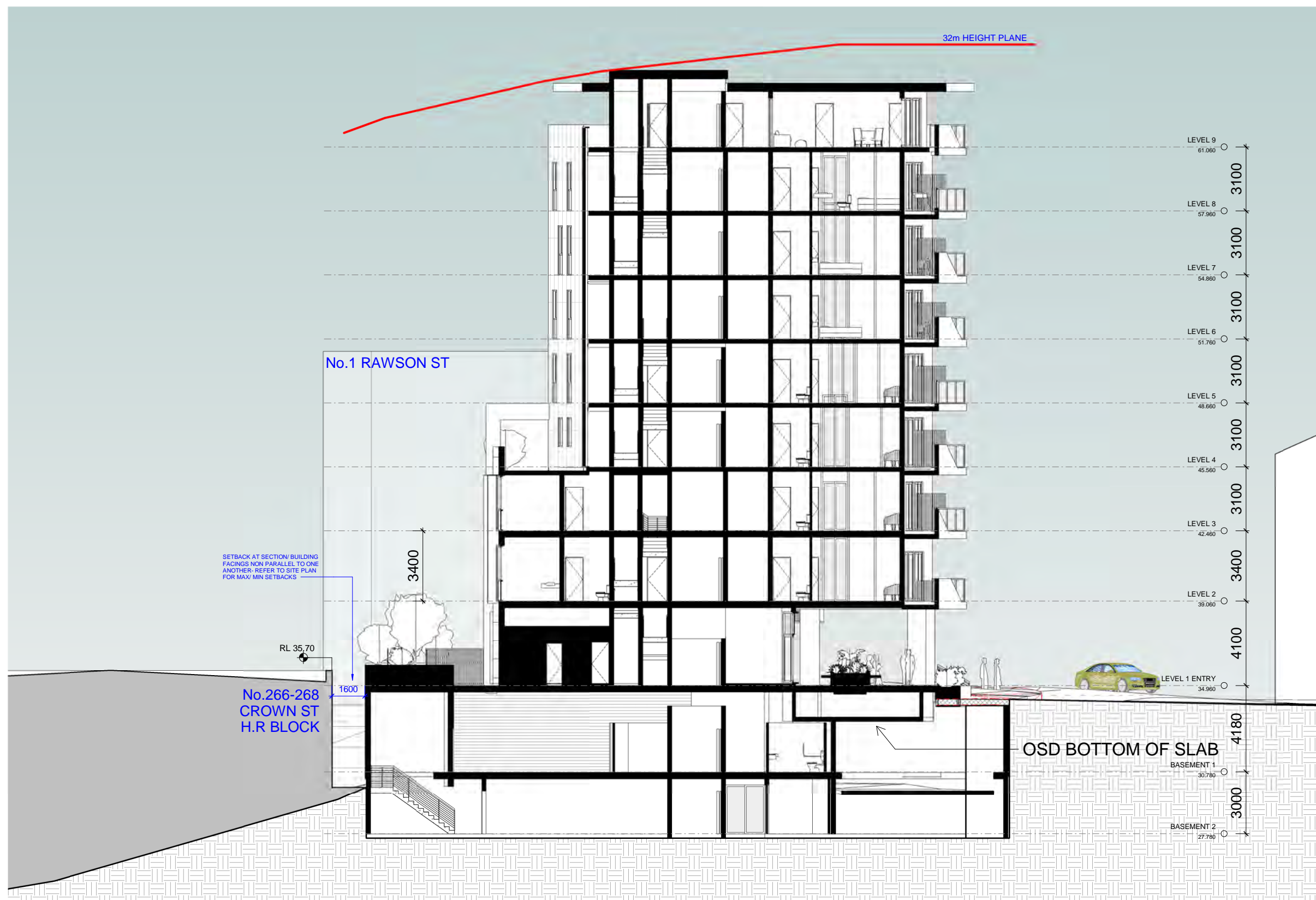
DA-15 -C

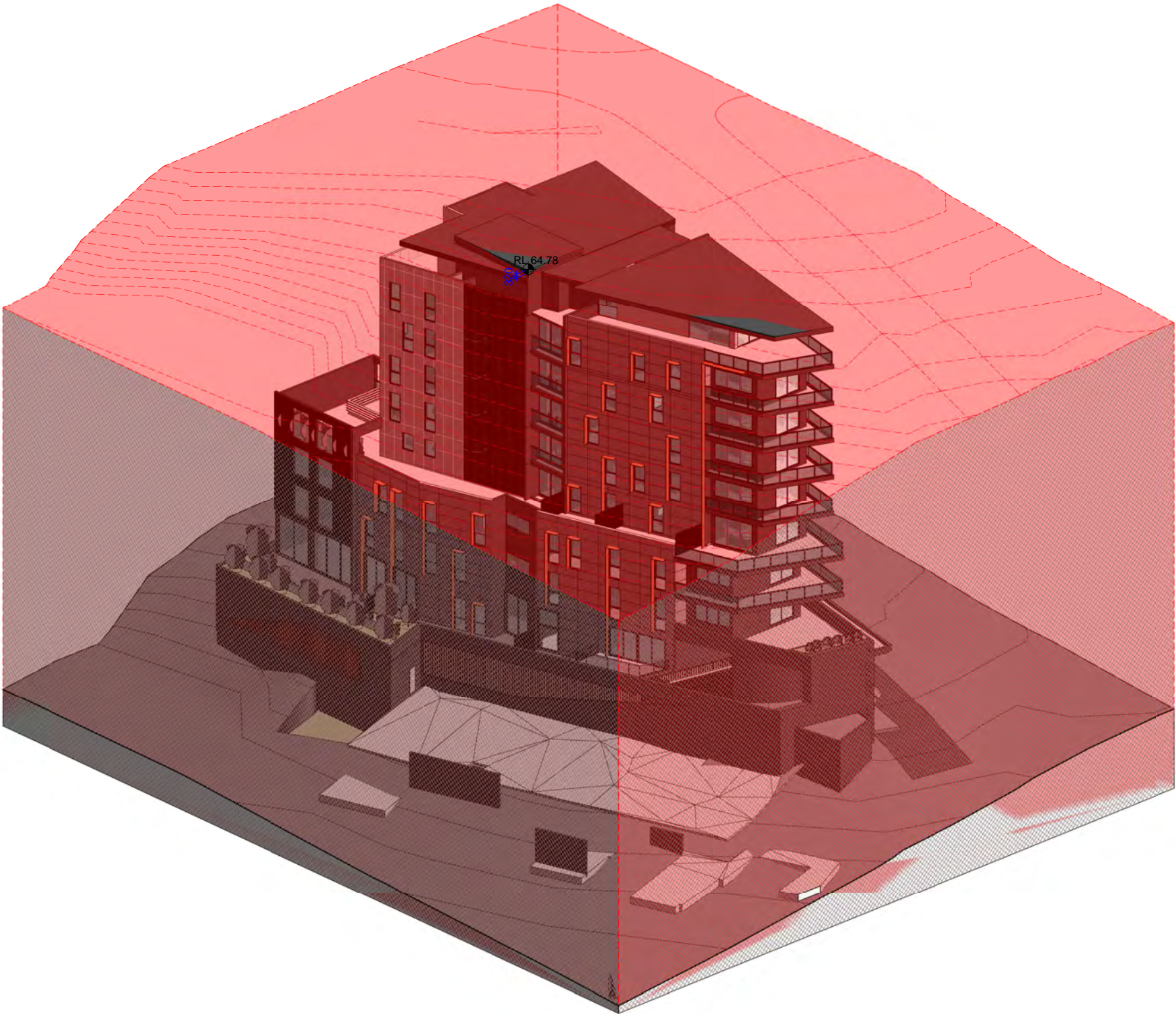


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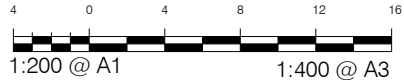
No	Revision Description	Date	BY
C	DRP COMMENT RESPONSE	2018.04.26	





NOTE: 32m HEIGHT PLANE AND AREA'S COMPLIANT SHADED IN RED.

THERE A 2 VERY MINOR ENCROACHMENTS OF THE ROOF PLANE AND LIFT OVERRUN WITH A MAXIMUM OF 320mm AS INDICATED. THESE WILL HAVE NO FORSEEABLE IMPACT ON THE PROPOSED BEUILDING OR NEIGHOBURING PROPERTIES



AMENDMENTS

No	Revision Description	Date	BY:
-	DRP COMMENT RESPONSE	2018.04.26	
D	RESPONSE TO WCC RFI, JULY 18	2018.09	



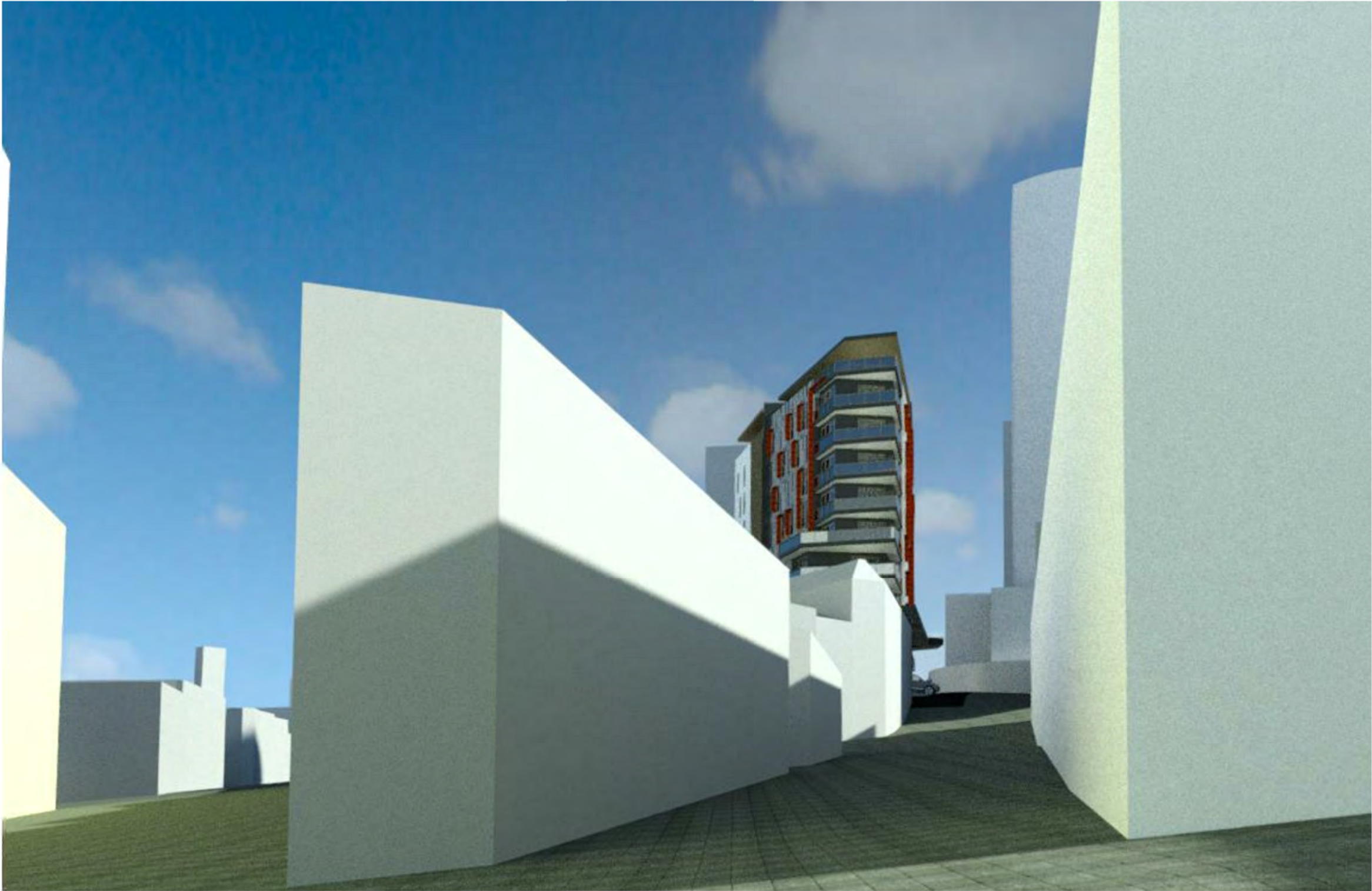
VIEW FROM CARPARK ENTRY



VIEW FROM REGENT/ RAWSON STREET CORNER

AMENDMENTS

No	Revision Description	Date	BY:
-			
C	DRP COMMENT RESPONSE	2018.04.26	



VIEW UP CROWN LANE

PROPOSED STUDENT HOUSING

9 CROWN LANE, WOLLONGONG

3D IMPRESSION

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DA-19 -C





VIEW FROM REGENT STREET



VIEW FROM RAWSON STREET



AMENDMENTS

No	Revision Description	Date	By
C	DRP COMMENT RESPONSE	2018.04.26	
D	RESPONSE TO WCC RFI JULY 18	2018.09	



VIEW FROM CROWN STREET



VIEW FROM ENTRY

PROPOSED STUDENT HOUSING
9 CROWN LANE, WOLLONGONG

3D IMPRESSION

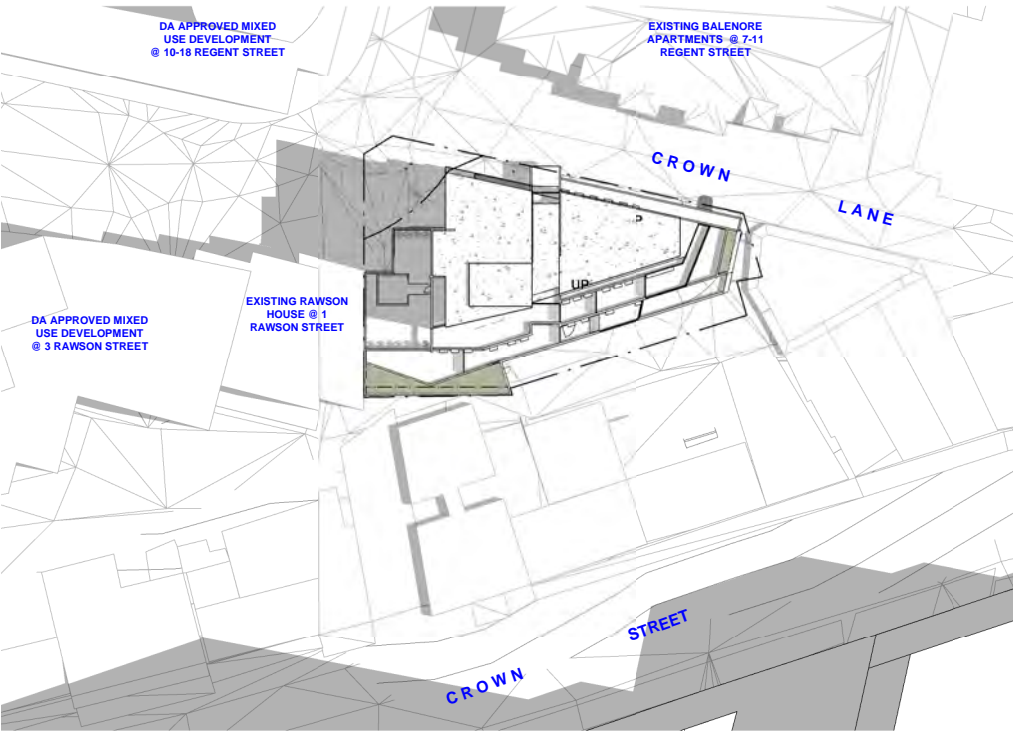
STEVEN SARKIS 017-065
DA-21 -D



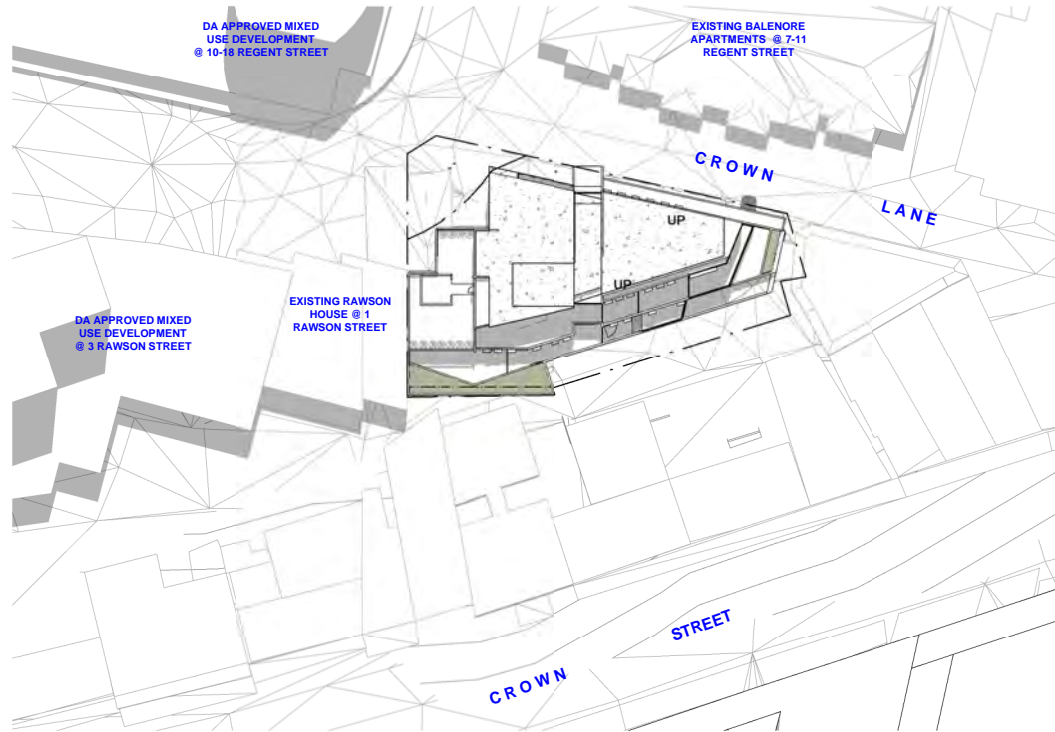


AMENDMENTS

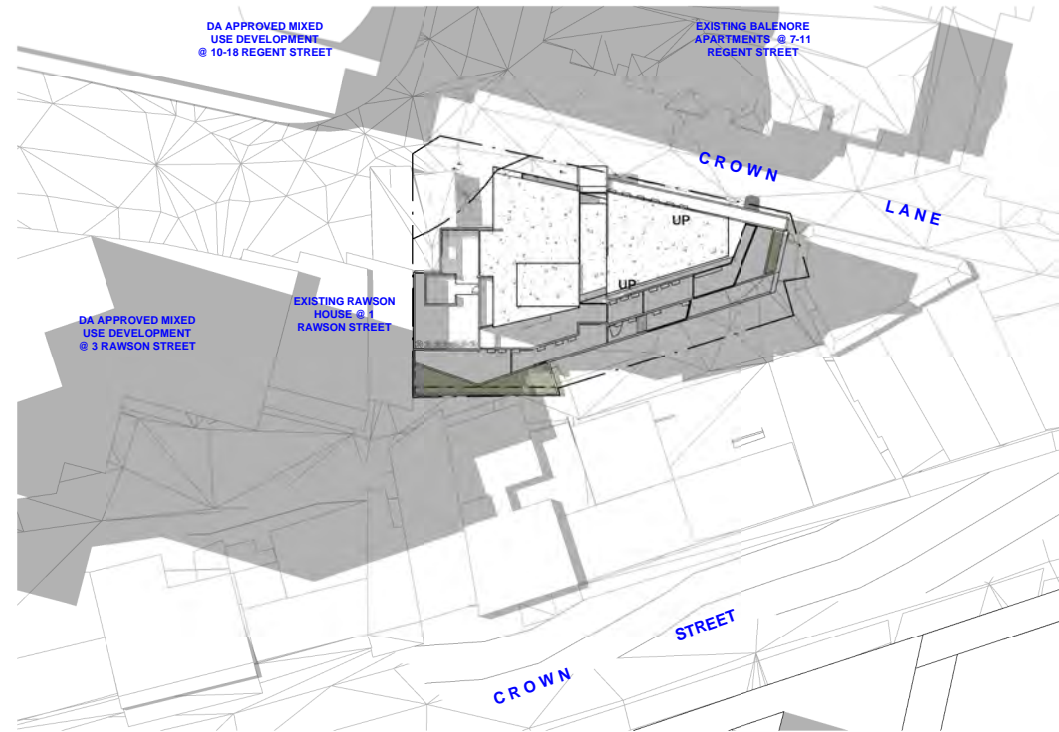
No	Revision Description	Date	BY:
-	DRP COMMENT RESPONSE	2018.04.26	



1 SUMMER SHADOWS 9.00am
1 : 500



3 SUMMER SHADOWS 12.00pm
1 : 500

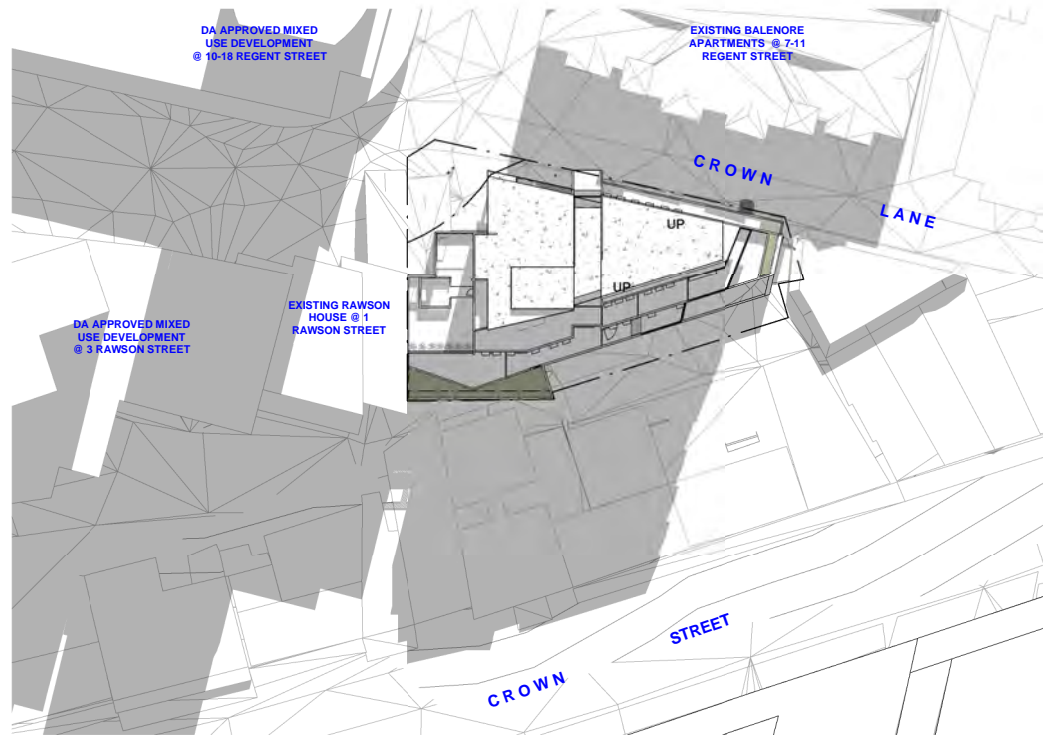
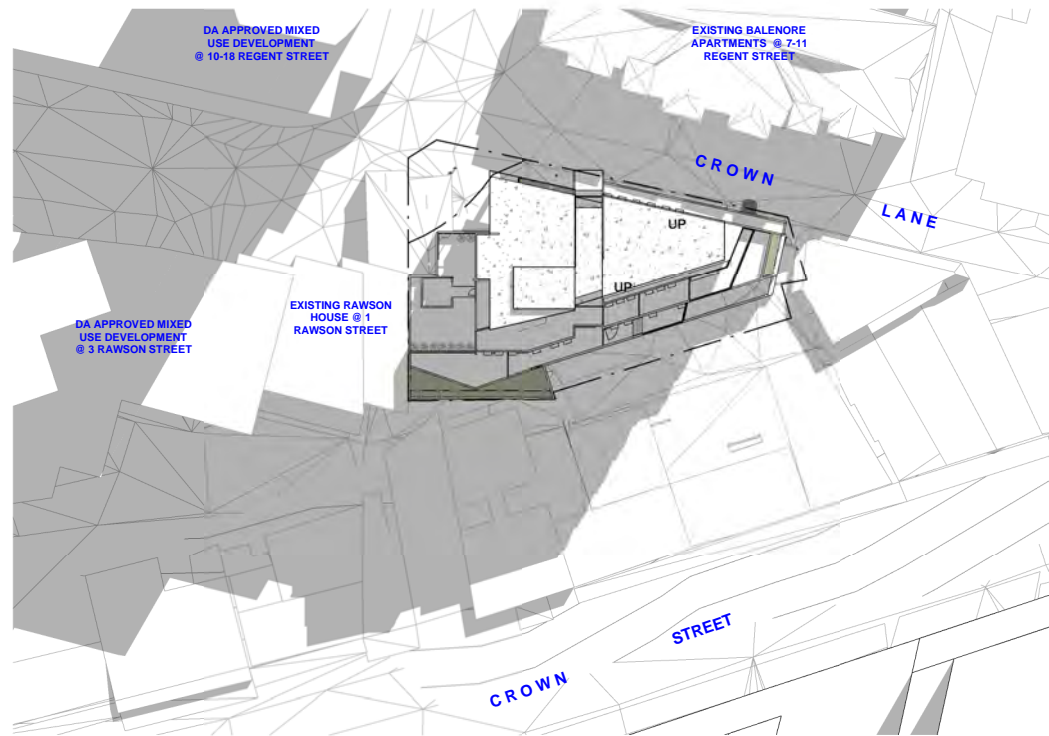
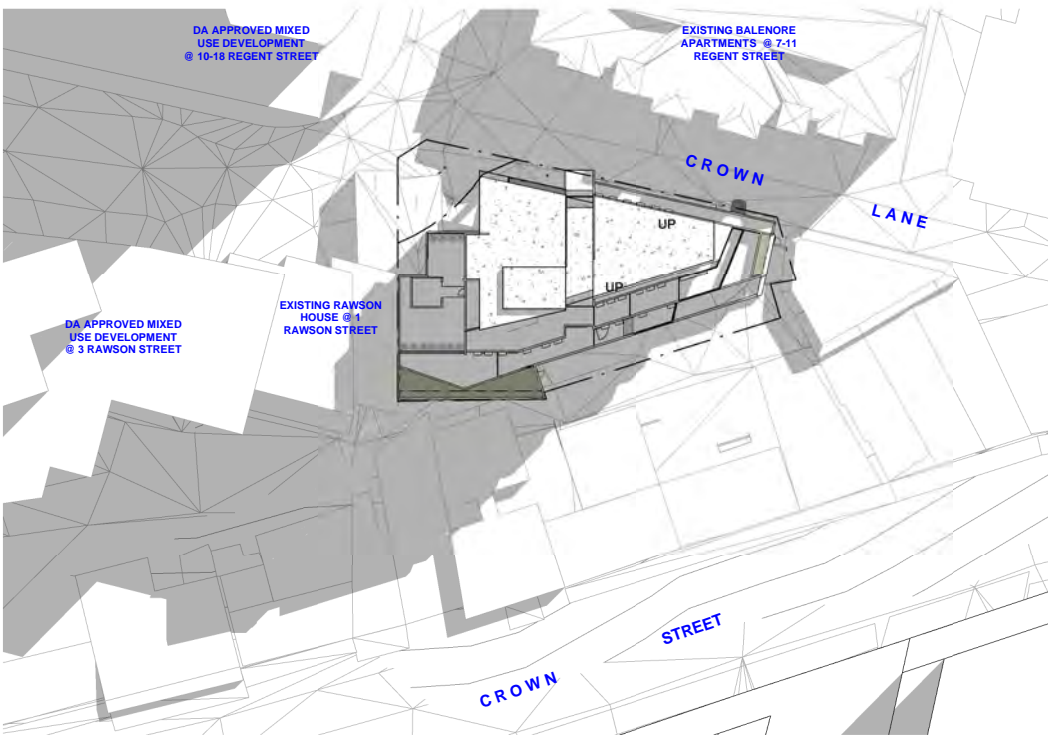


2 SUMMER SHADOWS 3.00pm
1 : 500



AMENDMENTS

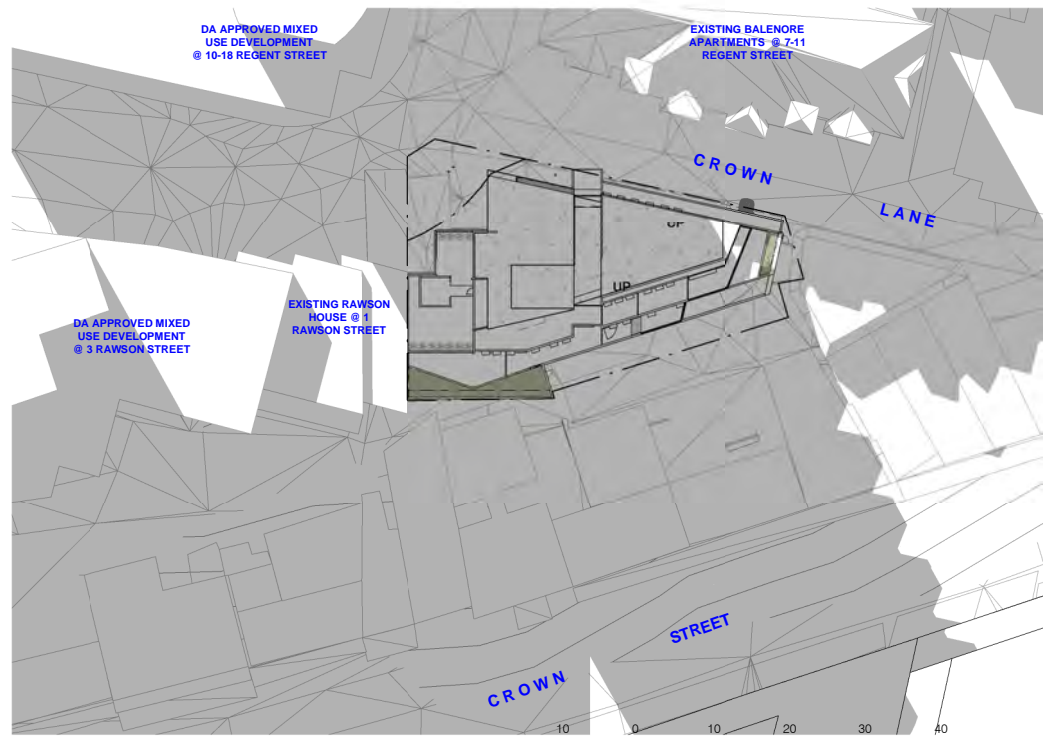
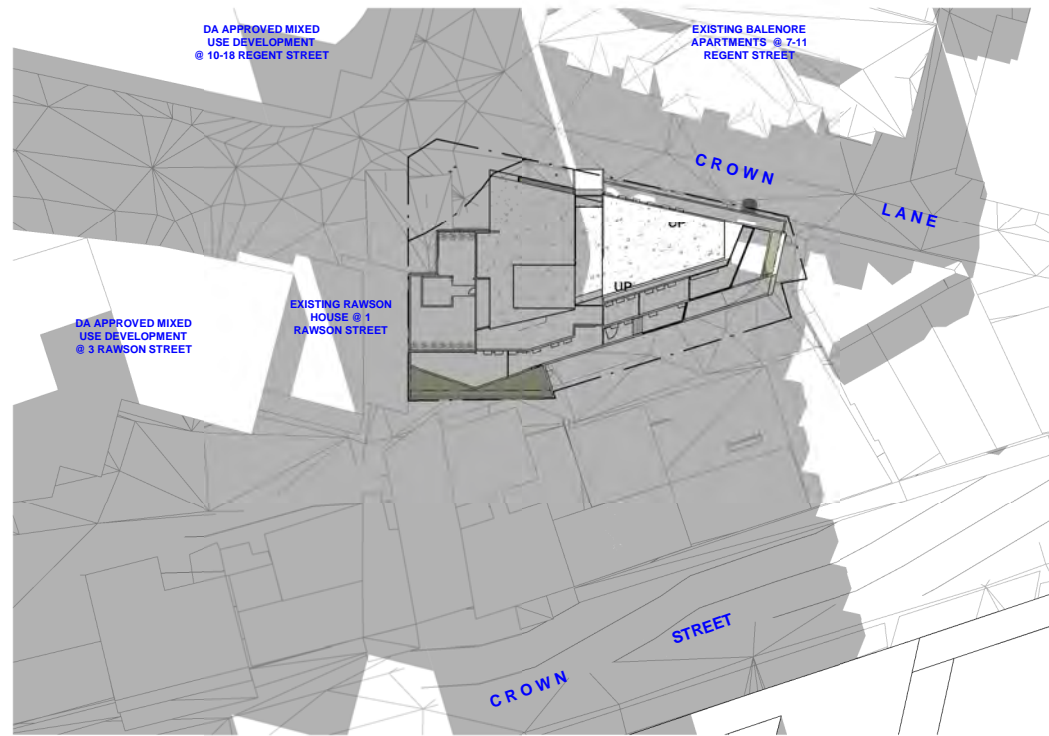
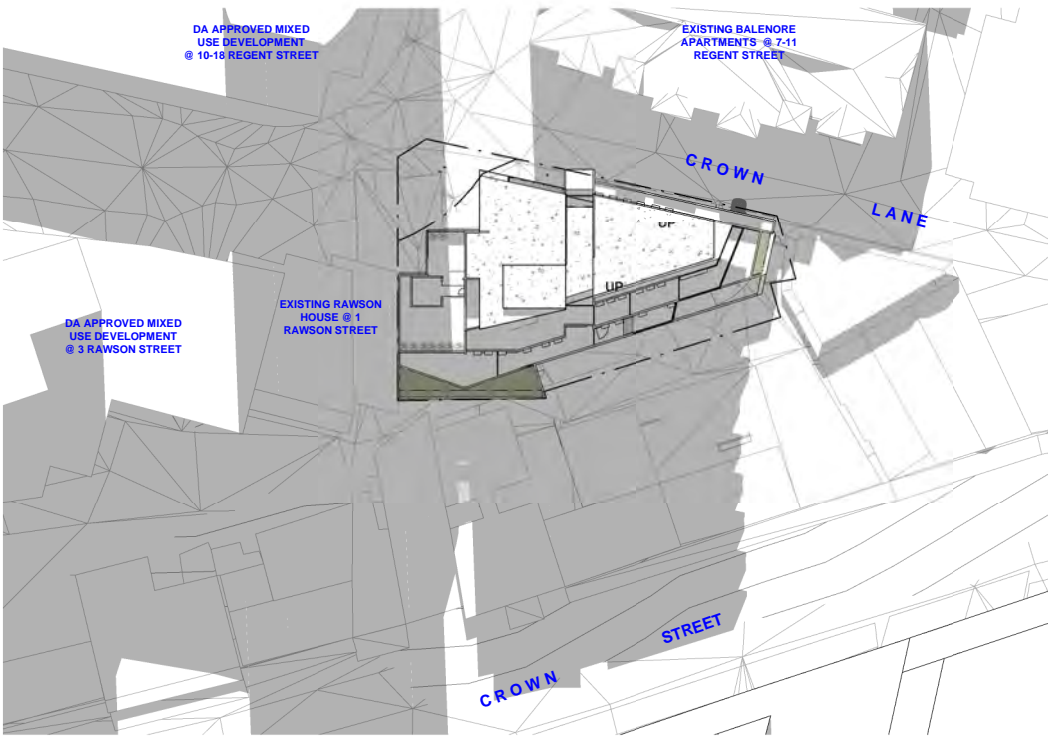
No	Revision Description	Date	BY:
-	DRP COMMENT RESPONSE	2018.04.26	



2 WINTER SHADOWS 10.00am
1 : 500

3 WINTER SHADOWS 11.00am
1 : 500

4 WINTER SHADOWS 12.00pm
1 : 500



1 WINTER SHADOWS 1.00pm
1 : 500

5 WINTER SHADOWS 2.00pm
1 : 500

6 WINTER SHADOWS 3.00pm
1 : 500



FINISHES SCHEDULE:



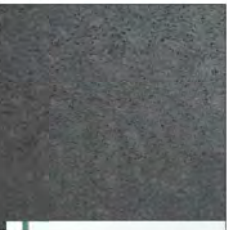
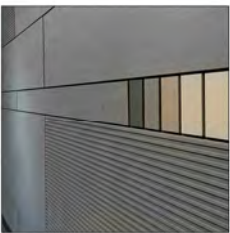
(GSG) Veridian 'Super Grey' tinted glazing with clear coat aluminium frame of similar



(AC) alucobond 'Spectra' cladding in Galaxy Blue or similar



(FC)Equitone 'Tectiva' Fibre Cement panels with mixed patterned natural finish



(CP) Charcoal render concrete with light charcoal oxide finish or similar



(GC) Clear glazing with clear coat aluminium frame of similar



Charcoal slate tiles to street scape to match Wollongong CBD



Limestone feature tile or similar to entry, landscape and balconies



(RW) White concrete render



(OS) Alucobond Legno Rubra Ulmus or Similar



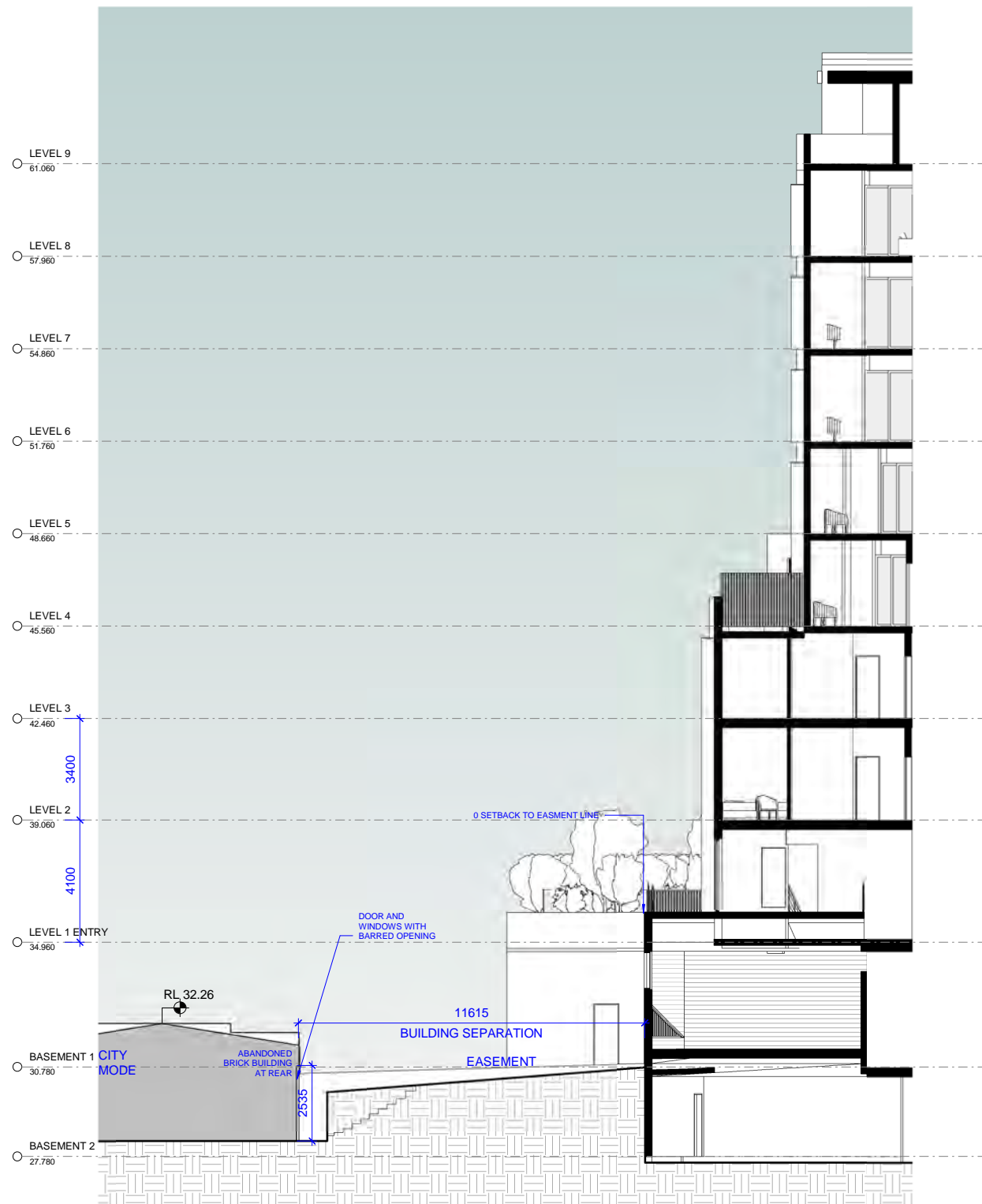
(AC) alucobond 'Pure White 10-100 ' cladding or similar





AMENDMENTS

No	Revision Description	Date	BY:
-			
B	RFI RESPONSE	2018.03.12	



1 SEPARATION SECTION A-A
1 : 100





**SITEDESIGN
+STUDIOS**
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Project	PROPOSED STUDENT HOUSING
Address	9 CROWN LANE, WOLLONGONG
Drawing Title	SITE PLANS/CALCS

ISSUE	DATE	COMMENT
A	31/10/17	ISSUE FOR DA REVIEW
B	20/11/17	AMENDED ISSUE FOR DA REVIEW
C	23/5/18	AMENDED ISSUE FOR DA REVIEW
D	29/5/18	ISSUE FOR DA REVIEW
E	15/10/18	ISSUE FOR DA REVIEW

AMENDMENTS

Date 15/10/18

Scale 1:200@A1

Drawing No. **1786**

Page
L-01 E

Drawing No. **1786**

6.1.1 GENERAL

The contractor and maintenance control shall be at least 3 months before the approved completion of the specified construction work (Practical Completion). A programme of maintenance and control shall coordinate the required landscape maintenance works. Consideration and maintenance shall mean the care and maintenance of Constructed works to avoid landscaping or horticultural practices, ensuring that all plants are in optimum growing conditions and appearance of all sites, as well as rectifying any defects that become apparent in the constructed works.

This shall include, but not be limited to, the following items where and as required: Watering all planting and lawn areas / Irrigation maintenance.

Clearing lawns and other areas from landscaped areas.

Removing weeds, pruning and general plant maintenance.

Replacement of damaged, stolen or unhealthy plants. Make good areas of soil subsidence or erosion.

Topping up of mulch areas.

Spaying / treating for insects and diseases.

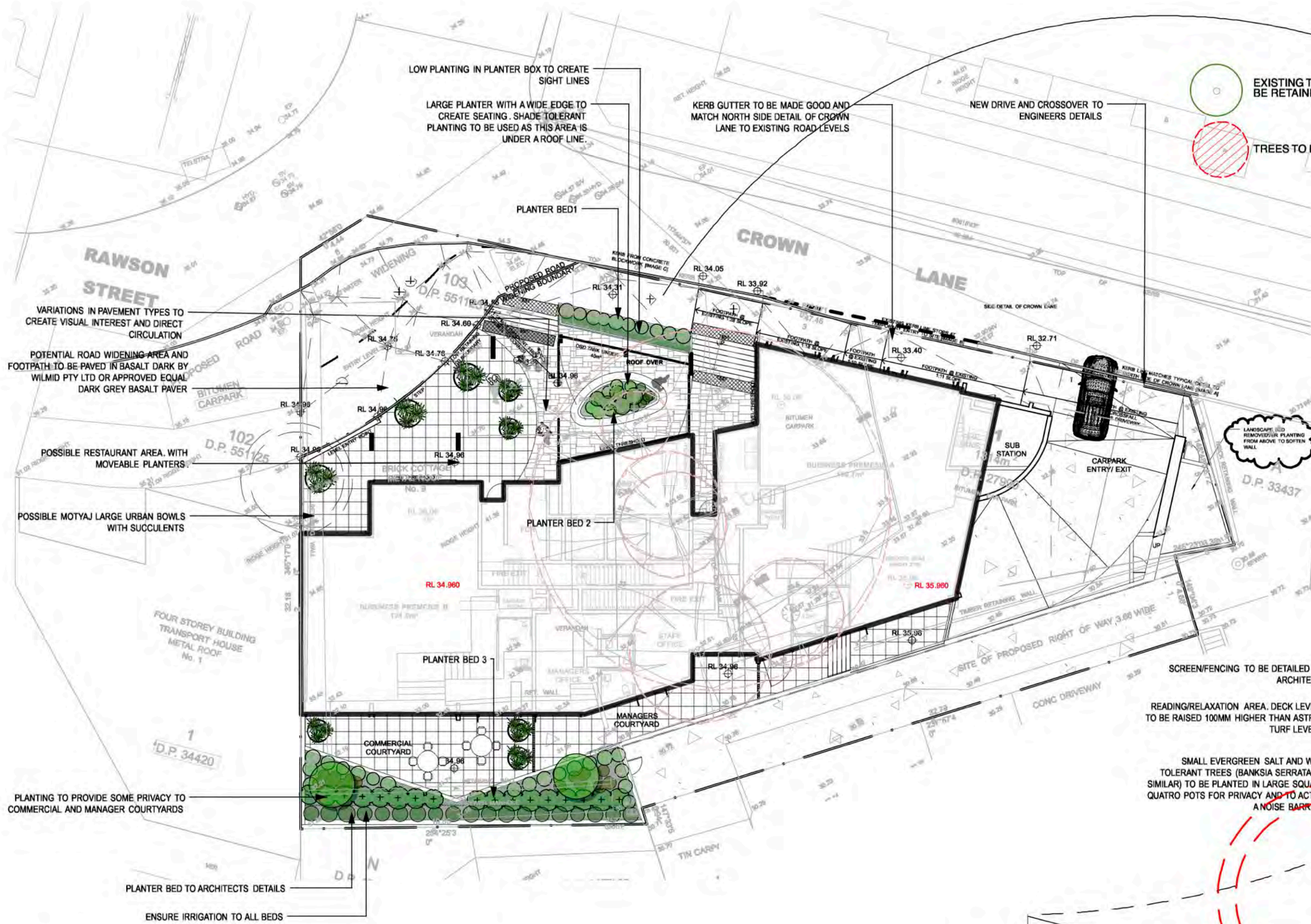
Spaying for treated, stolen or unhealthy plants.

Monitoring and approved suppliers at correct rates.

Flowing lawns 3 times during each 10 days in summer or 10 days in winter. Adjusting Soil to Dikes.

On the completion of the maintenance program, the landscape works shall be inspected and at the satisfaction of the superintendent / landscape architect, the responsibility of plant, pruning and horticulture elements.

On the completion of the maintenance program, the landscape works shall be inspected and at the satisfaction of the superintendent / landscape architect, the responsibility will be assigned to the contractor.



LEVEL 1. LANDSCAPE PLAN 1:200@A1



URBAN SHALLOW BOWL

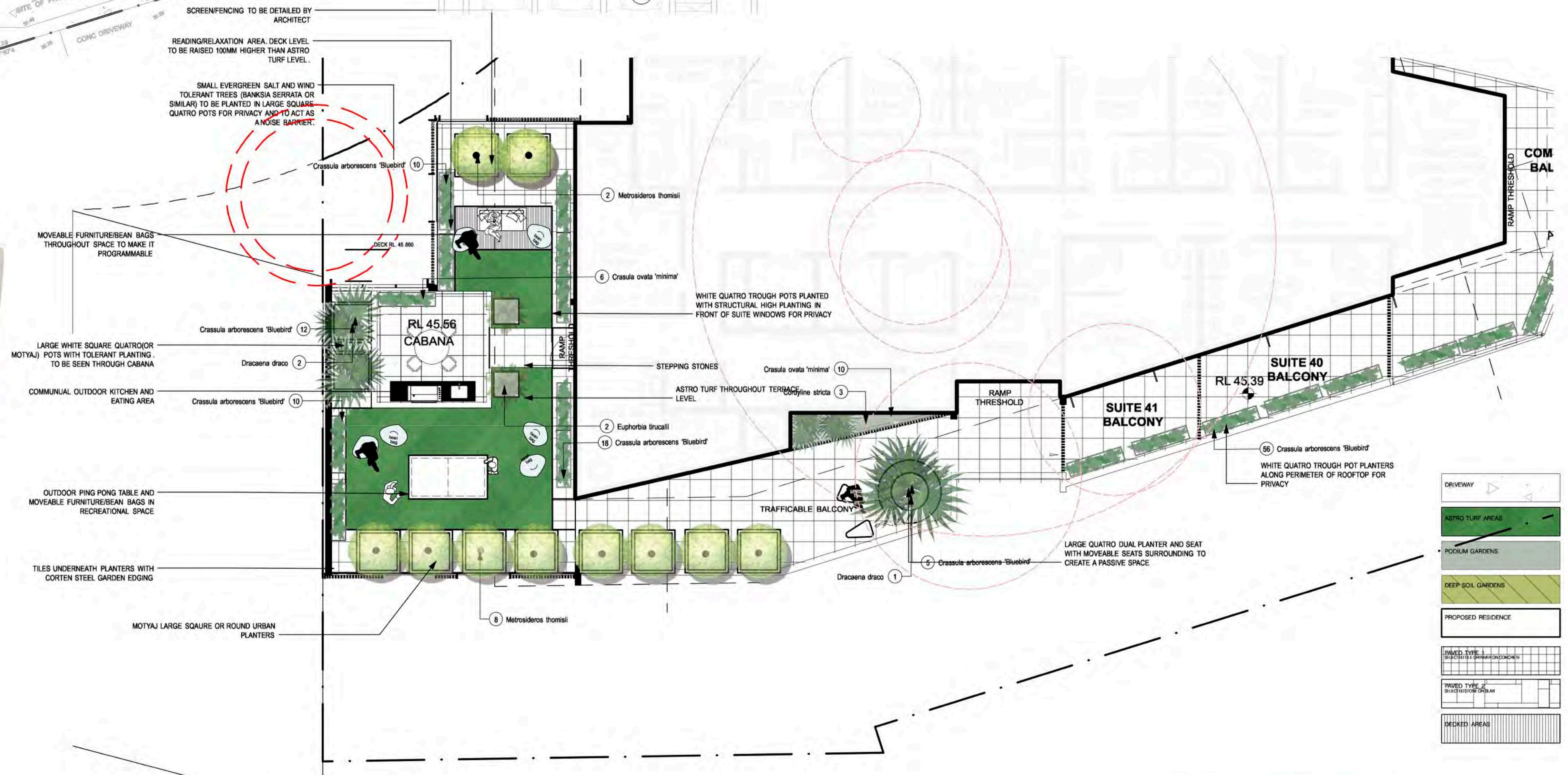


DESIGN LITE TROUGH GRANITE



DESIGN LITE EGG (WHITE)

Plant List	ID	Botanical Name	Common Name	Scheduled Size	Mature Height	Mature Spread	Qty
Trees							
Shrub							
Dracaena draco		Red edged dragon tree		45L	3 - 5m	1.2 - 2.0m	5
Buxus microphylla 'japonica'		Japanese Box		300mm	0.5 - 1.2m	0.5m	19
Coriaria alluaudi		Narrow-leaved Palm Lily		200mm	3 - 5m	0.5 - 0.8m	3
Euphorbia tirucalli		Firestick plant		200mm	3m	1m	2
Metrosideros thomasi		New Zealand Christmas Tree		45L	1-2m	1-2m	27
Philodendron 'Xanadu'		Winterbom Philodendron		200mm	0.9 - 1.5m	0.9 - 1.2m	5
Raphiolepis indica 'oriental pearl'		Indian Hawthorn		300mm	0.45 - 0.6m	1.2 - 2.0m	14
Crassula arborescens 'Bluebird'		Blue Bird		150mm	0.0 - 0.3m	0.3 - 0.6m	111
Crassula ovata 'minima'		mini jade		150mm	0.0 - 0.3m	0.3 - 0.6m	16
Rosmarinus officinalis 'Prostratus'		Trailing rosemary/Creeper Rosemary		200mm	0.5 m	1.2 - 2.0m	29
Star Jasmine		Star Jasmine		150mm	3 - 5m	3.5 - 6m	19
Nappa Violet		Nappa Violet		150mm	0.2m	0.8m	6
Zamia furfuracea		Cardboard Plant		150mm	0.5m	0.6 m	6
Grasses							
Climbers							
Aquatic Plants							
Perennials							
Ferns							



LEVEL 4. LANDSCAPE PLAN 1:100@A1

AMENDMENTS	ISSUE	DATE	COMMENT
E	15/10/18	ISSUE FOR DA REVIEW	
D	29/5/18	ISSUE FOR DA REVIEW	
C	23/5/18	AMENDED ISSUE FOR DA	
B	20/11/17	AMENDED ISSUE FOR DA	
A	31/10/17	ISSUE FOR DA REVIEW	

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 down, fixings etc. in accordance with SAA Timber Structure Code AS 1720 and SAA Timber Framing Code AS 1694. All work to be carried out in a professional and workman-like 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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PO BOX 978
CRONULLA 2230
p 1300 22 44 55
info@sdstudios.com.au
www.sdstudios.com.au

Project **PROPOSED STUDENT HOUSING**

Address **9 CROWN LANE, WOLLONGONG**

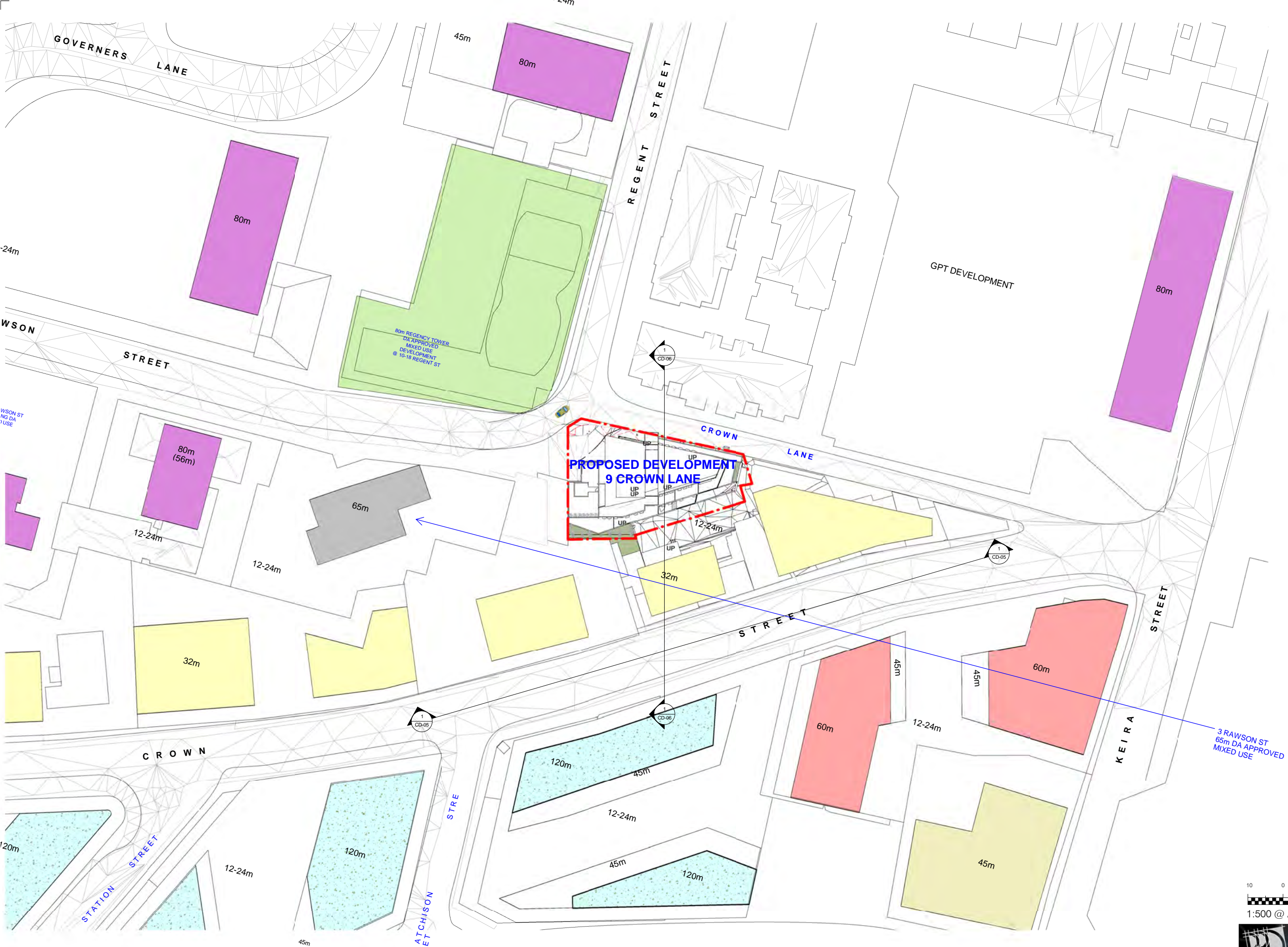
Drawing Title **LANDSCAPE PLANS**

Date **15/10/18**

Scale **1:200@A1**

Drawing No. **1786**

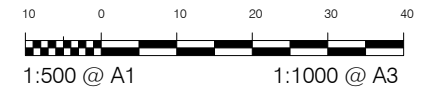
Page **L-02 E**



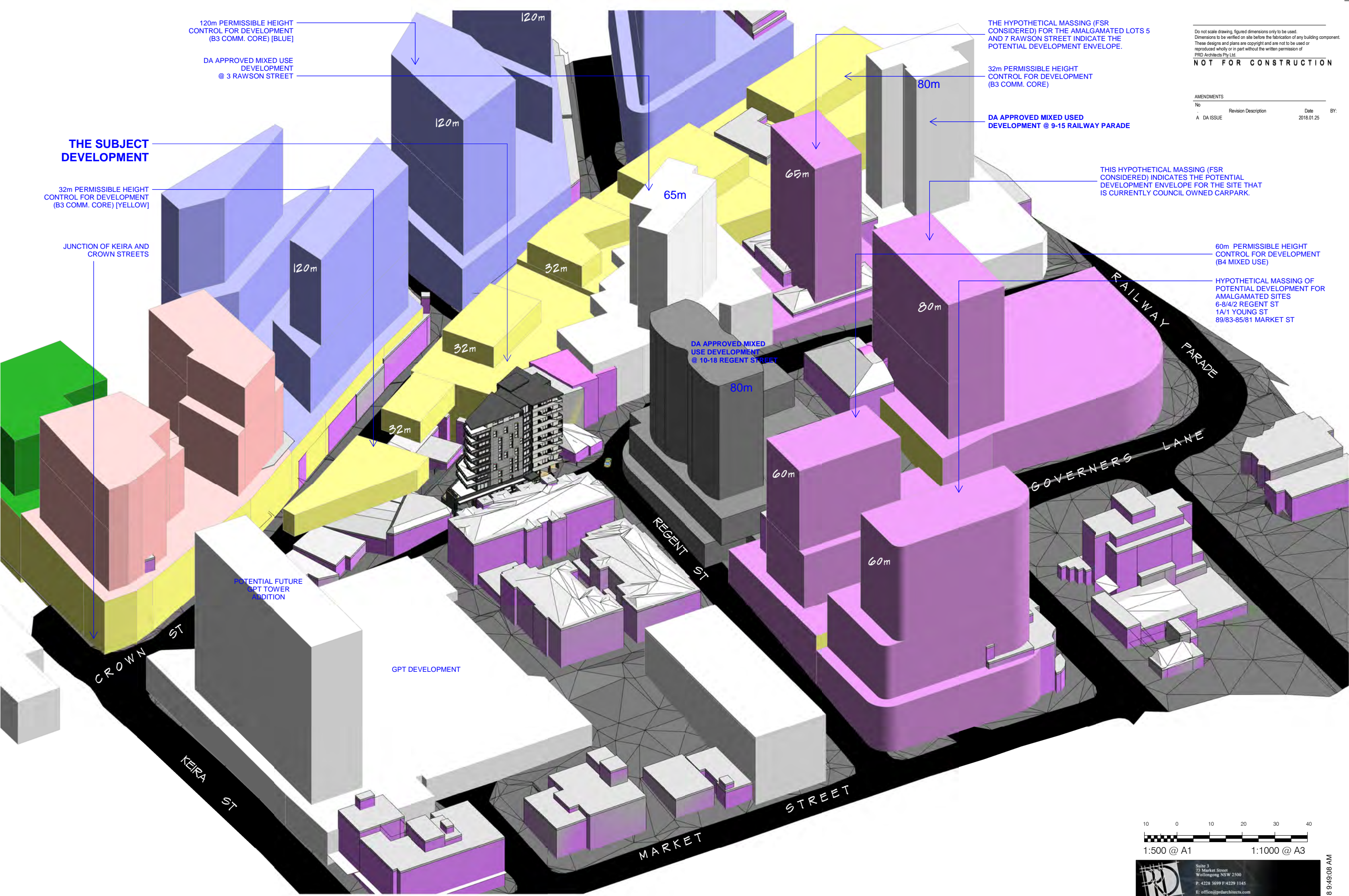
PROPOSED STUDENT HOUSING
9 CROWN LANE, WOLLONGONG

FUTURE CONTEXT PLAN

STEVEN SARKIS 017-065
CD-01 -A



4/12/2018 9:48:59 AM



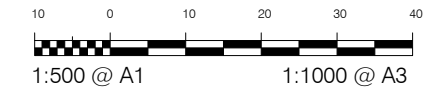
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No	Revision Description	Date	BY:
A	DA ISSUE	2018.01.25	

PROPOSED STUDENT HOUSING
9 CROWN LANE, WOLLONGONG

3D FUTURE CONTEXT

STEVEN SARKIS 017-065
CD-02 -A



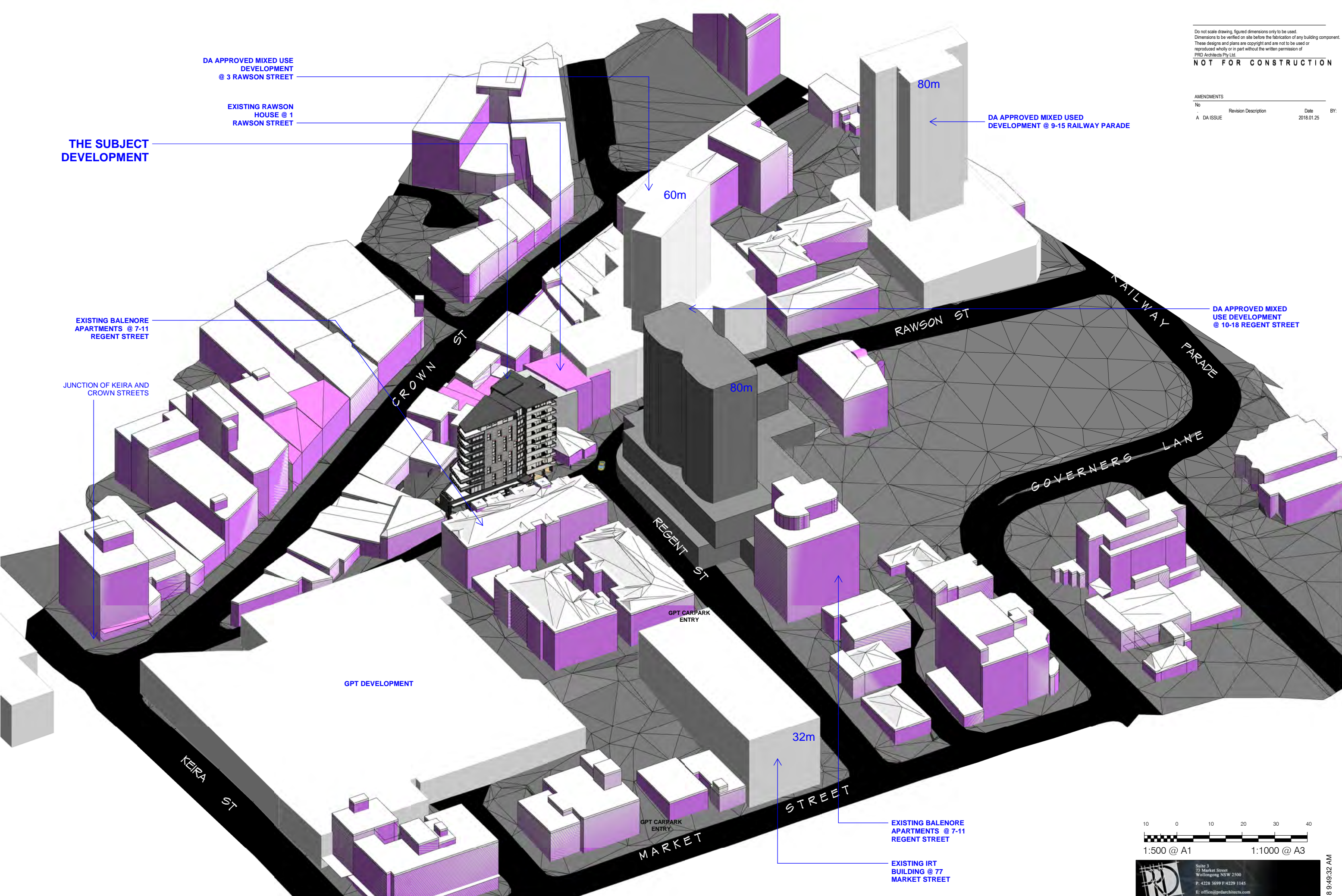
9 CROWN LANE, WOLLONGONG

EXISTING CONTEXT PLAN

STEVEN SARKIS 017-065

CD-03 -A

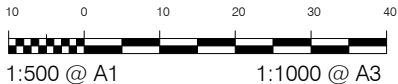
AMENDMENTS			
No	Revision Description	Date	BY:
A	DA ISSUE	2018.01.25	



PROPOSED STUDENT HOUSING
9 CROWN LANE, WOLLONGONG

3D EXISTING CONTEXT

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CD-04 -A

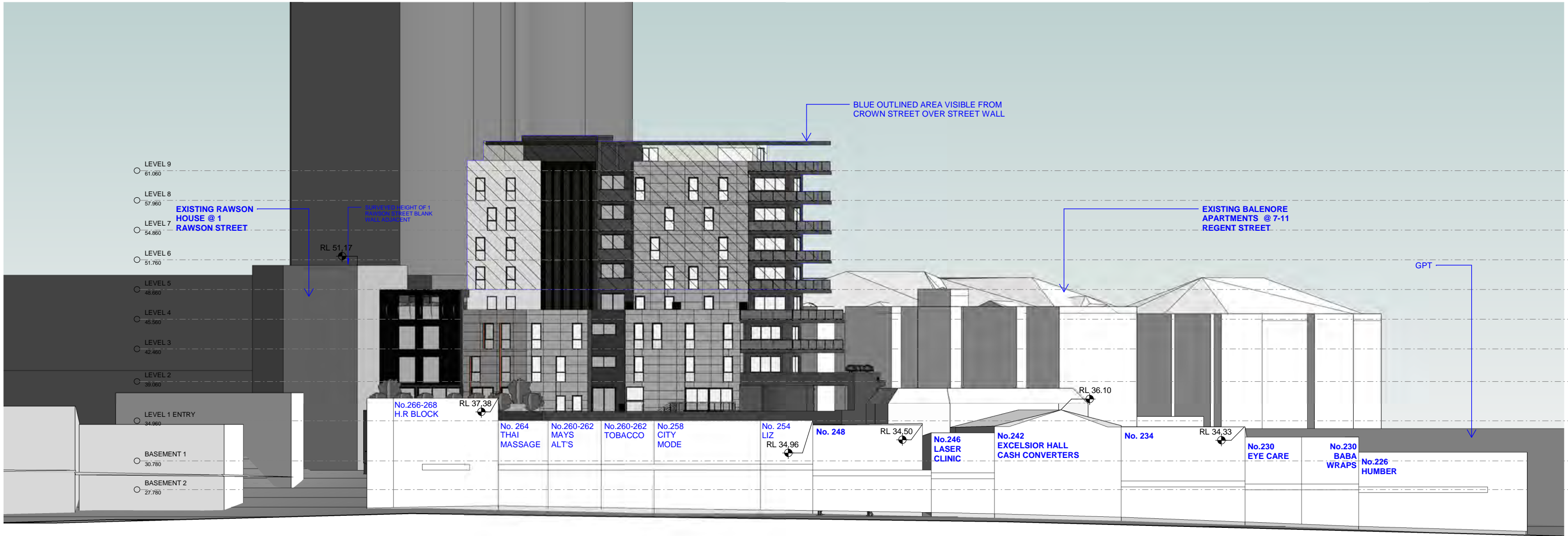


4/12/2018 9:49:32 AM



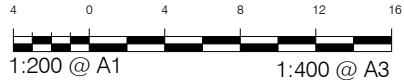
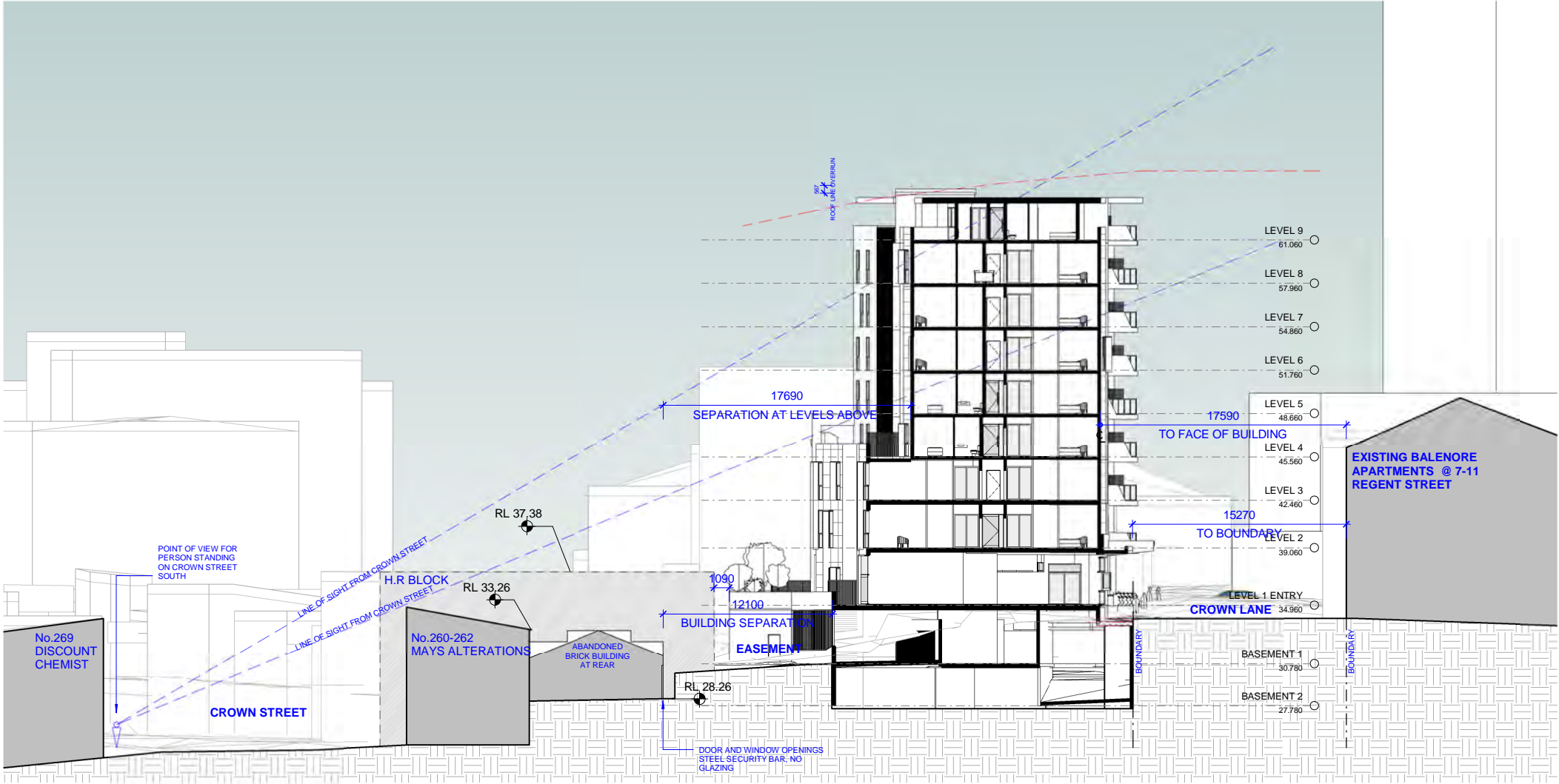
AMENDMENTS

No	Revision Description	Date	BY:
A	DA ISSUE	2018.01.25	



NOTE: BUILT FORM OF BUILDINGS INDICATED ON CROWN STREET BASED ON WOLLONGONG COUNCILS CITY CENTRE MODEL AND ARE APPROXIMATE ONLY

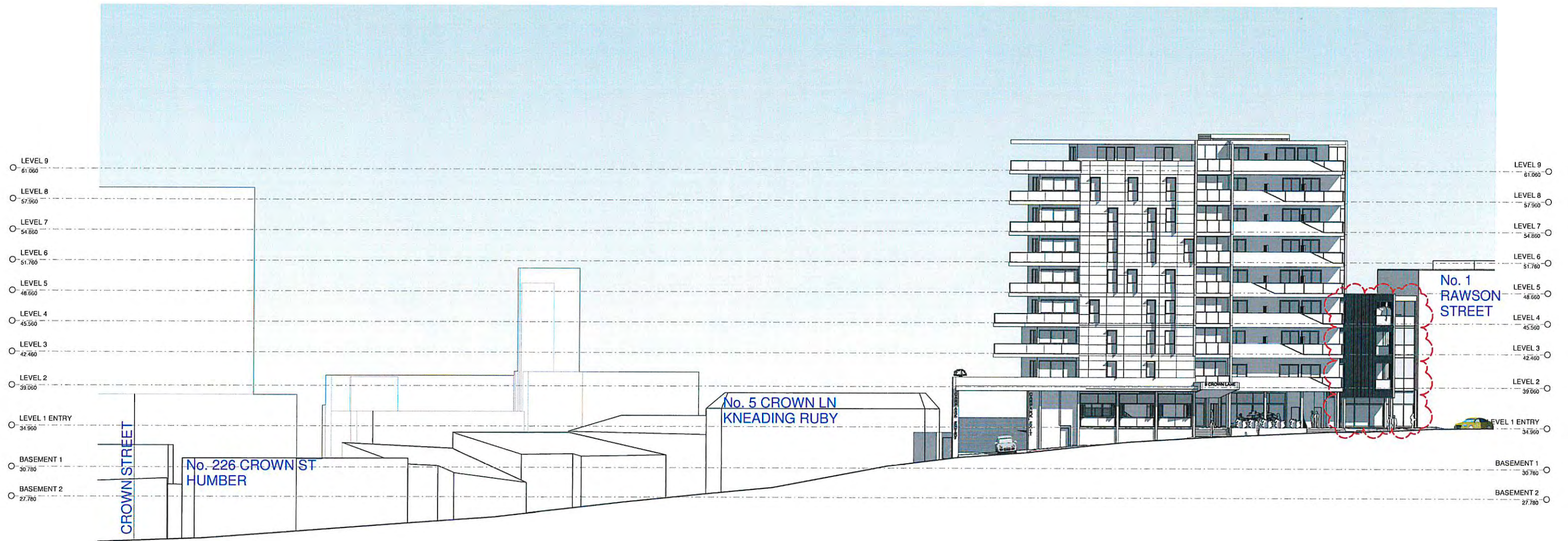






AMENDMENTS

No	Revision Description	Date	BY:
A	DA ISSUE	2018.01.25	
D	RESPONSE TO WCC RFI JULY 18	2018.09	



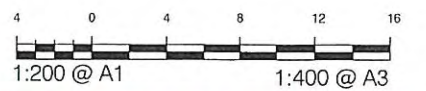
PROPOSED STUDENT HOUSING

9 CROWN LANE, WOLLONGONG

CROWN LANE ELEVATION

STEVEN SARKIS 017-065

CD-07 -D



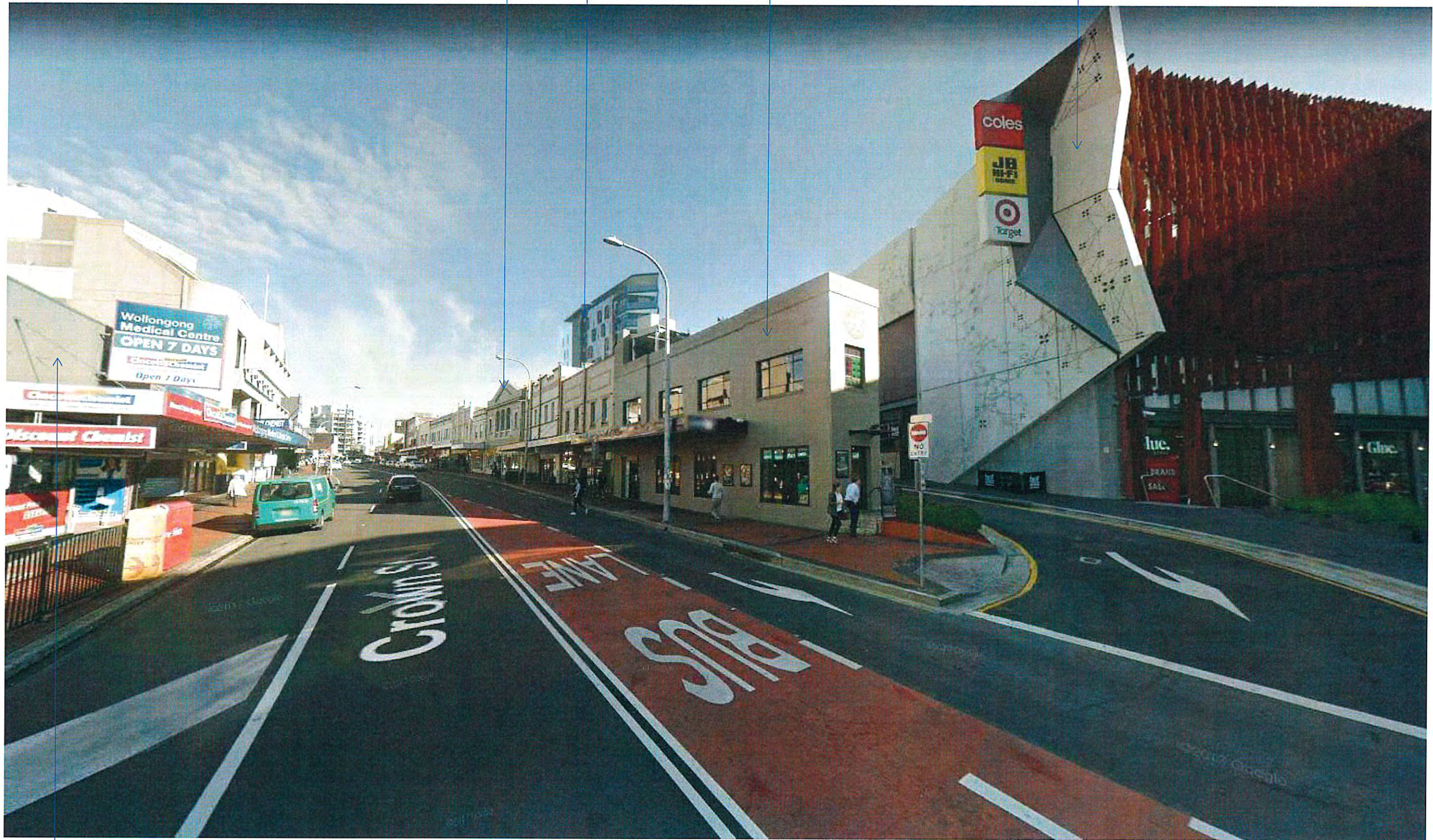
19/10/2018 7:43:31 AM

TERRACOTTA COLOUR FRAMES REFLECT THE
TERRACOTTA COLOUR FRAME UTILISED ON
THE HERITAGE FACADE OF 230-234 CROWN ST

GREY NEUTRAL TONES OF
EXCELSIOR HALL AND
HUMBER UTILISED HEAVILY
ON FACADE

HUMBER

GPT WOLLONGONG MALL



WOLLONGONG
MEDICAL CENTRE

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D	RESPONSE TO WCC RFI JULY 18	2018.09	

PROPOSED STUDENT HOUSING
9 CROWN LANE, WOLLONGONG

HERITAGE CONTEXT- CROWN LANE
INTERSECTION

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CD-08 -D



19/10/2018 7:43:31 AM



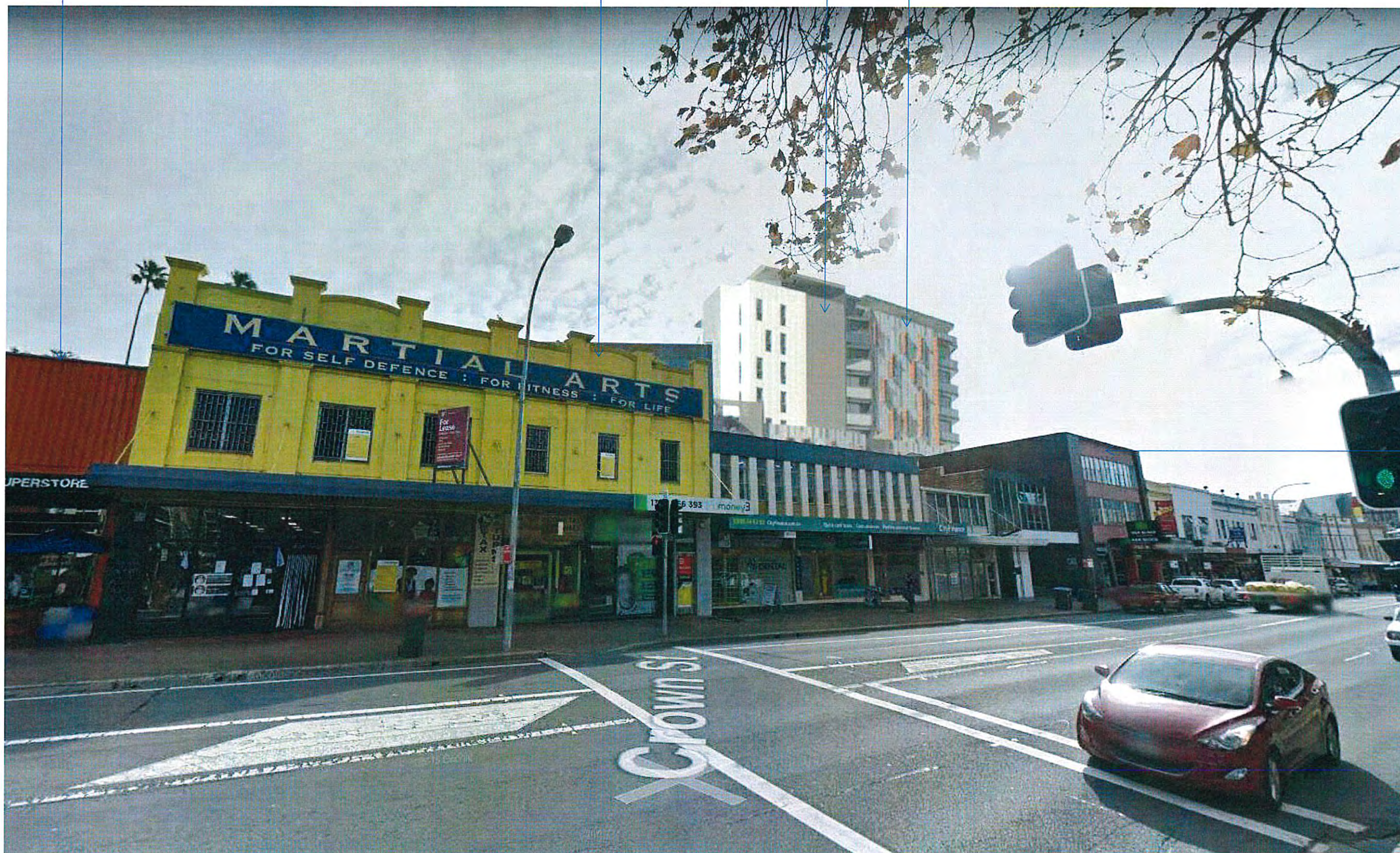
AMENDMENTS

No	Revision Description	Date	BY:
D	RESPONSE TO WCC RFI JULY 18	2018.09	

VERY BOLD COLOURS CURRENTLY UTILISED
 ADJACENT TO EXISTING HERITAGE CONTEXT

GREY NEUTRAL TONES AND TERRACOTTA REFLECT
 FINISHES OF HERITAGE BUILDINGS

H R BLOCK STRONG RED
 FACADE





AMENDMENTS

No	Revision Description	Date	BY:
D	RESPONSE TO WCC RFI JULY 18	2018.09	

BLUE METALLIC ALUCABOND
 RECESSIVE WITH SKYLINE

NEUTRAL TONES AND TERRACOTTA DOWNPLAY THE BUILT
 FORM AND DON'T OVERWHELM THE HERITAGE FACADES



UPPER LEVELS OF BUILDING,
 LEVEL 4 ^, ONLY VISIBLE
 FROM CROWN STREET

Boarding House Plan of Management

Purpose of the Plan of Management

The purpose of this Plan of Management (PoM) is to outline the operational management controls which will apply to the boarding house to:

- Ensure an acceptable level of resident amenity, safety and privacy to meet the needs of residents.
- Minimise the adverse impacts to adjoining properties and the locality.
- provide a comfortable and harmonious residential environment for residents.
- Maintain the internal and external appearance of the boarding house.
- Identify a procedure for reporting, processing and resolving complaints.
- To ensure that the Boarding House premises is properly maintained and operates in a manner which maintains a high level of amenity, and
- Make provision for the PoM to be amended as necessary over time, with the approval of Council in order to facilitate timely and responsive operational changes to improve and maintain residential amenity both within and external to the Site.

Objective of the Plan of Management

The primary purpose of this plan of management is to ensure the proposed boarding house accommodation maintains a high level of amenity for neighbouring properties and for all lodgers residing the premises. To achieve this, the following matters, as a minim have been considered:

- General site management
- Amenity of occupants
- Amenity of adjoining neighbours
- House rules
- Fire safety of the premises including Emergency Management and Evacuation
- Work Health and Safety
- Internal and external cleanliness and appearance, including communal areas and individual units, and
- Complaints register

Work health & Safety Requirements

The Manager and staff must be aware of their responsibilities under such legislation as the WHS Act 2011, WHS Regulation 2017, and the Innkeepers Act. The SafeWork NSW website lists the WHS Act and Regulations and other helpful information – visit www.safework.nsw.gov.au.

The following WHS guidelines will be observed in the premises and employees must abide by them:-

- All hazards (e.g. broken chairs, loose carpets, missing lights) should be removed, repaired or replaced in consultation with the Managing Agent;
- No item of plant or machinery may be operated unless the safeguards provided are correctly in place, secured and operating effectively and the staff member and/or contract services personnel have been trained
- Dangerous chemicals are to be handled properly, labelled (SDS), and locked in a secure storage area when not in use;
- Work areas are to be kept clean and tidy;
- Passageways and aisles are to be kept clear at all times;
- Materials or products are not to be stacked higher than what is considered to be safe;
- Rubbish bins must be used to dispose of all rubbish;
- Excessive alcohol consumption or drugs not prescribed by a doctor are forbidden on the premises; and
- All no smoking rules are to be observed

Registration of Boarding House

The Boarding House will be registered with the relevant State government authority and the Council.

Public Liability

The owners will maintain a public liability cover of \$10 million

Management arrangements

- The boarding house is to be managed by *[details of on site manager / off site agent etc]* who will be familiar with the content of this management plan and enforce the requirements outlined within. *[insert name, address and contact details of manager]*
- the manager will ensure their contact details are made available and displayed externally at the front entrance of the boarding house and internally within the communal living area.
- The manager will conduct inspections/visitations on *[insert visitation/inspection frequency]* and keep record of these in a log book.
- The boarding house will be staffed *[insert details around any staff associated with the boarding house]*.
- The manger will maintain an incident register and make it available if requesting during inspection.
- The manager is responsible for organising any maintenance required, waste collection and other facility needs, and
- The manager must notify Council in writing if there is any change to management arrangements or contact details within 1 month of the change.

Access to Plan of Management

A copy of the PoM will be provided to each boarding house occupant and will be made available to all persons involved in the operation and management of the boarding house. The PoM will be available for viewing within the communal living area of the boarding house and will be made available on request to the Manager.

Management and Supervision

The boarding house is to be managed by an on-site boarding house manager (the Manager) who will be contactable 24 hours a day, 7 days a week. The contact details for the Manager will be placed on the community notice boards required to be installed. The name and contact details of the Manager will be provided to Council. Any changes must be notified to Council immediately.

A clearly visible sign with the name and telephone number of the Manager will be displayed externally at the front entrance of the boarding house and internally in the common areas. The Manager will be responsible for the operation, administration, cleanliness and fire safety of the premises, including compliance with the conditions of both the PoM and the Development Consent for the boarding house.

Manager's Responsibilities

The Manager will monitor and supervise the following aspects of the boarding house:

- **Contract Cleaning & Maintenance workers**
The Manager will be responsible for the ongoing cleaning of common areas of the premises on a regular basis. The Manager will be responsible for the collection and sorting of rubbish and the placement of the Council bins on the footpath for collection. Common areas will be appropriately constructed, maintained and controlled against vermin. These areas shall be regularly inspected by an authorized pest control company once every 12 months. Building maintenance/repairs is to occur when required.
- **Room Furnishings**
Combustible furnishings and fittings, such as lounges, desks and display boards are not permitted in public corridors and egress routes from sleeping rooms as they may restrict the safe means of egress from the building and reduce the level of fire safety in the building. The premises will be checked regularly to ensure that fire safety and essential fire safety measures in the building are maintained and that all required exits and egress paths are clear and free of obstructions.

House Rules

A sample of the House Rules are:

- Resident and guest behaviour - Residents and their guests must not interfere with the reasonable peace, comfort and privacy of other residents and neighbouring properties.
- Maintenance of rooms Residents must maintain their rooms - in a clean manner - in a way that does not interfere with the reasonable comfort of other residents - in a way that does not create a fire or health hazard.
- Residents must not intentionally or recklessly damage or destroy any part of their rooms or a facility of the boarding house.
- Guests Residents must make sure their guests are aware of, and follow, the House Rules. No guests are allowed into the boarding house before 7:30am and after 10:00pm.
- Pets must not be kept on the premises without the permission of the Manager, Landlord or Agent.
- Garbage is to be enclosed in a plastic bag (tied at the top) and placed in the bins in the garbage area. No domestic rubbish, food scraps, food wrappers, goods or materials are to be left in the hallways, common areas or outside the boarding house.
- Fire Safety - Occupants are to familiarise themselves with the fire safety and evacuation procedures located in the hallway and back of room doors, location of fire blankets and fire extinguishers.
- Noise is to be kept to a minimum at all times. Please enter and leave the premises quietly.
- Security - The front door of the premises is to be locked at all times. Please do not let anyone in the premises who has no legitimate reason to be there.
- Outdoor communal areas - The outdoor communal areas will be available for use of the occupants, at all times, between 7:30am and 10:00pm, 7 days a week.
- Indoor communal areas - The indoor communal areas will be available for use of occupants at all times between 6:00am and 10:00pm, 7 days a week.
- Communal kitchen - The communal kitchen will be available for use of the occupants, at all times, between the hours of 5:00am and 12 midnight, 7 days per week.
- Alcohol / Drugs Alcohol and drugs are strictly prohibited from being consumed in the boarding house
- The House Rules will be prominently displayed in the common areas and entry point of the boarding house.

The House Rules will be attached to the Lease Agreement of each tenant and will require mandatory compliance. The Manager will ensure that the occupants comply with the House Rules.

Occupancy Rate

The maximum guest number for each room will be documented in the Lease Agreement between the landlord and the tenant. There will be bimonthly inspection of each room to ensure compliance with the Lease Agreement and House Rules.

Impact to adjoining premises

This will be managed through the House Rules as well as any complaints received from neighbouring residents. A 24 hour contact number will be displayed on the outside of the building to ensure any complaints are promptly addressed. The Manager will ensure that noise from the boarding house does not unreasonably impact upon surrounding residents and neighbours. This includes ensuring occupants adhere to the House Rules in relation to noise emanating from the boarding house (including common living areas and outdoor communal areas).

Complaint Register

A complaint register will be maintained by the Manager. All complaints logged will be recorded in this register and be available for Council inspection.

Waste minimisation and recycling

The Manager will ensure that a cleaner attends the boarding house twice weekly to ensure that the common areas, private open space, car parking and general outside areas of the boarding house are kept clean, tidy and disinfected to a professional standard. Each room will be provided with a waste disposal container. The Manager will ensure that occupants place all non-recyclable waste in the garbage bins and that all recyclable waste is placed in the recycling bins provided.

Safety and Security

Residents, staff and visitors all have a collective legal and personal responsibility to assist in ensuring Living remains a safe environment. If you create or become aware of a potential hazardous situation (for example, exposed electrical wires, trip and slip hazard, etc.) you should report these to your residence office immediately. Internal signage will be prominently displayed to provide the Manager's contact details, as well as emergency contact numbers for essential services such as fire, ambulance, police, and utilities such as gas, electricity, plumbing, locksmith, security and cleaning services.

The Manager will provide occupants with a key to their room and the common areas once they have entered into a Lease Agreement. The Manager will check equipment, fittings and furnishings and maintain them in safe working order. If equipment is identified as unusable, these items will be tagged appropriately and a replacement or repair organised within a reasonable period. The Manager will ensure laundry facilities are maintained in safe working order within each room.

Tenant Selection

The Manager will ensure that all tenants submit a tenancy application, together with appropriate identification and verification checks prior to entering into a Lease Agreement. All tenants will be screened through the National Tenancy Database, criminal record, employment and reference checks.

Access to Boarding House

The boarding house is to be accessible 24 hours a day, 7 days a week and, where necessary, through the use of a security card to access particular areas of the boarding house (i.e. underground parking). Alternatively, access is to be provided by appointment with the Manager.

The opening hours of the communal areas shall be as follows, unless separately agreed with the Manager.

Outdoor communal areas - The outdoor communal areas will be available for use of the occupants, at all times, between 7:30am and 10:00pm, 7 days a week.

Indoor communal areas - The indoor communal areas will be available for use of occupants at all times between 6:00am and 10:00pm, 7 days a week.

Communal kitchen - The communal kitchen in the larger communal area will be available for use of the occupants, at all times, between the hours of 5:00am and 12 midnight, 7 days per week.

Occupation of Boarding House

A maximum of one (1) occupant is permitted in each single bed boarding room and two (2) occupants in each double bed boarding room which will be nominated on the Lease Agreement. Occupants will be provided with the following:

- A copy of this Plan of Management and a copy of their Lease Agreement.
- One (1) key per occupant to access their bedroom and designated communal areas as deemed necessary by the Manager.
- Access to all nominated communal areas deemed necessary by the Manager except basement vehicle parking unless specified as part of the occupant's Lease Agreement.
- Working door locks to individual rooms.
- A waste disposal container.
- Working laundry facilities within each room.
- A copy of the Fire Safety Plan.
- Fittings, equipment and furnishings which are maintained in safe working order.

Visitors

Any visitors will be accompanied at all times by an occupant of the boarding house. Visitors are only permitted on-site between 7:30am and 10:00pm, 7 days a week. Visitors will conduct themselves in a responsible and courteous manner while on the premises so as not to negatively impact the amenity of other occupants and surrounding residents. Occupants are responsible for ensuring all visitors comply with the House Rules. Failure to do so may result in visitors, and in certain cases occupants, being evicted from the boarding house.

Fire Safety

The boarding house will comply with essential fire safety measures outlined in the Environmental Planning and Assessment Regulation 2000, including but not limited to the following:

- A copy of the annual fire safety statement and current fire safety schedule for the boarding house will be prominently displayed in the boarding house entry area.
- A floor plan will be permanently fixed to the inside of the door of each room to indicate the available emergency egress routes.
- The Manager will be trained in relation to the operation of the approved Emergency Management and Evacuation Plan.
- The boarding house will obtain annual certification for the essential fire safety measures to comply with the Environmental Planning and Assessment Regulation 2000.

Notice Board

Appropriate notice boards will be placed around the boarding house to provide information to occupants. The notice boards are to be placed at the following locations to ensure equitable access to all residents:

- Within the entrance foyer and/or in the communal lounge rooms of the boarding house.
- On the ground floor opposite the lift.

Complaint Register

The Manager is to maintain a complaints register of both public (external) and occupant (internal) complaints. The register will contain forms to be completed by the Manager, occupants and/or complainants. The form is to record the name, address, phone number and date of any person making a complaint and the details of the complaint. Only complaints where all the above information is given are to be recorded in the register. The Manager (or, where appropriate, the owner) will respond to a complaint whether written or oral within 24 hours by telephone and provide the reference number of the complaint.

The Manager will respond within 7 days to a complaint in writing. Should more than 7 days be required to respond to the complaint, the Manager will advise the complainant of why additional time is required to address the issue and provide an approximate time frame to enable a response.

The complainant may request a meeting with the Manager to discuss the issue. The owner will be present at such a meeting. The Manager will keep minutes of any such meeting and attach these minutes to the Complaint Register. Incident Reports can be lodged by any person relating to an incident, crime, or nuisance associated with the premises. An Incident Report form will be made available by the Manager upon request. Incident Reports will be lodged with the Manager and actioned in accordance with the procedure outlined above.

Review of Plan of Management

The PoM will be reviewed on an annual basis and completed prior to 30 June. The Manager is responsible for overseeing each annual review and amending the PoM as necessary. The PoM (including House Rules) may be varied from time to time by the Council, on the application of the owner/Manager, without the need for formal modification of the development consent. Once modified, the Manager will provide an updated copy of the PoM to all occupants.

Signage:

The following signage must be conspicuously installed and maintained at the premises:

- The name and 24 hour contact number of the Boarding House Manager must be displayed externally at the front of the premises, as well as in the in the ground floor lobby area.
- **'No Smoking' or 'Smoke Free Premises' signage is to be displayed in all common** areas of the premises.
- The House Rules shall be displayed in the common area of the premises.
- The minimum length of stay of any guest shall be displayed in public view outside the premises.
- A schedule showing the numerical designation of each boarding room and the maximum number of persons permitted to be accommodated in each room must be displayed in the reception area.

Contacting "000"

When contacting "000", give the information set out below:

Standard Orders:

FIRE EMERGENCY PROCEDURE

- *Raise Alarm by phoning reception or activating the fire alarm or Dialling 000*
- *Assist anyone in danger if safe to do so*
- *Use extinguisher (if appropriately trained) to smother fire where safe to do so*
- *Move to assembly point on instruction from warden or when it is unsafe to remain in the area*
- *Assist employees, contractors and visitors to evacuate*
- *Remain at Evacuation Area until instructed by Warden or emergency services*

MEDICAL EMERGENCY

- *Check for any immediate dangers and control them only if safe to do so*
- *Do not move any casualties unless they are in a life threatening situation*
- *Notify the Emergency Warden or the First Aider*
- *Emergency warden or First Aider to coordinate call for ambulance on 000 and designate someone to meet them*
- *Provide support to First Aider or ambulance personnel if required*



Figure 1 – 2018 Aerial Photo (Source: Council Dekho records 2018)



Figure 2 – WLEP 2009 zoning map



Figure 3 – WLEP 2009 heritage map (heritage items in brown)

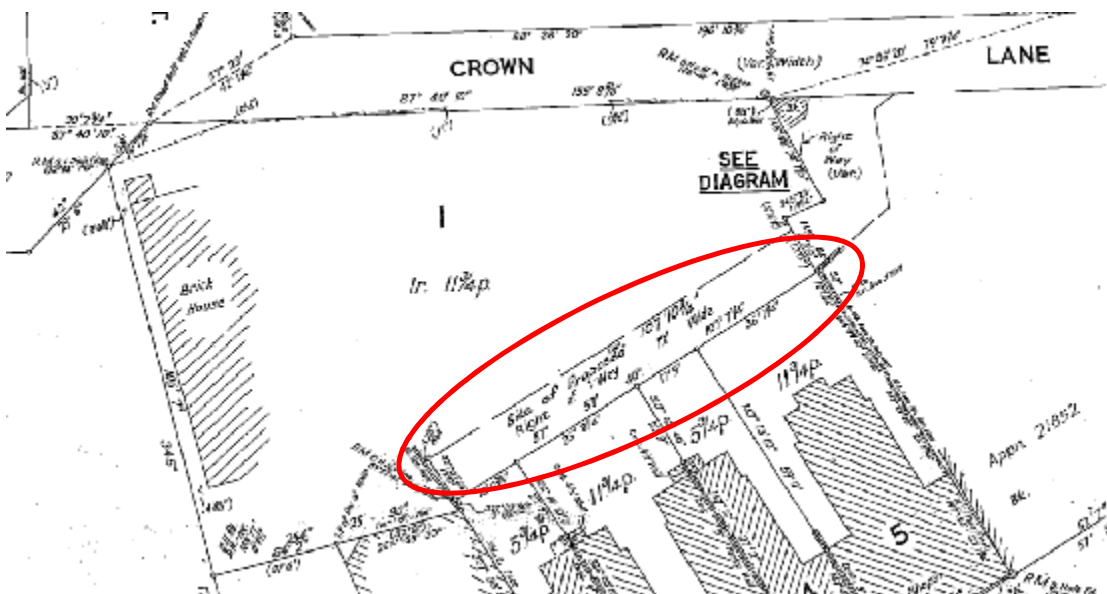


Figure 4 - Right of Way burdening Lot 1 DP 27990



Clause 4.6 Exception to Development Standard

Seeking variation of Wollongong Local Environmental Plan 2009 Development Standard:

- ◆ Clause 4.3 Height of Buildings

For development of a *Boarding House* (Student Accommodation) and *Commercial Premises* at:

- ◆ 9 Crown Lane, Wollongong NSW 2500 (Lot 1 DP27990)

1. Introduction

Clause 4.6 *Exceptions to Development Standards* of Wollongong Local Environmental Plan 2009 (LEP) permits Council the flexibility to grant consent for development where the development breaches a development standard of the LEP. The objective of clause 4.6 is to provide flexibility in applying certain development standards to particular development, and to achieve better town planning outcomes for and from development by allowing flexibility in particular circumstances.

Clause 4.6(1)-(5) of the LEP states the following:

4.6 Exceptions to development standards

(1) *The objectives of this clause are as follows:*

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

(2) *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*

(3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*

- (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

(4) Development consent must not be granted for development that contravenes a development standard unless:

(a) the consent authority is satisfied that:

- (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
- (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*

(b) the concurrence of the Secretary has been obtained.

(5) In deciding whether to grant concurrence, the Secretary must consider:

- (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
- (b) the public benefit of maintaining the development standard, and*
- (c) any other matters required to be taken into consideration by the Secretary before granting concurrence.*

This clause 4.6 Exception to Development Standard request accompanies a Statement of Environmental Effects and Development Application submitted to Wollongong City Council, seeking consent for the construction of a 9-storey building containing a *boarding house* (student accommodation) with ground floor *commercial premises* and 2 basement levels. As the proposed development results in a minor breach of the 32 m maximum height limit, a variation of clause 4.3 Height of Buildings is being sought.

This clause 4.6 request seeks to vary the following development standard of Wollongong Local Environmental Plan 2009:

♦ **Clause 4.3 – Height of Buildings**

This clause 4.6 request has been prepared in accordance with the relevant principles identified in the following NSW Land and Environment Court judgments:

- ♦ *Wehbe v Pittwater Council [2007] NSWLEC 827;*
- ♦ *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90;*
- ♦ *Micaul Holdings Pty Limited v Randwick City Council [2015] NSWLEC 1386; and*
- ♦ *Moskovich v Waverley Council [2016] NSWLEC 2015.*

2. Site Particulars

Address: 9 Crown Lane, Wollongong NSW 2500 (Lot 1 DP27990)

Land Use Zone: B3 Commercial Core

Maximum Building Height: 32 m

The subject site is located within the B3 Commercial Core zone, pursuant to Wollongong LEP 2009, as indicated in the Figure below. All adjacent properties are also within the B3 Commercial Core zone.



Figure 1 – Land Zoning Map

Source: Wollongong LEP 2009

The zoning table for the B3 Commercial Core zone provides the following:

Zone B3 Commercial Core

1 Objectives of zone

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

2 Permitted without consent

Building identification signs; Business identification signs

3 Permitted with consent

Advertising structures; Amusement centres; **Boarding houses**; Car parks; Centre-based child care facilities; **Commercial premises**; Community facilities; Educational establishments; Entertainment facilities; Exhibition homes; Function centres; Helipads; Hostels; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Self-storage units; Seniors housing; Service stations; Sex services premises; Shop top housing; Tourist and visitor accommodation; Veterinary hospitals; Wholesale supplies

4 Prohibited

Any development not specified in item 2 or 3

Development for the purposes of *Boarding Houses* and *Commercial Premises*, are therefore permissible with consent.

The Dictionary to LEP 2009 provides the following relevantly applicable definitions of **Boarding Houses** and **Commercial Premises**.

boarding house means a building that:

- (a) is wholly or partly let in lodgings, and
- (b) provides lodgers with a principal place of residence for 3 months or more, and
- (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
- (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers, but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

Note.

Boarding houses are a type of residential accommodation—see the definition of that term in this Dictionary.

commercial premises means any of the following:

- (a) business premises,
- (b) office premises,
- (c) retail premises.

3. **Clause 4.3 Height of Buildings Development Standard**

2.1 Nature of variation

This request for variation of the maximum height limit development standard is submitted in relation to the minor contravention, in part, of the roof of the proposed development at the subject site.

Clause 4.3 states the following:

4.3 Height of buildings

(1) *The objectives of this clause are as follows:*

- (a) *to establish the maximum height limit in which buildings can be designed and floor space can be achieved,*
- (b) *to permit building heights that encourage high quality urban form,*
- (c) *to ensure buildings and public areas continue to have views of the sky and receive exposure to sunlight.*

(2) *The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.*

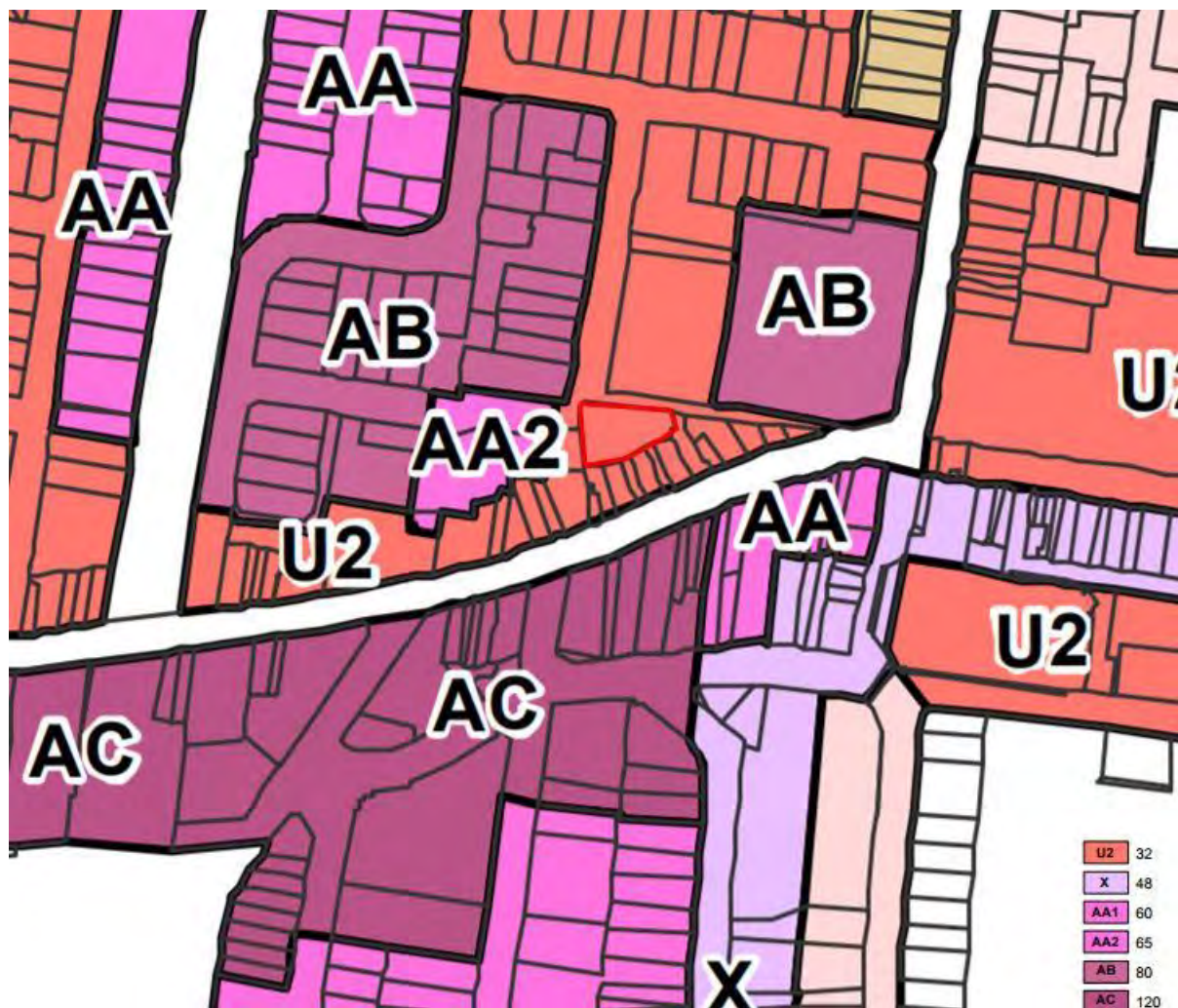


Figure 2 - Height of Buildings Map

Source: Wollongong LEP 2009

As shown in the Figure above, the site is located in Area U2 which has a 32 m maximum building height limit.

The LEP defines building height as follows:

building height (or **height of building**) means:

(a) in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or

(b) in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building,

including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

The proposal has a minor exceedance of the maximum building height limit in two locations where a portion of the roof form exceeds the maximum 32 m height limit by 320 mm and 65 mm. The minor breaches of the maximum building height plane are shown on Drawing DA-17 as being in two small portions of the roofline that are 65 mm and 320 mm above the maximum building height limit.

This clause 4.6 Exception to Development Standard seeks to quantify and justify the minor height exceedance and to seek Council's approval for variation of the Development Standard found at clause 4.3 of the LEP, given the circumstances of this case.

4. Proposed Variation to Height of Buildings Development Standard

The locations of the two minor breaches of the maximum roof height are shown in the Figure below.

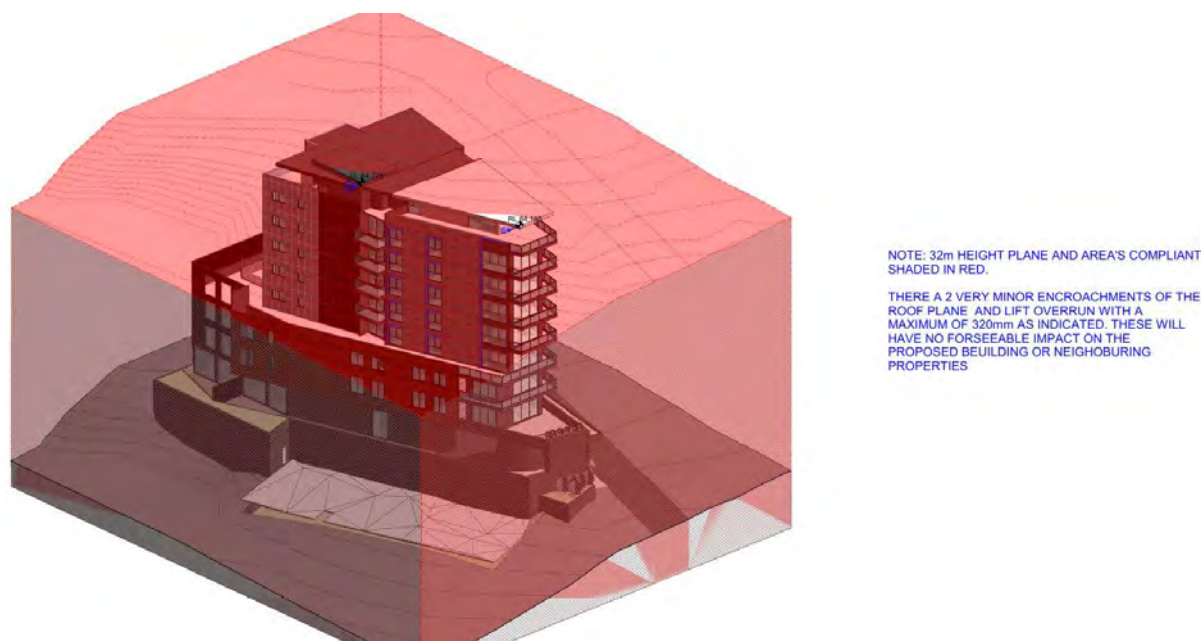


Figure 3 – Breach of Maximum Building Height

Source: PRD Architects

Figure 3 above shows the extent of the 32 m maximum height limit breaches to be 320 mm and 65 mm. This equates to exceedances of the 32 m height limit of 1 % and 0.2 % respectively.

5. Justification for Contravention of the Development Standard

5.1 *Clause 4.6(3)(a) – that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case*

In *Wehbe v Pittwater Council [2007] NSW LEC 827*, Chief Justice Preston expressed the view that there are five ways in which an objection may be well founded and that approval of the objection may be consistent with the aims of the policy. The five tests outlined in *Wehbe v Pittwater [2007] NSW LEC 827* are as follows:

The Five Tests	Comment
1. The objectives of the standard are achieved notwithstanding non-compliance with the standard.	This clause 4.6 Exception to Development Standard examines the objectives of clause 4.3 of the LEP and demonstrates that these objectives are achieved notwithstanding the non-compliance with the clause 4.3

The Five Tests	Comment
	development standard. Approval of this request to vary the Maximum Height of Building Development Standard to permit two minor and partial breaches of the maximum 32 m building height, would not undermine the objectives of the Development Standard.
2. The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary.	<p>The underlying objective of clause 4.3 is to ensure that development is contained within the established height limits, provides high quality urban form, and ensures that buildings and public areas continue to have views of the sky and receive exposure to sunlight.</p> <p>The proposal is for the most part contained within maximum height limit of 32 m, however due to existing site constraints such as the 4 m fall in topography of the site from west to east, full compliance has not been achieved in this instance and two minor breaches of the 32 metre maximum height limit of occurs where the proposed roof form protrudes 320 mm and 65 mm above the height limit (refer DWG DA-17 EXTENT HEIGHT OVERRUN). Approval of the variation would not result in any significant additional impact upon access to views of the sky and sunlight and would retain the high quality architectural design of the proposed development and strict adherence with the development standard is therefore considered to be unnecessary, given the circumstances of this case.</p>
3. The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable.	The underlying object or purpose of the Development Standard is to establish a maximum height within which high quality urban form buildings may be developed, while ensuring that other buildings and public areas continue to have views of the sky and receive exposure to sunlight. Allowing a minor variation to the 32 m maximum building height Development Standard to permit the roof form in two small locations to be 320 mm and 65 mm above the maximum height limit would not contradict the underlying object or purpose of the Development Standard. The partial height exceedances are the result of the site topography falling 4 metres across the site. The additional impact of allowing the partial height exceedances of the roof form would be imperceptible.
4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard	This Exception to Development Standard request does not rely on this reason.

The Five Tests	Comment
is unnecessary and unreasonable.	
5. The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable and unnecessary. That is, the particular parcel of land should not have been included in the particular zone.	This Exception to Development Standard request does not rely on this reason.

5.2 *Clause 4.6(3)(b) – that there are sufficient environmental planning grounds to justify contravening the development standard*

The objectives of clause 4.3 of Wollongong Local Environmental Plan 2009 are:

Height of buildings

(1) The objectives of this clause are as follows:

- (a) to establish the maximum height limit in which buildings can be designed and floor space can be achieved,*
- (b) to permit building heights that encourage high quality urban form,*
- (c) to ensure buildings and public areas continue to have views of the sky and receive exposure to sunlight.*

The subject site is zoned B3 Commercial Core. The proposed Architectural design is considered to be an appropriate design response, given the site's constraints. The site survey plan shows that the site has a fall of approximately 4 m along its Crown Lane frontage from the western boundary at RL 34.80 to its eastern boundary at RL 30.84. The Architectural roof form has been designed to be as flat as possible, however strict compliance is difficult to achieve given the site's constraints. It is thus considered that given the minor nature of the breach (of 320 mm and 65 mm), its likely imperceptibility and absence of any significant adverse impact upon surrounding buildings and the public domain, that strict compliance with the development standard would be unreasonable and unnecessary in the circumstances of this case and that the proposed variation to clause 4.3 Height of buildings development standard, should be upheld by the consent authority.

The proposal is, for the most part, contained within its maximum height limit of 32 m, however due to existing site constraints such as the 4 m fall in topography of the site from west to east, full compliance is difficult to achieve in this instance. As a result two minor breaches of the 32 metre maximum height limit occur where the proposed roof form protrudes 320 mm and 65 mm above the height limit (refer DWG DA-17 EXTENT HEIGHT OVERRUN). The roof form has been designed as flat as possible to minimise this breach, insofar as is possible. Approval of the variation would not result in any significant additional impact upon access to views of the sky and sunlight and would retain the high quality architectural design of the proposed development and strict adherence with the development standard is therefore considered to be unnecessary, given the circumstances of this case.

- 5.3 *Clause 4.6(4)(a)(i) –the applicant’s written request has adequately addressed the matters required to be demonstrated by subclause (3)*

It is considered that this written request to seek Council’s consent to vary the clause 4.3 Height of Buildings Development Standard under the provisions of clause 4.6 Exception to Development Standards has suitably addressed the matters required to be demonstrated.

- 5.4 *Clause 4.6(4)(a)(ii) – the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out*

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

- ◆ **To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.**

The proposal comprises a mixed use development including a *Boarding House*, providing multi-storey student accommodation, with ground floor *Commercial Premises* in the form of a 9-storey building fronting Crown Lane. The site is located within the Wollongong Central Business District and the proposed development would provide opportunities for housing diversity by providing student accommodation and future retail/commercial/office premises to be provided at ground floor level that would compliment the boarding house and the CBD locality. The design of the development ensures that the mix of uses can effectively co-exist. The proposed development is for a mixed use development of the site for use as a Boarding House and Commercial Premises are permissible land uses in the B3 Commercial Core zone.

◆ **To encourage appropriate employment opportunities in accessible locations.**

The subject site is situated within Wollongong City Centre which is considered to be an accessible location. The provision of a mixed-use, multi-storey *Boarding House* with ground floor *Commercial Premises* development within the Wollongong City Centre is consistent with this objective as it would integrate mixed use development including additional housing supply within the city of Wollongong while also providing additional employment opportunities through the provision of new commercial tenancies. The proposed development is therefore considered to be consistent with this objective of the B3 Commercial Core zone.

◆ **To maximise public transport patronage and encourage walking and cycling.**

The proposed development provides an additional 95 Boarding House suites for use as student accommodation within the Wollongong City Centre. The increase in resident population would enhance the viability of the nearby commercial centres and are within walking distance. The proposal discourages private car usage by providing the minimum on-site car parking, as per Council's requirements and includes ample bicycle storage facilities in the basement levels to facilitate viable active transport options for the future residents.

◆ **To strengthen the role of the Wollongong city centre as the regional business, retail and cultural centre of the Illawarra region.**

The increased resident population would strengthen the role of the Wollongong City Centre as a regional business, retail and cultural centre of the Illawarra region, while also strengthening the role of local University providers, by providing an alternative for student accommodation in the locality.

◆ **To provide for high density residential development within a mixed use development if it:**
(a) is in a location that is accessible to public transport, employment, retail, commercial and service facilities, and
(b) contributes to the vitality of the Wollongong city centre.

It is considered that the proposed high density residential development is within a mixed-use development, in an accessible location and would contribute to the vitality of the Wollongong City Centre. The proposal remains consistent with the above objectives and provides a development which otherwise generally complies with the relevant environmental planning controls, specifically building height and floor space ratio. Based on the above, the proposed exception to the development standard is considered to be meet the objectives of the B3 Commercial Core zone.

Approval of the proposed clause 4.6 Exception to Development Standard is considered to be in the public interest. It is also considered that strict adherence with the development standard would be unreasonable and unnecessary given the circumstances of this case and the proposed variation to clause 4.3 should be supported.

Clause 4.6 Exception to Development Standard

Seeking variation of Wollongong Local Environmental Plan 2009 Development Standard:

- ◆ Clause 8.6 Building Separation within Zone B3 Commercial Core or Zone B4 Mixed Use

For development of a *Boarding House* (Student Accommodation) and *Commercial Premises* at:

- ◆ 9 Crown Lane, Wollongong NSW 2500 (Lot 1 DP27990)

1. Introduction

Clause 4.6 *Exceptions to Development Standards* of Wollongong Local Environmental Plan 2009 (LEP) permits Council the flexibility to grant consent for development where the development breaches a development standard of the LEP. The objective of clause 4.6 is to provide flexibility in applying certain development standards to particular development, and to achieve better town planning outcomes for and from development by allowing flexibility in particular circumstances.

Clause 4.6(1)-(5) of the LEP states the following:

4.6 Exceptions to development standards

(1) *The objectives of this clause are as follows:*

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

(2) *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*

(3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*

- (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

(4) Development consent must not be granted for development that contravenes a development standard unless:

(a) the consent authority is satisfied that:

- (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
- (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*

(b) the concurrence of the Secretary has been obtained.

(5) In deciding whether to grant concurrence, the Secretary must consider:

- (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
- (b) the public benefit of maintaining the development standard, and*
- (c) any other matters required to be taken into consideration by the Secretary before granting concurrence.*

This clause 4.6 Exception to Development Standard request accompanies a Statement of Environmental Effects and Development Application submitted to Wollongong City Council, seeking consent for the construction of a 9-storey building containing a *boarding house* (student accommodation) with ground floor *commercial premises* and 2 basement levels. As the proposed development results in a minor breach of the minimum building separation development standard, a variation of clause 8.6 Building separation within Zone B3 Commercial Core is being sought.

This clause 4.6 request seeks to vary the following development standard of Wollongong Local Environmental Plan 2009:

- ♦ Clause 8.6 Building separation within Zone B3 Commercial Core or Zone B4 Mixed Use

This clause 4.6 request has been prepared in accordance with the relevant principles identified in the following NSW Land and Environment Court judgments:

- ♦ *Wehbe v Pittwater Council [2007] NSWLEC 827;*
- ♦ *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90;*
- ♦ *Micaul Holdings Pty Limited v Randwick City Council [2015] NSWLEC 1386; and*
- ♦ *Moskovich v Waverley Council [2016] NSWLEC 2015.*

2. Site Particulars

Address: 9 Crown Lane, Wollongong NSW 2500 (Lot 1 DP27990)

Land Use Zone: B3 Commercial Core

The subject site is located within the B3 Commercial Core zone, pursuant to Wollongong LEP 2009, as indicated in the Figure below. All adjacent properties are also within the B3 Commercial Core zone.

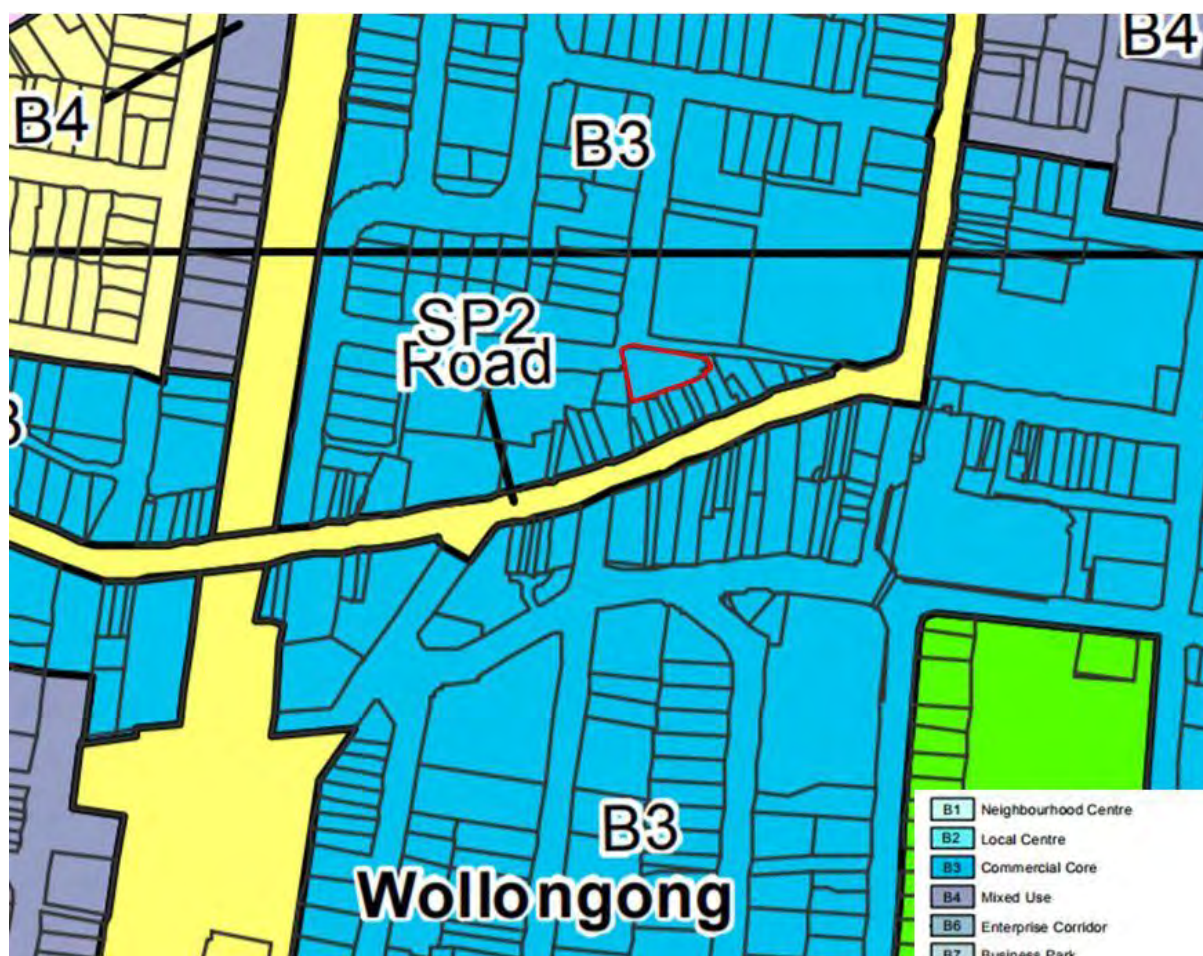


Figure 1 – Land Zoning Map

Source: Wollongong LEP 2009

The zoning table for the B3 Commercial Core zone provides the following:

Zone B3 Commercial Core

1 Objectives of zone

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

2 Permitted without consent

Building identification signs; Business identification signs

3 Permitted with consent

Advertising structures; Amusement centres; **Boarding houses**; Car parks; Centre-based child care facilities; **Commercial premises**; Community facilities; Educational establishments; Entertainment facilities; Exhibition homes; Function centres; Helipads; Hostels; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Self-storage units; Seniors housing; Service stations; Sex services premises; Shop top housing; Tourist and visitor accommodation; Veterinary hospitals; Wholesale supplies

4 Prohibited

Any development not specified in item 2 or 3

Development for the purposes of *Boarding Houses* and *Commercial Premises*, are therefore permissible with consent. The Dictionary to LEP 2009 provides the following relevantly applicable definitions of **Boarding Houses** and **Commercial Premises**.

boarding house means a building that:

- (a) is wholly or partly let in lodgings, and
- (b) provides lodgers with a principal place of residence for 3 months or more, and
- (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
- (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers, but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

Note.

Boarding houses are a type of residential accommodation—see the definition of that term in this Dictionary.

commercial premises means any of the following:

- (a) business premises,
- (b) office premises,
- (c) retail premises.

3. **Clause 8.6 Building separation within Zone B3 Commercial Core or Zone B4 Mixed Use**

2.1 Nature of variation

This request for variation of the minimum building separation development standard is submitted in relation to the minor contravention, in part, of the proposed development at the subject site.

Clause 8.6 of Wollongong LEP 2009 states the following:

8.6 Building separation within Zone B3 Commercial Core or Zone B4 Mixed Use

- (1) The objective of this clause is to ensure sufficient separation of buildings for reasons of visual appearance, privacy and solar access.
- (2) Buildings on land within Zone B3 Commercial Core or B4 Mixed Use must be erected so that:
 - (a) there is no separation between neighbouring buildings up to the street frontage height of the relevant building or up to 24 metres above ground level whichever is the lesser, and
 - (b) there is a distance of at least 12 metres from any other building above the street frontage height and less than 45 metres above ground level, and
 - (c) there is a distance of at least 28 metres from any other building at 45 metres or higher above ground level.
- (3) Despite subclause (2), if a building contains a dwelling, all habitable parts of the dwelling including any balcony must not be less than:
 - (a) 20 metres from any habitable part of a dwelling contained in any other building, and
 - (b) 16 metres from any other part of any other building.
- (4) For the purposes of this clause, a separate tower or other raised part of the same building is taken to be a separate building.
- (5) In this clause:
street frontage height means the height of that part of a building that is built to the street alignment.

As shown in Figure 1 above, the site is located in the B3 Commercial Core zone to which the clause 8.6 building separation development standard applies.

The LEP provides no definition of building separation, but defines building line or setback as follows:

building line or setback means the horizontal distance between the property boundary or other stated boundary (measured at 90 degrees from the boundary) and:
 (a) a building wall, or
 (b) the outside face of any balcony, deck or the like, or
 (c) the supporting posts of a carport or verandah roof,
 whichever distance is the shortest.

This clause 4.6 Exception to Development Standard seeks to quantify and justify non-compliances with the minimum building separation development standard and to seek Council's approval for variation of the Development Standard found at clause 8.6 of the LEP, given the circumstances of this case.



Figure 2 – Existing development to the west (1A Rawson Street)

Source: Nearmap

To the west of the site's Crown Lane frontage, where Crown Lane meets Rawson Street, the site adjoins a commercial use building located at 1A Rawson Street with 0 m setback for the first 4 storeys (the street wall height). Above the street wall height, the fifth storey of the proposed boarding house is setback 8.80 m from the uppermost level of 1A Rawson Street, which contravenes the development standard that requires at least a 12 m building separation. It is noted that the 3.2 m non-compliance with the building separation requirement is limited to only the level above the street wall height and is opposite an existing blank side boundary wall of 1A Rawson Street (see Figure above). Furthermore, all other upper levels of the proposed boarding house would have outlook over no. 1A Rawson Street and therefore comply with

the 12 m building separation. Variation of the development standard, in this instance, to permit an 8.80 m building separation to a blank wall is therefore considered to have no potential adverse impact upon the visual appearance, privacy and solar access of no. 1A Rawson Street.



Figure 3 – Existing development to the east (5 Crown Lane)

Source: Nearmap

To the east of the Crown Lane frontage of the site is a commercial use building located at 5 Crown Lane, known as the Kneading Ruby restaurant. This building is setback from the site's side boundary and currently does not provide for the 0 m separation between neighbouring buildings up to the street frontage height as its vehicular access, parking and loading are provided for along this space (see figure above). The boarding house development is proposed to be built to the boundary with 0 m setback along 8.9 m of this side boundary with 5 Crown Lane.

The subject site is also constrained by a right of way in favour of Princes Highway buildings that provides rear lane access to the commercial buildings located at 254-264 Crown Street to the south, via the driveway at 5 Crown Lane. As this right of way is a restriction on the site's title that cannot be built upon, the rear 4.8 m portion of the proposed building's boundary with no. 5 Crown Lane remains undeveloped.

The Level 1 Entry of the proposed development would have no outlook to the east as the proposed basement vehicular access and enclosing walls are built to the boundary. Level 2 which forms the proposed street wall height here, has outlook over the height of the adjacent building at no. 5 Crown Lane.

To the south of the site are commercial use buildings located between nos 248 – 272A Crown Street (Princes Highway). As demonstrated in drawings DA-16 and DA-25, due to the elevated site topography of Crown Lane compared to the lower Crown Street, the proposed Basement 1 Level protrudes above ground at the rear of the site and is above the level of all buildings to the south fronting Crown Street. Thus all habitable levels of the boarding house development are proposed sit above the level of these roofs with outlook over the top of those commercial buildings fronting Crown Street (Princes Highway).

Notwithstanding that the proposed habitable levels are proposed with southern outlook over the height of the commercial buildings to the south, the Basement 1 Level results in the following building separation distances as shown on drawing DA-03 being:

- ◆ 6.940 m with the rear façade of no. 272A Crown Street (Wollongong Bakery);
- ◆ 1.875 m – 6.940 with angled rear façade of 272 Crown Street (Heyday Bar and Fredy's Café);
- ◆ 1.525 m with angled rear façade of nos 266-268 Crown Street (H&R Block);
- ◆ 11.575 m with no. 260-262 Crown Street (Mays Alterations);
- ◆ 11.645 m with no. 258-260 Crown Street (Tobacconist & Adult Shop); and
- ◆ 10.680 m with no. 256 Crown Street (Liz Fashion Shop)

The variable building separation distances are a result of the irregular site boundary and the varied rear boundary setbacks of existing site improvements to the south.

The relevant part of the building separation development standard at clause 8.6(3) requires that:

- (3) Despite subclause (2), if a building contains a dwelling, all habitable parts of the dwelling including any balcony must not be less than:*
 - (a) 20 metres from any habitable part of a dwelling contained in any other building, and*
 - (b) 16 metres from any other part of any other building.*

It is noted that the separation distances listed above are between the non-habitable Basement 1 Level and the neighbouring commercial premises to the south. As such, the building separation development standard does not relevantly apply to the proposed basement levels and as the habitable levels above shall have outlook over the equivalent height of the neighbouring buildings to the south. Therefore it is considered that the southern building separations of the proposal complies with this development standard.

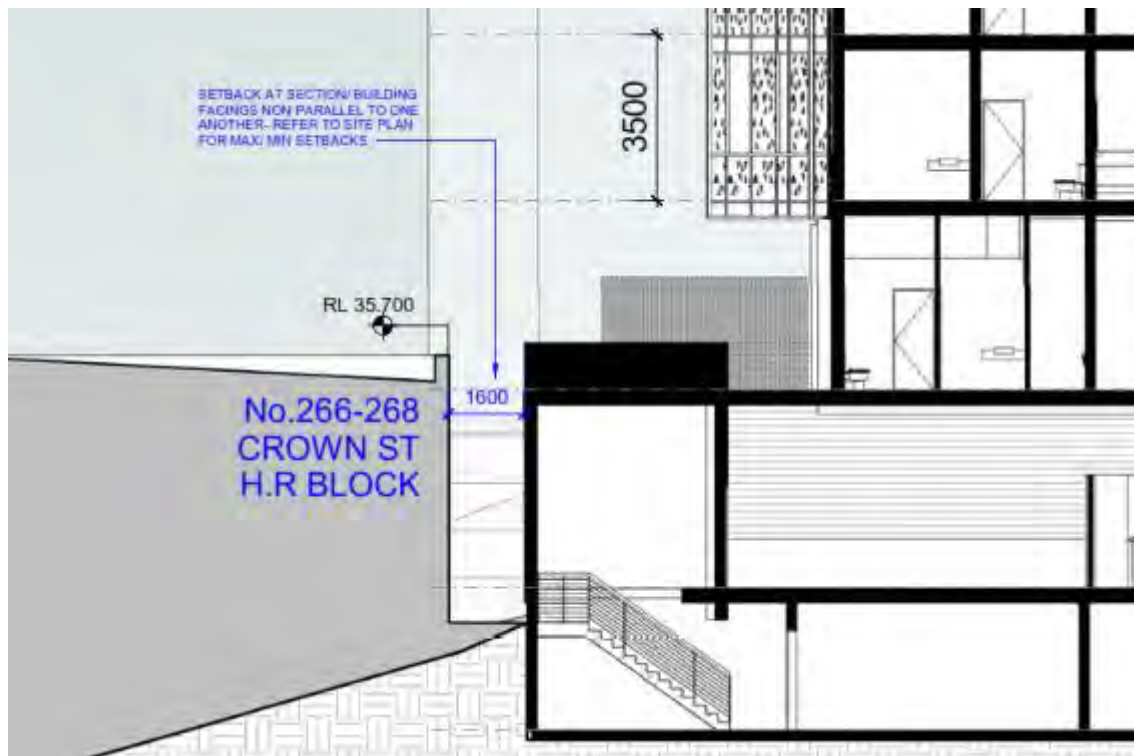


Figure 4 – Basement level separations with development to the south

Source: PRD Architects

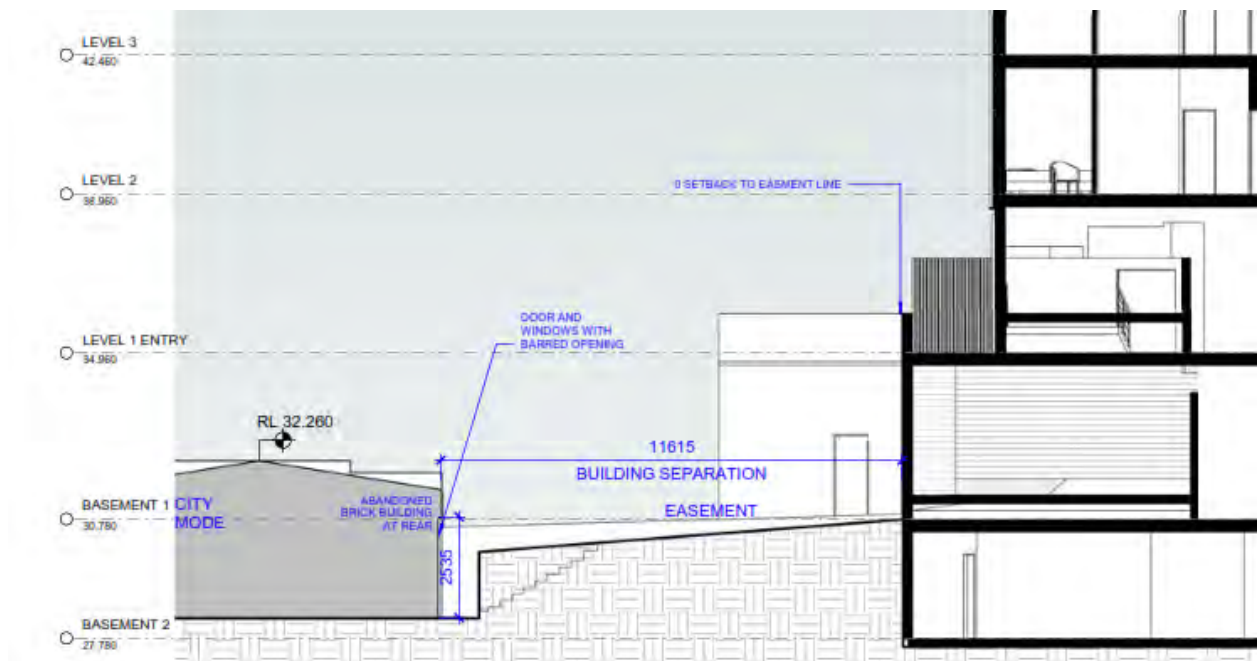


Figure 5 – Basement level separations with development to the south

Source: PRD Architects

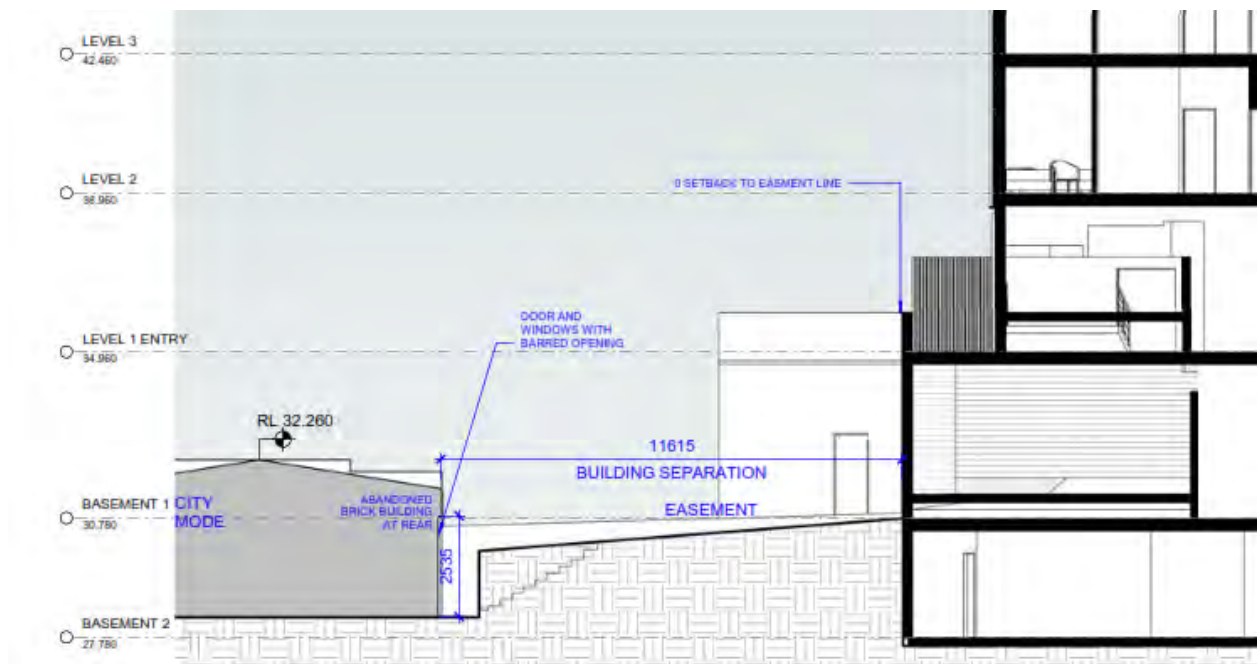


Figure 6 – Basement level separations with development to the south

Source: PRD Architects

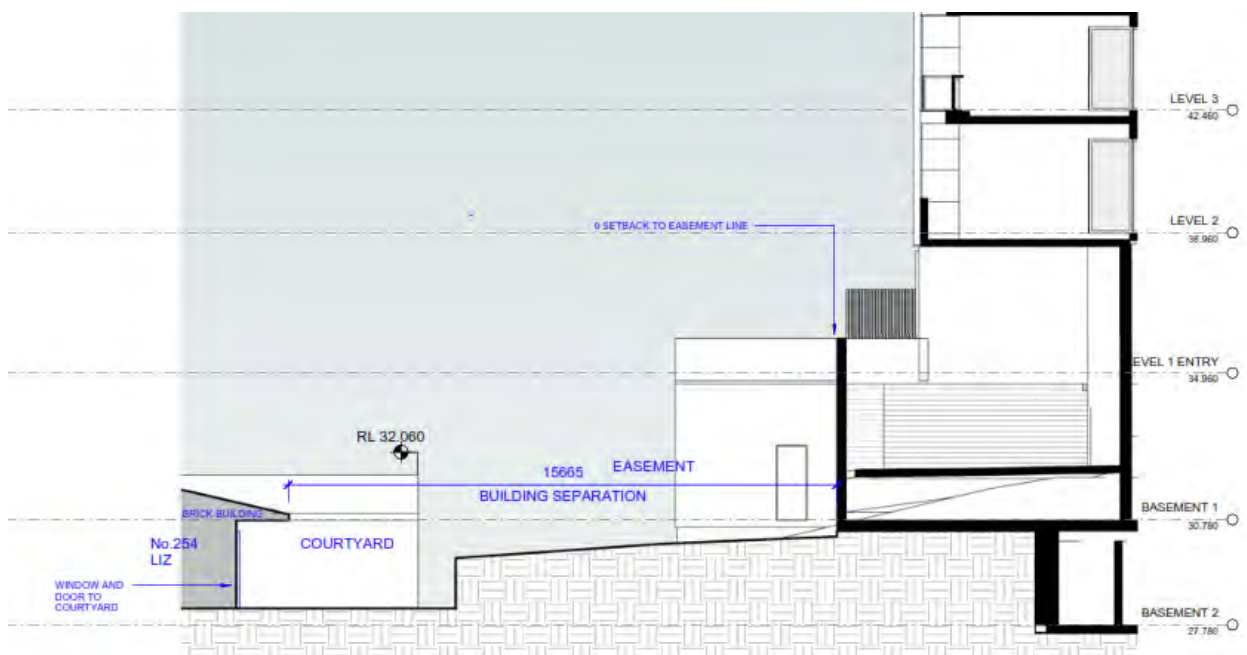


Figure 7 – Basement level separations with development to the south

Source: PRD Architects

4. Proposed Variation to Building Separation Development Standard

A minor breach of the minimum building separation development standard occurs at the proposed Level 4 western setback to no. 1 Rawson Street, which provides an 8.8 m building separation above the street wall height that is 3.2 m below the minimum 12 m building separation requirement, as shown in the Figure below. It is noted that the Level 4 side setback above the street wall height creates a western terrace for the amenity of future occupants of the proposal and has outlook to a blank wall on the neighbouring building's top floor and that all upper levels of the proposed development have western outlook over the equivalent height of no. 1 Rawson Street.

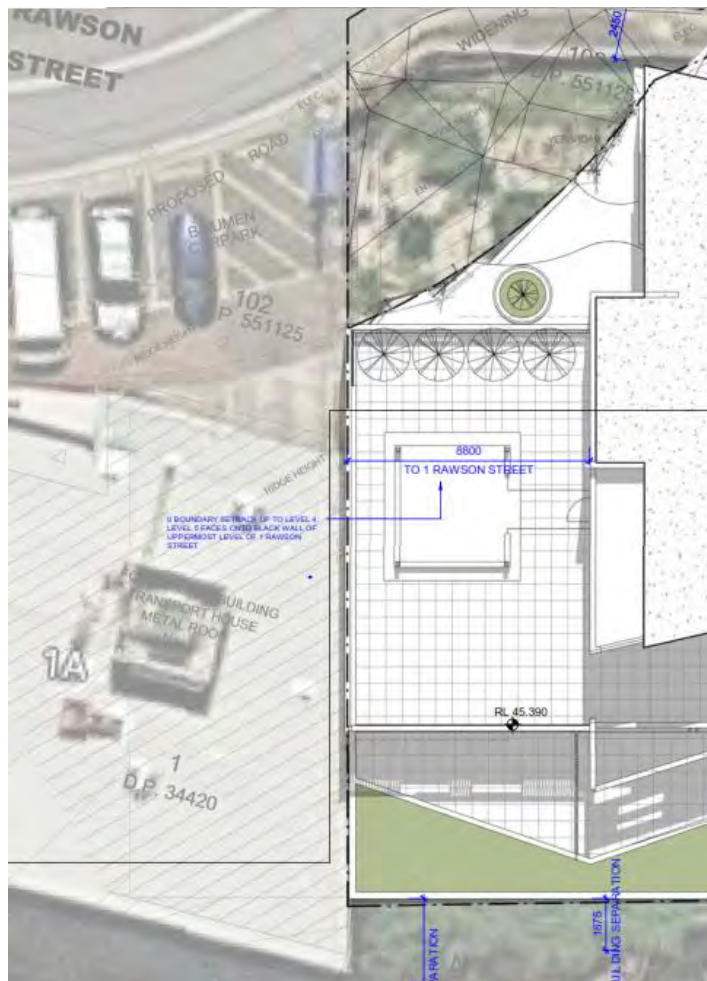


Figure 8 – Breach of Minimum Building Separation

Source: PRD Architects

The eastern boundary is proposed to be constructed with 0 m side setback at the boundary with no. 5 Crown Lane (a commercial use building, Kneading Ruby restaurant) with a street wall height that appropriately responds to the equivalent height of no. 5 Crown Lane and therefore complies with the building separation requirement. The proposal provides non-habitable basement level access and enclosure walls at the side boundary with no. 5 Crown Lane. Level 1 Entry has no eastern outlook from habitable areas and the Level 2 terrace has eastern outlook over the height of no. 5 Crown Lane (Kneading Ruby) and therefore complies with the building separation requirement (refer Drawing CD07).

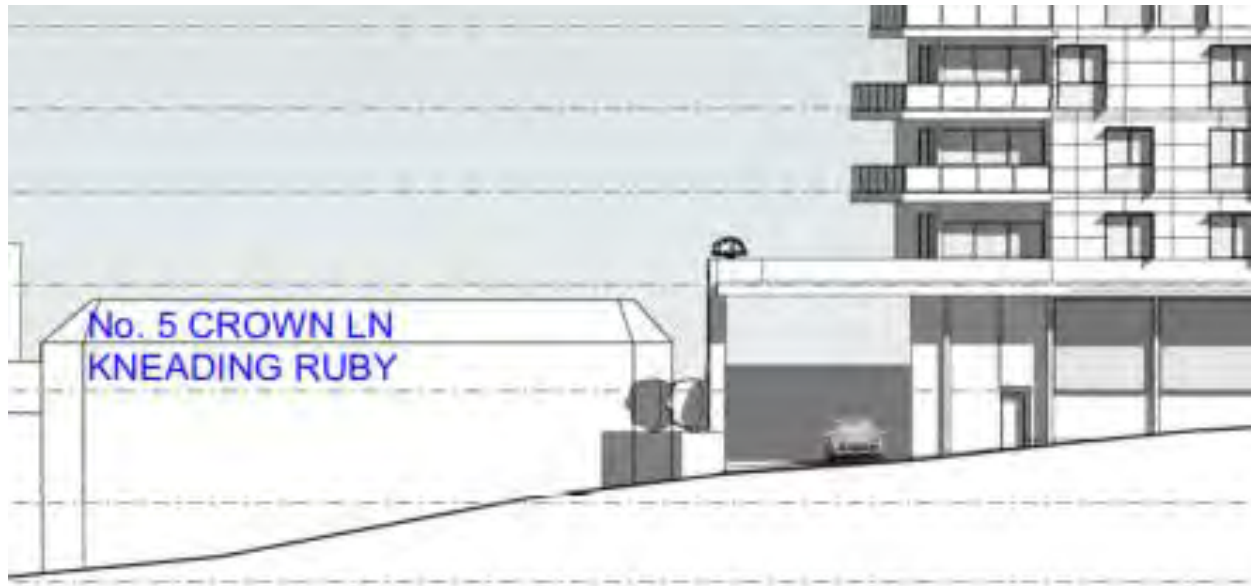


Figure 9 – Showing compliant 0 m side boundary setback

Source: PRD Architects

Also as noted above in Figures 4, 5, 6 & 7, the southern separation distances are between the non-habitable Basement 1 Level and the neighbouring commercial premises to the south. As such, the 16 m and 20 m minimum separation distances do not apply to the basement level and with the upper habitable levels of the development having no equivalent height development to the south and having outlook over the height of the commercial premises to the south, the proposal is therefore considered to comply with the building separation development standard.

5. Justification for Contravention of the Development Standard

- 5.1 *Clause 4.6(3)(a) – that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case*

In *Wehbe v Pittwater Council [2007] NSW LEC 827*, Chief Justice Preston expressed the view that there are five ways in which an objection may be well founded and that approval of the objection may be consistent with the aims of the policy. The five tests outlined in *Wehbe v Pittwater [2007] NSW LEC 827* are as follows:

The Five Tests	Comment
1. The objectives of the standard are achieved notwithstanding non-compliance with the standard.	This clause 4.6 Exception to Development Standard examines the objectives of clause 8.6 of the LEP and demonstrates that these objectives are achieved notwithstanding the non-compliance with the clause 8.6 development standard. Approval of this request to vary the minimum Building Separation Development Standard to permit one minor and partial breach of the minimum building separation development standard, would not undermine the objectives of the Development Standard.
2. The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary.	<p>The underlying objective of clause 8.6 is to ensure that there is sufficient separation of buildings for reasons of visual appearance, privacy and solar access.</p> <p>The proposal is, consistent with the 0 m side boundary setback to create a 'street wall' along its Crown Lane frontage and interface with no. 1A Rawson Street to the west and no. 5 Crown Lane to the east.</p> <p>Separation distances proposed to the south and east have no equivalent height buildings at the habitable levels of the proposed boarding house above the basement car parking levels. Due to the fall in topography, buildings to the south are at a lower elevation which would interface with the proposed basement level that protrudes above ground level at the rear of the site. The habitable levels of the proposal therefore, have outlook to the south and east directions that are over the equivalent height of neighbouring buildings and therefore comply with the building separation requirements, notwithstanding that the basement levels themselves.</p> <p>Separation distances to the west, above the height of the 'street wall' are proposed to be 8.8 m to the Level 4 terrace, which contravenes the minimum 12 m building separation distance required to the side boundary tower element, above the height of the street wall. The outlook from the Level 4 terrace is to the blank top floor of 1A Rawson Street to the west and upper levels</p>

The Five Tests	Comment
	<p>of the proposed boarding house have outlook over 1A Rawson Street with no equivalent height building. Therefore, the non-compliance is limited to a 3.2 m breach of the minimum building separation requirement at Level 4 only that has outlook to a blank wall and does not affect any visual appearance, privacy or solar access to 1A Rawson Street.</p>
<p>3. The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable.</p>	<p>The underlying object or purpose of the Development Standard of clause 8.6 is to ensure that there is sufficient separation of buildings for reasons of visual appearance, privacy and solar access. Allowing a minor variation to the 12 m minimum Building Separation Development Standard above the street wall height, to permit the western tower element to be 3.2 m closer to the western boundary would not contradict the underlying object or purpose of the Development Standard. The partial breach of the 12 m minimum setback would affect only the top floor building separation at no. 1A Rawson Street to the west, which presents a blank wall to the subject site. All other upper levels of the proposed boarding house have outlook over the equivalent height of no. 1A Rawson Street and comply with the Development Standard. The additional impact of allowing the partial breach of the minimum 12 m building separation distance would not result in any floor space ratio control breaches, nor any adverse bulk and scale impacts. Therefore strict compliance with the Development Standard is considered to be unreasonable, given the circumstances of this case.</p>
<p>4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable.</p>	<p>This Exception to Development Standard request does not rely on this reason.</p>
<p>5. The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable and unnecessary. That is, the particular parcel of land should not have been included in the particular zone.</p>	<p>This Exception to Development Standard request does not rely on this reason.</p>

- 5.2 *Clause 4.6(3)(b) – that there are sufficient environmental planning grounds to justify contravening the development standard*

The objective of clause 8.6 of Wollongong Local Environmental Plan 2009 is:

- ◆ **to ensure sufficient separation of buildings for reasons of visual appearance, privacy and solar access.**

The proposal, for the most part, remains consistent with the relevantly applicable building separation requirements, however due to existing constraints such as the wedge-shape of the site, creating opportunities for the bulk of the lot's development potential within the larger western portion of the site, an opportunity exists to utilise the western portion of the site to provide the bulk of the student housing. As a result a minor breaches of the 12 metre minimum building separation development standard occurs at Level 4 where the tower element sits 8.8 m setback from the side western boundary at the podium level 'street wall'. The non-compliant setback affects only Level 4 which has outlook to the side blank wall with no visual, privacy or solar access impact upon the neighbouring building, and all upper levels remain compliant as they have outlook over the neighbouring building at 1A Rawson Street. The roof form has been designed as flat as possible to minimise this breach, insofar as is possible. Approval of the variation would not result in any significant additional impact upon 1A Rawson street, other surrounding buildings or the public domain and strict adherence with the development standard is therefore considered to be unreasonable and unnecessary, given the circumstances of this case and that the proposed variation to clause 'clause 8.6 Building Separation within Zone B3 Commercial Core' Development Standard, should be upheld by the consent authority.

- 5.3 *Clause 4.6(4)(a)(i) –the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3)*

It is considered that this written request to seek Council's consent to vary 'clause 8.6 Building Separation within Zone B3 Commercial Core' Development Standard under the provisions of clause 4.6 Exception to Development Standards has suitably addressed the matters required to be demonstrated.

- 5.4 *Clause 4.6(4)(a)(ii) – the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out*

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

- ◆ **To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.**

The proposal comprises a mixed use development including a *Boarding House*, providing multi-storey student accommodation, with ground floor *Commercial Premises* in the form of a 9-storey building fronting Crown Lane. The site is located within the Wollongong Central Business District and the proposed development would provide opportunities for housing diversity by providing student accommodation and future retail/commercial/office premises to be provided at ground floor level that would compliment the boarding house and the CBD locality. The design of the development ensures that the mix of uses can effectively co-

exist. The proposed development is for a mixed use development of the site for use as a Boarding House and Commercial Premises are permissible land uses in the B3 Commercial Core zone.

◆ **To encourage appropriate employment opportunities in accessible locations.**

The subject site is situated within Wollongong City Centre which is considered to be an accessible location. The provision of a mixed-use, multi-storey *Boarding House* with ground floor *Commercial Premises* development within the Wollongong City Centre is consistent with this objective as it would integrate mixed use development including additional housing supply within the city of Wollongong while also providing additional employment opportunities through the provision of new commercial tenancies. The proposed development is therefore considered to be consistent with this objective of the B3 Commercial Core zone.

◆ **To maximise public transport patronage and encourage walking and cycling.**

The proposed development provides an additional 95 Boarding House suites for use as student accommodation within the Wollongong City Centre. The increase in resident population would enhance the viability of the nearby commercial centres and are within walking distance. The proposal discourages private car usage by providing the minimum on-site car parking, as per Council's requirements and includes ample bicycle storage facilities in the basement levels to facilitate viable active transport options for the future residents.

◆ **To strengthen the role of the Wollongong city centre as the regional business, retail and cultural centre of the Illawarra region.**

The increased resident population would strengthen the role of the Wollongong City Centre as a regional business, retail and cultural centre of the Illawarra region, while also strengthening the role of local University providers, by providing an alternative for student accommodation in the locality.

◆ **To provide for high density residential development within a mixed use development if it:**
(a) is in a location that is accessible to public transport, employment, retail, commercial and service facilities, and
(b) contributes to the vitality of the Wollongong city centre.

It is considered that the proposed high density residential development is within a mixed-use development, in an accessible location and would contribute to the vitality of the Wollongong City Centre. The proposal remains consistent with the above objectives and provides a development which otherwise generally complies with the relevant environmental planning controls, specifically building height and floor space ratio. Based on the above, the proposed exception to the development standard is considered to be meet the objectives of the B3 Commercial Core zone.

Approval of the proposed clause 4.6 Exception to Development Standard is considered to be in the public interest. It is also considered that strict adherence with the development standard would be unreasonable and unnecessary given the circumstances of this case and the proposed variation to clause 8.6 should be supported.

Attachment 5 - Design Review Panel Notes

Wollongong Design Review Panel Meeting minutes and recommendations DA-2018/68

Date	23 March 2018
Meeting location	Wollongong City Council Administration Offices
Panel members	(Chair) Sue Hobley (Member) Gabrielle Morrish (Member) Karla Castellanos
Apologies	Anne Starr – Senior Development Project Officer
Council staff	Pier Panozzo – City Centre & Major Development Manager Theresa Whittaker – Senior Development Project Officer
Guests/ representatives of the applicant	Scott Milligan – PRD Architects
Declarations of Interest	Nil
Reasons for consideration by DRP	Clause 28 SEPP65, Clause 7.18 WLEP2009
Item number	2
DA number	DA-2018/68
Determination pathway	Delegated authority
Property address	9 Crown Lane Wollongong
Proposal	Erection of a nine (9) storey building containing eight (8) floors of boarding house accommodation, ground floor commercial premises and two (2) basement levels with parking for nineteen (19) cars
Applicant or applicant's representative address to the design review panel	
Background	The site was Inspected by the Panel on 23 March 2018 The site has been the subject of two other design review panel meetings; DE-2017/61 for a Mixed Use Development, DA-2016/1352 for a Mixed Use Development (withdrawn)
Design quality principals SEPP65	
Context and Neighbourhood Character	<p>The subject site is located opposite the intersection of Crown Lane, Regent St and Rawson St. It is close to the crest of a hill in proximity to the heart of Wollongong Centre. The rear of the site is affected by an easement for right-of-way to the properties to the south that have frontages to Crown Street.</p> <p>The precinct of the site is undergoing substantial regeneration so the existing character immediately adjacent and opposite to the site is not a significant consideration in the assessment of this DA. The relevant context is the desired future character sought by Council's controls as this precinct changes to a mixed use precinct with large building forms ranging from 32m to 80m.</p> <p>To the west of the site is an existing approved building with a height of 65m. To the north of the site across Rawson St an 80m mixed use residential development has been approved. To the immediate north is an existing 4 storey apartment development. To the east of the site is a low scale 1-2 storey commercial building.</p> <p>The proposal is for a non-compliant development which seeks to vary the height and building separation controls. The control for the site is 32m in height and the proposal seeks 32.32m for a portion of the roof level. The area of non-compliance relates to a very small portion of the lift overrun. The building separation controls are:</p> <ul style="list-style-type: none"> (i) habitable areas: 20m from any habitable part of any other building, and 16m from any other part of other building; and

	<p>(ii) non-habitable areas: no separation between adjoining buildings up to proposed street frontage height; minimum 12m from any other building above street frontage height and less than 45m; and minimum 28m from any other building 45m or higher above ground level. The west elevation of the proposed building does not comply (it is built to the boundary and includes habitable areas on the first and second levels – labelled 2 and 3 on the plans).</p> <p>The site's main frontage is to Crown Lane but its frontage to Rawson and Regent Streets is a narrow corner that is highly significant in terms of the future character of the locality. Crown Lane is narrow and offers the potential of becoming a delightful shared pedestrian and vehicle link to Keira Street enlivened by ground level retail including bars, cafes and small eclectic shops. The corner of Rawson and Regent Streets is a key element of the plaza-like streetscape that will result from the development of the sites on the other corners of this meeting of 3 roads. It is visually prominent and has a northerly aspect that will support its role as an important outdoor space for supporting the role of this elevated public space as a plaza. The proposal has the opportunity to contribute substantially to this character if the retail provided at ground floor relates well to the slope of the street.</p> <p>To the rear of the site is the heritage precinct on Crown Street which comprises a mixture of fine grain built form that is generally 2 storeys plus parapet. These lots are downslope of the subject site and occupy the majority of their lots. Any redevelopment of these sites to achieve the 32m height is highly likely to occur to the rear of the lots to preserve the low scale streetscape and silhouette of the heritage parapets. Therefore the relationship between the site and these lot boundaries will be important. The proposal addresses this factor effectively within the constraints of the site's shape and the right-of-way by setting the lower floors of the building back from the southern boundary from between 6.05 and 9.0m, with greater setbacks to the higher levels.</p> <p>The presentation of any building to the rear boundary also has the potential to compromise the outlook from and amenity of any future development on the Crown Street. The proposal seeks to address this through a podium approach combined with varying the materials, finishes and colours to the façade. In addition, landscape plantings in pots are proposed for the level 4 terrace and this will contribute to alleviating the built form, albeit only to a minor extent. While this provides some relief to the southern elevation, the large expanse of solid wall adjacent to the right-of-way is visually problematic (see below for further discussion of this issue).</p> <p>The development will also be highly visible over the heritage buildings on Crown Street when viewed from the street and beyond. This will particularly be the case from the intersection of Keira and Crown Streets, which is a highly pedestrianised environment. The panel felt that the resolution of the angular termination at the eastern end of the site is an opportunity to provide a more sculpted form and thus contribute to the creation of a vista from the intersection of Keira and Crown Streets. The non-compliant height is considered to be minor if the mechanical systems and plant rooms are well integrated into the overall roof form. Final materials, colour scheme and finishes needs to provide</p>
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	<p>a sympathetic response to its context.</p> <p>The scheme provides for vehicular access in the northern elevation via Crown Lane. The access driveway is fully enclosed within the built form adjacent to the easement for right of way for the lots to the rear. Basement car-parking is proposed to the southern boundary only in the area not affected by the easement. The presentation of the building at the lower levels to the southern, western and eastern elevations largely consists of blank walls enclosing the car-parking facilities. This impacts adversely on the visual amenity of Crown Lane and on the outlook from any future development of the adjoining properties on Crown Street. Any extent of inactive/blank walls need to be integrated to the overall façade design and demonstrate a variety of high-quality treatments to achieve a positive architectural expression, conceal any service areas and have architectural interest.</p> <p>The proposal to the street frontages at the ground floor provides good setbacks to Crown Lane and to the corner at the street intersection. However, the corner of the site is subject to a road widening dedication and if this widening does not proceed, a much more generous threshold to the building and a 'plaza' character to the public domain would be possible. The proposal for the outdoor area on this corner portion of the site as it currently stands could easily be redesigned to take advantage of any additional space should it become available.</p> <p>The tower includes a podium that varies from 3 to 5 stories in height due to the slope of the site. No information is provided in the package to indicate how this scale will relate to the approved development to the west of the site. The panel considers it imperative that there is an appropriate scale relationship between the podia of the two developments as well as to the approval on the opposite side of the road to achieve an appropriate streetscape scale. Whilst the applicant has included a series of planes and material treatments to the main elevations, it is not clear if any common datum's have been established to create continuity between the proposed development and any of the prominent features of the approvals or existing buildings in the adjacent sites. The panel strongly advises the applicant to produce streetscape analysis demonstrating the above.</p> <p>The current controls seek to achieve a 32m high building and this tower proposal effectively respects the control with only a minor, visually insignificant breach associated with the lift overrun. It will thus form part of the 'skirt' to the taller towers at 80m which sit on the high point topographically.</p>
Built Form and Scale	The panel was generally satisfied with the built form and scale of the proposal.
Density	The panel was satisfied with the proposed density.
Sustainability	The panel was generally satisfied with the sustainability of the building in terms of BASIX requirements.
Landscape	<p>The montage on the title page presents the entrance forecourt to the development as an unimposing patio space with some screen plantings that read as a barrier to public use, and 'sculptures' that occupy the unscreened space. This is generally consistent with what is shown on the landscape plan.</p> <p>In part this approach may have been driven by the road-widening</p>

	<p>easement that reduces the space available for a more generous space that would support a more imaginative design. However, regardless of whether the space can be enlarged if the road widening does not proceed, its design should take account of its important relationship with the public domain and support the opportunity for attracting people to use it as a meeting and gathering place. This would require inclusion of features such as canopy tree(s), outdoor seating space that is visible from the public domain, supporting the option for an outdoor area to service the common room restaurant facilities (and their public use), screening that does not read as closing the space off from the public, and artwork that supports the usability of the space. It is recommended that the design team include a public space artist. Plantings should relate to the local ecology (winter deciduous plantings are not part of this).</p> <p>The proposal includes an outdoor common area on level 4. While this space is generally considered to be reasonably suitable for a student accommodation use, it requires further consideration of its details. The use of pebble mulch is considered unsuitable, with pebbles being potentially used for purposes other than that proposed. The proposed screen planting to the northern end of the terrace will block views from the terrace to the street and increase overshadowing in winter.</p> <p>A canopy tree is proposed for the north-eastern corner of the site. This will contribute to screening of the wall and the species should therefore be evergreen. The tree will potentially interact with vehicles using the access easement to the side and rear of the site so a columnar or vertically formed tree should be specified.</p>
Amenity	<p>The building will contain a commercial component, a residential servicing component and a residential component.</p> <p>External amenity concerns raised by the panel relate to building access, the entry forecourt terrace and some of the private outdoor spaces. Concerns about the amenity of the forecourt terrace have been dealt with elsewhere in this report.</p> <p>Access to the building comprises two entries from the street via the terrace forecourt. The western, corner entry provides universal access to the Lobby, both reception areas and, externally, to business premises B. A fire exit door leads to this forecourt terrace. This access is considered acceptable.</p> <p>The secondary entrance is via steps that lead to the eastern end of the forecourt terrace. It provides access to the lobby and its reception area but not the other reception area, and externally, to business premises A. Another fire exit is provided to this entry. Due to the internal configuration of the building's ground floor, this entry is poorly linked to the administrative offices the building's occupants and, importantly, it is not visible from any of them. This raises the question of how the reception areas will be staffed to ensure safety from intruders.</p> <p>Concerns about internal amenity raised by the panel relate to the configuration of the ground floor spaces and waste management. The issue raised by the panel related to the ability of the Business premises on the ground level to conduct their waste disposal without having to go through the residential lobby lift. A separate goods lift accessible from a convenient location for both tenancies is required that does not interfere with common residential areas. These, in fact, should be segregated from each other to avoid safety and security issues.</p>

	<p>The internal amenity of the ground floor is considered sub-optimal due to the poor access to, and linkages between, key spaces and units, and internal circulation. The ground floor contains facilities for 2 commercial premises (unit A in the eastern section of the level and unit B in the western section), a Lobby with lift access, 2 reception areas (one in the Lobby and the other in front of the administration office in the central southern part of the building), an administrative space, a staff office, a manager's office, ablution facilities, a garbage room and fire and electrical infra-structure spaces.</p> <p>The commercial component consists of two generous-sized spaces with frontages to the sunny open aspect of Crown Lane. Public access to Unit A is from the ground floor terrace, with an internal access door between the building manager's and the rear of the unit. Access to this space by the building's residents and other commercial occupants is external, via the terrace. This constrains the opportunity to develop this unit as a restaurant or similar type facility that services both the residents of the development and the general public. The opportunity for providing outdoor seating to such a business is severely constrained by the forecourt terrace layout and location of the secondary entrance to the building. A large storage area is accessed from this unit but it is unclear whether it is for the unit itself or intended for general use, since the Manager's office has a door providing access to the rear of the unit where it is situated. The storage area is raised, so ramps that provide safe access may need to be provided.</p> <p>Access to commercial unit B is solely from the ground-floor entry forecourt. This limits access from this unit to the building's managerial services and internal access by the building's residents to any services the unit may be developed to provide.</p> <p>The commercial units could easily be developed to provide increased amenity (services) to the building's residents in the form of dining, socialising and/or retail services but this would work better if internal access and circulation was designed to support it.</p> <p>The configuration of the ground floor spaces is very poor in terms of their functional roles for building servicing and management, and linkages between spaces. The role or (or even requirement for) the 2 reception areas is unclear. The manager's office has no windows and no possibility of oversight of the building's entrances or lobby. Connections between these various functionally linked rooms is very poor and needs to be rationalised to improve oversight of the entrances to the building and accessibility for users of the building.</p> <p>The area labelled "Manager's Courtyard" is presumably for general staff use since it is accessed via the admin room and the staff office. Its position on the southern side of the building will limit its amenity and require measures to provide shade in summer, protection from southerly winds, and warmth in winter. The proposed plantings need to be carefully selected for the difficult conditions and managed well to ensure that they thrive. The same landscape issues apply to the area labelled Commercial courtyard.</p> <p>The amenity of the proposed residential components of the development is considered to be generally good, with a range of unit sizes that take advantage of the site's corner location, ample provision for indoor and outdoor common areas that support a range of different activities, provision of shared laundry facilities, and a centrally located lift core that provides for generally short distances and corridors to units.</p>
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	<p>However, the panel was concerned that some of the units have an 'apartment-like' configuration that would enable them to easily be converted into apartments. The panel is of the opinion that the common internal areas that lead to this potential require amendments to eliminate this possibility and maintain the boarding house nature of the development. The spaces need to be flexible to allow common use, but their enclosable nature as part of a cluster of rooms needs to be eradicated.</p> <p>The panel raised concerns about waste management procedures in relation to access for business A to waste storage areas. The applicant advised that a commercial loading and lift facility will be required. Student boarding facilities involve a very high turnover rate with bulk waste being a potential problem. The need for a bulk storage area and provision for the management of bulk storage in the Plan of Management was identified by the panel.</p>
Safety	<p>The panel is concerned about the adequacy of surveillance to the building entries. The staffing of the reception area in the lobby needs to be clarified and the location of the manager's office needs to be reconsidered to address this concern.</p> <p>The panel was satisfied by the applicant's responses to questions that separation between residential and commercial parking is provided. However, the panel felt that a boom gate is required after ramp transition 27.780 (DA-04-A, Basement 2) to physically prevent access of commercial tenancy vehicles into the residential parking areas.</p>
Housing Diversity and Social Interaction	<p>The proposal is for boarding house style accommodation that is anticipated will service the need for student accommodation in Wollongong. The applicant advised that Wollongong University is highly enthusiastic about the proposed student-friendly housing development. The panel supports this but notes that some of the units have an 'apartment-like' configuration that would enable them to easily be converted into apartments. The panel is of the opinion that the communal areas that lead to this potential require amendments to eliminate this possibility and maintain the boarding house nature of the development. They need to be detailed (in terms of locations of doors and walls) to support general use.</p>
Aesthetics	<p>The proposal includes a diversity of colours, materials and ornamental devices on the exterior. The panel is of the opinion that no clear concept guided the distribution of colours and treatment on the elevations. The approach seemed to be the use of colour on accent areas to create variety. The resultant scheme could be further rationalised and made simpler. The greater concern is that the proposed elements do not sufficiently break the elevation into smaller and taller segments that emphasize the verticality of the individual elements. The spine above the entrance is not strong enough to separate the two halves of the elevation and it appears as a single monolithic elevation.</p> <p>The proportion of the window openings under the label "Sun Hoods Over windows in "BA" are a bit domestic; these could be taller and less wide to achieve a more sculptural proportion. The horizontal balconies with sliding doors behind is not as successful as the rest of the elevation and this should be reconsidered as the elevation behind the glass balustrade has a greater solid to void ratio.</p> <p>The envelope to the carpark base of the building presents as a largely solid, dark grey wall on the southern and eastern facades. The southern façade will be visible from any future development of</p>

	<p>the rear of the properties on Crown Street while the eastern façade will be highly visible from parts of the public domain to the east, particularly Crown Lane. While the proposed canopy tree planting will help alleviate this impact on the eastern elevation, the panel is of the opinion that further ameliorative opportunities should be explored, including high quality materials and finishes to avoid extensive areas of blank walls. These segments need to be integrated to the overall façade design.</p> <p>The panel's concerns about the aesthetics of the forecourt and its terrace at the building's entrances are dealt with in other sections of this report.</p>
Design Excellence WLEP2009	
Whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved	The panel is concerned that the materials and detailing of the building do not follow a wholistic concept and the placement of accent features and colours can be edited to arrive at a simpler and sophisticated expression to the façades. This will strengthen the built form character of what will be a highly visible building from the public domain.
Whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,	<p>The form of the building, especially along the more expansive elevations can be assisted with a further breakdown of the length of the facades into individual vertical segments.</p> <p>Concerns are raised about the external appearance of the building in terms of colours proposed, and of the quality and amenity of the public domain in relation to the presentation of the curtain wall to the carparking and of the entrance forecourt to the building. See discussion above.</p>
Whether the proposed development detrimentally impacts on view corridors,	This issue was not explored to any significant extent by the panel because the building effectively complies with the height standard and is modulated at its eastern and western frontages in a manner that will support view corridors for higher buildings to the north.
Whether the proposed development detrimentally overshadows an area shown distinctively coloured and numbered on the Sun Plane Protection Map,	N/A
How the development addresses the following:	
the suitability of the land for development,	The proposed use is considered by the panel to be highly suitable for the site and its location.
existing and proposed uses and use mix	The site is currently vacant. Its proposed use will take advantage of its urban location, close to shops and transport, within comfortable cycling distance and reasonable walking distance of Wollongong TAFE and Wollongong University. The design provides for indoor and outdoor common areas for residents and business spaces that could easily be developed as restaurant/bar/cafés available for both public and residential uses. The business spaces will lend themselves to being developed to service the large residential population that will occupy this precinct in the near future.
heritage issues and streetscape constraints,	The site is affected by heritage issues in relation to the Crown Street properties to its south. The tower portion of the building sits on a podium with building separations that comply on this elevation. While the height of the building slightly exceeds the permissible height for this site, the exceedance is extremely minor, caused by the eastern edge of the roof overhang that provides shelter to the level 9 balcony that is proposed as an outdoor communal space

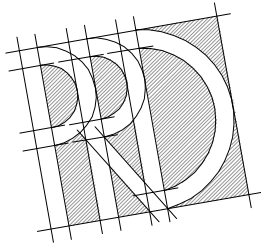
	<p>servicing that level. The visual impact of this breach will be negligible and is considered to be acceptable by the panel.</p> <p>The site is located at the meeting of three roads close to the crest of a hill that falls to the east down Crown Lane and to the south towards Crown Street. The site is affected by two easements for vehicular access. The north-western corner of the site is affected by a road-widening easement while the eastern and southern portions of the site are affected by a vehicular access easement that services the rear of the properties to the south. The site falls away towards the south, with the easement affecting an area that is considerably lower than its public road frontages.</p> <p>The design has responded to the road formation by providing for two building entrances, one on the corner formed by the three streets and one on Crown Lane. The two entrances are linked by a terrace space that is progressively raised above, and overlooks, the western end of Crown Lane. This approach to building access from the public domain is supported by the panel but it is considered that the internal layout of the building and the terrace landscape design require further development to achieve a better relationship with the public domain (and internal circulation). This could be achieved by:</p> <ul style="list-style-type: none"> (i) reducing the size of the Lobby and angling its external faces back towards the western end of the building which would provide a larger outdoor terrace area and clearer sightlines along the terrace; (ii) better detailing of the terrace and proposed plantings as outlined elsewhere in this report; and (iii) providing better access between the commercial spaces and the building's lobby. <p>The northern boundary of the site adjoins Crown Lane, which currently provides vehicular and pedestrian access to the retail facilities of Keira and Crown Streets. It slopes quite steeply, falling to the east, and this constrains the relationship between the site and this streetscape. The design has responded to the local topography by setting the carpark entrance at the lowest street access point on Crown Lane and excavating the higher portions of the site to provide for basement carparking that is part in-ground, part-above-ground at the street frontage. This results in the ground floor (commercial level) of the building being raised above the slope of the Crown Lane. The design has responded to this slope by:</p> <ul style="list-style-type: none"> (i) locating the carpark entry in the lowest point of the site with a canopy tree planting in the eastern corner to provide screening and visual amenity; (ii) setting the building above the carpark 2.5 metres back from the boundary and providing a pedestrian footpath at grade within this setback east of the secondary (eastern entrance to the building); (iii) varying the built form to provide a modulated façade on the northern elevation; (iv) editing the range of accent colours and materials to finish the building façade; (v) including podium components to parts of the building and limiting the extent of the tower to set it back from the carpark entry on Crown Lane (which will present as a 2 storey element) and the intersection corner of the site (which will present as a 4 storey element); (vi) providing an awning over most of the footpath (allowing
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	<p>clearance along the street edge that will reduce potential for interactions with vehicles);</p> <p>(vii) including access via steps directly to Crown Lane in addition to the corner entry to the building; and</p> <p>(viii) providing screen planting to the terrace along the Crown Lane frontage.</p> <p>This approach is generally supported by the panel, with the minor exceptions of the treatment of the building facade and the outdoor terrace, as discussed elsewhere in the report.</p> <p>The garage entry needs to be integrated into the overall façade design with the introduction of an artistically design grille to reduce the utilitarian nature of the vehicle opening. High quality materials need to be provided around the mouth of the opening to a distance of at least 2 metres behind the security grille.</p> <p>The design has responded to the road-widening constraint by assuming it will occur and designing a modest outdoor terrace as the entrance forecourt to the building, with screen plantings to its northern edge. The address of the building will be clear, but unimposing. While this is a practical approach, the outdoor space at the building's entrance could be better designed to establish it as the northern element of the plaza-like space that will eventuate when the other sites on the corner are developed. The outdoor forecourt could readily be reworked to accommodate any additional space in the event that the road-widening does not proceed. It will be sunny and highly visible. It has been indicated that the proposed road-widening may not affect the entire footprint of the easement and that the finalisation of its footprint is likely to be known fairly soon. Therefore the final design for this space should be developed once the details of the road-widening are known.</p> <p>The design has responded to the vehicular access easement by fully setting the development footprint outside the easement and providing for internal vehicular access to the site within the development. The site topography constraint has been addressed by enclosing the basement carparking in a curtain wall. The wall contains little fenestration and is coloured grey. This issue has been dealt with in the discussion above and needs to be addressed more sensitively in terms of the treatment of the wall.</p> <p>The applicant advised that it is hoping to take advantage of the opportunity to upgrade Crown Lane as a pedestrian-friendly environment that encourages uses such as cafes, outdoor markets and socialising activities. The panel is highly supportive of any design/plan that leads to such an outcome.</p>
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,	The panel is of the opinion that the tower component complies with the required setbacks to key frontages and side elevations; however, the absence of streetscape analysis prevents the panel from ascertaining the proposal's relationship to recent approvals and or existing buildings.
bulk, massing and modulation of buildings	The panel is of the opinion that the overall massing can be further benefited by more segmented elevations with a more carefully considered placement of materials and accent colours.
street frontage heights	The panel notes that the street frontage heights are progressing in

	<p>the right direction. The height reductions at the western end improve the presentation to the public domain; however, the eastern angular end could be further sculpted to create a better presentation of the elevation when seen from the intersection of Keira and Crown Street.</p>
<p>environmental impacts such as sustainable design, overshadowing, wind and reflectivity</p>	<p>The sustainability of the design will depend on the sources and types of materials used in its construction. Locally sourced materials that are durable under the coastal conditions of the site should be specified.</p> <p>The building has been sited in a manner that will minimise overshadowing impacts on the properties to the south.</p> <p>The site is elevated and currently very exposed to southerly and north-easterly winds. The design has provided moderate fenestration and no balconies to the southern elevation. Several outdoor terraces are proposed on this elevation. The communal outdoor space on level 4 is acceptably screened to minimise wind exposure. It is unclear whether the outdoor spaces servicing commercial unit B and the manager's office are suitably screened; a solid wall balustrade is shown in the section but it may require additional measures to minimise wind impacts.</p> <p>The building includes elements of glazing to its facades together with masonry and metallic elements. Shading to windows and balcony balustrades is provided. This is considered acceptable in relation to minimising reflectivity from the building.</p>
<p>the achievement of the principles of ecologically sustainable development</p>	<p>Within the detrimental impact that construction involves for sustainability, the building acceptably addresses the principles of social equity (in that it provides quality accommodation for a particular sector of the population: students) and environmental impacts (in that it does not seek to breach the height standard that would increase its impact on resource use). The design of the units acceptably allows for solar access and cross ventilation.</p> <p>However, opportunities to harvest solar energy and rainwater or to recycle grey water have not been explored. Other measures that can be explored include:</p> <ul style="list-style-type: none"> a. low embodied-energy materials to reduce the overall green footprint. b. State compliant strategies for demolition of materials and removal of waste materials. c. ADG compliant distances to the back of kitchens (8 meters from a window) to reduce the dependency on artificial lighting.
<p>pedestrian, cycle, vehicular and service access, circulation and requirements</p>	<p>Pedestrian access concerns have been addressed elsewhere in this report. Improved access to the building's ground floor spaces and circulation on this level needs to be explored.</p> <p>Storage for bicycles is provided in both basement levels. This is not considered optimal but is accepted considering the constraints of this site in relation to the easements and topography. The opportunity for bicycle storage in the ground floor storage room could be explored.</p> <p>Vehicular and service access and circulation is considered acceptable.</p>
<p>impact on, and any proposed improvements to, the public</p>	<p>The design as it stands will have both positive and detrimental impacts on the public domain. It will impact positively on the public</p>

<p>domain</p>	<p>domain in terms of:</p> <ul style="list-style-type: none"> (i) providing a contemporary development on a vacant site; (ii) providing a 'skirt' to the higher development to the north that will act as a transition to the lower development on Crown Street; (iii) helping activate the locality by increasing residential population and providing for retail facilities; (iv) providing on-site parking; and (v) contributing to the potential for Crown Lane to be better used as a public laneway. <p>The detrimental impacts of the development largely arise from the presentation of the building that arises from the proposed materials and colours for the façades, the basement car-parking not being wholly underground, and the design of the forecourt terrace at the building's street entrance. The positive impacts have the potential to address the detrimental impacts to a greater or lesser degree by reconsideration of the colours and materials for the finish of the building façade, better treatment of the curtain wall to the carpark, further design development of the terrace of the building and commissioning a public artist to assist with the resolution of these.</p>
<p>Key issues, further Comments & Recommendations</p>	<p>The panel is generally supportive of the proposal and considers that the issues it has identified can easily be dealt with through further design development without requiring any major redesign.</p> <p>The following issues need to be better addressed:</p> <ul style="list-style-type: none"> (i) configuration of the ground floor needs to be amended to: <ul style="list-style-type: none"> a. improve surveillance by management, b. provide better linkages between the administrative spaces, c. improve circulation (including between the entries, the commercial spaces, the administrative spaces and the residential areas), d. clarify usage of the storage area and of the outdoor private open space, e. provide a more generous terrace area and better sightlines by amending the footprint of the lobby to angle inwards from the east, and f. allow for easy waste management by the commercial units; (ii) Communal areas in the residential component need to be detailed to ensure the development remains a boarding house type without any units being converted to apartments; (iii) The treatment of the overall building façades and elevations needs to be simplified in terms of materials and colour placement; (iv) The treatment of the curtain wall to the carpark needs to be amended to address visual amenity from the public and private domains; (v) The entrance forecourt needs to be redesigned to: <ul style="list-style-type: none"> a. Relate more strongly to its key role in the streetscape by opening it up to support a plaza character that will invite meeting and socialising by the wider public,

	<ul style="list-style-type: none"> b. Provide better amenity through canopy tree plantings, other plantings, furniture, public art, and facilitating use by the commercial units in the event that they are developed as cafes/restaurants or bars, c. Provide more generous access to the building from the eastern stairs, d. Allow for future expansion into the road-widening easement if it does not proceed to its full extent; <p>(vi) The level 4 communal outdoor space needs to be detailed to account for its potential use by students and to allow for a (screened) outlook to the streetscape; and</p> <p>(vii) The outdoor terraces need to be effectively screened from undesirable winds and to contain plantings that address the need to conserve Wollongong's local biodiversity and the environmental constraints imposed by the exposed coastal environment of the elevated site.</p>
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Attachment 5a - Architect Response to Design Review Panel Notes

A.Starr

017-065
May 2018

Requested List of Amendments to Proposed Mixed Use Development at 9 Crown Lane, Wollongong- REF: DA 2018-68

Dear Anne,

As requested the following notes indicate the changes made in response to the final DRP comments issued by the DRP following the meeting held on the 23rd of March 2018.

Context and Neighborhood Character

In response to the DRP's comments the following changes were made:

- We agree that the height overrun is very small. As noted in the materials selection DA-24 high quality architectural finished will be utilized throughout the project and the overrun of the lift core, which is fully integrated into the buildings design, will have a negligible impact.
- We agree that the site is a fantastic and prominent location at the top of Crown Lane, Regent and Rawson Street is ideal for use as a public plaza at the entry to the building
- The angular termination of the building on the eastern end of the site has been made more dramatic by increasing the angle. The communal living area has also been centralised to have a juliet balcony to the North and South with the main balcony to the east. This develops the built end as a more defined element from the North. The angular form also creates a clear, sharp visual separation between the North and South long facades when viewed from the bottom of Crown Lane and the Crown/ Keira Intersection as per DA-19.
- The angular form of the East was retained as responds to the context, not only in the shape of the site, but also the form which it adapts from the Humber building at the bottom of Crown Lane. It visually carries the form to the top of Crown Lane creating a dialogue between the sites.
- Many of the building elements are contemporary and angular in nature and curving the end of the Eastern end would result in a conflicting architectural language and a building which looks potentially dated or derivative of the Flat Iron Building in New York for example.

- The forecourt, landscaping and carpark enclosure to the South are addressed in following sections.
- A street scape analysis has been section has been provide on DA-15 and responds to the approved 3 Rawson street project. Although the sites are clearly separated by the 1 Rawson Street, Rawson house building the proposal responds by forming a dialogue with both in creating a potential future street context. 3 Rawson Streets sits slightly below the apex of the crest at the junction of Regent St/ Rawson St/ Crown Lane, but sets a podium height around 5 stories or 18m. 1 Rawson St is similar but slightly lower in height. The proposed level 4 podium of 9 Crown lane continues this progressive stepping down toward the 2 story podium height of the Eastern façade in order not to overwhelm the existing context of Kneading Ruby and Humber, particularly when viewed at pedestrian level looking up Crown Lane where any sense of scale is dramatically increased by the level change along the lane.

Built Form and Scale

- We agree with the DRP that the built form and scale responds appropriately to the context.

Density

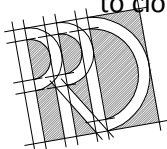
- We agree with the DRP that the density is appropriate.

Sustainability

- As the building has a primarily commercial function it falls under Section J. The proposal has been reviewed by JS solution as submitted and deemed that it will be able to satisfy the required provisions.

Landscape

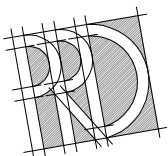
- The design of the forecourt in a sense cannot respond fully to the proposed road widening as details of what is to be done in detail are yet to be released by council. The primary issue is we have no indication about where the road itself might extend to and a public footpath, which could be integrated into the design, may begin.
- To this regard SD studio have relooked at the design in response to the DRP's comments and also the reorganisation of the public plaza as requested.
- The height of species within the planter adjacent to the Crown Lane footpath has been reduced to maintain sight lines and invite pedestrian activity into the space.
- A central planter in front of the lobby with surrounding bench and a couple of larger plantings provide seating for relaxed social meetings between students and commercial patrons to activate the plaza and also help the circulation of visitors around the space has been proposed.
- Movable planters and an outdoor dining/ seating area to the Regent/ Rawson Street corner extend out to the road widening area to create a flexible but inviting space that is adaptable to councils future plans. Paving types have been utilized within the site boundary to visually articulate circulation around the space.
- Large canopy plantings could be considered near the site boundary to the Regent/ Rawson Street corner dependent on resolution of council's road widening design. Currently it isn't desirable to have these plantings too close to a potential road edge. On the Crown St frontage large planting isn't applicable as the project has



given a portion of the site to a public footpath which doesn't currently exist, the basement line sits directly under the extent of the footpath and is therefore not able to be utilised for canopy trees.

Amenity

- As noted above the landscape and amenity of the forecourt have been addressed by SD studio as well as PRD architects as later described.
- The lobby has been reduced in size, changed in shape as requested to provide far better security in conjunction with the relocation of the building reception of opposite the Eastern entry stairs. The fire exit corridor has been recessed and the newly positioned reception desk has visual access, through the clear glazed lobby façade, to the entirety of the forecourt and lobby area for security. In return all visitors have clear visual wayfinding to the reception desk next to the lobby should they need direction or contact with anyone in the administration offices.
- Waste chutes are now accessible from both business premises which connect to the basement garbage area below meaning transport of waste through the lifts will not be required.
- Although the lobbies are combined the lifts will all be security key carded to access all student accommodation floors. The lobby will be overlooked by reception and also have keycard access after commercial hours providing an adequate level of security and organisation to the two small commercial tenancies.
- The admiration spaces (manager's office and staff office) now have a highly visible frontage in the reception, which provides direct linkage to the lobby while keeping 'back of house' facilities where they should be.
- The Business premises A has been reconfigured to operate as an independent entity as requested. With separation from the staff facilities servicing the student accommodation. In response to the restricted entry off the foyer operable glazing has been provided onto the Crown Lane frontage to activate it and provide the potential of an indoor outdoor space while taking advantage of the Northern aspect dependant on the future use of the space.
- The store has been added to the overall area, with a restricted head height of 2700 it will still be highly amenable and connect to an outdoor terrace at the same level to the South. An accessible platform lift location has been indicated dependant on the future utilisation of the space.
- The forecourt terrace is equally activated but naturally linked more closely with premises B. As previously noted SD studio have indicated the potential of a flexible outdoor dining/ seating space in the forecourt.
- Given the unknown nature of the occupants of the potentially independent tenancies the decision was made to avoid directly connecting the student accommodation to them. Should the tenancies be run by the university access from the lobby to the entry of each is a matter of a few meters and entirely under cover. We believe the solution is satisfactory while providing flexibly for the use of space.
- As previously noted the manager's office, staff office and reception has been reorganised to provide clear visual access to reception. The manager's role isn't generally to provide first point of contact to visitors or students and therefore the oversight/ security of the lobby and first point of contact is the role of reception. With the organisation of facilities the manager/staff can easily be called to the front of house when required.



- Full height glazed access has been provided to the Managers office and staff room to the southern courtyard. As noted on DA-06 an 1800mm high glazed wind barrier has been noted to the planter to protect from Southerly breezes during winter. SD Studios has also amended the planting selections. While it will have limited access to direct sun on the Southern side of the building the Manager's and commercial courtyards will provide and amenable outlook by limiting visual access to the existing properties at the rear which are largely run down and providing a space to open the commercial/ office area's onto in the appropriate weather.
- The residential communal living spaces have been amended to have open access during general day to day activity, allowing students to interact in various spaces on each level. The provision for smoke doors has however had to be maintained to meet the appropriate requirements for travel distances to exits etc. The doors will only close in the event of a fire to ensure the building is compartmentalised.
- A bulk waste storage zone has been provided in the basement garbage room.

Safety

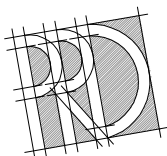
- As previously noted the reception has been relocated and has visual access to provide surveillance to the entire lobby and forecourt both during and after commercial hours. It will also act as a first point of contact to the directly linked managers office should it be required.
- The requested boom gate to basement 2 has been provided.

Housing Diversity and Social Interaction

- The proposed student accommodation apartments have been designed solely for purpose and we don't believe they could easily be adapted to apartments which have a completely different set of standard they are required to meet under the NCC and other relevant documents.
- As previously mentioned access the communal areas has been amended to be open to all students on each level. The location of the communal rooms provides a variety of aspects and individual, personalised spaces for students to enjoy. The suggest relocation of the Western communal room on levels 2-3 (DA-07) to suite 16, would result in a lack of solar access and aspect which is prime in its current location.

Aesthetics

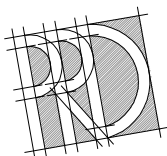
- The aesthetics of the building have been reconsidered and amended in response to the DRP's comments.
- As requested the articulation of the façade has been more clearly defined and its verticality emphasised by deliberately simplifying and expressing smaller elements.
- The spine has been emphasised by recessing the balconies to both the North a South facades while utilising dark glazing and charcoal render above the entrance to split the 'monolithic' elevation.
- The size of the windows on the primary North and South panels has been made more slender as suggested while the sun hoods extend in some cases over multiple levels to emphasise the verticality of the built form. Organisation of the windows is also alternated to avoid a regular rhythm which may appear domestic. Generally many of the windows, including the South-Western façade have been treated in this manner.
- The horizontal balconies facing Crown Lane and down Regent Street have been readdressed to have a more appropriate solid/ glazed ratio while the angled glazing portions to the corners pick up the language created by the rest of the building.



- The laser cut screening has been removed and the articulation of the façade is now integrated into the built form of the façade.
- The carpark base has been readdressed by including angles panels of copper coloured louvres which serve the dual purpose of breaking the façade/ creating visual interest and also providing ventilation to the basement carpark. A piece of blank wall has been retained near the entrance to Kneading Ruby which can be utilised as a street art wall. This provides the potential for the proposal to be incorporated in Wollongong's 'Wonderwalls' festival and potentially act as a destination in this regard while connecting it to the adjacent mall precinct.
- As previously mentioned and noted in the finishes schedule, high quality materials and finishes are to be specified for the development. The colour choice has been altered to more neutral tones as discussed with the panel while yellow feature 'sun hood's provide some vibrancy and interest expected with of facilities linked to the promotion and development of education in the area.
- Overall the façade elements are much more clearly expressed and segmented to emphasise the buildings verticality and address of key viewing points while meeting with the expected future context of the area.
- The forecourt has been addressed as discussed previously with amendments to the landscape and readdress of the built form and organisation.

DESIGN EXCELLENCE WLEP2009

- The materials and panelling as described have been amended to reinforce the concept as a whole and provide a better articulated and more sophisticated expression of the façade
- The amended form of the building is more emphasised in its verticality and organised into the elements which are expressed individually. It is designed to interact with the public domain and provide a contemporary, interesting appearance from all vantage points.
- As requested the entry forecourt has been readdressed by:
 - Reducing the size of the lobby and changing the angle of the presented entry to face the street corner.
 - Readdress of the detailing and plantings by SD studio
 - Providing much clearer access between the lobby and all ground floor spaces.
- The security grille has been provided however further within the entry to the garage than the panel proposed. Consideration must be given to required layback areas, especially given the lack of existing footpath that would provide extra layback distance, and also the difficulty of the site shape which mean basement access ramp must immediately curve to gain access and avoid the easement to the rear.
- As previously described SD studio has designed a flexible outdoor space which will utilise moveable outdoor planters which can be utilised to incorporate the road widening area in the event it does not eventuate. Should further details also be provided by council on this area a more permanent solution could be looked at.
- The basement enclosing wall has been articulated utilising feature louvre panels in an irregular format fitting with the buildings language, creating visual interest and serving to provide ventilation to the basement. As discussed earlier, provision is also made for an art wall which has potential to integrate the building in community events such as Wonderwall

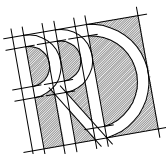


- Extensive context analysis of the streetscape and surrounds was provided on drawings CD-01-CD-08 with supplemental information on adjoining sites built heights and separation available on DA-15,16,25 showing the existing and possible future context across various drawings.
- The panel's notes on massing and modulation are noted and how they've been addressed is indicated above.
- The eastern end of the building has been further sculpted to address the Crown/ Keira St intersection.
- As noted the southern facing terraces off Commercial B and the manager's office are further screened by a glass barrier to provide shelter without increasing the visual height.
- Measures for sustainability will addressed as part of the full section J evaluation during the construction certificate. The distances to the back of kitchens are ADG compliant throughout the design, while as noted the materials selected will be high quality and have a long service life.
- Where noted pedestrian access has been addressed.
- All noted issues have been addressed as per above.
- SD studios have reconsidered mulch materials etc to the level 4 podium outdoor space to ensure its appropriate for student use
- Outdoor terraces have been readdressed with screening and planting selection.

We believe that the noted amendments appropriately respond to the Apartment Design Guidelines, LEP, DCP and SEPP65.

Sean Haigh
Graduate Architect

PRD Architects



CHAPTER D13 – WOLLONGONG CITY CENTRE

2 Building form

<i>Objectives/controls</i>	<i>Comment</i>	<i>Complies</i>
<u>2.2 Building to street alignment and street setbacks</u>		
Nil setback required.	The development has Level 2 communal balcony on the (post-road widening) front boundary. The majority of the ground floor is setback 2.5m to allow for a footpath within the site as there is no opportunity for a footpath on Crown Lane.	Yes
<u>2.3 Street frontage heights in commercial core</u>		
Between 12-24m	Part of the building is built to the boundary, and at that	Yes
<u>2.4 Building depth and bulk</u>		
Max floor plate size 900sqm above 12m building height; max depth 18m	Each tower has a floor plate size or GFA of less than 900m ² . Building depth excluding balconies is maximum 18m.	Yes
<u>2.5 Side and rear building setbacks and building separation</u>		
<i>Up to street frontage height:-</i>	Street frontage height applies	No, refer clause 8.6 WLEP 2009
- habitable rooms with openings and balconies – nil	Southern elevation: complies all levels	
- non-habitable rooms and habitable rooms without openings – nil	Western elevation: complies all levels	
<i>Residential uses (habitable rooms) between street frontage height and 45m</i>	Eastern elevation: does not comply Level 9, however this control superseded by WLEP 2009	
- habitable rooms with openings and balconies – 12m		
- non-habitable rooms and habitable rooms without openings –12m		
<i>All uses (including non-habitable residential) between street frontage height and 45m</i>		
- habitable rooms with openings and balconies – 6m		
- non-habitable rooms and habitable rooms without openings –6m		
<u>2.6 Mixed used buildings</u>		
Various	Ground floor contains business premises, Levels 2-9 are residential	Yes

<i>Objectives/controls</i>	<i>Comment</i>	<i>Complies</i>
	level. Separate residential and business entries are provided. Safe pedestrian routes are provided	
<u>2.7 Deep soil zone</u> Minimum 15% of the site. May be on structure for sites within B3 zone.	Plantings provided on structure. Basement extends to most of the site.	Yes
<u>2.8 Landscape design</u>	Satisfactory landscape plan provided	Yes
<u>2.9 Planting on structures</u>	Satisfactory landscape plan provided	Yes

3 Pedestrian amenity

<i>Objectives/controls</i>	<i>Comment</i>	<i>Complies</i>
<u>3.3 Active street frontages</u>		
<ul style="list-style-type: none"> Active frontage uses are defined as one or a combination of the following at street level: Entrance to retail. Shop front. Glazed entries to commercial and residential lobbies occupying less than 50% of the street frontage, to a maximum of 12m frontage. Café or restaurant if accompanied by an entry from the street. Active office uses, such as reception, if visible from the street. In commercial and mixed use development, active street fronts are encouraged in the form of non-residential uses on ground level. Active street fronts are required along streets for all buildings in the Commercial Core Active ground floor uses are to be at the same general level as the footpath and be accessible directly from the street. 	<p>Commercial premises face Crown Lane. The proposed forecourt provides opportunities for activity.</p> <p>Accessible directly from Crown Lane.</p>	Yes
<u>3.4 Safety and security</u>		
<ul style="list-style-type: none"> Ensure that the building design allows for casual surveillance of accessways, entries and driveways. Avoid creating blind corners and dark alcoves that provide concealment opportunities in pathways, stairwells, hallways and carparks. Provide entrances which are in visually prominent positions and which are easily identifiable, with visible numbering. Provide adequate lighting of all pedestrian access ways, parking areas and building entries. Such lighting should be on a timer or movement detector to reduce energy 	<p>Natural surveillance will be available from upper level balconies, forecourt and communal areas.</p> <p>Design responds appropriately to CPTED principles; refer to Chapter E2 assessment.</p>	Yes

<p>consumption and glare nuisance.</p> <ul style="list-style-type: none"> • Provide clear lines of sight and well-lit routes throughout the development. • Where a pedestrian pathway is provided from the street, allow for casual surveillance of the pathway. • For large scale retail and commercial development with a GFA of over 5,000m², provide a 'safety by design' assessment in accordance with the CPTED principles. • Provide security access controls where appropriate. • Ensure building entrance(s) including pathways, lanes and arcades for larger scale retail and commercial developments are directed to signalised intersections rather than mid-block in the Commercial zone. 		
<p><u>3.5 Awnings</u></p>	<p>An awning is proposed over Crown Lane</p>	<p>Yes</p>
<p><u>3.6 Vehicular footpath crossings</u></p> <ul style="list-style-type: none"> • 1 vehicle access point only (including the access for service vehicles and parking for non-residential uses within mixed use developments) will be generally permitted • Double lane crossing with a maximum width of 5.4 metres may be permitted • Doors to vehicle access points are to be roller shutters or tilting doors fitted behind the building façade. • Vehicle entries are to have high quality finishes to walls and ceilings as well as high standard detailing. No service ducts or pipes are to be visible from the street. 	<p>Only one entry point is proposed. Driveway crossing width is acceptable.</p> <p>A basement security shutter is proposed.</p>	<p>Yes</p>
<p><u>3.8 Building exteriors</u></p> <ul style="list-style-type: none"> • Adjoining buildings (particularly heritage buildings) are to be considered in the design of new buildings in terms of appropriate alignment and street frontage heights; setbacks above street frontage heights; appropriate materials and finishes selection; façade proportions including horizontal or vertical emphasis; • Balconies and terraces should be provided, particularly where buildings overlook parks and on low rise parts of buildings. Gardens on the top of setback areas of buildings are encouraged. § Articulate facades so that they address the street and add visual interest. • External walls should be constructed of high quality and durable materials and finishes with 'self-cleaning' attributes, such as face brickwork, rendered brickwork, stone, concrete and glass. 	<p>The development reflects the desired future character for the locality as outlined in the applicable planning controls. A condition of consent regarding heritage staff endorsement of external materials is recommended.</p> <p>The proposal as amended responds to matters raised by the DRP.</p> <p>Balconies are provided to all boarding areas; and overlooking/surveillance of the internal street will be available.</p> <p>Facades address the street and the building is generally considered to be well articulated</p>	<p>Yes</p>

<ul style="list-style-type: none"> Finishes with high maintenance costs, those susceptible to degradation or corrosion from a coastal or industrial environment or finishes that result in unacceptable amenity impacts, such as reflective glass, are to be avoided. <p>§ To assist articulation and visual interest, avoid expanses of any single material.</p> <p>§ Limit opaque or blank walls for ground floor uses to 30% of the street frontage.</p> <p>§ Maximise glazing for retail uses, but break glazing into sections to avoid large expanses of glass.</p> <ul style="list-style-type: none"> Highly reflective finishes and curtain wall glazing are not permitted above ground floor level A materials sample board and schedule is required to be submitted with applications for development over \$1 million or for that part of any development built to the street edge. Minor projections up to 450mm from building walls in accordance with those permitted by the BCA may extend into the public space providing it does not fall within the definition of GFA and there is a public benefit. The design of roof plant rooms and lift overruns is to be integrated into the overall architecture of the building. 	<p>and detailed.</p> <p>There are no encroachments into/ across Council's footpath or road widening area.</p>	
<p><u>3.10 Views and view corridors</u></p> <ul style="list-style-type: none"> Existing views shown in Figure 3.12 are to be protected to an extent that is practical. Align buildings to maximise view corridors between buildings 	<p>The site is located within the nominated distant panoramic view corridor identified in Figure 3.12 of the DCP. The scale and bulk of the building measured in terms of height, FSR and building setbacks is generally consistent with applicable controls.</p>	Yes

4 Access, parking and servicing

<i>Objectives/controls</i>	<i>Comment</i>	<i>Complies</i>
<p><u>4.2 Pedestrian access and mobility</u></p> <ul style="list-style-type: none"> Main building entry points should be clearly visible from primary street frontages and enhanced as appropriate with awnings, building signage or high quality architectural features that improve clarity of building address and contribute to visitor and occupant amenity. The design of facilities (including car parking requirements) for disabled persons must comply with the relevant Australian Standard and the Disability Discrimination Act 1992. The development must provide at least one main pedestrian entrance with convenient 	<p>Pedestrian access is available from the street frontage directly into the business premises or into the lobby.</p> <p>Attachment 7 contains conditions requiring compliance with the Public Domain Technical Manual.</p>	Yes

<ul style="list-style-type: none"> barrier free access in all developments to at least the ground floor. The development must provide continuous access paths of travel from all public roads and spaces as well as unimpeded internal access. Pedestrian access ways, entry paths and lobbies must use durable materials commensurate with the standard of the adjoining public domain. Building entrance levels and footpaths must comply with the longitudinal and cross grades specified in AS 1428.1, AS/NZS 2890.1:2004 and the DDA. 	
<p><u>4.3 Vehicular driveways and manoeuvring areas</u></p> <ul style="list-style-type: none"> Driveways should be: <ul style="list-style-type: none"> i) Provided from lanes and secondary streets rather than the primary street, wherever practical. ii) Located taking into account any services within the road reserve, such as power poles, drainage pits and existing street trees. iii) Located a minimum of 6m from the nearest intersection iv) If adjacent to a residential development setback a minimum of 1.5m from the relevant side property boundary. Vehicle access is to be designed to: <ul style="list-style-type: none"> i) Minimise the impact on the street, site layout and the building façade design; and ii) If located off a primary street frontage, integrated into the building design. All vehicles must be able to enter and leave the site in a forward direction without the need to make more than a three point turn Driveway widths must comply with the relevant Australian Standards. Car space dimensions must comply with the relevant Australian Standards. Driveway grades, vehicular ramp width/grades and passing bays must be in accordance with the relevant Australian Standard Access ways to underground parking should not be located adjacent to doors or windows of the habitable rooms of any residential development. <p><u>4.4 On-site parking</u></p> <p>§ On-site parking must meet the relevant Australian Standard</p> <ul style="list-style-type: none"> Council may require the provision of a supporting geotechnical report prepared by an appropriately qualified professional as 	<p>The driveway is located appropriately and does not appear to conflict with any services in the road reserve.</p> <p>Driveway width is acceptable and manoeuvring areas are adequate.</p> <p>Vehicles can turn within the site and leave in a forward direction.</p> <p>Car spaces and driveway grades are satisfactory.</p> <p>Yes</p>
<p>§ On-site parking must meet the relevant Australian Standard</p> <ul style="list-style-type: none"> Council may require the provision of a supporting geotechnical report prepared by an appropriately qualified professional as 	<p>Car parking is provided in the lower basement (for residents) and upper basement (business).</p> <p>Sufficient motorcycle and bicycle parking is provided.</p> <p>Yes</p>

<p>information to accompany a development application to Council.</p> <ul style="list-style-type: none"> Car parking and associated internal manoeuvring areas which are surplus to Council's specified parking requirements will count towards the gross floor area, but not for the purpose of determining the necessary parking. Any car parking provided in a building above ground level is to have a minimum floor to ceiling height of 2.8m so it can be adapted to another use in the future. On-site vehicle, motorcycle and bicycle parking is to be provided in accordance with Part E of this DCP. To accommodate people with disabilities, minimum of 1% of the required parking spaces to be provided as disabled persons' car parking. 		
<p><u>4.5 Site facilities and services</u></p> <p><i>Mail boxes</i> – provide in an accessible location adjacent to the main entrance; integrated into a wall where possible and be constructed of materials consistent with the appearance of the building.</p> <p>Letterboxes to be secure and of sufficient size</p> <p><i>Communication structures, air conditioners and service vents</i> - locate satellite dish and telecommunication antennae, air conditioning units, ventilation stacks and any ancillary structures in an appropriate manner.</p> <p><i>Waste storage and collection</i></p> <p><i>Service docks and loading/unloading areas</i></p> <ul style="list-style-type: none"> Provide adequate space within any new development for the loading and unloading of service/delivery vehicles. Preferably locate service access off rear lanes, side streets or rights of way. Screen all service doors and loading docks from street frontages and from active overlooking from existing developments. Design circulation and access in accordance with AS2890.1. 	<p>The building is serviced by the major utilities and some augmentation of existing services is expected to be required.</p> <p>Letterbox location not specified.</p> <p>No rooftop ancillary structures or services shown on the plans.</p> <p>Waste will be collected within the site.</p>	<p>Yes</p>
<p>5 Environmental management</p>		
<p><i>Objectives/controls</i></p>	<p><i>Comment</i></p>	<p><i>Complies</i></p>
<p><u>5.2 Energy efficiency and conservation</u></p>	<p>BASIX certificate submitted indicate the building can meet BASIX targets.</p>	<p>Yes</p>

<u>5.3 Water conservation</u>	BASIX certificate submitted indicate the BASIX targets can be satisfied.	Yes
<u>5.4 Reflectivity</u>	No concerns are raised in regards to material reflectivity.	Yes
<u>5.6 Waste and recycling</u>	Waste management arrangements are satisfactory. Waste will be collected in each tower's loading bay.	Yes

7 Planning controls for special areas

The site is located with Special Area 1 'Crown Street Shops'. The objectives and design criteria refer primarily to land which contains a heritage items. An assessment must be carried out of the impact of proposals on heritage items and conservation areas.

The development adjoins several heritage items, which are two storey commercial buildings and are located on Crown Street. The properties are identified in Attachment 2.

General conservation criteria principles include determining an appropriate scale, architectural form and detailing, and judiciously siting the development.

The Heritage 21 report includes reference to the NSW Heritage Office Guidelines for infill development.

Council's heritage officer provided comment on the plans initially lodged. Since then, the proposal has been redesigned in response to those comments and the recommendations of the Design Review Panel. In its current form, it is generally acceptable, subject to a condition of consent regarding materials.

CHAPTER B1: RESIDENTIAL DEVELOPMENT

4.0 General Residential controls

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<u>4.13 Fire Brigade Servicing</u>	Location of fire hydrant to be conditioned.	Yes

CHAPTER B4: DEVELOPMENT IN BUSINESS ZONES

Chapter B4 applies to any retail or business premises in the B3 zone. Specific design controls for the site are set out in Chapter D13.

The development is consistent with relevant general controls contained in clause 9 of Chapter B4:

- Ensure barrier free access from footpath to premises
- Ensure all ground floor have direct access to the street and clear glazing
- Ensure street corners are strengthened by massing and building articulation to both street frontages
- To provide pedestrian amenity and unique streetscape character for each business centre
- Ensure all new retail and business developments are designed to minimise potential overshadowing and maximise solar access opportunities to any adjoining residential properties and the public domain (public reserves and/or footpaths) in the locality.

CHAPTER C3: BOARDING HOUSES

<i>Controls/objectives</i>	<i>Comment</i>	<i>Complies</i>
4 Development controls for boarding		

<i>Controls/objectives</i>	<i>Comment</i>	<i>Complies</i>
houses		
<u>4.1 Location of Boarding Houses</u> Generally access to public transport within 400m walking distance of railway station or bus stop (regular bus service) that has at least one bus per hour 6am-9pm Monday to Friday and 8am-6pm weekends.	Bus stop location and frequency of service complies. Bus stops are in Crown Street and Keira Street.	Yes
<u>4.2 Front Building Line Setbacks</u> Setbacks as required by Chapter B1 for the building form. Nil setback required	Chapter D13 setback controls take precedence - complies.	Yes
<u>4.3 Side & Rear Setbacks</u> Setbacks as required by Chapter B1 for the building form. [D13 more appropriate]. The building form is an elongated nine storey building, with ground floor commercial and a boarding house on Levels 2-9.	Refer Chapter D13	N/a
<u>5 Minimum facilities for boarding houses</u> Class 3 boarding house BCA requirements. Demonstrate balance between shared and private areas. Boarding rooms minimum 12m ² (single room) and minimum 16m ² (double room). Maximum no. of lodgers per room is two. If ensuite provided, minimum additional 3m ² . Laundry and clothes drying facilities at following rate: <ul style="list-style-type: none"> 1 machine and tub/10 boarding rooms 1 clothesdryer or 30m clothesline/10 boarding rooms Minimum 1 communal living room of sufficient size to accommodate proposed number of residents. Minimum communal living room 3 hours direct sunlight 9am-3pm on 22 June. Communal living rooms appropriately located to minimise impacts on adjoining properties	Building is Class 3 Balcony, common rooms and communal open space areas provide good amenity. Each floor has multiple communal rooms. Room size shown on plans but occupancy not clarified. No room less than 12m ² . Plan of management specifies maximum 2 lodgers. Condition maximum two persons. All rooms have ensuite. Communal laundry is located in Basement 2, containing 10 machines and dryers. Each floor has minimum two internal common room, most with a balcony. These are adequate to accommodate residents Communal rooms would receive more than 3 hours sunlight. Communal rooms situated away from sensitive building edges.	Yes Yes Condition Yes Yes Yes Yes

<i>Controls/objectives</i>	<i>Comment</i>	<i>Complies</i>
Private open space in the rear setback	Level 4 has a communal outdoor landscaped area on the western edge. This is an appropriate location as it is removed from sensitive neighbouring uses.	Yes
Minimum 1 private open space area of 20m ² with minimum dimension 3m for use of lodgers	Level 4 terrace is 121.2m ² .	Yes
Where boarding house is not within walking distance of public open space, should provide 30m ² of private open space.	Level 4 terrace is 121.2m ² .	Yes
If on-site accommodation for manager, at least 1 area of 8m ² with minimum dimension 2.5m adjacent to accommodation for purpose of private open space.	No manager's residence. Manager's office and courtyard is located on Level 1.	Yes
Landscaping in front setback should soften built form of the boarding house and maintain visual amenity of surrounding locality.	Landscape plan show combination of planters and boundary planting. Satisfactory landscaping in front setback.	Yes
Landscape plan required.	Landscaping plan provided.	Yes
Satisfactory provision for on-site car parking for residents, manager and visitors.	25 spaces provided, including disabled spaces.	Yes
Car parking in accordance with Chapter E3.	Car parking in accordance with Chapter E3.	Yes
Suitable disabled access arrangement in accordance with Australian Standards.	Disabled access to boarding rooms and all communal facilities.	Yes
Subdivision or community title subdivision is prohibited.	Subdivision not proposed.	N/a
Application shall address objectives of the development, local area characteristics, physical and social characteristics of the boarding house, key social impacts.	SEE assesses these matters.	Yes
<u>5 Management Plan</u>		
Plan of Management required	Revised Plan of Management prepared October 2018.	Yes
Staffing measures	One on-site manager and one receptionist to be appointed. Contact details displayed on noticeboard in foyer/common room	Yes
Measures to ameliorate potential noise or amenity impacts within the building and surrounding locality	Information to lodgers upon signing agreement includes expectation that neighbouring residential amenity will be maintained. Outdoor communal areas not to be used between 10pm and 7.30am. Visitors must not stay on premises after 10pm. Recommend condition prohibiting subletting/short stay letting of boarding	Condition

<i>Controls/objectives</i>	<i>Comment</i>	<i>Complies</i>
Safety and security measures to be employed	rooms. Each lodger provided with accommodation manager's contact details and emergency phone numbers.	Yes
House rules to be displayed.	Each lodger would be required to sign copy of house rules statement and an occupancy agreement. Minimum stay 3 months.	Yes
Emergency evacuation plan	To be approved by the Principal Certifying Authority. Caretaker to be trained in operation of the evacuation plan.	Yes
Parking statement	Not discussed in Plan of Management	N/a
24hr contact details of the manager/caretaker.	To be displayed in common room and in occupancy agreement and house rules statement. Manager to be on-site.	Yes
<u>11 Fire safety</u>		
Fire safety statement to be displayed in building	As required by legislation and referred to in Plan of Management. Can be conditioned.	Condition
Floor layout plan to be affixed to each room door	As required by legislation and referred to in Plan of Management. Can be conditioned.	Condition
Annual certification for essential fire safety measures	As required by legislation and referred to in Plan of Management. Can be conditioned.	Condition
<u>Schedule 1 Boarding House Management Template</u>		
Various matters	Plan of Management provided	Condition

Approved Plans and Specifications

- 1) The development shall be implemented substantially in accordance with the details and specifications set out on Drawing Nos
 - DA-00-D, DA-04-D, DA-05-D, DA-06-D, DA-07-D, DA-08-D, DA-12-D, DA-13-D, DA-14-D dated September 2018 prepared by PRD Architects
 - DA-03-C, DA-09-C, DA-10-C, DA-15-C, DA-16-C, dated 26 April 2018 prepared by PRD Architects
 - L-01-E and L-02-E dated 15 October 2018 prepared by Site Design Studiosand any details on the application form, and with any supporting information received, except as amended by the conditions specified and imposed hereunder.

General Matters

- 2) **Building Work - Compliance with the Building Code of Australia**
All building work must be carried out in compliance with the provisions of the Building Code of Australia.
- 3) **Construction Certificate**
A Construction Certificate must be obtained from Council or an Accredited Certifier prior to work commencing.

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

Note: The submission to Council of two (2) copies of all stamped Construction Certificate plans and supporting documentation is required within two (2) days from the date of issue of the Construction Certificate, in the event that the Construction Certificate is not issued by Council.
- 4) **Occupation Certificate**
An Occupation Certificate must be issued by the Principal Certifying Authority prior to occupation or use of the development. In issuing an Occupation Certificate, the Principal Certifying Authority must be satisfied that the requirements of section 6.9 of the Environmental Planning and Assessment Act 1979, have been complied with as well as all of the conditions of the Development Consent.
- 5) **Geotechnical**
 - a) Hard bedrock where encountered will be difficult to excavate. Alternative excavation methods should be considered to minimise noise and vibration.
 - b) An earthworks plan is to be developed by a geotechnical consultant prior to start of earthworks.
 - c) A dilapidation report is required for all structures located within the zone of influence of the proposed earthworks as determined by the geotechnical consultant.
 - d) All earthworks are to be in accordance with the recommendations of the geotechnical consultant and included in the earthworks plan developed for Geotechnical Condition 2.

- e) All excavations need to be supported during and after construction particularly to protect adjoining property with nearby existing development.
 - f) Retaining wall design is not to include anchors extending on to adjoining property without the written consent of the adjoining property owner.
 - g) All earthworks including drainage, retaining wall construction is to be subject to geotechnical supervision. Where necessary amendments are to be made to the designs during construction based on supplementary geotechnical advice given during the supervision to ensure that the completed works accommodates all encountered geotechnical constraints.
 - h) At the completion of the site preparation earthworks, the geotechnical consultant is to prepare a works-as-executed report detailing encountered geotechnical conditions and how the earthworks addressed these conditions so that the residual geotechnical constraints can be accommodated within the structural designs for the development. These structural designs are to be confirmed or amended by the structural engineer based on the works-as-executed geotechnical report.
- 6) **Water Sensitive Urban Design**
The development shall integrate in all stages of the development a concept plan for stormwater quality management. The treatment goals for removal pollutants and nutrients shall be GP – 90%, TSS – 80%, TP – 60% and TN – 45% in accordance with Wollongong Development Control Plan 2009 Chapter E 15 Water Sensitive Urban Design.
- 7) **Changes to approved development**
Any changes or alterations to the use of the boarding house or the terms of the approved Operational Plan of Management except as required by conditions of this consent will require modification of this development consent.
- 8) **Restricted Vegetation Removal**
This consent permits the removal of trees and other vegetation from the site within three (3) metres of the approved buildings. This consent also permits the pruning of trees within three (3) metres of approved buildings in accordance with AS 4373-2007 Pruning of Amenity Trees. No other trees or vegetation shall be removed or pruned, without the prior written approval of Council.
- 9) **Separate Consent Required for Advertising Signage**
This consent does not authorise the erection of any advertising signage. Any such advertising signage will require separate Council approval, in the event that such signage is not exempt development, under Schedule 2 of Wollongong Local Environmental Plan 2009.
- Any new application for advertising signage must be submitted to Council in accordance with Chapter C1 – Advertising and Signage Structure of Wollongong Development Control Plan 2009.
- 10) **Subdivision of boarding house prohibited**
Subdivision of the boarding house into strata or community title allotments is prohibited.

Prior to the Issue of the Construction Certificate

- 11) **Site Contamination Validation Report**
A site contamination validation must be provided to the Principal Certifying Authority, prior to the issue of the Construction Certificate. This validation report shall verify that:
- all site contamination remediation works have been satisfactorily completed;
 - the site is not affected by any soil strata and/or groundwater table contamination, above NSW EPA threshold limit criteria; and
 - the site is rendered suitable for the proposed development.

The site validation report must be prepared by a reputable consultant recognised by the NSW EPA and having industry certification as possessing an acceptable minimum standard of competency. Relevant certification schemes are:

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

A copy of site validation must be sent to Council prior to issue of the Construction Certificate.

12) Coordination of Civil Frontage Works

The developer must make arrangements with Council with regards to the coordination of the footpath works required by the conditions of this consent with Council's proposed roadworks adjacent to the site. These works are likely to involve raising of the road, kerb and guttering. The developer must contact Council's manager of Development Engineering to obtain the design levels.

The design levels from Council shall be reflected in the Construction Certificate Plans and any supporting documentation prior to the release of the Construction Certificate.

13) Flows from Adjoining Properties

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

14) Basement Water Proofing

Full engineering details of the proposed wall around the basement car park shall be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate. These shall include construction details indicating that no ingress of stormwater is possible into the basement levels other than from sub-soil drainage, vehicle wash water and runoff from the driveway that drains towards the basement. This applies to any proposed opening such as doors or ventilation louvres. The problem of backwater from the stormwater pipeline entering the basement car park level shall be addressed by a method such as a flap gate or one-way valve system.

15) Pump System

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

16) Building Ingress of Stormwater

Detailed design of the development shall ensure that there will be no ingress of surface stormwater runoff into the proposed buildings. All building entrances shall be provided with a suitable freeboard above the adjacent local blocked pipe situation 100 year ARI water surface level. These requirements shall be reflected on the Construction Certificate plans and supporting documentation prior to the release of the Construction Certificate.

17) Excavation and Retaining Structures adjacent to public roads

The design of all permanent and temporary retaining structures within the zone of influence of any Council assets including the road pavement, stormwater pipes and pits, must be provided to Wollongong City Council and the Principal Certifying Authority prior to the issue

of the Construction Certificate. The design must be prepared in accordance with the RMS Technical direction GTD 2012/001, by a qualified Civil Engineer, NPER 3 accreditation with the Institute of Engineers Australia and experienced in structural design. The plan must clearly show that all components of the retaining structure and associated drainage is wholly located within the subject site. The design must be supported by:

- a) A geotechnical report prepared in accordance with the requirements of the RMS Technical direction GTD 2012/001.
- b) A dilapidation survey of the existing Council infrastructure
- c) Details of the proposed monitoring program for the excavation and retaining structures, and relevant threshold actions prepared in accordance with RMS Technical direction GTD 2012/001.

18) Ground Anchors

Permanent ground anchors are not permitted within the road. Temporary ground anchors can only be used where the Road Authority has provided written confirmation to the applicant for their use. Temporary anchors must be designed in accordance with RMS Technical Direction GTD 2012/001.

19) Street Lighting

The detailed design of the development must ensure that entire frontage of the development achieves a minimum category P3 lighting level in accordance with AS 1158.3. The lighting level and associated lighting infrastructure designed by a suitably qualified lighting consultant must be clearly identified on the Construction certificate plans and documentation prior to the release of the Construction certificate by the Principal Certifying Authority.

20) External materials and colours

Prior to issue of the Construction Certificate, the developer is to provide the Principal Certifying Authority with written endorsement by Council's heritage officer of proposed revised external colours and materials.

21) Dilapidation Report Prior to Construction

A Dilapidation Report detailing the current structural condition of adjoining buildings, infrastructure and roads shall be prepared and endorsed by a qualified structural engineer. The report shall be submitted to the satisfaction of the certifying authority prior to issue of the Construction Certificate. A copy of the report is to be forwarded to Council and the owners of adjoining properties prior to the issue of a Construction Certificate.

22) Present Plans to Sydney Water

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

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

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

23) Section 73 Compliance Certificate

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Builders and Developers" section of the web site www.sydneywater.com.au then search to "Find a Water Servicing Coordinator". Alternatively, telephone 13 20 92 for assistance.

Following application, a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

The Notice of Requirements must be submitted to the Principal Certifying Authority prior to issue of the Construction Certificate.

24) Endeavour Energy Requirements

The submission of documentary evidence from Endeavour Energy to the Principal Certifying Authority is required confirming that satisfactory arrangements have been made with Endeavour Energy for the provision of electricity supplies to the development, prior to the release of the Construction Certificate.

Note: Applications should be made to Customer Connections – South Coast, Endeavour Energy PO Box 811 Seven Hills NSW 1730.

25) Telecommunications

The submission of documentary evidence from an approved telecommunications carrier to the Principal Certifying Authority confirming that underground telecommunication services are available for this development is required prior to the issue of the Construction Certificate.

26) Car Parking and Access

The development shall make provision for the following:

Boarding House

- 21 residential car parking spaces (including a minimum of 2 spaces capable of adaption for people with disabilities)
- A minimum of 95 secure (Class B) residential bicycle spaces

Commercial

- 4 retail car parking spaces (including 1 disabled car parking space)
- 1 retail motorcycle space
- 1 secure (Class B) employee bicycle space
- 1 bicycle space for shoppers (Class C)

This requirement shall be reflected on the Construction Certificate plans. Any change in above parking numbers requires s. 4.55 modification to the development. The approved car parking spaces shall be maintained to the satisfaction of Council, at all times.

27) The parking dimensions, internal circulation, aisle widths, kerb splay corners, head clearance heights, ramp widths and grades of the car parking areas are to be in conformity with the current relevant Australian Standard AS2890.1, except where amended by other conditions of this consent. Details of such compliance are to be reflected on the Construction Certificate plans.

28) Each disabled person's parking space must comply with the current relevant Australian Standard AS2890.6 – Off-street parking for people with disabilities. This requirement shall be reflected on the Construction Certificate plans.

29) The provision of suitable barriers, line-marking and painted signage delineating vehicular flow movements within the car parking areas. These details shall be reflected on the Construction Certificate plans.

- 30) Gradients of Ramps and Driveways as per AS 2890.1
All driveways shall be constructed with a maximum vertical alignment as shown in Council's standard drawings. This requirement shall be reflected on the Construction Certificate plans and any supporting documentation.
- Gradients of ramps and access driveways within the site must be provided in accordance with the current relevant Australian Standard AS2890.1 - Off Street Car Parking. Details of the method of treatment of any fill/retaining wall which may be required in conjunction with the proposed driveway. This requirement must be reflected on the Construction Certificate plans.
- 31) Structures Adjacent to Driveway
Any proposed structures adjacent to the driveway shall comply with the requirements of the current relevant Australian Standard AS2890.1 (figure 3.2 and 3.3) to provide for adequate pedestrian and vehicle sight distance. This includes, but is not limited to, structures such as signs, letterboxes, retaining walls, dense planting etc. This requirement shall be reflected on the Construction Certificate plans.
- 32) Structure over Road
The submission of an application is required for the proposed structure within or over the road reserve for Council's approval pursuant to the provisions of the Roads Act 1993 prior to the issue of the Construction Certificate. If approved, the Roads Act 1993 approval will, in part, require the owner and successive owners to maintain the structure in a satisfactory state of repair and shall indemnify Council against all claims arising from the structure. The approval will also include a provision that Council reserves the right to terminate the approval under the Roads Act 1993 at any time and for any reason.
- 33) The submission of a final Landscape Plan to the Principal Certifying Authority, prior to the release of the Construction Certificate. The final Landscape Plan shall address the following requirements:
- a) a schedule of proposed planting, including botanic name, common name, expected mature height and staking requirements as well as number of plants and pot sizes;
 - b) the location of all proposed and existing overhead and underground service lines. The location of such service lines shall be clear of the proposed trees.
- The completion of the landscaping works as per the final approved Landscape Plan is required, prior to the issue of Occupation Certificate.
- 34) The submission of certification from a suitably qualified and experienced landscape designer and drainage consultant to the Principal Certifying Authority prior to the release of the Construction Certificate, confirming that the landscape plan and the drainage plan are compatible.
- 35) Engineering Plans and Specifications - Retaining Wall Structures Greater than 1m
The submission of engineering plans and supporting documentation of all proposed retaining walls greater than 1m to the Principal Certifying Authority for approval prior to the issue of the Construction Certificate. The retaining walls shall be designed by a suitably qualified and experienced civil and/or structural engineer. The required engineering plans and supporting documentation shall include the following:
- 1 A plan of the wall showing location and proximity to property boundaries;
 - 2 An elevation of the wall showing ground levels, maximum height of the wall, materials to be used and details of the footing design and longitudinal steps that may be required along the length of the wall;
 - 3 Details of fencing or handrails to be erected on top of the wall;

- 4 Sections of the wall showing wall and footing design, property boundaries and backfill material. Sections shall be provided at sufficient intervals to determine the impact of the wall on existing ground levels. The developer shall note that the retaining wall and footing structure must be contained wholly within the subject property;
- 5 The proposed method of subsurface and surface drainage, including water disposal;
- 6 Reinforcing and joining details of any bend in the wall at the passing bay of the accessway;
- 7 The assumed loading used by the engineer for the wall design.
- 8 Flows from adjoining properties shall be accepted and catered for within the site. Finished ground and top of retaining wall levels on the boundary shall be no higher than the existing upslope adjacent ground levels.

36) Roof Water Connection to Kerb

Connection across footways shall be by means of one or two (maximum), sewer grade UPVC pipe(s), 100mm diameter pipes with a continuous downslope gradient to the kerb. Connection to the kerb shall be made with a rectangular, hot dipped galvanised mild steel weephole(s) shaped to suit the kerb profile, with each weephole having the capacity equal to a 100mm diameter pipe. Alternatively, a maximum of two 150mm x 100mm hot dipped galvanised steel pipes may be used across footways, with the 150mm dimension being parallel to the road surface to suit the kerb profile.

37) Bicycle parking facilities must have adequate weather protection and provide the appropriate level of security as required by the current relevant Australian Standard AS2890.3 - Bicycle Parking Facilities. This requirement shall be reflected on the Construction Certificate plans.

38) Property Addressing Policy Compliance

Prior to the issue of any construction certificate, the developer must ensure that any site addressing complies with Council's Property Addressing Policy (as amended). Where appropriate, the developer must also lodge a written request to Council's Infrastructure Systems & Support – Property Addressing (propertyaddressing@wollongong.nsw.gov.au), for the site addressing prior to the issue of the construction certificate. Please allow up to 3-5 business days for a reply. Enquiries regarding property addressing may be made by calling 4227 8660.

39) Footpath Paving City Centre

The developer is responsible for the construction of footpath paving for the entire frontage of the development for the full width of the verge. The type of paving for this development shall be in accordance with the Wollongong City Council Public Domain Technical Manual.

A nominal two percent (2%) minimum one percent (1%), maximum two and a half percent (2.5%) cross fall to be provided from property line to back of kerb. Any changes of level, ramps or stairs and associated tactile markers and handrails are to be contained within the property boundary.

The driveway entry threshold from the property boundary line to the face of kerb is to match the footpath material and be designed to withstand predicted traffic loadings.

The driveway threshold finish within property boundary line is to contrast with driveway entry.

The footpath and driveway entry on the council property must be installed to the satisfaction of WCC Manager of Works.

A Landscape Plan is to be submitted to Council for approval prior to the issue of the Construction Certificate showing proposed paving, footpath design levels, street tree details and location of all services.

40) Sizing of Drainage

All roof gutters, downpipes, pits, and pipelines draining roof areas and other impervious surfaces with no deliberate overflow path to the on-site stormwater detention (OSD) facility, shall be designed to cater for a 1 in 100 year ARI storm event in accordance with AS 3500.3 – Plumbing and Drainage (Stormwater Drainage). Details of gutter/downpipe/pipeline sizes and locations shall be reflected on the Construction Certificate plans.

41) Stormwater Drainage Design

A detailed drainage design for the development must be submitted to and approved by the Principal Certifying Authority prior to the release of the Construction Certificate. The detailed drainage design must satisfy the following requirements:

- a Be prepared by a suitably qualified civil engineer in accordance with Chapter E14 of Wollongong City Council's Development Control Plan 2009, Subdivision Policy, conditions listed under this consent, and generally in accordance with the concept plan/s lodged for development approval, being the Ground Floor Level Concept STW Plan, job no. 17119, Drawing no. SW4, Revision D, by ATB Consulting Engineers, dated 28/09/2018
- b Include details of the method of stormwater disposal. Stormwater from the development must be piped to Council's existing stormwater drainage system
- c Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified engineer and be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties. The plan must indicate the method of disposal of all stormwater and must include rainwater tanks, existing ground levels, finished surface levels on all paved areas, estimated flow rates, invert levels and sizes of all pipelines.
- d Overflow paths shall be provided to allow for flows of water in excess of the capacity of the pipe/drainage system draining the land, as well as from any detention storage on the land. Blocked pipe situations with 1 in 100 year ARI events shall be incorporated in the design. Overflow paths shall also be provided in low points and depressions. Each overflow path shall be designed to ensure no entry of surface water flows into any building and no concentration of surface water flows onto any adjoining property. Details of each overflow path shall be shown on the detailed drainage design. Where an overland flow path can't be provided in the proposed terrace/courtyard on the southern side of the development the stormwater design must include a 2 stage stormwater system (i.e./ primary and overflow system) designed to cater for the 100 year flow from the contributing catchment.

42) On-Site Stormwater Detention (OSD) Design

The developer must provide on-site stormwater detention (OSD) storage for stormwater runoff from the development. The design and details of the OSD system must be provided in conjunction with the detailed drainage design and approved by the Principal Certifying Authority prior to the release of the Construction Certificate. The OSD design and details must satisfy the following requirements:

- a Must be prepared by a suitable qualified engineer in accordance with Chapter E14 of the Wollongong DCP 2009.

- b The developer must provide on-site detention storage for stormwater runoff from the development designed to ensure no increase in stormwater discharge at each discharge location (Crown Lane) for events up to and including the 100 year storm. The Site Storage Requirement (SSR) and Permissible Site Discharge (PSD) values for the site must be determined by a suitably qualified civil engineer, pre and post development stormwater discharge rates at each discharge location from the site must be provided clearly demonstrating the above requirements. Details of the detention facility, SSR/PSD values and certification from a suitably qualified civil engineer must be submitted with the Construction Certificate application.
- c The OSD facility must be designed to withstand the maximum loadings occurring from any combination of traffic (with consideration to residential and heavy vehicles), hydrostatic, earth, and buoyancy forces. Details must be provided demonstrating these requirements have been achieved.
- d The OSD facility shall incorporate a minimum 900mm x 900mm square lockable grate for access and maintenance purposes, provision for safety, debris control screen, and a suitably graded invert to the outlet to prevent ponding.
- e Must include discharge control calculations (i.e. orifice/weir calculations) generally in accordance with Section 12.2.6 and 12.5.4 of Chapter E14 of the Wollongong DCP2009.
- f Details of the orifice plate including diameter of orifice and method of fixing shall be provided.
- g Must include details of a corrosion resistant identification plaque for location on or close to the OSD facility. The plaque shall include the following information and shall be installed prior to the issue of the occupation certificate:
 - The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.
 - Identification number DA-2018/68;
 - Any specialist maintenance requirements.
- h Must include a maintenance schedule for the OSD system, generally in accordance with Chapter E14 of the Wollongong DCP2009.

43) Council Footpath Reserve Works

All redundant vehicular crossings and laybacks rendered unnecessary by this development must be reconstructed to normal kerb and gutter or existing edge of carriageway treatment to match the existing. The verge from the back of kerb to the boundary must be removed and the area appropriately graded, and paved in a manner that conforms with adjoining road reserve. The area forward of the front boundary must be kept smooth, even and free from any trip hazards. All alterations of public infrastructure where necessary are at the developer's expense.

All new driveway laybacks and driveway crossings must be designed in accordance with Wollongong City Council Standards. Details and locations are to be shown on the Construction Certificate Plans.

44) Crown Lane and Rawson Street – Detailed Civil Engineering Design – Council Land

A detailed civil engineering design shall be provided for the proposed footpath within the road reserve and/or Council Land (including road widening). The details must be submitted to and approved by Councils Development Engineering Manager. The detailed civil engineering design shall be prepared by a suitably qualified practicing civil engineer in accordance with the relevant Council engineering standards. The design plans shall include:

- a Levels and details of all existing and proposed infrastructure/services such as kerb and gutter, public utility, pits, poles, fencing, stormwater drainage, adjacent road carriageway crown, street signs (clearly identifying the type of sign) and footpath levels, and shall extend a minimum of 5 metres beyond the limit of works.
- b Footpath longitudinal sections, and cross-sections at 5 metre intervals as well as including building entrance points and transitions to existing at the property boundary demonstrating compliance with the latest versions of AS 1428.1, AS/NZS 2890.1, the Disability Discrimination Act and the AUSTROAD road design standards.
- c Where any adjustments to public utilities are proposed the applicant shall submit documentary evidence that they have the consent of the owner of the public utility authority.
- d All construction must be in accordance with the requirements of Council's Subdivision Code. Evidence that this requirement has been met must be detailed on the engineering drawings.
- e Details are to be provided regarding the type of materials used for construction. They should conform to the adjacent road reserves.
- f Design levels must be in accordance with those provided by Council for the adjoining road reserve

The detailed civil engineering design and supporting documentation shall be submitted to and approved by Wollongong City Council's Development Engineering Manager prior to the issue of a Construction Certificate.

45) Amend Plan of Management

The Operational Plan of Management prepared October 2018 shall be amended in the following manner:

- Refer to the approved development consent reference number (DA-2018/68) and attach the conditions of this development consent.
- Insert reference to maximum number of boarding rooms i.e. 95
- Amend 'Occupant rate' to reflect DA-2018/68 i.e. single occupancy and double occupancy room sizes. Identify which rooms are single and which are double.
- Amend 'Contract cleaning and maintenance workers' to delete reference to placement of bins on Council's footpath. Bins must be collected within the site. Placement of bins on the street is prohibited.

The amended Operational Plan of Management must be submitted to Council and the Principal Certifying Authority prior to issue of the Construction Certificate.

46) Development Contributions - City Centre

Pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979 and the Wollongong City-Wide Development Contributions Plan (2018), a monetary contribution of \$321,620.00 (subject to indexation) must be paid to Council towards the provision of public amenities and services, prior to the release of any associated Construction Certificate.

This amount has been calculated based on the estimated cost of development and the applicable percentage rate as outlined in Clause 25K of the Environmental Planning and Assessment Regulation 2000.

The contribution amount will be subject to indexation until the date of payment. The formula for indexing the contribution is:

$$\text{Contribution at time of payment} = \$C \times (CP2/CP1)$$

Where:

\$C is the original contribution as set out in the Consent

CP1 is the Consumer Price Index; All Groups CPI; Sydney at the time the consent was issued

CP2 is the Consumer Price Index; All Groups CPI; Sydney at the time of payment

Details of CP1 and CP2 can be found in the Australian Bureau of Statistics website – Catalogue No. 6401.0 - Consumer Price Index, Australia.

The following payment methods are available:

METHOD	HOW	PAYMENT TYPE
Online	http://www.wollongong.nsw.gov.au/applicationpayments Your Payment Reference: 949086	Credit Card
In Person	Wollongong City Council Administration Building - Customer Service Centre Ground Floor 41 Burelli Street, WOLLONGONG	Cash Credit Card Bank Cheque
PLEASE MAKE BANK CHEQUE PAYABLE TO: Wollongong City Council (Personal or company cheques are not accepted)		

A copy of the Wollongong City-Wide Development Contributions Plan (2018) and accompanying Fact Sheet may be inspected or obtained from the Wollongong City Council Administration Building, 41 Burelli Street, Wollongong during business hours or on Council's web site at www.wollongong.nsw.gov.au

Prior to the Commencement of Works

47) Detailed Civil Engineering Design – proposed road widening on Rawson Street

A detailed civil engineering design shall be provided for the proposed footpath and drainage works within the road widening and/or Council Land. The details must be submitted utilising the 'Engineering Plan Assessment – Development Consent Works within Council Land' form. The detailed civil engineering design shall be prepared by a suitably qualified practicing civil engineer in accordance with the relevant Council engineering standards. The design plans shall be generally in accordance with the Civil Design prepared by Wollongong City Council Design and Technical Services and shall include:

- a Levels and details of all existing and proposed infrastructure/services such as kerb and gutter, public utility, pits, poles, fencing, stormwater drainage, adjacent road carriageway crown, street signs (clearly identifying the type of sign) and footpath levels, and shall extend a minimum of 5 metres beyond the limit of works.
- b Footpath longitudinal sections, and cross-sections at 5 metre intervals as well as including building entrance points and transitions to existing at the property boundary demonstrating compliance with the latest versions of AS 1428.1, AS/NZS 2890.1, the Disability Discrimination Act and the AUSTRROAD road design standards.
- c Engineering details of the proposed pit and pipe stormwater drainage system within Council's road reserve, including a hydraulic grade line analysis and longitudinal section of the proposed system showing calculated flows, velocity, pits, pipe size/class, grade, inverts and ground levels. Each proposed pit must be constructed generally in accordance with Wollongong City Council's Engineering Standard Drawings.

- d Where any adjustments to public utilities are proposed the applicant shall submit documentary evidence that they have the consent of the owner of the public utility authority.
- e All construction must be in accordance with the requirements of Council's Subdivision Code. Evidence that this requirement has been met must be detailed on the engineering drawings.
- f Details are to be provided regarding the type of materials used for construction. They should conform to the adjacent road reserves.

The detailed civil engineering design and supporting documentation shall be submitted to and approved by Wollongong City Council's Development Engineering Manager prior to the issue of a Construction Certificate.

48) Sign – Supervisor Contact Details

Before commencement of any work, a sign must be erected in a prominent, visible position:

- a) stating that unauthorised entry to the work site is not permitted;
- b) showing the name, address and telephone number of the Principal Certifying Authority for the work; and
- c) showing the name and address of the principal contractor in charge of the work site and a telephone number at which that person can be contacted at any time for business purposes.

This sign shall be maintained while the work is being carried out and removed upon the completion of the construction works.

49) Application for Occupation, Use, Disturbance or Work on Footpath/Roadway

Any occupation, use, disturbance or work on the footpath or road reserve for construction purposes, which is likely to cause an interruption to existing pedestrian and / or vehicular traffic flows requires Council consent under Section 138 of the Roads Act 1993. An application must be submitted and approved by Council prior to the works commencing where it is proposed to carry out activities such as, but not limited to, the following:

- (a) Digging or disruption to footpath/road reserve surface;
- (b) Loading or unloading machinery/equipment/deliveries;
- (c) Installation of a fence or hoarding;
- (d) Stand mobile crane/plant/concrete pump/materials/waste storage containers;
- (e) Pumping stormwater from the site to Council's stormwater drains;
- (f) Installation of services, including water, sewer, gas, stormwater, telecommunications and power;
- (g) Construction of new vehicular crossings or footpaths;
- (h) Removal of street trees;
- (i) Carrying out demolition works.

50) Works in Road Reserve – Major works

Any occupation, use, disturbance or work on the footpath or road reserve for construction purposes, which is likely to cause an interruption to existing pedestrian and / or vehicular traffic flows requires Council consent under Section 138 of the Roads Act 1993.

The application form for Works within the Road Reserve – Section 138 Roads Act can be found on Council's website. The form outlines the requirements to be submitted with the application, to give approval to commence works under the roads act. It is advised that all

applications are submitted and fees paid, 5 days prior to the works within the road reserve are intended to commence. An application must be submitted must be obtained from Wollongong City Council's Development Engineering Team prior to any works commencing where it is proposed to carry out activities such as, but not limited to, the following:

- a Digging or disruption to footpath/road reserve surface;
- b Loading or unloading machinery/equipment/deliveries;
- c Installation of a fence or hoarding;
- d Stand mobile crane/plant/concrete pump/materials/waste storage containers;
- e Pumping stormwater from the site to Council's stormwater drains;
- f Installation of services, including water, sewer, gas, stormwater, telecommunications and power;
- g Construction of new vehicular crossings or footpaths;
- h Removal of street trees;
- i Carrying out demolition works.

Restoration must be in accordance with the following requirements:

- a All restorations are at the cost of the Applicant and must be undertaken in accordance with Council's standard document, "Specification for work within Council's Road reserve".
- b Any existing damage within the immediate work area or caused as a result of the work/ occupation, must also be restored with the final works.

During Demolition, Excavation or Construction

- 51) Water Sensitive Urban Design (WSUD)
Applicant shall install WSUD treatment device (Storm 360) as stated in the OSD design concept plan prepared by ATB Consulting Engg dated 24 Feb 2018.
- 52) Survey Report for Floor Levels
A Survey Report must be submitted to the Principal Certifying Authority verifying that the lowest habitable floor level accords with the floor levels as per the approved plans under this consent. The survey shall be undertaken after the formwork has been completed and prior to the pouring of concrete for each respective level of the building (if the building involves more than one level). All levels shall relate to Australian Height Datum.
- 53) No Adverse Run-off Impacts on Adjoining Properties
The design of the development shall ensure there are no adverse effects to adjoining properties as a result of flood or stormwater run-off. Attention must be paid to ensure adequate protection for buildings against the ingress of surface run-off.

Allowance must be made for surface run-off from adjoining properties. Any redirection or treatment of that run-off must not adversely affect any other property.
- 54) Copy of Consent to be in Possession of Person carrying out Tree Removal
The applicant/developer must ensure that any person carrying out tree removal/vegetation clearance is in possession of this development consent and/or the approved landscape plan, in respect to the trees/vegetation which have been given approval to be removed in accordance with this consent.

55) Restricted Hours of Construction Work

The developer must not carry out any work, other than emergency procedures, to control dust or sediment laden runoff outside the normal working hours, namely, 7.00 am to 5.00 pm, Monday to Saturday, without the prior written consent of the Principal Certifying Authority and Council. No work is permitted on public holidays or Sundays.

Any request to vary these hours shall be submitted to the Council in writing detailing:

- a the variation in hours required (length of duration);
- b the reason for that variation (scope of works);
- c the type of work and machinery to be used;
- d method of neighbour notification;
- e supervisor contact number;
- f any proposed measures required to mitigate the impacts of the works.

Note: The developer is advised that other legislation may control the activities for which Council has granted consent, including but not limited to, the Protection of the Environment Operations Act 1997.

56) Asbestos – Removal, Handling and Disposal Measures/Requirements Asbestos Removal by a Licensed Asbestos Removalist

The removal of any asbestos material must be carried out by a licensed asbestos removalist if over 10 square metres in area of non-friable asbestos, or if any type of friable asbestos in strict accordance with SafeWork NSW requirements (<http://www.safework.nsw.gov.au>).

57) Asbestos Waste Collection, Transportation and Disposal

Asbestos waste must be prepared, contained, transported and disposed of in accordance with SafeWork NSW and NSW Environment Protection Authority requirements. Asbestos waste must only be disposed of at a landfill site that can lawfully receive this type of waste. A receipt must be retained and submitted to the Principal Certifying Authority, and a copy submitted to Council (in the event that Council is not the Principal Certifying Authority), prior to commencement of the construction works.

58) Acid Sulfate Soils

The Wollongong Local Environmental Plan 2009 Acid Sulfate Soils Map has identified that this property may be affected by classes 3, 4 or 5 Acid Sulfate Soils. Acid Sulfate Soils contain iron sulfides which, when exposed to air due to drainage or disturbance, may produce sulfuric acid and release toxic quantities of iron, aluminium and heavy metals. The Acid Sulfate Soils Map is an indication only and you are advised that you may encounter acid sulfate soils during the excavation for the proposed development.

Any spoil material extracted or excavated from the foundations must be neutralised with commercial lime (calcium bicarbonate) by the addition of 10 kilograms of lime per 1 cubic metre of spoil material before it is disposed of or re-used on-site. Lime is to be added by evenly distributing over all exposed surface areas, drilled piers and footing trenches on the site, prior to pouring concrete.

Council suggests the applicant refer to the Acid Sulfate Soils Assessment Guidelines contained in the Acid Sulfate Soils Manual, prepared by NSW Acid Sulfate Management Advisory Committee, August 1998 for further information.

59) Excess Excavated Material – Disposal

Excess excavated material shall be classified according to the NSW Environment Protection Authority's Waste Classification Guidelines – Part 1: Classifying Waste (2014) prior to being transported from the site and shall be disposed of only at a location that may lawfully receive that waste.

60) Provision of Taps/Irrigation System

The provision of common taps and/or an irrigation system is required to guarantee that all landscape works are adequately watered. The location of common taps and/or irrigation system must be implemented in accordance with the approved Landscape Plan.

61) Screen planting

To mitigate impact to adjoining development a continuous hedge is to be established within the mass planting bed adjacent to the commercial courtyard.

Recommended species:

- i. *Murraya paniculata*, *Viburnum tinus*, *Syzygium australe* "Aussie Southern",

Minimum spacing 900mm.

Minimum pot size 25 lt.

A further list of suitable suggested species may be found in Wollongong Development Control Plan 2009 – Chapter E6: Landscaping.

62) Podium Planting

All podium planting areas are to have a waterproofing membrane that can provide a minimum 10 year warranty on product. Protective boarding is to be installed to protect membrane from damage.

All podium planting areas to be provided with an adequate drainage system connected to the stormwater drainage system. The planter box is to be backfilled with free draining planter box soil mix.

If selected mulch is decorative pebbles/gravel, the maximum gravel pebble size is 10mm diameter

Prior to the Issue of the Occupation Certificate

63) Dilapidation Report Following Construction

A Dilapidation Report prepared by a qualified structural engineer must be submitted to the principal certifying authority, together with the initial Dilapidation Report prepared prior to construction of the approved development.

The report must ascertain whether any structural damage has occurred to adjoining buildings, infrastructure or roads following construction of the development. The report shall be submitted to the satisfaction of the Principal Certifying Authority and a copy must be provided to Council within one month of submission to the Principal Certifying Authority. This must be provided prior to the release of the Occupation Certificate.

64) Road widening Lot 103 DP 551125

A portion of the subject property is affected by road widening, shown as Lot 103 DP 551125, and this land is to be dedicated to Council as public road prior to the issue of the Occupation Certificate. The transfer to Council of this land will be under the terms of the Land Acquisition (Just Terms Compensation) Act 1991 and as such, the applicant will receive fair market value, plus reasonable associated costs.

65) Completion Of Engineering Works

The completion of all engineering works within Council's road reserve or other Council owned or controlled land in accordance with the conditions of this consent and any necessary work to make the construction effective must be to the satisfaction of Council's Manager Development Engineering. The total cost of all engineering works shall be fully borne by the applicant/developer and any damage to Council's assets shall be restored in a satisfactory manner, prior to the issue of the Occupation Certificate.

- 66) **Works-as-Executed Plans – Works within Council Land**
The submission of a Works-As-Executed (WAE) plan for works within Council land and proposed road widening must be submitted to Councils Development Engineering Manager for assessment, prior to the release of the occupation Certificate. The Works-As-Executed plans shall be certified by a registered surveyor indicating that the survey is a true and accurate record of the works that have been constructed. The Works-As-Executed dimensions and levels must also be shown in red on a copy of the approved Construction Certificate plans. The Works-As-Executed (WAE) plans must include:
- Final locations and levels for all works associated with the development within Council land
 - the plan(s) must include but not be limited to the requirements stated in Chapter E14 of the Wollongong DCP 2009.
- 67) **Completion report for excavation adjacent to a public road**
A report be provided to Wollongong City Council and Principal Certifying Authority, prepared by a qualified Civil Engineer, NPER 3 accreditation with the Institute of Engineers Australia and experienced in structural design that:
- a) Certifies that all proposed retaining structures within the zone of influence of any Council assets including the road pavement, stormwater pipes and pits was constructed in accordance with the approved plans prepared in accordance to RMS Technical direction GTD 2012/001.
 - b) Certifies that the monitoring of the site was carried out in accordance with the requirements of RMS Technical direction GTD 2012/001.
 - c) Provides a post construction dilapidation survey
- 68) **Drainage**
The developer must obtain a certificate of Hydraulic Compliance (using Council's M19 form) from a suitably qualified civil engineer, to confirm that all stormwater drainage and on-site detention works have been constructed in accordance with the approved plans. In addition, full works-as-executed plans, prepared and signed by a Registered Surveyor must be submitted. These plans and certification must satisfy all the stormwater requirements stated in Chapter E14 of the Wollongong DCP2009. This information must be submitted to the Principal Certifying Authority prior to the issue of the final Occupation Certificate.
- 69) **Restriction on use – On-site Detention System**
The applicant must create a restriction on use under the Conveyancing Act 1919 over the on-site detention system. The following terms must be included in an appropriate instrument created under the Conveyancing Act 1919 for approval of Council:
- "The registered proprietor of the lot burdened must not make or permit or suffer the making of any alterations to any on-site stormwater detention system on the lot(s) burdened without the prior consent in writing of the authority benefited. The expression 'on-site stormwater detention system' shall include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to those structures.
- Name of the authority having the power to release, vary or modify the restriction referred to is Wollongong City Council."
- The instrument, showing the restriction, must be submitted to the Principal Certifying Authority for endorsement prior to the issue of the final Occupation Certificate and the use of the development.

70) Retaining Wall Certification

The submission of a certificate from a suitably qualified and experienced structural engineer or civil engineer to the Principal Certifying Authority is required, prior to the issue of the Occupation Certificate or commencement of the use. This certification is required to verify the structural adequacy of the retaining walls and that the retaining walls have been constructed in accordance with plans approved by the Principal Certifying Authority.

71) Footpath Paving City Centre

The developer is responsible for the construction of footpath paving for the entire frontage of the development for the full width of the verge. The type of paving for this development shall be in accordance with the Wollongong City Council Public Domain Technical Manual.

A nominal two percent (2%) minimum one percent (1%), maximum two and a half percent (2.5%) cross fall to be provided from property line to back of kerb. Any changes of level, ramps or stairs and associated tactile markers and handrails are to be contained within the property boundary.

The driveway entry threshold from the property boundary line to the face of kerb is to match the footpath material and be designed to withstand predicted traffic loadings.

The driveway threshold finish within property boundary line is to contrast with driveway entry.

The footpath and driveway entry on the council property must be installed to the satisfaction of WCC Manager of Works.

A Landscape Plan is to be submitted to Council for approval prior to the issue of the Construction Certificate showing proposed paving, footpath design levels and location of all services.

72) Positive Covenant – On-Site Detention Maintenance Schedule

A positive covenant shall be created under the Conveyancing Act 1919, requiring the property owner(s) to undertake maintenance in accordance with the Construction Certificate approved On-Site Stormwater Detention System and Maintenance Schedule (application number to be referenced).

The instrument, showing the positive covenant must be submitted to the Principal Certifying Authority for endorsement prior to the issue of the final Occupation Certificate and the use of the development.

73) On-Site Detention – Structural Certification

The submission of a certificate from a suitably qualified practising civil and/or structural engineer to the Principal Certifying Authority is required prior to the issue of the final Occupation Certificate. This certification is required to verify the structural adequacy of the on-site detention facility and that the facility has been constructed in accordance with the approved Construction Certificate plans.

Operational Phases of the Development/Use of the Site

74) Use of Boarding House

This development consent authorises construction and operation of a registrable boarding house ('general boarding house') as defined in Boarding Houses Act 2012.

The owner of the boarding house must ensure that the development operates at all times in accordance with the definition of a boarding house as detailed in Wollongong Local Environmental Plan 2009. The current definition is:

boarding house means a building that:

- (a) is wholly or partly let in lodgings, and
 - (b) provides lodgers with a principal place of residence for 3 months or more, and
 - (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
 - (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,
- but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

75) Registration under Boarding Houses Act 2012

At all times when operating, the boarding house must hold current registration with the Department of Fair Trading as a registrable boarding house under the Boarding Houses Act 2012 or relevant legislation.

76) Maximum Number of Occupants

The number of occupants in any boarding room is limited by the size of the room. In accordance with Wollongong Development Control Plan 2009, single rooms are minimum 12m² and double rooms are minimum 16m².

No boarding room may be occupied by more than two people.

77) Minimum Three Months Occupancy

The minimum duration of stay in any boarding room is three months. Shorter stays are prohibited.

78) No sub-letting

Only those lodgers registered with the boarding house manager may occupy boarding rooms. No sub-letting is permitted.

79) Accommodation Records

In order to demonstrate ongoing compliance with the consent, the owner is, at all times, required to create and maintain records sufficient so as to identify:

- Each room used or offered for use for accommodation or occupation;
- The accommodation or occupation history of each room, including duration of stay and business records confirming that the rooms are occupied by households with a gross income that is less than 120 per cent of the median household income for the time being for the Greater Sydney Statistical Division (according to the Australian Bureau of Statistics) and pays no more than 30 per cent of that gross income in lodging fee;
- Each parking space offered for use;
- Users of the lodger car parking spaces if allocated to a boarding room

The records referred to above are to be provided to Council at each inspection required to be carried out by Council under the Boarding Houses Act 2012 and on an annual basis.

80) Car Parking and Bicycle Parking

Minimum 19 of the 25 on-site car parking spaces must be made available to lodgers of the premises at all times. One of the 25 on-site spaces must be made available to the manager for their exclusive use at all times.

Any fee charged to lodgers for use of an on-site car parking space must be included in the lodging fee.

One bicycle space must be allocated to each boarding room, at no cost to the lodger.

81) Operation in Accordance with Operational Plan of Management

The manager will be responsible for the operation, administration and cleanliness of the premises.

The manager will be responsible for enforcing this management plan and the expected behaviour policy.

Details of the identity and contact details for the manager and caretaker will be displayed at the entry to the premises.

Manager and Caretaker Duties and Responsibilities

The manager and caretaker will:

- a. Be a point of contact for surrounding neighbours should concerns arise;
- b. Be a point of contact for authorities;
- c. Provide instruction in the event of an emergency;
- d. Ensure residents minimise noise;
- e. Keep a complaints register of all complaints received from neighbours and authorities to be referred to by managing agency.

Complaints Contact Number

A contact phone number for complaints is to be displayed near the front entrance and be clearly visible to the public.

Use of Outdoor Common Area

The use of the outdoor common areas shall be restricted to between 7:30am and 10:00pm seven days a week.

Complaints Contact Number

A contact phone number for complaints is to be displayed near the front entrance and be clearly visible to the public.

Visitors Hours

Visitor's hours are restricted 7.30 am to 10.00 pm seven days a week.

- 82) All waste collection is to be carried out from within the site by a vehicle no larger than a Medium Rigid Vehicle (max 8.8 metres in length) before 7:30am in the morning, from the designated loading/unloading facility. All vehicles must enter and exit the site in a forward direction.

- 83) Use of commercial tenancies

Where use of the commercial tenancies is not exempt or complying development, separate development consent must be obtained prior to commencement of the use.