Wollongong Local Planning Panel Assessment Report | 20 October 2020

WLPP No.	Item 2
DA No.	DA-2020/80
Proposal	Demolition of existing structures and construction of a seven (7) storey mixed use development comprising 34 residential units and two (2) commercial tenancies with 50 parking spaces
Property	290-294 Keira Street, WOLLONGONG NSW 2500
Applicant	290 Keira Street Pty Ltd
Responsible Team	Development Assessment and Certification - City Centre Team (VD)

ASSESSMENT REPORT AND RECOMMENDATION

Executive Summary

Reason for consideration by Local Planning Panel - Determination

The proposal has been referred to Local Planning Panel for **determination** pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. The proposal is captured by clause 4(b) of Schedule 2 of the Local Planning Panels Direction of 30 June 2020, as the proposal is development to which State Environmental Planning Policy No. 65 applies.

Proposal

The proposal is for demolition of all structures on the site and construction of a 7-storey mixed use development comprised of 34 residential units and 2 commercial tenancies above ground level and basement parking for 50 vehicles.

Permissibility

The site is zoned B3 Commercial Core pursuant to Wollongong Local Environmental Plan 2009. The proposal is categorised as a shop top housing and is permissible in the zone with development consent.

Consultation

The proposal was notified in accordance with Council's Community Participation Plan and one submission was received from Neighbourhood Forum 5. Internal and external referrals are satisfactory.

Main Issues

- Clause 4.6 Building Separation;
- Isolated Lot.

RECOMMENDATION

It is recommended that the proposal be approved subject to the draft conditions at Attachment 8.

1 APPLICATION OVERVIEW

1.2 PLANNING CONTROLS

The following planning controls apply to the development:

State Environmental Planning Policies

- SEPP 55 Remediation of Land
- SEPP (Koala Habitat Protection) 2019
- SEPP 65 Design Quality of Residential Apartment Development
- SEPP (Infrastructure) 2007
- SEPP (Building Sustainability Index: BASIX) 2004

Local Environmental Plans

• Wollongong Local Environmental Plan (WLEP) 2009

Development Control Plans

• Wollongong Development Control Plan (WDCP) 2009

Other policies

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

1.3 DETAILED DESCRIPTION OF PROPOSAL

The proposal involves demolition of all structures on the site and construction of a seven-storey mixed use development with one level of basement car parking containing 38 car spaces, one level of commercial space on ground floor with at grade parking for 12 vehicles and 34 residential units above.

Details are as follows:

Basement level: this level is accessed from a two-way driveway from Keira Street accommodating 38 residential car parking spaces including four disabled car parking spaces.

Ground level: This level accommodates two commercial tenancies with a total gross floor area of 299sqm. An open foyer is proposed to accommodate overland stormwater flows. Parking is provided on this level with access from Ellen Street with five car parking spaces for commercial and seven visitor car parking spaces.

Levels one to six contain residential units serviced by two internal lifts. The units are a mix of 1, 2 and 3 bedrooms. The units front both Keira Street and Ellen Street. The units fronting Keira Street contain balconies on the street (eastern) elevation. The units fronting Keira Street contain balconies orientated north towards the communal open space. The communal open space is situated in the north-western section of the site at podium level.

1.4 BACKGROUND

A Design Review Panel was held on 26 March 2020.

No Pre-lodgement was held for this DA.

1.5 SITE DESCRIPTION

The site is located at 290-294 Keira Street, Wollongong and the title reference is Lot 1 DP 799059. The site is located on the corner of Keira Street and Ellen Street with a frontage of 38.9m to Keira Street and 36m to Ellen Street. The site has a total area of 1349sqm. Existing on the site is a single storey

brick building previously occupied by a supermarket. The site is relatively flat with a slight fall from the western to the eastern boundary.

The site is situated within the Wollongong City Centre and is within close proximity to public transport and public open space.

Directly north of the site is a double storey commercial premises at 288 Keira Street which will become isolated as a result of this DA. This is further discussed in this report. Adjoining this site further to the north is a six-storey commercial development.

To the west of the site is a strip of public road reservation land (Lot 105 DP 1232634) which is currently owned by Council. Commercial tenancies also adjoin the site to the west. To the east of the site is commercial development and McCabe Park which is heritage listed under Wollongong LEP 2009. To the south is existing commercial development.

The area is undergoing transition with several high-rise mixed-use buildings approved or currently lodged and under assessment with Council. The most recent approvals nearby include DA-2015/1052 for a mixed-use development at 35 Kenny Street. A current DA for a large mixed-use development (DA-2020/677) on the adjoining block to the west at 30 Ellen Street is lodged and under assessment.

Property constraints

Council records identify the land as being impacted by

- Acid sulphate soils. No concerns are raised in this regard as further discussed at clause 7.5 of WLEP 2009 below.
- Flood Affected: The site is listed as Flood Risk Precinct. Details discussed in this report.

1.6 SUBMISSIONS

The application was notified in accordance with Council's Community Participation Plan 2019 between 19 February 2020 and 4 March 2020. One submission was received from Neighbourhood Forum with the following concern:



Figure 1: Notification map

Concern:	Comment:
Resolved to support this proposal subject to a	Sufficient landscaped areas are provided on the
requirement for at least 50% of the roof area	podium level as communal open space and this

being landscaped to assist in ameliorating to	is considered acceptable. The roof area contains
effect of Urban Warming.	photovoltaic panels which will assist in energy
	efficiency for the building.

1.7 CONSULTATION

1.7.1 INTERNAL CONSULTATION

Council's geotechnical stormwater, landscape, traffic and environment officers have reviewed the application and provided satisfactory referrals. Recommended conditions of consent and are included in the draft consent.

1.7.2 EXTERNAL CONSULTATION

Endeavour Energy

In accordance with clause 87 of SEPP Infrastructure, Endeavour Energy were consulted who provided conditions and appropriate procedures to be followed for the developer.

Design Review Panel

The application was reviewed by the Design Review Panel under the requirements of the State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development clause 28. The Panel notes are found in Attachment 6. There were several recommendations made by the Panel that have been addressed in revised plans as detailed below.

- Western Interface: The proposal creates a 5.5m x 4.8m step (cut out of the corner) in the building plan. The adjoining sites to the west are split into two lots with the 10m wide lot adjoining Ellen Street owned by Council. The Panel is of the opinion that the step should be deleted if the step does not align with Council's Street setback controls for the neighbouring site.
 - Response: The step back/cut out on the south west corns of has been removed to allow for a continual street edge.
- Ellen Street: A recently approved development to the west of the site (43 Atchison Street) provides for a two-storey high colonnade fronting Ellen Street. It is recommended that the applicant review approved plans and develop the current proposal to provide a consistent/unified interface strategy.
 - Response: An external colonnade has been provided along the southern boundary. The built form of the southern elevation has been amended to reflect the two-storey colonnade.
- Northern Interface: The development of this proposal will create a narrow-isolated lot positioned between the subject site and the neighbouring six storey commercial building. Further analysis is required to demonstrate that development on the neighbouring site to the north remain feasible. A built form study should be undertaken to determine the potential yield of the site. The study should show the basic configuration of units and entrance/circulation for both vehicles and pedestrians. It is recommended that the strategy allow vehicles from the neighbouring site to access their basement car park by providing a knock-out panels in the basement that can be utilised when the neighbouring site is developed.
 - Response: A built form study has been provided by the Architects for the adjoining site to the north (288 Keira Street) to demonstrate the potential development yield of the site next door to the north.

The built form study models a potential redevelopment option for this site with a focused built form and massing towards the street frontage. Commercial (office) levels are proposed over 6 levels with solid walls built on the side boundaries. As suggested by the DRP, a removable wall section/knockout panel has been provided for within the basement on the

northern end to allow vehicles from the neighbouring site to access their basement car park through this site in the future.

- With a site are of 540sqm, the development yield for this site is 810sqm or an FSR of 1.5:1.
- The design should support the different urban characteristics of the two streets with which it interfaces through the use of street planting and use of a colonnade.
 - Response: Street planting has been nominated on the landscape plan and is satisfactory with Council's Landscape Department.
- Communal Open Space: The proposal will result in a very uninviting space and will be like a deep
 open cut mine with poor solar condition. Consideration should be given to the demographic of
 users of this space, access to this space, facilities, fixtures, furniture and a communal room.
 Privacy, noise and lighting issues should be taken into account, Bicycle storage should not be used
 in the COS.
 - Response: The podium level COS area has been improved to make it more functional and usable. Toilet facilities have been provided with an undercover pergola space, kitchen and BBQ facilities and seating. Planter bed landscaping has been provided.
- Balconies to many of the east facing units are serviced by deep narrow balconies, further development is recommended to orientate the widest face of the balcony towards the street. Consideration should be given to deleting some of the bedroom balconies due to privacy (units 2.03, 2.04 and above) issues and poor outlook.
 - Response: The balconies on the east have been maintained as the Applicant claims these are important to gain good solar access to the internal living areas. The western balconies have been deleted to reduce privacy issues.
- Detailed sections to be provided and consideration of servicing arrangements.
 - Response: 1:20 sections have been provided (Sheet 28).

2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

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

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

The proposal is supported by a Preliminary Site Investigation prepared by Douglas Partners (August 2019). Council's Environment Officer has reviewed the proposal in this regard and is satisfied that the proposal does not raise any concerns regarding contamination subject to conditions of consent.

Conditions relate to hazardous materials waste survey, waste classification and assessment of fill to be retained on site. No concerns are raised regarding contamination as relates to the intended use of the land and the requirements of clause 7.

2.2.2 STATE ENVIRONMENTAL PLANNING POLICY (KOALA HABITAT PROTECTION) 2019

https://webmap.environment.nsw.gov.au/Html5Viewer291/index.html?viewer=KoalaSEPP.htm5

The City of Wollongong is identified within Schedule 1 as land to which this Policy applies. Wollongong is located within the South Coast Koala Management Area.

When in Blue mapped area – Site Investigation Area for Koala Plans of Management

Part of the subject site is mapped as being within the Site Investigation Area for Koala Plans of Management pursuant to the SEPP Maps. This mapping is provided as a tool for Council in developing Koala Plans of Management and does not apply to the development application process. Council does not have an approved Koala Plan of Management for the land at the time of preparing this report, and as such, no further consideration of this SEPP is required

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

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

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

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

Schedule 1 of SEPP 65 sets out the design quality principles for residential apartment development. These must be considered in the assessment of the proposal pursuant to clause 30(2)(a) of the Policy and are discussed below

Principle 1: Context and neighbourhood character

Modelling of future development potential for the adjacent isolated site to the north has been carried out demonstrating that the site can accommodate commercial development given the site constraint of less than 20m site width. As the site is situated within a commercial zone, solid walls built to boundary is considered acceptable for commercial development up to street frontage heights. This provides a uniform street character for commercial development and is consistent with the desired future character for this locality. Ground floor commercial premises is proposed which will active the street frontage of the commercial zone.

Principle 2: Built form and scale

The locality is one undergoing a transition towards high rise development with a mix of commercial and residential. Recent approvals include DA-2015/1052 for a mixed-use development at 35 Kenny Street. A large mixed-use development is currently lodged and under assessment for 30 Ellen Street (DA-2020/677) which is located on the adjoining block to the west.

The design of the development is considered to positively contribute to the public domain and provide high level of amenity for the occupants by way of landscaped areas, private open space and the like. The proposal is consistent with the desired future character for the area reflected in the applicable planning controls.

Principle 3: Density

The density of the development complies with the maximum FSR permitted for the land. The development is not of a scale that is expected to place unreasonable strain on local infrastructure. Contributions applicable to the development will go towards local infrastructure and facilities. The site is well situated regarding existing employment, services and open space with MacCabe Park located across the site to the east.

Principle 4: Sustainability

The proposal is considered acceptable regarding sustainable design as follows:

- BASIX Certificates provided indicating minimum requirements are met.
- A Site Waste Management and Minimisation Plan has been provided indicating recycling of materials from the demolished dwellings.
- The proposal does not impact on any heritage items or environmentally sensitive areas
- The proposal is an efficient use of land in a location as it is walking distance to Wollongong CBD.
- Photovoltaic Panels are provided on the roof top

Principle 5: Landscape

The proposal provides suitable landscaped areas and communal open space. The proposal will additionally upgrade the footpath for the frontage of the development including provision of street trees. The COS has been improved to be more functional.

Principle 6: Amenity

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

Principle 7: Safety

The proposal is satisfactory regarding the principles of Crime Prevention Through Environmental Design.

Principle 8: Housing diversity and social interaction

The proposal provides a mix of unit sizes and layouts appropriate to the locality including adaptable units and liveable units. A mix of one, two- and three-bedroom units are proposed.

Principle 9: Aesthetics

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

Apartment Design Guide (ADG)

The development has been assessed against the provisions of the ADG and was found to be compliant.

A full assessment of the application against the ADG is contained at Attachment 3.

2.2.4 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The proposal was referred to Endeavour Energy in accordance with clause 45 and they have advised of their specific requirements.

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

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

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

2.2.6 STATE ENVIRONMENTAL PLANNING POLICY (COASTAL MANAGEMENT) 2018

2.2.7 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Clause 1.4 Definitions

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

Part 2 Permitted or prohibited development

<u>Clause 2.2 – zoning of land to which Plan applies</u>

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—
 - is in a location that is accessible to public transport, employment, retail, commercial and service facilities, and
 - contributes to the vitality of the Wollongong city centre.

The proposal is satisfactory regarding the above objectives.

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

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

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

Part 4 Principal development standards

Clause 4.3 Height of buildings

The proposed building height of 23.86m (RL 32.54) does not exceed the maximum of 24m permitted for the site.

Clause 4.4A Floor space ratio—Wollongong city centre

Site area: 1,349m² Gross floor area (commercial): 297sqm (8%) Gross floor area (residential): 3239 (92%) Gross floor area total: 3601m² Maximum floor space ratio: 2.8:1 Floor space ratio proposed: 2.7:1

Calculation of maximum FSR permitted:

(3) For land within Zone B3 Commercial Core with a site area equal to or greater than 800 square metres and less than 2,000 square metres and a street frontage equal to or greater than 20 metres, the maximum floor space ratio for any building on that site is—

(a) (2+1.5X):1 —if the building is used only for residential purposes, or

(b) (3.5 + 2.5X):1 — if the building is used only for purposes other than residential purposes,

where-

X is (the site in square metres - 800) / 1200

X = 1,349 - 800 / 1,200 = 0.45

(a) = (2 + 1.5 x 0.45) = 2.675

 $(b) = (3.5 + 2.5 \times 0.45) = 4.625$

(4) The maximum floor space ratio for a building on land within a business zone under this Plan, that is to be used for a mixture of residential purposes and other purposes, is—

 $(NRFSR \times NR / 100) + (RFSR \times R / 100):1$

where-

NR is the percentage of the floor space of the building used for purposes other than residential purposes. (8%)

NRFSR is the maximum floor space ratio determined in accordance with this clause if the building was to be used only for purposes other than residential purposes. (4.625)

R is the percentage of the floor space of the building used for residential purposes. (92%)

RFSR is the maximum floor space ratio determined in accordance with this clause if the building was to be used only for residential purposes. (2.675)

(4.625 x 0.8) + (2.675 x 0.92):1 = 0.37 + 2.461 = 2.8:1

Clause 4.6 Exceptions to development standards

An exception to the building separation requirements under Clause 8.6 is sought. The Clause 4.6 submission is found in attachment 7.

WLEP 2009 clause 4.6 proposed development departure assessment		
Development departure	Clause 8.6 Building separation.	
	Clause 8.6(3) requires that 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.	
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	A satisfactory clause 4.6 variation has been submitted.	
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	 The applicant's written request seeks to justify that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case based on the following rationale: Objectives Clause 8.6 are satisfied. 	

	• The objectives of the B3 Commercial Core zone are satisfied.
	• There are sufficient planning grounds to vary the building separation in this instance given the ability to comply with visual appearance, privacy and solar access objectives required in this Clause.
	• That compliance with the building separation standard is unnecessary in the circumstances of the case as the objectives of the standard and zone objectives are met and strict compliance with the 16m building separation would result in a part of the site excluded from any built form.
	• The Applicant further states that the site is located within a commercial zone and the design is a direct repose to allow for housing within this zone.
	The applicant's Clause 4.6 Statement forms attachment 7. The written request has adequately addressed the matters required to be addressed under subclause (3).
the proposed development will	Clause 8.6 Building separation objective:
be in the public interest because it is consistent with the objectives of the particular	(1) The objective of this clause is to ensure sufficient separation of buildings for reasons of visual appearance, privacy and solar access.
development within the zone in	Visual Appearance
which the development is proposed to be carried out, and	The future appearance of Keira Street is a mix commercial and mixed-use developments with high definition commercial frontages fronting Keira Street with a mix of residential shop top housing. As such, solid walls built up to side boundaries is considered acceptable given the commercial zoning of the site.
	The existing building to which this Clause applies is located to the north of the site and is a 6-storey commercial building. This site is located 15m from this building. As a result, building separation will not be achieved from this site due to this building containing habitable components.
	The Applicant proposes a solid wall for the proposed units along the northern elevation. There are no openings on the northern elevation and the balconies contain a solid blade wall to provide privacy.
	It is envisaged that should the isolated lot directly adjoining this site be developed in the future, a solid wall built to the boundary will be required to accommodate future commercial development.
	Privacy
	Balconies and windows on the northern elevation do not contain openings that are orientated to the north. Rather, the openings are oriented to the east along Keira Street to alleviate any potential privacy from the existing commercial building to the north.
	Solar Access

	The layout of the buildings responds to solar access requirements with some units have an east west orientation and other units (away from the existing commercial buildings) providing a northern elevation. Overall, compliance with solar access can be achieved.
	The objectives for development within the B3 Commercial Core zone are:
	 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 proposed building provides commercial uses on ground level which is consistent with the above objectives.
	Given the proposal is consistent with the zone objectives and the objectives of Clause 8.6 despite the development departure, the development is considered to be in the public interest in this instance.
the concurrence of the Secretary has been obtained.	Concurrence is not required as the WLPP is the determining authority.

Clause 5.10 Heritage conservation

Situated east of the site is MacCabe Park which is listed under Wollongong LEP as a Local Heritage Item #6587. It is considered that no impacts to this listing are anticipated. Sun protection to this park is maintained by this development through Clause 8.3.

Part 7 Local provisions – general

Clause 7.1 Public utility infrastructure

Conditions of consent are recommended regarding specific requirements of utility providers.

Clause 7.3 Flood Planning

This Clause has been considered and conditions provided from Council's Stormwater Division. The design of the development has been amended to delete two ground floor commercial tenancies in order to provide an overland flow path for stormwater.

Clause 7.5 Acid Sulfate Soils

The proposal is identified as being potentially affected by class 5 acid sulphate soils. The site involves works within 500 metres of adjacent Class 4 land however that land is not below 5 metres Australian

Height Datum nor is it expected the water table is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

Clause 7.6 Earthworks

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

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

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

- (4) In considering whether development to which this clause applies exhibits design excellence, the consent authority must have regard to the following matters:
 - (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved

The Design Review Panel have reviewed the proposal and their recommendations have been incorporated into the current plans. The proposal is satisfactory regarding the ADG and Council's specific development controls.

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

The proposed building form is compatible with the existing streetscape.

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

The proposal will not impact upon any view corridors.

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

The development would not overshadow any sun plane protection areas.

- (e) how the proposed development addresses the following matters:
 - (i) the suitability of the land for development,

The site is considered suitable for the development.

(ii) existing and proposed uses and use mix,

The proposal is considered to be consistent with the desired future character of the area reflected in the applicable planning controls.

(iii) heritage issues and streetscape constraints,

The are no particular constraints that would preclude the development.

(iv) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,

The proposal has been designed with future development in mind regarding setbacks and building separation.

(v) bulk, massing and modulation of buildings,

The bulk and mass of the building is considered acceptable.

(vi) street frontage heights,

The proposal has a suitable street frontage height.

(vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,

The proposal meets BASIX targets.

Overshadowing impacts are considered acceptable.

The proposal is not expected to result in adverse reflectivity.

(viii) the achievement of the principles of ecologically sustainable development,

The proposal is broadly acceptable regarding the principles of ecologically sustainable development. The proposal is an efficient use of land in an accessible location. The proposal will not directly impact on environmentally sensitive areas. The proposal is not considered have adverse impacts in terms of intergenerational equity in ways that can be attributed to the assessment of the proposal. The proposal satisfies the minimum energy and water efficiency requirements.

(ix) pedestrian, cycle, vehicular and service access, circulation and requirements,

The proposal is satisfactory regarding access, servicing and parking.

(x) impact on, and any proposed improvements to, the public domain.

The proposal will upgrade the footpath for both street frontages.

Clause 7.19 Active Street Frontages

In accordance with this Clause, an active street frontage has been provided with commercial ground floor tenancies

Part 8 Local provisions—Wollongong city centre

Clause 8.1 Objectives for development in Wollongong city centre

The proposal is satisfactory regarding these objectives.

Clause 8.3 Sun Plane Protection

The objective of this clause is to protect specified public open space from excessive overshadowing by restricting the height of buildings. MacCabe Park has been identified as requiring sun access control. Shadow diagrams have been submitted and it is considered that sun protection to this park is maintained through this Clause.

Clause 8.4 Minimum building street frontage

Development consent must not be granted to the erection of a building that does not have at least one street frontage of 20 metres or more. The site complies with this Clause. However, approval of this DA will result in the adjoining site to the north becoming an isolated lot as compliance with this Clause will not be achieved for this site for future redevelopment.

The adjoining site to the north (288 Keira Street) has a 15.2m wide frontage and a site area of 551sqm. The site currently contains a two-storey commercial building. Planning Principle (NSW LEC) Karavellas v Sutherland Shire Council [2004] NSWLEC 251 provides guidance on isolation of site by redevelopment of adjacent site(s). This principle is outlined below:

Firstly, is amalgamation of the sites feasible?

Firstly, where a property will be isolated by a proposed development and that property cannot satisfy the minimum lot requirements then negotiations between the owners of the properties should commence at an early stage and prior to the lodgement of the development application.

Attempts to purchase this site has not been carried out and there has been no evidence provided to Council of any negotiations regarding the purchase of this property.

The Applicant claims that the current lease period (in place until May 2021 with possibility of an extension) of the adjoining site prevents any demolition/construction to occur on this site. The submission states that it will be an unreasonable burden on the developer to hold off the construction program should amalgamation take place. The Applicant also claims that that the developer will also be required to relocate and pay costs to the tenant (Kwik Kopy) which is unreasonable.

The Applicant further argues that there are no DCP provisions under Chapter D13- Wollongong City Centre of Wollongong DCP 2009 for amalgamation of isolated lots in commercial zones. Only residential zones are encouraged to amalgamate through DCP provisions under Chapter B1-Residential Development. The Applicant therefore suggests that Council's current planning controls do not require amalgamation of commercially zoned land due to the absence of DCP controls for this type of zone.

Accordingly, there have been no attempts to carry out any negotiations in order to purchase the adjoining isolated lot.

Secondly, can orderly and economic use and development of the separate sites be achieved if amalgamation is not feasible?

The key principle is whether both sites can achieve a development that is consistent with the planning controls. If variations to the planning controls would be required, such as non compliance with a minimum allotment size, will both sites be able to achieve a development of appropriate urban form and with acceptable level of amenity.

To assist in this assessment, an envelope for the isolated site may be prepared which indicates height, setbacks, resultant site coverage (both building and basement). This should be schematic but of sufficient detail to understand the relationship between the subject application and the isolated site and the likely impacts the developments will have on each other, particularly solar access and privacy impacts for residential development and the traffic impacts of separate driveways if the development is on a main road.

The subject application may need to be amended, such as by a further setback than the minimum in the planning controls, or the development potential of both sites reduced to enable reasonable development of the isolated site to occur while maintaining the amenity of both developments.

The Applicant has demonstrated to Council (Architectural Sheet No. 29) the potential development yield of the isolated lot. This plan models 6 storeys of commercial/office area with solid walls built to the boundary. Due to the narrowness of the site (15m), the development will not be able to accommodate driveway access to a basement level. The potential development of this site will rely on basement access through this site (290-294 Keira Street) through a knockout wall. This was a suggestion made by the DRP. With this arrangement, the overall development yield for the 540sqm site is 810sqm with an FSR of 1.5:1.

Future redevelopment of the isolated lot will be subject to a non-compliance with this LEP Clause as the 20m will not be achieved. However, subclause 3 provides that the consent authority may grant consent to the erection of a building if it is of the opinion that it is not physically possible for the building to be erected with at least one street frontage of 20 metres or more. As a result, Council in future may grant consent on the isolated site despite not complying with this clause.

The Applicant also believes there are provisions in this Clause to allow a variation under Clause 4.6 should this site become isolated.

The schematic building envelope for the isolated lot demonstrates that the proposed redevelopment of this lot will not result in any solar access or privacy concerns for this site or the adjoining sites. The building will be orientated towards the Keira Street to provide an active street frontage and the yield is acceptable given the size of the site. Development of the isolated lot will rely on a right of carriageway to be established in order to provide vehicular access. Should this development be approved, a condition has been drafted to require the establishment of a right of carriageway for access from this site to the isolated lot through the basement.

Clause 8.6 Building separation

An exception to the building separation requirements under Clause 4.6 is sought.

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

None applicable.

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

2.4.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

The proposal is considered to be acceptable with regard to the DCP. An assessment against the DCP provisions are contained at Attachment 4.

2.4.2 WOLLONGONG CITY WIDE DEVELOPMENT CONTRIBUTIONS PLAN 2019

Contributions are payable for development exceeding \$100,000. The estimated cost of works is \$12, 477, 000.00 and a contribution is therefore required. A condition of consent regarding the levy is contained in the draft Conditions prior to issue of Occupation Certificate due to Environmental Planning and Assessment (Local Infrastructure Contributions – Timing of Payments) Direction 2020.

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

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

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

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

Conditions of consent are recommended regarding demolition.

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

The proposal is satisfactory regarding the applicable planning controls as detailed in the body of this report. Internal and external referrals are satisfactory subject to appropriate conditions of consent.

Consideration has been given to future development potential of the adjoining lot to the north which will become isolated as a result of this development. The Applicant has provided modelling on future development potential which will rely on this site providing vehicular access.

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

Does the proposal fit in the locality?

The proposal is of character and bulk and scale anticipated by the applicable planning controls and considered compatible with likely future development in the locality.

Are the site attributes conducive to development?

There are no site constraints that would prevent the proposal.

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

One submission was received from Neighbourhood Forum 5 as discussed in section 1.5.

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

The proposal is satisfactory regarding the applicable planning controls as detailed in the body of this report. Impacts arising from the development are considered acceptable. Internal and external referrals are satisfactory subject to appropriate conditions of consent

In consideration of the above, approval of the proposal is considered to be in the public interest.

3 CONCLUSION

This application has been assessed as having regard to the Heads of Consideration under Section 4.15 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 and SEPP 65, ADG, Council DCPs, Codes and Policies.

The recommendations of the Design Review Panel have been adopted in the revised plans and matters raised by the Panel are satisfactorily resolved. Internal referrals are satisfactory.

It is considered that the proposed development has 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 the development application be approved subject the draft conditions contained at Attachment 8.

5 ATTACHMENTS

- 1. Aerial photograph
- 2. Wollongong Local Environmental Plan 2009 zoning map
- 3. Apartment Design Guide Assessment
- 4. Wollongong DCP 2009 Assessment
- 5. Architectural Plans
- 6. Design Review Panel notes of 26 March 2020
- 7. Clause 4.6 submission
- 8. Draft conditions of consent

Attachment 1. Aerial photograph





Attachment 2 Wollongong Local Environmental Plan 2009 zoning map

Apartment Design Guide

Control	Comment
	oomment
Objective 3A-1	Quitable aits and contact analysis movided
Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context.	Suitable site and context analysis provided.
<u>3B Orientation</u>	
Objective 3B-1	
Building types and layouts respond to the streetscape and site while optimising solar access within the development	Satisfactory
Objective 3B-2	
Overshadowing of neighbouring properties is minimised during mid winter	The adjoining development will receive the minimum 2 hours sunlight.
3C Public domain interface	
Objective 3C-1	
Transition between private and public domain is achieved without compromising safety and security	Satisfactory
Objective 3C-2	
Amenity of the public domain is retained and enhanced	The public domain will be improved through upgrading of the footpath and provision of street trees as well as through appropriate activation and street frontage heights.
<u>3D Communal and public open space</u>	
Objective 3D-1	
An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping	25% of the site area is provided as communal open space (340sqm) and greater than 50% of that area receives minimum of 2 hours between 9 am and 3 pm on 21 June (mid winter).
Objective 3D-2	
Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting	Satisfactory
Objective 3D-3	
Communal open space is designed to maximise safety	Satisfactory
Objective 3D-4	
Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood	N/A

<u>3E Deep soil zones</u>	
Objective 3E-1	
Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality	No deep soil is provided as the proposal has a 100% site coverage.
<u>3F Visual privacy</u>	
Objective 3F-1	
Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy	Refer to Clause 4.6 submission for building separation.
Objective 3F-2	
Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space	Satisfactory.
3G Pedestrian access and entries	
Objective 3G-1	
Building entries and pedestrian access connects to and addresses the public domain	Satisfactory
Objective 3G-2	
Access, entries and pathways are accessible and easy to identify	Satisfactory
Objective 3G-3	
Large sites provide pedestrian links for access to streets and connection to destinations	No pedestrian links are proposed.
<u>3H Vehicle access</u>	
Objective 3H-1	
Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes	Satisfactory
3J Bicycle and car parking	
Objective 3J-1	
Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas	Compliant bicycle parking provided.
Objective 3J-2	
Parking and facilities are provided for other modes of transport	Complies
Objective 3J-3	
Car park design and access is safe and secure	Satisfactory
Objective 3J-4	
Visual and environmental impacts of underground car parking are minimised	Satisfactory

Objective 3J-5	
Visual and environmental impacts of on-grade car parking are minimised	N/A
Objective 3J-6	
Visual and environmental impacts of above ground enclosed car parking are minimised	N/A
Part 4 Designing the building	
4A Solar and daylight access	
Objective 4A-1	
To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space	Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid winter.
Objective 4A-2	
Daylight access is maximised where sunlight is limited	N/A
Objective 4A-3	
Design incorporates shading and glare control, particularly for warmer months	Yes.
4B Natural ventilation	
Objective 4B-1	
All habitable rooms are naturally ventilated	Yes.
Objective 4B-2	
The layout and design of single aspect apartments maximises natural ventilation	
Objective 4B-3	
The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents	Complies
4C Ceiling heights	
Objective 4C-1	
Ceiling height achieves sufficient natural ventilation and daylight access	Commercial- 3.7m minimum Residential- 2.7m floor to ceiling provided.
Objective 4C-2	
Ceiling height increases the sense of space in apartments and provides for well proportioned rooms	
Objective 4C-3	
Ceiling heights contribute to the flexibility of building use over the life of the building	

4D Apartment size and layout	
Objective 4D-1	
The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity	Minimum room sizes and window areas are met. Kitchens are no part of main circulation space. Windows are visible from all habitable rooms.
Objective 4D-2	
Environmental performance of the apartment is maximised	Room depths do not exceed 2.5 x ceiling height. Maximum habitable room depth from windows
Objective 4D-3	
Apartment layouts are designed to accommodate a variety of household activities and needs	Satisfactory.
4E Private open space and balconies	
Objective 4E-1	
Apartments provide appropriately sized private open space and balconies to enhance residential amenity	Minimum balcony sizes and depths are met.
Objective 4E-2	
Primary private open space and balconies are appropriately located to enhance liveability for residents	Satisfactory
Objective 4E-3	
Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building	Satisfactory
Objective 4E-4	
Private open space and balcony design maximises safety	Satisfactory
4F Common circulation and spaces	
Objective 4F-1	
Common circulation spaces achieve good amenity and properly service the number of apartments	2 lifts are proposed with an average of 3 residential units serviced from each lift.
Objective 4F-2	
Common circulation spaces promote safety and provide for social interaction between residents	Common circulation is legible and avoids tight corners or concealment opportunities.
4G Storage	
Objective 4G-1	
Adequate, well designed storage is provided in each apartment	Suitable storage is within the unit.
Objective 4G-2	
Additional storage is conveniently located, accessible and nominated for individual apartments	Storage located within the units.

4H Acoustic privacy	
Objective 4H-1	
Noise transfer is minimised through the siting of buildings and building layout	Unit layout is appropriately designed.
Objective 4H-2	
Noise impacts are mitigated within apartments through layout and acoustic treatments	Satisfactory
4J Noise and pollution	
Objective 4J-1	
In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings	Satisfactory
Objective 4J-2	
Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission	To be conditioned.
<u>4K Apartment mix</u>	
Objective 4K-1	
A range of apartment types and sizes is provided to cater for different household types now and into the future	An appropriate mix of unit sizes and configurations is provided including one, two- and three-bedroom units.
Objective 4K-2	
The apartment mix is distributed to suitable locations within the building	Satisfactory
4L Ground floor apartments	
Objective 4L-1	
Street frontage activity is maximised where ground floor apartments are located	N/A
Objective 4L-2	
Design of ground floor apartments delivers amenity and safety for residents	N/A
4M Facades	
Objective 4M-1	
Building facades provide visual interest along the street while respecting the character of the local area	Satisfactory
Objective 4M-2	
Building functions are expressed by the façade	Building entry points are clearly defined.
4N Roof design	
Objective 4N-1	
Roof treatments are integrated into the building design and positively respond to the street	Satisfactory

Objective 4N-2	
Opportunities to use roof space for residential accommodation and open space are maximised	N/A
Objective 4N-3	
Roof design incorporates sustainability features	Satisfactory.
4O Landscape design	
Objective 40-1	
Landscape design is viable and sustainable	Suitable landscaped areas are incorporated into the COS. These have been reviewed by Council's Landscape Officer who has recommended conditions of consent.
Objective 40-2	
Landscape design contributes to the streetscape and amenity	Satisfactory
4P Planting on structures	
Objective 4P-1	
Appropriate soil profiles are provided	Landscaped areas have been reviewed by Council's Landscape Officer who has recommended conditions of consent.
Objective 4P-2	
Plant growth is optimised with appropriate selection and maintenance	Landscaped areas have been reviewed by Council's Landscape Officer who has recommended conditions of consent.
Objective 4P-3	
Planting on structures contributes to the quality and amenity of communal and public open spaces	Yes.
4Q Universal design	
Objective 4Q-1	
Universal design features are included in apartment design to promote flexible housing for all community members	20% of the apartments incorporate the Liveable Housing Guideline's silver level universal design features.
Objective 4Q-2	
A variety of apartments with adaptable designs are provided	A compliant number of adaptable units are provided which would not require substantial structural change to be converted. Adaptable parking spaces are also provided.
Objective 4Q-3	
Apartment layouts are flexible and accommodate a range of lifestyle needs	Satisfactory.
4R Adaptive reuse	
Objective 4R-1	
New additions to existing buildings are contemporary and complementary and enhance an area's identity and sense of place	N/A

Objective 4R-2	
Adapted buildings provide residential amenity while no precluding future adaptive reuse	N/A
4S Mixed use	
Objective 4S-1	
Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement	The design provides commercial tenancies at ground level and active frontages.
Objective 4S-2	• residential entries are separated from
Residential levels of the building are integrated within the development, and safety and amenity	commercial entries and directly accessible from the street
is maximised for residents	commercial service areas are separated from residential components
	 residential car parking and communal facilities are separated or secured
	 security at entries and safe pedestrian routes are provided
	concealment opportunities are avoided
	 Landscape communal open space is provided on the podium.
4T Awnings and signage	
Objective 4T-1	
Awnings are well located and complement and integrate with the building design	Suitable awnings are provided on both street frontages.
Objective 4T-2	
Signage responds to the context and desired streetscape character	N/A
4U Energy efficiency	
Objective 4U-1	
Development incorporates passive environmental design	Compliant solar access is provided.
Objective 4U-2	
Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer	Satisfactory.
Objective 4U-3	
Adequate natural ventilation minimises the need for mechanical ventilation	The proposal complies with the minimum requirements for natural ventilation.

4V Water management and conservation	
Objective 4V-1	
Potable water use is minimised	BASIX targets are met.
	• Rainwater is captured for use in landscaped areas.
	• Suitable plant species are to be used in landscaped areas.
Objective 4V-2	
Urban stormwater is treated on site before being discharged to receiving waters	Stormwater from the development is directed to an OSD system.
Objective 4V-3	
Flood management systems are integrated into site design	N/A
4W Waste management	
Objective 4W-1	
Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents	Suitable waste storage and servicing facilities are provided.
Objective 4W-2	
Domestic waste is minimised by providing safe and convenient source separation and recycling	Satisfactory.
4X Building maintenance	
Objective 4X-1	
Building design detail provides protection from weathering	Satisfactory
Objective 4X-2	
Systems and access enable ease of maintenance	Satisfactory
Objective 4X-3	
Material selection reduces ongoing maintenance costs	Satisfactory

Attachment 4: WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

CHAPTER A2 – ECOLOGICALLY SUSTAINABLE DEVELOPMENT

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

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

CHAPTER B4 – DEVELOPMENT IN BUSINESS ZONES

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

9 General design requirements for retail and business premises developments

9.2 Development Controls

9.2.1 Floor Configuration

- An even transition is provided between the building and the footpath.
- Floor to ceiling height of the commercial tenancies on ground floor is greater than 3.3m.

9.2.2 Building Appearance

- The building is considered to be designed to provide character, visual legibility and human scale and to delineate the distinct uses.
- The façade is suitable broken into a base, middle and top
- Curtain wall glazing is not proposed
- Reflectivity from the proposal is not expected to be significant.

9.2.3 Building Alignment

The building is suitable aligned with the property boundary and footpath.

9.2.4 Active Street Frontages

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

9.2.5 Urban Design / Streetscape Appearance

- Appropriate horizontal and vertical emphasis is provided to the building.
- High quality, durable finishes are proposed.
- An schedule of materials and finishes has been provided.

9.2.6 Pedestrian Access

The site is not identified as being one where a through site link is required.

9.2.7 Awnings

Suitable awnings are provided to both frontages.

9.2.8 Public Domain – Footpath Paving

New footpath and street tree planting is proposed to both frontages.

9.2.9 Solar access and overshadowing

Shadow diagrams and view from the sun diagrams are provided indicating solar access. No concerns are raised.

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

N/A

9.2.11 Advertising Signage
N/A- none proposed.
9.2.12 Wind Impact Assessment
Not required.
9.2.13 Access, Car parking and Servicing
See Chapter E3
9.2.14 Access for People with a Disability
See Chapter E1
9.2.15 Land Consolidation
Not required.
13 Works in the public domain

Upgrade of the footpath for the two frontages is proposed.

CHAPTER D13 – WOLLONGONG CITY CENTRE

2 Building form

Obj	ectives/controls			Comment
<u>2.2</u>	Building to street alignment and	l street se	tbacks	
Buil	d to street alignment			Complies
<u>2.3</u>	Street frontage heights in comn	nercial cor	<u>e</u>	
12-2 abo	24m street frontage height with ve.	4m minir	num setback	Acceptable, the development does not exceed the street frontage height.
<u>2.4</u>	Building depth and bulk			
Мах	kimum 18m depth.			Complies
<u>2.5</u> sepa	<u>Side and rear building se</u> aration	etbacks a	and building	
		side setback	rear setback	Clause 4.6 submission received.
Up to	o street frontage heights	0m	0m	
Resi front	dential uses (habitable rooms) between street age height and 45m	12m	12m	
All betw	uses (including non-habitable residential) een street frontage height and 45m	6m	6m	
All u	ses above 45m	14m	14m	
<u>2.6</u>	Mixed used buildings			
a)	Provide flexible building layou tenancies or uses on the first above the ground floor.	ts which a two floors	allow variable of a building	Complies
b) Minimum floor to ceiling heights are 3.3 metres for commercial office and 3.6 metres for active public uses, such as retail and restaurants in the B3 Commercial Core zone. In the B4 Mixed Use zone, the ground floor and first levels of a building shall incorporate a minimum 3 metre floor to ceiling height clearance, to maximise the flexibility in the future use of the building.				

c)	Separate commercial service requirements, such as loading docks, from residential access, servicing needs and primary outlook.	
d)	Locate clearly demarcated residential entries directly from the public street.	
e)	Clearly separate and distinguish commercial and residential entries and vertical circulation.	
f)	Provide security access controls to all entrances into private areas, including car parks and internal courtyards.	
g)	Provide safe pedestrian routes through the site, where required.	
h)	Front buildings onto major streets with active uses.	
i)	Avoid the use of blank building walls at the ground level.	
j)	For mixed use buildings that include food and drink premises uses, the location of kitchen ventilation systems shall be indicated on plans and situated to avoid amenity impacts to residents.	
2.7	Deep soil zone	
For residential components in mixed use developments in the Commercial Core, Mixed Use (city edge) and Enterprise zones, the amount of deep soil zone may be reduced commensurate with the extent of non-residential uses. Where non-residential components result in full site coverage and there is no capacity for water infiltration, the deep soil component must be provided on structure		A DSZ is not required.
2.8	Landscape design	
•	Chapter E6 – Landscaping and Public Domain Technical Manual to be considered.	Satisfactory
•	Landscape management plan required.	
<u>2.9</u>	Green roofs, green walls and planting on structures	
Vari	ous controls.	Council's Landscape officer has reviewed the landscaped areas proposal and has given a satisfactory referral subject to conditions of consent.
<u>2.10</u>	Sun access planes	
		The development does not impose on sun access planes for MacCabe Park.
<u>2.11</u>	Development on classified roads	
N/A		

3 Pedestrian amenity

Objectives/controls	Comment
3.2 Permeability	
N/A	

3.3	Active street frontages	
a)	In commercial and mixed use development, active street fronts are encouraged in the form of nonresidential uses on ground level.	Active frontages are provided to both frontages. Multiples entrances are proposed. Clear glazing proposed.
b)	Active street fronts in the form of non-residential uses on ground level are required along streets, lanes and through site links shown in Figure 3.4 for all buildings in the Commercial Core and Tourist zones, and for mixed use buildings in the Mixed Use (city edge) and Enterprise zones.	
c)	Active ground floor uses are to be at the same general level as the footpath and be accessible directly from the street.	
d)	For all non-residential ground floor frontages outside the streets shown in Figure 3.4, provide clear glazing where ever possible to promote passive surveillance and contribute to street activity.	
e)	Restaurants, cafes and the like are to consider providing openable shop fronts.	
f)	Residential developments are to provide a clear street address and direct pedestrian access off the primary street front, and allow for residents to overlook all surrounding streets.	
g)	Provide multiple entrances for large developments including an entrance on each street frontage.	
<u>3.4</u>	Safety and security	
a)	Ensure that the building design allows for casual surveillance of accessways, entries and driveways.	Satisfactory
b)	Avoid creating blind corners and dark alcoves that provide concealment opportunities in pathways, stairwells, hallways and carparks.	
c)	Provide entrances which are in visually prominent positions and which are easily identifiable, with visible numbering.	
d)	Where private open space is located within the front building alignment any front fencing must be of a design and/or height which allows for passive surveillance of the street.	
e)	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 consumption and glare nuisance.	
f)	Provide clear lines of sight and well-lit routes throughout the development.	
g)	Where a pedestrian pathway is provided from the street, allow for casual surveillance of the pathway.	
h)	For large scale retail and commercial development with a GFA of over 5,000m ² , provide a 'safety by design' assessment in accordance with the CPTED principles.	
i)	Provide security access controls where appropriate.	

Objectives/controls

j)	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, Mixed Use (city edge) and Enterprise Corridor zones.	
<u>3.5</u>	Awnings	
a)	Continuous street frontage awnings are to be provided for all new developments as indicated in Figure 3.6.	Complies
b)	Awning design must match building facades and be complementary to those of adjoining buildings.	
c)	Wrap awnings around corners for a minimum six metres from where a building is sited on a street corner.	
d)	Awnings dimensions should generally be:	
i)	Minimum soffit height of 3.3 metres,	
ii)	Low profile, with slim vertical facias or eaves (generally not to exceed 300mm height),	
iii)	Setback a minimum of 1.2 metres from the kerb, and	
iv)	Generally minimum 2.4 metres deep.	
e)	To control sun access/protection, canvas blinds along the street edge may be permitted, subject to design merit and assessment.	
f)	Signage on blinds is not permitted.	
g)	Provide under awning lighting to facilitate night use and to improve public safety	
<u>3.6</u>	Vehicular footpath crossings	
One fron	e vehicle access point generally not from primary tage.	Complies
Max	kimum 5.4m crossover width.	Complies
Doc tiltin	ors to vehicle access points are to be roller shutters or ng doors fitted behind the building façade.	Complies
Veh and duc	icle entries are to have high quality finishes to walls ceilings as well as high standard detailing. No service ts or pipes are to be visible from the street.	Complies
<u>3.7</u> enc	Pedestrian overpasses, underpasses and roachments	
N/A		
<u>3.8</u>	Building exteriors	
a) A to b	Adjoining buildings (particularly heritage buildings) are e considered in the design of new buildings in terms of:	Adjoining buildings are not of heritage significance and likely to be redeveloped.
i) A	ppropriate alignment and street frontage heights.	I he proposal is satisfactory with regard to the desired future character of the area.
ii) S	etbacks above street frontage heights.	
iii) A	Appropriate materials and finishes selection.	

 (i) The provision of enclosed corners at street intersections. (ii) The provision of enclosed corners at street intersections. (i) Balconies and terraces should be provided, particularly where buildings cardens on the top of setback areas of buildings. Gardens on the top of setback areas of buildings are encouraged. (c) Articulate facades so that they address the street and add visual interest. (d) External walls should be constructed of high quality and durable materials and finishes with 'selfcleaning' attributes, such as face brickwork, rendered brickwork, stone, concrete and glass. (e) Finishes with high maintenance costs, those susceptible to degradation or corrosion from a coastal or industrial environment of finishes that result in unacceptable amenity impacts, such as reflective glass, are to be avoided. (f) To assist articulation and visual interest, avoid expanses of any single material. (g) Limit opaque or blank walls for ground floor uses to 30% of the street frontage. (h) Maximise glazing for retail uses, but break glazing into sections to avoid large expanses of glass. (i) Highly reflective finishes and curtain wall glazing are not permitted above ground floor level (see Section 5.3). (j) A materials sample board and schedule is required to be stoet edge. (k) Minor projections up to 450mm from building walls in accordance with those permitted by the Building Code of Australia may extend in the public bace providing it does not fall within the definition of gross floor area and there is a public benefit, such as: (i) Expressed cornice lines that assist in enhancing the streetscape. (i) Projections uch as entry canopies that add visual interest and amenity, and (ii) Provided that the projections do not detract from significant views and vistas (see Figure 3.12). (j) The design of roof plant rooms and lift overruns is to be integrated ind the overal architect	iv) Eacade proportions including porizontal or vertical	
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Objectives/controls	Comment
b) The redevelopment of sites with potential to open a blocked view shown in Figure 3.12 must take into account the restoration of that view.	
c) Align buildings to maximise view corridors between buildings.	
d) Remove or avoid installation of built elements that obstruct significant views.	
e) Carefully consider tree selection to provide views along streets in Figure 3.12 and keep under storey planting low where possible.	
f) Site analysis must address views with the planning and design of building forms taking into account existing topography, vegetation and surrounding development.	
4 Access, parking and servicing	
Objectives/controls	Comment
4.2 Pedestrian access and mobility	
a) Main building entry points should be clearly visible from primary street frontages and enhanced as appropriate with	Satisfactory

Discrimination Act 1992 (as amended).c) The development must provide at least one main pedestrian entrance with convenient barrier free access in all developments to at least the ground floor.

awnings, building signage or high quality architectural features that improve clarity of building address and

b) The design of facilities (including car parking requirements) for disabled persons must comply with the relevant Australian Standard (AS 1428 Pt 1 and 2, AS 2890 Pt 1, or as amended) and the Disability

contribute to visitor and occupant amenity.

d) The development must provide continuous access paths of travel from all public roads and spaces as well as unimpeded internal access.

e) Pedestrian access ways, entry paths and lobbies must use durable materials commensurate with the standard of the adjoining public domain (street) with appropriate slip resistant materials, tactile surfaces and contrasting colours in accordance with Council's Public Domain Technical Manual.

f) Building entrance levels and footpaths must comply with the longitudinal and cross grades specified in AS 1428.1:2001, AS/NZS 2890.1:2004 and the Disability Discrimination Act.

4.3 Vehicular driveways and manoeuvring areas

a) Driveways should be:

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.

Satisfactory.

iii) Located a minimum of 6 metres from the perpendicular of any intersection of any two roads.

iv) If adjacent to a residential development setback a minimum of 1.5m from the relevant side property boundary.

b) Vehicle access is to be designed to:

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.

c) 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.

d) Design of driveway crossings must be in accordance with Council's standard Vehicle Entrance Designs, with any works within the footpath and road reserve subject to a s138 Roads Act approval.

e) Driveway widths must comply with the relevant Australian Standards.

f) Car space dimensions must comply with the relevant Australian Standards.

g) Driveway grades, vehicular ramp width/grades and passing bays must be in accordance with the relevant Australian Standard, (AS 2990.1).

h) Vehicular ramps less than 20m long within developments and parking stations must have a maximum grade of 1 in 5 (20%). Ramp widths and design must be in accordance with AS 2890.1.

i) Access ways to underground parking should not be located adjacent to doors or windows of the habitable rooms of any residential development.

j) For residential development in the General Residential zone, use semi-pervious materials for all uncovered parts of driveways/spaces to provide for some stormwater infiltration. Objectives/controls

Comment

4.4 On-site parking	
General (all development)	Complies
a) On-site parking must meet the relevant Australian Standard (AS2890.1 2004 – Parking facilities, or as amended).	
b) Council may require the provision of a supporting geotechnical report prepared by an appropriately qualified professional as information to accompany a development application to Council.	
c) 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.	
d) 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.	
e) On-site vehicle, motorcycle and bicycle parking is to be provided in accordance with Part E of this DCP.	
f) To accommodate people with disabilities, provide a minimum of 1% of the required parking spaces, or minimum of 1 space per development, (whichever is the greater) as an appropriately designated and signed disabled parking space.	
4.5 Site facilities and services	
Mail boxes	
a) Provide letterboxes for residential building and/or commercial tenancies in one accessible location adjacent to the main entrance to the development.	Satisfactory
b) They should be integrated into a wall where possible and be constructed of materials consistent with the appearance of the building.	
c) Letterboxes shall be secure and large enough to accommodate articles such as newspapers.	
Communication structures, air conditioners and service vents	Satisfactory
a) Locate satellite dish and telecommunication antennae, air conditioning units, ventilation stacks and any ancillary structures:	
i) Away from the street frontage,	
ii) Integrated into the roof scape design and in a position where such facilities will not become a skyline feature at the top of any building, and	
iii) Adequately setback from the perimeter wall or roof edge of buildings.	
b) A master antennae must be provided for residential apartment buildings. This antenna shall be sited to minimise its visibility from surrounding public areas.	
Waste (garbage) storage and collection	

Ob	iectiv	/es/c	ontro	ls
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General (all development)	
a) All development is to adequately accommodate waste handing and storage on-site. The size, location and handling procedures for all waste, including recyclables, is to be determined in accordance with Council waste policies and advice from relevant waste handling contractors.	Satisfactory
b) Access for waste collection and storage is preferred from rear lanes, side streets or rights of ways.	
c) Waste storage areas are to be designed to:	
i) Ensure adequate driveway access and manoeuvrability for any required service vehicles,	
ii) Located so as not to create any adverse noise impacts on the existing developments or sensitive noise receptors such as habitable rooms of residential developments, and	
iii) Screened from the public way and adjacent development that may overlook the area.	
d) The storage facility must be well lit, easily accessible on grade for movement of bins, free of obstructions that may restrict movement and servicing of bins or containers and designed to minimise noise impacts.	
Location requirements for Waste Storage Areas and Access	Complies
a) Where waste volumes require a common collection, storage and handling area, this is to be located:	Complica
i) For residential flat buildings, enclosed within a basement or enclosed carpark,	
ii) For multi-housing, at ground behind the main building setback and façade, or within a basement or enclosed carpark,	
iii) For commercial, retail and other development, on-site in basements or at ground within discrete service areas not visible from main street frontages.	
b) Where above ground garbage collection is prohibitive or impractical due to limited street frontage, or would create an unsafe environment, an on-site basement storage area must be provided.	
c) Where a mobile compaction vehicle is required to enter the site, the access and circulation area shall be designed to accommodate the likely vehicle.	
Service docks and loading/unloading areas	
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a) Provide adequate space within any new development for the loading and unloading of service/delivery vehicles.	
b) Preferably locate service access off rear lanes, side streets or rights of way.	
c) Screen all service doors and loading docks from street frontages and from active overlooking from existing developments.	
d) Design circulation and access in accordance with AS2890.1.	
Fire service and emergency vehicles	Satisfactory
a) For developments where a fire brigade vehicle is required to enter the site, vehicular access, egress and manoeuvring must be provided to, from and on the site in accordance with the NSW Fire Brigades Code of Practice – Building Construction – NSWFB Vehicle Requirements.	
b) Generally, provision must be made for NSW Fire Brigade vehicles to enter and leave the site in a forward direction where:	
i) NSW Fire Brigade cannot park their vehicles within the road reserve due to the distance of hydrants from the building or restricted vehicular access to hydrants; or	
ii) The site has an access driveway longer than 15m.	
Utility Services	Satisfactory
The provision of utility services and access for regular servicing and maintenance must be considered at the concept stage of site development.	
a) Development must ensure that adequate provision has been made for all essential services including water, sewerage, electricity and telecommunications and stormwater drainage to the satisfaction of all relevant authorities.	
b) The applicant must liaise with the relevant power authority with regard to the need for a conduit to be installed within the foot way area for the future provision of an underground power supply and extension of the conduit up to the wall of the existing or proposed building.	
c) The development must ensure that ready connection of the building(s) can be made in future when underground power is installed and the overhead connection is replaced with a connection to the underground line.	
d) The applicant must liaise with the power authority with regard to the retention, relocation, or removal of any existing power pole.	

5 Environmental management

Objectives/controls	Comment
5.2 Energy efficiency and conservation	
Residential: Comply with BASIX	Complies

Objectives/controls	Comment
Non-residential:	
a) Improve the control of mechanical space heating and cooling by:	Satisfactory. The commercial component is not of a scale to require an energy
i) Designing heating/cooling systems to target only those spaces which require heating or cooling, not the whole building.	efficiency report.
b) Improve the efficiency of hot water systems by:	
i) Insulating hot water systems, and	
ii) Installing water saving devices, such as flow regulators,3.5 stars rated shower heads, dual flush toilets and tap aerators.	
c) Reduce reliance on artificial lighting and designing lighting systems to target only those spaces which require lighting at any particular 'off peak' time, not the whole building.	
An energy efficiency report from a suitably qualified consultant is to accompany any development application for non-residential development with a construction cost of \$1million or greater. This report must demonstrate commitment to achieving a minimum of 4 stars Green Star rating (design and as built tool) or 4 stars NABERS rating (energy tool) for the development).	
5.3 Water conservation	
Residential: Comply with BASIX	
Non-residential:	
a) The following water saving measures are to be incorporated into non-residential building. Water fixtures (shower heads, taps, toilets, urinals etc) are to be 3.5 stars or better rated.	Conditions of consent
i) Appliances (dishwashers, clothes washers etc) are to be 3.5 stars or better rated with respect to water use efficiency. Demonstrate, if necessary, how these requirements will be achieved for replacement appliances, appliances not installed at construction or bought in by occupants following construction,	
ii) Stormwater runoff control, capture and reuse, including water quality management in accordance with Council's guidelines,	
iii) Select water efficient plants and/or, indigenous vegetation for landscape in accordance with Council's recommendations,	
iv) Use non-potable water for watering gardens and landscape features, and	
v) Operating details for swimming pools and water features including filling, draining and maintenance activities. Covers are to be included in the design and operational aspects of swimming pool installations.	

Objectives/controls	Comment
5.4 Reflectivity	
a) New buildings and facades should not result in glare that causes discomfort or threatens safety of pedestrians or drivers.	Satisfactory
b) Visible light reflectivity from building materials used on facades of new buildings should not exceed 20%.	
c) Subject to the extent and nature of glazing and reflective materials used, a Reflectivity Report that analyses potential solar glare from the proposed development on pedestrians or motorists may be required.	
5.5 Wind mitigation	
A Wind Effects Report is to be submitted with the DA for all buildings greater than 32m in height.	N/A
5.6 Waste and recycling	
a) Development applications for all non-residential development must be accompanied by a waste management plan that addresses:	A Waste Management Plan has been provided. Conditions of consent.
i) Best practice recycling and reuse of construction and demolition materials,	
ii) Use of sustainable building materials that can be reused or recycled at the end of their life,	
iii) Handling methods and location of waste storage areas in accordance with the provisions of Section 4.4.3 of this DCP, such that handling and storage has no negative impact on the streetscape, building presentation or amenity of occupants and pedestrians, and	
iv) Procedures for the on-going sustainable management of green and putrescible waste, garbage, glass, containers and paper, including estimated volumes, required bin capacity and on-site storage requirements.	

Objectives/controls		Comment
Residential development		
Provision must be made for the following waste generation:		Satisfactory
a) In developments not exceeding waste storage facilities may be per	six dwellings, individual rmitted.	
b) In development of more than s where the topography or distance point makes access difficult for i collection and storage area is required must be located in a position which	ix units or dwellings, or to the street collection individual occupants, a uired. The storage area h is;	
i) Not visible from the street,		
ii) Easily accessible to dwelling occ	cupants,	
iii) Accessible by collection ve managed by the body corporate to to the approved collection point),	chicles (or adequately permit relocation of bins	
iv) Has water and drainage faci maintenance, and	ilities for cleaning and	
v) Does not immediately adjoin windows or clothes drying areas.		
c) Subject to Council collection po storage areas must be sized to e number of individual bins require sufficient larger bins	olicy, common garbage ither accommodate the ed or to accommodate	
Residential Flats	Multi Unit Housing	
Waste		
80 litres per week/flat	120 litres per week/dwelli	
Recycling		
80 litres per week/flat	120 litres per week/dwelli	
Green waste		
A communal waste bin of sufficient capacity to accept waste from any landscaped areas	120 litres per fortnight/dw	
6 Residential development stand	lards	
Objectives/controls		Comment
6.2 Housing choice and mix		
10% studio/one bedroom		Complies
10% three or more bedrooms		

10% adaptable

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

Comment

6.3 Dwelling houses	
 N/A	
6.4 Multi dwelling housing	
N/A	
6.5 Dual occupancy	
N/A	
6.6 Basement Carparks	
Integrate the siting, scale and design of basement parking into the site and building design.	Complies
6.7 Communal open space	
5m² per dwelling communal open space	Complies (34 x 5 = 170m ²)
	340m ² proposed
must be easily accessible and within a reasonable distance from apartments, be integrated with site landscaping, allow for casual social interaction and be capable of accommodating recreational activities.	Complies
must receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on June 21	Complies
6.8 Private open space	
i) Avoid locating the primary balconies where they address side setbacks.	Complies
ii) The balcony must have a minimum area of 12m2 open space a minimum depth of 2.4 metres.	
iii) The primary balcony of at least 70% of the dwellings within a multi dwelling housing development shall receive a minimum of three hours of direct sunlight between 9.00am and 3.00pm on June 21.	
iv) Balconies must be designed and positioned to ensure sufficient light can penetrate into the building at lower levels.	
v) Individual balcony enclosures are not supported. Balcony enclosures must form part of an overall building façade design treatment and should not compromise the functionality of a balcony as a private open space area.	
6.9 Overshadowing	
a) The design of the development must have regard to the existing and proposed level of sunlight which is received by living areas and private open space areas of adjacent dwellings. Sensitive design must aim to retain the maximum amount of sunlight for adjacent residents. Council will place greatest emphasis on the retention of sunlight within the lower density residential areas.	Shadow diagrams and view from sun diagrams have been provided illustrating the impacts to the adjoining development.
b) Adjacent residential buildings and their public spaces must receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.	
c) In determining access to sunlight, overshadowing by fences, roof overhangs and changes in level must be taken into consideration. Overshadowing by vegetation should also be	

Objectives/controls	Comment
considered, where dense vegetation appears as a solid fence Refer to Land and Environment Court Planning Principles - Parsonage vs Ku-Rin-Gai Council (2004).	-
d) In areas undergoing change, the impact of overshadowing or development likely to be built on adjoining sites must be considered, in addition to the impacts on existing development.	
6.10 Solar access	
a) Residential apartment buildings must aim to maximise their level of northern exposure to optimise the number of dwellings having a northern aspect. Where a northern aspect is available the living spaces and balconies of such apartments must typically be orientated towards the north.	r Satisfactory s , /
b) The development must maximise the number of apartments with a dual orientation. Single aspect, single storey apartments should preferably have a northerly or easterly aspect and a reduced depth to allow for access of natural light to all habitable spaces.	5 5 4 9
 c) Shading devices should be utilised where necessary particularly where windows of habitable rooms are located on the western elevation. 	,
d) The living rooms and private open space of at least 70% o apartments should receive a minimum of three hours of direc sunlight between 9.00am and 3.00pm.	f
e) The number of single aspect apartments with a southerly aspect (south-westerly to south-easterly) is limited to a maximum of 10% of the total number of apartments proposed.	/ 1
f) Provide vertical shading to eastern and western windows Shading can take the form of eaves, awnings, colonnades balconies, pergolas, external louvres and planting.	
6.11 Natural ventilation	
10-18m building depth maximum	Complies
Minimum of (60%) of all residential apartments shall be naturally cross ventilated.	/
Twenty five percent (25%) of kitchens within a development mushave access to natural ventilation. Where kitchens do not have direct access to a window, the back of the kitchen must be not more than 8m from a window.	t e o
Single aspect apartments must be limited in depth to 8m from a window.	a Complies
<u>6.12 Visual privacy</u>	
 New buildings should be sited and oriented to maximise visua privacy between buildings through compliance with minimun front, side and rear setback / building separation requirements. 	
2. The internal layout of buildings should be designed to minimise any direct overlooking impacts occurring upon habitable rooms and private balcony / open space courtyards, wherever possible by separating communal open space and public domain areas from windows of rooms, particularly sleeping room and living room areas.	

•			
3. Buildings are to be design compromising access to sunligh the following measures:	ned to increase nt and natural ve	privacy without entilation through	t I
(a) Off-setting of windows in existing adjoining building(s).	new buildings f	rom windows ir	1
(b) Recessed balconies and / adjoining balconies to improve	or vertical fin el visual privacy.	ements betweer	1
(c) Provision of solid, sem balustrading to balconies.	i-solid or darl	k tinted glazed	I
(d) Provision of louvers or screbalconies.	een panels to w	vindows and / or	r
(e) Provision of perimeter landso	caped screen / d	eep soil planting	
(f) Incorporating planter boxe improve visual separation be development and adjoining built	s onto apartme etween apartm dings.	ent balconies to ents within the)
(g) Provision of pergolas or sha of lower apartments or private o	ading devices to pen space courty	limit overlooking yards / balconies	
6.13 Acoustic Privacy			
1. Residential apartments show building, to minimise noise trans	uld be arranged sition between a	l in a mixed use partments by:)
(a) Locating busy, noisy areas areas, next to other quieter ar rooms and bedrooms with bedro	next to each c eas (eg living r ooms);	other and quieter cooms with living	-
(b) Using storage or circulatio buffer noise from adjacent apa corridors and lobby areas; and	n zones within Irtments, mecha	an apartment to nical services of) r
(c) Minimising the amount of apartments.	party (shared)	walls with other	-
2. All residential apartments w should be designed and constru- and / or laminated windows, around doors and windows elements for doors, walls, roo satisfactory acoustic privacy and within the residential and / or se	vithin a mixed un octed with double solid walls, sea as well as ins ofs and ceilings and amenity leve erviced apartmer	ese development e-glazed windows aling of air gaps sulating building etc; to provide els for occupants nt(s).	
3. Noise transmission from co building is to be minimised by p	ommon corridor roviding seals a	s or outside the t entry doors.	•
Field Sound Transmission Clas	s to comply		
6.14 Storage			
Dwelling	Storage	Storage	Satisfactor
	Area	Volume	provided basement.
One bedroom apartments	3m ²	3m ³	
Two bedroom apartments	4m ²	8m ³	
Three or more bedroom apartments	5m ²	10m ³	-

atisfactory storage areas are ovided in the units and asement.

7 Planning controls for special areas

The site is not located within a special area.

8 Works in the public domain

New footpath and street trees are to be provided in accordance with Council policy.

CHAPTER E1: ACCESS FOR PEOPLE WITH A DISABILITY

Level access into and within the development is provided.

Accessible car parking and adaptable units are provided in accordance with Council requirements.

The development will be required to comply with the Access to Premises Standard.

CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is considered to be satisfactory with regard to the Principles of Crime Prevention Through Environmental Design.

There are not considered to be undesirable concealment or entrapment opportunities.

Access to residential car park area is secure.

Passive surveillance of the street is provided.

There are no blind corners.

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

6 Traffic impact assessment and public transport studies

6.1 Car Parking and Traffic Impact Assessment Study

A traffic impact assessment was submitted with the proposal.

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

6.2 Preliminary Construction Traffic Management Plan

Conditions of consent are recommended with regards to traffic management during construction.

7 Parking demand and servicing requirements

Component	Rate	Required	Proposed
Car parking			
Commercial	1/60m²	~299 / 60 = 19	5
Residential	<70qm: 0.75 per unit	5 x 0.75 = 3.75	38
	70-110sqm: 1 per unit	27 x 1 = 27	
	>110sqm- 1.25 per unit	2x 1.25= 2.5	
		Total required: 33	
Visitor	0.2 per unit	34 x 0.2 = 6.8	7
Total car parking:			50
Motorcycle			
Residential	1 / 15 units	34 / 15 = 2.3	
Commercial	1 / 25 cars	19 / 25 = 1	
Total provided			3
Bicycle parking			
Residential	1 / 3 units	34 / 3 = 11.3	
Visitor	1 / 12 units	34 / 12 =2.8	

Commercial	1 / 200m²	1.5	
Commercial visitor	1 / 750m²	0.4	
Total provided			16

8 Vehicular access

Driveway grades and sight distances comply.

9 Loading / unloading facilities and service vehicle maneuvering

The development complies with AS 2890.2.

Waste servicing will occur on-site.

10 Pedestrian access

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

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

The proposal is satisfactory with regard to the principles of CPTED.

CHAPTER E6: LANDSCAPING

The landscaped areas are consistent with the requirements of this chapter. Conditions have been provided from Council's Landscape Department.

CHAPTER E7: WASTE MANAGEMENT

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

The proposal involves demolition of all existing structures and a demolition plan and Hazardous Materials Survey have been provided.

The proposal provides separate commercial and residential waste storage rooms and on-site servicing arrangements.

CHAPTER E12 GEOTECHNICAL ASSESSMENT

The application has been reviewed by Council's Geotechnical Engineer in relation to site stability and the suitability of the site for the development. Appropriate conditions have been recommended.

CHAPTER E14 STORMWATER MANAGEMENT

Stormwater management and disposal is in accordance with this chapter. Conditions have been provided from Council's Stormwater Division.

CHAPTER E13 FLOODPLAIN MANAGEMENT

The proposal has been amended to provide for an overland flow path for stormwater. This has been assessed and found satisfactory from Council's Stormwater Engineers. Conditions have been provided.

CHAPTER E19 EARTHWORKS (LAND RESHAPING WORKS)

The proposed earthworks are satisfactory with regard to this chapter.

CHAPTER E20 CONTAMINATED LAND MANAGEMENT

The proposal has been supported by a Preliminary Site Investigation prepared by a suitably qualified consultant (Douglas Partners August 2019) has been submitted. The recommendations of that report have been reviewed by Council's Environment Officer and conditions of consent are recommended.

CHAPTER E21 DEMOLITION AND HAZARDOUS BUILDING MATERIALS MANAGEMENT

Conditions of consent are recommended with respect to demolition.

CHAPTER E22 SOIL EROSION AND SEDIMENT CONTROL

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



Sheet List

			Current Revision
Number	Name	Current Revision	Date
00	Cover Sheet	G	20/07/09
01	Site Analysis	G	20/07/09
02	Site Plan	G	20/07/09
03	Basement 1 Plan	G	20/07/09
04	Ground Floor Plan	G	20/07/09
05	Level 1 Floor Plan	G	20/07/09
06	Level 2 Floor Plan	G	20/07/09
07	Level 3 Floor Plan	G	20/07/09
08	Level 4 Floor Plan	G	20/07/09
09	Level 5 Floor Plan	G	20/07/09
10	Level 6 Floor Plan	G	20/07/09
11	Roof Plan	G	20/07/09
12	Adaptable & Livable Plan	G	20/07/09
13	East Elevation - Keira Street	G	20/07/09
14	South Elevation - Ellen Street	G	20/07/09
15	West Elevation	G	20/07/09
16	North Elevation	G	20/07/09
17	Street Elevation	G	20/07/09
18	Section 1	G	20/07/09
19	Section 2	G	20/07/09
20	Section 3	G	20/07/09
21	Area Calculation Plans	G	20/07/09
22	Construction Management Plan & Demolition Details	G	20/07/09
23	Waste Management Plan	G	20/07/09
24	External Finishes Schedule	G	20/07/09
25	SEPP 65 Compliance	G	20/07/09
26	Shadow Diagram	G	20/07/09
27	Shadow Diagrams - Future Context	G	20/07/09
28	Sections	G	20/07/09
29	Potential Development No.288 Keira St	G	20/07/09
NN	Neighbour Notification	D	30/10/19

	Room Schedul	e
Unit No	Туре	Area
1.01	2 BED	84 m²
1.02	1 BED	54 m²
1.03	2 BED	87 m²
1.04	2 BED	87 m²
1.05	2 BED	80 m²
1.06	2 BED L	88 m²
2.01	2 BED	84 m²
2.02	1 BED	54 m²
2.03	2 BED	87 m²
2.04	2 BED	87 m²
2.05	2 BED A	91 m²
2.06	2 BED L	88 m²
3.01	2 BED	84 m²
3.02	1 BED	54 m²
3.03	2 BED	87 m²
3.04	2 BED	87 m²
3.05	2 BED A	91 m²
3.06	2 BED L	88 m²
4.01	2 BED	84 m²
4.02	1 BED	54 m²
4.03	2 BED	87 m²
4.04	2 BED	87 m²
4.05	2 BED A	91 m²
4.06	2 BED L	88 m²
5.01	2 BED	84 m²
5.02	1 BED	54 m²
5.03	2 BED	87 m²
5.04	2 BED	87 m²
5.05	2 BED A	91 m ²
5.06	2 BED	88 m²
6.01	3 BED	122 m ²
6.02	3 BED	131 m ²
6.03	3 BED	111 m ²
6.04	2 BED	88 m ²
G.01	COMMERCIAL 1	110 m ²
G.03	COMMERCIAL 2	189 m ²
U U		

DEVELOPMENT SUMMARY

Site Area	=	1349r
Zone	=	B3
Max FSR	=	2.8:1
Min landscaping	=	n/a
Proposed FSR	=	2.7:1
Residential Unit Types	=	5 26 1 2
Total No of Residential Units	=	34
PARKING		
Min. Residential Visitors	=	6.8
Min. Residents	=	33.25
Min. Commercial	=	5
Provided Residential Visitors	=	7
Provided Residents	=	38
Provided Commercial	=	5
Total	=	50
No of Motorbikes	=	4
No of Bicycles	=	16

Issue	Description	Date
A	Issue for Consultants	19/09/1
В	Issue for Consultants	20/09/1
С	Issue to Consultants	21/10/1
D	DA Issue	30/10/1
E	Issue to Consultants	7/6/20
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G	Revised DA	20/07/0

DEVELOPMENT APPLICATION

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(1 Bed <70m2) (2 Bed 70-110m2) (3 Bed 70-110m2) (3 Bed >110m2)





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Nominated Architect: Peter Couvaras Reg No. 7344

Project 290-294 Keira Street, Wollongong

Client

290 Keira Street PTY LTD



North

Drawing Name Cover Sheet

Project Date	2019
Scale	2019
Scale	@ A1





		NOTES:			
A) THIS SURVEY IS SPECIFICALLY FOR DETAIL PURPOSES ONLY. TH BOUNDARIES OF THE SUBJECT PROPERTY HAVE BEEN INVESTIGAT SURVEYED.			THE GATED AND		
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Project Date	Project No.
09 Aug 2019	1912
Scale 1:200 @ A1	Issue No. Issue G







Drawing Name Site Plan

Project Date	Project No.
09 Aug 2019	1912
^{Scale} Scale 1 : 200 @ A1	Issue No.





Issue	Description	Date
A	Issue for Consultants	19/09/19
С	Issue to Consultants	21/10/19
D	DA Issue	30/10/19
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G	Revised DA	20/07/09
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regulations.

ELLEN STREET



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290 Keira Street PTY LTD



North

Drawing Name Basement 1 Plan

Project Date 09 Aug 2019	Project No.
Scale 1:100 @ A1	Issue No.





Issue	Description	Date
A	Issue for Consultants	19/09/19
В	Issue for Consultants	20/09/19
С	Issue to Consultants	21/10/19
D	DA Issue	30/10/19
E	Issue to Consultants	7/6/20
F	Issue To Consultants	24/06/20
G	Revised DA	20/07/09



Drawing Name Ground Floor Plan

Project Date			
09 Aug 2019			
007103	9 2010		
Scale			
Scale	1 : 100 @ A1		

1912 Issue No. Issue G

Project No.





Electrical pole

New street tree species to match existing species in street and in accordance with Council's

nominated species for minor civic

streets



Issue	Description	Date
A	Issue for Consultants	19/09/1
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ELLEN STREET



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Project 290-294 Keira Street, Wollongong

Client

290 Keira Street PTY LTD



Drawing Name Level 1 Floor Plan

Project No.
1912
Issue No.
Issue G





Issue	Description	Date
A	Issue for Consultants	19/09/1
В	Issue for Consultants	20/09/1
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NOT FOR CONSTRUCTION

regulations.



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290 Keira Street PTY LTD



2. Typical Unit



Level 2 Floor Plan

Project Date 09 Aug 2019 Scale Scale As indicated @ A1 Project No. 1912 Issue No. Issue G





>ARCHITECTS

Issue	Description	Date
A	Issue for Consultants	19/09/1
В	Issue for Consultants	20/09/1
С	Issue to Consultants	21/10/1
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DEVELOPMENT APPLICATION

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Client

290 Keira Street PTY LTD



North

Drawing Name Level 3 Floor Plan

Project Date	Project No.
09 Aug 2019	1912
Scale	Issue No.
Scale 1:100 @ A1	Issue G





Issue	Description	Date
A	Issue for Consultants	19/09/1
В	Issue for Consultants	20/09/1
С	Issue to Consultants	21/10/1
D	DA Issue	30/10/1
E	Issue to Consultants	7/6/20
F	Issue To Consultants	24/06/2
G	Revised DA	20/07/0

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290-294 Keira Street, Wollongong

Nominated Architect: Peter Couvaras Reg No. 7344 290 Keira Street PTY LTD

Client



Level 4 Floor Plan

Project Date	Project No.
09 Aug 2019	1912
Scale	Issue No.
Scale 1:100 @ A1	Issue G





Issue	Description	Date
A	Issue for Consultants	19/09/1
В	Issue for Consultants	20/09/1
С	Issue to Consultants	21/10/1
D	DA Issue	30/10/1
E	Issue to Consultants	7/6/20
F	Issue To Consultants	24/06/2
G	Revised DA	20/07/0

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Client

290 Keira Street PTY LTD Nominated Architect: Peter Couvaras Reg No. 7344



Drawing Name Level 5 Floor Plan

Project Date 09 Aug 2019	Project No.	
Scale 1:100 @ A1	Issue No.	





Issue	Description	Date
A	Issue for Consultants	19/09/19
С	Issue to Consultants	21/10/19
D	DA Issue	30/10/19
E	Issue to Consultants	7/6/20
F	Issue To Consultants	24/06/20
G	Revised DA	20/07/09

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290-294 Keira Street, Wollongong

Client

Nominated Architect: Peter Couvaras Reg No. 7344

290 Keira Street PTY LTD



Drawing Name Level 6 Floor Plan

Project Date	Project No.
09 Aug 2019	1912
Scale 1:100 @ A1	Issue No.





11720

2130

4550

Issue	Description	Date
A	Issue for Consultants	19/09/19
В	Issue for Consultants	20/09/19
С	Issue to Consultants	21/10/19
D	DA Issue	30/10/19
E	Issue to Consultants	7/6/20
F	Issue To Consultants	24/06/20
G	Revised DA	20/07/09

DEVELOPMENT APPLICATION

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5550

7740



Drawing Name Roof Plan

Project Date	Project No.
09 Aug 2019	1912
Scale 1:100 @ A1	Issue No. Issue G



		1 1 1
Issue for Consultants	19/09/19	
Issue to Consultants	21/10/19	
DA Issue	30/10/19	Figured din
Issue to Consultants	7/6/20	verified on It is a requi
Issue To Consultants	24/06/20	provided by
Revised DA	20/07/09	the Building regulations
		regulations

С

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2. Post Adaptation Plan - Units 2.05, 3.05, 4.05, 5.05 Scale 1 : 100

1. Dwelling Access

- a. Provide a safe and continuous pathway from: i. the front boundary of the allotment; or ii. a car parking space, where provided, which may include the driveway on the allotment, to an entrance that is level (step-free) as specified in Element 2 (Dwelling Entrance).
- This provision does not apply where the average slope of the ground where the path would feature is steeper than 1:14.
- **b.** The path of travel as referred to in (a) should have a minimum clear width of 1000mm and _ i. an even, firm, slip resistant surface; ii. a crossfall of not more than 1:40; iii. a maximum pathway slope of 1:14, with landings provided at no greater than 9m for a 1:14 ramp and no greater than 15m for ramps
- steeper than 1:20. Landings should be no less than 1200mm in length; and iv. be step-free c. A step ramp may be incorporated at an entrance
- doorway where there is a change in height of 190mm or less. The step ramp should provide: i. a maximum gradient of 1:10 ii. a minimum clear width of 1000mm (please note: width should reflect the pathway width) iii. a maximum length of 1900mm
- Level landings no less than 1200mm in length, exclusive of the swing of the door or gate than opens onto them, must be provided at the head and foot of the ramp.

2. Dwelling Entrance

- a. The dwelling should provide an entrance door with i. a minimum clear opening width of 820mm (see Figure 2(a)); ii. a level (step-free) transition and threshold (maximum vertical tolerance of 5mm between abutting surfaces is allowable provided the lip is rounded or beveled); and iii. reasonable shelter from the weather.
- b. A level landing area of 1200mm x 1200mm should be provided at the level (step-free) entrance door.

c. Where the threshold at the entrance exceeds 5mm and is less than 56mm, a ramped threshold may be provided (see Figure 1(b)).

d. The level (step-free) entrance should be connected to the safe and continuous pathway as specified in Element 1.

Note The entrance must incorporate waterproofing and termite management requirements as specified in the NCC.

4. Internal doors & corridors

- a. Doorways to rooms on the entry level used for living, dining, bedroom, bathroom, kitchen, laundry and sanitary compartment purposes should provide:
- i. a minimum clear opening width of 820mm (see Figure 2(a)); and ii. a level transition and threshold (maximum vertical tolerance of 5mm between abutting surfaces is allowable provided the lip is rounded or beveled).

b. Internal corridors/passageways to the doorways referred to in (a) should provide a minimum clear width of 1000mm.

5. Toilet

- a. Dwellings should have a toilet on the ground (or entry) level that provides:
- i. a minimum clear width of 900mm between the walls of the bathroom if located in a separate room: and
- ii. a minimum 1200mm clear circulation space forward of the toilet pan exclusive of the swing of the door in accordance with Figure 3(a).
- **b.** If the toilet is located within the ground (or entry) level bathroom, the toilet pan should be located in the corner of the room to enable the installation of grabrails.



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BEDROOM NOTES

- 1 Provision for Queen size bed and
- circulation to AS1428.2 2 GPO's not less than 600mm above floor
- 3 Switches in line with door handles (900-1100mm above floor)

KITCHEN NOTES

- 1 GPO accessible when fridge in operating position 2 Fridge adjacent adjustable work surface min
- 800mm long & open below 3 Oven adjacent work surface
- 4 Cooktop with front controls and isolating switch & open below adjacent work surface
- 5 Height adjustable kitchen sink (max 150 deep) with lever 6 Slip resistant floor surface

BATHROOM NOTES

- 1 Grabrails to toilet and shower to AS1428.1 2 Slip resistant floor falls to shower waste
- 3 Hobless shower recess 1160 x 1100mm
- 4 Recessed soap holder
- 5 Shower taps positioned for easy reach 6 Taps to be capstam or lever handles
- 7 Double GPO beside mirror LIVING/DINING NOTES
- 1 Potential illumination level min 300lux
- 2 Provide GPO's adjacent phone outlet in living, kitchen and bedroom
- 3 GPO's not less than 600mm above floor 4 Switches in line with door handles (900-1100mm
- above floor) 5 Internal doors 820mm clearance

6. Shower

a. One bathroom should feature a slip resistant, hobless (step-free) shower recess. Shower screens are permitted provided they can be easily removed at a later date.

b. The shower recess should be located in the corner of the room to enable the installation of grabrails at a future date.

7. Reinforcement of walls

a. Except for walls constructed of solid masonry or concrete, the walls around the shower, bath (if provided) and toilet should be reinforced to provide a fixing surface for the safe installation of grabrails.

b. The fastenings, wall reinforcement and grabrails combined must be able to withstand 1100N of force applied in any position and in any direction.

- **c.** The walls around the toilet are to be reinforced by installing:
- i. noggings with a thickness of at least 25mm in accordance with Figure 6(a); or ii. sheeting with a thickness of at least 12mm in accordance with Figure 6(b).

d. The walls around the bath are to be reinforced **d.** The waits around the bath are to be reinforced by installing:i. noggings with a thickness of at least 25mm in accordance with Figure 7(a); or ii. sheeting with a thickness of at least 12mm in accordance with Figure 7(b).

e. The walls around the hobless (step-free) shower recess are to be reinforced by installing: i. noggings with a thickness of at least 25mm in accordance with Figure 8(a); or ii. sheeting with a thickness of at least



Adaptable & Livable Plan

09 Aug 2019		
scale Scale	1 : 100 @ A1	

Drawing Name

1912 Issue No. Issue G Sheet No.

12

Project No.



Issue	Description	Date
A	Issue for Consultants	19/09/19
С	Issue to Consultants	21/10/19
D	DA Issue	30/10/19
E	Issue to Consultants	7/6/20
F	Issue To Consultants	24/06/20
G	Revised DA	20/07/09

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Project 290-294 Keira Street, Wollongong

290 Keira Street PTY LTD

Nominated Architect: Peter Couvaras Reg No. 7344

>ARCHITECTS

Material Schedule Elevations			
Material: Mark Material: Description			
Ba1	Glass Balustrade		
Cla01	Non combustible Cladding		
Conc1	Off form Concrete		
FC	Fibre Cement Cladding		
Msn01	Cement Render - painted Monument		
Msn02	Brickwork - White		
Ren01	Cement Render - painted		

East Elevation -	Keira Street	
Project Date 09 Aug 2019	Project No. 1912	Sheet No.
Scale 1:100 @ A1	Issue No.	13

Issue	Description	Date
A	Issue for Consultants	19/09/19
В	Issue for Consultants	20/09/19
С	Issue to Consultants	21/10/19
D	DA Issue	30/10/19
E	Issue to Consultants	7/6/20
F	Issue To Consultants	24/06/20
G	Revised DA	20/07/09

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			RL 32.54		
			FC W		
	W 09		Ren01		
	W 09		Ren01 W		
			Ren01	W 13	
	W 09		Ren01	W 13	
	3		VY C9	W C10	W C11 C12
rel 2m xe with ails h the Engineers	RL 9.	20			

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Material Schedule Elevations			
Material: Mark Material: Description			
Ba1	Glass Balustrade		
Cla01	Non combustible Cladding		
Conc1	Off form Concrete		
FC	Fibre Cement Cladding		
Msn01	Cement Render - painted Monument		
Msn02	Brickwork - White		
Ren01	Cement Render - painted		

South Elevation -	- Ellen Stree	et
 Project Date 09 Aug 2019	Project No.	Sheet No.
Scale	Issue No.	14

Issue	Description	Date
A	Issue for Consultants	19/09/19
C Issue to Consultants		21/10/19
D	DA Issue	30/10/19
E	Issue to Consultants	7/6/20
F	Issue To Consultants	24/06/20
G	Revised DA	20/07/09

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Project 290-294 Keira Street, Wollongong

290 Keira Street PTY LTD

Nominated Architect: Peter Couvaras Reg No. 7344

Material Schedule Elevations		
Material: Mark Material: Description		
Ba1	Glass Balustrade	
Cla01	Non combustible Cladding	
Conc1	Off form Concrete	
FC	Fibre Cement Cladding	
Msn01	Cement Render - painted Monument	
Msn02	Brickwork - White	
Ren01	Cement Render - painted	

Drawing Name West Elevation

Project Date	Project No.
09 Aug 2019	1912
Scale 1:100 @ A1	Issue No. Issue G

 RL 31.84	RL 32.54
Conc1 Conc1	
Conc1	
	?

Issue	Description	Date
A	Issue for Consultants	19/09/19
С	Issue to Consultants	21/10/19
D	DA Issue	30/10/19
E	Issue to Consultants	7/6/20
F	Issue To Consultants	24/06/20
G	Revised DA	20/07/09

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Project 290-294 Keira Street, Wollongong

Nominated Architect: Peter Couvaras Reg No. 7344

Material Schedule Elevations			
Material: Mark Material: Description			
Ba1	Glass Balustrade		
Cla01	01 Non combustible Cladding		
Conc1	Off form Concrete		
FC	Fibre Cement Cladding		
Msn01	Cement Render - painted Monument		
Msn02	Brickwork - White		
Ren01	Cement Render - painted		

Drawing Name North Elevation

Project Date	Project No.
09 Aug 2019	1912
^{Scale} 1 : 100 @ A1	Issue No.

35-47 Kenny Street, Wollongong (Potential Mixed use development) -

2. South - Street View Ellen Scale 1 : 500

Issue	Description	Date
A	Issue for Consultants	19/09/19
С	Issue to Consultants	21/10/19
D	DA Issue	30/10/19
E	Issue to Consultants	7/6/20
F	Issue To Consultants	24/06/20
G	Revised DA	20/07/09

DEVELOPMENT APPLICATION

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Project 290-294 Keira Street, Wollongong

Client

Nominated Architect: Peter Couvaras Reg No. 7344

290 Keira Street PTY LTD

35-47 Kenny Street, Wollongong
 (Potential Mixed use development)

288 Keira Street, Wollongong (Potential commercial development)

280 - 286 Keira Street, Wollongong
 (Existing Office building)

North

Drawing Name Street Elevation

Project Date 09 Aug 2019	Project No. 1912	Sheet No.
Scale 1:500 @ A1	Issue No.	

17

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2. 3	Section	4
Scale	1:100	

regulations.

Issue	Description	Date
Ą	Issue for Consultants	19/09/19
С	Issue to Consultants	21/10/19
D	DA Issue	30/10/19
E	Issue to Consultants	7/6/20
F	Issue To Consultants	24/06/20
G	Revised DA	20/07/09

DEVELOPMENT APPLICATION

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2	3	4		5	
			6.02 3 BED 131 m ²	6.03 3 BED 111 m ²	Ceiling Ceiling RL 31.34
		5.03 2 BED 		5.05 2 BED A 91 m ²	RL 28.54
		4.03 2 BED 		4.05 2 BED A 91 m ² 3.05 2 BED A	Level 4 RL 22.24
		2.03 2 BED 87 m ²		91 m ² 2.05 2 BED A 91 m ²	Level 3 RL 19.14 Level 2
		1.03 2 BED 87 m ²			RL 16.04
FOYE	ER		G.03 COMMERCIAL 2 189 m ²		Ground Floor RL 8.94
		3200	Natural Ground Level	3240	Basement 1 RL 5.40

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 Drawing Name Section 1		
Project Date 09 Aug 2019 Scale Scale 1 : 100 @ A1	Project No. 1912 Issue No. Issue G	Sheet No.

Curtain Wall Schedule				
Mark Length		Area		
C1	4702		17 m ²	
C2	4371		17 III- 16 m ²	
C3	4120		15 m ²	
C4	12029		45 m ²	
C5	72023		-+3 III- 28 m ²	
C6	7200		20 III- 28 m ²	
C7	10670		43 m ²	
C8	8100		32 m ²	
	2760		7 m ²	
C10	3300		0 m ²	
C11	1600		1 m ²	
C12	3100		8 m ²	
C12	4420		12 m ²	
013	4420		12 111-	
	Door Se	chedule		
Type Mark	Count	Hei	ght	Width
G01	2	2400		2400
G02	1	2400		2200
G03	5	2800		4250
G04	15	2800		4050
G05 G06	o 5	2800		2550
G07	5	2800		2400
G08	2	2800		1100
G09	18	2800		3000
G10	12	2800		900
G12	2 2800			2450
G13	2	2800		3750
G14	1	2800		1750
	Window	Schedule)	
Type Mark	Count	Hei	ght	Width
01	5	2700		1370
02	16	1800		4100
03	15	1900		3150
04	1	2800		2400 550
06	7	1800		1000
07	7	1800		1650
08	1	900		1700
09	0	1800		800
11	6	1800		2400
12	4	1300		1500
13	4	1300		3600
14	4	1300		1900
15	1	2700		660
17	3	1800		3000
18	1	1300		1500
19	1	1300		2530
20	1	1300		980
22	4	1700		4100
23	1	1800		4400
24	12	2810		410
25	1	2800		1300

Issue	Description	Date
A	Issue for Consultants	19/09/19
С	Issue to Consultants	21/10/19
D	DA Issue	30/10/19
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Nominated Architect: Peter Couvaras Reg No. 7344

Drawing Name Section 2		
 Project Date 09 Aug 2019	Project No. 1912	Sheet No.
Scale 1:100 @ A1	Issue No.	19

Issue	Description	Date	
A	Issue for Consultants	19/09/19	
С	Issue to Consultants	21/10/19	
D	DA Issue	30/10/19	
E	Issue to Consultants	7/6/20	
F	Issue To Consultants	24/06/20	
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Section 3		
 Project Date 09 Aug 2019	Project No. 1912	Sheet No.
Scale 1 : 100 @ A1	Issue No.	20

1. Ground Floor Scale 1:200

5. Level 4 Scale 1:200

Issue	Description	Date
A	Issue for Consultants	19/09/19
С	Issue to Consultants	21/10/19
D	DA Issue	30/10/19
E	Issue to Consultants	7/6/20
F	Issue To Consultants	24/06/20
G	Revised DA	20/07/09

DEVELOPMENT APPLICATION

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3. Level 2 Scale 1:200

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Project 290-294 Keira Street, Wollongong

Nominated Architect: Peter Couvaras Reg No. 7344

Client

290 Keira Street PTY LTD

4. Level 3 Scale 1:200

Gross Floor Area							
Name Level Area							
Commercial	Ground Floor	183 m ²					
Commercial	Ground Floor	107 m ²					
Commercial	Ground Floor	7 m²					
Residential	Ground Floor	8 m²					
Residential	Ground Floor	16 m ²					
Residential	Ground Floor	26 m ²					
Residential	Level 1	525 m ²					
Residential	Level 1	7 m²					
Residential	Level 2	540 m ²					
Residential	Level 3	540 m ²					
Residential	Level 4	540 m ²					
Residential	Level 5	540 m ²					
Residential	Level 6	498 m ²					
		3536 m ²					

Commercial Total: 297m2 (8%) Residential Total: 3239m2 (92%) Extra car spaces above DCP (5): 65m2

Site Area	1349					
Non Resi FS	R		Resi FSR			
3.5+2.5((sit	e-800)/1200)		2+1.5((site-	800)/1200)	
4.64375		_	2.68625			
(NRFSRx%n	on resi/100) +	(RFSR	x%resi/100)	MAX FSR	Total GFA
0.3715		92%	2.47135		2.84285	3835.00
	Site Area <u>Non Resi FS</u> 3.5+2.5((sit 4.64375 (NRFSRx%n 0.3715	Site Area 1349 <u>Non Resi FSR</u> 3.5+2.5((site-800)/1200) 4.64375 (NRFSRx%non resi/100) + 0.3715	Site Area 1349 <u>Non Resi FSR</u> 3.5+2.5((site-800)/1200) 4.64375 (NRFSRx%non resi/100) + (RFSR 0.3715 92%	Site Area 1349 Non Resi FSR Resi FSR 3.5+2.5((site-800)/1200) 2+1.5((site-4.64375) 4.64375 2.68625 (NRFSRx%non resi/100) + (RFSRx%resi/100) 0.3715 92% 2.47135	Site Area 1349 Non Resi FSR Resi FSR 3.5+2.5((site-800)/1200) 2+1.5((site-800)/1200) 4.64375 2.68625 (NRFSRx%non resi/100) + (RFSRx%resi/100) 0.3715 92% 2.47135	Site Area 1349 Non Resi FSR Resi FSR 3.5+2.5((site-800)/1200) 2+1.5((site-800)/1200) 4.64375 2.68625 (NRFSRx%non resi/100) + (RFSRx%resi/100) MAX FSR 0.3715 92% 2.47135 2.84285

DEVELOPMENT SUMMARY						
Site Area	=	1349m²				
Zone	=	B3				
Max FSR	=	2.8:1 (3835m²)				
Min landscaping	=	n/a				
Proposed FSR	=	2.7:1 (3601m²)				
Residential Unit Types	=	5 (1 Bed <70m2) 26 (2 Bed 70-110m2) 1 (3 Bed 70-110m2) 2 (3 Bed >110m2)				
Total No of Residential Units	=	34				
PARKING						
Min. Residential Visitors	=	6.8				
Min. Residents	=	33.25				
Min. Commercial	=	5				
Provided Residential Visitors	=	7				
Provided Residents	=	38				
Provided Commercial	=	5				
Total	=	50				
No of Motorbikes	=	4				
No of Bicycles	=	16				

Drawing Name Area Calculation Plans

Project Date 09 Aug 2019 Project No. Scale Issue No. Scale 1:200 @ A1

UNL & IVIO OIOILI

Sediment control layout on a compact urban site.

Woven sediment fences trap sediment but allow water through.

Soil and Water Management:

- 1. Install a silt fence as shown on plan prior to any on site earthworks commencing.
- Instal temporary sediment barriers to all inlet pits likely to collect silt-laden water until regrassed.
 All silt fences and barriers are to be maintained in good construction and desilted during construction.

Construction Management:

1. Waste Materials are to be stockpiled or loaded into bins.

All protection works to be carried out in accordance with Wollongong Council Environmental Site Management DCP

North

Drawing Name Construction Management Plan & Demolition Details Project Date Project No. Sheet No.

Scale 1:100 @ A1

09 Aug 2019

Issue No.

22

1912

Issue	Description	Date	
2	Issue to Consultants	21/10/19	
)	DA Issue	30/10/19	
	Issue to Consultants	7/6/20	
=	Issue To Consultants	24/06/20	
3	Revised DA	20/07/09	
+ }	3D for council information	03/09/20	

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NOT FOR CONSTRUCTION

A Tenancy 8, Banc, 66-70 Cronulla Street, Cronulla NSW 2230
 >P 02 9527 7459
 >E architect@couvaras.com
 >W www.couvaras.com

Project 290-294 Keira Street, Wollongong

Nominated Architect: Peter Couvaras Reg No. 7344

290 Keira Street PTY LTD

White bricks

Glass balustrade

Aluminium frame window and door - Monument

External Finish	nes Schedule	
 Project Date 09 Aug 2019	Project No. 1912	Sheet No.
Scale @ A1	Issue No.	24

2. Level 1 - SEPP 65 Compliance

5. Level 4 - SEPP 65 Compliance

6. Level 5 - SEPP 65 Compliance

Issue	Description	Date
A	Issue for Consultants	19/09/19
С	Issue to Consultants	21/10/19
D	DA Issue	30/10/19
E	Issue to Consultants	7/6/20
F	Issue To Consultants	24/06/20
G	Revised DA	20/07/09

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3. Level 2 - SEPP 65 Compliance

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Nominated Architect: Peter Couvaras Reg No. 7344

Project 290-294 Keira Street, Wollongong

290 Keira Street PTY LTD

Client

North

4. Level 3 - SEPP 65 Compliance

Room Schedule SEPP 65						
Unit No	Level	Туре	Area	Storage Achieved	Solar Access	Cross Ventilation
1.01	Level 1	2 BED	84 m²	Yes	Yes	Yes
1.02	Level 1	1 BED	54 m ²	Yes	Yes	No
1.03	Level 1	2 BED	87 m ²	Yes	Yes	Yes
1.04	Level 1	2 BED	87 m ²	Yes	Yes	Yes
1.05	Level 1	2 BED	80 m ²	Yes	No	Yes
1.06	Level 1	2 BED L	88 m ²	Yes	Yes	Yes
2.01	Level 2	2 BED	84 m²	Yes	Yes	Yes
2.02	Level 2	1 BED	54 m²	Yes	Yes	No
2.03	Level 2	2 BED	87 m ²	Yes	Yes	Yes
2.04	Level 2	2 BED	87 m ²	Yes	Yes	Yes
2.05	Level 2	2 BED A	91 m ²	Yes	No	Yes
2.06	Level 2	2 BED L	88 m²	Yes	Yes	Yes
3.01	Level 3	2 BED	84 m²	Yes	Yes	Yes
3.02	Level 3	1 BED	54 m²	Yes	Yes	No
3.03	Level 3	2 BED	87 m²	Yes	Yes	Yes
3.04	Level 3	2 BED	87 m²	Yes	Yes	Yes
3.05	Level 3	2 BED A	91 m²	Yes	No	Yes
3.06	Level 3	2 BED L	88 m²	Yes	Yes	Yes
4.01	Level 4	2 BED	84 m²	Yes	Yes	Yes
4.02	Level 4	1 BED	54 m²	Yes	Yes	No
4.03	Level 4	2 BED	87 m²	Yes	Yes	Yes
4.04	Level 4	2 BED	87 m²	Yes	Yes	Yes
4.05	Level 4	2 BED A	91 m²	Yes	No	Yes
4.06	Level 4	2 BED L	88 m²	Yes	Yes	Yes
5.01	Level 5	2 BED	84 m²	Yes	Yes	Yes
5.02	Level 5	1 BED	54 m²	Yes	Yes	No
5.03	Level 5	2 BED	87 m²	Yes	Yes	Yes
5.04	Level 5	2 BED	87 m²	Yes	Yes	Yes
5.05	Level 5	2 BED A	91 m ²	Yes	No	Yes
5.06	Level 5	2 BED	88 m²	Yes	Yes	Yes
6.01	Level 6	3 BED	122 m ²	Yes	Yes	Yes
6.02	Level 6	3 BED	131 m ²	Yes	Yes	Yes
6.03	Level 6	3 BED	111 m ²	Yes	Yes	Yes
6.04	Level 6	2 BED	88 m²	Yes	Yes	Yes

34/34

29/34 (85%)

29/34 (85%)

Drawing Name SEPP 65 Compliance

Project Date	Project No.
09 Aug 2019	1912
Scale	Issue No.
Scale 1:200 @ A1	Issue G

Issue	Description	Date
Ą	Issue for Consultants	19/09/19
С	Issue to Consultants	21/10/19
D	DA Issue	30/10/19
E	Issue to Consultants	7/6/20
F	Issue To Consultants	24/06/20
G	Revised DA	20/07/09

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NOT FOR CONSTRUCTION

regulations.

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 W www.couvaras.com

Project
290-294 Keira Street,
Wollongong

290 Keira Street PTY LTD

Nominated Architect: Peter Couvaras Reg No. 7344

Drawing Name Shadow Diagram

Project Date	Pr
09 Aug 2019	1
Scale 1 : 750 @ A1	lss





2. Winter Solstice 1000 - Future Context Scale 1 : 750





4. Winter Solstice 1200 - Future Context Scale 1 : 750

5. Winter Solstice 1300 - Future Context Scale 1 : 750

Issue	Description	Date
F	Issue To Consultants	24/06/20
G	Revised DA	20/07/09

DEVELOPMENT APPLICATION

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NOT FOR CONSTRUCTION









6. Winter Solstice 1400 - Future Context Scale 1 : 750

North



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 W www.couvaras.com

Project 290-294 Keira Street, Wollongong Client

Nominated Architect: Peter Couvaras Reg No. 7344

290 Keira Street PTY LTD

7. Winter Solstice 1500 - Future Context



Shadow Diagrams - Future Context

Project Date	Project No.
09 Aug 2019	1912
Scale 1 : 750 @ A1	Issue No.







1. Basement 1- 288 Keira St Scale 1 : 200



Boundary 35.90 m

3. Level 1 - 288 Keira St Scale 1:200



6. Level 4 - 288 Keira St Scale 1:200

Issue	Description	Date
F	Issue To Consultants	24/06/2
G	Revised DA	20/07/09

DEVELOPMENT APPLICATION Figured dimensions only to be used. Do not scale off Drawings. Any discrepencies to be

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NOT FOR CONSTRUCTION



- Site Area Zone
- Max FSR Min landscaping
- Proposed FSR

PARKING

Min. Commercial Provided Comme

2. Ground Floor - 288 Keira St Scale 1:200





4. Level 2 - 288 Keira St Scale 1:200

5. Level 3 - 288 Keira St Scale 1:200



7. Level 5 - 288 Keira St Scale 1:200



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Project

290-294 Keira Street, Wollongong

DEVELOPMENT SUMMARY

= B3	
= 1.5:1 (810m ²)	
= n/a	
= 1.5:1 (810m ²)	
. 11	
ercial = ¹¹	

LIKT	FIRE STAIR	BATHROOM
	FOYER	
	OFFICE 105m2 Total 135m2	

Boundary 35.90 m

Potential Develop	oment No.2	88 Keira St
Project Date 09 Aug 2019	Project No. 1912	Sheet No.
Scale 1 : 200 @ A1	Issue No.	- 29



1. Ellen St



3. 44 Kenny St (Ellen St facade)

regulations.

	Issue	Description	Date	
Ż	Н	3D for council information	03/09/20	

DEVELOPMENT APPLICATION

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NOT FOR CONSTRUCTION



2. Corner Kiera and Ellen



4. Ellen St - 2



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Client

Nominated Architect: Peter Couvaras Reg No. 7344

Project 290-294 Keira Street, Wollongong

290 Keira Street PTY LTD

Drawing Name		
Perspectives		
1 0100001100		
Project Date	Project No.	Sheet No.
 Project Date 09 Aug 2019	Project No. 1912	Sheet No.
 Project Date 09 Aug 2019 Scale	Project No. 1912 Issue No.	Sheet No.



SYMBOL ER PX



	PLANT SCHEDULE- GROUND FLOOR							
/	SPECIES	No.	Pot Size	Mat. Hgt.	Stake	COMMON NAME		
A A	Elaeocarpus reticulatus	3	200ltr	7m	yes	Blueberry Ash		
PX	Philodendron 'Xanadu'	11	200mm	0.7m	no	Dwarf Philodendron		
LT	Lomandra longifolia 'Tanika'	33	150mm	0.5m	no	Dwarf Mat Rush		
GZ	Gazania sp. 'Silver'	25	150mm	g/cover	no	Silver Gazania		

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NOTES

10m

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Numeric dimensions should be taken in preference to scaling. 4. All dimensions should be checked on-site prior to commencing construction. 5. Contractors shall verify the location of all site features prior to commencing works. 6. Soil testing has not been undertaken as part of the preparation of this design; Contractors shall determine the need for soil testing prior to any planting works. 7. A search of underground services has not been undertaken as part of the

preparation of this design; it is recommended that Contractors contact DIAL BEFORE YOU DIG ON 1100 prior to commencing any works. 8. This plan is to be read in conjunction with the architectural and engineering plans 9. It is recommended that an approved root barrier be installed to manufacturers

recommendations to all tree planting in the vicinity of structures, walls and hard pavement areas. 10. Common mass planted beds will require a fully automated irrigation system which

is to be designed and installed by an irrigation consultant prior to planting.

REVISED ARCHITECTURAL DESIGN 10.06.2020 Rev. no. Description: Date: ARBORIST: SURVEY: JONOTHAN C KEEN & CO P/L HYDRAULIC: GREENVIEW CONSULTING ARCHITECT COUVARAS ARCHITECTS NEXT CONSTRUCTIONS P/L ENITH LANDSCAPE DESIGNS Ph: 9545 5200 info@zenithlandscapes.com.au 290-294 KIERA STREET WOLLONGONG LANDSCAPE PLAN

SCALES: 1:100 DA SHEET: 1 OF 3 MAG REVISION: CKED: MFG 19-4043 LO1 24.10.19





ELLEN STREET





Sample planter images

STREE

EIR

 $\mathbf{\Sigma}$





	PLANT SCHEDULE- FIRST FLOOR							
	SPECIES	No.	Pot Size	Mat. Hgt.	Stake	COMMON NAME		
ANNA	Tristaniopsis laurina 'Luscious'	2	75ltr	6m	yes	Water Gum		
VT	Viburnum tinus	19	25ltr	3.5m	no	Laurustinus		
SB	Syzygium 'Backyard Bliss'	24	200mm	2.5m	no	Magenta Cherry		
AC	Acmena 'Cherry Surprise'	36	200mm	1.8m	no	Dwarf Lilly Pilly		
PM	Pittosporum 'Miss Muffet'	20	150mm	1m	no	Dwarf Pittosporum		
PX	Philodendron 'Xanadu'	8	200mm	0.7m	no	Dwarf Philodendron		
LE	Lomandra 'Evergreen Baby'	69	150mm	0.4m	no	Evergreen Baby		
Ст	Cerastium tomentosum	76	150mm	g/cover	no	Snow In Summer		
HS	Hibbertia scandens	27	150mm	g/cover	no	Yellow Guinea Vine		





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pavement areas. 10. Common mass planted beds will require a fully automated irrigation system which is to be designed and installed by an irrigation consultant prior to planting.

А	REVISED ARCHITECTURAL DESIGN	10.06.2020				
Rev. no. Description: Date:						
ARBORIST:						
SURVEY: JONOTHAN C KEEN & CO P/L						
HYDRAULI	C: GREENVIEW CONSULTING					
ARCHITEC	COUVARAS ARCHITECTS					
CLIENT:	NEXT CONSTRUCTIONS P/L					
F	h: 9545 5200 info@zenithlandscap	ESIGNS bes.com.au				
29	0-294 KIERA ST WOLLONGON	REET G				
TITLE:	LANDSCAPE PLAN					

TITLE:	LANDSCAPE PLAN						
STATUS:	DA		SCALES:	1:1	00		
DRAWN:	MAG	SHEET:	2 OF 3		REVISION:		
CHECKED:	MFG	10	DRAWING No. $10/12$	$\Box \bigcirc 2$	Δ		
DATE:	24.10.19		-4045	LUZ	/ \		















Blueberry Ash

Dwarf Philodendron Dwarf Mat Rush Water Gum

LANDSCAPE GUIDELINES

1. GENERAL

plant growth.

4. PLANTING

5. STAKING

7. MULCH

SOIL MIXES

6. TURF AREAS

2. SITE PREPARATION

1.1 The Contractor shall familiarise themselves with the site prior to tender.

- 1.2 The Contractor will be held responsible for any damage to utility services, pipes, building structures, paving surfaces, fencing, footways, kerbs, roads and existing plant material. 1.3 The site is to be left in a clean and tidy condition at the completion of works to the satisfaction of the Superintendent. 1.4 No work involving an extra shall be undertaken unless approval is first obtained from the Superintendent.
- 1.5 No substitute of material shall be made unless approval is given by the Superintendent. 1.6 The Contractor shall continuously maintain all areas of the Contract during progress of the works specified.
- 2.1 Prepared sub-grade is to be free of stones larger than 100mm diameter, cement, rubbish and any other foreign matter that could hinder

3. MASS PLANTED AREAS

- 3.1 Once clear of weed growth, grass and debris, sub-grade should be cultivated to a minimum depth of 150mm incorporating 'Dynamic Lifter' or equivalent at the manufacturers recommended rates. 3.2 Weeds shall be controlled by a combination of chemical and hand removal techniques.
- 4.1 All plant material is to be hardened off, disease and insect free and true to species, type and variety. Plants are to be well grown but not root bound and shall comply with Natspec - "Guide to Purchasing Landscape Trees".
- 4.2 All plants are to be removed from their containers prior to planting with as little disturbance to the root system as possible. 4.3 Planting shall not be carried out in dry soil or extreme weather conditions. 4.4 Plants should be planted at the same depth as the plants were in the containers and allow for a shallow saucer of soil to be formed around the plant to aid the penetration of water.
- 4.5 All plant material should be watered thoroughly immediately after planting. 4.6 The Contractor shall be responsible for the failure of plants during construction, except for acts of vandalism. 4.7 Labels shall be removed entirely from the plants.
- 5.1 Ties should be firmly attached to the stakes, in a way to avoid damage to the stem while allowing a small degree of movement.
- 6.1 Turf areas should be cultivated before turfing by ripping or harrowing.
- 6.2 At the completion of turfing the whole area shall be thoroughly soaked and kept moist till the completion of landscape works.
- 7.1 Mulch for all general mass planted beds shall be 'Droughtmaster' mulch as supplied by A.N.L. or similar.
- 8.1 Soil mix for mass planted areas shall be 3 parts site soil to 1 part 'Organic Garden Mix' as supplied by A.N.L. or equivalent.
- 8.2 Soil mix for street tree planting refer to Wollongong Council Appendix A above 8.3 Soil mix for planter boxes and planting over slab shall be 'Planter Box Mix' as supplied by A.N.L. or equivalent.

MAINTENANCE

- . These works shall be in addition to the construction contract. 2. The Contractor shall commence and fully implement the short term maintenance after Practical Completion has been confirmed by the Superintendent
- 3. The Contractor shall carry out maintenance works for a minimum period of 26 weeks 4. Maintenance works shall include the following works :
- a. Mow lawns and trim edges each 10 days in summer and each 14 days in winter.
- b. Water all planting and lawn areas in order to ensure adequate soil moisture at all times.
- c. Remove any weed growth from all planting areas. d. Spray and control pests and diseases as required
- e. Replace plants which fail with plants of similar size and quality as originally planted.
- f. Adjust ties to trees as necessary. g. Make good any erosion or soil subsidence which may occur.
- h. Maintain all mulched areas in a clean and tidy condition to the depth as originally specified.
- i. Make good any defects or faults arising from defective workmanship. Note: The Contractor is not to be held responsible for the theft or vandalism of any plants during the maintenance period
- 5. Advanced trees shall be individually inspected at least once a month in order to determine their health and vigour. Should the trees exhibit any signs of disease, pest infestation or poor growth then a qualified arborist shall be consulted within 14 days in order to determine the most appropriate course of action. Recommended treatment shall then be commenced within 7 days and shall continue until the problem is eliminated.
- 6. When the maintenance period is completed the Contractor shall notify the Superintendent. The site shall then be inspected and if to the satisfaction of the Superintendent the responsibility will be handed over to the Client for on-going maintenance.

IRRIGATION GUIDELINES

GENERAL REQUIREMENTS

- 1. All common planting areas as shown on the plan including lawn areas are to be irrigated using a water efficient irrigation system; irrigation system details are to be designed by an irrigation consultant on a design and construct basis during the building construction phase of
- 2. The irrigation system shall be designed and installed in accordance with all relevant Australian Standards and the current water restrictions that are in place at the time of construction.
- 3. The design of the irrigation system shall only be carried out after water pressure testing has been undertaken.
- Installation shall only be carried out by a qualified tradesperson. 5. The irrigation system shall be installed and in full working order prior to any planting works taking place.
- 6. The site superintendent and all other relevant personnel shall be fully conversant with the operational requirements of the system prior to planting taking place. 7. A copy of the irrigation layout and all instruction manuals shall be kept on-site at all times during construction.

SYSTEM REQUIREMENTS

- 1. The automatic systems shall have at least 2 zones -
- a. turf areas and. b. for garden areas.
- 2. Water backflow prevention valves shall be used on all tap systems. 3. Hose cocks / QCV's are to be provided at a minimum of 1 per 80 sq.m's of
- landscaped area.
- 4. The garden system is to be connected to rigid risers using 180 degree shrub nozzles with filters. 5. Pop up gear drive sprinklers or drip line are to be used on all turf areas which are to be embedded below turf heights.
- 6. All pipework above ground is to be 20mm table B copper with silver soldered fittings. 7. Joints and fittings shall not be located under paths or other sealed surfaces.
- 8. Drip tubes shall not be used under paths or through penetrations
- 9. All irrigation piping is to be 19mm poly pipe connecting to solenoid valves connected to the pressure pipe. 10. All mainline irrigation pipes are to be laid a minimum of 200mm below soil levels - driptube and link pipes are to be laid a minimum 100mm
- below soil levels 11. Dripline rows are to spaced equally and shall be offset a maximum of 250mm from the edges of garden beds and lawn areas. 12. All solenoid valves are to be encased in valve boxes.

DOCUMENTATION REQUIREMENTS TO BE PROVIDED TO CLIENT 1. As constructed drawings including the locations of all pipes, valves and sensors.

- 2. Copy of backflow tests
- 3. Copy of system manuals and maintenance documents for all equipment and fittings 4. All warranty certificates



APPENDIX A - TREE PLANTING SPECIFICATION

Trees are to be selected in accordance with AS2303:2015 Tree Stock For Landscape Use

The limitations to the positioning of street trees on footways immediately behind the kerb line are listed

CLEARANCE NEEDED 10m from intersection kerb line 5m from centre of pole. 2m from edge of inlet 3m from edge of junction box No trees planted along length of stop. 10m from pole of traffic lights.

4m from vehicle crossing

- Lay continuous lengths of root barrier to protect underground services and prevent root penetration directly under pavement surface. When installing the root barrier on the base of the tree pit and link channel create a high point in the middle to prevent water ponding. Sprinkle Casoron (or approved equal) - root growth inhibitor 100mm wide band outside the perimeter of the excavated pit before placing the root barrier. Use 20g of Casoron (or approved equal) - root growth inhibitor per 1sqm.
- Ensure positive drainage to all tree pits prior to backfilling. Install sub-soil drainage lines and connect to available stormwater system. Notify the Certifying Authority, giving two days notice for inspection of
- Submit sample from suppliers for testing by a competent laboratory for conformance to AS4419.
- To be used as the growing medium in free pits to surround tree rootball. The soil mix shall be Gold Blend
- For use in link channels and as a sub-base for pavements around tree pits.
- Aggregate shall be 40mm crushed and washed high strength blue metal or granite gravel. Gravel shall be clean and free from clay and other matter. Submit sample for Approval.

Filler Soil shall be a thoroughly combined mix of 1 part sandy loarn to 1 part delerite with the following Organic Matter <1% by weight, PH in water 5.5 - 6.5, Electrical Conductivity 1.2 dS/m,

All newly planted street trees must be installed with a watering pipe as per the details in Section 6.1 and 6.2 to allow watering. Newly planted street trees require deep watering once a week during their first 12 months. At each watering the guards should be checked and repaired or tightened as necessary. The maintenance period is to conclude after a minimum of 12 months.





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Rev. no.	Description:	Date:
ARBORIST:		
SURVEY:	JONOTHAN C KEEN & CO P/L	
HYDRAULIC	GREENVIEW CONSULTING	
ARCHITECT	COUVARAS ARCHITECTS	
CLIENT:	NEXT CONSTRUCTIONS P/L	
P	EXAMPLE 2 ANDSCAPE DES h: 9545 5200 info@zenithlandscapes	GIGNS .com.au
29	0-294 KIERA STR WOLLONGONG	EET

DA SCALES: SHEET: 3 OF 3 MAG REVISION HECKED: MFG 19-4043 LO3 24 10 10

Wollongong Design Review Panel (Via Skype) Meeting minutes and recommendations

Date	26 March 2020
Meeting location	Wollongong City Council Administration Offices
Panel members	David Jarvis
	Gabrielle Morrish
	Sue Hobley
Apologies	Mark Riordan – Manager City Planning
Council staff	Vanessa Davis - Senior Development Project Officer
	Pier Panozzo – City Centre & Major Development Manager
Guests/ representatives of	Peter Couvaras, Couvaras Architecture
the applicant – Skype	Peter Hickey, Couvaras Architecture
meeting	Luke Rollinson, MMJ
Destaur flags of before at	A 19
Declarations of Interest	
Item number	Z DA 2020/00
DA number Reason for consideration by	DA-2020/00
DRP	
Determination pathway	Wollongong Local Planning Panel
Property address	290-294 Keira Street Wollongong
Proposal	Demolition of existing structures and construction of a six (6)
	storey mixed use development comprising 34 residential units
	and four (4) commercial tenancies with 54 parking spaces
Applicant or applicant's	
representative address to the	
Background	The site was Inspected by the Panel on 26 March 2020
Design quality principals SEP	P 65
Context and Neighbourhood	The proposal is located on a street corner on the southern / eastern
Character	edge of Wollongong's commercial core. The area is currently transitioning from low scale one / two storey buildings to larger building forms, more consistent with council's current vision for this precinct.
	A site analysis has been provided. However, the applicant is encouraged to develop this study further to establish a better understanding of the emerging context for the site (refer to detail comment below, Built Form and Scale)
	Council advised that site specific / detailed information was now available regarding flooding and overland flow. This information will be forwarded to the applicant by council for consideration.
Built Form and Scale	The proposal is a simple, seven storey corner building with a recessive upper level and a more open transparent ground floor level containing commercial units. A nil setback has been proposed to both street frontages, pushing the building form to the eastern and southern perimeters of the site and creating a courtyard that is enclosed within the site. The basic built form and organization of the building are generally considered to be reasonable. However, the panel recommends the following refinements be undertaken to better relate to the immediate context of the site: - Western interface-
	The current proposal creates a 5.5x 4.8m step (cut out of
	the corner) in the building plan. The applicant advised that

	the step had been created in response to the lot configuration of the adjoining sites to the west.
	The adjoining sites to the west are split into two lots, the 10m wide lot adjoining Ellen Street is owned by council. It is understood that this site was being set aside to accommodate a road widening, that is no longer being undertaken. Council is requested to provide clarification as to the future of this site. If there is potential to develop the site currently owned by council, the current proposal must be developed to respond to (align with) the potential built form on the neighbouring site.
	The Panel is of the opinion that the step should be deleted, if the step does not align with council's street set back controls for the neighbouring site.
	- Ellen Street
	A recently approved development to the west of the proposal (43 Atchinson Street), provides a 2 storey high colonnade fronting Ellen Street. This provides a positive contribution to the street that could also be adopted by this proposal.
	It is recommended that the applicant review the approved building, then develop the current proposal to provide a consistent / unified street interface strategy including consideration of an appropriate street wall height and setback to the lower 2 floors to extend the potential of the colonnade approach through to the site corner.
	- Northern interface
	The development of this proposal will create a narrow- isolated site positioned between the subject site and the neighbouring six storey commercial building (280-286 Kiera Street). Further analysis is required to demonstrate that development on the neighbouring site to the north remains feasible. A built form study should be undertaken to demonstrate the potential yield of the site. The study should show the basic configuration of units and entrance / circulation for both vehicles and pedestrians.
	Given the narrow width of the neigbouring site it is also recommended that a strategy is developed to allow vehicles from the neighbouring site to access their basement carpark via the subject site, by providing knock- out panels in the basement that can be utilized when the neighbouring site is developed.
	This will prevent a large portion of the northern neighbour's frontage being dedicated to vehicular entry.
Density	The proposal is consistent with council's-built form vision for this precinct. The proposed building form does not present as an over- development of the site.
Sustainability	The proposal will provide reasonable solar access and good natural cross ventilation to all units.
	Opportunities to harvest rainwater for use in maintaining any plantings established on the building or the site should be integrated into the proposal. Other water minimization measures should be considered including the reuse of rainwater for toilet flushing and use in washing machines. The use of solar water heating and photovoltaic cells for power

	generation should also be considered.
	Species selection in the landscape plantings should be predominantly from locally indigenous species suited to the particular environmental conditions into which they are being planted.
Landscape	The proposal does not provide for any deep soil zone(s). While the panel has reservations about this, it accepts that council does not enforce this requirement in developments of this nature. In such cases, however, the panel considers it essential that the site and landscape design suitably address the role of deep soil zones. In this case, flood issues, streetscape impacts and the quality of the communal open space need to be much better resolved.
	communal open space will in part be determined by the design of flood mitigation measures in the built form. The following concerns about the current plans need to be addressed in the amended design:
	- Streetscape
	The design should support the different urban characters of the two streets with which it interfaces.
	Street tree plantings should be specified after consultation with council. The proposed species are small and may not cope with the exposed, coastal conditions. Larger trees of more suitable species should be specified.
	The panel is of the opinion that a colonnade may offer a good solution to the level changes, access constraints and urban design. Regardless, tree plantings on this interface should be determined by the design that is developed,
	Strong, clearly distinct addresses to the residential and commercial areas should be designed.
	- Communal Open Space (COS)
	The proposed design will result in a very uninviting space, unlikely to be used (or, therefore, cared for by the residents). Once the adjoining sites are developed, the space will be like a deep open cut mine with very poor solar conditions.
	Shadow diagrams of the conditions that will result from compliant development of the surrounding sites should be developed to provide the basis for the design of the COS.
	The likely future demographic of the building's occupants should inform the design development of the functions provided by the COS. Who will use it?
	The role it is to play in serving the needs of the residents and commercial tenants needs to be based on providing for activities that are not easily available in the vicinity of the site. Why would anyone go there?
	Access to the COS should be clear and simple.
	The space should be supported by a communal room with some kitchen and ablution facilities.
	The functions of the COS should be supported with resilient (and attractive) furniture, fixtures and fittings.

	Privacy, noise and lighting issues should be taken into
	A separate area with suitable privacy measures should be provided for use of the commercial tenants
	Bicycle storage should not be in the COS (it should be in the first level of the basement).
Amenity	The proposal has been configured to provide reasonable levels of both solar access and cross ventilation to residential units, consistent with the objectives of the SEPP 65 / the ADG.
	The communal open space currently presents as a barren podium that lacks amenity. Further development is required to provide meaningful spaces that will contribute to the quality of this development, refer to detail comments above (Landscape).
	Balconies to many of the east facing units are serviced by deep narrow balconies, further development is recommended to orientate the widest face of the balcony towards the street.
	There is a room approximately 2.5m by 2.8m in units 1.06, 2.06, 3.06, 4.06, 5.06 and 6.04. the use of this room is unclear.
	The use of all rooms must be clearly annotated on floor plans, furniture should be shown where applicable and the proportions of the space must be suitable for the function of the room.
	The balcony to the bedrooms of units 2.03 and 2.04 (and corresponding units above) relate poorly to the primary living room balcony of unit 2.06 (and corresponding units above). Creating potential privacy issues and poor outlook, particularly from unit 2.04. consideration should be given to deleting the bedroom balconies of these units and perhaps creating bays within each room that orientates outlook in a northern direction.
Housing Diversity and Social Interaction	The proposal will provide an appropriate housing option for this precinct. Further development of the building communal facilities is required (refer to comments above, landscaping).
Aesthetics	The proposal utilises an appropriate pallet of materials that contributes to a restrained building aesthetic. To ensure the design intent depicted in perspectives tabled to the Panel is realised, the applicant is encourage to provide 1:20 sections through the building (showing details of balustrades, windows, lighting, drainage etc) these sections should form part of the DA documentation package.
	Servicing of the building must be considered at this stage of the design process. The location of service risers, car park exhausts, AC condensers, down pipes and fire hydrant boosters should be accommodated in a way that does not clutter the expression of the building.
Design Excellence WLEP2009	
Whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved	Further refinement is required to address the issues raised above.
Whether the form and external appearance of the	The introduction of a colonnade to Ellen Street is recommended

proposed development will improve the quality and amenity of the public domain,	
Whether the proposed development detrimentally impacts on view corridors,	N/A
Whether the proposed development detrimentally overshadows an area shown distinctively coloured and numbered on the Sun Plane Protection Map,	The upper level of building appears to have been developed to address councils sun protection plane requirement.
How the development addresses the following:	
the suitability of the land for development,	Further clarification of issues relating to flooding / overland flow is required.
existing and proposed uses and use mix	The proposed mix of residential with commercial at ground floor is consistent with the character of this precinct.
heritage issues and streetscape constraints,	N/A
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 proposal provides a continuous street wall wrapping around the corner of Keira Street and Ellen Street.
bulk, massing and modulation of buildings	The bulk, massing and modulation of buildings are appropriate, pending resolution of the western interface.
street frontage heights	Consistent with council controls and desired built form outcomes for this precinct.
environmental impacts such as sustainable design, overshadowing, wind and reflectivity	Refer to sustainability comments above.
the achievement of the principles of ecologically sustainable development	The implementation of further ESD initiatives as outlined above (Sustainability) is recommended
pedestrian, cycle, vehicular and service access, circulation and requirements	Vehicle access is appropriately located. Further development to pedestrian access along Ellen Street is recommended.
impact on, and any proposed improvements to, the public domain	Consideration to be given to creating a two-storey colonnade to Ellen street

Key issues, fur Comments Recommendations	further &	The basic built form and organization of the building are generally considered to be a reasonable. However, further refinements are recommended:
		 Further development of the building's interface with it future western neighbour (pending input from council)
		- The introduction of a two-storey colonnade to Ellen Street and consideration of the streetscape character of both Ellen Street and Keira Street in the landscape plan.
		- Further investigation of the built form potential of the isolated site to the north.
		 Further development of communal open space to provide better amenity for residents.
		- Implementation of further sustainability initiatives.
		- Minor refinements of unit layout to improve amenity
		- The provision of detailed sections



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EXCEPTION TO DEVELOPMENT STANDARD WLEP 2009 CLAUSE 4.6 VARIATION JUSTIFICATION STATEMENT

Building Separation - Wollongong City Centre

Address:	290-294 Keira Street, Wollongong
Proposal:	Mixed Use Development
Date:	November 2019

1.0 Introduction

The purpose of this variation statement is to outline the justification for seeking an exception to the minimum building separation within Zone B3 Commercial Core (being a development standard) contained within the *Wollongong Local Environmental Plan 2009 (WLEP 2009)*.

The advice herein relates to an application for the proposed demolition of existing structures and construction of a multi-level mixed use (shop top housing) development at 290-294 Keira Street, Wollongong. In this regard, the proposed development will incorporate the construction of a new seven (7) storey building including ground floor commercial space containing four (4) commercial premises and undercroft car parking, supporting six (6) levels of residential above, to provide thirty-four (34) residential apartments; communal space area; and basement car parking over one (1) level.

The proposed development application seeks to provide an appropriate and balanced development/environmental outcome for the subject site, and the Wollongong City Centre area as a whole. In doing so, an exception to a development standard contained within *Wollongong Local Environmental Plan (LEP) 2009* has been adopted. In this regard, the proposed

development generally accords with all *LEP* controls, apart from a numerical variation being requested to the building separation development standards contained within *Clause 8.6 Building separation within Zone B3 Commercial Core or Zone B4 Mixed Use*.

This statement addresses relevant provisions in order to demonstrate that strict compliance with the development standard is unreasonable and unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify the proposed variation sought.

The details of this proposal are shown within the Development Drawings prepared by Couvaras Architects (attached to the application), which identifies the proposed building separation in question.

The commentary provided herein outlines the development standard variation being proposed, which should be read in conjunction with the Statement of Environmental Effects prepared by MMJ (November 2019) and other documentation submitted to Council in support of the Development Application (DA).

1.2 Overview

The land is zoned B3 Commercial Core under the WLEP 2009. The zone objectives 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 relevant zoning objectives outline a need to strengthen the role of the City Centre by providing for a range of land use activities that support employment and public transport patronage (as above).

The proposed development is both permissible within the B3 zone as a commercial/retail premises and shop top housing, meeting the needs of the community by providing additional residential accommodation within close proximity to the CBD precinct and Wollongong train station.

Such a proposal is in high demand for the immediate area (from a land use perspective) and the site itself is very accessible from a patronage and public transport viewpoint. Thus, the proposed development directly accords with the objectives of this zone.

2.0 Details of the environmental planning instrument, the applicable development standard and proposed variation.

2.1 What is the applicable environmental planning instrument (EPI)?

The Wollongong Local Environmental Pan 2009 (WLEP 2009).

2.2 What is the development standard being varied?

The Building separation within Zone B3 Commercial Core or Zone B4 Mixed Use requirement contained in *Part 8 - Clause 8.6(3)(b)* of the *WLEP 2009* which states:

"...(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..."

In this regard, the design of the proposed development is sited with the built form covering the majority of the site. Its massing adopts a zero lot line to the northern and western street fronting

boundaries, providing a commercially oriented edge to the development consistent with the requirements of Clause 8.6.

However, there are parts of the building oriented on the northern and western façades (towards the corresponding side boundaries) that contain residential habitable areas within 16 metres of other commercial buildings nearby. As such, it is this portion/component of the development technically requiring variation consideration under Clause 8.6.



Figure 1: Proposed First Floor Plan (*Source: Couvaras)



Figure 2: 3D perspective (*Source: Couvaras)

2.3 What are the objectives of the standard?

The objective of this clause is: to ensure sufficient separation of buildings for reasons of visual appearance, privacy and solar access.

Further consideration of this objective in relation to the proposed development is provided within the following sections below.

2.4 What is the percentage variation (between the proposal and the EPI)?

The minimum separation distance permitted is 20 metres from any habitable part of a dwelling contained in any other building and 16 metres from any other part of any other building. The application proposes habitable parts of the development (ie. apartment windows oriented to

boundary) situated within the 8 metres from the northern and western boundaries when measured at 45° angle.

As such, the proposal exceeds the minimum separation distance permitted by 8m, which represents a variation of 50%.

3.0 Assessment of Proposed Variation

3.1 Is compliance with the development standard unreasonable or unnecessary in the circumstances of the case?

Yes, compliance with the development standard is unreasonable in the circumstances.

In Wehbe v Pittwater Council [2007] NSWLEC827 (Wehbe), Preston CJ identified five (5) ways in which an applicant might establish that compliance with a development standard is unreasonable or unnecessary. While Wehbe related to objections pursuant to State Environmental Planning Policy No. 1 – Development Standards (SEPP 1), the analysis can be of assistance to variations made under clause 4.6 because subclause 4.6(3)(a) uses the same language as clause 6 of SEPP 1 (see Four2Five at [61] and [62]).

The five (5) ways outlined in Wehbe include:

1. The objectives of the standard are achieved notwithstanding noncompliance with the standard (First Way)

2. The underlying objective of purpose of the standard is not relevant to the development and therefore compliance is unnecessary (Second Way)

3. The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable (Third Way)

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 (Fourth Way) 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 or unnecessary. That is, the particular parcel of land should not have been included in the particular zone (Fifth Way).

Additionally, of note, in the judgment in Randwick City Council v Micaul Holdings Pty Ltd [2016] NSWLEC 7 the Chief Judge upheld the Commissioner's approval of large variations to height and FSR controls on appeal. He noted that under Clause 4.6, the consent authority (in that case, the Court) did not have to be directly satisfied that compliance with the standard was unreasonable or unnecessary, rather that the applicant's written request adequately addresses the matters in Clause 4.6(3)(a) that compliance with each development standard is unreasonable or unnecessary.

In this regard, this written request establishes and adequately addresses the matters in Clause 4.6(3)(a) that compliance with each development standard is unreasonable or unnecessary because the objectives of the standard are achieved irrespective of the non-compliance with the building separation controls, and accordingly justifies the variation to the building separation control pursuant to the First Way and Forth Way outlined in Wehbe, as follows.

Under WLEP 2009, Clause 8.6(3)(b) has the following objectives in relation to the Building separation development standard: *to ensure sufficient separation of buildings for reasons of visual appearance, privacy and solar access.*

Visual Appearance

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

The theory and principles to the aesthetics of the building design have arrived from a multiple of stimulants and ideas culminating in a focused and narrowed theory gathered from the development of the building and the surrounding context. The building facade to Keira and Ellen Streets emphasises and accentuates parts of the building facade through the use of a similar

language to other developments within the vicinity, constructed and recently approved, to achieve a cohesive building outcome and understand the theory and principles behind the design. Changes in colour and façade materials help to articulate the development and addresses street frontage with appropriate proportions.

Developing the constraints and opportunities of the site has allowed the building to move and transform from the active to a sense of the building's simplicity and nature. The language of the building's facades has been carried through responding to the site forces orientation and constrains posed by the site. The use of materials and colours has also been carried through to help express this language. Consideration has been made to all façades where walls are articulated with texture and pattern to mitigate any blank walls.

Selected quality, modern, durable and environmentally sustainable external finishes ensures the proposed development enhances the amenity of the local area. Carefully selected colours sympathetic to the visual composition of neighbouring developments maintains and responds appropriately to the current and desired future character of the precinct. The materials selected such as brick and concrete panels and glazing, have provided the building with a high quality, low maintenance external façade that contributes positively to the visual presentation of the development.

Privacy

Privacy has been considered specifically noted in the design response shown in the architectural interface treatment to the internal boundaries (almost as if they were non-habitable type facades).

The internal layout of the rooms attempt to minimise overlooking with the careful location of window and door openings, whilst the size of external balconies also help maintain such visual separation. Dual aspect POS balcony is provided for the majority of apartments, so as to respond to privacy objectives and multipurpose uses of these areas.

Acoustic privacy for future visitors and neighbouring land uses has also been taken into account, with the proposed development being designed to limit noise intrusion into adjoining properties through the use of appropriate building materials and associated noise control treatments.

Solar access

The layout and planning are a direct response to the site orientation. The apartments aspects being used for primary living spaces are orientated north where possible to maximise the main solar collector and main outlook for the development.

The layouts demonstrate grouping of the services, circulation space and secondary living areas and is treated architecturally with windows of smaller proportion to gain advantage of the solar access.

This design response has resulted in 85% of apartments receiving 2 or more hour's sunlight to their living spaces, in excess of ADG requirements.

On this basis, the proposed development has been assessed against each objective contained in clause 8.6(3)(b) of WLEP 2009 Thus, deeming strict compliance with these building separation values is unwarranted in the circumstances of this particular case.

In relation to the Fourth Way "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 (Fourth Way)" it is noted that the following approvals have proposed the same variation and have been approved thereby abandoning the development standard:

DA-2018/973: 28 Young Street, WOLLONGONG NSW 2500

Residential – demolition of existing structures and construction of a 15 storey mixed use development comprising seven (7) commercial tenancies, 64 residential apartments and car parking for 90 vehicles

DA-2017/730: 131-135 Keira Street, WOLLONGONG NSW 2500 Demolition of existing buildings and ancillary structures and the construction of a mixed use development above basement parking

DA-2017/493: Langs Building95-109 Crown Street, WOLLONGONG NSW 2500

Commercial - demolition of existing building and construction of new commercial premises comprising of offices and retail tenancies

DA-2017/1462: 47 Burelli Street, WOLLONGONG NSW 2500 Demolition of all structures, and the construction of a seven (7) storey office building for IMB bank with two basement car parking levels for 89 car parking spaces

DA-2016/969: 48 Bank Street, WOLLONGONG NSW 2500 Demolition of existing structures and construction of shop top housing comprising ground floor commercial and six residential levels with basement parking

3.2 Are there sufficient environmental planning grounds to justify contravening the development standard?

"Environmental planning grounds" take their colour from the subject matter, scope and purpose of the Environmental Planning and Assessment Act 1979 (EPA Act), including its objects. The below provide a breakdown of the key environmental planning grounds which support the proposed variation request, including:

The unique circumstances at the site which warrant the provision of reduced setback:

Adopting building separation requirements to (potential) dwellings to the north and west of the site would mean a large part of the subject site would be excluded from any built form.

Precedence regarding this particular planning ground has recently been set by Development Applications within the northern reaches of the site which sought to vary the same control and was subsequently approved.

Therefore logically, restricting a built form envelope by this amount is completely impractical for a City Centre B3 zoned site at this location and, therefore, totally unreasonable, given the precedence to consider in this instance.

The proposed building form does not result in any significant adverse impacts and achieves a good urban development outcome for the site;

The building intrusions into the north and western setbacks are a direct design response with the intent to allow the site to respond to the demand for housing in the area, whilst supporting Wollongong Councils objectives for built form within the B3 zoned City Centre.

The proposed bulk and scale of this building is considered appropriate for this City Centre location, and will not detrimentally affect the visual appearance of the area (in fact it will substantially improve an aged part of the City, which is undergoing change with other similar scale redevelopments occurring nearby). The overall height and form of the development is consistent with expected future desired character strategies for the area.

The maintenance of design excellence through the proposed alternate strategy, which has been designed to be a core element of the delivery of the integrated station development outcome.

"In considering whether development to which this clause applies exhibits design excellence, the consent authority must have regard to the following matters: (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved, (b) whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain, (c) whether the proposed development detrimentally impacts on view corridors, (d) whether the proposed development detrimentally overshadows an area shown distinctively coloured and numbered on the Sun Plane Protection Map, (e) how the proposed development addresses the following matters:

(i) the suitability of the land for development,
(ii) existing and proposed uses and use mix,
(iii) heritage issues and streetscape constraints,
(iv) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers

(existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
(v) bulk, massing and modulation of buildings,
(vi) street frontage heights,
(vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,
(viii) the achievement of the principles of ecologically sustainable development,
(ix) pedestrian, cycle, vehicular and service access, circulation and requirements,
(x) impact on, and any proposed improvements to, the public domain."

The architectural design, materials and detailing are of a high standard that is appropriate to the building type and location. The external appearance and form of the development will improve the quality and amenity of the public domain in the immediate vicinity of the site.

The proposal will not unreasonably impact on view corridors given it is below the maximum height limit of 24m.

The land is suitable for the proposed mixed use development and the allocated mix of commercial/residential floor space, given the location of the site on the edge of the City Centre.

The proposal is and will be compatible with future developments in the immediate vicinity of the site, including consideration of the approved Development Applications to the north of the site in relation to built form and materials and finishes, and therefore will enhance the streetscape (which currently contains several older style buildings that are in need of refurbishment or repair, including those situated on the subject site that will be demolished as part of the DA).

The location of the habitable parts of the development is acceptable and does not result in any unreasonable loss of amenity to any of the adjoining properties. The proposed street frontage heights are considered appropriate having regard to the surrounding context and scale of development.

The proposal will have no significant adverse environmental impacts in terms of sustainability, overshadowing, wind and/or reflectivity. Relevant details have been provided in this regard to enable a full assessment (i.e. shadow diagrams, wind report, BASIX certificates etc).

Access to the site has been carefully considered in a variety of forms (i.e. for pedestrians, motorists and cyclists alike), with suitable provisions to allow for service access and circulation. The proposed development will have a positive impact on the public domain and interface of Keira and Ellen Streets.

This will significantly improve the amenity and character of the blocks/precinct surrounding the location. It will also allow for natural surveillance of the area with regards to the principles of Crime Prevention Through Environmental Design (CPTED).

The delivery of a development outcome which does not result in any adverse environmental impacts

Environmentally sustainable measures incorporated in the development include:

- Building orientates to maximise solar gain. 29 apartments represent 85% of total proposed apartments receive 2 or more hour's sunlight to their living spaces in accordance with the requirements of the ADG.
- Design solution provides effective benefices to cross flow ventilation to most apartments by generating natural cross ventilation through dual aspects and corner orientation of apartments. 29 apartments represent 85% of total proposed apartments are naturally ventilated.
- Ethically source long lifecycle products and materials;
- Dual flush toilets;
- Rainwater to be used for garden irrigation;

- Taps fitted with water efficient fittings;
- Insulation and sisalation under roof;
- Proposed visitor and residential bicycle parking in compliance with Wollongong Council's Development Control Plan

As above, we acknowledge the proposed development will bring some overshadowing impact upon the neighbouring properties to the south. Practically, due to site orientation it would be almost impossible to redevelop the subject site for anything greater than a few storeys without having any impact whatsoever. At this point in time, developments to the south include commercial premises, which means no unreasonable loss of residential amenity will be created as a result of the proposal.

The reduced building separation is deemed reasonable and acceptable due to the reduced impacts to privacy and overlooking, created specifically by responsive architectural interface treatment to these boundaries (almost as if they were non-habitable type facades).

The development has been specifically designed to provide a suitable environment for all future inhabitants of the dwellings, whilst respecting the considerations of adjoining land uses. The internal layout of the rooms attempt to minimise overlooking with the careful location of window and door openings, whilst the size of external balconies also help maintain such visual separation.

Acoustic privacy for future visitors and neighbouring land uses has also been taken into account, with the proposed development being designed to limit noise intrusion into adjoining properties through the use of appropriate building materials and associated noise control treatments.

Overall, it is evident from the above commentary provided that there are sufficient planning grounds to justify contravening the building separation development standards identified. To this end, strict compliance with the numerical development standards are both unwarranted and unnecessary in this instance.

3.4 Does contravening the development standard raise any matters of significance for the State or regional environmental planning?

No, contravening the development standard in this case does not raise any maters of State or Regional planning significance.

3.5 Is the objection well founded?

For the reasons outlined in the previous sections above, the objection is considered to be well founded in this particular instance. Granting an exception to the development standard can therefore be supported in the circumstances of the case.

The proposed development will be consistent with the outcomes envisaged in the zoning and policy framework. The development is also compatible with the relevant objectives specified in *Section 1.3* of the *EPAA 1979.*

4.0 Conclusion

The proposed variation is based on the reasons contained within this request for an exception to the stated *Building separation within Zone B3 Commercial Core or Zone B4 Mixed Use* requirement, being a development standard contained within the *WLEP 2009*. The proposal will not result in any adverse impacts with regards to the amenity of the adjoining properties.

The proposed non-compliance is unlikely to result in any future precedents given the surrounding pattern of development and the combination of zoning and other associated controls currently in place. In conclusion, the objection is considered to be well founded and compliance with the standard in unreasonable in the circumstances of the case.

Yours faithfully, MARTIN MORRIS & JONES PTY LTD

LUKE ROLLINSON BUrbRegPlan DipArchTech MPIA DIRECTOR – TOWN PLANNER

ATTACHMENT 8 - DRAFT CONDITIONS FOR: DA-2020/80

1 The development shall be implemented substantially in accordance with the details and specifications set out on Project No 1912 Drawing sheet 02G to 20-G dated 9 July 2020 prepared by Couvaras Architects and any details on the application form, and with any supporting information received, except as amended by the conditions specified and imposed hereunder.

General Matters

2 Geotechnical

- a. All work is to be in accordance with the geotechnical recommendations contained in the report dated December 2019 by STS GeoEnvironmental and any subsequent geotechnical report required to address unanticipated conditions encountered during construction.
- b. A dilapidation report is required for all structures located within the zone of influence of the proposed earthworks as determined by the geotechnical consultant.
- c. No disturbance of ground is to occur beyond site boundaries. A minimum buffer between site boundaries and the construction of retaining structures is to be recommended by the geotechnical consultant to ensure adjoining property is not adversely impacted upon by this development.
- d. Retaining wall design is not to include anchors extending on to adjoining property without the written consent of the adjoining property owner.
- e. All excavations need to be supported during and after construction particularly to protect adjoining property with nearby existing development.
- f. Due to the sensitivity of the site to changing geotechnical conditions, all work must be undertaken with geotechnical supervision.
- g. Foundation systems are to be designed for Class P soils with all footings to be founded within the underlying weathered bedrock or as recommended by the geotechnical consultant.
- h. An earthworks plan is to be developed by the geotechnical consultant prior to start of earthworks.
- i. All recommendations of the geotechnical consultant in their geotechnical report dated December 2019 are to be accommodated in the earthworks plan.
- j. At the completion of the earthworks, the geotechnical consultant is to prepare a works-asexecuted report detailing encountered geotechnical conditions and how the works 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.

3 Stormwater Quality Management

Stormwater quality improvement devices shall be installed to achieve the following minimum performance targets for the percentage load reduction of pollutants and nutrients:

Gross pollutants – 90%, total suspended solids – 85%, total phosphorus – 60% and total nitrogen – 45%.

4 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.

5 **Construction Certificate**

A Construction Certificate must be obtained from Council or a Registered Certifier prior to work commencing.

A Construction Certificate certifies that the provisions of Clauses 139-147 of the Environmental Planning and Assessment Regulation 2000 have been satisfied, including compliance with all relevant conditions of Development Consent and the Building Code of Australia.

Note: The Certifier must cause notice of its determination to be given to the consent authority, and to the council, by forwarding to it, within two (2) days after the date of the determination, the

plans and documentation referred to in clause 142 (2) of the Environmental Planning and Assessment Regulation 2000.

6 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.

7 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.

8 Maintenance of Access to Adjoining Properties

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

9 Occupation Certificate

An Occupation Certificate must be issued by the Principal Certifier prior to occupation or use of the development. In issuing an Occupation Certificate, the Principal Certifier 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.

Prior to the Issue of the Construction Certificate

10 Construction Management Plan

Prior to the release of a Construction Certificate or the commencement of any works at the site, a detailed Construction Management Plan (CMP) prepared by a suitably qualified person shall be submitted to the Principal Certifier. The CMP shall include (but not be limited to) the following details:

- a plan of proposed construction storage area;
- b parking for construction workers during the demolition, excavation and construction phases;
- c the type of materials/plant/equipment to be transported to and stored at the site and how is it to be transported and stored;
- d timing of delivery of materials;
- e the proposed access points to the site during construction;
- f treatment of barricading/hoarding for construction/and restricting access;
- g address all environmental aspects of the development's demolition, excavation and construction phases including erosion and sediment control plan, unexpected finds protocol related to site contamination, accumulated excavation water dewatering plan, noise and vibration management plan, dust suppression/dust management plan, waste management plan and litter control;
- h construction noise mitigation measures; and
- i timing of waste collection during construction.

11 Design in Accordance with Flood Study

The detailed design of the development shall be consistent with the post development scenario flood modelling undertaken by Rienco Consulting Engineers, described in the letter from titled 'RE: OVERLAND FLOW HYDRAULIC MODEL RESULTS FOR PROPOSED DEVELOPMENT AT 290 – 294 KEIRA STREET, WOLLONGONG' (Rienco Reference: 20111 Letter 001 Rev 1, dated 9 September 2020). This must include wall openings, flood storage/conveyance areas, flood flow paths, buildings/walls, fencing, screening, flood flow obstructions, and resulting maximum flood water levels. Details of the flood storage/conveyance

areas (including location, dimensions, finished surface levels, cross-sections, and surface treatment type) and any fencing/screening within these areas shall be prepared by a suitably qualified civil engineer and reflected on the Construction Certificate plans for the development. Evidence that these requirements have been satisfied shall be submitted to the Principal Certifier prior to the release of any Construction Certificate. This evidence must include a letter of certification from a suitably qualified civil engineer stating that the requirements of this condition have been satisfied.

12 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.

13 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.

14 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.

15 Basement Waterproofing

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

16 **Present Plans to Sydney Water**

Approved plans must be submitted online using Sydney Water Tap, available through <u>www.sydneywater.com.au</u> 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 Principal Certifier 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.

17 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 <u>www.sydneywater.com.au</u> 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 Certifier prior to issue of the Construction Certificate.

18 Endeavour Energy Requirements

The submission of documentary evidence from Endeavour Energy to the Principal Certifier 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.

19 **Telecommunications**

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

20 Car Parking and Access

The development shall make provision for a total of the following:

Residential

- 38 residential car parking spaces (including 4 spaces capable of adaption for people with disabilities)
- 7 residential visitor car parking spaces
- 3 residential motorcycle spaces
- 12 secure (Class B) residential bicycle spaces
- 2 residential visitor bicycle spaces (Class C)

Commercial

- 5 commercial car parking spaces (including 1 space for people with disabilities)
- 1 commercial motorcycle parking space
- 2 secure (Class B) employee bicycle spaces
- 1 commercial visitor bicycle space (Class C)

This requirement shall be reflected on the Construction Certificate plans. Any change in above parking numbers shown on the approved DA plans shall be dealt with via a section 4.55 modification to the development. The approved car parking spaces shall be maintained to the satisfaction of Council, at all times.

- 21 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.
- 22 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.

23 Designated Loading/Unloading Facility

The designated loading/unloading facility must be clearly delineated with appropriate signage and or line marking to ensure the area is kept clear at all times. The designated loading/unloading facility shall be shown on the Construction Certificate plans.

- 24 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.
- 25 A change in driveway paving is required at the entrance threshold within the property boundary to clearly show motorists they are crossing a pedestrian area. Between the property boundary and the kerb, the developer must construct the driveway pavement in accordance with the conditions, technical specifications and levels to be obtained from Council's Manager Works. This requirement shall be reflected on the Construction Certificate plans and any supporting documentation.

26 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.

27 Water/Wastewater Entering Road Reserve

Provision shall be made for a minimum 200mm wide grated box drain along the boundary of the property at the vehicular crossing/s to prevent surface water entering the road reserve. This requirement shall be reflected on the Construction Certificate plans.

28 The depth and location of all services (ie gas, water, sewer, electricity, telephone, traffic lights, etc) must be ascertained and reflected on the Construction Certificate plans and supporting documentation.

29 Details of Proposed Pit and Pipeline

Details of the proposed connecting pipeline to the Council pit, within the existing drainage system shall be provided in conjunction with the detailed drainage design for the site. Connection is to be made in accordance with Wollongong City Council Standard Drawings. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.

30 Landscaping

The submission of a final Landscape Plan will be required in accordance with the requirements of Wollongong City Council DCP 2009 Chapter E6 and the approved Landscape Plan (ie as part of this consent) for the approval by the Principal Certifier, prior to the release of the Construction Certificate.

- 31 The submission of certification from a suitably qualified and experienced landscape designer and drainage consultant to the Principal Certifier prior to the release of the Construction Certificate, confirming that the landscape plan and the drainage plan are compatible.
- 32 The submission of certification from a suitably qualified and experienced landscape designer and drainage consultant to the Principal Certifier prior to the release of the Construction Certificate, confirming that the landscape plan and the drainage plan are compatible.
- 33 The implementation of a landscape maintenance program in accordance with the approved Landscape Plan for a minimum period of 12 months to ensure that all landscape work becomes well established by regular maintenance. Details of the program must be submitted with the Landscape Plan to the Principal Certifier prior to release of the Construction Certificate.
- 34 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.

35 **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.

36 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 with 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.

37 Street Trees

The developer must address the street frontage by installing street tree planting. The number and species for this development Ellen Street one (1) Lophostemon confertus, Keira Street two (2) Lophostemon confertus 200 litre container size, in accordance with AS 2303:2018 Tree stock for landscape use. Tree pit detailing is to be in accordance with the Wollongong City Council Public Domain Technical Manual. Dial Before You Dig must be consulted prior to any excavation on site. Pot holing must be carried out to determine service location. Location of street tree plantings to be sited to ensure no conflict occurs with street light poles. 'Dial Before You Dig' must be consulted prior to any excavation on site. Pot holing must be carried out to determine service location. Tree pits must be adequately mulched, plants installed to the satisfaction of WCC Manager of Works.

These requirements shall be reflected on the Construction Certificate plans and any supporting documentation.

38 Stormwater Drainage Design

A detailed drainage design for the development must be submitted to and approved by the Principal Certifier 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 Stormwater Concept Plans, prepared by Greenview Consulting Reference No. 190842 DA, dwg nos C01-C04, revision 4, dated 2 July 2020.
- b Include details of the method of stormwater disposal. Stormwater from the development must be piped to Council's existing stormwater drainage.
- 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.

39 Flood Level Requirements

The following requirements shall be reflected on the Construction Certificate plans, prior to the release of the Construction Certificate:

a The minimum habitable floor levels must be constructed in accordance with the levels shown on the Ground Floor Layout Plan prepared by Couvaras Architects No 1912 Sheet No 04 issue G dated 9 August 2020.

- b The driveway access to the basement level shall include a crest set at a minimum level of RL 8.24metres AHD.
- c Any portion of the building or structure below RL 9.26 metres AHD should be built from flood compatible materials. Where materials are proposed and not listed in Appendix B of Chapter E13 of the Wollongong DCP2009, relevant documentation from the manufacturer shall be provided demonstrating that the materials satisfy the definition of 'flood compatible materials' as stated in Chapter E13 of the Wollongong DCP2009.
- d The proposed building shall be designed to withstand the forces of floodwater, debris and buoyancy up to RL 9.6m metres AHD.

40 Council Footpath Reserve Works – Driveways and Crossings

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 restored and the area appropriately graded, topsoiled and turfed 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.

41 No Adverse Run-off Impacts on Adjoining Properties

The design of the development shall ensure there are no adverse effects to adjoining properties or upon the land as a result of flood or stormwater run-off.

Prior to the Commencement of Works

42 Appointment of Principal Certifier

Prior to commencement of work, the person having the benefit of the Development Consent and a Construction Certificate must:

- a Appoint a Principal Certifier (PC) and notify Council in writing of the appointment irrespective of whether Council or a Registered Certifier is appointed; and
- b notify Council in writing of their intention to commence work (at least two days notice is required).

The Principal Certifier must determine when inspections and compliance certificates are required.

43 Sign – Supervisor Contact Details

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

- stating that unauthorised entry to the work site is not permitted;
- b showing the name, address and telephone number of the Principal Certifier 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.

44 **Demolition Works**

The demolition of the existing structure shall be carried out in accordance with Australian Standard AS2601 (2001): The Demolition of Structures or any other subsequent relevant Australian Standard and the requirements of the SafeWork NSW.

No demolition materials shall be burnt or buried on-site. The person responsible for the demolition works shall ensure that all vehicles leaving the site carrying demolition materials have their loads covered and do not track soil or waste materials onto the road. Any unforeseen hazardous and/or intractable wastes shall be disposed of to the satisfaction of the Principal Certifier. In the event that the demolition works may involve the obstruction of any road

reserve/footpath or other Council owned land, a separate application shall be made to Council to enclose the public place with a hoarding or fence over the footpath or other Council owned land.

45 Notification to SafeWork NSW

The demolition licence holder who proposes demolition of a structure or part of a structure that is loadbearing or otherwise related to the physical integrity of the structure that is at least six metres in height, involving load shifting machinery on a suspended floor, or involving the use of explosives must notify SafeWork NSW in writing at least five (5) calendar days before the work commences.

46 Notification to Surrounding Property Owners/Occupants Prior to Commencement of Demolition Works

At least five (5) days notice must be given in writing to any residence or business within 100 metres of the premises to which this consent pertains of the impending demolition works. The written notice must include at least the following information:

- a a summary of the work plan and method for the demolition and a timetable for completion of works, including hours of operation, transport routes etc;
- b details of the primary contractor and/or company conducting the demolition works;
- c the name and telephone number for a person supervising the works to which residents can direct questions, comments and/or concerns about the works for the duration of the works.

47 Hazardous Materials Survey

At least one (1) week prior to demolition, the applicant must prepare a hazardous materials survey of the site and submit to Council a report of the results of the survey. **Hazardous materials** include, but are not limited to, asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint. The report must include at least the following information:

- a the location of the hazardous materials throughout the site;
- b descriptions of the hazardous materials;
- c the forms in which the hazardous materials are found, eg AC sheeting, transformers, contaminated soil, roof dust;
- d an estimation (where possible) of the quantity of each particular hazardous material by volume, number, surface area or weight;
- e a brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials, and where appropriate, reference to relevant legislation, standards and guidelines;
- f identification of the disposal sites to which the hazardous materials will be taken.

48 Consultation with SafeWork NSW – Prior to Asbestos Removal

A licensed asbestos removalist must give written notice to SafeWork NSW at least five (5) days before licensed asbestos removal work is commenced.

49 **Contaminated Roof Dust**

Any existing accumulations of dust in ceiling voids and wall cavities must be removed prior to any demolition work commencing. Removal must take place by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter.

50 All-weather Access

An all-weather stabilised access point must be provided to the site to prevent sediment leaving the site as a result of vehicular movement. Vehicular movement should be limited to this single accessway.

51 Sediment Control Measures

Sediment-laden runoff from the site shall be controlled at all times subsequent to commencement of construction works. Sediment control measures shall be maintained at all times and checked for adequacy at the conclusion of each day's work, and after any rain event of 10 mm or more.

52 Works in Road Reserve - Minor Works

Approval, under Section 138 of the Roads Act must be obtained from Wollongong City Council's Development Engineering Team prior to any works commencing or any proposed interruption to
pedestrian and/or vehicular traffic within the road reserve caused by the construction of this development.

The application form for Works within the Road Reserve – Section 138 Roads Act can be found on Council's website. The form outlines the requirements to be submitted with the application, to give approval to commence works under the roads act. It is advised that all applications are submitted and fees paid, five (5) days prior to the works within the road reserve are intended to commence. The Applicant is responsible for the restoration of all Council assets within the road reserve which are impacted by the works/occupation. Restoration must be in accordance with the following requirements:

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

53 Tree Protection

Prior to commencement of any work on the site, including any demolition, all trees not approved for removal as part of this consent that may be subjected to impacts of this approved development must be protected in accordance with Section 4 of the Australian Standard Protection of Trees on Development Sites (AS 4970-2009).

Tree protection zones must be established prior to the commencement of any work associated with this approved development.

No excavation, construction activity, grade changes, storage of materials stockpiling, siting of works sheds, preparation of mixes or cleaning of tools is permitted within Tree Protection Zones.

During Demolition, Excavation or Construction

54 Waste Classification Assessment

Following the demolition of the existing structures, but prior to removal of any surplus material from the site, a waste classification assessment including toxicity characteristics leaching procedure analysis must be undertaken. This should specifically target identified potential sources of contamination for the purpose of waste classification.

As part of the off-site disposal or reuse classification for natural materials, assessment will be required to validate that natural materials have not been impacted by former site activities, including the complete removal of overlying fill.

55 Fill Proposed to be Retained On-site

Any fill that is proposed to be retained on-site must be assessed. This would include a review of existing data, data that would be obtained as part of a waste classification assessment and may require further assessment depending on the extent and type of fill proposed to be retained.

56 Installation of Water Quality Improvement Devices

The developer shall install stormwater quality improvement devices as shown on the Ground Floor Drainage Plan prepared by Greenview Consulting dated 2 July 2020.

57 Survey Report for Floor Levels

A Survey Report must be submitted to the Principal Certifier verifying that each 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.

58 Piping of Stormwater to Existing Stormwater Drainage System

Stormwater for the land must be piped to Council's existing stormwater drainage system.

59 No Adverse Run-off Impacts on Adjoining Properties

The design and construction of the development shall ensure there are no adverse effects to adjoining properties, as a result of flood or stormwater run-off. Attention must be paid to ensure adequate protection for buildings against the ingress of surface run-off.

Allowance must be made for surface run-off from adjoining properties. Any redirection or treatment of that run-off must not adversely affect any other property.

60 Copy of Consent to be in Possession of Person carrying out Tree Removal

The Developer/Applicant must ensure that any person carrying out tree removal is in possession of this development consent and/or the approved landscape plan, in respect to the tree(s) which has/have been given approval to be removed in accordance with this consent.

61 Waste Inventory Report

A Waste Inventory report must be maintained on-site during demolition work. The waste inventory is a register of all materials and waste removed from the site during the demolition work. The register must record each load or movement of material and waste from the site and must include at a minimum the following information:

- a The description of the material (including identified hazardous material);
- b an estimate of the quantity by volume and weight;
- c the name of the transporter and the registration details of the relevant vehicle; and
- d the intended destination of the material.

62 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 Certifier 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.

The construction works noise shall comply with the Australian Standard AS 2436-2010 "Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites" and any other requirements as specified by Council or the NSW Environment Protection Authority.

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.

63 Drains, gutters, access ways and roadways must be maintained free of sediment and any other material.

64 **Dust Suppression Measures**

Activities occurring during the construction phase of the development must be carried out in a manner that will minimise the generation of dust.

65 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 (<<u>http://www.safework.nsw.gov.au</u>>).

66 Asbestos Clearance Certificate

A Clearance Certificate to certify that the site is free of asbestos is to be submitted to Council by a licensed asbestos assessor within fourteen (14) days of the completion of demolition works.

67 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 this type of waste. A receipt must be retained and submitted to the Principal Certifier, and a copy submitted to Council (in the event that Council is not the Principal Certifier), prior to commencement of the construction works.

68 **Provision of Waste Receptacle**

The developer must provide an adequate receptacle to store all waste generated by the development, pending disposal. The receptacle must be regularly emptied and waste must not be allowed to lie or accumulate on the property other than in the receptacle. Consideration should be given to the source separation of recyclable and re-usable materials.

69 BASIX

All the commitments listed in each relevant BASIX Certificate for the development must be fulfilled in accordance with Clause 97A(2) of the Environmental Planning & Assessment Regulation 2000.

A relevant BASIX Certificate means:

- A BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under section 4.55 of the Environmental Planning & Assessment Act 1979, a BASIX Certificate that is applicable to the development when this development consent is modified); or
- if a replacement BASIX Certificate accompanies any subsequent application for a construction certificate, the replacement BASIX Certificate; and
- BASIX Certificate has the meaning given to that term in the Environmental Planning & Assessment Regulation 2000."

70 Excess, Unsuitable and Contaminated Excavated Material – Disposal

Excess, unsuitable and contaminated 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.

71 Discharge of Accumulated Water

Any water accumulating in excavations on-site shall not be discharged to Council's stormwater system, unless a Section 68 approval issued under the Local Government Act 1993 has been obtained and all the following criteria are met:

- a The concentration of suspended solids in the water to be discharged does not exceed 50 mg/L; and
- b The pH of the water to be discharged is between 6.5 and 8.5; and
- c The water to be discharged contains no visible oil or grease; and
- d If alum has been used to reduce suspended solids, the concentration of aluminium in the water to be discharged does not exceed 0.055 mg/L; and
- e The water to be discharged does not contain any substances known to be toxic to aquatic life; and
- f The flow rate of discharged water does not exceed 55 litres per second in dry weather conditions, or is less than the capacity of the receiving stormwater drain; and
- g A copy from a NATA accredited laboratory of sample test results for suspended solids and pH (and aluminium if applicable) confirming the water to be discharged meets criteria 1 and 2 (and criteria 4 if applicable) as stated above is submitted to Council (email records@wollongong.nsw.gov.au, attention Building and Certification Manager).

Alternatively, such waters are to be removed by tanker for disposal at a NSW Environment Protection Authority licensed waste facility.

72 **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.

73 Flood Compatible Materials – Electrical

All power service (metering) equipment, power outlets, switches etc. shall be located above RL 9.26 metres AHD. All electrical wiring installed below this level should be suitable for continuous underwater immersion and should contain no fibrous components. Earth leakage circuit breakers shall also be installed. Any equipment installed below or partially below RL 9.26 metres AHD should be capable of disconnection by a single plug and socket assembly.

74 Fences

Any new fences constructed on the site and located in the flood plain shall be of a type that will not obstruct the free flow of floodwaters and not cause damage to surrounding land in the event of a flood.

Prior to the Issue of the Occupation Certificate

75 **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 \$249,540.00 (subject to indexation) must be paid to Council towards the provision of public amenities and services.

In accordance with the Environmental Planning and Assessment (Local Infrastructure Contributions – Timing of Payments) Direction 2020 this contribution must be paid before the issue of the first Occupation Certificate in respect of any building to which this consent relates, except where a Construction Certificate in respect of the erection of any building to which this consent relates has not been issued on or before 25 September 2022, in which case the monetary contribution must be paid before the issue of the first Construction Certificate after that date.

In accordance with clauses 149(2AA) and 154F of the EP&A Regulation, an application for an Occupation Certificate in respect of this consent, if made to a Registered Certifier, needs to be accompanied by a certificate from Council confirming that this condition has been satisfied.

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:

Contribution at time of payment = \$C x (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: 1199560	Credit Card
In Person	Wollongong City Council Administration Building - Customer Service Centre Ground Floor 41 Burelli Street, WOLLONGONG	CashCredit CardBank 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

76 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-asexecuted 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 Certifier prior to the issue of the final Occupation Certificate.

77 Waste Inventory

A copy of the Waste Inventory which was maintained on-site during the demolition work and copies of relevant receipts of waste material being deposited at a waste disposal facility shall be forwarded to the Principal Certifier and Council's Regulation and Enforcement Division (in the event that Council is not the Principal Certifier), prior to the issue of the Occupation Certificate or commencement of the use.

78 BASIX

An Occupation Certificate must not be issued unless accompanied by the BASIX Certificate applicable to the development. The Principal Certifier must not issue the final occupation certificate unless satisfied that selected commitments have been complied with as specified in the relevant BASIX Certificate. NOTE: Clause 154B of the Environmental Planning and Assessment Regulation 2000 provides for independent verification of compliance in relation to certain BASIX commitments.

79 Completion of Landscape Works

The completion of the landscaping works as per the final approved Landscape Plan is required prior to the issue of Occupation Certificate.

80 Structural Soundness Certification

The submission of a report from a suitably qualified and experienced structural engineer to the Principal Certifier is required, prior to the issue of the final Occupation Certificate and commencement of use. This report is required to verify that the building can withstand the forces of floodwater, debris and buoyancy up to and including RL 9.6 metres AHD.

81 Flood Affectation Certification

The submission of a report from a suitably qualified and experienced civil (floodplain management) engineer to the Principal Certifier is required, prior to the issue of any Occupation Certificate. This report is required to certify that the development, including wall openings, flood storage/conveyance areas, flood flow paths, buildings/walls, fencing, screening, flood flow obstructions, and resulting maximum flood water levels, is in accordance with the Construction Certificate plans, and that the 'as-constructed' development will not detrimentally increase the potential flood affectation on other development or properties with respect to the loss of flood storage, changes in flood levels/velocities, and/or alteration of flood conveyance.

82 Completion of Landscape Works on Council Owned or Controlled Land

The Developer must complete all landscape works required within Council's road reserve, or other Council owned or controlled land, in accordance with the conditions of this consent. The total cost of all such landscape works shall be fully borne by the Developer and any damage to Council's assets shall be the subject of restoration works sufficient to restore the asset to its previous state and configuration previous to the commencement of works. Evidence that this requirement has been met must be satisfied prior to the issue of the Occupation Certificate.

83 Right of Carriageway

A right of way shall be established to provide access from Lot 1 DP 799059 to Lot 1 DP 995068 through the basement level. This is required to provide vehicular access to Lot 1 DP 995068 to

facilitate future redevelopment. Evidence of the creation of this right of carriageway is to be provided to the Principal Certifier prior to the issue of an Occupation Certificate.

Operational Phases of the Development/Use of the Site

- All on-site servicing and waste collection is to be carried out by a vehicle no larger than a Small Rigid Vehicle (max 6.4 metres in length) from the designated loading/unloading facility enabling forward exit in no more than a 3-point turn. A minimum 3.5 metres headroom must be provided for all areas to be used by service vehicles.
- 85 Residential waste collection shall be carried out from the street. No waste bins are to be placed on Kiera Street. Waste collection is to be carried out from Ellen Street only.

86 Street Tree Establishment Period – City Centre/Commercial Village Centre

The Developer must comply with the terms of an approved landscape maintenance program for a minimum period of 12 months to ensure that all landscape works within Council's road reserve or Council owned or controlled land becomes well established by regular maintenance. The Street Tree Establishment Period shall commence from the issue of the Occupation Certificate.

The program must include the following elements: watering, weeding, litter removal, mulching, fertilising, tree guard and grate maintenance, and pest and disease control.

Details of the proposed program must be submitted with the Landscape Plan to the Principal Certifier for approval prior to release of the Construction Certificate.

Reasons

The reasons for the imposition of the conditions are:

- 1 To minimise any likely adverse environmental impact of the proposed development.
- 2 To ensure the protection of the amenity and character of land adjoining and in the locality.
- 3 To ensure the proposed development complies with the provisions of Environmental Planning Instruments and Council's Codes and Policies.
- 4 To ensure the development does not conflict with the public interest.