

Wollongong Local Planning Panel Assessment Report | 27 August 2024

WLPP No.	Item No. 1
DA No.	DA-2022/1113
Proposal	Demolition of existing structures and construction of mixed use shop top housing, three (3) commercial spaces, 36 residential apartments, basement and ground floor parking, communal open spaces, landscaping and stormwater works
Property	68-74 Princes Highway, Fairy Meadow - Part Lot X DP 158631 7 Daisy Street, Fairy Meadow - Lot Y DP 158631 9 Daisy Street, Fairy Meadow - Lot 172 DP 1115076
Applicant	ADM Projects (Australia) Pty Ltd
Responsible Team	Development Assessment and Certification - City Centre Major Development Team (AS)
Acceptance (lodgement) date	13 October 2022
Prior WLPP meeting	None

ASSESSMENT REPORT AND RECOMMENDATION

Executive Summary

Reason for consideration by Wollongong Local Planning Panel (WLPP)

The proposal has been referred to the Local Planning Panel for **determination** pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. Under schedule 2, 4(b) of the Local Planning Panels Direction dated 6 March 2024 the proposal is development to which State Environmental Planning Policy (Housing) 2021 Chapter 4 applies and that is 4 or more storeys to be determined by the Panel.

Proposal

The proposal is for demolition of all structures and construction of a four storey shop top housing building with frontage to Princes Highway and Daisy Street, Fairy Meadow.

Permissibility

The site is zoned E1 Local Centre pursuant to Wollongong Local Environmental Plan 2009. The proposal is categorised as a 'shop top housing' development and is permissible in the zone with development consent.

Consultation

The proposal was notified in accordance with Council's Notification Policy and received two submissions which are discussed at section 2.8 of the assessment report.

Main Issues

The main issues are:

- Flood affected land – Council's stormwater engineer has no objection to the proposal. The proposed floor were revised during the assessment and are now acceptable.
- Development context – Fairy Meadow Major Town Centre and adjoining development – adequate contextual documentation has been provided.

- Compliance with Apartment Design Guide – main non-compliances relate to visual privacy and unit mix and are acceptable in the circumstances. Conditions of consent are recommended regarding adjustments to provide 3-bedroom dwellings.

Conclusion

The proposed development is permissible with consent and has had regard to the objectives of the zone. Variation requests under the ADG and WDCP 2009 are relatively minor and do not compromise amenity outcomes as assessed and are supported given the overall design outcome.

The design has been considered by, and partially amended in response to, the Wollongong Design Review Panel, and represents a good design response for the site, satisfying clause 7.18 of WLEP 2009 relating to the design excellence provisions.

The issues raised in the public submissions have been addressed in the amended design or the conditions of consent.

RECOMMENDATION

It is recommended that the application is approved subject to conditions of consent contained in **Attachment 4**.

1 APPLICATION OVERVIEW

1.1 PLANNING CONTROLS

The following planning controls apply to the proposal:

State Environmental Planning Policies:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- SEPP (Resilience and Hazards) 2021
- SEPP (Transport and Infrastructure) 2021
- SEPP (Building Sustainability Index: Basix) 2004
- SEPP (Housing) 2021

Local Environmental Planning Policies:

- Wollongong Local Environmental Plan (WLEP) 2009

Development Control Plans:

- Wollongong Development Control Plan 2009

Other policies

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

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

1.2 DETAILED DESCRIPTION OF PROPOSAL

The application has undergone a lengthy redesign process and since lodgement in October 2022 and Design Review Panel meeting in November 2022. The applicant submitted amended plans and supporting documentation on the following dates:

- 5 April 2023
- 7 November 2023
- 8 February 2024
- 21 June 2024
- 2 August 2024
- 7 August 2024
- 8 August 2024

The final revised plans were not required to be publicly exhibited. The final proposal comprises the following:

Site preparation

- Demolition of all structures
- Earthworks for 1 level of basement (approximate depth 4m)

Works / Construction / building details

- Four storey shop top housing development containing:
 - Two towers (Blocks A and B) over shared basement and podium
 - 36 apartments (13 x 1 bedroom and 23 x 2 bedroom)
 - 3 commercial tenancies located on the ground floor (183m², 185m² and 203m²)
 - 1 x basement level containing 48 resident car parking spaces, storage areas and services.
- Communal open space located on Level 1
- 3 silver liveable units (B103, B203 and B303)
- 4 adaptable units (B205, B206, B305 and B306)
- Floor space ratio 1.47:1; gross floor area 3866.8m²
- Building height 14.80m

Traffic, parking and servicing

- Total 74 car parking spaces (surplus 3 spaces)
 - 18 commercial
 - 48 residential
 - 8 residential visitor
- Access via driveway on Daisy Street.
- Servicing via small rigid vehicle into ground floor. Waste rooms on ground floor and kerbside collection.

1.3 BACKGROUND

Historic applications include shops, alterations and additions, business premises, advertising signage.

A Design Review Panel (DRP) meeting prior to lodgement of the development application (DA) was requested by the applicant and held on 24 May 2021 (DE-2021/75). The site area did not include 9 Daisy Street, and the DRP recommended this allotment be acquired to improve site layout and building design. The land was acquired prior to lodgement of development application DA-2022/1113.

No pre-lodgement meeting with Council's technical staff was held prior to the DA lodgement.

Customer service actions

There are no outstanding customer service requests relevant to the application.

1.4 SITE DESCRIPTION

The L-shaped site is located at Daisy Street and Princes Highway Fairy Meadow. The 2623.6m² site comprises three allotments:

- 68-74 Princes Highway, Fairy Meadow - Part Lot X DP 158631
- 7 Daisy Street, Fairy Meadow - Lot Y DP 158631
- 9 Daisy Street, Fairy Meadow - Lot 172 DP 1115076

The land contains 1 and 2 storey commercial buildings. Adjoining development is as follows:

- North: 66 Princes Highway Woolworths supermarket
- East: 13 Daisy Street Woolworths car park

- South: 76 Princes Highway and 78-80 Princes Highway – 2 storey commercial

There are no restrictions on the title.



Figure 1: Aerial photograph



Figure 2: WLEP 2009 zoning map – E1 Local Centre zone

The locality is characterised by retail and business premises, with some low density residential and shop top housing development. The site is located opposite Guest Park public recreation area and Fairy Meadow Public School.

Property constraints

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

- **Flooding:** The site is identified as being located within an uncategorised flood risk precinct. Earlier designs relied upon flood barriers to repel water in the event of a flood, but the final design raises floor levels and negates the need for flood barriers. Council's stormwater engineer has no objection to the final proposed design.

There are no restrictions on the title.

1.5 SUBMISSIONS

The application was notified **26 October -9 November 2022** in accordance with Council's Community Participation Plan 2019. Two submissions (objections) were received, and the issues identified are discussed below. Both submissions have been referred to the Wollongong Local Planning Panel for their consideration.

The revised plans were not required to be notified.



Figure 3: Notification map

Table 1: Submissions - objections

Concern	Comment
Traffic impacts	
Existing congestion Princes Highway at peak times. The development will increase traffic.	A traffic impact assessment was provided and reviewed by Council's traffic engineer and Transport for NSW. The proposed traffic generation is considered acceptable.
The vehicle access/egress point is close to Princes Highway and there is potential for conflict with cars using Woolworths carpark.	Council's traffic engineer has reviewed the access point and supports the proposed location.
The western side of Princes Highway contains streets that support the sporting facilities, west side shops and residents. The	As above – traffic generation is considered acceptable and within operational limits of the local road network

Concern	Comment
development will affect functioning of the Daisy Street/Princes Highway intersection.	
The Traffic Impact Assessment does not identify numbers of vehicles using Daisy Street, outside of peak times, and therefore the true impact of additional vehicles is unclear.	The analysis within the traffic impact assessment is adequate to permit assessment..
Economic impacts	
Loss of local businesses impacting future economic viability of Fairy Meadow. Is there a business plan for services for the residents of the apartments and local area?	No business plan has been provided and is typically not required. The proposed residential and commercial uses are envisaged by WLEP 2009 and are consistent with the Major Town Centre requirements of WDCP 2009.
Redevelopment opportunities 76 & 78-80 Princes Highway	
Insufficient consideration of likely impacts upon future redevelopment of adjoining lots. Should the development application be required to include these adjoining lots?	The adjoining properties are not considered to be isolated lots, as per the definition in WDCP 2009. The applicant's built form study contemplates potential development patterns on the land and demonstrates that a shop top housing development is possible.
No consultation with owner of 78-80 has occurred.	Noted. Not required.
The width of combined 76 and 78-80 Princes Highway is insufficient to accommodate basement parking and manoeuvring.	The combined allotments have frontage to Princes Highway exceeding 25m, where 24m is the minimum for a residential apartment building/shop top housing development. It is therefore likely that satisfactory basement parking and manoeuvring could be achieved.
If the development site, 76 and 78-80 were amalgamated, fewer driveways would be required.	The proposed development has reduced the number of Daisy Street driveways. Neither Council's traffic engineer nor Transport for NSW have indicated that a further reduction in driveways is required or desirable.
Providing nil side setbacks places burden of setbacks on neighbouring lots when they develop.	The potential impact on adjoining lots has been considered and demonstrated on built form context plans. Council's WDCP and the ADG require nil setbacks to certain parts of the development.
Overshadowing limits development options on adjoining land.	Satisfactory overshadowing and solar access have been shown on shadow diagrams.
Design Review Panel	
A pre-lodgement DRP held on 21 May 2021 recommended that a context analysis be completed which incorporated neighbouring buildings. Insufficient analysis has been undertaken of the development opportunities	The built form study shows potential development on adjoining lots. This is speculative and has not been prepared in conjunction with adjoining owners.

Concern	Comment
of the adjoining land, including separate development schemes for 76 and 78-80 Princes Highway.	
Setbacks	
WDCP 2009 is unclear on what side setbacks are required (Chapter 4 says nil, Chapter 3 says 3.5m). A side setback is advisable. The SEE does not justify why nil setback is appropriate.	Setbacks are detailed in the ADG and WDCP 2009 Chapters B3 Mixed Use Development and B4 Development in Centres and Peripheral Sales Precincts. A nil setback is specified in Chapter B4, where the Chapter sets out controls for the Fairy Meadow Major Town Centre.
Solar access	
Shadow diagrams show that 76 Princes Highway will be overshadowed all day.	76 Princes Highway lies directly south of 68-74 Princes Highway (Block A). Parts of no. 76 would be in shadow 9am-3pm. Given the lot orientation and permitted building height, it would be difficult to provide solar access to all of no. 76.
WDCP 2009 Chapter 3 requires 3 hours of direct solar access to adjoining development including communal open space. The SEE claims 2 hours are provided, but that is not supported by shadow diagrams.	Shadow diagrams show parts of no. 76 would receive 2 hrs (e.g. 1-3pm).
The apartments facing the Princes Highway are single aspect and receive sun only after 3pm.	The ADG allows 15% apartments in a development to receive no sunlight between 9am and 3pm.
Ventilation	
The apartments facing the Princes Highway are not naturally cross-ventilated.	The ADG requires minimum 60% of units in a development to be cross ventilated.

1.6 CONSULTATION

1.6.1 INTERNAL CONSULTATION

Council's architect has reviewed the revised plans and considered the DRP comments in relation to the original design. Some items have not been fully resolved in the final revised design (e.g. detailed precinct context plans), however the development on balance adequately addresses the requirements of the ADG and DRP recommendations. Additional minor items identified by Council's architect have been conditioned.

Council's environment officer, environment geotechnical engineer, landscape officer, stormwater engineer and traffic engineer have reviewed the application and given a satisfactory referral.

1.6.2 EXTERNAL CONSULTATION

Endeavour Energy

Endeavour Energy were referred the application under section 2.48 of State Environmental Planning Policy (Transport and Infrastructure) 2021. On 29 October 2022 Endeavour Energy provided referral comment and conditions.

Transport for NSW

Transport for NSW were referred the application under section 2.122 of State Environmental Planning Policy (Transport and Infrastructure) 2021. On 4 November 2022 Transport for NSW advised it had no objection to the development, subject to Council being satisfied the development will not adversely impact road safety and traffic efficiency. Council's traffic engineer supports the development.

Design Review Panel

The plans as initially lodged were reviewed by the Design Review Panel (DRP). The DRP notes dated 25 November 2022 form **Attachment 2**.

The Panel recommended several changes to the building, some of which have not been incorporated into the plans now presented for determination. This is discussed in further detail below. Notwithstanding the outstanding recommendations of the Panel, the proposal is considered to be satisfactory regarding the design excellence provisions and the ADG.

The Panel initially raised concerns with several elements, in particular:

- Detailed precinct context plans
- Further refinement of residential entries
- Further development of upper levels to improve solar access and cross ventilation.
- Develop residential stair to allow access from the ground floor lobby to each level.
- Further refinement to mitigate potential privacy issues
- Further development of interfaces with future neighbours
- Further development to address amenity issues
- The provision of suns eye view diagrams
- Adoption of environmental initiatives
- Further refinement of building aesthetics and the provision of detail sections.
- Further development and strengthening of the street wall

The revised plans have been reviewed by Council's architect, who is satisfied that the majority of the recommendations of the DRP have been met. Re-referral to the DRP was not required.

2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Environmental Planning and Assessment Amendment (Housing and Productivity Contributions) Order 2023

This contribution does not apply to applications lodged before 1 October 2023.

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

The Wollongong Coastal Zone Management Plan (CZMP) ceased certification under the Coastal Management Act 2016 on 31 December 2023. The Coastal Management Programme (CMP) for Wollongong LGA (open coast and estuaries excluding Lake Illawarra) is in development and is currently in Stage 2 (technical study stage).

The land is not identified in State Environmental Planning Policy (Resilience and Hazards) as being within a coastal management area.

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

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

NSW BIODIVERSITY CONSERVATION ACT 2016

Section 1.7 of the Environmental Planning and Assessment Act 1979 (EP&A Act) enable the Act subject to the provisions of Part 7 of the Biodiversity Conservation Act 2016 (BC Act). Part 7 of the BC Act relates to Biodiversity assessment and approvals under the EP&A Act where it contains additional requirements with respect to assessments, consents and approvals under this Act.

Clause 7.2 of the Biodiversity Conservation Regulation 2017 provides the minimum lot size and area threshold criteria for when the clearing of native vegetation triggers entry of a proposed development into the NSW Biodiversity offsets scheme. The development does not trigger the requirement for a biodiversity offset scheme.

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

2.1.1 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

Chapter 4 Koala habitat protection 2021

There is no approved koala plan of management applying to the land. Clause 4.9 states that this section only applies to land greater than 1 hectare, and therefore this section does not apply.

2.1.2 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

Chapter 4 Remediation of land

4.6 Contamination and remediation to be considered in determining development application

The proposed development has been assessed with regard to potential land contamination and the requirements of Chapter 4 of the SEPP. A 'Combined Preliminary and Detailed Site Investigation' by Reditus Consulting Pty Ltd dated 5 July 2023 was provided. The report was reviewed by Council's environment officer.

Reditus states that it considers that the site is suitable for the proposed development, subject to the implementation of the following recommendations:

- Completion of a pre-demolition hazardous materials (HAZMAT) survey in accordance with Australian Standard AS2601-2001 Demolition of Structures.
- Preparation of an Asbestos Management Plan (AMP) and asbestos register in accordance with the WHS Regulation (2017) to ensure the appropriate management of any asbestos during excavation works.
- Following completion of bulk excavation for the proposed basement and offsite disposal of soils, an asbestos clearance certificate, as required by the WHS Regulation (2017), is to be obtained from a suitably experienced scientist at the conclusion of basement excavation."

Having regard to the conclusions in the Reditus report, the consent authority can be satisfied as to the requirements of clause 4.6.

2.1.3 STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT & INFRASTRUCTURE) 2021

The development application was referred to Endeavour Energy for comment in accordance with Clause 2.48 as it may involve works within proximity of electricity infrastructure. Endeavour Energy

has advised on connection requirements and confirmed that it has no objection to the proposed development.

The application was referred to Transport for NSW under section 2.122 (traffic generating development). On 4 November 2022 Transport for NSW advised it had no objection to the development, subject to Council being satisfied the development will not adversely impact road safety and traffic efficiency. Council's traffic engineer supports the development.

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

The DA was lodged prior to the commencement of SEPP (Sustainable buildings) 2022. The proposal is BASIX affected development to which this policy applies. In accordance with Schedule 1, Part 1, 2A of the Environmental Planning and Assessment Regulation 2000, a BASIX Certificate has been submitted in support of the application demonstrating that the proposed scheme achieves the BASIX targets.

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

2.1.5 STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021

SEPP 65 was repealed on 14 December 2023 on the gazettal of State Environmental Planning Policy Amendment (Housing) 2023, which transferred the provisions of SEPP 65 across to Chapter 4 of SEPP (Housing) 2021. SEPP 65 was not the subject of savings provisions. Subsection 2A of Schedule 8 clarifies that the new Chapter 4 applies to DAs that were made, but not finally determined, before 14 December 2023, when SEPP 65 was repealed.

Chapter 4 Design of Residential Apartment Development

SEPP Housing applies to the application as the development building meets the definition of a 'residential flat building' because it is more than 3 storeys and comprises more than 4 dwellings. The application is accompanied by a statement by a qualified designer in accordance with Clause 29 of the Environmental Planning and Environment Regulation 2021.

Section 145 - - Referral to design review panel for development application

The application was considered by the Design Review Panel (DRP) on 25 November 2022.

Section 147 – Determination of development applications and modification applications for residential apartment development

Section 147 requires the consent authority to consider the design principles in Schedule 9, the Apartment Design Guide and DRP advice.

Schedule 9 Design Principles for Residential Development

Schedule 9 sets out the design principles for residential apartment development. These must be considered in the assessment of the proposal and are discussed below.

Principle 1: Context and neighbourhood character

The site is located within an established commercial town centre which also contains some residential development. Buildings in the locality vary in height and materials and there is no distinctive architectural theme, however the two adjoining lots 76-80 Princes Highway reinforce the Daisy Street corner and contribute to the streetscape.

The proposal is broadly consistent with the desired future character of the area as identified through the development standards and controls applicable to the site. The height and scale of the building when measured in terms of the applicable height limit and FSR is compliant and acceptable.

The design has been revised in part to address some earlier concerns raised by the DRP and Council's architect. The final revised plans generally resolve these concerns. The design as amended is acceptable regarding context and neighbourhood character.

Principle 2: Built form and scale

The proposal is of a suitable bulk and scale considering the applicable development controls and existing development on adjoining land.

Remaining commercial buildings and lower density residential buildings are expected to transition over time and be redeveloped into higher density shop top housing development. The form of the proposal is appropriate with regard to the desired future character of the area and the controls applicable to this part of the E1 Local Centre zone. This development will not create an isolated allotment.

The form and finish of the development along with proposed landscaping are considered to positively contribute to the streetscape. The development provides for an appropriate streetscape response.

The development will provide adequate amenity for future occupants by way of landscaped areas, private open space, communal open space and dwelling layout. Internal amenity within apartments will be acceptable, with compliant solar access and natural ventilation, adequate storage. Conditions of consent are recommended to address minor design improvements.

Principle 3: Density

The density of the development complies with the maximum floor space ratio permitted for the land. Local infrastructure can support the proposed development. The site is well situated regarding public transport, recreation, employment and services. Adequate parking has been provided on site to cater for the number of apartments proposed. Contributions applicable to the development will go towards local infrastructure and facilities.

The design of the development provides for an appropriate built scale measured in terms of floor space, height and setbacks.

Principle 4: Sustainability

The proposal is considered acceptable regarding sustainable design as follows: •

- BASIX Certificates were provided indicating minimum requirements are met.
- A Site Waste Management and Minimisation Plan has been provided indicating recycling of materials from the demolition.
- Apartments are provided with natural cross ventilation and internal layouts have been designed to provide for good solar access to primary living areas and private open space areas.
- The proposal will not have an adverse impact on heritage items or environmentally sensitive areas.
- Rainwater collection is proposed.
- Appropriate stormwater drainage arrangements are proposed.
- The proposal is an efficient use of land in a major town centre location close to services, employment and public open space.
- A photovoltaic system is proposed.

Principle 5: Landscape

The proposal is satisfactory in respect of landscaping. The proposal provides suitable landscaped areas and communal open space that will improve the amenity of the occupants, soften the appearance of the development from adjoining properties and offer opportunities for public domain upgrades. The proposal is satisfactory to Council's Landscape Officer.

Principle 6: Amenity

The development is acceptable regarding controls relating to residential amenity. The proposal satisfies the requirements for storage, visual and acoustic privacy and access for future occupants of the development. The apartments receive compliant solar access, compliant cross ventilation and acceptable balcony and communal open space areas. Setbacks are reasonable and, in most areas, achieve compliance with the ADG with some exceptions which are discussed in **Attachment 3**.

Principle 7: Safety

The proposal is satisfactory regarding safety and security and is consistent with the principles of Crime Prevention Through Environmental Design. Clearly defined pedestrian entries have been provided and the building has been designed to offer opportunities for good passive surveillance of the public domain.

Principle 8: Housing diversity and social interaction

The proposal provides for 36 apartments, with a mix of 13 x 1 bedroom and 23 x 2 bedroom dwellings. There are no 3 bedroom apartments in the building. It is recommended that the plans are amended to incorporate 3 bedroom dwellings in the development.

Four apartments are identified as adaptable and three as silver level liveable, which provide flexibility for occupants and meet the requirements of Council's WDCP 2009.

The development offers a functional communal open space area including an indoor room which will facilitate social interaction among residents.

Principle 9: Aesthetics

The building is a satisfactory standard with regard to its appearance and form. Redesign has occurred addressing the many of the concerns of the DRP and Council's architect. A mixture of materials and finishes is provided, and the development is suitably articulated.

The substation is positioned in Daisy Street (Block B) front elevation for ease of access and to satisfy the requirements of Endeavour Energy. Public domain works are proposed which will upgrade the existing pavement in both Daisy Street and Princes Highway.

Section 148 - Non-discretionary development standards for residential apartment development—the Act, s 4.15

Section 148 details non-discretionary standards. The development complies with all standards.

Apartment Design Guide

An assessment of the application against the Apartment Design Guide is contained in **Attachment 3**.

2.1.6 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Clause 1.4 Definitions

The proposal is a 'shop top housing' development, which is defined:

shop top housing means one or more dwellings located above the ground floor of a building, where at least the ground floor is used for commercial premises or health services facilities.

Note— Shop top housing is a type of **residential accommodation**—see the definition of that term in this Dictionary.

Clause 1.8A Savings provision relating to pending development approvals

None relevant.

Part 2 Permitted or prohibited development

Clause 2.2 – zoning of land to which Plan applies

The zoning map identifies the land as being zoned E1 Local Centre.

Clause 2.3 – Zone objectives and land use table

The development is consistent with the objectives of the zone:

Zone E1 Local Centre

1 Objectives of zone

- *To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.*
- *To encourage investment in local commercial development that generates employment opportunities and economic growth.*
- *To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.*
- *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*
- *To encourage development that is consistent with the centre's position in the centres hierarchy.*
- *To encourage development that has a high level of accessibility and amenity and prioritises pedestrians.*
- *To ensure new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*

The land use table permits:

2 Permitted without consent

Building identification signs; Business identification signs; Home occupations

3 Permitted with consent

Advertising structures; Amusement centres; Backpackers' accommodation; Bed and breakfast accommodation; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Entertainment facilities; Exhibition homes; Function centres; Home-based child care; Home businesses; Home industries; Hostels; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Service stations; Serviced apartments; Sex services premises; Shop top housing; Tank-based aquaculture; Veterinary hospitals; Wholesale supplies

4 Prohibited

Any development not specified in item 2 or 3

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

Clause 2.7 Demolition requires development consent

Demolition of existing structures is proposed. A demolition plan has been provided. Conditions of consent are recommended addressing demolition management generally and management and disposal of hazardous materials including asbestos.

Part 4 Principal development standards

Clause 4.3 Height of buildings

The maximum permitted building height is 15m. The proposed building height is 14.80m.

Clause 4.4 Floor space ratio

The maximum permitted floor space ratio (FSR) is 1.5:1. The proposed gross floor area (including 3 additional parking spaces) is 3866.8m², equating to an FSR of 1.47:1.

Part 5 Miscellaneous provisions

Clause 5.21 Flood planning

The site is flood affected – uncategorised risk. Council's stormwater engineer has reviewed the flooding information provided and has no objection to the development, subject to recommended conditions. Matters for the consent authority detailed in subclause 2 are satisfactory.

Part 7 Local provisions – general

Clause 7.1 Public utility infrastructure

The land is located in an established urban area, and it is expected that the existing utility services can be augmented to support the proposed development. **Attachment 4** contains a condition of consent requiring approval from the relevant authorities for the connection of electricity, water and sewerage to service the site.

Clause 7.6 Earthworks

The proposal comprises excavation to accommodate one basement level. Council's geotechnical engineer has recommended conditions of consent regarding structural support and geotechnical supervision during construction.

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

None relevant.

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

2.3.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

The development has been assessed against the relevant chapters of WDCP 2009 and found to be satisfactory. The full table of compliance can be found at **Attachment 3** to this report. It is noted that the development departs from some of the design controls in Chapters B3 Mixed Use Development, relating to the following issues:

- Clause 4.5 Side and rear setbacks/building separation – DCP requires greater than ADG, and ADG control takes precedence.
- Clause 4.15 Solar access - DCP requires greater than ADG, and ADG control takes precedence.
- Clause 4.20 Natural ventilation (kitchen depth certain units) – can be conditioned to rearrange internal layout.

These are discussed in the compliance tables in **Attachment 3** and the variations are supported from a planning perspective.

2.3.2 WOLLONGONG CITY WIDE DEVELOPMENT CONTRIBUTIONS PLAN 2023

Contributions are payable for development exceeding \$100,000. A 1% levy is to be applied.

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

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

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

Environmental Planning and Assessment Regulation 2021

2 Savings

Any act, matter or thing that, immediately before the repeal of the 2000 Regulation, had effect under the 2000 Regulation continues to have effect under this Regulation.

6 Determination of BASIX development

A satisfactory BASIX certificate has been provided.

35B Additional requirements for development applications involving contravention of development standards

Not applicable.

61 Additional matters that consent authority must consider

Conditions of consent are recommended with regard to demolition.

62 Consideration of fire safety

Not applicable.

63 Considerations for erection of temporary structures

Not applicable.

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

The proposal is considered acceptable regarding the likely impacts.

Context and Setting:

Context and setting have been addressed with reference to the principles of Chapter 4 of SEPP Housing. The development is considered to appropriately respond to its major town centre setting. The character of the immediate neighbourhood is largely established and comprises primarily commercial buildings of 1-4 storeys. The proposed height and floor space ratio are consistent with planning controls and the desired future character. The development as revised has responded to matters raised by the DRP and Council's architect.

Access, Transport and Traffic:

The proposal is satisfactory regarding carparking, vehicular access, manoeuvring and servicing. Provision has been made for sufficient car parking, bicycle and motorcycle parking. The traffic generating impacts of the development are acceptable in the locality. The proposed access arrangements are satisfactory to Council's Traffic Engineer.

Public Domain:

Public domain footpath works are proposed in both Daisy Street and Princes Highway frontages in accordance with the requirements of the City Centre Public Domain Technical Manual.

Utilities:

The proposal is not expected to place an unreasonable demand on utility supply. Existing utilities are likely to be capable of augmentation to service the proposal. Recommended conditions include a requirement that the developer makes appropriate arrangements with the relevant servicing authorities prior to construction.

Other land resources:

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

Water:

The site is presently serviced by Sydney Water. The developer will need to liaise with Sydney Water regarding augmentation of existing supply.

Soils:

Geotechnical aspects of the development are satisfactory. Erosion and sedimentation controls are required during excavation and construction.

Air and Microclimate:

The proposal is not expected to adversely impact air or microclimate.

Flora and Fauna:

There is no vegetation removal proposed. Council's landscape architect is supportive of the application and has recommended conditions of consent.

Waste:

A waste management plan has been provided and is satisfactory. . Waste bins will be stored in the waste room and will be collected via domestic kerbside collection. It is recommended that a condition of consent is applied requiring an appropriate receptacle be in place for any waste generated during the construction.

Energy:

The BASIX certificate provided with the application demonstrates that the residential units will achieve compliance with the energy efficiency and thermal comfort targets of SEPP Basix (2004). The development includes rooftop photovoltaics.

Noise and vibration:

The acoustic report discusses external noise intrusion sources including road traffic. Conditions of consent are recommended regarding building design and noise and vibration associated with construction.

Natural hazards:

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

Safety, Security and Crime Prevention:

The application is not expected to result in adverse criminal or antisocial behaviour.

Social Impact:

The application is not expected to result in adverse social impact.

Economic Impact:

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

Site Design and Internal Design:

The application does not result in any departures from development standards as outlined above. A condition will be attached to any consent granted that all works are to comply with the Building Code of Australia.

Construction:

Construction and excavation may potentially adversely impact the neighbourhood. **Attachment 4** contains draft conditions of consent aimed to reduce the impact of construction works, including those relating to hours of work, tree protection, traffic controls, erosion and sedimentation controls, vibration, dust mitigation, works in the road reserve, excavation, waste management, and use of any crane, hoist, plant, or scaffolding.

Cumulative Impacts:

The proposal is not expected to result in adverse cumulative impacts.

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

Does the proposal fit in the locality?

The proposal is considered appropriate with regard to the zoning of the site. No significant adverse impacts on the locality and adjoining land are anticipated.

Are the site attributes conducive to development?

There are no site constraints that would prevent the proposal.

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

Refer discussion at section 1.5.

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

The application is not expected to result in significant adverse impacts on the environment or the amenity of the locality. It is considered appropriate with consideration to the zoning and the character of the area is satisfactory regarding the applicable planning controls.

Approval of the proposal is consistent with the public interest.

3 CONCLUSION

This application has been assessed as satisfactory having regard to Section S4.15(1) of the Environmental Planning and Assessment Act 1979. The proposal is consistent with the provisions of applicable environmental planning instruments including WLEP 2009 and relevant SEPPs and DCP chapters, except where noted in the report. The proposed development is permissible with consent and has regard to the objectives of the E1 Local Centre zone.

Whilst the changes recommended by the DRP have not been fully implemented, it is supported by Councils architect and is still considered to demonstrate design excellence and is supportable in its current form.

Internal and external referrals are satisfactory, and submissions are considered to have been addressed. Minor variations under the ADG and WDCP2009 are supported in this instance.

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 development application DA-2022/1113 be approved subject to appropriate conditions of consent contained in **Attachment 4**.

5 ATTACHMENTS

- 1 Plans
- 2 DRP meeting notes 25 November 2022
- 3 ADG and WDCP 2009 compliance table
- 4 Recommended conditions of consent

PROPOSED MIXED USE SHOP TOP HOUSING DEVELOPMENT
COMPRISING OF RESIDENTIAL UNITS OVER RETAIL USES
WITH GROUND & BASEMENT CARPARKING

AT
68-74 PRINCES HWY & 7-9 DAISY STREET FAIRY MEADOW



3D IMPRESSION
(FROM CORNER OF PRINCES H'WY & DAISY STREET)

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E	20-06-2024	RE-ISSUED FOR DA

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ARCHITECTURAL DRAWING SCHEDULE

No.	DESCRIPTION	SCALE @ A3
A-000	TITLE SHEET	NTS
A-001	SITE DEVELOPMENT SUMMARY	NTS
A-002	SITE ANALYSIS	NTS
A-003	BUILT FORM STUDY 01	1:600
A-003a	BUILT FORM STUDY 02	1:600
A-003b	BUILT FORM STUDY 03	1:400
A-004	CONTEXTUAL STREETSCAPE	NTS
A-101	SITE & ROOF PLAN	1:300
A-102	BASEMENT FLOOR PLAN	1:300
A-103	GROUND FLOOR PLAN	1:300
A-104	LEVEL 1 FLOOR PLAN	1:300
A-105	LEVEL 2 FLOOR PLAN	1:300
A-106	LEVEL 3 FLOOR PLAN	1:300
A-201	ELEVATIONS 01	1:300
A-202	ELEVATIONS 02	1:300
A-203	SECTIONS	1:300
A-204	FACADE DESIGN SECTION	1:300
A-301	PRE & POST ADAPTATION PLAN 01	1:100
A-302	PRE & POST ADAPTATION PLAN 02	1:100
A-303	LIVABLE HOUSING SILVER LEVEL	1:100
A-401	SHADOW ANALYSIS 01	NTS
A-402	SHADOW ANALYSIS 02	NTS
A-403	SUN EYE VIEW STUDY 01	NTS
A-404	SUN EYE VIEW STUDY 02	NTS
A-405	TYPICAL UNIT - SOLAR ACCESS DIAGRAM	NTS
A-501	HEIGHT PLANE DIAGRAM	NTS
A-601	COLOUR AND MATERIALS SCHEDULE	NTS
A-701	DEMOLITION AND SITE MANAGEMENT PLAN	NTS

Designed by



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For

FAIRY MEADOW PROJECTS PTY LTD

Project:	68-74 Princes H'wy & 7 Daisy St, Fairy Meadow	
Project No:	2020-29	
Site Area:	2623.6m²	
Wollongong LEP 2009 Controls		
	Control	Proposed
Land use	B2 - Local Centre	
FSR	1.5:1	1.5:1
Height (m)	15m	

Level	Commercial GFA	Residential GFA	1 bdrm	2 bdrm	Unit Totals
Surplus Parking	39 m²				
Basement					
Ground	570 m²	140 m²			
Level 1		1079.6m²	5	7	12
Level 2		1038.6m²	4	8	12
Level 3		1038.6 m²	4	8	12
TOTAL	609 m²	3256.8 m²	13	23	36
Unit Mix			36%	64%	100%
Proposed GFA		3866.8 m²			
Permissible GFA		3935.4 m²			

Car Parking Requirements (DCP)	Min Rate	Required	Provided
Commercial	1 / 40m²	14.375	18
< 70m²	1 / unit	13	13
70m² - 110m²	1.5 / unit	34.5	35
TOTAL		62.5	66

Visitor Parking Requirements	Min Rate	Required	Provided
	1/5 units	7.2	8
TOTAL		8	8

Bicycle Requirements	Min. Rate	Required	Provided
Residential	1 / 3 units	12	12
Commercial	1 / 200 m²	3.03	3
Commercial Visitor	1 / 750 m²	1	1
Residential Visitor	1 / 12 units	3	3
Total		18.95	19

Motorcycle Parking Requirements	Min Rate	Required	Provided
Residents	1/15 units	2.4	3
Commercial	1/15 car spaces	1	2
TOTAL		3.4	5

Adaptable Units Requirements	Min Rate	Required	Provided
Residents	10%	3.6	4
TOTAL		3.6	4

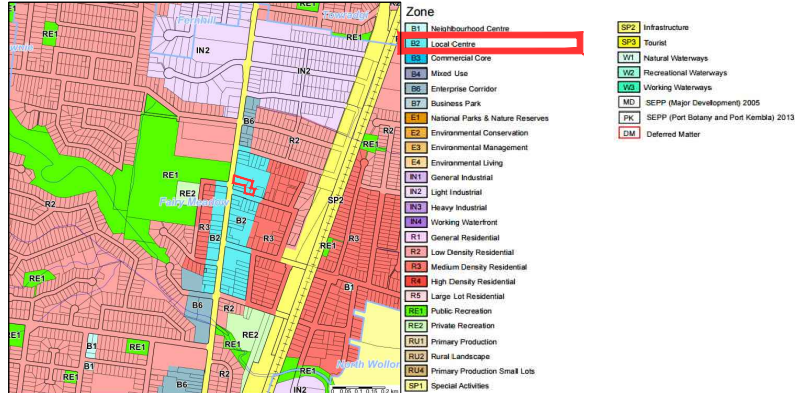
Communal Open Space Requirements	Min Rate	Required	Provided
Residents	25%	655.9	801 / 31 %

Waste Management	Garbage	Recycling	Green waste	Compost Bin
Residential	Rate: 80L/unit/week	80L/unit/fortnight		
	Weekly Total: 2880L	2880L		
Total Bins Required	240L	12	1	1
Total Bins Provided		14		
Commercial Premises	Rate: 50L/100m²/day	50L/100m²/day		
	Weekly Total: 2119 L	2119 L		
Total Bins Required	240L	9		
Total Bins Provided	240L	9	1	1

NATHERS THERMAL PERFORMANCE SPECIFICATION

NatHERS Thermal Performance Specification - Fairy Meadow			
External Walls			
Wall Type	Insulation	Colour	Comments
Metal cladding	R2.5	Med - SA 0.475 - 0.70	As per elevations
Brick Veneer	R2.5	Dark - SA > 0.70	As per elevations
SA - Solar Absorptance			
Internal Walls			
Wall Type	Insulation	Comments	
Plasterboard Stud	None	Internally in units	
Hebel Panel on studs	None	Party walls between dwellings/lobby	
Concrete panel/ blockwork	None	Shared walls with stairs/lift	
Floors			
Floor Type	Insulation	Comments	
Suspended concrete slab	R1.5	Units above carpark: A103, A109, B104, B105, B106	
Concrete slab	None	Unit/commercial space below	
Ceilings			
Ceiling Type	Insulation	Comments	
Plasterboard	None	Unit/ Floor above	
Plasterboard	R2.5	Roof/air above (Units: A102, A103, A104, A105, A301, A302, A303, A304, A305, A306, B104, B105, B106, B301, B302, B303, B304, B305, B306)	
Insulation loss due to downlights has been modelled in this assessment. A sealed exhaust fan has been included in every kitchen, bathroom, laundry and ensuite.			
Roof			
Roof Type	Insulation	Colour	Comments
Concrete with waterproofing membrane	None	Med - SA 0.475 - 0.70	Roof/air above (no roof space)
SA - Solar Absorptance			
Glazing			
Opening type	U-Value	SHGC	Glazing & Frame Type
Sliding + Fixed: Throughout except below	6.7	0.70	e.g. Single glazed clear Aluminium frame
Sliding + Fixed: Units A106, A303	5.4	0.58	e.g. Single glazed Low-e clear Aluminium frame
Awning: Throughout except below	6.7	0.57	e.g. Single glazed clear Aluminium frame
Awning: Units A106, A303	5.4	0.49	e.g. Single glazed Low-e clear Aluminium frame
U and SHGC values are based on the AFRC Default Windows Set. Glazing systems to be installed must have an equal or lower U value and a SHGC value ± 10% of the above specified values.			
Skylights			
Skylight Type	Frame Type	Comments	
na	na	na	

Figure A: Land Zoning Map



B2 - Local Centre

Figure B: Floor Space Ratio Map

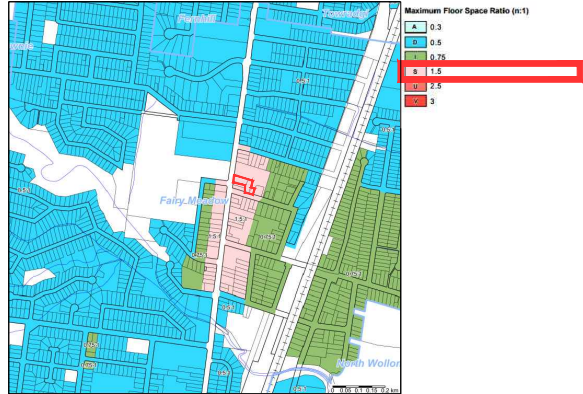


Figure C: Height of Building Map

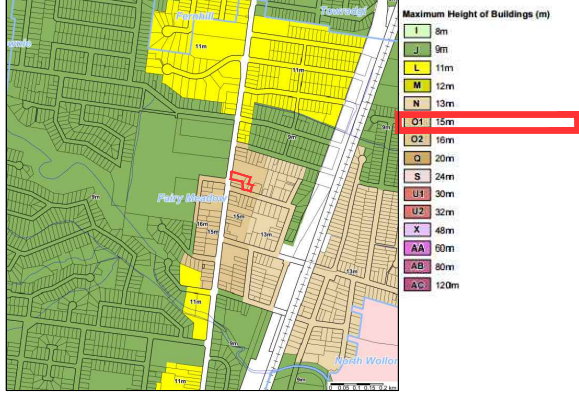
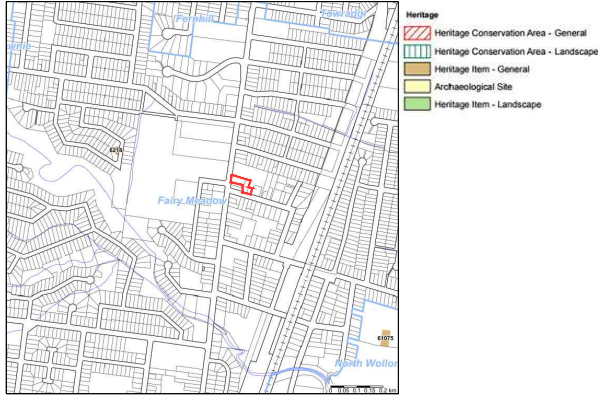


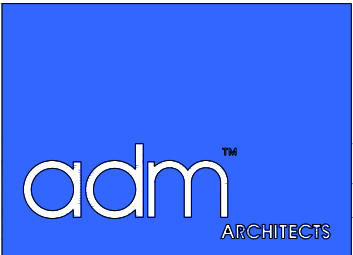
Figure D: Heritage Map



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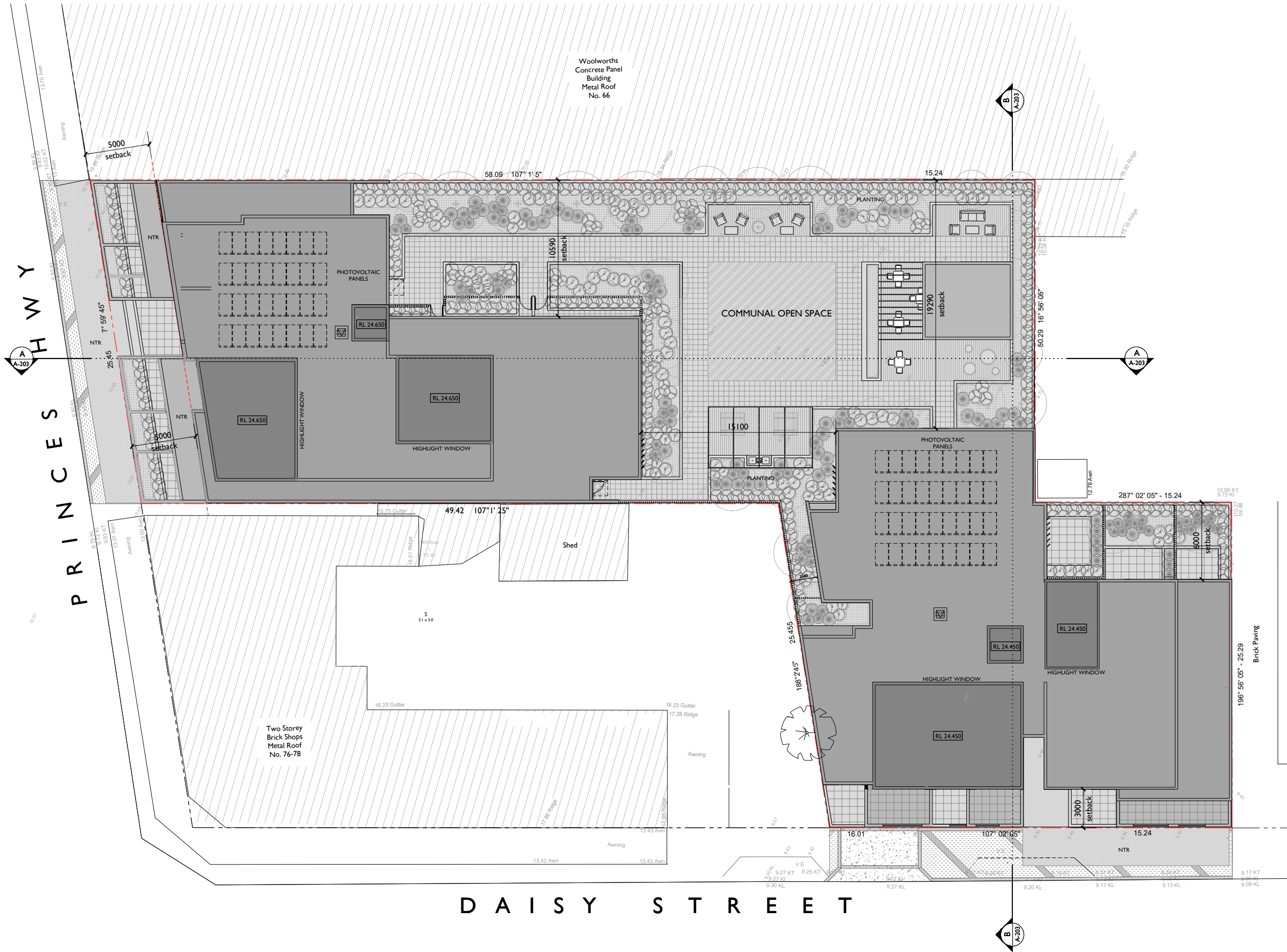
Project

PROPOSED MIXED USE SHOP TOP HOUSING
DEVELOPMENT COMPRISING OF RESIDENTIAL
UNITS OVER RETAIL USES WITH GROUND
& BASEMENT CAR PARKING

At
68-74 PRINCES HWY
& 7-9 DAISY STREET
FAIRY MEADOW
For
FAIRY MEADOW PROJECTS PTY LTD

Title		
DEVELOPMENT APPLICATION SITE DEVELOPMENT SUMMARY		
Scale	Date	
NTS	JUNE 2024	
Drawn	Checked	
LGD,HR	ADM	
Project No.	Drawing No.	Issue
2020-29	A-001	E

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PROPOSED DEVELOPMENT BUILDING A

BASEMENT	RL 7.800
GROUND	RL 10.800
LEVEL 1	RL 14.800
LEVEL 2	RL 17.850
LEVEL 3	RL 20.900
ROOF	RL 23.950

PROPOSED DEVELOPMENT BUILDING B

BASEMENT	RL 7.130
GROUND	RL 10.130
LEVEL 1	RL 14.800
LEVEL 2	RL 17.850
LEVEL 3	RL 20.900
ROOF	RL 23.950

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Project

PROPOSED MIXED USE SHOP TOP HOUSING
DEVELOPMENT COMPRISING OF RESIDENTIAL
UNITS OVER RETAIL USES WITH GROUND
& BASEMENT CAR PARKING

At

68-74 PRINCES HWY
& 7-9 DAISY STREET
FAIRY MEADOW

For

FAIRY MEADOW PROJECTS PTY LTD

Title DEVELOPMENT APPLICATION SITE & ROOF PLAN		
Scale 1:300 @ A3 1:150 @ A1	Date JUNE 2024	
Drawn	Checked	
LGD,HR	ADM	
Project No. 2020-29	Drawing No. A-101	Issue D

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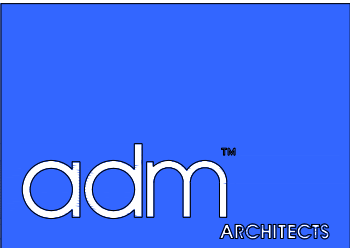
SITE & ROOF PLAN

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

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Project

PROPOSED MIXED USE SHOP TOP HOUSING
DEVELOPMENT COMPRISING OF RESIDENTIAL
UNITS OVER RETAIL USES WITH GROUND
& BASEMENT CAR PARKING

At

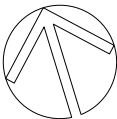
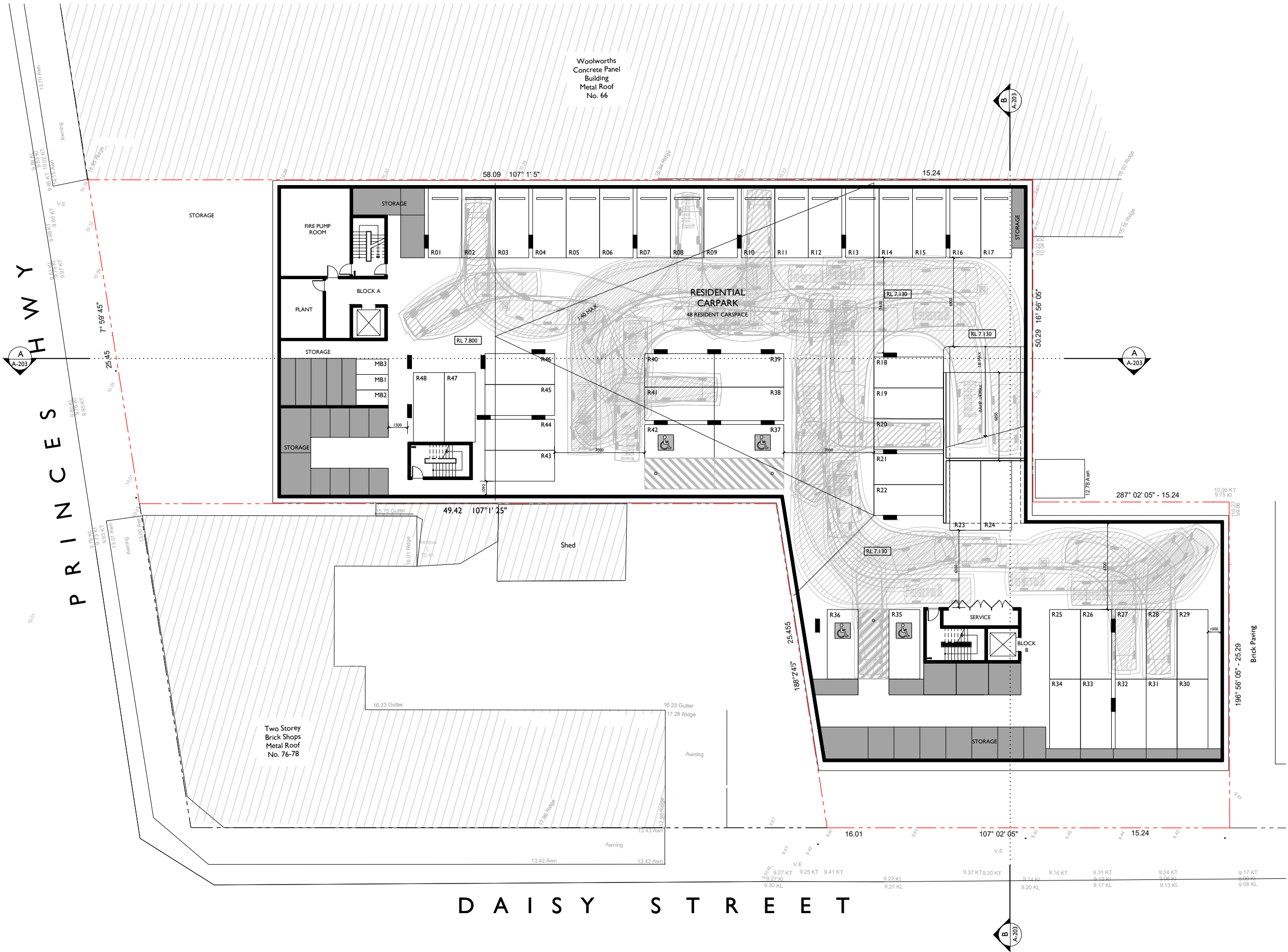
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& 7-9 DAISY STREET
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For

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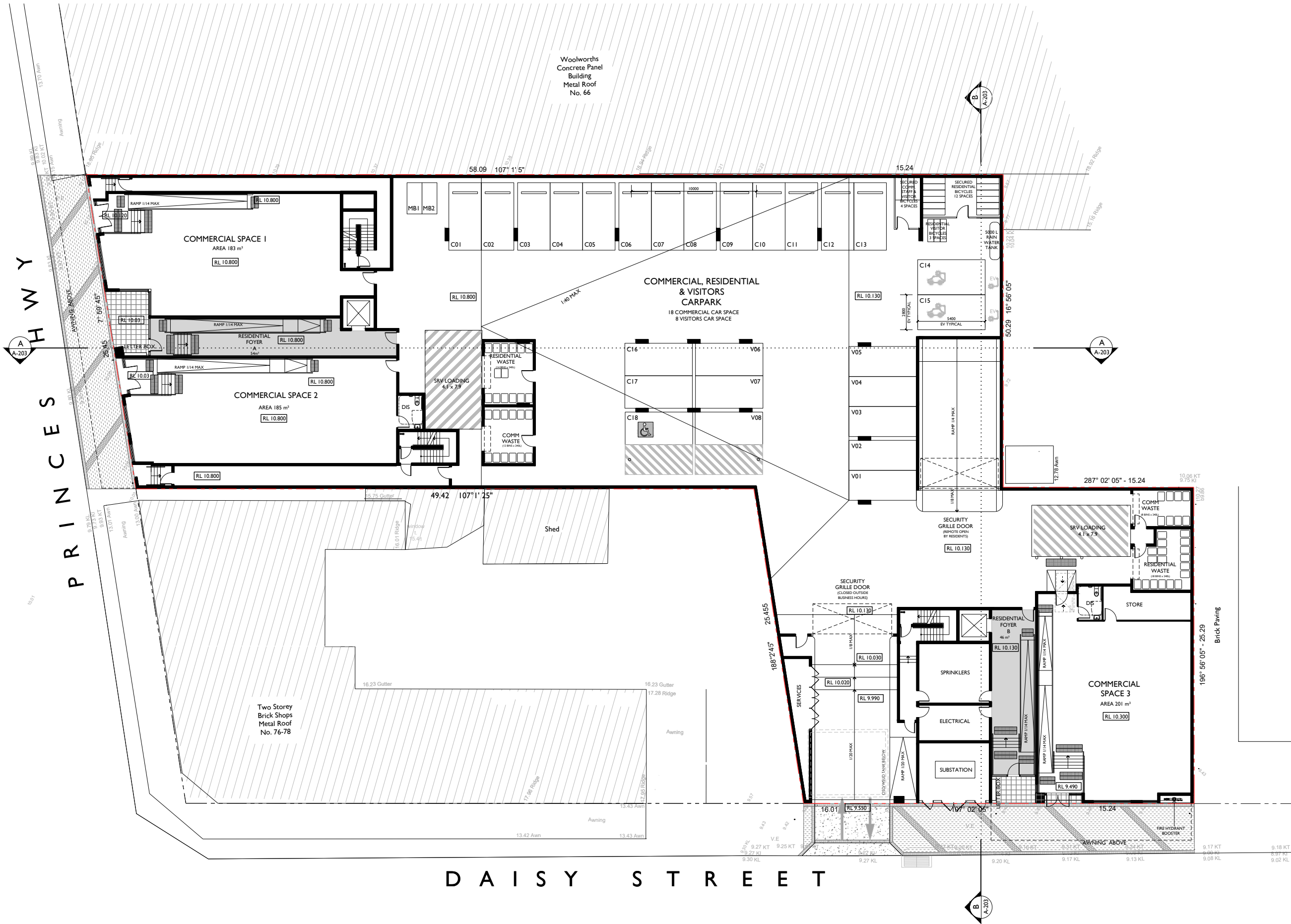
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Scale	Date	
1:300 @ A3 1:150 @ A1	JUNE 2024	
Drawn	Checked	
LGD,HR	ADM	
Project No.	Drawing No.	Issue
2020-29	A-102	D

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BASEMENT FLOOR PLAN

RL 7.800
RL 7.130



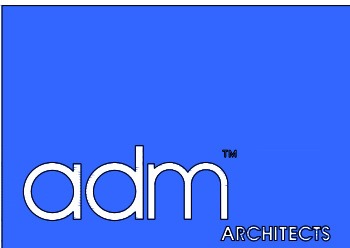
GROUND FLOOR PLAN

RL 10.800
RL 10.130

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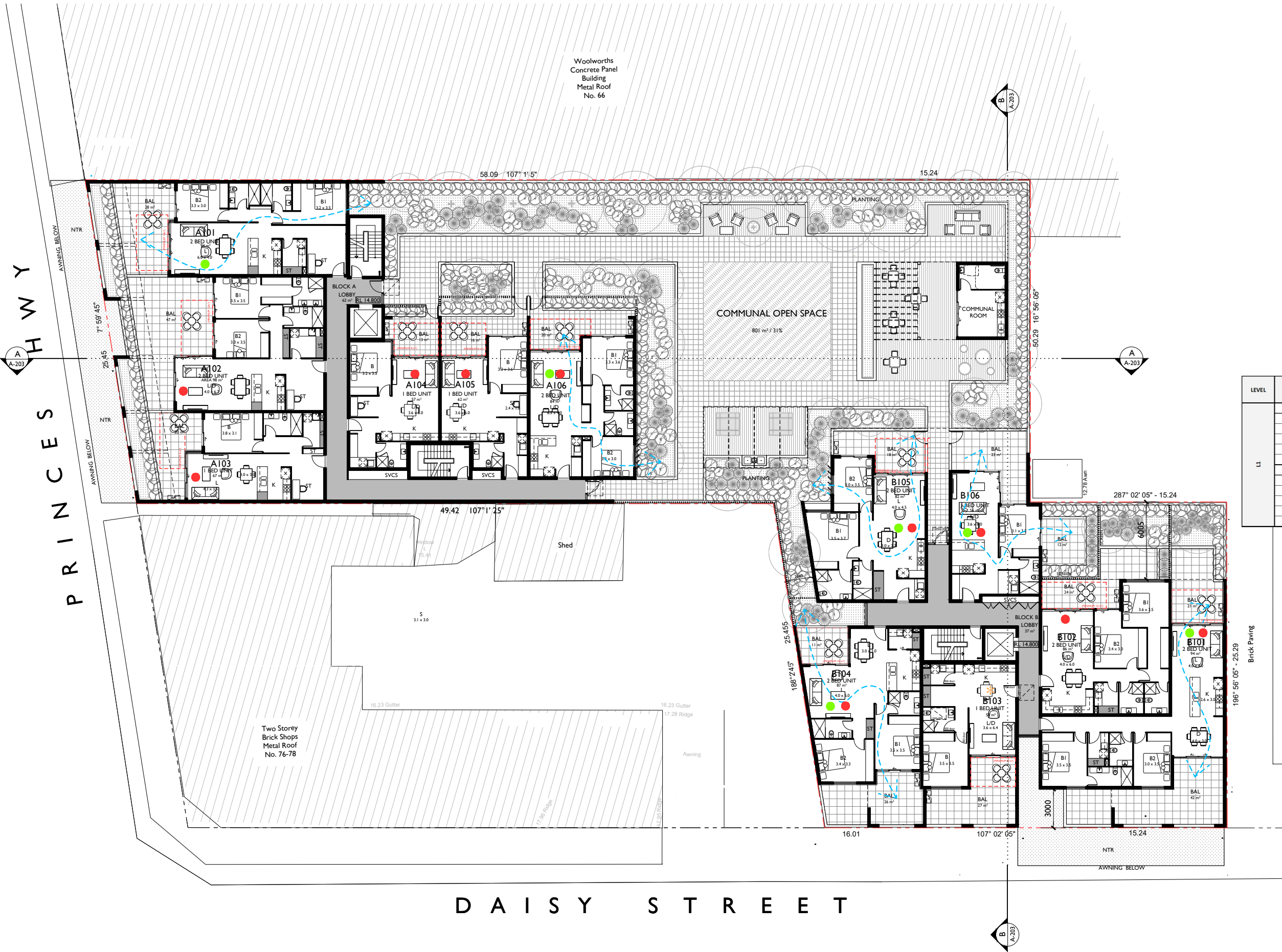
PROPOSED MIXED USE SHOP TOP HOUSING
DEVELOPMENT COMPRISING OF RESIDENTIAL
UNITS OVER RETAIL USES WITH GROUND
& BASEMENT CAR PARKING

At
68-74 PRINCES HWY
& 7-9 DAISY STREET
FAIRY MEADOW

For
FAIRY MEADOW PROJECTS PTY LTD

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Project No. 2020-29	Drawing No. A-103	Issue F

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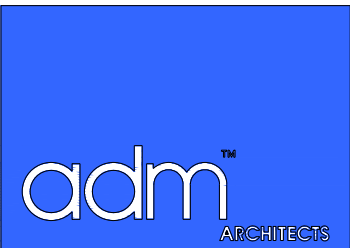
- LEGEND
- SUNLIGHT ACCESS
 - CROSS VENTILATION
 - MINIMUM POS
 - LIVABLE HOUSING

NOTE

UNITS B103, B203 & B303
MEET LIVABLE HOUSING GUIDELINES SILVER LEVEL.

REFER TO PAGES 13-14 OF ACCESS REPORT FOR DETAILS ON COMPLIANCE.

LEVEL	UNIT	SUNLIGHT ACCESS						
		9:00	10:00	11:00	12:00	13:00	14:00	15:00
L1	A101	✗	✗	✗	✗	✓	✓	✓
	A102	✗	✗	✗	✗	✓	✓	✓
	A103	✗	✗	✗	✗	✓	✓	✓
	A104	✓	✓	✓	✓	✗	✗	✗
	A105	✓	✓	✓	✓	✗	✗	✗
	A106	✓	✓	✓	✓	✗	✗	✗
	B101	✓	✓	✓	✓	✗	✗	✗
	B102	✓	✓	✓	✓	✗	✗	✗
	B103	✗	✗	✗	✗	✗	✗	✗
	B104	✓	✓	✓	✓	✓	✓	✓
L1	B105	✓	✓	✓	✓	✓	✓	✓
	B106	✓	✓	✓	✓	✓	✓	✓



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Project

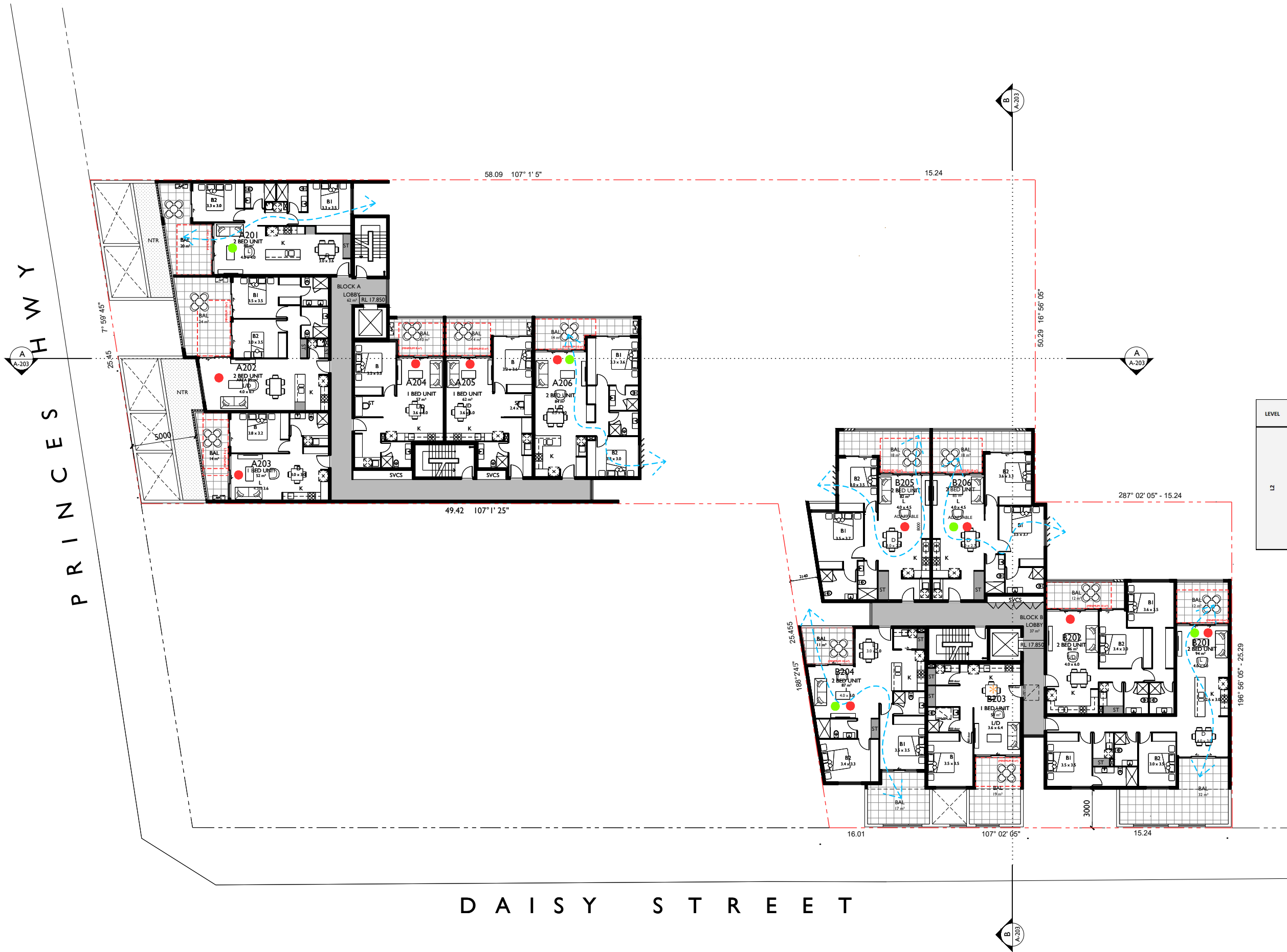
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UNITS OVER RETAIL USES WITH GROUND
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At
68-74 PRINCES HWY
& 7-9 DAISY STREET
FAIRY MEADOW

For
FAIRY MEADOW PROJECTS PTY LTD

Title DEVELOPMENT APPLICATION LEVEL I FLOOR PLAN		
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Drawn LGD,HR	Checked ADM	
Project No. 2020-29	Drawing No. A-104	Issue D

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LEGEND

- SUNLIGHT ACCESS
- CROSS VENTILATION

MINIMUM POS

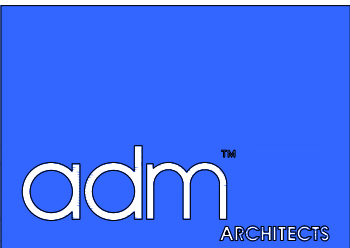
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MEET LIVABLE HOUSING GUIDELINES SILVER LEVEL.

REFER TO PAGES 13-14 OF ACCESS REPORT FOR DETAILS ON COMPLIANCE.

LEVEL	UNIT	SUNLIGHT ACCESS						
		9:00	10:00	11:00	12:00	13:00	14:00	15:00
L2	A201	✗	✗	✗	✗	✗	✗	✓
	A202	✗	✗	✗	✗	✓	✓	✓
	A203	✗	✗	✗	✗	✓	✓	✓
	A204	✓	✓	✓	✓	✓	✗	✗
	A205	✓	✓	✓	✓	✓	✗	✗
	A206	✓	✓	✓	✓	✓	✗	✗
	B201	✓	✓	✓	✓	✓	✗	✗
	B202	✓	✓	✓	✓	✓	✗	✗
	B203	✗	✗	✗	✗	✓	✓	✓
	B204	✗	✗	✗	✓	✓	✓	✗
	B205	✓	✓	✓	✓	✓	✗	✗
	B206	✓	✓	✓	✓	✓	✗	✗



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Project

PROPOSED MIXED USE SHOP TOP HOUSING
DEVELOPMENT COMPRISING OF RESIDENTIAL
UNITS OVER RETAIL USES WITH GROUND
& BASEMENT CAR PARKING

At

68-74 PRINCES HWY
& 7-9 DAISY STREET
FAIRY MEADOW

For

FAIRY MEADOW PROJECTS PTY LTD

Title

DEVELOPMENT APPLICATION
LEVEL 2 FLOOR PLAN

Scale

1:300 @ A3
1:150 @ A1

Drawn

LGD,HR

Project No.

2020-29

Date

JUNE 2024

Checked

ADM

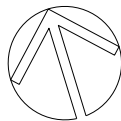
Drawing No.

A-105

Issue

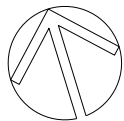
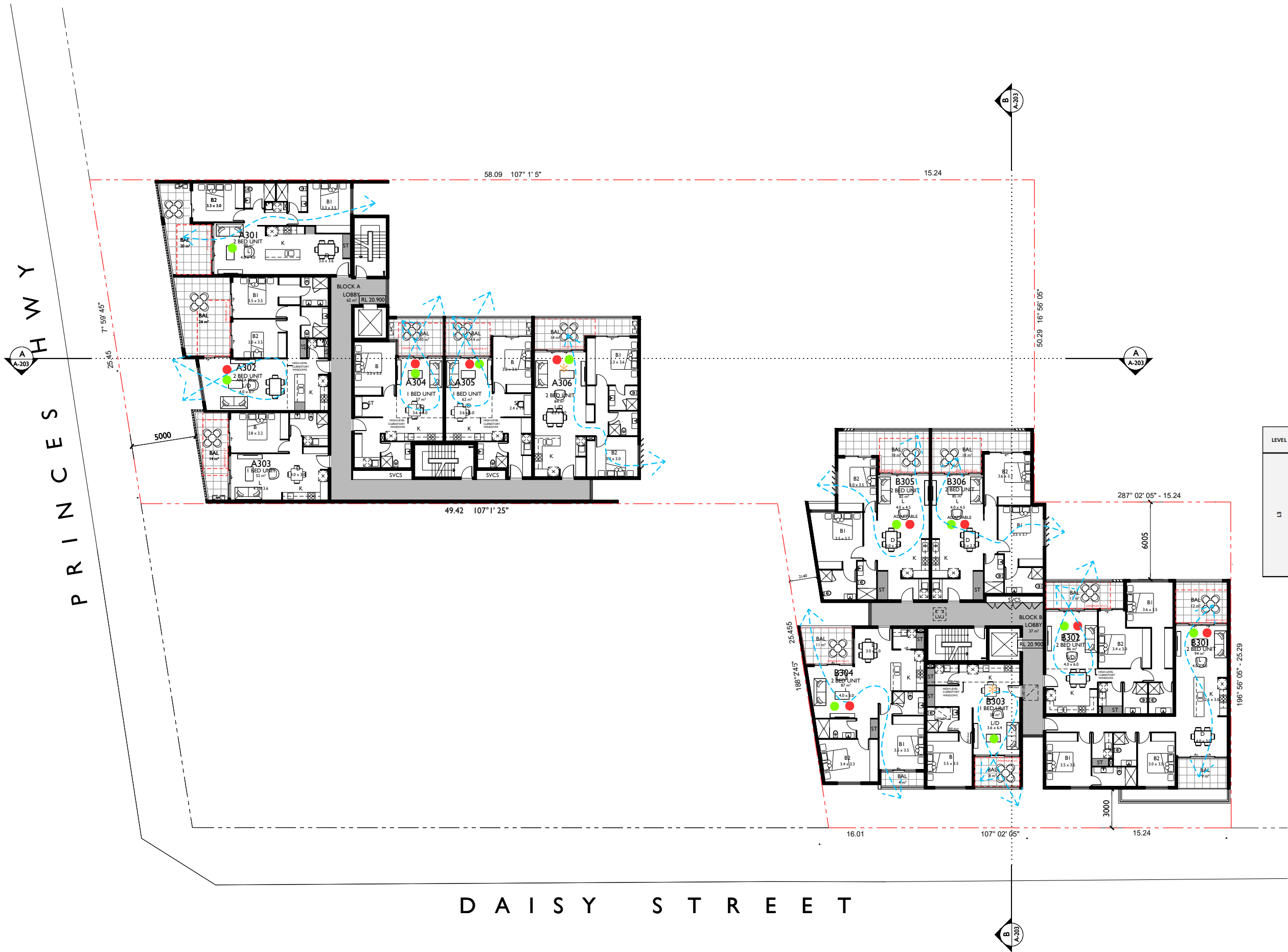
D

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LEVEL 2 FLOOR PLAN

RL 17.850



LEVEL 3 FLOOR PLAN

RL 20.900

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A	09-09-2022	ISSUED FOR DA
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C	31-01-2024	RE-ISSUED FOR DA
D	20-06-2024	RE-ISSUED FOR DA

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LEGEND

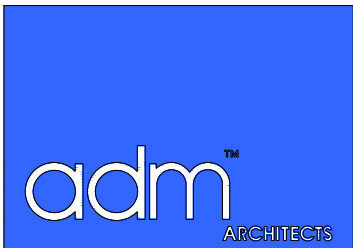
- SUNLIGHT ACCESS
- CROSS VENTILATION
- MINIMUM POS
- LIVABLE HOUSING

NOTE

UNITS B103, B203 & B303
MEET LIVABLE HOUSING GUIDELINES SILVER LEVEL.

REFER TO PAGES 13-14 OF ACCESS REPORT FOR DETAILS ON COMPLIANCE.

LEVEL	UNIT	SUNLIGHT ACCESS						
		9:00	10:00	11:00	12:00	13:00	14:00	15:00
L3	A301	✗	✗	✗	✗	✗	✗	✗
	A302	✗	✗	✗	✗	✗	✗	✗
	A303	✗	✗	✗	✗	✗	✗	✗
	A304	✓	✓	✓	✓	✗	✗	✗
	A305	✓	✓	✓	✓	✓	✗	✗
	A306	✓	✓	✓	✓	✓	✗	✗
	B301	✓	✓	✓	✓	✓	✗	✗
	B302	✓	✓	✓	✓	✗	✗	✗
	B303	✗	✗	✗	✗	✗	✗	✗
	B304	✗	✗	✗	✗	✓	✓	✓
	B305	✓	✓	✓	✓	✓	✗	✗
	B306	✓	✓	✓	✓	✓	✗	✗



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Project

PROPOSED MIXED USE SHOP TOP HOUSING
DEVELOPMENT COMPRISING OF RESIDENTIAL
UNITS OVER RETAIL USES WITH GROUND
& BASEMENT CAR PARKING

At

68-74 PRINCES HWY
& 7-9 DAISY STREET
FAIRY MEADOW

For

FAIRY MEADOW PROJECTS PTY LTD

Title

DEVELOPMENT APPLICATION
LEVEL 3 FLOOR PLAN

Scale

1:300 @ A3
1:150 @ A1

Drawn

LGD,HR

Project No.

2020-29

Date

JUNE 2024

Checked

ADM

Drawing No.

A-106

Issue

D

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COLOUR AND MATERIALS SCHEDULE

1

DULUX
MONUMENT
WALLING , WALL RENDER

2

DULUX
LEXICON WHITE
CONCRETE EDGES,
WALLING,WALL RENDER

3

TIMBER LOOK
ALUMINIUM
LIGHT OAK

4

TINTED GLAZING
GLAZING ELEMENTS AND
BALUSTRADES

5

POWDERCOAT
MONUMENT
DOOR AND WINDOW
FRAMES, HANDRAILS, AND
SCREENING

6

AUSTRAL BLUE GUM
BRICK
WALLING

7

ALUMINUM SHEET
CLADDING WITH JOINTS
(NON COMBUSTIBLE)
WINDSPRAY

8

WALL CLADDING
BLUE STONE GRANITE
WALLING

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E	20-06-2024	RE-ISSUED FOR DA

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Project

PROPOSED MIXED USE SHOP TOP HOUSING
DEVELOPMENT COMPRISING OF RESIDENTIAL
UNITS OVER RETAIL USES WITH GROUND
& BASEMENT CAR PARKING

At
68-74 PRINCES HWY
& 7-9 DAISY STREET
FAIRY MEADOW
For
FAIRY MEADOW PROJECTS PTY LTD

Title		
DEVELOPMENT APPLICATION COLOUR & MATERIALS SCHEDULE		
Scale	Date	
NTS	JUNE 2024	
Drawn	Checked	
LGD,HR	ADM	
Project No.	Drawing No.	Issue
2020-29	A-601	E

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D	31-01-2024	RE-ISSUED FOR DA
E	20-06-2024	RE-ISSUED FOR DA
F	08-08-2024	RE-ISSUED FOR DA

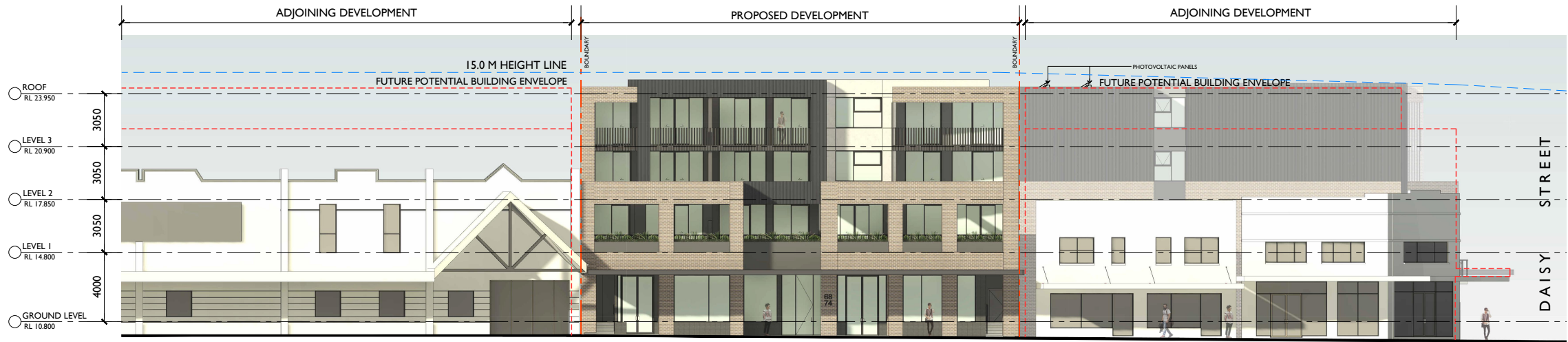
NOT FOR CONSTRUCTION
LEGEND



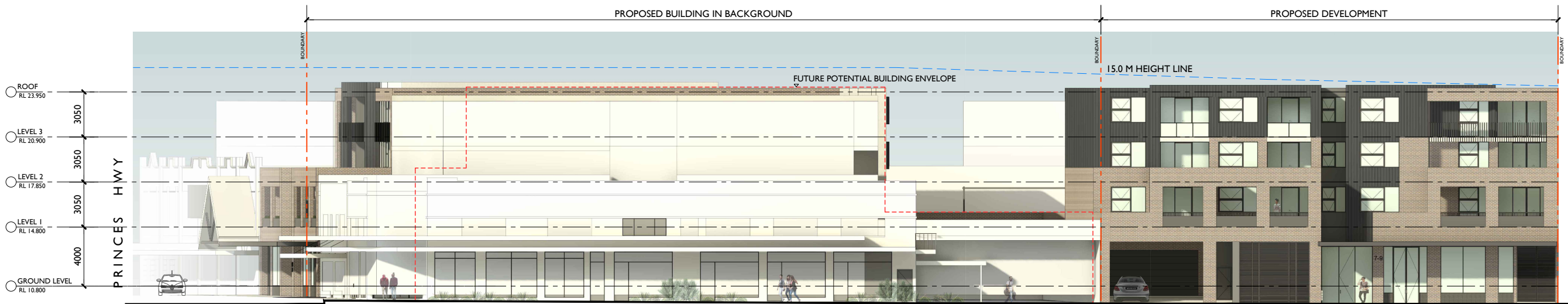
FUTURE POTENTIAL
BUILDING ENVELOPE



15.0 M HEIGHT LINE



WEST ELEVATION
PRINCES HWY ASPECT



SOUTH ELEVATION
DAISY STREET ASPECT

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Project

PROPOSED MIXED USE SHOP TOP HOUSING
DEVELOPMENT COMPRISING OF RESIDENTIAL
UNITS OVER RETAIL USES WITH GROUND
& BASEMENT CAR PARKING

At
68-74 PRINCES HWY
& 7-9 DAISY STREET
FAIRY MEADOW

For
FAIRY MEADOW PROJECTS PTY LTD

Title DEVELOPMENT APPLICATION ELEVATIONS 01		
Scale 1:300 @ A3 1:150 @ A1	Date JUNE 2024	
Drawn LGD,HR	Checked ADM	
Project No. 2020-29	Drawing No. A-201	Issue F

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D	20-06-2024	RE-ISSUED FOR DA
E	08-08-2024	RE-ISSUED FOR DA

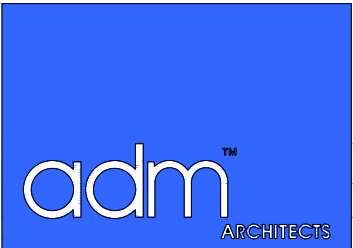
NOT FOR CONSTRUCTION
LEGEND



FUTURE POTENTIAL
BUILDING ENVELOPE



15.0 M HEIGHT LINE



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Project

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DEVELOPMENT COMPRISING OF RESIDENTIAL
UNITS OVER RETAIL USES WITH GROUND
& BASEMENT CAR PARKING

At

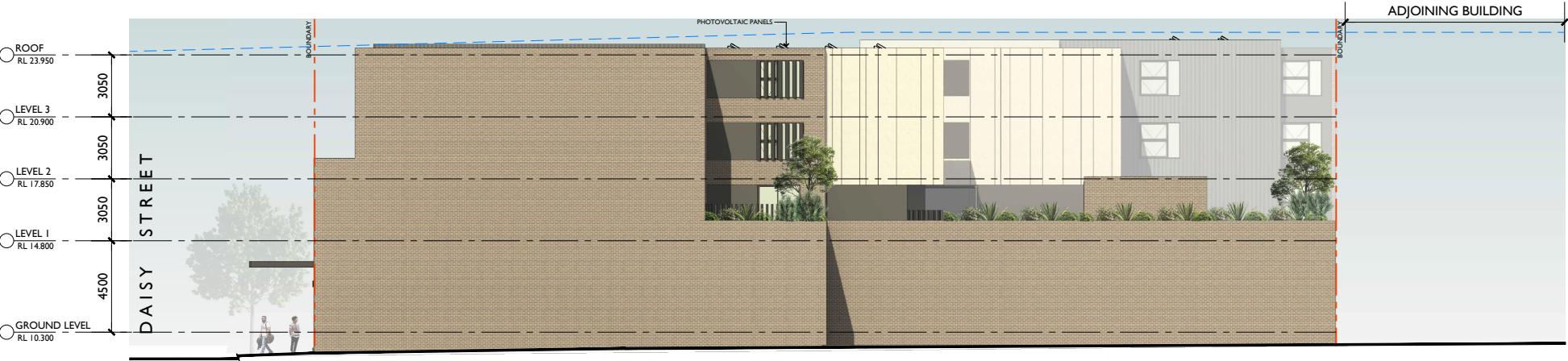
68-74 PRINCES HWY
& 7-9 DAISY STREET
FAIRY MEADOW

For

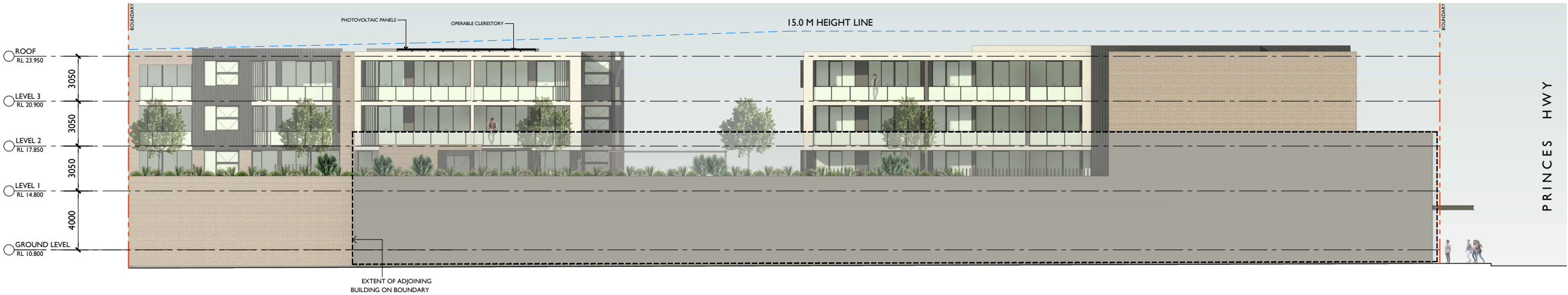
FAIRY MEADOW PROJECTS PTY LTD

Title DEVELOPMENT APPLICATION ELEVATIONS 02		
Scale 1:300 @ A3 1:150 @ A1	Date JUNE 2024	
Drawn LGD,HR	Checked ADM	
Project No. 2020-29	Drawing No. A-202	Issue E

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EAST ELEVATION



NORTH ELEVATION

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E	20-06-2024	RE-ISSUED FOR DA

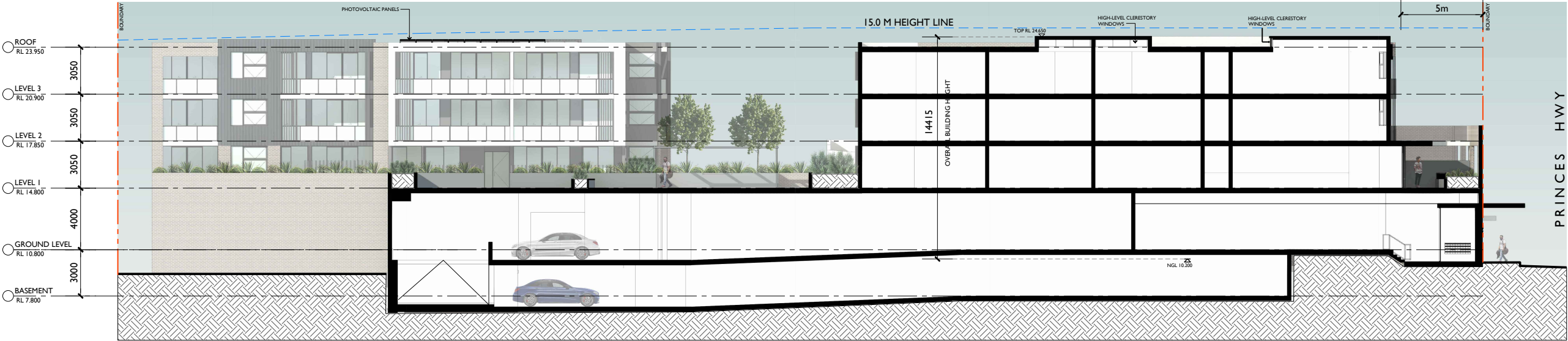
NOT FOR CONSTRUCTION
LEGEND



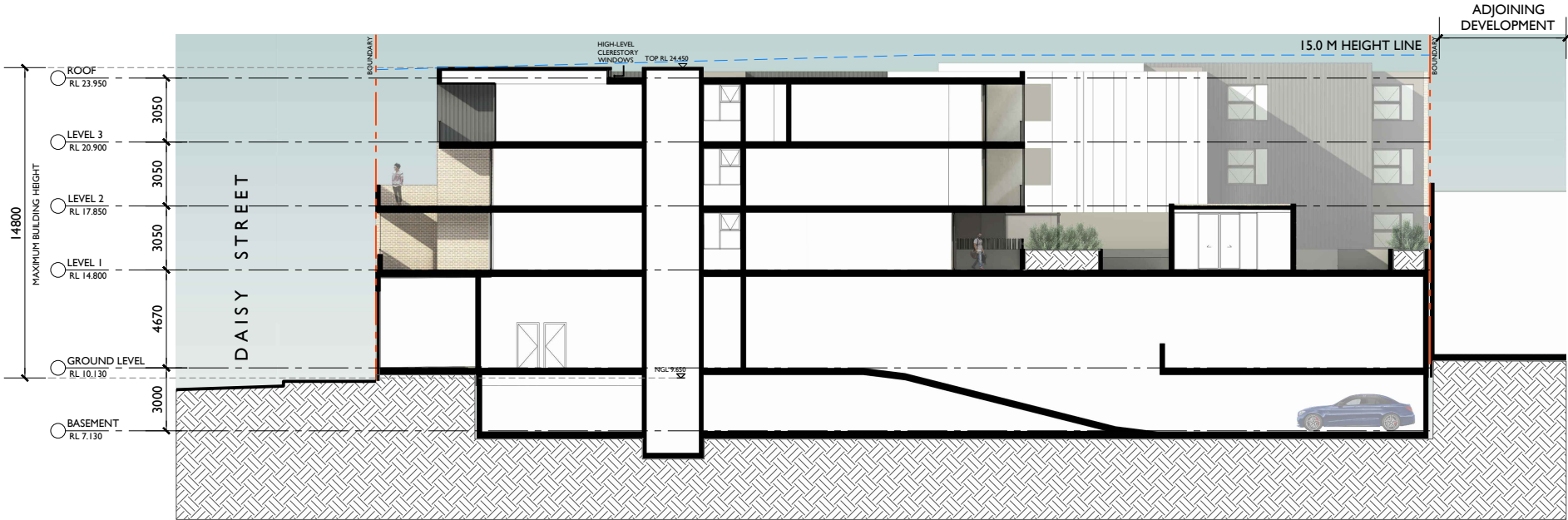
FUTURE POTENTIAL
BUILDING ENVELOPE



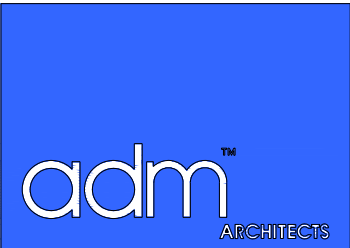
15.0 M HEIGHT LINE



SECTION AA
PRINCES HWY ASPECT



SECTION BB
DAISY STREET ASPECT



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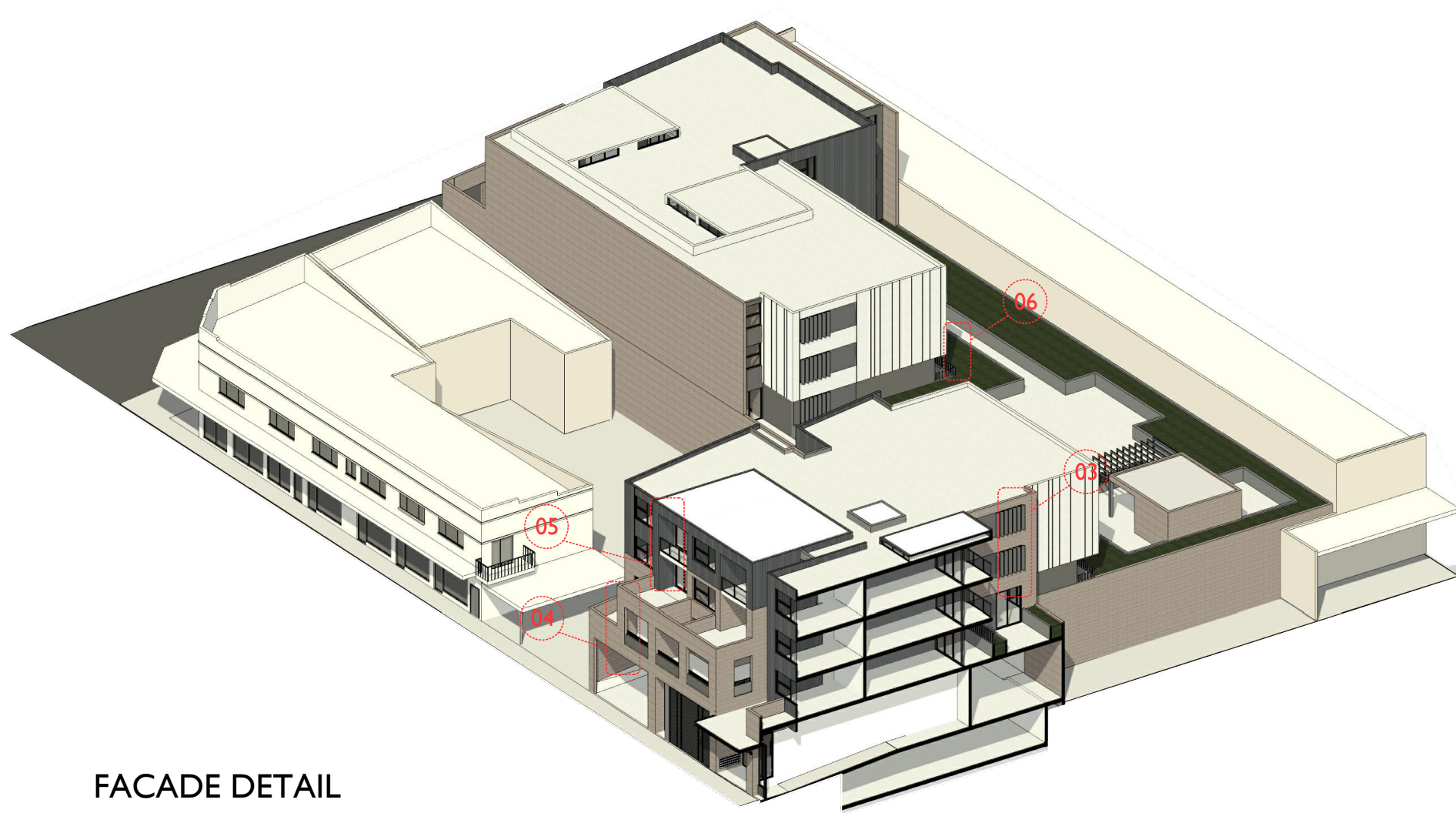
Project

PROPOSED MIXED USE SHOP TOP HOUSING
DEVELOPMENT COMPRISING OF RESIDENTIAL
UNITS OVER RETAIL USES WITH GROUND
& BASEMENT CAR PARKING

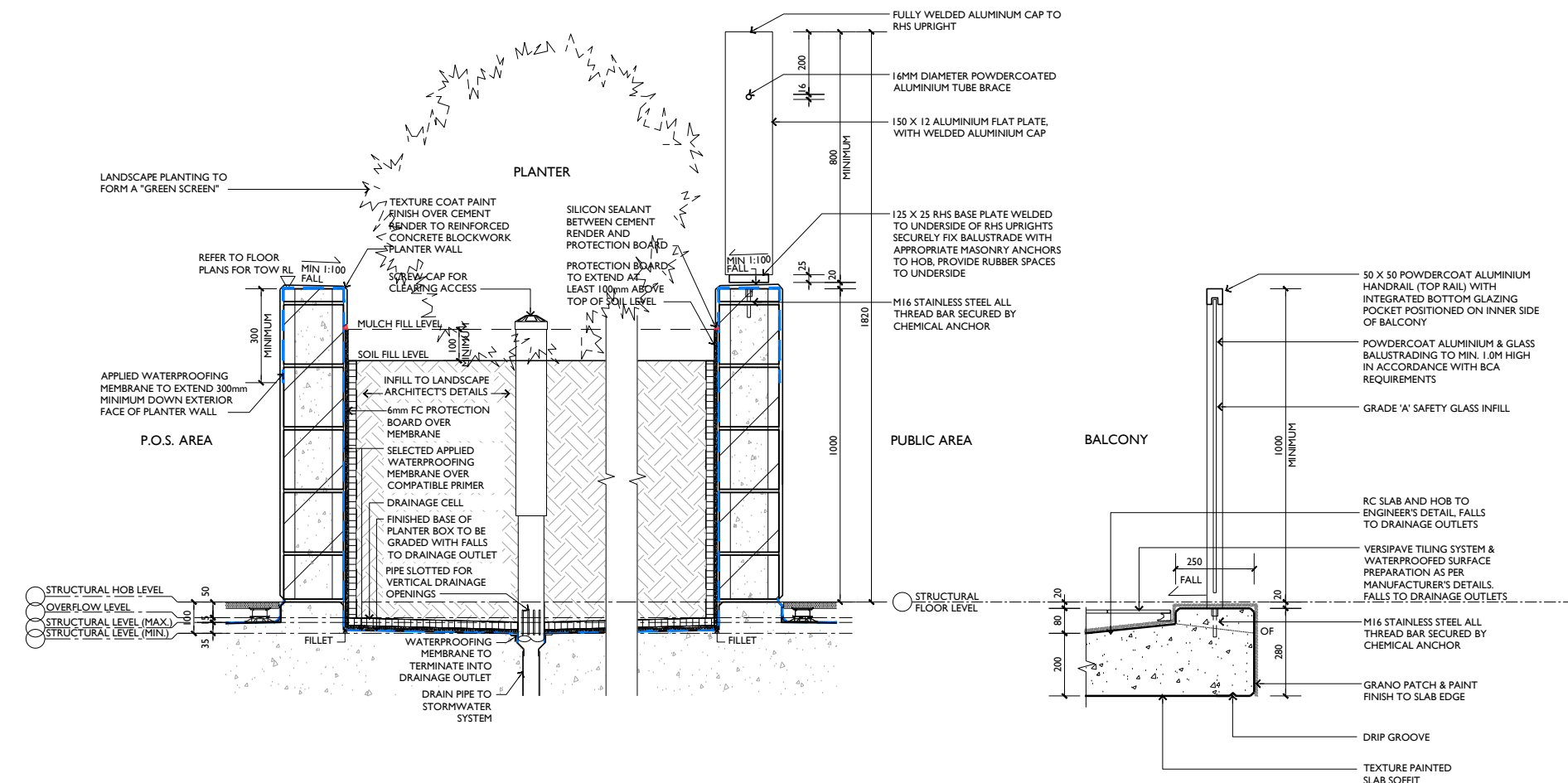
At
68-74 PRINCES HWY
& 7-9 DAISY STREET
FAIRY MEADOW

For
FAIRY MEADOW PROJECTS PTY LTD

Title		
DEVELOPMENT APPLICATION SECTIONS		
Scale 1:300 @ A3 1:150 @ A1	Date JUNE 2024	
Drawn LGD,HR	Checked ADM	
Project No. 2020-29	Drawing No. A-203	Issue E

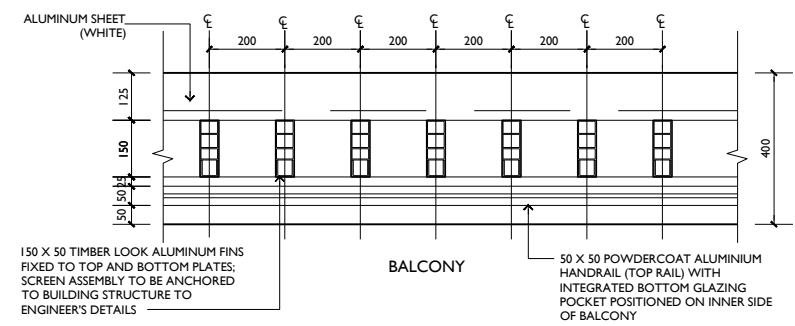


FACADE DETAIL

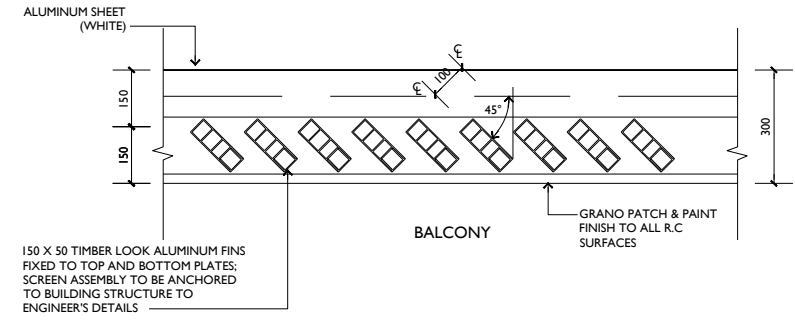


06 TYPICAL RAISED PLANTER BOX
SCALE 1:10 @ A1

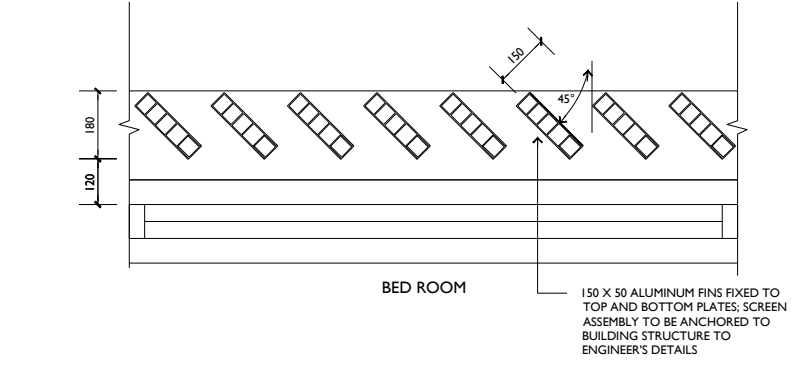
05 TYPICAL GLAZED BALUSTRADE
SCALE 1:10 @ A1



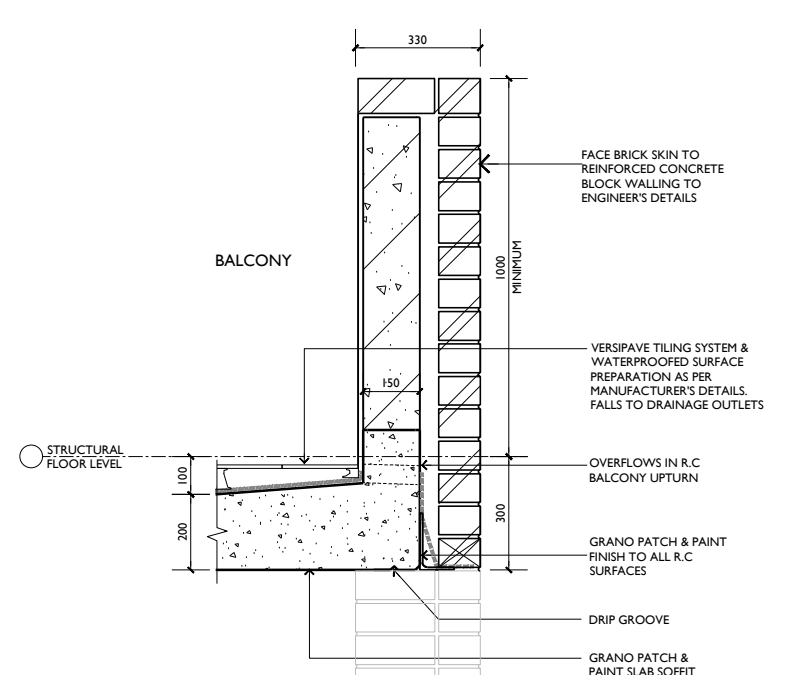
01 TYPICAL GLAZED BALUSTRADE & SCREEN PLAN
SCALE 1:10 @ A1 (NO PRIVACY ISSUE)



02 TYPICAL SOLID BALUSTRADE & SCREEN PLAN (INCL. BETWEEN P.O.S.)
SCALE 1:10 @ A1 (FOR PRIVACY)



03 TYPICAL WINDOWS SCREEN PLAN
SCALE 1:10 @ A1 (FOR PRIVACY)



04 TYPICAL SOLID BALUSTRADE
SCALE 1:10 @ A1

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Project

PROPOSED MIXED USE SHOP TOP HOUSING DEVELOPMENT COMPRISING OF RESIDENTIAL UNITS OVER RETAIL USES WITH GROUND & BASEMENT CAR PARKING

At
68-74 PRINCES HWY
& 7-9 DAISY STREET
FAIRY MEADOW

For
FAIRY MEADOW PROJECTS PTY LTD

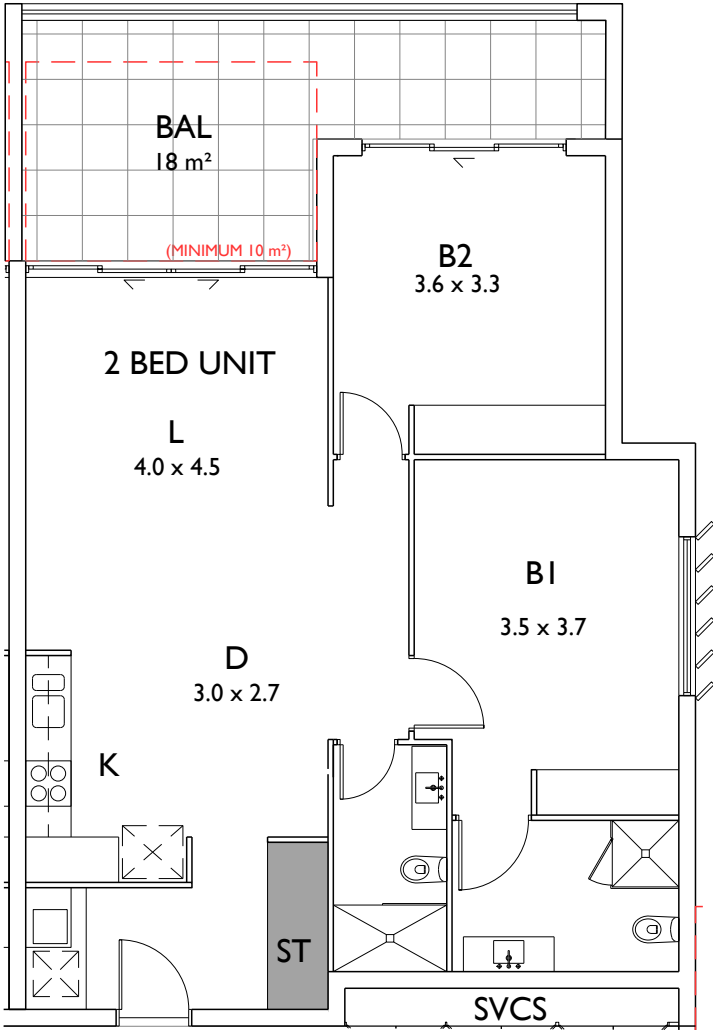
Title DEVELOPMENT APPLICATION FACADE DESIGN SECTION		
Scale AS NOTED	Date JUNE 2024	
Drawn LGD,HR	Checked ADM	
Project No. 2020-29	Drawing No. A-204	Issue C

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D	20-06-2024	RE-ISSUED FOR DA

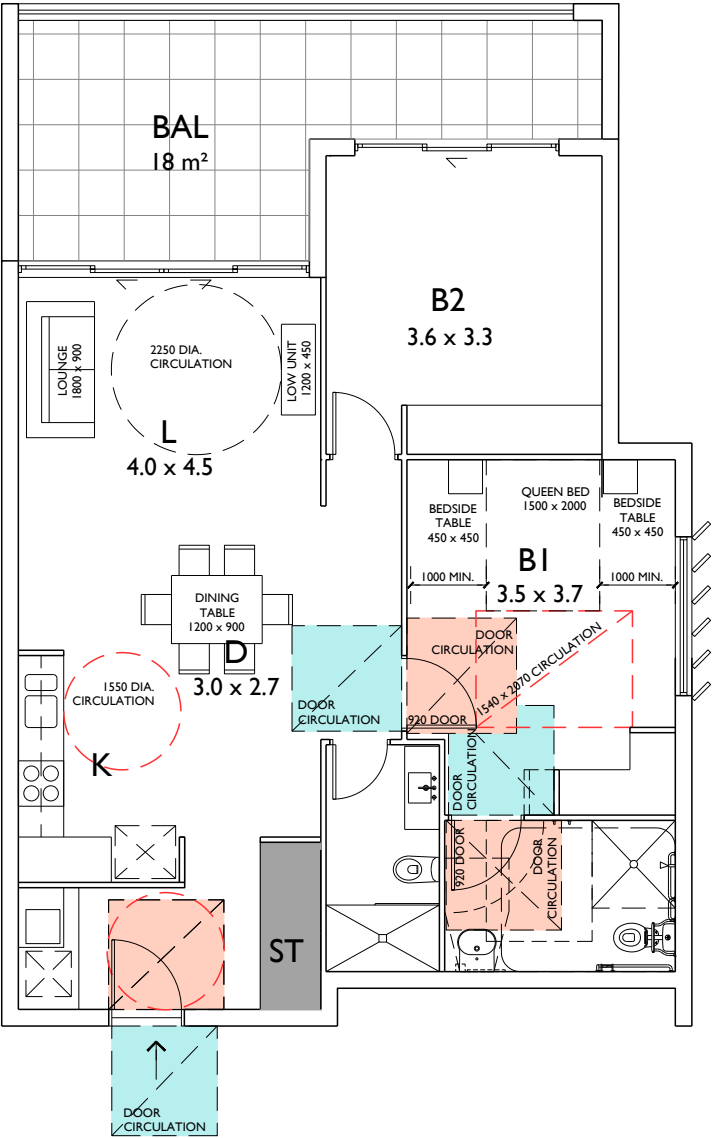
NOT FOR CONSTRUCTION



PRE - ADAPTATION PLAN

UNITS B206, B306 (AS SHOWN)

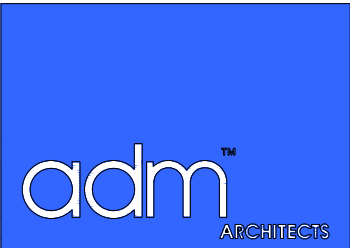
CLASS C ADAPTABLE UNIT TO AS 4299



POST - ADAPTATION PLAN

UNITS B206, B306 (AS SHOWN)

CLASS C ADAPTABLE UNIT TO AS 4299



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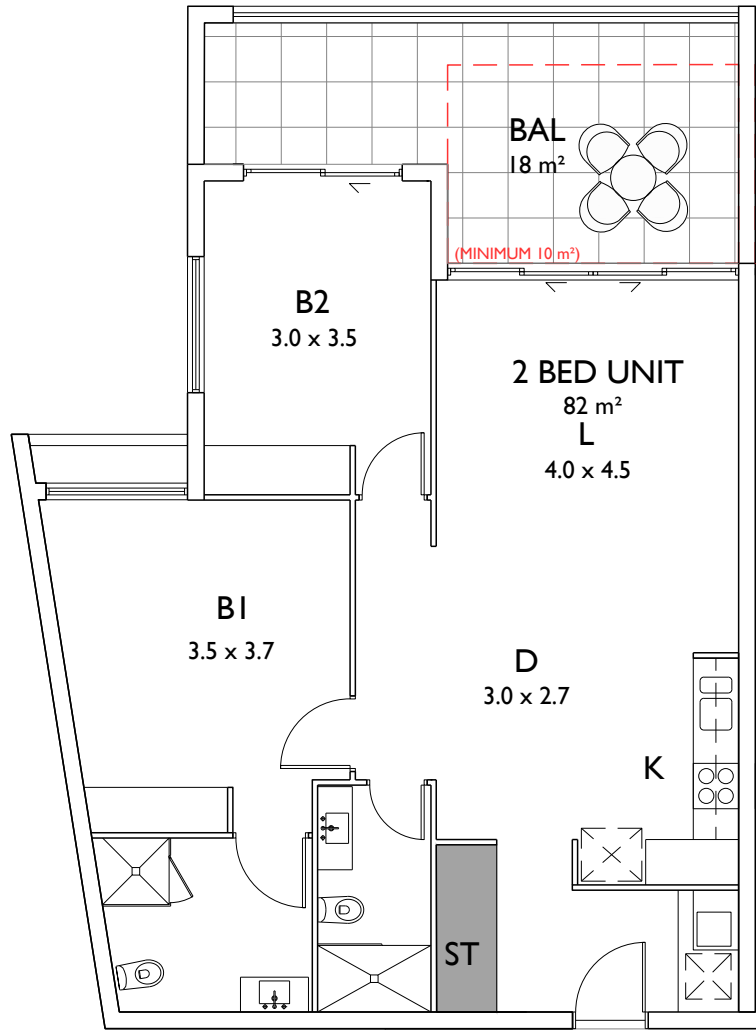
Project

PROPOSED MIXED USE SHOP TOP HOUSING
DEVELOPMENT COMPRISING OF RESIDENTIAL
UNITS OVER RETAIL USES WITH GROUND
& BASEMENT CAR PARKING

At
68-74 PRINCES HWY
& 7-9 DAISY STREET
FAIRY MEADOW
For
FAIRY MEADOW PROJECTS PTY LTD

Title DEVELOPMENT APPLICATION PRE AND POST ADAPTATION PLAN 01		
Scale 1:50 @ A1 1:100 @ A3	Date JUNE 2024	
Drawn LGD,HR	Checked ADM	
Project No. 2020-29	Drawing No. A-301	Issue D

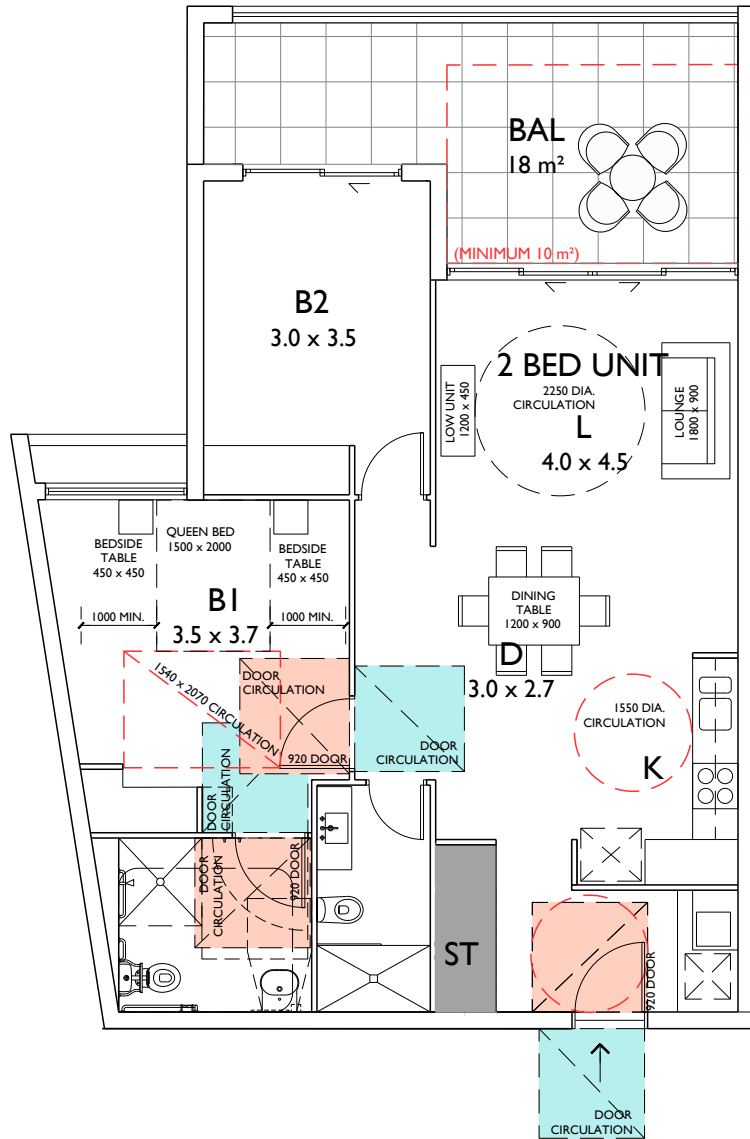
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PRE - ADAPTATION PLAN

UNITS B205, B305 (AS SHOWN)

CLASS C ADAPTABLE UNIT TO AS 4299



POST - ADAPTATION PLAN

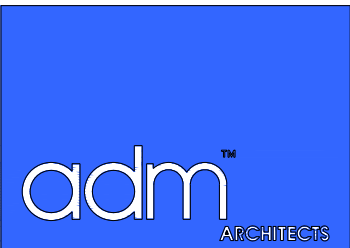
UNITS B205, B305 (AS SHOWN)

CLASS C ADAPTABLE UNIT TO AS 4299

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D	20-06-2024	RE-ISSUED FOR DA

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Project

PROPOSED MIXED USE SHOP TOP HOUSING
DEVELOPMENT COMPRISING OF RESIDENTIAL
UNITS OVER RETAIL USES WITH GROUND
& BASEMENT CAR PARKING

At

68-74 PRINCES HWY
& 7-9 DAISY STREET
FAIRY MEADOW

For

FAIRY MEADOW PROJECTS PTY LTD

Title		
DEVELOPMENT APPLICATION PRE AND POST ADAPTATION PLAN 02		
Scale	Date	
1:50 @ A1 1:100 @ A3	JUNE 2024	
Drawn	Checked	
LGD,HR	ADM	
Project No.	Drawing No.	Issue
2020-29	A-302	D

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ELEMENT 1: DWELLING ACCESS

THERE IS A SAFE, CONTINUOUS, STEP-FREE PATHWAY FROM THE STREET ENTRANCE AND/OR PARKING AREA TO A DWELLING ENTRANCE THAT IS LEVEL.

- A. PROVIDE A SAFE, CONTINUOUS STEP-FREE PATHWAY FROM THE FRONT BOUNDARY OF THE PROPERTY TO AN ENTRY DOOR TO THE DWELLING.
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 REFERRED TO IN (A) SHOULD HAVE A MINIMUM CLEAR WIDTH OF 1000MM AND HAVE:
I. NO STEPS;
II. AN EVEN, FIRM, SLIP-RESISTANT SURFACE;
III. A CROSSFALL OF NOT MORE THAN 1:40; AND
IV. A MAXIMUM PATHWAY SLOPE OF 1:14.
WHERE RAMP ARE REQUIRED THEY SHOULD HAVE 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.
- C. THE PATH OF TRAVEL REFERRED TO IN (A) MAY BE PROVIDED VIA AN ASSOCIATED CAR PARKING SPACE FOR THE DWELLING, WHERE A CAR PARKING SPACE IS RELIED UPON AS THE SAFE AND CONTINUOUS PATHWAY TO THE DWELLING ENTRANCE, THE SPACE SHOULD INCORPORATE:
I. MINIMUM DIMENSIONS OF AT LEAST 3200MM (WIDTH) X 5400MM (LENGTH);
II. AN EVEN, FIRM AND SLIP RESISTANT SURFACE; AND
III. A LEVEL SURFACE (1:40 MAXIMUM GRADIENT, 1:33 MAXIMUM GRADIENT FOR BITUMEN).
- D. 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 (WIDTH SHOULD REFLECT THE PATHWAY WIDTH); AND
III. A MAXIMUM LENGTH OF 1900MM.
- E. WHERE A RAMP IS PART OF THE PATHWAY, LEVEL LANDINGS NO LESS THAN 1200MM IN LENGTH, EXCLUSIVE OF THE SWING OF THE DOOR OR GATE THAT OPENS ONTO THEM, MUST BE PROVIDED AT THE HEAD AND FOOT OF THE RAMP.

ELEMENT 2: DWELLING ENTRANCE

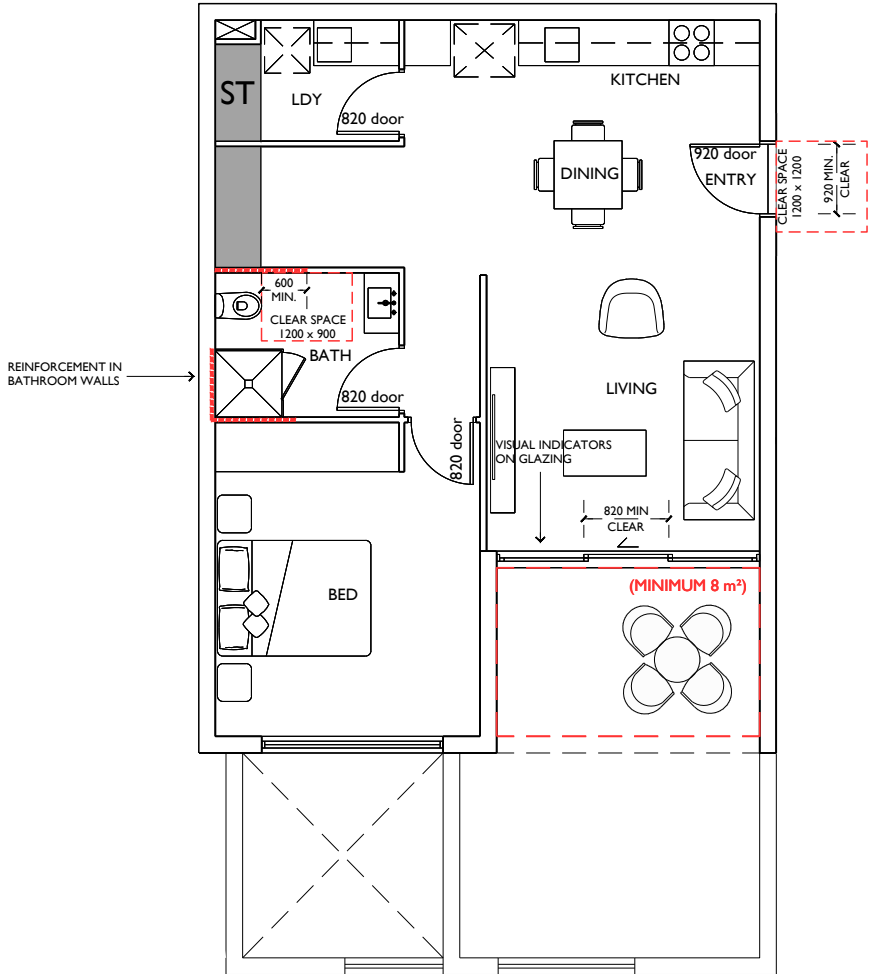
THERE IS AT LEAST ONE LEVEL (STEP-FREE) ENTRANCE INTO THE DWELLING TO ENABLE HOME OCCUPANTS TO EASILY ENTER AND EXIT THE DWELLING.

- A. THE DWELLING SHOULD PROVIDE AN ENTRANCE DOOR WITH:
I. A MINIMUM CLEAR OPENING WIDTH OF 820MM;
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 AT LEAST 1200MM X 1200MM SHOULD BE PROVIDED AT THE LEVEL (STEP FREE) ENTRANCE DOOR. A LEVEL LANDING AREA AT THE ENTRANCE DOOR SHOULD BE PROVIDED ON THE ARRIVAL SIDE OF THE DOOR (I.E. THE EXTERNAL SIDE OF THE DOOR) TO ALLOW A PERSON TO SAFELY STAND AND THEN OPEN THE DOOR.
- C. WHERE THE THRESHOLD AT THE ENTRANCE EXCEEDS 5MM AND IS LESS THAN 56MM, A RAMPED THRESHOLD MAY BE PROVIDED.
- D. THE LEVEL (STEP-FREE) ENTRANCE SHOULD BE CONNECTED TO THE SAFE AND CONTINUOUS PATHWAY AS SPECIFIED IN ELEMENT 1.

ELEMENT 3: INTERNAL DOORS & CORRIDORS

INTERNAL DOORS AND CORRIDORS FACILITATE COMFORTABLE AND UNIMPEDED MOVEMENT BETWEEN SPACES.

- 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; 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.



ELEMENT 4: TOILET

THE GROUND (OR ENTRY) LEVEL HAS A TOILET TO SUPPORT EASY ACCESS FOR HOME OCCUPANTS AND VISITORS.

- 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; AND
III. THE TOILET PAN SHOULD BE LOCATED IN THE CORNER OF THE ROOM (IF THE TOILET IS LOCATED IN A COMBINED TOILET /BATHROOM) TO ENABLE INSTALLATION OF GRABRAILS AT A FUTURE DATE. REINFORCEMENT GUIDELINES FOR WALLS IN BATHROOMS AND TOILETS ARE FOUND IN ELEMENT 6.

ELEMENT 5: SHOWER

THE SHOWER IS DESIGNED FOR EASY AND INDEPENDENT ACCESS FOR ALL HOME OCCUPANTS.

- A. ONE BATHROOM SHOULD FEATURE A SLIP-RESISTANT, HOBLESS SHOWER RECESS. SHOWER SCREENS ARE PERMITTED, PROVIDED THEY CAN EASILY BE 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.

ELEMENT 6: REINFORCEMENT OF BATHROOM WALLS

THE BATHROOM AND TOILET WALLS ARE BUILT TO ENABLE GRABRAILS TO BE SAFELY AND ECONOMICALLY INSTALLED.

- 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 WALLS AROUND THE TOILET ARE TO BE REINFORCED BY INSTALLING:
I. NOGGINGS WITH A THICKNESS OF AT LEAST 25MM; OR
II. SHEETING WITH A THICKNESS OF AT LEAST 12MM.
- C. THE WALLS AROUND THE BATH ARE TO BE REINFORCED BY INSTALLING:
I. NOGGINGS WITH A THICKNESS OF AT LEAST 25MM; OR
II. SHEETING WITH A THICKNESS OF AT LEAST 12MM.
- D. THE WALLS AROUND THE HOBLESS SHOWER RECESS ARE TO BE REINFORCED BY INSTALLING:
I. NOGGINGS WITH A THICKNESS OF AT LEAST 25MM; OR
II. SHEETING WITH A THICKNESS OF AT LEAST 12MM.

ELEMENT 7: INTERNAL STAIRWAYS

INTERNAL DOORS AND CORRIDORS FACILITATE COMFORTABLE AND UNIMPEDED MOVEMENT BETWEEN SPACES.

- A. STAIRWAYS IN DWELLINGS MUST FEATURE:
I. A CONTINUOUS HANDRAIL ON ONE SIDE OF THE STAIRWAY WHERE THERE IS A RISE OF MORE THAN 1M.
NOTE: THIS IS A REQUIREMENT FOR ALL NEW DWELLINGS UNDER THE NCC. DWELLINGS BUILT PRIOR TO 2014 MAY BENEFIT FROM THIS ELEMENT.

ADDITIONAL LIVEABILITY SPECIFICATIONS

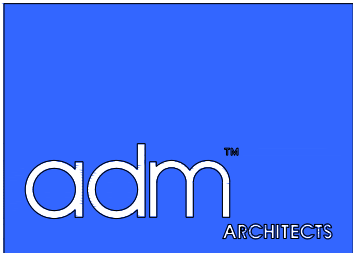
ADDITIONAL IMPROVED LIVEABILITY SPECIFICATIONS (BASED ON THE 2020-21 NDIS SDA PRICE GUIDE).

- A. LUMINANCE CONTRAST TO BE PROVIDED BETWEEN TOILET SEAT AND PAN (OR TO THE WALL OR FLOOR TILES), PROVIDE GREY COLOUR TOILET SEATS.
- B. ALL DOORWAYS TO HAVE A MINIMUM LUMINANCE CONTRAST OF 30% PROVIDED BETWEEN: DOOR LEAF AND DOOR JAMB, OR DOOR LEAF AND ADJACENT WALL; OR ARCHITRAVE AND WALL; OR DOOR LEAF AND ARCHITRAVE, OR DOOR JAMB AND ADJACENT WALL. THE MINIMUM WIDTH OF THE AREA OF LUMINANCE CONTRAST TO BE 50 MM.
- C. SOLID (NON-TRANSLUCENT) CONTRASTING GLAZING STRIP OF 75MM WIDTH AND BETWEEN 900MM TO 1000MM ABOVE FFL SHALL BE PROVIDED FOR THE FULL WIDTH OF A GLAZED AREA WHICH COULD BE MISTAKEN FOR AN OPENING.
- D. COLOUR CONTRAST TO BE PROVIDED BETWEEN ALL FLOOR SURFACES AND WALL SURFACES.

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ISSUE	DATE	DESCRIPTION
A	04-04-2022	ISSUED FOR DA
B	25-01-2024	RE-ISSUED FOR DA
C	20-06-2024	RE-ISSUED FOR DA

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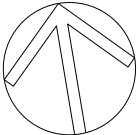
Project

PROPOSED MIXED USE SHOP TOP HOUSING DEVELOPMENT COMPRISING OF RESIDENTIAL UNITS OVER RETAIL USES WITH GROUND & BASEMENT CAR PARKING

At
68-74 PRINCES HWY
& 7-9 DAISY STREET
FAIRY MEADOW
For
FAIRY MEADOW PROJECTS PTY LTD

Title		
DEVELOPMENT APPLICATION LIVABLE HOUSING SILVER LEVEL		
Scale	Date	
1:50 @A1 1:100 @A3	JUNE 2024	
Drawn	Checked	
LGD,HR	ADM	
Project No.	Drawing No.	Issue
2020-29	A-303	C

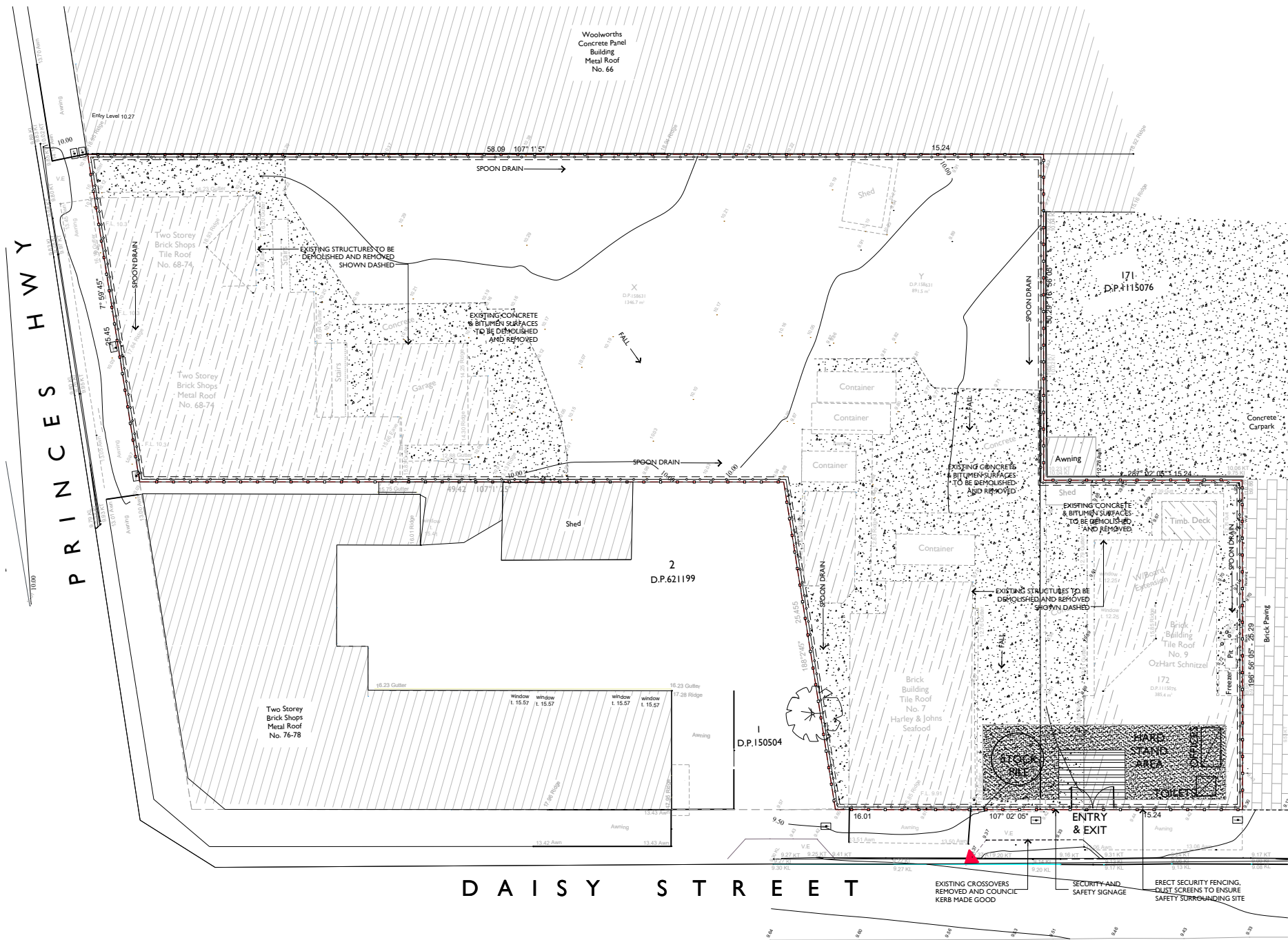
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LIVABLE HOUSING SILVER LEVEL PERFORMANCE

1:50 @ A1
FFL = RL +0.030
THROUGHOUT
INTERIOR OF UNIT

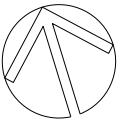
UNITS B103, B203, B303
REQUIREMENTS FOR ACHIEVING LIVABLE HOUSING SILVER LEVEL PERFORMANCE



- LEGEND**
- SEDIMENT FENCE
 - SAFETY SECURITY FENCE CONTRACTORS COMPOUND
 - HARD STAND AREA
 - TO BE DEMOLISHED & REMOVED
 - TREE TO BE REMOVED



SINGLE & DOUBLE STOREY BUILDINGS TO BE DEMOLISHED



DEMOLITION & SITE MANAGEMENT PLAN

GENERAL NOTES

- Trade waste to be separated to recycle products, timber, glass and paper.
- Builder to relocate site shed, amenities, storage facilities, etc. as required during the construction process.
- Additional parking to be provided on site following construction of basement carparking area.
- All vehicles to leave the site in a forward direction.
- No vehicles to be parked on the footpath reserve.

DEMOLITION, SITE CLEARING & CONTAMINATION

The Contractor is to carry out necessary demolition and on-site clearance in accordance with AS 2601 (Demolition of Structures) on the subject site. This is applicable to demolition of existing buildings, structures and services including planning and execution of the work, protection and support of adjacent structures and removal of demolished material. Demolished materials, hazardous materials (particularly if found in the renovations to the existing structures) and asbestos shall be removed from site prior to any new construction work taking place on site.

If hazardous materials are encountered, appropriate and qualified personnel shall be employed to remove from site and dispose of such materials in approved manner in accordance with the provisions of all applicable legislation and with any relevant recommendations published by the National Occupational Health and Safety Commission (Worksafe Australia). If hazardous materials are encountered underground, appropriate and qualified personnel shall be employed to remove from site and dispose of such materials in approved manner in accordance with the provisions of all applicable legislation and with any relevant recommendations published by the National Occupational Health and Safety Commission (Worksafe Australia).

The Contractor shall be responsible for maintaining security fencing around the perimeter of the site and any additional precautionary measures taken as may be necessary to prevent unauthorised entry to the site at all times during the demolition period. Safe access to and egress from adjoining properties shall be maintained at all times for the duration of the demolition work. In the event that the site is found to be contaminated the Contractor is to follow the directions and recommendations of a site contamination consultant to ensure that the site is un-contaminated prior to any building works taking place on site.

CONSTRUCTION MANAGEMENT POINTS

- Note that all proposed works will be undertaken whilst the building and site is vacant;
- All site fencing and sediment control used during demolition phase shall be retained for the construction phase and shall be extended as detailed on drawings;
- A new hard stand area and shaker grid shall be constructed on corkwood circuit frontage during all phases of the project. All to conform with the requirements of the local council and RTA;
- During construction phase as area is set aside on site for use of mobile crane or concrete pump;
- All construction materials are to be stored on site. A designated area has been allowed;
- All site accommodation and amenities as required will be located within the site. Some site sheds maybe relocated on the podium level in the final phase of construction; and
- A diaphragm survey will be carried out by the contractor before the commencement of any work on site.

Applicable Australian Standards

- AS2601 - Demolition of structures
- AS2436 - Guide to noise control...demolition sites
- AS3788 - Guide to earthworks...residential developments
- AS1289 - Methods of testing soils for engineering purposes
- AS1725 - Galvanised ralsess chainwire security fencing

The exit/entrance to the site will be constructed of a bed of 50-75mm aggregate, 200mm deep, for the vehicular exit/entrance width and to a length of 5.0 metres from the street kerb, so as to ensure soil and excavated materials are not transported off-site.

Storage Areas

Storage areas will be front yard open space.

Rubbish Disposal

Trade waste will be contained on site until removal.

Silt Barrier

Sediment will be prevented from washing off-site by geotextile fabric with metal support and/or continuous straw bales, placed in 100mm deep trench and fixed with stakes. All silt barriers are to be wholly with the site area.

Existing Paving and Vegetation

Existing pavement and vegetation will be retained as much as possible to minimise the amount of exposed soil.

Material Stockpiles

Stockpiles of loose materials (gravel, sand, etc.) will be contained undercover and water courses and within a suitable barrier. Footpaths and road surfaces will not be used for material stockpiles.

Cleaning of Tools and Equipment

Tools and equipment will be cleaned away from drainage lines, road and pavement.

SOIL & WATER MANAGEMENT

This plan shall be read in conjunction with the engineering plans, and any other plans or written instructions that may be issued relating to the future development at the subject site. The contractor shall ensure that all soil and water management works are located as indicated on this drawing. All sub-contractors shall be made aware of their responsibilities in minimising the potential for soil erosion and pollution to down-slope lands and water ways. Where practical, the soil erosion hazard on the site shall be kept as low as possible to this end. Works should be undertaken in the following sequence:

- Install any necessary security/boundary fences for this site;
- Construct silt fencing as detailed along boundaries and contours.

During windy weather, large unprotected areas shall be kept moist (not wet) by sprinkling with water to keep the dust under control. Final site landscaping shall be undertaken as soon as possible, and within 20 working days from completion of construction activities. Any sand used in the concrete curing process (spread over the surface) shall be removed as soon as possible, and within 10 working days from placement. Water shall be prevented from entering the permanent drainage system, unless it is sediment free: i.e. - the catchment area has been permanently landscaped and/or any likely sediment has been filtered through an approved structure.

Temporary soil and water management structures shall be removed only after the lands they protected are rehabilitated. The contractors shall provide acceptable receptacles for concrete and mortar slurries, paints acid washings, lightweight waste materials and litter. Receptacles for concrete and mortar slurries, paints, acid washings, light-weight waste materials and litter are to be emptied as necessary. Disposal of waste shall be in a manner approved by the site superintendent.

At least weekly the contractor shall inspect the site, providing particular attention to the following matters:

- Ensure drains operate freely, and initiate repair or maintenance as required;
- Remove spilled sand (or other materials) from hazard areas, including lands closer than 2 metres from likely areas of concentrated or high-velocity flows such as waterways, gutters, paved areas and driveways;
- Construct additional erosion and/or sediment works as necessary to ensure the desired protection is given to downslope lands and waterways i.e. make ongoing changes to the plan;
- Implement erosion and sediment control measures in a functioning conditioning condition until all earthwork activities are completed and the site rehabilitated; and
- Remove temporary soil conservation structures as a last activity in the rehabilitation programme.

The contractor shall keep a log book, making entries at least weekly, and after rainfall and/or site closure record:

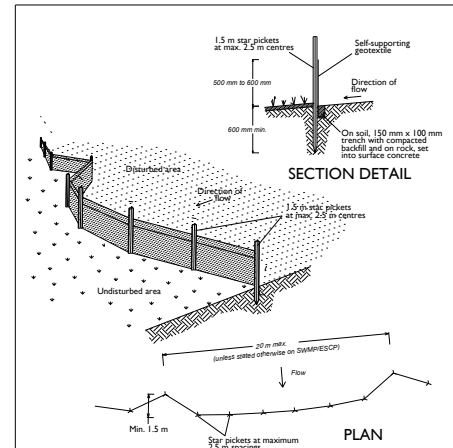
- The volume of any rainfall events (check water bureau);
 - The conditions of any soil and water management works;
 - Remedial work
- The book shall be kept on site and made available to any authorised person on request.

EROSION AND SEDIMENTATION CONTROL NOTES

The Contractor shall provide sediment fencing material during construction to be installed inside site fencing on low sides of site to contain all site water run off and prevent erosion. The sediment fencing material to security fencing. Sediment control fabric shall be an approved material (e.g. humes proper all stop) standing 500mm above ground and extending 150 below ground. Silt barriers, silt traps, siltation screens and the like shall be constructed with geotextile sediment fabric attached to steel star pickets or security fencing, or with Hessian bags. All to conform with the requirements of the local council and RTA.

Existing drains located within the site shall be isolated by sediment control. No parking or stock piling of material is permitted in the public domain unless stated. Grass verges shall be maintained as much as practical to provide a buffer zone to the construction site. Construction entry/exit shall be located as per dwg.

The Contractor shall ensure all droppable soil and sediment is removed prior to construction traffic exiting the site. Builder shall ensure all construction traffic entering and leaving the site do so in a forward direction as much as possible. Site security fencing to consist of 1800mm high galvannead chain mesh panels fixed to galvannead pipe frame and supported on concrete 'feet'.



SEDIMENT FENCE NOTES

- Construct sediment fences as close as possible to being parallel to the contours of the site, but with small returns as shown in the drawing to limit the catchment area of any one section. The catchment area should be small enough to limit water flow if concentrated at any one point to 50 litres per second in the design storm event, usually the 10-year event.
- Drive 1.5 metres long star pickets into ground at 2.5 metre intervals (max) at the downslope edge of the trench. Ensure any star pickets are fitted with safety caps.
- Fix self-supporting geotextile to the upslope side of the posts ensuring it goes to the base of the trench. Fix the geotextile with wire ties or as recommended by the manufacturer. Only use geotextile specifically produced for sediment fencing. The use of shade cloth for this purpose is not satisfactory.
- Join sections of fabric at a support post with a 150-mm overlap.
- Backfill the trench over the base of the fabric and compact it thoroughly over the geotextile.

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ISSUE	DATE	DESCRIPTION
A	09-09-2022	ISSUED FOR DA
B	04-04-2023	RE-ISSUED FOR DA
C	31-01-2024	RE-ISSUED FOR DA
D	20-06-2024	RE-ISSUED FOR DA

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Project

PROPOSED MIXED USE SHOP TOP HOUSING
DEVELOPMENT COMPRISING OF RESIDENTIAL
UNITS OVER RETAIL USES WITH GROUND
& BASEMENT CAR PARKING

At

68-74 PRINCES HWY
& 7-9 DAISY STREET
FAIRY MEADOW

For

FAIRY MEADOW PROJECTS PTY LTD

Title
DEVELOPMENT APPLICATION
DEMOLITION & SITE MANAGEMENT PLAN

Scale		Date	
NTS		JUNE 2024	
Drawn		Checked	
LGD,HR		ADM	
Project No.	Drawing No.	Issue	
2020-29	A-701	D	

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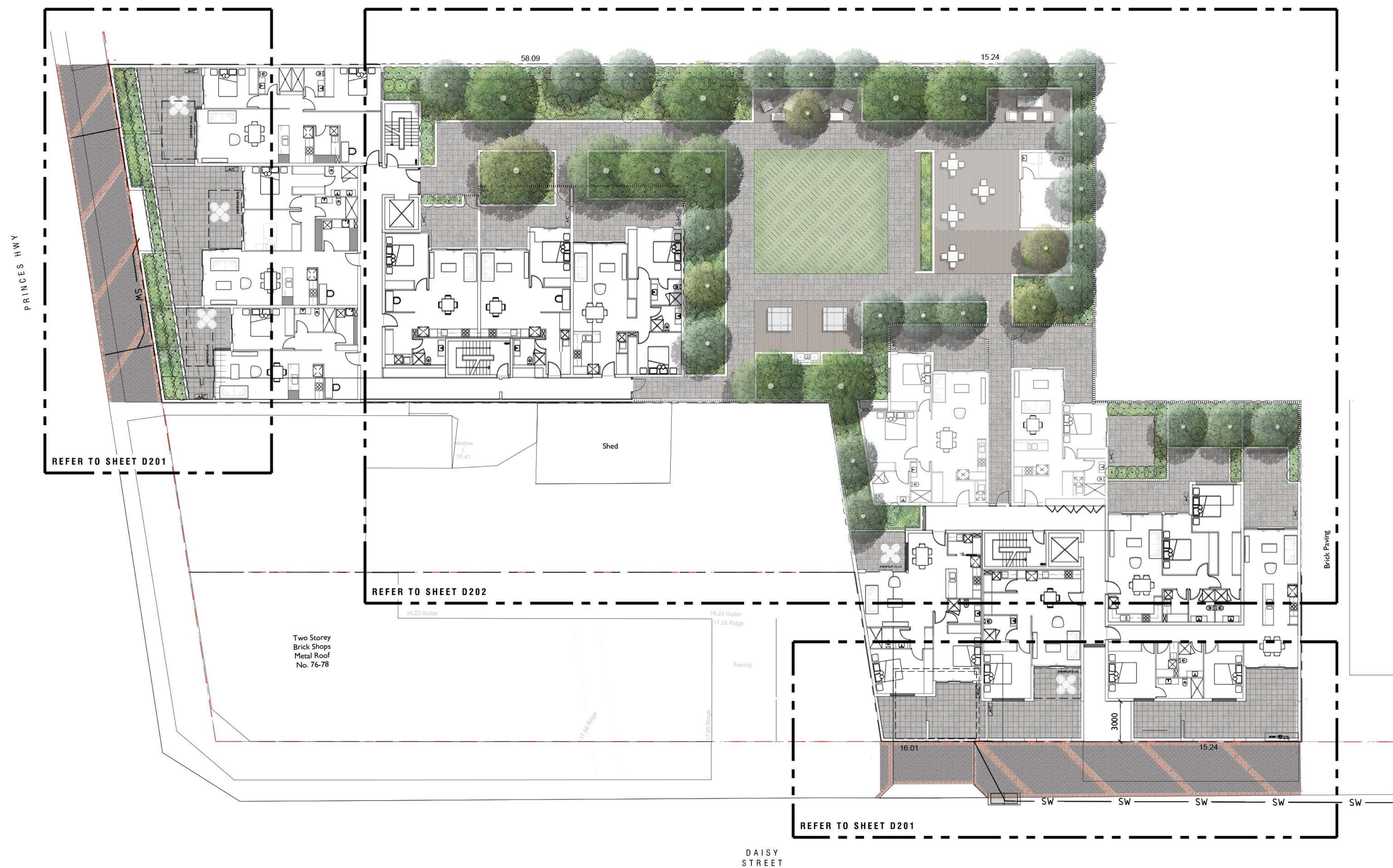
68-74 Princes Highway & 7-9 Daisy St, Fairy Meadow
Wollongong, NSW

LANDSCAPE ARCHITECTURE DOCUMENTATION

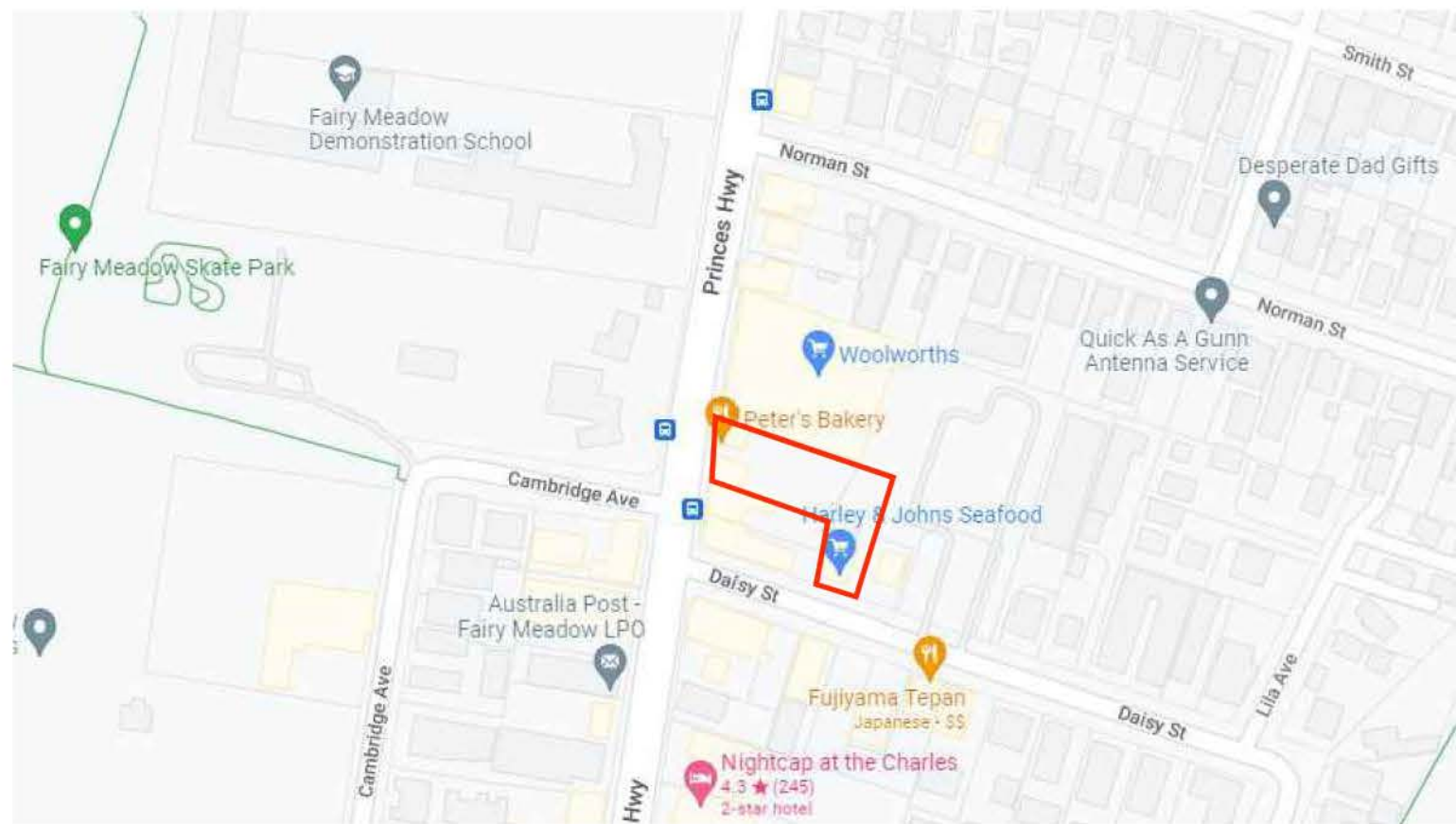
ISSUE FOR DEVELOPMENT APPLICATION

DRAWING LIST

4224-F100	COVER SHEET
4224-F201	LANDSCAPE PLAN - GROUND FLOOR
4224-F202	LANDSCAPE PLAN - FIRST FLOOR



SITE PLAN



S I T E L O C A T I O N

RECOMMENDED SPECIES LIST

BOTANICAL NAME	COMMON NAME
TREES	
<i>Archontophoenix cunninghamiana</i>	Bangalow Palm
<i>Cupaniopsis anacardioides</i>	Tuckeroo
<i>Magnolia 'Teddy Bear'</i>	Dwarf Magnolia
<i>Plumeria acutifolia</i>	Frangipani
<i>Tristanopsis laurina</i> 'Luscious'	Wister gum
<i>Waterhouseia floribunda</i> 'Green Avenue'	Waterhouseia
LARGE SHRUBS	
<i>Acmena</i> 'Cherry Surprise'	Lilly Pilly
<i>Viburnum odoratissimum</i>	Sweet Viburnum
SHRUBS AND ACCENT PLANTS	
<i>Acmena</i> 'Allyn Magic'	Dwarf Lilly Pilly
<i>Agave attenuata</i>	Soft Leaf Agave
<i>Alternanthera</i> 'Little Ruby'	Dwarf Alternanthera
<i>Anthropodium</i> 'Matapouri Bay'	Renga Lily
<i>Asplenium nidus</i>	Bird's Nest Fern
<i>Blechnum gibbum</i> 'Silver Lady'	Silver Lady Fern
<i>Cycas revoluta</i>	Cycad
<i>Diodia aspera</i>	Native Rasp Fern
<i>Doryanthes excelsa</i>	Gymea Lily
<i>Gardenia augusta</i> 'Florida'	Florida Gardenia
<i>Phormium tenax</i>	NZ Flax
<i>Philodendron</i> 'Xanadu'	Philodendron
<i>Sansevieria trifasciata</i>	Mother In-law Tongue
<i>Strelitzia reginae</i>	Birds of Paradise
<i>Westringia</i> 'Gray Box'	Coastal Rosemary
<i>Zamia furfuracea</i>	Cardboard plant
GROUND COVERS & GRASSES	
<i>Carpobrotus glaucescens</i>	Pig Face
<i>Casuarina</i> 'Cousin It'	Casuarina
<i>Convolvulus sabatius</i>	Ground Morning Glory
<i>Dichondra argentea</i> 'Silver Falls'	Dichondra
<i>Dichondra repens</i>	Kidney Weed
<i>Dianella</i> 'Cassa Blue'	Paro Lily
<i>Lomandra</i> 'Tanika'	Mat rush
<i>Gardenia radicans</i>	Gardenia
<i>Liriope muscari</i> 'Evergreen Giant'	Lily Turf
<i>Myoporum laetifolium</i>	Creeeping Boobialla
<i>Senecio serpens</i>	Blue chalk sticks
<i>Trachelospermum jasminoides</i>	Star Jasmine

E	DP	YW	DP		18/06/2024	ISSUE FOR DEVELOPMENT APPLICATION
C	DP	YZ	DP		24/03/2023	ISSUE FOR DEVELOPMENT APPLICATION
D	DP	YZ	DP		08/03/2023	ISSUE FOR DEVELOPMENT APPLICATION
B	DP	YZ	DP		07/09/2022	ISSUE FOR DEVELOPMENT APPLICATION
A	DP	YZ	DP		06/09/2022	ISSUE FOR DEVELOPMENT APPLICATION
NO.	DESIGN	DRAWN	CHECKED	VERD	DATE	AMENDMENT / ISSUE

NOTES

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- DRAWINGS TO BE READ IN CONJUNCTION WITH THE SPECIFICATION
- DIMENSIONS ARE IN MILLIMETRES, UNLESS NOTED OTHERWISE
- USE FIGURED DIMENSIONS - DO NOT SCALE FROM DRAWING
- CONTRACTOR MUST VERIFY ALL DIMENSIONS AND EXISTING LEVELS ON SITE PRIOR TO COMMENCEMENT OF WORK OR MAKING ANY SHOP DRAWINGS. ANY DISCREPANCIES TO BE REFERRED TO THE SUPERINTENDENT
- PROVIDE SAMPLES OF ANY SPECIFIED OR PREFERRED MATERIALS OR FINISHES (EG BRICKS, PAVERS) FOR SUPERINTENDENTS APPROVAL PRIOR TO PLACING ORDERS.

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 Campus, Sydney Hwy
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 admin@dsbda.com.au

Project	MULTI-UNIT DEVELOPMENT 68-74 Princes Highway & 7-9 Daisy Street Fairy Meadow, NSW	
Client	Fairy Meadow Projects Pty Ltd	

Drawing Title	
COVER PAGE / SITE PLAN	
Dwg. No.	Sheet No.
4224-F100 E	1.1



LEGEND

SITE BOUNDARY
Refer Project Survey Drawing

STORM SERVICES
Refer Project Engineers Drawing

FINISHES - HARDSCAPE

PT-1 PAVEMENT TYPE 1
Concrete Pavement

PT-2 PAVEMENT TYPE 2
Unit Paving Stacked-Bond Paver

PT-3 PAVEMENT TYPE 3
Brick Header Course With Asphalt Infill
To Streetscape Interface In Accordance
With The Business Centers Public
Domain Technical Manual

PT-4 PAVEMENT TYPE 4
Composite Timber Decking Or Timber
Look Tiles

PT-5 PAVEMENT TYPE 5
Synthetic Grass

FINISHES - FENCES & WALLS

RW-1 LANDSCAPE WALL
Raised Planter Wall - Height Varies
Finish To Match Building Colour

RW-2 LANDSCAPE WALL - WITH SEATING
Raised Planter Wall With Integrated
Timber Slat Seating

FURNITURE & STRUCTURES

PICNIC SETTING
To Future Specification

SEATING LOUNGE
To Future Specification

DINING / PICNIC TABLE
To Future Specification

POT PLANTS
To Future Specification

ARBOR STRUCTURE
To Future Specification

BBO
To Future Specification

FE-1 PRIVACY SCREEN
Slat Fence (Max Height) 1800mm From FFL

PLANTING LEGEND

NEW TREE LOCATIONS

LARGE SHRUB SPECIES
Mix Native & Exotic

SHRUBS AND ACCENT PLANT SPECIES
Mix Native & Exotic

GRASS / FEATURE PLANT SPECIES
Mix Native & Exotic

GROUND COVER SPECIES
Mix Native & Exotic

DESIGN NOTES

- A RAISED PLANTERS FEATURING A MIXTURE OF NATIVE AND EXOTIC SPECIES
WITH TREE PLANTINGS PROVIDING NATURAL SHADE TO SEATING AREAS
- B BBQ AREA BENEATH ARBOR STRUCTURE WITH FIXED PICNIC SETTINGS
- C SHELTERED SEATING AREA WITH LOW LEVEL PLANTER WALL SEATING OVERLOOKING LAWN
- D FEATURE TREE IN DECORATIVE POTS
- E LEVEL GRASS RECREATION / PICNIC AREA
- F COMMUNAL VEGETABLE GARDEN PLOT INTEGRATED INTO RAISED PLANTER CONSISTING OF EDIBLE PLANT SPECIES
- G QUIET SEATING AREA

NOTES

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DRAWINGS TO BE READ IN CONJUNCTION WITH THE SPECIFICATION.

DIMENSIONS ARE IN MILLIMETRES, UNLESS NOTED OTHERWISE.

USE FIGURED DIMENSIONS - DO NOT SCALE FROM DRAWING.

CONTRACTOR MUST VERIFY ALL DIMENSIONS AND EXISTING LEVELS ON SITE
PRIOR TO COMMENCEMENT OF WORK OR MAKING ANY SHOP DRAWINGS. ANY
DISCREPANCIES TO BE REFERRED TO THE SUPERINTENDENT.

PROVIDE SAMPLES OF ANY SPECIFIED OR PREFERRED MATERIALS OR FINISHES
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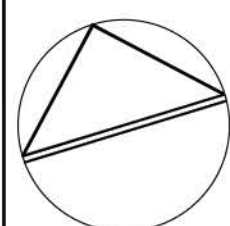
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Landscape
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Project
MULTI-UNIT DEVELOPMENT
68-74 Princes Highway & 7-9 Daisy Street
Fairy Meadow, NSW

Client
Fairy Meadow Projects Pty Ltd

Drawing Title
LANDSCAPE PLAN
LEVEL 1

Drg. No.
4224-F202 E

Sheet No.
2.2

NO.	DESIGN	DRAWN	CHECKED	VERD	DATE	AMENDMENT / ISSUE
E	DP	YW	DP	nd	18/06/2024	ISSUE FOR DEVELOPMENT APPLICATION
D	DP	YZ	DP	nd	24/03/2023	ISSUE FOR DEVELOPMENT APPLICATION
C	DP	YZ	DP	nd	08/03/2023	ISSUE FOR DEVELOPMENT APPLICATION
B	DP	YZ	DP	nd	07/09/2022	ISSUE FOR DEVELOPMENT APPLICATION
A	DP	YZ	DP	nd	06/09/2022	ISSUE FOR DEVELOPMENT APPLICATION

NOT TO BE USED FOR CONSTRUCTION				
AMDT	DATE	DESCRIPTION	BY	
A	07.09.22	ISSUED FOR DA	DJ	
B	20.06.24	RE-ISSUED FOR DA	IC	

WASTE BIN LEGEND

RESIDENTIAL:

- 240L GENERAL WASTE BINS x 12
- 240L RECYCLING BINS x 12
- 240L GREEN WASTE BINS x 2
- 240L ORGANIC WASTE BINS x 2

COMMERCIAL:

- 240L GENERAL WASTE BINS x 10
- 240L RECYCLING BINS x 10



CLIENT
FAIRY MEADOW PROJECTS PTY LTD
STATUS
APPROVAL

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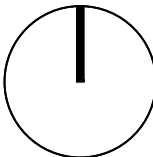
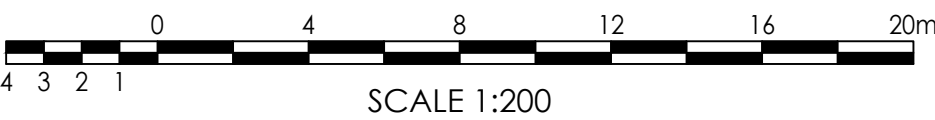
DISCIPLINE
CIVIL DESIGN

PROJECT
MIXED USE
DEVELOPMENT

DRAWING TITLE
WASTE COLLECTION PLAN
LAYOUT

ADDRESS
68-74 PRINCES HIGHWAY & 7-9 DAISY STREET
FAIRY MEADOW, NSW, 2519

PROJECT DETAILS
DESIGN A/W
DRAWN A/W
DATE SEP 23
DRG SIZE A1
SCALE AS SHOWN
PROJECT SF
MGR
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Q0210018
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ATTACHMENT 2

Wollongong Design Review Panel - Hybrid MS Teams in person meeting Meeting minutes and recommendations

Date	25 November 2022
Meeting location	Wollongong City Council Administration Offices
Panel members	(Chair) David Jarvis (Member) Sonny Embleton (Member) Brigitta Schyns
Apologies	None
Council staff	Pier Panozzo – City Centre & Major Development Manager Anne Starr – Senior Development Project Officer Amanda Kostovski - Council Design Expert
Guests/ representatives of the applicant	Angelo Di Martino – ADM Architects Luke Rollinson – MMJ Wollongong
Declarations of Interest	None
Item number	2
DA number	DA-2022/1113
Reason for consideration by DRP	SEPP65
Determination pathway	Wollongong Local Planning Panel
Property address	68-74 Princes Highway & 7-9 Daisy Street Fairy Meadow
Proposal	Demolition of existing structures and construction of a mixed-use shop top housing development with associated landscaping/stormwater works
Applicant or applicant's representative address to the design review panel	The meeting was conducted by video link between the Panel (Council offices) and some of the applicants' team (remote).
Background	The proposal was previously reviewed by the Panel prior to lodgement of the development application on 24th of May 2021 (DE-2021/75). The subject site has been expanded by the addition of 9 Daisy Street, since proposal was last reviewed by the Panel. The addition of 9 Daisy Street has provided an increased street frontage, allowing the proposal to be developed to provide improved street interfaces and a more rational circulation strategy for the development. Many of the fundamental issue previously highlighted by the Panel have been addressed by this development. The site was Inspected by the Panel on 25 November 2022.
Design Quality Principles SEPP 65	
Context and Neighbourhood Character	The proposal is located within Fairy Meadow local centre. Council's vision for the centre (as outlined in council's current LEP and DCP) is to develop modestly scaled streets (two storey street wall) with retail located at ground level to activate the street. The precinct's 15m height limit allows buildings up to four storeys; however, upper levels are required to be set back a minimum of 5m from the street to maintain a two-storey street scale. An established supermarket (Woolworths) adjoins the site's northern boundary, presenting a wall of blank concrete panels approximately two and a half storeys in height. The supermarket has a main retail frontage to Princes Highway and is serviced by an at-grade carpark fronting Daisy Street. This configuration effectively isolates the subject site, along with neighbouring sites (76-78 Princes Highway). The Panel have previously highlighted the importance of developing a holistically built form response inclusive of all sites isolated by the supermarket, to demonstrate that development

	potential is maintained for all sites. This will require the provision of good residential amenity (ADG compliant), adequate carparking / vehicular servicing, an active retail presentation to the street and potential to realise the permissible FSR of all sites. In response to the Panel, the applicant has provided a study (drawing A-003) that outlines potential future building forms on neighbouring sites. The Panel remain concerned that the built form response outlined in this study remains a site centric response that does not contribute to a cohesive pattern of development for this precinct. The current proposal significantly impacts the development potential of the corner sites at 76-78 Princes Highway and fails to provide a clearly defined street wall to Daisy Street. Further development of the future context study should also include a vehicular access and parking strategy for 76-78 Princes Highway.
Built Form and Scale	The eastern edge of building A has been orientated north, extending deep into the site (in excess of 30m), significantly reducing solar access to the neighbouring site to the south (76-78 Princes Highway). It is suggested that building A is developed to orientate units east and west. This will create a much narrower building interfacing with the southern neighbour. The neighbouring building (76-78 Princes Highway) can then connect to the southern edge of the subject site to form a continuation of the street wall that wraps around the street corner, providing a continuation of the street wall along Daisy Street and framing a north facing courtyard within the site. This strategy should also allow building A to be serviced by a single egress stair located more centrally within the building footprint. It is recommended that this vertical circulation is developed to allow the stair to be accessed from the ground floor lobby, providing residents with the option of using either the lift or the stairs. A similar strategy should also be developed for building B. Building entries are deeply recessed within the building and publicly accessible, creating areas that are concealed from the street that could facilitate antisocial behaviour. Further detail refinements to improve the quality of entry space could include moving the lobby door closer to the street and allowing glazing from the adjoining commercial spaces to wrap around the corner of the commercial tenancy to address the residential forecourt. Further refinement of the residential entry fronting Daisy Street is recommended to accentuate the entrelac and enhance legibility, noting that height variances to the awning along Princes Highway has been provided to achieve this. Building B provides access to the communal open space via a narrow passageway adjacent to the western site boundary adjoining 76-78 Princes Highway. The passage is extremely tight, creating potential privacy issues with adjacent units B104 / B105 and future development to the west, which is likely to abut this interface with podium level communal open space at approximately the same level proposed on the subject site. Detail development is required to mitigate any potential privacy issues and provide a secure interface with the neighbour. This is likely to require increased building setbacks from the western boundary and the incorporation of planters and screening. Upper-level units create a unique opportunity to improve solar access and ventilation. It is recommended that upper-level units are

	developed to accommodate clerestory windows located in raised ceiling heights above living areas. This strategy could significantly improve the quality of living spaces within these units and also assist in meeting ADG targets for both solar access and cross ventilation.
Density	Further refinement and contextual analysis are required to demonstrate that the proposal does not present as an over development of the site (refer to Context and Neighbourhood Character / Built form and scale)
Sustainability	The current proposal appears capable of complying with ADG objectives for both solar access and natural cross ventilation. However, it is anticipated that the proposal will be developed further in response to issues raised in this report (Built form and scale). When developing the proposal, further detail is required to more clearly demonstrate ADG solar access compliance. It is recommended that sun's eye diagrams, taken at hourly intervals between 9am and 3pm, mid-winter are developed. Solar access studies should also consider the likely future context of the site. It is anticipated that a future built form on the neighboring site to the north (Woolworths) will accommodate residential buildings that are located on a single storey podium. The proposed provision of solar power and/or hot water is strongly commended. Its use, especially for common areas and circulation should be clarified on future plans. Opportunities to harvest rainwater for use in maintaining any plantings established on the building or the site should be explored. Other water minimization measures (reuse of rainwater for toilet flushing and washing machines) should also be considered. Landscape plantings should address aims for biodiversity protection, weed minimisation and low water use.
Landscape	The proposal is commended for the size and dedication of COS. This provides great opportunity to allow for multiple programming situations on the podium level. Current proposal dedicates much of the space to buffer planting and circulation pathways. Reduce buffer planting to minimum widths where appropriate. Use planting to create "outdoor rooms" and explore programming such as; - 1 large covered communal BBQ space and 1 smaller covered communal BBQ space. - Outdoor gym facilities - Spaces for both groups and individuals i.e., reading nooks amongst plantings - Edible gardens and community gardens raised beds. - Potential incorporation of lawn games i.e., giant chess, table tennis with consideration of circulation and offsets from podium edges. Consider the climb ability of these spaces and associated uses. Provide planting along all edges of podium to assist with privacy and provide welcoming entries into building corridors while mitigating blank walls.

	Avoid using artificial turf as it is seen to be unsustainable and retains heat during summer months. To allow for lawn consider a min. 150mm hob/kerb to hold soil with a kerb ramp for access onto the lawn.
Amenity	Residential units have been developed to generally provide functional spaces that will provide a reasonable level of amenity. However, further refinement is recommended to address the following issues: - The bedroom windows of units B106, B20 and B306 overlook the private open space of unit B102, B202 and B302. Detail refinement of window orientation / screening is required to mitigate potential privacy issues. Details of all screens should be provided to demonstrate that visual privacy is achieved. - Units B104, bedroom 2 and B105, bedroom 1 are in close proximity to the passageway providing access to the communal open space. Further development is required to mitigate potential visual and acoustic privacy issues, refer to detail comments above (Built form and scale). - A small courtyard space has been created on the northern edge of building A, to allow a window to be located within the corridor. The window is currently oriented towards the blank wall of the neighboring supermarket and is likely to have a similar outlook when the neighboring site is developed in the future. To improve the outlook into this space it is suggested that planting is provided within the courtyard and the extent of the courtyard maximized. - Further development of units should seek to eliminate single sided units with combined living, dinning and kitchen areas with depths in excess of 8m (ADG figure 4D.3). - Further development should also seek to ensure that a window is visible from any point in a habitable room. (ADG objective 4D-1). - It is likely that the proposal will require on site garbage collection. The applicant is encouraged to liaise with Council to determine the spatial requirement for collection vehicles (medium rigid) and coordinate those requirements with the building design. This may have implications for floor-to-floor height.
Safety	A NCC BCA compliance report addressing key standards impacting on layout and design should be included with any submission. Further refinement of residential entries is required to avoid CPTED issues.
Housing Diversity and Social Interaction	The proposed development would provide an appropriate contribution to the housing stock of this precinct, pending further development to address issues raised in this report.
Aesthetics	An appropriate pallet of materials has been proposed. The clarity of the street walls is somewhat diminished by the use of open form railings within the brick base of the building. The balustrade expression should define the building base and

	contribute to the quality of space within each balcony. The lower levels of the building, that are more exposed to the busy street (particularly in reference to Princes Highway) may be better served with a solid brick balustrade. The Princes Highway street wall could then be more clearly expressed as two individual elements that respond to grain of the street and frame the residential entry. The minor upstand proposed to the northern end of the Princes Highway street wall presents as a tokenistic response to the neighbouring building. The entire northern street wall element should maintain a consistent height, this height should be set to provide an appropriate level of enclosure to the balconies it encloses. A minor step in the height of the street wall between the subject site and its northern neighbour is an acceptable outcome. Upper-level balconies, fronting Princes Highway step back from the 5m street set back creating balcony forms that appear to cantilever above the levels below. The Panel are not convinced that this approach assists with the articulation of the building and may also diminish the continuity of the street wall. The applicant is encouraged to develop street level perspectives to assist in further exploring the expression of the building. To ensure the architect's design intent is realised, the applicant is encouraged to provide larger scale detail sections (minimum 1:20) to assist in providing a better understanding of the quality of finish being proposed. The sections should show balcony / balustrade details, soffit finishes and material junctions. Servicing of the building must be considered at this stage of the design process. The location of service risers, car park exhausts, AC condensers, substations, down pipes, and fire hydrant boosters should be shown.
Key issues, Comments Recommendations	further & The current proposal has been developed to address many of the fundamental issues previously raised by the Panel. However, the Panel remain concerned that in some respects, the proposal remains a site centric design that does not contribute to a cohesive pattern of development for this precinct. The future contextual analysis should be developed / expanded to address this issue and inform an appropriate built form strategy. Further development should also seek to address the following issues: - Further refinement of residential entries - Further development of upper levels to improve solar access and cross ventilation. - Develop residential stair to allow access from the ground floor lobby to each level. - Further refinement to mitigate potential privacy issues - Further development of interfaces with future neighbours - Further development to address amenity issues - The provision of suns eye view diagrams - Adoption of environmental initiatives - Further refinement of building aesthetics and the provision of detail sections. - Further development and strengthening of the street wall

SEPP (Housing) 2021 Apartment Design Guide (ADG)

Relevant controls are addressed below. Where the ADG specifies 'design criteria', the table comment is expressed in terms of compliance. Where the ADG provides 'design guidance', the comment indicates whether the proposal is satisfactory.

Standards/controls	Comment
Part 3 Siting the development 3C Public Domain Interface Objective 3C-1 Transition between private and public domain is achieved without compromising safety and security Design guidance Terraces, balconies and courtyard apartments should have direct street entry, where appropriate Changes in level between private terraces, front gardens and dwelling entries above the street level provide surveillance and improve visual privacy for ground level dwellings (see figure 3C.1) Upper level balconies and windows should overlook the public domain Front fences and walls along street frontages should use visually permeable materials and treatments. The height of solid fences or walls should be limited to 1m Length of solid walls should be limited along street frontages Opportunities should be provided for casual interaction between residents and the public domain. Design solutions may include seating at building entries, near letter boxes and in private courtyards adjacent to streets In developments with multiple buildings and/or entries, pedestrian entries and spaces associated with individual buildings/entries should be differentiated to improve legibility for residents, using a number of the following design solutions: • architectural detailing • changes in materials • plant species • colours Opportunities for people to be concealed should be minimised 3D Communal and public open space	Satisfactory The applicant has addressed this item by removing voids and bringing glazing forward to match the existing commercial street boundary, provided continuous awnings, and providing recessive residential foyers. Changes in the ground floor level due to flooding constraints are noted, however full height boundary glazing provides transparency and a level of interaction to the new commercial shopfronts. Many balconies overlook the street, and also to the park to the west, providing a level of urban outlook and distant escarpment views. Concealment opportunities remain due to the placement of a recessed residential entrance and fire doors to the western building and recessed residential entrances and driveway entrance to the southern building. This will require active CCTV surveillance should CEPTD issues arise.

Standards/controls

Comment

Objective 3D-1

An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping

Design criteria

1. Communal open space has a minimum area equal to 25% of the site (see figure 3D.3)
2. Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid winter)

Complies

Minimum communal open space (COS) required is 655.9m². Provided COS is 801m².

COS is provided on Level 1 (podium) comprising indoor communal room with accessible toilet and outdoor spaces.

The COS contains seating, tables, BBQ, planter beds and areas which are covered.

Excellent solar amenity is provided to the COS space from morning to mid-afternoon. The flexible nature of the COS space is also noted, with functionable ability to use shaded or sunlit spaces as desired.

3E Deep soil zones**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

Design criteria

1. Deep soil zones are to meet the following minimum requirements:

Site area	Minimum dimensions	Deep soil zone (% of site area)
less than 650m ²	-	7%
650m ² - 1,500m ²	3m	
greater than 1,500m ²	6m	
greater than 1,500m ² with significant existing tree cover	6m	

Complies

Minimum required deep soil zone (DSZ) is 183.65m².

WDCP 2009 does not require a DSZ on the site (Chapter B3 only requires DSZ where mixed use sites adjoin residentially zoned land). Deep planters have been included to COS spaces as a 'proxy' DSZ area and this is an appropriate response to the noted site conditions and constraints.

Standards/controls	Comment												
3F Visual privacy Objective 3F-1 Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy Design criteria 1. Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows: <table><tr><th>Building height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr><tr><td>up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr><tr><td>up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr><tr><td>over 25m (9+ storeys)</td><td>12m</td><td>6m</td></tr></table> Note: Separation distances between buildings on the same site should combine required building separations depending on the type of room (see figure 3F.2) Gallery access circulation should be treated as habitable space when measuring privacy separation distances between neighbouring properties	Building height	Habitable rooms and balconies	Non-habitable rooms	up to 12m (4 storeys)	6m	3m	up to 25m (5-8 storeys)	9m	4.5m	over 25m (9+ storeys)	12m	6m	Does not comply but satisfactory. Nil setbacks are proposed on all boundaries, and this is reflective of the location within the business centre and built-to-boundary existing context and is accepted. Council’s architect endorses the proposed setbacks. Design Guidance no. 6 states ‘No separation is required between blank walls’. The proposed nil setback to the northern side (Woolworths building) matches the nil setback of the Woolworths building. Up to 12m (Levels ground-Level 2) Habitable rooms and balconies – minimum 6m required* <u>Western elevation to 76-78 Princes Highway:</u> no habitable use on ground floor; nil setback to unit B104 on Level 1**; nil setback to unit B104 POS on Level 1***; 2.14m setback to unit B105 on Level 1**; nil setback to unit B204 on Level 2**; 2.14m to unit B205 on Level 2** <i>**does not comply but has no openings.</i> <i>***does not comply but has screening</i> <u>East:</u> no habitable use on ground floor; nil setback to unit B101 on Level 1**; nil setback to POS unit B101 on Level 1***; nil setback to unit B201 on Level 2**; nil setback to POS unit B201 on Level 2*** <i>**does not comply but has no openings.</i> <i>***does not comply but has screening</i> <u>North:</u> no habitable use on ground floor; nil setback to unit A101 on Level 1*; nil setback to unit A201 on Level 2*
Building height	Habitable rooms and balconies	Non-habitable rooms											
up to 12m (4 storeys)	6m	3m											
up to 25m (5-8 storeys)	9m	4.5m											
over 25m (9+ storeys)	12m	6m											

Standards/controls	Comment
	<i>*complies as nil separation required between blank walls (Design Guidance 6)</i> <u>Southern elevation to 76-78 Princes Highway:</u> no habitable use on ground floor; nil setback on Level 1 to unit A103*; nil setback on Level 2 to unit A203** <i>*complies as nil separation required between blank walls (Design Guidance 6)</i> <i>**does not comply but has no openings.</i> Non-habitable rooms – minimum 3m required. <u>Western elevation to 76-78 Princes Highway:</u> nil setback on ground floor**; nil setback to COS landscaping on Level 1***; no non-habitable use on Level 2 <i>**does not comply but has no openings.</i> <i>***does not comply but has screening</i> <u>East:</u> nil setback to carpark and commercial space 3 on ground floor**; nil setback to COS on Level 1***; no non-habitable use on Level 2 <i>**does not comply but has no openings.</i> <i>***does not comply but has screening</i> <u>North:</u> nil setback to car park and fire escape on ground floor*; nil setback to COS on Level 1*; no non-habitable use on Level 2. <i>*complies as nil separation required between blank walls (Design Guidance 6)</i> <u>Southern elevation to 76-78 Princes Highway:</u> nil setback on ground floor*; nil setback to corridor on Level 1 **; nil

Standards/controls	Comment
	setback to COS on Level 1***; nil setback to corridor on Level 2** <i>*complies as nil separation required between blank walls (Design Guidance 6)</i> <i>**does not comply but has no openings.</i> <i>***does not comply but has screening</i> <u>Up to 25m (Level 3)</u> Habitable rooms and balconies – minimum 9m required * <u>Western elevation to 76-78 Princes Highway:</u> nil setback to unit B304**; 2.14m setback to unit B305** <i>**does not comply but has no openings.</i> <u>East:</u> nil setback to unit B306**; nil setback to unit B301** <i>**does not comply but has no openings.</i> <u>North:</u> nil setback to unit A301** <i>**does not comply but has no openings.</i> <u>Southern elevation to 76-78 Princes Highway:</u> nil setback on to unit A303** <i>**does not comply but has no openings.</i> Non-habitable rooms – minimum 3m required. <u>Western elevation to 76-78 Princes Highway:</u> no non-habitable use <u>East:</u> no non-habitable use <u>North:</u> no non-habitable use <u>Southern elevation to 76-78 Princes Highway:</u> nil setback to corridor** <i>**does not comply but has no openings.</i>

Standards/controls	Comment
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 Design guidance Communal open space, common areas and access paths should be separated from private open space and windows to apartments, particularly habitable room windows. Design solutions may include: • setbacks • solid or partially solid balustrades to balconies at lower levels • fencing and/or trees and vegetation to separate spaces • screening devices • bay windows or pop out windows to provide privacy in one direction and outlook in another • raising apartments/private open space above the public domain or communal open space • planter boxes incorporated into walls and balustrades to increase visual separation • pergolas or shading devices to limit overlooking of lower apartments or private open space • on constrained sites where it can be demonstrated that building layout opportunities are limited, fixed louvres or screen panels to windows and/or balconies Bedrooms, living spaces and other habitable rooms should be separated from gallery access and other open circulation space by the apartment's service areas Balconies and private terraces should be located in front of living rooms to increase internal privacy Windows should be offset from the windows of adjacent buildings Recessed balconies and/or vertical fins should be used between adjacent balconies	Satisfactory A range of mitigation measures have been included to separate POS and COS spaces, including planting and screening, and location of active and passive COS spaces. The secondary POS to Unit B106 is not supported given the impact on Unit B102 in terms of visual and acoustic privacy. It may be preferable that the secondary POS to Unit B106 is removed.

Standards/controls	Comment
3F Pedestrian access and entries Objective 3G-1 Building entries and pedestrian access connects to and addresses the public domain Design guidance Multiple entries (including communal building entries and individual ground floor entries) should be provided to activate the street edge Entry locations relate to the street and subdivision pattern and the existing pedestrian network Building entries should be clearly identifiable and communal entries should be clearly distinguishable from private entries Where street frontage is limited and multiple buildings are located on the site, a primary street address should be provided with clear sight lines and pathways to secondary building entries Objective 3G-2 Access, entries and pathways are accessible and easy to identify Design guidance Building access areas including lift lobbies, stairwells and hallways should be clearly visible from the public domain and communal spaces The design of ground floors and underground car parks minimise level changes along pathways and entries Steps and ramps should be integrated into the overall building and landscape design For large developments 'way finding' maps should be provided to assist visitors and residents (see figure 4T.3) For large developments electronic access and audio/video intercom should be provided to manage access	Satisfactory The two building entry lobbies are easily identified from the street. Satisfactory Direct entry is provided to lobby entrances from both street and carparking areas.

Standards/controls	Comment
3H Vehicle access Objective 3H-1 Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes Design guidance Car park access should be integrated with the building's overall facade. Design solutions may include: - the materials and colour palette to minimise visibility from the street - security doors or gates at entries that minimise voids in the facade - where doors are not provided, the visible interior reflects the facade design and the building services, pipes and ducts are concealed	Satisfactory One vehicle entry is proposed and located on Daisy Street. A roller door will remain open during business hours. A secondary roller door leads down to the basement car parking level, where residential parking is located. The driveway setback allows a vehicle to enter the site and wait for the shutter to rise without affecting street traffic and provide a wider field of view for vehicles exiting the site for pedestrian safety. Council's traffic engineer has no objection to the vehicle access design.
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 Design criteria 1. For development in the following locations: - on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or - on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less The car parking needs for a development must be provided off street	Satisfactory Sufficient car, motorcycle and bicycle parking has been provided.

Standards/controls	Comment
Objective 3J-2 Parking and facilities are provided for other modes of transport Design guidance Conveniently located and sufficient numbers of parking spaces should be provided for motorbikes and scooters Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas Conveniently located charging stations are provided for electric vehicles, where desirable	Satisfactory The minimum required parking has been provided. Secure bicycle cages for resident, residential visitors and commercial users are located at Ground Floor Level. It may be preferable to locate the secure resident bicycle spaces in the basement, as the ground floor security shutter will be open during the day. Two commercial user electric charging spaces are shown on the ground floor plan. It may be preferable to have electric charging spaces also located in the basement for resident use, as a future subdivision plan may restrict use of the commercial electric spaces to commercial tenants.
Objective 3J-3 Car park design and access is safe and secure Design guidance Supporting facilities within car parks, including garbage, plant and switch rooms, storage areas and car wash bays can be accessed without crossing car parking spaces Direct, clearly visible and well lit access should be provided into common circulation areas A clearly defined and visible lobby or waiting area should be provided to lifts and stairs For larger car parks, safe pedestrian access should be clearly defined and circulation areas have good lighting, colour, line marking and/or bollards	Satisfactory The waste room is in close proximity to the Block A lifts. Residents in Block B would have to walk through the car park to place waste in waste room. A clearly defined lift lobby is provided.

Standards/controls	Comment
Objective 3J-4 Visual and environmental impacts of underground car parking are minimised Design guidance Excavation should be minimised through efficient car park layouts and ramp design Car parking layout should be well organised, using a logical, efficient structural grid and double loaded aisles Protrusion of car parks should not exceed 1m above ground level. Design solutions may include stepping car park levels or using split levels on sloping sites Natural ventilation should be provided to basement and sub basement car parking areas Ventilation grills or screening devices for car parking openings should be integrated into the facade and landscape design	Satisfactory The layout of the basement carparking level is supported by Council's traffic engineer.
Objective 3J-6 Visual and environmental impacts of above ground enclosed car parking are minimised Design guidance Exposed parking should not be located along primary street frontages Screening, landscaping and other design elements including public art should be used to integrate the above ground car parking with the facade. Design solutions may include: - car parking that is concealed behind the facade, with windows integrated into the overall facade design (approach should be limited to developments where a larger floor plate podium is suitable at lower levels) - car parking that is 'wrapped' with other uses, such as retail, commercial or two storey Small Office/Home Office (SOHO) units along the street frontage (see figure 3J.9) Positive street address and active frontages should be provided at ground level	Satisfactory Ground floor parking is proposed. The ground floor parking is wrapped by commercial shops and residential lobbies, minimising any impacts. The creation of a raised podium level is noted as beneficial for the residential COS areas and this arrangement is suited to the business centre context.
4A Solar and daylight access	

Standards/controls	Comment
Objective 4A-1 To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space Design criteria 1. 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 in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas 2. In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid winter 3. A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter	Complies 30 of 36 units achieve solar access, (83.3%), and are therefore compliant. 3 of 36 units (8%) do not achieve any solar access. These are south facing units B103-303, and this is compliant. A solar access table and detail solar study was also provided as requested, demonstrating compliance to living rooms on the western façade of Building A.

Standards/controls	Comment
Objective 4A-2 Daylight access is maximised where sunlight is limited Design guidance Courtyards, skylights and high level windows (with sills of 1,500mm or greater) are used only as a secondary light source in habitable rooms Where courtyards are used : • use is restricted to kitchens, bathrooms and service areas • building services are concealed with appropriate detailing and materials to visible walls • courtyards are fully open to the sky • access is provided to the light well from a communal area for cleaning and maintenance • acoustic privacy, fire safety and minimum privacy separation distances (see section 3F Visual privacy) are achieved Opportunities for reflected light into apartments are optimised through: • reflective exterior surfaces on buildings opposite south facing windows • positioning windows to face other buildings or surfaces (on neighbouring sites or within the site) that will reflect light • integrating light shelves into the design • light coloured internal finishes	Satisfactory Daylight access has been maximised for units with a challenging orientation. This includes south facing units B103-303 with balconies, and Units A101-A301 which receive limited direct solar to living rooms and bedrooms.

Standards/controls	Comment
Objective 4A-3 Design incorporates shading and glare control, particularly for warmer months Design guidance A number of the following design features are used: • balconies or sun shading that extend far enough to shade summer sun, but allow winter sun to penetrate living areas • shading devices such as eaves, awnings, balconies, pergolas, external louvres and planting • horizontal shading to north facing windows • vertical shading to east and particularly west facing windows • operable shading to allow adjustment and choice • high performance glass that minimises external glare off windows, with consideration given to reduced tint glass or glass with a reflectance level below 20% (reflective films are avoided)	Satisfactory Additional awning projections could be included to screen harsh summer sun; however the proposed arrangement is satisfactory.
4B Natural ventilation Objective 4B-1 All habitable rooms are naturally ventilated Design guidance The building's orientation maximises capture and use of prevailing breezes for natural ventilation in habitable rooms Depths of habitable rooms support natural ventilation The area of unobstructed window openings should be equal to at least 5% of the floor area served Light wells are not the primary air source for habitable rooms Doors and openable windows maximise natural ventilation opportunities by using the following design solutions: • adjustable windows with large effective openable areas • a variety of window types that provide safety and flexibility such as awnings and louvres • windows which the occupants can reconfigure to funnel breezes into the apartment such as vertical louvres, casement windows and externally opening doors	Unsatisfactory The studies in Units A101, A102, A103 may not comply with NCC requirements for light and ventilation (NCC items F6P1/F6D2 and F6P3/F6D7) and do not satisfy the ADG item for habitable rooms. It may be preferable to require these studies to be converted to storage spaces. Maximum room depths are exceeded for Units A106, A201, A202, A206, A301, A302 and A306. Each of these units have kitchens or dining rooms that exceed 8m from a window, with each unit exceeding a dimension of 9m (9.2-9.8m when measured wall-to-window).

Standards/controls	Comment
Objective 4B-2 The layout and design of single aspect apartments maximises natural ventilation Design guidance Apartment depths are limited to maximise ventilation and airflow (see also figure 4D.3) Natural ventilation to single aspect apartments is achieved with the following design solutions: • primary windows are augmented with plenums and light wells (generally not suitable for cross ventilation) • stack effect ventilation / solar chimneys or similar to naturally ventilate internal building areas or rooms such as bathrooms and laundries • courtyards or building indentations have a width to depth ratio of 2:1 or 3:1 to ensure effective air circulation and avoid trapped smells	Satisfactory Facades are articulated to provide a limited level of natural ventilation between rooms and space by trapping perpendicular breezes.
Objective 4B-3 The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents Design criteria 1. At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed 2. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line	Complies 23 of 36 units achieve natural ventilation, (63.9%), and are therefore compliant. However, this is based on the inclusion of roof lights to Level 3. Documentation states that 'high level clerestory windows' are included. It may be preferable that all clerestory windows are to be operable and be operable by occupants without the use of speciality tools or equipment.

Standards/controls	Comment												
4C Ceiling heights Objective 4C-1 Ceiling height achieves sufficient natural ventilation and daylight access Design criteria 1. Measured from finished floor level to finished ceiling level, minimum ceiling heights are: <table border="1"> <thead> <tr> <th colspan="2">Minimum ceiling height for apartment and mixed use buildings</th> </tr> </thead> <tbody> <tr> <td>Habitable rooms</td><td>2.7m</td> </tr> <tr> <td>Non-habitable</td><td>2.4m</td> </tr> <tr> <td>For 2 storey apartments</td><td>2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area</td> </tr> <tr> <td>Attic spaces</td><td>1.8m at edge of room with a 30 degree minimum ceiling slope</td> </tr> <tr> <td>If located in mixed used areas</td><td>3.3m for ground and first floor to promote future flexibility of use</td> </tr> </tbody> </table> These minimums do not preclude higher ceilings if desired Objective 4C-2 Ceiling height increases the sense of space in apartments and provides for well proportioned rooms Design guidance A number of the following design solutions can be used: - the hierarchy of rooms in an apartment is defined using changes in ceiling heights and alternatives such as raked or curved ceilings, or double height spaces - well proportioned rooms are provided, for example, smaller rooms feel larger and more spacious with higher ceilings - ceiling heights are maximised in habitable rooms by ensuring that bulkheads do not intrude. The stacking of service rooms from floor to floor and coordination of bulkhead location above non-habitable areas, such as robes or storage, can assist	Minimum ceiling height for apartment and mixed use buildings		Habitable rooms	2.7m	Non-habitable	2.4m	For 2 storey apartments	2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area	Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope	If located in mixed used areas	3.3m for ground and first floor to promote future flexibility of use	Compliance not demonstrated. Floor-to-floor heights have been set at 3050mm. It is not clear that minimum ceiling heights are achievable with this dimension, and also considering NCC 2022 changes for waterproofing and fire resistance. Typically, 3200mm floor-to-floor is recommended. Not yet demonstrated.
Minimum ceiling height for apartment and mixed use buildings													
Habitable rooms	2.7m												
Non-habitable	2.4m												
For 2 storey apartments	2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area												
Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope												
If located in mixed used areas	3.3m for ground and first floor to promote future flexibility of use												

Standards/controls

Comment

Objective 4C-3

Ceiling heights contribute to the flexibility of building use over the life of the building

Design guidance

Ceiling heights of lower level apartments in centres should be greater than the minimum required by the design criteria allowing flexibility and conversion to non-residential uses (see figure 4C.1)

Not yet demonstrated

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

Design criteria

1. Apartments are required to have the following minimum internal areas:

Apartment type	Minimum internal area
Studio	35m ²
1 bedroom	50m ²
2 bedroom	70m ²
3 bedroom	90m ²

The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each

A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m² each

2. Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms

Complies

Layouts and dimensions are acceptable. The proposed internal area of all apartments exceeds ADG minimum requirements.

Standards/controls	Comment
Objective 4D-2 Environmental performance of the apartment is maximised Design criteria - Habitable room depths are limited to a maximum of 2.5 x the ceiling height - In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window	Does not comply. Maximum room depths are exceeded for Units A106, A201, A202, A206, A301, A302 and A306. Each of these units have kitchens or dining rooms that exceed 8m from a window, with each unit exceeding a dimension of 9m (9.2-9.8m when measured wall-to-window). These units are lacking in amenity and may create glare conditions (depending on the time of day). It may be preferable to require a maximum room depth of 8m when measured wall-to-window, or when measured to the face of full-height cabinetry-to-window.
Objective 4D-3 Apartment layouts are designed to accommodate a variety of household activities and needs Design criteria - Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space) - Bedrooms have a minimum dimension of 3m (excluding wardrobe space) - Living rooms or combined living/dining rooms have a minimum width of: • 3.6m for studio and 1 bedroom apartments • 4m for 2 and 3 bedroom apartments - The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts	Complies Dimensions comply with ADG requirements.

Standards/controls	Comment															
4E Private open space and balconies Objective 4E-1 Apartments provide appropriately sized private open space and balconies to enhance residential amenity Design criteria 1. All apartments are required to have primary balconies as follows: <table><tr><th>Dwelling type</th><th>Minimum area</th><th>Minimum depth</th></tr><tr><td>Studio apartments</td><td>4m²</td><td>-</td></tr><tr><td>1 bedroom apartments</td><td>8m²</td><td>2m</td></tr><tr><td>2 bedroom apartments</td><td>10m²</td><td>2m</td></tr><tr><td>3+ bedroom apartments</td><td>12m²</td><td>2.4m</td></tr></table> The minimum balcony depth to be counted as contributing to the balcony area is 1m 2. For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m² and a minimum depth of 3m. Objective 4E-2 Primary private open space and balconies are appropriately located to enhance liveability for residents Design guidance Primary open space and balconies should be located adjacent to the living room, dining room or kitchen to extend the living space Private open spaces and balconies predominantly face north, east or west Primary open space and balconies should be orientated with the longer side facing outwards or be open to the sky to optimise daylight access into adjacent rooms	Dwelling type	Minimum area	Minimum depth	Studio apartments	4m ²	-	1 bedroom apartments	8m ²	2m	2 bedroom apartments	10m ²	2m	3+ bedroom apartments	12m ²	2.4m	Complies Minimum POS dimensions have been achieved, with POS areas appropriately screened or treated for visual privacy. Unsatisfactory The amended secondary POS to Unit B106 is not supported given the impact on Unit B102 in terms of visual and acoustic privacy. It may be preferable that the secondary POS to Unit B106 is removed.
Dwelling type	Minimum area	Minimum depth														
Studio apartments	4m ²	-														
1 bedroom apartments	8m ²	2m														
2 bedroom apartments	10m ²	2m														
3+ bedroom apartments	12m ²	2.4m														

Standards/controls	Comment
Objective 4E-3 Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building Design guidance Solid, partially solid or transparent fences and balustrades are selected to respond to the location. They are designed to allow views and passive surveillance of the street while maintaining visual privacy and allowing for a range of uses on the balcony. Solid and partially solid balustrades are preferred Full width full height glass balustrades alone are generally not desirable Projecting balconies should be integrated into the building design and the design of soffits considered Operable screens, shutters, hoods and pergolas are used to control sunlight and wind Balustrades are set back from the building or balcony edge where overlooking or safety is an issue Downpipes and balcony drainage are integrated with the overall facade and building design Air-conditioning units should be located on roofs, in basements, or fully integrated into the building design Where clothes drying, storage or air conditioning units are located on balconies, they should be screened and integrated in the building design Ceilings of apartments below terraces should be insulated to avoid heat loss Water and gas outlets should be provided for primary balconies and private open space	Satisfactory POS meets ADG requirements.
Objective 4E-4 Private open space and balcony design maximises safety Design guidance Changes in ground levels or landscaping are minimised Design and detailing of balconies avoids opportunities for climbing and falls	Satisfactory POS meets ADG requirements.

Standards/controls	Comment
4F Common circulation and spaces	
Objective 4F-1 Common circulation spaces achieve good amenity and properly service the number of apartments Design criteria 1. The maximum number of apartments off a circulation core on a single level is eight 2. For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40	Complies A maximum of 6x units per core is proposed, and this is compliant.
Objective 4F-2 Common circulation spaces promote safety and provide for social interaction between residents Design guidance Direct and legible access should be provided between vertical circulation points and apartment entries by minimising corridor or gallery length to give short, straight, clear sight lines Tight corners and spaces are avoided Circulation spaces should be well lit at night Legible signage should be provided for apartment numbers, common areas and general wayfinding Incidental spaces, for example space for seating in a corridor, at a stair landing, or near a window are provided In larger developments, community rooms for activities such as owners corporation meetings or resident use should be provided and are ideally co-located with communal open space Where external galleries are provided, they are more open than closed above the balustrade along their length	Satisfactory The ends of each corridor have windows and a level of outlook. It may be preferable that incidental spaces are provided.

Standards/controls	Comment										
4G Storage Objective 4G-1 Adequate, well designed storage is provided in each apartment Design criteria 1. In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided: <table border="1"> <thead> <tr> <th>Dwelling type</th><th>Storage size volume</th></tr> </thead> <tbody> <tr> <td>Studio apartments</td><td>4m³</td></tr> <tr> <td>1 bedroom apartments</td><td>6m³</td></tr> <tr> <td>2 bedroom apartments</td><td>8m³</td></tr> <tr> <td>3+ bedroom apartments</td><td>10m³</td></tr> </tbody> </table> At least 50% of the required storage is to be located within the apartment	Dwelling type	Storage size volume	Studio apartments	4m ³	1 bedroom apartments	6m ³	2 bedroom apartments	8m ³	3+ bedroom apartments	10m ³	Complies Adequate storage is provided.
Dwelling type	Storage size volume										
Studio apartments	4m ³										
1 bedroom apartments	6m ³										
2 bedroom apartments	8m ³										
3+ bedroom apartments	10m ³										
Objective 4G-2 Additional storage is conveniently located, accessible and nominated for individual apartments Design guidance Storage not located in apartments is secure and clearly allocated to specific apartments Storage is provided for larger and less frequently accessed items Storage space in internal or basement car parks is provided at the rear or side of car spaces or in cages so that allocated car parking remains accessible If communal storage rooms are provided they should be accessible from common circulation areas of the building Storage not located in an apartment is integrated into the overall building design and is not visible from the public domain	Satisfactory Basement storage cages are also included, and these are generally logically arranged.										

Standards/controls	Comment
4H Acoustic privacy Objective 4H-1 Noise transfer is minimised through the siting of buildings and building layout Design guidance Adequate building separation is provided within the development and from neighbouring buildings/adjacent uses (see also section 2F Building separation and section 3F Visual privacy) Window and door openings are generally orientated away from noise sources Noisy areas within buildings including building entries and corridors should be located next to or above each other and quieter areas next to or above quieter areas Storage, circulation areas and non-habitable rooms should be located to buffer noise from external sources The number of party walls (walls shared with other apartments) are limited and are appropriately insulated Noise sources such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, active communal open spaces and circulation areas should be located at least 3m away from bedrooms	Satisfactory Noise transmission between apartments is not expected to be compromised, with the exception of the secondary POS of unit B106 potentially impacting unit B102. The Princes Highway is a source of noise intrusion for the development. The applicant's acoustic report has adequately addressed SEPP (Transport and Infrastructure) 2021.

Standards/controls	Comment
Objective 4H-2 Noise impacts are mitigated within apartments through layout and acoustic treatments Design guidance Internal apartment layout separates noisy spaces from quiet spaces, using a number of the following design solutions: • rooms with similar noise requirements are grouped together • doors separate different use zones • wardrobes in bedrooms are co-located to act as sound buffers Where physical separation cannot be achieved noise conflicts are resolved using the following design solutions: • double or acoustic glazing • acoustic seals • use of materials with low noise penetration properties • continuous walls to ground level courtyards where they do not conflict with streetscape or other amenity requirements	Satisfactory

Standards/controls	Comment
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 Design guidance To minimise impacts the following design solutions may be used: • physical separation between buildings and the noise or pollution source • residential uses are located perpendicular to the noise source and where possible buffered by other uses • non-residential buildings are sited to be parallel with the noise source to provide a continuous building that shields residential uses and communal open spaces • non-residential uses are located at lower levels vertically separating the residential component from the noise or pollution source. Setbacks to the underside of residential floor levels should increase relative to traffic volumes and other noise sources • buildings should respond to both solar access and noise. Where solar access is away from the noise source, non-habitable rooms can provide a buffer • where solar access is in the same direction as the noise source, dual aspect apartments with shallow building depths are preferable (see figure 4J.4) • landscape design reduces the perception of noise and acts as a filter for air pollution generated by traffic and industry	Satisfactory The inclusion of full-width awnings mitigates to some extent acoustic impacts from the Princes Highway in particular. An increased level of particulate matter is likely given the location, and outdoor terraces and balconies have reduced amenity. This is a result of the site conditions and location within the business precinct rather than an inherent design issue.

Standards/controls	Comment
Objective 4J-2 Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission Design guidance Design solutions to mitigate noise include: • limiting the number and size of openings facing noise sources • providing seals to prevent noise transfer through gaps • using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens) • using materials with mass and/or sound insulation or absorption properties e.g. solid balcony balustrades, external screens and soffits	Satisfactory Brickwork is a quality material with minimal maintenance concerns and is considered suitable for this location. Glazing should be acoustic rated due to the location within the business centre and being located on a main road. This is discussed in the applicant's acoustic report and reflected in recommended conditions of consent.
4K Apartment mix Objective 4K-1 A range of apartment types and sizes is provided to cater for different household types now and into the future Design guidance A variety of apartment types is provided The apartment mix is appropriate, taking into consideration: • the distance to public transport, employment and education centres • the current market demands and projected future demographic trends • the demand for social and affordable housing • different cultural and socioeconomic groups Flexible apartment configurations are provided to support diverse household types and stages of life including single person households, families, multi-generational families and group households	Unsatisfactory The development contains 13 x 1 bedroom and 23 x 2 bedroom units. The site is near public transport, schools and outdoor recreation areas, and may appeal to families with children and households with multiple adults. It is preferable that 3 bedroom units are provided, reflective of WDCP 2009.

Standards/controls	Comment
Objective 4K-2 The apartment mix is distributed to suitable locations within the building Design guidance Different apartment types are located to achieve successful facade composition and to optimise solar access (see figure 4K.3) Larger apartment types are located on the ground or roof level where there is potential for more open space and on corners where more building frontage is available	Satisfactory The mix as proposed is distributed through each level and each tower, however the overall unit mix remains unsatisfactory as no 3 bedroom units have been provided.

Standards/controls	Comment
4M Facades Objective 4M-1 Building facades provide visual interest along the street while respecting the character of the local area Design guidance Design solutions for front building facades may include: • a composition of varied building elements • a defined base, middle and top of buildings • revealing and concealing certain elements • changes in texture, material, detail and colour to modify the prominence of elements Building services should be integrated within the overall facade Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale. Design solutions may include: • well composed horizontal and vertical elements • variation in floor heights to enhance the human scale • elements that are proportional and arranged in patterns • public artwork or treatments to exterior blank walls • grouping of floors or elements such as balconies and windows on taller buildings Building facades relate to key datum lines of adjacent buildings through upper level setbacks, parapets, cornices, awnings or colonnade heights Shadow is created on the facade throughout the day with building articulation, balconies and deeper window reveals Objective 4M-2 Building functions are expressed by the facade Design guidance Building entries should be clearly defined Important corners are given visual prominence through a change in articulation, materials or colour, roof expression or changes in height The apartment layout should be expressed externally through facade features such as party walls and floor slabs	Satisfactory The street facades are well articulated and include a variety of durable prefinished materials, and with a mix of solid, slatted, and glazed balustrading. The aesthetic is suitable to and reflective of the typologies, and suitably responds to neighbouring forms through maintaining parapet heights and brickwork materials. The podium level setbacks are noted as highly beneficial and suitable to future mixed-use tower forms to the south. Satisfactory Entrances are clearly defined and logically positioned and given visual prominence within the façade. The continuous street awnings were requested by Council, and this provides continuity to the streetscape from neighbouring buildings and reinforces the horizontal plane when viewed from Guest Park.

Standards/controls	Comment
4N Roof design Objective 4N-1 Roof treatments are integrated into the building design and positively respond to the street Design guidance Roof design relates to the street. Design solutions may include: • special roof features and strong corners • use of skillion or very low pitch hipped roofs • breaking down the massing of the roof by using smaller elements to avoid bulk • using materials or a pitched form complementary to adjacent buildings Roof treatments should be integrated with the building design. Design solutions may include: • roof design proportionate to the overall building size, scale and form • roof materials compliment the building • service elements are integrated Objective 4N-2 Opportunities to use roof space for residential accommodation and open space are maximised Design guidance Habitable roof space should be provided with good levels of amenity. Design solutions may include: • penthouse apartments • dormer or clerestory windows • openable skylights Open space is provided on roof tops subject to acceptable visual and acoustic privacy, comfort levels, safety and security considerations	Satisfactory The flat roof forms do not lend interest or reduce the bulk of the overall forms. However, the roof includes 'pop-up' roof boxes to allow clerestory windows to some Level 3 units. This is considered an acceptable functional resolution. Roof photovoltaics are proposed. Not applicable The proponent has elected to maximise the number of floor levels without exceeding the building height permitted under WLEP 2009. The resulting flat roof design does not promote opportunities for habitable roof space.

Standards/controls	Comment
Objective 4N-3 Roof design incorporates sustainability features Design guidance Roof design maximises solar access to apartments during winter and provides shade during summer. Design solutions may include: • the roof lifts to the north • eaves and overhangs shade walls and windows from summer sun Skylights and ventilation systems should be integrated into the roof design	Satisfactory Solar PV arrays are proposed, alongside clerestory windows which provide light and ventilation to some Level 3 units.
40 Landscape design Objective 4O-1 Landscape design is viable and sustainable Design guidance Landscape design should be environmentally sustainable and can enhance environmental performance by incorporating: • diverse and appropriate planting • bio-filtration gardens • appropriately planted shading trees • areas for residents to plant vegetables and herbs • composting • green roofs or walls Ongoing maintenance plans should be prepared Microclimate is enhanced by: • appropriately scaled trees near the eastern and western elevations for shade • a balance of evergreen and deciduous trees to provide shading in summer and sunlight access in winter • shade structures such as pergolas for balconies and courtyards Tree and shrub selection considers size at maturity and the potential for roots to compete (see Table 4)	Satisfactory A landscape plan has been provided and is satisfactory.

Standards/controls	Comment
Objective 4O-2 Landscape design contributes to the streetscape and amenity Design guidance Landscape design responds to the existing site conditions including: • changes of levels • views • significant landscape features including trees and rock outcrops Significant landscape features should be protected by: • tree protection zones (see figure 4O.5) • appropriate signage and fencing during construction Plants selected should be endemic to the region and reflect the local ecology	Satisfactory Not applicable – landscaping is internalised. Street tree planting is not required in this village centre location.
4P Planting on structures Objective 4P-1 Appropriate soil profiles are provided Design guidance Structures are reinforced for additional saturated soil weight Soil volume is appropriate for plant growth, considerations include: • modifying depths and widths according to the planting mix and irrigation frequency • free draining and long soil life span • tree anchorage Minimum soil standards for plant sizes should be provided in accordance with Table 5	Satisfactory On-podium raised planters are proposed. Council's landscape architect supports the proposed landscape design.

Standards/controls	Comment
Objective 4P-2 Plant growth is optimised with appropriate selection and maintenance Design guidance Plants are suited to site conditions, considerations include: • drought and wind tolerance • seasonal changes in solar access • modified substrate depths for a diverse range of plants • plant longevity A landscape maintenance plan is prepared Irrigation and drainage systems respond to: • changing site conditions • soil profile and the planting regime • whether rainwater, stormwater or recycled grey water is used	Satisfactory Council's landscape architect supports the proposed landscape design.
Objective 4P-3 Planting on structures contributes to the quality and amenity of communal and public open spaces Design guidance Building design incorporates opportunities for planting on structures. Design solutions may include: • green walls with specialised lighting for indoor green walls • wall design that incorporates planting • green roofs, particularly where roofs are visible from the public domain • planter boxes Note: structures designed to accommodate green walls should be integrated into the building facade and consider the ability of the facade to change over time	Satisfactory The landscaping has limited visibility from public areas, however adequate areas of planting enhances COS. Council's landscape architect supports the proposed landscape design.

Standards/controls	Comment
4Q Universal design Objective 4Q-1 Universal design features are included in apartment design to promote flexible housing for all community members Design guidance Developments achieve a benchmark of 20% of the total apartments incorporating the Livable Housing Guideline's silver level universal design features Objective 4Q-2 A variety of apartments with adaptable designs are provided Design guidance Adaptable housing should be provided in accordance with the relevant council policy Design solutions for adaptable apartments include: • convenient access to communal and public areas • high level of solar access • minimal structural change and residential amenity loss when adapted • larger car parking spaces for accessibility • parking titled separately from apartments or shared car parking arrangements Objective 4Q-3 Apartment layouts are flexible and accommodate a range of lifestyle needs Design guidance Apartment design incorporates flexible design solutions which may include: • rooms with multiple functions • dual master bedroom apartments with separate bathrooms • larger apartments with various living space options • open plan 'loft' style apartments with only a fixed kitchen, laundry and bathroom	Satisfactory 3 units are nominated as silver level liveable standard (B103, B203 and B303). Satisfactory 4 adaptable units are proposed (B205, B206, B305 & B306) and these layouts are compliant. Layouts could be further developed to minimise future fitout works. Satisfactory A satisfactory unit mix has not been provided, with reference to 4K-01. However, provided layouts are considered acceptable in providing variety of functional use.

Standards/controls	Comment
4S Mixed use Objective 4S-1 Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement Design guidance Mixed use development should be concentrated around public transport and centres Mixed use developments positively contribute to the public domain. Design solutions may include: • development addresses the street • active frontages are provided • diverse activities and uses • avoiding blank walls at the ground level • live/work apartments on the ground floor level, rather than commercial Objective 4S-2 Residential levels of the building are integrated within the development, and safety and amenity is maximised for residents Design guidance Residential circulation areas should be clearly defined. Design solutions may include: • residential entries are separated from commercial entries and directly accessible from the street • 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 Landscaped communal open space should be provided at podium or roof levels	Satisfactory Ground floor commercial spaces are proposed. It may be preferable to provide grease arrestor/s and mechanical ventilation to commercial spaces to allow greater flexibility for use as food premises. Satisfactory Functional separation is provided between residential and commercial functions, and residential lobbies are clearly defined.

Standards/controls	Comment
4T Awnings and signage	
Objective 4T-1 Awnings are well located and complement and integrate with the building design Design guidance Awnings should be located along streets with high pedestrian activity and active frontages A number of the following design solutions are used: • continuous awnings are maintained and provided in areas with an existing pattern • height, depth, material and form complements the existing street character • protection from the sun and rain is provided • awnings are wrapped around the secondary frontages of corner sites • awnings are retractable in areas without an established pattern Awnings should be located over building entries for building address and public domain amenity Awnings relate to residential windows, balconies, street tree planting, power poles and street infrastructure Gutters and down pipes should be integrated and concealed Lighting under awnings should be provided for pedestrian safety	Satisfactory The continuous street awning is a Council-required inclusion, refer to WDCP B3.4.8. The awning design provides continuity to the streetscape from neighbouring buildings and reinforces the horizontal plane when viewed from Guest Park. The awning design supports the bus stop immediately to the front of the western building; supports active facades; and replaces existing awnings to be demolished as part of the works.
Objective 4T-2 Signage responds to the context and desired streetscape character Design guidance Signage should be integrated into the building design and respond to the scale, proportion and detailing of the development. Legible and discrete way finding should be provided for larger developments Signage is limited to being on and below awnings and a single facade sign on the primary street frontage	Not applicable No signage is proposed.

Standards/controls	Comment
4U Energy efficiency	
Objective 4U-1 Development incorporates passive environmental design Design guidance Adequate natural light is provided to habitable rooms (see 4A Solar and daylight access) Well located, screened outdoor areas should be provided for clothes drying	Unsatisfactory Refer to item 4D-2. Maximum room depths are exceeded for various units.
Objective 4U-2 Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer Design guidance A number of the following design solutions are used: - the use of smart glass or other technologies on north and west elevations - thermal mass in the floors and walls of north facing rooms is maximised - polished concrete floors, tiles or timber rather than carpet - insulated roofs, walls and floors and seals on window and door openings - overhangs and shading devices such as awnings, blinds and screens Provision of consolidated heating and cooling infrastructure should be located in a centralised location (e.g. the basement)	Satisfactory Balcony overhangs, awning projections, screening and balustrading has been proposed. Additional awning projections could also be considered to shield glazing from the harsh summer sun.
Objective 4U-3 Adequate natural ventilation minimises the need for mechanical ventilation Design guidance A number of the following design solutions are used: - rooms with similar usage are grouped together - natural cross ventilation for apartments is optimised - natural ventilation is provided to all habitable rooms and as many non-habitable rooms, common areas and	Unsatisfactory Refer to item 4D-2. Maximum room depths are exceeded for various units.

Standards/controls	Comment
4V Water management and conservation	
Objective 4V-1 Potable water use is minimised Design guidance Water efficient fittings, appliances and wastewater reuse should be incorporated Apartments should be individually metered Rainwater should be collected, stored and reused on site Drought tolerant, low water use plants should be used within landscaped areas	Satisfactory A small 5000L rainwater tank is proposed to service landscaping areas, located at ground floor parking area.
Objective 4V-2 Urban stormwater is treated on site before being discharged to receiving waters Design guidance Water sensitive urban design systems are designed by a suitably qualified professional A number of the following design solutions are used: - runoff is collected from roofs and balconies in water tanks and plumbed into toilets, laundry and irrigation - porous and open paving materials is maximised - on site stormwater and infiltration, including bio-retention systems such as rain gardens or street tree pits	Satisfactory Council's stormwater engineer supports the proposal.
Objective 4V-3 Flood management systems are integrated into site design Design guidance Detention tanks should be located under paved areas, driveways or in basement car parks On large sites parks or open spaces are designed to provide temporary on site detention basins	Satisfactory Council's stormwater engineer supports the proposal.

Standards/controls	Comment
4W Waste management Objective 4W-1 Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents Design guidance Adequately sized storage areas for rubbish bins should be located discreetly away from the front of the development or in the basement car park Waste and recycling storage areas should be well ventilated Circulation design allows bins to be easily manoeuvred between storage and collection points Temporary storage should be provided for large bulk items such as mattresses A waste management plan should be prepared Objective 4W-2 Domestic waste is minimised by providing safe and convenient source separation and recycling Design guidance All dwellings should have a waste and recycling cupboard or temporary storage area of sufficient size to hold two days worth of waste and recycling Communal waste and recycling rooms are in convenient and accessible locations related to each vertical core For mixed use developments, residential waste and recycling storage areas and access should be separate and secure from other uses Alternative waste disposal methods such as composting should be provided	Satisfactory Waste collection would occur on-street. Separate commercial and residential waste stores are provided. Waste stores are located on ground level adjacent to parking areas, with direct access from stores to loading bays. The arrangement is effective and well considered. Satisfactory Spatial provision has been allowed for recycling, FOGO and waste bins.

Standards/controls	Comment
4X Building maintenance Objective 4X-1 Building design detail provides protection from weathering Design guidance A number of the following design solutions are used: • roof overhangs to protect walls • hoods over windows and doors to protect openings • detailing horizontal edges with drip lines to avoid staining of surfaces • methods to eliminate or reduce planter box leaching • appropriate design and material selection for hostile locations Objective 4X-2 Systems and access enable ease of maintenance Design guidance Window design enables cleaning from the inside of the building Building maintenance systems should be incorporated and integrated into the design of the building form, roof and facade Design solutions do not require external scaffolding for maintenance access Manually operated systems such as blinds, sunshades and curtains are used in preference to mechanical systems Centralised maintenance, services and storage should be provided for communal open space areas within the building	Satisfactory Building materiality is acceptable to mitigate weathering concerns and includes face brickwork, profiled sheet metal, aluminium, glazing. Portions of rendered concrete remain, primarily to slab edges. Materials to the east elevation of Building A are not clearly defined, though appear to be painted concrete which is not encouraged due to weathering, patination and maintenance concerns. An alternative material could be conditioned if desired (e.g. prefinished fibre cement sheeting). Unsatisfactory A/C unit locations are not consistently defined, though appear to be located on some (but not all) balconies/terraces. Coordination is lacking for plant services, with plant such as air extraction fans and ducting not shown in the documentation. Only very limited ducting/services risers have been shown on plan, and it is not clear if building services have been adequately considered at this time. Air extraction to boundaries or facades is not an acceptable solution.

Standards/controls	Comment
Objective 4X-3 Material selection reduces ongoing maintenance costs Design guidance A number of the following design solutions are used: • sensors to control artificial lighting in common circulation and spaces • natural materials that weather well and improve with time such as face brickwork • easily cleaned surfaces that are graffiti resistant • robust and durable materials and finishes are used in locations which receive heavy wear and tear, such as common circulation areas and lift interiors	Satisfactory Portions of rendered painted concrete should be reconsidered, however these walls are internally facing and relatively limited in area. See item 4X-1.

WOLLONGONG DEVELOPMENT CONTROL PLAN 2009 (WDCP 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.

CHAPTER B1 – RESIDENTIAL DEVELOPMENT

Not applicable - Chapter only applies to land zoned residential.

CHAPTER B3 – MIXED USE DEVELOPMENT

Relevant controls are discussed below.

4 Design Requirements Mixed Use Buildings

<i>Chapter B3 Objectives/controls</i>	<i>Comment</i>
<u>4.1 Minimum site width</u> Minimum 24m width Must not result in creation of an isolated allotment, defined as ‘a lot which is bounded on both sides by properties (or a property and a second street frontage) which comprise existing development other than a single dwelling house’.	Satisfactory Both frontages exceed 24m. The development does not create an isolated allotment. The adjoining Lot 1 DP 150504 and Lot 2 DP 621199 (76-78 Princes Highway) are each 12.72m wide. Both lots could combine with a frontage of 25.45m and lot size 1247m². Lot 1 has frontage 49.41m to Daisy Street. The Built Form Study plans (A-003a-b) indicate potential built form outcomes on these two adjoining lots.
<u>4.2 Maximum floor space ratio/density</u> Maximum FSR set by WLEP 2009	Satisfactory WLEP 2009 sets maximum FSR 1.5:1. The proposed FSR is 1.47:1.
<u>4.3 Building height</u> Maximum height set by WLEP 2009	Satisfactory WLEP 2009 sets maximum building height 15m The proposed height is 14.80m

<i>Chapter B3 Objectives/controls</i>	<i>Comment</i>
<u>4.4 Front setbacks</u> Within B2 Local Centre zone - nil front setback as a continuous fade along main commercial streets is desired <i>*applies - the zone name has changed from 'B2 Local Centre' to current 'E1 Local Centre'</i>	Satisfactory Nil front setback to both Princes Highway and Daisy Street is proposed.

<i>Chapter B3 Objectives/controls</i>	<i>Comment</i>
<u>4.5 Side and rear setbacks/building separation</u> Within the B2 Local Centre: <u>Building up to 4 storeys (12m)</u> – 6m where a habitable room/balcony faces an adjacent property and 3.5m where a non-habitable room/blank wall faces an adjacent property. <u>Buildings of 5-8 storeys (up to 25m)</u> - 9m where a habitable room/balcony faces an adjacent property and 4.5m where a non-habitable room/blank wall faces an adjacent property. <u>Objectives</u> <i>(a) To provide adequate setbacks from boundaries and adjoining dwellings to retain privacy levels, views, sunlight and daylight access and to minimise overlooking.</i> <i>(b) To optimise surveillance of the street at the front of the property.</i> <i>(c) To control overshadowing of adjacent residential properties and private or shared open space.</i> <i>(d) To ensure that new development is scaled to support the desired area character with appropriate massing and space between buildings.</i>	Does not comply but satisfactory This clause requires greater setback than the ADG (3.5m where ADG requires 3m). Other distances are the same as ADG. Refer ADG comment.

<i>Chapter B3 Objectives/controls</i>	<i>Comment</i>
<u>4.6 Built form.</u> SEPP 65 ADG may apply. New development must respond to built context and be in harmony. Highly articulated facades are required facing frontages to add visual interest to the building. Active street frontages are required. Commercial uses are required at ground floor level in B2 Local Centre zones. Ground and first floor must have minimum 3.3m ceiling height. Separate entrances must be provided for retail. Various building design elements. Various roof design requirements. New mixed-use buildings should continue the predominant built form character of the locality, including parapets, floor to ceiling heights and roof pitches. External walls should be constructed of high-quality durable materials with low maintenance costs.	Satisfactory Council's architect has reviewed the revised plans and considered the DRP comments. The development has been improved to a satisfactory level and approval is supported.
<u>4.7 Active street frontages</u> Ground level active street frontages required. Windows should comprise minimum 50% of ground floor front wall. Clear glazing required. Direct pedestrian access and visual inspection from front of the building.	Satisfactory Both Daisy Street and the Princes Highway frontages contain active uses. Windows slightly less than 50% due to need for fire exits, substation, vehicle access and multiple entries. Clear glazing proposed. Each frontage has direct pedestrian access.
<u>4.8 Awnings</u> Provide continuous street front awnings	Satisfactory Continuous awnings provided.
<u>4.9 Car parking</u> Parking in accordance with Chapter E3	Satisfactory Parking complies with Chapter E3.

<i>Chapter B3 Objectives/controls</i>	<i>Comment</i>
<u>4.10 Basement car parking</u> B2 Local Centre: Where a continuous street line is required, the basement must be constructed on the side property boundaries (i.e. zero setbacks).	Satisfactory Basement has nil setbacks.
<u>4.11 Driveways</u> Locate driveways taking into account any services within the road reserve, such as power poles, drainage inlet pits and existing street trees. All driveways must be located a minimum of 6 metres from the perpendicular of any intersection of any two roads The design of driveway and crossovers must be in accordance with Council's standard vehicle entrance designs. All vehicles within a mixed-use development building must provide vehicular manoeuvring areas to all parking spaces so vehicles do not need to make more than a single point turn to leave the site in a forward direction.	Satisfactory The driveway is located in an acceptable position. Council's traffic engineer has no objection to the proposed layout of parking areas or driveway.
<u>4.12 Landscaping</u> Landscaping within mixed use developments must be provided on terraces or balconies where required for screening purposes, to minimise overlooking between commercial and residential functions. Landscaping, including deep soil planting, must be provided where mixed use developments are located adjacent residential zones. Green roofs and walls, landscaping on podiums and on planters must provide sufficient soil depth and area to allow for plant establishment and growth.	Satisfactory A landscape plan has been provided and is satisfactory. Council's landscape officer has no objection.
<u>4.13 Communal open space</u> Developments with more than 10 dwellings must include COS, at rate of 5m ² per dwelling (i.e. 180m ²).	Satisfactory Approx. 801m ² of COS provided.

<i>Chapter B3 Objectives/controls</i>	<i>Comment</i>
4.14 Private open space Private open space must be provided for each residential dwelling within the development in the form of a balcony, courtyard, terrace and/or roof garden. The courtyard/terrace for the ground level dwellings must have a minimum area of 8m² and depth of 2m². Design private open spaces so that they act as direct extensions of the living areas of the dwellings they serve. Where private open space is provided in the form of a balcony, the following requirements must also be met: (a) Avoid locating primary balconies towards side setbacks. (b) The balcony must have a minimum area of 12m² open space and a minimum width of 2.4 metres. (c) The primary balcony of at least 70% of the residential dwellings within a mixed use housing development shall receive a minimum of three hours of direct sunlight between 9.00am and 3.00pm on June 21. (d) Balconies must be designed and positioned to ensure sufficient light can penetrate into the building at lower levels.	Satisfactory Compliant POS provided
4.15 Solar access Living rooms and private courtyards of adjacent residential buildings must receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on June 21. Mixed use developments must aim to maximise 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. The living rooms and private open space of at least 70% of apartments within the subject development must receive a minimum of three (3) hours direct sunlight between 9.00am and 3.00pm on 21 June. The number of single aspect apartments with a southerly (south-westerly to south-easterly) aspect shall be limited to a maximum of 10% of the total number of apartments proposed in the development.	Does not comply but satisfactory N/A – no adjacent residential buildings. The final revised plans maximise number of north-facing units. WDCP 2009 requires 3hrs solar access whereas the ADG requires 2hrs. 29 units receive minimum 3hrs (80%). 3 units (8%) are south facing.

<i>Chapter B3 Objectives/controls</i>	<i>Comment</i>
<u>4.16 Visual privacy</u> New buildings should be sited and oriented to maximise visual privacy between buildings through compliance with minimum front, side and rear setback / building separation requirements.	Satisfactory Visual privacy is acceptable. Where non-complying setbacks are proposed, generally they are technical non-compliances (e.g. a solid wall without openings) which has no adverse privacy impact.
<u>4.17 Acoustic privacy</u> All residential apartments and / or serviced apartments within a mixed use development should be designed and constructed with double-glazed windows and / or laminated windows, solid walls, sealing of air gaps around doors and windows as well as appropriate insulating building elements for doors, walls, roofs and ceilings etc; to provide satisfactory acoustic privacy and amenity levels for occupants within the residential and / or serviced apartment(s).	Satisfactory An acoustic assessment report has been provided, which recommends construction details and materials.
<u>4.18 Adaptable and universally designed housing</u> Within a mixed use development incorporating more than six (6) dwellings, 10% of all dwellings (or a minimum of 1 dwelling) must be designed to be capable of adaptation for disabled or elderly residents. Dwellings must be designed in accordance with the Australian Adaptable Housing Standard (AS 4299-1995), which includes “pre-adaptation” design details to ensure that visitability is achieved. Lift access to all adaptable dwellings must be provided. The lift must provide access from the basement to allow access for people with disabilities. Disabled access to the commercial component of the development must also be provided from the footpath level. Any Development Application for mixed use development must be accompanied by certification from a suitably qualified and experienced 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).	Satisfactory 4 (11%) adaptable units are proposed (B205, B206, B305 and B306). Lift access and is proved on all floors, including the basement. An access consultant’s report has been provided.

<i>Chapter B3 Objectives/controls</i>	<i>Comment</i>
<u>4.19 Residential component - apartment mix and layout</u> Provide a mix of apartment sizes and layouts within larger mixed use developments of ten (10) or more dwellings. This could include both variation in the gross floor areas of apartments, variety in the internal design, together with single or two level apartments to accommodate various resident requirements. The selection of the number of bedrooms within developments shall be determined having regard to the site context, geographic location and demographic characteristics. For mixed use developments having ten (10) or more dwellings, a minimum of 10% of the apartments must be one bedroom and/or studio apartments, to provide affordable housing opportunities.	Satisfactory 13 x 1 bedroom units (36%) and 23 x 2 bed units (63%) are proposed. Whilst the DCP does not call for 3 bedroom apartments, a contemporary view is to encourage 3 bedroom units in developments.
<u>4.20 Natural ventilation</u> A minimum of sixty percent (60%) of all residential apartments must be naturally cross ventilated. 25% of kitchens within a development must have access to natural ventilation. Where kitchens do not have direct access to a window, the back of the kitchen must be no more than 8m from a window.	Does not comply but satisfactory 23 of 36 units achieve natural ventilation, (63.9%), and are therefore compliant. Maximum kitchen room depths are exceeded for Units A106, A201, A202, A206, A301, A302 and A306. The floor plans show kitchens that are cross ventilated.
<u>4.22 Crime prevention through environmental design (Safety and Security) (CPTED)</u> Ensure that the building design allows for casual surveillance of accessways, entries and driveways. Avoid creating blind corners in pathways, stairwells, hallways and car parks. Provide entrances which are in prominent positions, and which are easily identifiable, with visible numbering.	Satisfactory Appropriate building design is provided.
5.0 General requirements for all mixed use development	
<u>5.1 Floodplain management</u> Development must be in accordance with WDCP 2009 Part E	Satisfactory The design adequately responds to potential flooding impacts. Council's stormwater engineer has no objection to the development.

<i>Chapter B3 Objectives/controls</i>	<i>Comment</i>
<u>5.2 Land reshaping works (cut and fill earthworks)</u> Proposed cut or fill must not compromise structures on the subject land or adjacent land or the overall stability of the land.	Satisfactory Basement excavation is proposed. Council's geotechnical engineer has no objection to the development.
<u>5.4 Soil erosion and sediment control</u> The development must be in accordance with WDCP 2009 Part E	Satisfactory Sediment controls are shown on the demolition plan.
<u>5.6 Access for people with a disability</u> The development must be in accordance with WDCP 2009 Part E	Satisfactory Barrier free access is provided. An accessibility report has been provided. Certification is required at construction phase.
<u>5.7 Services</u> Consideration shall be given to the siting of any proposed substation during the design stage, to minimise its visual impact on the streetscape. Any required substation must not be located in a prominent position at the front of the property.	Satisfactory A substation has been provided on the Daisy Street frontage. Endeavour Energy has provided satisfactory comment.
<u>5.9 Fire Brigade servicing</u> All mixed use developments must be located within 60m of a fire hydrant, or the required distance as required by Australian Standard AS2419.1.	Satisfactory Hydrant installation will be required at construction stage if none is available within 60m.
<u>5.10 Site facilities</u>	Satisfactory Letterboxes are in an accessible location in each building foyer.

<i>Chapter B3 Objectives/controls</i>	<i>Comment</i>
<u>5.11 Storage facilities</u> Same m ² requirements as ADG	Satisfactory Adequate storage is provided.
<u>5.12 Waste management</u> The development must be in accordance with WDCP Chapter E7	Satisfactory Satisfactory waste storage and collection is proposed

CHAPTER B4: DEVELOPMENT IN CENTRES AND PERIPHERAL SALES PRECINCTS

Relevant controls are discussed below.

4 Centres Hierarchy

<i>Chapter B4 Objectives/controls</i>	<i>Comment</i>
<u>4.2 Development Controls</u> Fairy Meadow is an identified 'Major Town Centre'	Satisfactory The development is consistent with controls for Major Town Centres in Table 1
<u>7.2 Fairy Meadow Major Town Centre</u> Any new retail development shall be contained and consolidated within the confines of the existing Fairy Meadow retail and business centre. Special emphasis should be directed towards the consolidation and the development of a more cohesive built form. The first two (2) storeys of any building shall be built to the front boundary with the third and fourth levels setback five (5) metres from front boundary. Any new building within this precinct may incorporate a zero side setback. A minimum six (6) metre setback is required from the rear property boundary, where a site abuts a residential property. Car parking areas shall be provided with access arrangements to / from a secondary road such as Elliotts Roads, Bourke Street or other secondary road. Direct vehicular access to / from the Princes Highway is prohibited, except where a site has no alternate available access.	Satisfactory The development complies with the Precinct 1 diagram (active street frontage, no vehicle access to Princes Highway and 4 storey height limit). Levels 2 and 3 are set back 5m. Nil side setback is proposed. Vehicular access is via Daisy Street.

Chapter B4 Objectives/controls	Comment
<u>10.2 Development Controls</u> The ground floor of developments is to be set at a level determined with reference to existing/required footpath levels in order to provide for an even transition between the building and the footpath and provide cross fall grades on footpaths that meet Council's standards. Council's Infrastructure Division may be contacted with regard to existing/required footpath levels. The floor to ceiling height of the ground floor development in an E1 or E2 zone shall be a minimum 3.3 metres, in order to allow flexibility in retail and / or other business tenancies in the future. The retail frontage at street level for individual retail shops / units should match the existing traditional retail shop pattern for the specific retail and business centre. Where sites are amalgamated, the design of any new building should express the existing or prevalent lot structure in the immediate locality New retail or business development shall continue the predominant built form character of the locality, including parapets, floor to ceiling heights and roof pitches. 2. For large buildings including multi-storey mixed use buildings, the treatment of the facades should be designed to provide character, visual legibility and human scale and to delineate the distinct uses. Buildings shall be designed for retail or business uses only at the ground floor of a building. Residential uses are not permitted on the ground floor of any land within a Centre with the exception of access areas for residential uses on upper levels of a building. All new retail, business or mixed use buildings are required to provide ground level active street frontages. The siting, form, height and external appearance of any retail or business premise development should be sympathetic with adjoining buildings in the surrounding retail and business precinct in addition to any abutting or nearby residential dwellings. All retail, business or mixed use buildings must provide a continuous awning along the full length of the building's street frontage, in order to provide all weather protection for pedestrians. Footpath paving treatment should be consistent with the relevant Public Domain Technical Manual for the relevant business centre at either Appendix 2 or Appendix 3 to this DCP. All retail and business developments are to be designed so as to minimise overshadowing impacts and maximise solar access	Satisfactory Ground level has been coordinated with landscape plan and is supported by Council's landscape officer. Floor to ceiling height of the ground floor is 4m and 4.5m. Retail frontage complements the existing retail shop pattern. The site includes amalgamated allotments and presents as one building facing each of Princes Highway and Daisy Street. Council's architect is generally satisfied with building detailing such as parapets, awnings and horizontal plane. No residential use is proposed on the ground floor. Active street frontages are proposed. The development adequately responds to the site context. Inclusion of 9 Daisy Street has improved the development. Continuous awning is provided to Princes Highway and Daisy Street. Council's landscape architect has recommended conditions requiring public domain works to be in accordance with Council's Public Domain Technical Manual. Solar access and overshadowing are satisfactory.

Chapter B4 Objectives/controls	Comment
opportunities to any adjoining residential properties and the public domain (public reserves and / or footpaths) in the locality.	

CHAPTER D1 – CHARACTER STATEMENTS

Fairy Meadow

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

Desired Future Character

Fairy Meadow has been identified as an emerging major town centre in the Illawarra Regional Strategy and is likely to experience some increased residential densities, particularly in residential precincts within close proximity to Fairy Meadow and Towradgi railway stations and the Fairy Meadow retail and business centre. The development of shop top housing as well as the encouragement of cafes or restaurants within the business centre may strengthen the vitality and vibrancy of the town centre, especially at night-time.

The Fairy Meadow retail and business centre is a planned major town centre and will continue to provide for the daily and weekly needs of the surrounding residential population and workforce. The centre should continue to provide for at least two full-line supermarkets plus a large range of other specialty retail shops and non-retail services including banking, professional services, community and medical services.

Any new retail development should be contained within the existing retail core areas of the town centre, in order to further strengthen the vibrancy and viability of the centre. Special emphasis should be directed towards the development of a more cohesive built form.

There will also be an increased emphasis on employment opportunities within the Enterprise Corridor and Light Industrial zoned lands in Fairy Meadow. The lower density residential areas in Fairy Meadow are likely to be subject to some replacement of older dwelling stock with larger dwelling-houses. Any new residential building should be sympathetic in design with the surrounding dwellings in terms of housing style and external finishes.

CHAPTER E1: ACCESS FOR PEOPLE WITH A DISABILITY

The development is required to comply with access provisions of the National Construction Code.

A 'Statement of Compliance Access for People with a Disability' report by Accessible Building Solutions dated 29 August 2022 was provided at lodgement.

Barrier free access from the public domain is proposed. Lifts and ramps (maximum 1:14) provide access throughout the building and including the basement level.

CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

<i>Control/objective</i>	<i>Comment</i>
<u>3.2 Natural surveillance and sightlines</u>	Good sightlines are available to communal open space and building entries.

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' by JN engineers dated 26 September 2022 was provided. This report related to the plans originally lodged (36 units comprised of 17 x 1 bedroom and 19 x 2 bedroom). A revised report was not required.

7 Parking demand and servicing requirements

A total of 71 car parking spaces are required (15 commercial, 48 residential and 8 residential visitor spaces).

Proposed parking is as follows:

- Total 74 spaces (surplus 3 spaces)
- 18 commercial
- 48 residential
- 8 residential visitor

7.8 Basement Car Parking

Parking is situated on the ground floor and basement level. Bicycle and motorcycle parking is also provided.

8 Vehicular access

Driveway grades and sight distances comply.

9 Loading / unloading facilities and service vehicle manoeuvring.

The development complies with AS 2890.2. Waste collection is via kerbside collection.

CHAPTER E6: LANDSCAPING

A landscaping plan is provided. All planting is on-podium.

Council's landscape officer has recommended conditions of consent which are included in Attachment 4.

CHAPTER E7: WASTE MANAGEMENT

A satisfactory Waste Minimisation and Management Plan has been provided. Waste collection will occur from the Princes Highway (Building A) and Daisy Street (Building B). The proposed number of bins are:

- 14 general waste
- 14 recycling
- 2 green waste

Separate residential and commercial bin stores for Buildings A and B are located in the ground floor car park. Bulky waste rooms have not been provided.

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. Conditions of consent were recommended.

CHAPTER E13 FLOODPLAIN MANAGEMENT

The land is flood affected.

Revised ground floor plan Rev F raising the RL of commercial space 3 was provided on 8 August 2024. This plan now proposes a satisfactory minimum floor level of RL10.30 for Building B and RL10.80 for Building A. Earlier plans proposed lower floor levels which necessitated installation of a flood barrier, however the latest increased floor levels avoid the need of a flood barrier. Council's stormwater engineer has recommended conditions of consent.

CHAPTER E14 STORMWATER MANAGEMENT

Revised drainage plans were provided on 8 August 2024. Council's stormwater engineer has recommended conditions of consent.

CHAPTER E15: WATER SENSITIVE URBAN DESIGN

Stormwater improvement devices have been recommended by JN Engineering. The recommended stormwater filtration devices are proprietary and will be managed by owners. Council's environment officer is satisfied with the proposed WSUD strategies.

CHAPTER E19 EARTHWORKS (LAND RESHAPING WORKS)

Basement excavation is proposed to an approximate depth of 4m. Council's environment officer and geotechnical engineer have recommended conditions of consent.

CHAPTER E21 DEMOLITION AND HAZARDOUS BUILDING MATERIALS MANAGEMENT

Demolition of all structures is proposed. A demolition work plan has been provided.

DRAFT CONDITIONS FOR:

DA-2022/1113

WLPP 27 August 2024

GENERAL CONDITIONS

Conditions				
1. Approved Plans and Supporting Documentation				
Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.				
Plan No	Revision No	Plan Title	Drawn By	Dated
2020-29-A-101	D	Site and Roof plan	ADM Architects	20.06.2024
2020-29-A-102	D	Basement floor plan	ADM Architects	20.06.2024
2020-29-A-103	F	Ground floor plan	ADM Architects	08.08.2024
2020-29-A-104	D	Level 1 floor plan	ADM Architects	20.06.2024
2020-29-A-105	D	Level 2 floor plan	ADM Architects	20.06.2024
2020-29-A-106	D	Level 3 floor plan	ADM Architects	20.06.2024
2020-29-A-201	F	Elevations 01	ADM Architects	08.08.2024
2020-29-A-202	E	Elevations 02	ADM Architects	08.08.2024
2020-29-A-203	E	Sections	ADM Architects	20.06.2024
2020-29-A-204	C	Façade design section	ADM Architects	20.06.2024
2020-29-A-301	D	Pre and post adaptation 01	ADM Architects	20.06.2024
2020-29-A-302	D	Pre and post adaptation 02	ADM Architects	20.06.2024
2020-29-A-701	D	Demolition and Site Management Plan	ADM Architects	20.06.2024

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

2. 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.

Reason:

To protect the amenity of the environment and the neighbourhood.

3. Site Remediation Work

Site remediation work must be undertaken as per the recommendations of the DSI report prepared by Reditus Consulting dated 5 July 2023.

Reason:

To comply with Chapter E20 of Wollongong DCP 2009 and SEPP (Resilience & Hazards) 2021.

4. Stormwater Quality Management

The stormwater treatment system must achieve the following minimum pollutants and nutrients removal standards: GP – 90%, TSS – 80%, TP – 55% and TN – 40%

It is strata management's responsibility to maintain the stormwater filtration system.

Reason:

To ensure stormwater quality is maintained and to comply with WDCP 2009 Chapter E15.

5. Compliance with the Building Code of Australia (BCA)

Building work must be carried out in accordance with the requirements of the BCA.

Reason:

To ensure the development is built in accordance with the Building Code of Australia.

6. 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 Part 3 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 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 Section 13 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Reason:

To satisfy the requirements of the legislation.

7. Mailboxes and Street Numbering

The developer must install mailboxes in accordance with Australia Post Guidelines and Clause 4.5.2 of Chapter D13 of Wollongong Development Control Plan 2009. The mailboxes must be provided in one accessible location adjacent to the main entrance to the development, integrated into a wall if possible and constructed of materials consistent with the appearance of the building. Letterboxes shall be secure and large enough to accommodate articles such as newspapers, parcels and the like. Prominent house numbers are to be displayed, with a minimum number size of 150 mm in height for each number and letter in the alphabet.

Prominent house numbers are to be displayed, with a minimum number size of 150 mm in height for each number and letter in the alphabet. The developer must install minimum two (2) reflective paint house number on face of kerb along street frontage of the property to assist emergency services/deliveries/visitors.

Reason:

To identify the property.

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.

Reason:

To ensure that access is maintained.

9. Geotechnical Conditions

- A dilapidation report is required for all structures located within the zone of influence of the proposed earthworks as determined by the geotechnical consultant.
- All excavations need to be supported during and after construction particularly to protect adjoining property with nearby existing development.
- Retaining wall design is not to include anchors extending on to adjoining property without the written consent of the adjoining property owner.
- 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.
- An earthworks plan is to be developed by the geotechnical consultant prior to start of earthworks.
- At the completion of site preparation earthworks, the geotechnical consultant is to prepare a works-as-executed report detailing encountered geotechnical conditions and how the remedial works addressed these conditions so that the residual geotechnical constraints can be accommodated within the structural designs for the development.
- The structural designs are to be confirmed or amended by the structural engineer based on the works-as-executed geotechnical report.
- The earthworks plan may require modification considering any subsequent geotechnical reports commissioned to address unforeseen geotechnical conditions encountered during the site preparation works.

Reason:

To ensure the development is safely constructed.

10. 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.

Reason:

To satisfy the requirements of the legislation.

11. Payment of Building and Construction Industry Long Service Levy

Before the issue of a construction certificate, the applicant is to ensure that the person liable pays the long service levy to the Long Service Corporation or Council under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier.

Reason:

To ensure the long service levy is paid.

12. Development Contributions

In accordance with Section 4.17(1)(h) of the Environmental Planning and Assessment Act 1979 and the Wollongong City Wide Development Contributions Plan (2022), a monetary contribution of \$133,600.00 (subject to indexation) must be paid to Council towards the provision of public amenities and services, prior to the release of any associated Construction Certificate/Subdivision Certificate.

This amount has been calculated based on the proposed cost of development and the applicable percentage levy rate.

The contribution amount will be indexed quarterly until the date of payment using Consumer Price Index; All Groups, Sydney (CPI) based on the formula show in the Contributions Plan.

To request an invoice to pay the contribution go to www.wollongong.nsw.gov.au/contributions and submit a contributions enquiry. The following will be required:

- Application number and property address.
- Name and address of who the invoice and receipt should be issue to.
- Email address where the invoice should be sent.

A copy of the Contributions Plan and accompanying information is available on Council's website www.wollongong.nsw.gov.au.

Reason:

To ensure the development contributes to the provision of local infrastructure, through the payment of development contributions.

13. Design Amendments

Before the issue of a construction certificate, the certifier must ensure the approved construction certificate plans (and specifications) detail the following required amendments to the approved plans and supporting documentation stamped by Council.

- Remove the secondary private open space (POS) to Unit B106, as it is not supported given the impact on Unit B102 in terms of visual and acoustic privacy.
- All Level 3 clerestory windows are to be operable and be operable by occupants without the use of speciality tools or equipment.
- Units A106, A201, A202, A206, A301, A302 and A306 to have maximum 8m room depths
- Change minimum three of the 2 bedroom apartments into 3 bedroom apartments

Reason:

To require minor amendments to the plans endorsed by the consent authority following assessment of the development

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

Conditions
14. Construction Environmental Management Plan Prior to the release of a Construction Certificate or the commencement of any works at the site, a detailed CEMP prepared by a suitably qualified person shall be submitted to and approved by Council. The CEMP shall address, as a minimum, the vehicle traffic, odour and vapour, dust, plant and machinery noise, water and sediment management, surface water, subsurface seepage and accumulated excavation water, sediment from equipment and cleaning operations, site security, working hours, contact information, incident response and contingency management. A copy of the CEMP shall be provided to Council. <u>Reason:</u> To satisfy the requirements of the legislation.
15. Site Management, Pedestrian and Traffic Management Plan (Where Works are Proposed in a Public Road Reserve) The submission of a Site Management, Pedestrian and Traffic Management Plan to the Principal Certifier and Council (in the event that Council is not the Principal Certifier) for approval of both the Principal Certifier and Council is required, prior to the issue of the Construction Certificate. This plan shall address what measures will be implemented for the protection of adjoining properties, pedestrian safety and traffic management and shall be in compliance with the requirements of the latest versions of Australian Standard AS 1742: Traffic Control Devices for Works on Roads and the TfNSW Traffic Control at Worksites Manual. This plan is required to maintain public safety, minimise disruption to pedestrian and vehicular traffic within this locality and to protect services, during demolition, excavation and construction phases of the development. This plan shall include the following aspects: - Proposed ingress and egress points for vehicles to/from the construction site; - proposed protection of pedestrians, adjacent to the construction site; - proposed pedestrian management whilst vehicles are entering/exiting the construction site; - proposed measures to be implemented for the protection of all roads and footpath areas surrounding the construction site from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like; - proposed method of loading and unloading excavation machines, building materials formwork and the erection of any part of the structure within the site; - proposed areas within the site to be used for the storage of excavated material, construction materials and waste containers during the construction period; - proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc are required to be displayed where works are in progress in any road reserve and shall be in accordance the latest versions of the TfNSW Specification - "Traffic Control at Work Sites Manual" and the Australian Standard AS 1742: "Manual of Uniform Traffic Control Devices" and accompanying field handbooks (SAA HB81); - proposed method of support of any excavation, adjacent to adjoining buildings or the road reserve. The proposed method of support is to be certified by a Registered Certifier in Civil Engineering; and - proposed measures to be implemented, in order to ensure that no soil/excavated material is transported on wheels or tracks of vehicles or plant and deposited on the roadway. The traffic control plan endorsed by Council shall be implemented, prior to the commencement of any works upon the construction site.

Note: Any proposed works or placement of plant and equipment and/or materials within any road reserve will require the separate approval of Council, prior to the commencement of such works, pursuant to the provisions of the Roads Act 1993.

Reason:

To ensure compliance with Australian Standards.

16. Site Validation Report

A Validation Report (Stage IV) shall be submitted to Council prior to the issue of the Construction Certificate.

The Validation Report shall verify that:

1. the site is not affected by soil and/or groundwater contamination above the NSW EPA threshold limit criteria; and
2. the site is suitable for the proposed development.

The Validation Report must be prepared by a contaminated land consultant who is a member of certified under one of the following certification schemes:

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

The Validation Report is to be issued by the certified contaminated land consultant direct to Council. No third party submissions will be accepted.

Reason:

To comply with the requirements of Chapter E20 of Wollongong DCP 2009 and SEPP (Hazards & Resilience) 2021.

17. Present Plans to Sydney Water

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

The 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.

Reason:

To satisfy the requirements of the legislation.

18. Sydney Water Section 73 Compliance Certificate

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

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

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

Reason:

To satisfy the requirements of the legislation.

19. Utilities and Services

Before the issue of the relevant construction certificate, the applicant must submit the following written evidence of service provider requirements to the certifier:

- a. a letter of consent from Endeavour Energy demonstrating that satisfactory arrangements can be made for the installation and supply of electricity.
- b. a response from Sydney Water as to whether the plans proposed to accompany the application for a construction certificate would affect any Sydney Water infrastructure, and whether further requirements need to be met.
- c. other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, what changes are required to make the development satisfactory to them.

Reason:

To ensure relevant utility and service providers' requirements are provided to the certifier.

20. Utilities Services – vehicle crossing

Should a proposed Vehicular Crossing be located where it is likely to disturb or impact upon a utility installation (i.e. power pole, Telstra pit etc) written confirmation from the affected supplier that they have agreed to the proposed impacts shall be submitted to the Principal Certifier prior to the issue of the Construction Certificate.

Reason:

To ensure relevant utility and service providers' requirements are satisfied.

21. Utilities Services

The arrangements and costs associated with any adjustment to a public utility service shall be borne by the applicant/developer. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the applicant/developer. The submission of documentary evidence to the Principal Certifier which confirms that satisfactory arrangements have been put in place regarding any adjustment to such services is required prior to the release of the Construction Certificate.

Reason:

To ensure relevant utility and service providers' requirements are satisfied.

22. Depth and Location of Services

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

Reason:

To ensure development does not impact services.

23. 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 *General Property Addressing Request* through Online Services on Council's Website (<https://www.wollongong.nsw.gov.au/book-and-apply/online-services>), for the site addressing prior to the issue of the Construction Certificate. Please allow up to 5 business days for a reply. Enquiries regarding property addressing may be made by calling (02) 4227 8660.

Reason:

To comply with Council Policy.

24. Dilapidation Report

Before the issue of a construction certificate, a suitably qualified engineer must prepare a dilapidation report detailing the structural condition of adjoining buildings, structures or works,

and public land, to the satisfaction of the certifier. If the engineer is denied access to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the certifier's satisfaction that all reasonable steps were taken to obtain access to the adjoining properties.

Reason:

To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.

25. Engineering Plans and Specifications - Retaining Wall Structures Greater than One (1) Metre

The submission of engineering plans and supporting documentation of all proposed retaining walls greater than one (1) metre to the Principal Certifier for approval prior to the issue of the Construction Certificate. The retaining walls shall be designed by a suitably qualified and experienced civil and/or structural engineer. The required engineering plans and supporting documentation shall include the following:

- a. a plan of the wall showing location and proximity to property boundaries;
- b. an elevation of the wall showing ground levels, maximum height of the wall, materials to be used and details of the footing design and longitudinal steps that may be required along the length of the wall;
- c. details of fencing or handrails to be erected on top of the wall;
- d. sections of the wall showing wall and footing design, property boundaries, subsoil drainage and backfill material. Sections shall be provided at sufficient intervals to determine the impact of the wall on existing ground levels. The developer shall note that the retaining wall, subsoil drainage and footing structure must be contained wholly within the subject property;
- e. the proposed method of subsurface and surface drainage, including water disposal. This is to include subsoil drainage connections to an inter-allotment drainage line or junction pit that discharges to the appropriate receiving system;
- f. the assumed loading used by the engineer for the wall design; and
- g. 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.

Reason:

To comply with Council's Development Control Plan.

26. Crime Prevention Through Environmental Design (CPTED) - Design Measures

The development shall incorporate appropriate design measures to minimise any crime risk to patrons or staff and motor vehicles within the car parking areas, including (but not limited to) the following:

- a. Landscape treatment which allows visibility from the road way and other public areas;
- b. landscaping at ground level provided which is difficult or uncomfortable to hide in or traverse,
- c. provide clearly marked and sign posted visitor car parking signs (including security/intercom system);
- d. ensure that fire rated doors in the car park have a clear glass panel located no more than 1.5m from the floor. The panel shall have a minimum dimension of 300 mm x 300 mm to allow visual surveillance within the stairwell and/or next room/space.

This requirement shall be reflected on the Construction Certificate plans.

Reason:

To comply with Council's Development Control Plan.

27. 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 (i.e. as part of this consent) for the approval by the Principal Certifier, prior to the release of the Construction Certificate.

Reason:

To comply with Council's Development Control Plan.

28. Final Landscape Plan Requirements

The submission of a final Landscape Plan to the Principal Certifier, prior to the release of the Construction Certificate. The final Landscape Plan shall address the following requirements:

- a. soil volumes for podium planting to comply with the soil volumes as per the NSW Department of Planning, Apartment Design Guide;
- b. a schedule of proposed planting, including botanic name, common name, expected mature height and staking requirements as well as number of plants and pot sizes;

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

Reason:

To comply with Council's Development Control Plan.

29. Landscape Maintenance Plan

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.

Reason:

To comply with Council's Development Control Plan.

30. Footpath Paving in Commercial Village Centres

In the event that the existing public domain is damaged during construction, the developer is responsible for the reconstruction of footpath paving for the entire frontage of the development. In keeping with the surrounding commercial precinct, the type of paving for this development is to match existing.

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

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

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

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

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

Reason:

To comply with Council's Development Control Plan and Technical Specifications.

31. Car Parking and Access

The development shall make provision for the following:

Residential

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

Commercial

- 19 car parking spaces (including 2 car parking spaces for people with disabilities)
- 2 motorcycle parking spaces
- 3 secure (Security Class B) staff bicycle spaces
- 1 visitor bicycle space (Security 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.

Reason:

To comply with Council's Development Control Plan.

32. Parking Dimensions

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 AS 2890.1, except where amended by other conditions of this consent. Details of such compliance are to be reflected on the Construction Certificate plans.

Reason:

To ensure compliance with Australian Standards.

33. Bicycle Parking Facilities

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.

Reason:

To ensure compliance with Australian Standards and the Development Control Plan.

34. Disabled Person Parking Space Dimensions

Each disabled person's parking space must comply with the current relevant Australian Standard AS 2890.6 – Off-street parking for people with disabilities. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To ensure compliance with Australian Standards.

35. 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.

Reason:

To ensure compliance with Australian Standards.

36. Vehicular Flow Signage

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.

Reason:

To comply with Council's Development Control Plan.

37. Change in Driveway Paving

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.

Reason:

To ensure compliance with Council's Technical Specifications.

38. Structures Adjacent to Driveway

Any proposed structures adjacent to the driveway shall comply with the requirements of the current relevant Australian Standard AS 2890.1 (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.

Reason:

To ensure compliance with Australian Standards.

39. Amend Plans with Acoustic Recommendations

Prior to the issue of a Construction Certificate, the plans shall be amended to indicate the implementation of the recommendations outlined in Section 5.0 – Acoustic Recommendation of the acoustic report prepared by Harwood Acoustic Pty Ltd dated 7 February 2023. This is required to ensure compliance with the noise criteria in Section 2.99 of SEPP (Transport & Infrastructure) 2021. A copy of amended plans must be submitted to Principal Certifier.

Reason:

To comply with Section 2.99 of SEPP (Transport & Infrastructure) 2021.

40. 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.

Reason:

To ensure compliance with Council Technical Specifications.

41. 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.

Reason:

To ensure development does not impact services.

42. Certification for Landscape and Drainage

The submission of certification from a suitably qualified and experienced landscape designer and drainage consultant to the Principal Certifier prior to the issue of the Construction Certificate, confirming that the landscape plan and the drainage plan are compatible.

Reason:

To ensure development does not impact services.

43. Stormwater Connection to Kerb

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

Reason:

To comply with Council's Development Control Plan.

44. 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% AEP 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.

Reason:

To comply with Council's Development Control Plan.

45. 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 concept plan/s prepared by JN Engineering, Reference No. Q0210018 C301, revision B, dated 20.06.24; Q0210018 C302, revision H, dated 8.08.24; Q0210018 C303, revision B, dated 20.06.24 and Q0210018 C305, revision B, dated 20.06.24
- b. Include details of the method of stormwater disposal. Stormwater from the development must be piped to Council's existing stormwater drainage system.
- c. Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified engineer and be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties. The plan must indicate the method of disposal of all stormwater and must include rainwater tanks, existing ground levels, finished surface levels on all paved areas, estimated flow rates, invert levels and sizes of all pipelines.
- d. Overflow paths shall be provided to allow for flows of water in excess of the capacity of the pipe/drainage system draining the land, as well as from any detention storage on the land. Blocked pipe situations with 1% AEP 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.

Reason:

To comply with Council's Development Control Plan.

46. Flood Level Requirements

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

- a. Habitable floor levels must be constructed no lower than as shown on the approved architectural plans.
- b. Any portion of the building or structure below RL 10.80 m AHD (for commercial spaces 1 and 2) and RL 10.30 m AHD (for commercial space 3) should be built from flood compatible materials. Where materials are proposed and not listed in Appendix B of Chapter E13 of the Wollongong DCP 2009, 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 DCP 2009.
- c. The proposed building shall be designed to withstand the forces of floodwater, debris and buoyancy up to and including PMF plus freeboard being RL 10.96m AHD for commercial spaces 1 and 2 and 10.58 m AHD for commercial space 3.

Reason:

To comply with Council's Development Control Plan.

47. On-Site Stormwater Detention (OSD) Design

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

- a. Must be prepared by a suitable qualified engineer in accordance with Chapter E14 of the Wollongong DCP 2009.
- b. Must include details of the Site Storage Requirement (SSR) and Permissible Site Discharge (PSD) values for the site in accordance with Section 10.2.4 of Chapter E14 of the Wollongong DCP 2009.
- c. The OSD facility must be designed to withstand the maximum loadings occurring from any combination of traffic (with consideration to residential and heavy vehicles), hydrostatic, earth, and buoyancy forces. Details must be provided demonstrating these requirements have been achieved.
- d. The OSD facility shall incorporate a minimum 900mm x 900mm square lockable grate for access and maintenance purposes, provision for safety, debris control screen, and a suitably graded invert to the outlet to prevent ponding.
- e. Must include discharge control calculations (i.e. orifice/weir calculations) generally in accordance with Section 10.2.6 and 10.4.4 of Chapter E14 of the Wollongong DCP 2009.
- f. Details of the orifice plate including diameter of orifice and method of fixing shall be provided.
- g. Must include details of a corrosion resistant identification plaque for location on or close to the OSD facility. The plaque shall include the following information and shall be installed prior to the issue of the Occupation Certificate:
 - i. The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.
 - ii. Identification number **DA-2022/1113**.
 - iii. Any specialist maintenance requirements.
- h. Must include a maintenance schedule for the OSD system, generally in accordance with Chapter E14 of the Wollongong DCP 2009.

Reason:

To comply with Council's Development Control Plan.

48. Site Filling

Filling on the site being within the floodplain shall be restricted to within the proposed building footprint and ramped areas immediately adjacent to the garage only. No wholesale filling of the site within the floodplain is permitted. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To comply with Council's Development Control Plan.

49. No Adverse Runoff 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 runoff.

Reason:

To protect neighbourhood amenity.

50. 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.

Reason:

To protect adjoining properties.

51. 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.

Reason:

To protect residential amenity.

52. Basement Waterproofing

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

Reason:

To protect residential amenity.

53. Ground Anchors

Permanent ground anchors are not permitted within the road. Temporary ground anchors can only be used where the Road Authority has provided written confirmation to the applicant for their use. Temporary anchors must be designed in accordance with RMS Technical Direction GTD 2020/001. If temporary anchors are proposed within the road reserve an application must be submitted to and approved by Wollongong City Council prior to the issue of any construction certificate. The application must be made via Council's website www.wollongong.nsw.gov.au through the "Frontage Works" application, and must be supported by:

- a. A geotechnical report prepared in accordance with the requirements of the RMS Technical direction GTD 2020/001.
 - b. A dilapidation survey of the existing Council infrastructure within the zone of influence of the proposed excavation including CCTV of all stormwater pits and pipes and a photographic record of the road pavement, footpath area and associated civil assets
-

- c. A dial before you dig confirming all service providers in the road. All services must be shown in a site plan, as well as in all cross sections
- d. A detailed structural design of the proposed temporary anchors prepared by a Chartered Civil Engineer (Structural) that referenced the relevant geotechnical investigation and includes cross sections every 5m within the road frontage that shows the depth and clearance of the temporary anchors to all services, road pavements, stormwater pits and pipes and related assets based on surveyed levels.

Reason:

To protect residential amenity.

54. Excavation and Retaining Structures Adjacent to Public Roads

The design of all permanent and temporary retaining structures within the zone of influence of any Council assets including the road pavement, stormwater pipes and pits, must be submitted to and approved by the Principal Certifier prior to the issue of any Construction Certificate. The design must be prepared in accordance with the RMS Technical direction GTD 2020/001, by a qualified Civil Engineer, NPER 3 accreditation with the Institute of Engineers Australia and experienced in structural design. The plan must clearly show that all components of the retaining structure and associated drainage is wholly located within the subject site. The design must be supported by:

- a. A geotechnical report prepared in accordance with the requirements of the RMS Technical direction GTD 2020/001.
- b. A dilapidation survey of the existing Council infrastructure.
- c. Details of the proposed monitoring program for the excavation and retaining structures, and relevant threshold actions prepared in accordance with RMS Technical direction GTD 2020/001.

A copy of the approved documentation satisfying this condition of consent and referencing this development application must also be provided to Wollongong City Council prior to works commencing.

Reason:

To protect adjoining property.

55. Drainage Works within Council Road Reserve

- A detailed design for the proposed drainage works within Council's road reserve, including pit and pipeline connecting the drainage system to Council's existing underground drainage system in Daisy Place, shall be prepared by a suitably qualified civil engineer in accordance with the relevant Council engineering standards. The design plans shall be generally in accordance with the Stormwater Concept Plans prepared by
 - prepared by JN Engineering, Reference No.
 - Q0210018 C302, revision H, dated 8.08.24
 - and shall include the following:
- Levels and details of all existing and proposed infrastructure/services such as kerb and gutter, public utility, pits, poles, fencing, stormwater drainage, adjacent road carriageway and footpath levels, and shall extend a minimum of 5 metres beyond the limit of works.
- Engineering details of the proposed pit and pipe stormwater drainage system within Council's road reserve, including a hydraulic grade line analysis and longitudinal section of the proposed system showing calculated flows, velocity, pits, pipe size/class, grade, inverts and ground levels. Each proposed pit must be constructed generally in accordance with Wollongong City Council's Engineering Standard Drawings.
- All new drainage pits shall be in accordance with the current version of Wollongong City Council's Engineering Standard Drawings. The proposed pit in Council's road reserve must not conflict with any existing or proposed vehicular accessway.

- Where any adjustments to public utilities are proposed the applicant shall submit documentary evidence that they have the consent of the owner of the public utility authority.
- All construction must be in accordance with the requirements of Council's Subdivision Code.

Evidence that the above requirements have been met must be detailed on the engineering drawings. The detailed design and supporting documentation shall be submitted to and approved by Wollongong City Council's Development Engineering Manager prior to the issue of the Construction Certificate.

Reason:

To ensure compliance with Council's Technical Specifications.

56. Present Plans to Sydney Water

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

The 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.

Reason:

To satisfy the requirements of the legislation.

57. Glass Reflectivity Index

The reflectivity index of the glass used in the external façade of the building shall not exceed 20 per cent. The details and samples of the glass to be used are to be submitted with the Construction Certificate together with written evidence that the reflectivity of the glass is 20 per cent or less.

Reason:

To comply with Council's Development Control Plan.

58. External Finishes - Building

The building shall be constructed and finished in accordance with the approved schedule of finishing materials and colours except where amended by conditions of this consent. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

59. External Finishes - External Areas

Pedestrian access ways, entry paths, arcades and lobbies must be constructed with durable materials commensurate with the standard of the adjoining public domain with appropriate slip resistant materials, tactile surfaces and contrasting colours.

Reason:

To protect neighbourhood amenity.

60. Finish of Vehicular Entries

Vehicular entries are to have high quality finishes to walls and ceilings as well as high standard detailing. No ducts or pipes are to be visible from the street.

Reason:

To protect neighbourhood amenity.

61. Placement of Air Conditioning Units

Air conditioning systems are not to be located where they are visible from the public streets abutting the site. Plans submitted to the Principal Certifier prior to issue of the Construction Certificate are to identify any external components of air conditioning systems to ensure they meet the requirements of this condition.

Reason:

To protect neighbourhood amenity.

62. Integration of Rooftop Structures in Approved Building Envelope

All rooftop or exposed structures including lift rooms, plant rooms together with air conditioning units, ventilation and exhaust systems are to be integrated within the approved rooftop envelope. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

63. Mechanical Ventilation of the Car Park

The car park shall be mechanically ventilated, to be ducted to the roof. Details demonstrating compliance shall be provided with the Construction Certificate.

Reason:

To comply with Australian Standards.

64. Permeable Garage Shutter

Any shutters provided within the basement car parks shall be permeable so as to improve basement ventilation, as per the requirements of 3J-4 of the Apartment Design Guide.

Reason:

To satisfy the requirements of the legislation.

65. External Lighting

Any lighting of external areas within the development such as the communal open space areas, driveways and car parking entries, shall be designed and located in a manner to prevent light spill and/or glare impacts on neighbouring properties. Light placement and design shall be indicated on the construction certificate drawings.

Reason:

To protect neighbourhood amenity.

66. Adaptable Units

Before the issue of a relevant construction certificate, the applicant must ensure a report from a suitably qualified consultant is prepared and demonstrates, to the Certifier's satisfaction, that any adaptable dwellings specified in the approved plans or supporting documentation comply with the provisions of AS 4299-1995: Adaptable Housing Standards.

The nominated adaptable units within the development must be designed and constructed so as to be capable of adaptation for disabled or elderly residents. Dwellings must be designed in accordance with the *Australian Adaptable Housing Standard (AS 4299-1995)*, which includes "pre-adaptation" design details to ensure visitability is achieved. Level access is required to be provided between the internal living space and balcony of the adaptable units and sufficient circulation space is required throughout.

Reason:

To comply with Australian Standards.

67. Hydrant Booster

The fire hydrant booster shall be partially screened and incorporated into landscaping to minimise its visual obtrusiveness. Details shall be provided to Council for written approval prior to the release of the Construction Certificate.

Reason:

To minimise adverse impacts on the streetscape.

68. Security Roller Shutters for Basement Car Parking Areas

The installation of any security roller shutter for the basement car parking area shall not restrict access to any designated visitor car parking space. In the event that the approved visitor car parking spaces are located behind any proposed security roller shutter, an intercom system is required to be installed to enable visitor access into the basement car parking area. This requirement is to be reflected on the Construction Certificate plans and any supporting documentation for the endorsement of the Principal Certifier prior to the release of the Construction Certificate.

Reason:

To comply with Council's Development Control Plan.

69. 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. Any redundant linemarking such as 'marked parking bays' are adjusted/removed at the developer's expense by a Council recognised contractor with the relevant insurances. Details and locations are to be shown on the Construction Certificate Plans.

Reason:

To comply with Council's Development Control Plan.

BEFORE BUILDING WORK COMMENCES

Conditions

70. Appointment of Principal Certifier

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

- appoint a Principal Certifier and notify Council in writing of the appointment irrespective of whether Council or a Registered Certifier is appointed; and
- notify Council in writing of their intention to commence work (at least two [2] days' notice is required).

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

Reason:

To satisfy the requirements of the legislation.

71. Signs On Site

A sign must be erected in a prominent position on any site on which building work or demolition work is being carried out:

- a. showing the name, address and telephone number of the Principal Certifier for the work, and
- b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and

- c. stating that unauthorised entry to the worksite is prohibited.

Any such sign is to be maintained while the building work or demolition work is being carried out but must be removed when the work has been completed.

Note: This does not apply in relation to building work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

Reason:

To satisfy the requirements of the legislation.

72. Temporary Toilet/Closet Facilities

Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided must be:

- j. a standard flushing toilet, and
- k. connected to either:
 - a. the Sydney Water Corporation Ltd sewerage system or
 - b. an accredited sewage management facility or
 - c. an approved chemical closet.

The toilet facilities shall be provided on-site, prior to the commencement of any works.

Reason:

To satisfy the requirements of the legislation.

73. 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:

- o 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".
- o 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.

Reason:

To satisfy the requirements of the legislation.

74. Structural Engineer's Details

Structural Engineer's details for all structurally designed building works such as reinforced concrete footings, reinforced concrete slabs and structural steelwork must be submitted to the Principal Certifier, prior to the commencement of any works on the site.

Reason:

To ensure structural integrity.

75. Enclosure of the Site

The site must be enclosed with a suitable security fence to prohibit unauthorised access, to be approved by the Principal Certifier. No building work is to commence until the fence is erected.

Reason:

To ensure safety.

76. 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 (6) 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.

Reason:

To satisfy the requirements of the legislation.

77. Support for Neighbouring Buildings/ Structures

This consent requires the preservation and protection of neighbouring land and buildings/structures from any damage and if necessary, requires the underpinning and support of any neighbouring building/structure. The applicant or the contractor carrying out the work must, at least seven (7) working days in advance of any excavation works below the level of the base of the footings of a building/structure on an adjoining allotment, including a public road or place, give written notice of intention to carry out such works to the property owner of the affected adjoining building and furnish specific written details and supporting plans or other documentation of the proposed work.

The adjoining property owner of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

Reason:

To ensure the structural adequacy of neighbouring buildings is maintained.

78. Hazardous Material 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:

- i. the location of hazardous materials throughout the site;
- j. a description of the hazardous material;
- k. the form in which the hazardous material is found, eg AC sheeting, transformers, contaminated soil, roof dust;
- l. an estimation (where possible) of the quantity of each particular hazardous material by volume, number, surface area or weight;
- m. 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;
- n. identification of the disposal sites to which the hazardous materials will be taken.

Reason:

To identify hazardous materials and ensure safe disposal.

79. Asbestos Hazard Management Strategy

An appropriate hazard management strategy shall be prepared by a suitably qualified and experienced licensed asbestos assessor pertaining to the removal of contaminated soil, encapsulation or enclosure of any asbestos material. This strategy shall ensure any such proposed demolition works involving asbestos are carried out in accordance with SafeWork NSW requirements (<https://www.safework.nsw.gov.au>). The strategy shall be submitted to the

Principal Certifier and Council (in the event that Council is not the Principal Certifier prior to the commencement of any works).

The approved strategy shall be implemented and a clearance report for the site shall be prepared by a licensed asbestos assessor and submitted to the Principal Certifier and Council (in the event that Council is not the Principal Certifier), prior to the issue of an Occupation Certificate or commencement of the development. The report shall confirm that the asbestos material has been removed or is appropriately encapsulated based on visual inspection plus sampling if required and/or air monitoring results and that the site is rendered suitable for the development.

Reason:

To identify hazardous materials and ensure safe disposal.

80. 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.

Reason:

To satisfy the requirements of the legislation.

81. Waste Management

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 reusable materials.

Reason:

To protect neighbourhood amenity.

82. Demolition Works

The demolition of the existing structures shall be carried out in accordance with Australian Standard AS 2601:2001: The Demolition of Structures or any other subsequent relevant Australian Standard and the requirements of 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.

Reason:

To satisfy the requirements of the legislation and Australian Standards.

83. Demolition Notification to Surrounding Residents

Demolition must not commence unless at least two (2) days written notice has been given to adjoining residents of the date on which demolition works will commence.

Reason:

To advise neighbourhood.

84. 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.

Reason:

To ensure safety.

85. Site Management Program - Sediment and Erosion Control Measures

A site management program incorporating all sediment and erosion control measures (eg cleaning of sediment traps, fences, basins and maintenance of vegetative cover) is to be initiated prior to the commencement of any demolition, excavation or construction works and maintained throughout the demolition, excavation and construction phases of the development.

Reason:

To protect neighbourhood amenity.

86. Sediment Control Measures

The developer must ensure that sediment-laden runoff from the site is controlled at all times subsequent to commencement of construction works. Sediment control measures must be maintained at all times and checked for adequacy at the conclusion of each day's work.

Reason:

To protect neighbourhood amenity.

87. Notification to Council of any Damage to Council's Infrastructure

Council must be notified in the event of any existing damage to any of Council's infrastructure including, but not limited to the road, kerb and gutter, road shoulder, footpath, drainage structures and street trees fronting the development prior to the commencement of work. Adequate protection must be provided to Council infrastructure prior to work commencing and during the construction period. Any damage to Council's assets shall be restored in a satisfactory manner prior to the issue of the Occupation Certificate.

Reason:

To ensure services are not impacted.

88. 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 (6) 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.

Reason:

To ensure safety.

89. Survey Report - Siting of Development within Property Boundaries

A survey report prepared by a registered surveyor is required to be submitted to the Principal Certifier to ensure that the proposed development is located on the correct allotment and at the approved distances from the boundary. This must be verified by pegging the site prior to commencement of works.

Reason:

To ensure correct development location.

90. Public Liability Insurance

All contractors working in Council's road reserve and/or public reserve areas shall take out public liability insurance for a minimum amount of \$20 Million. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Written evidence of this insurance shall be supplied to the Principal Certifier and Council (in the event that Council is not the Principal Certifier) prior to the commencement of any such works in any road reserve or public reserve area.

Reason:

To satisfy Council's Policy.

91. 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. <u>Reason:</u> To protect neighbourhood amenity.
92. Depth/Location of Services The depth and location of all services (i.e. stormwater, gas, water, sewer, electricity, telephone, etc) must be ascertained and reflected on the plans and supporting documentation issued for construction. <u>Reason:</u> To ensure services are not impacted.
93. Adjustment to Public Utility Service The arrangements and costs associated with any adjustment to a public utility service shall be borne by the applicant/developer. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the applicant/developer. The submission of documentary evidence to the Principal Certifier which confirms that satisfactory arrangements have been put in place regarding any adjustment to such services is required prior to any works commencing on site. <u>Reason:</u> To ensure services are not impacted.
94. Dilapidation Report A dilapidation report is required for all structures located within the zone of influence of the proposed earthworks as determined by the geotechnical consultant. <u>Reason:</u> To enable monitoring of the condition of nearby structures during the course of construction works.
95. Notification of Excavation Works or Use of High Noise Emission Appliances/Plant The immediately adjoining neighbours of the site must be given a minimum of 48 hours notice, in writing, that excavation, shoring or underpinning works or use of high noise emission appliances/plant are about to commence. Contact details of the site supervisor are also to be provided. <u>Reason:</u> To ensure the protection of the environment and neighbourhood amenity. To mitigate adverse amenity impacts in the locality.

DURING BUILDING WORK

Conditions
96. Waste Management While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan. Upon disposal of waste, the applicant is to compile and provide records of the disposal to the Principal Certifier, detailing the following: a. The contract details of the person(s) who removed the waste. b. The waste carrier vehicle registration.

- c. The date and time of waste collection.
- d. A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill.
- e. The address of the disposal location(s) where the waste was taken.
- f. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, notifying date and time of delivery, description (type and quantity) of waste.

Note: If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to the Order or Exemption and provide the records to the Principal Certifier and Council.

Reason:

To ensure compliance with the legislation.

97. Hours of Work

The Principal Certifier must ensure that building work, demolition or vegetation removal is only carried out between:

- 7:00am to 5:00pm on Monday to Saturday.

The Principal Certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Any variation to the hours of work requires Council's approval.

Any request to vary the approved 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; and
- f. any proposed measures required to mitigate the impacts of the works.

For the duration of the site works noise and vibration must be managed in accordance with the approved Construction Noise and Vibration Management Plan. Prior to the commencement of any site works, the Proponent shall undertake a vibration assessment to identify all sensitive receivers where vibration limits exceed.

- i. levels recommended by a registered Geotechnical/Structural Engineer with regards to structural damage buildings;
- ii. German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and
- iii. For human exposure to vibration, the evaluation criteria presented in British Standard BS 6472- Guide to Evaluate Human. Exposure to Vibration in Buildings (1Hz to 80 Hz) for low probability of adverse comment.
- iv. Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:
7:00am to 12:00pm, Monday to Friday;
2:00pm to 6:00pm Monday to Friday; and
8:00am to 1:00pm Saturday.

Note: The developer is advised that other legislation, such as Noise Guidelines for Local Government January 2023, may control the activities for which Council has granted consent, including but not limited to, the *Protection of the Environment Operations Act 1997*.

Reason:

To protect the amenity of the neighbourhood.

98. Lighting not to cause Nuisance

The lighting of the premises must be directed so as not to cause nuisance to the owners or occupiers of adjoining premises or to motorists on adjoining or nearby roads.

Reason:

To protect neighbourhood amenity.

99. Protection of Public Places

If the work involved in the erection or demolition of a building involves the enclosure of a public place or is likely to cause pedestrian/vehicular traffic in a public place to be obstructed or rendered inconvenient, or have the potential for conflict between pedestrians and vehicles:

1. A hoarding or fence must be erected between the work site and the public place;
2. an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place;
3. the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in a public place;
4. safe pedestrian access must be maintained at all times;
5. any such hoarding, fence or awning is to be removed when the work has been completed.

Reason:

To comply with Council's requirements.

100. Site Management

Stockpiles of sand, gravel, soil and the like must be located to ensure that the material:

- a. Does not spill onto the road pavement and
- b. is not placed in drainage lines or watercourses and cannot be washed into these areas.

Reason:

To protect neighbourhood amenity and the environment.

101. Spillage of Material

Should during construction any waste material or construction material be accidentally or otherwise spilled, tracked or placed on the road or footpath area without the prior approval of Council's Works Division this shall be removed immediately. Evidence that any approval to place material on the road or road reserve shall be available for inspection by Council officers on site at any time.

Reason:

To comply with Council's Development Control Plan.

102. 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.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity.

103. 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 (<https://www.safework.nsw.gov.au>).

Reason:

To satisfy the requirements of the legislation.

104. Asbestos Waste Collection, Transportation and Disposal

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

Reason:

To satisfy the requirements of the legislation.

105. Asbestos Clearance Certificate

The internal floor area affected or likely to be affected, by scattering of asbestos pieces, particles or fibres during demolition or cutting into the building, is to be cleaned by vacuuming by a contractor approved by SafeWork NSW. A Clearance Certificate to certify that the site area is free of asbestos is to be submitted to Council by a licensed asbestos assessor within 14 days of the completion of renovations (or prior to the Occupation Certificate being issued).

Reason:

To satisfy the requirements of the legislation.

106. Rock Breaking, Rock Hammering, Sheet Piling, Pile Driving

Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out as per the Construction Noise and Vibration Management Plan prepared by Pulse White Noise Acoustic consultants dated January 2024.

The Principal Certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency. Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Any variation to the hours of work requires Council's approval.

Any request to vary the approved 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; and
- f. any proposed measures required to mitigate the impacts of the works

The findings, recommendations and management controls from the Demolition Construction Noise and Vibration Management Plan by Pulse White Noise Acoustic consultants dated January 2024 must be adhered to in full for the duration of the works the subject of the plan.

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.

Reason:

To mitigate adverse amenity impacts in the locality.

107. Excess Excavated Material - Disposal

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

Reason:

To satisfy the requirements of the legislation.

108. Shoring and Adequacy of Adjoining Property

If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the person having the benefit of the development consent must, at the person's own expense:

1. Protect and support the building, structure or work from possible damage from the excavation, and
2. Where necessary, underpin the building, structure or work to prevent any such damage.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

Reason:

To satisfy the requirements of the legislation.

109. Cut and Fill Retained

All proposed cut and filling works must be adequately retained with all battered slopes being no steeper than 2H:1V.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity.

110. Excavation Protection and Notification

If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on adjoining allotment of land, the person causing the excavation to be made:

- Must preserve and protect the adjoining building from damage; and
- if necessary, must underpin and support the building in an approved manner; and
- must, at least seven (7) days before excavation below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation.

Reason:

To ensure compliance with relevant Standards.

111. Safe Excavations and Backfilling

All excavations and backfilling associated with the erection of a building must be executed safely and in accordance with appropriate professional standards.

Reason:

To ensure compliance with relevant Standards.

112. Guarding of Excavations and Backfilling

All excavations and backfilling associated with the erection of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

Reason:

To ensure compliance with relevant Standards.

113. Site Management

Stockpiles of sand, gravel, soil and the like must be located to ensure that the material:

- a. Does not spill onto the road pavement and
- b. is not placed in drainage lines or watercourses and cannot be washed into these areas.

Reason:

To comply with Council's Development Control Plan.

114. Supervision of Engineering Works

All engineering works associated with the development are to be carried out under the supervision of a practicing engineer and/or registered surveyor.

Reason:

To ensure compliance with relevant Standards.

115. Level 1 Supervision

Due to the sensitivity of the site to changing geotechnical conditions, all work must be undertaken with Level 1 geotechnical supervision as defined in Australian Standard AS3798 Guidelines for Earthworks for Commercial and Residential Developments.

Reason:

To ensure the development is safely constructed.

116. Foundation Inspections

All excavations for foundations are to be inspected by the geotechnical consultant and certified that the ground has been suitably prepared for the placement of footings.

Reason:

To ensure the development is safely constructed.

117. 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.

Reason:

To comply with Council's Development Control Plan.

118. Building Site to be Kept Free of Rubbish

The building site must be kept free of rubbish at all times. All refuse capable of being wind-blown must be kept in a suitable waste container.

Reason:

To comply with Council's Development Control Plan.

119. Where Polystyrene Waffle Pods Are Used During Construction

Management of waffle pods at the site must comply with the Industry Code of Practice - Waffle Pods (2023/2024)

https://epsa.org.au/wp-content/uploads/2023/07/Pod-Code-of-Practice-EPSA_2023.pdf

- Pods must be secured using the approved tie down method at time of delivery, immediately upon completion of installation and any other time not in use.
- Scrap pods, offcuts and beads must be collected immediately after installation and placed in approved bags provided by the supplier.
- Waffle pods, waffle pod offcuts or waffle pod fragments must not be permitted to lie or accumulate on the property.

Reason:

To ensure protection of the environment.

120. Building Operations Not to Discharge Pollutants

Building operations such as brick cutting, the washing of tools or paint brushes, or other equipment and the mixing of mortar must not be carried out on the roadway or public footpath or any other locations which could lead to the discharge of materials into the stormwater drainage system or natural watercourse.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity.

121. Restricted Washing of Equipment or Disposal of Materials on any Tree Dripline Area

No washing of equipment and or the disposal of building materials such as cement slurry must occur within the drip line of any tree which has been nominated for retention of the site and adjacent property.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

122. Copy of Consent in the 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.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

123. 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.

Reason:

To comply with the requirements of the Development Control Plan.

124. 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). Where a timber/steel frame supports the floor, the survey shall be undertaken after the piers have been installed and prior to the laying of the bearers/joists and installation of the wall frames for each respective ground floor level of the building.

All levels shall relate to Australian Height Datum.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

125. Piping of Stormwater to Existing Stormwater Drainage System

Stormwater for the land must be piped to street kerb and gutter.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

126. 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.

Reason:

To comply with Council's Development Control Plan.

127. 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.

Reason:

To comply with Council's Development Control Plan.

128. Installation of WSUD Treatment Train

The proponent shall install the WSUD infrastructure (water quality improvement devices) as stated in the stormwater quality management plan.

Reason:

To comply with Chapter 15 of Wollongong Development Control Plan 2009.

129. 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.

Reason:

To comply with Council's Development Control Plan.

130. Podium Planting

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

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

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

Reason:

To comply with Council's Development Control Plan.

131. Acoustic Glazing to Comply with SEPP (Transport & Infrastructure) 2021 [s2.99]

Implement all the structural attenuation recommendations stated in Section 5.0 of the acoustic report prepared by Harwood Acoustic Consulting Pty Ltd dated 7 February 2023 for dwellings to ensure that the compliance the following LAeq levels are not exceeded:

- in any bedroom in the building: 35dB(A) at any time between 10pm and 7am
- anywhere else in the building (other than a garage, kitchen, bathroom or hallway): 40dB(A) at any time between 10pm and 7am.

Reason:

To comply with Section 2.989 of SEPP (Transport & Infrastructure) 2021.

132. Ecologically Sustainable Development

Implement all energy efficient – waste – environment and sustainability devices such as:

- Water efficient bathroom and kitchen fittings;
- All common area toilet flushing systems are at least 4 stars;
- All common area taps are at least 4 stars
- Light efficiency measures in the carparks using time clocks and motion sensors;
- Electricity sub-metering for significant end uses that will consume more than 10,000 kWh/a;
- Water sub-metering for major uses;
- Low levels of volatile organic compounds (VOC) paints and floor coverings and low formaldehyde wood products where possible; and
- Car spaces for small or low emission cars.

Reason:

To comply with Wollongong DCP 2009 Chapter A2.

133. 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).

Where a timber/steel frame supports the floor, the survey shall be undertaken after the piers have been installed and prior to the laying of the bearers/joists and installation of the wall frames for each respective ground floor level of the building.

All levels shall relate to Australian Height Datum.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

134. External Plant and Equipment

External plant and equipment such as air conditioners, compressors and other machinery likely to emit noise shall be located so adjoining areas are not adversely affected.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity.

135. Implementation of BASIX Commitments

While building work is being carried out, the applicant must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent, for the development to which the consent applies.

Reason:

To satisfy the requirements of the legislation.

136. Responsibility for Changes to Public Infrastructure

While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerbs and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area).

Reason:

To ensure payment of approved changes to public infrastructure.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

Conditions

137. Completion of landscape and tree works

Before the issue of an occupation certificate, the principal certifier must be satisfied that all landscape and tree works, including pruning in accordance with *AS 4373-2007 Pruning of amenity trees* and the removal of all noxious weed species, have been completed in accordance with the approved plans and any relevant conditions of this consent.

Reason:

To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s).

138. 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.

Reason:

To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s).

139. Acoustic to Comply with the SEPP Transport & Infrastructure 2021 cl 2.99

Prior to Occupation Certificate, the developer must submit an acoustic compliance report to the Principal Certifier prepared by a consultant who is a member of the Australian Acoustic Society (AAS) or the Associated of Australasian Acoustic Consultants (AAAC). The report shall state that the dwelling internal noise levels comply with SEPP (Transport & Infrastructure) 2021 noise guidelines for development adjacent to a road (Clause 2.99).

Reason:

To Comply with section 2.99 of SEPP (Transport & Infrastructure) 2021.

140. Drainage Certification and WAE

The following information shall be submitted to the Principal Certifying Authority prior to the issue of the final Occupation Certificate:

- a. Certification from a suitably qualified Civil Engineer, stating that all stormwater drainage and related work has been constructed in accordance with the approved Construction Certificate plans and Chapter E14 of the Wollongong DCP2009.
- b. A certificate of Hydraulic Compliance (using Council's M19 form) from a suitably qualified Civil Engineer, confirming that all on-site stormwater detention works have been constructed in accordance with the approved plans.
- c. Full works-as-executed plans, prepared and signed by a Registered Surveyor, including levels and location for all drainage structures and works, buildings (including floor levels), and finished ground and pavement surface levels, and satisfying the requirements stated in Chapter E14 of the Wollongong DCP2009.

Reason:

To comply with Council's Development Control Plan.

141. Restriction on Use - On-Site Detention System (OSD)

The applicant must create a restriction on use under the Conveyancing Act 1919 over the OSD system. The following terms must be included in an appropriate instrument created under the Conveyancing Act 1919 for approval of Council:

"The registered proprietor of the lot burdened must not make or permit or suffer the making of any alterations to any on-site detention system on the lot(s) burdened without the prior consent in writing of the authority benefited. The expression 'on-site detention system' shall include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to those structures.

Name of the authority having the power to release, vary or modify the restriction referred to is Wollongong City Council."

The registered instrument, showing the restriction, must be submitted to the Principal Certifier for endorsement prior to the issue of the Occupation Certificate and the use of the development.

Reason:

To comply with Council's Development Control Plan.

142. Retaining Wall Certification

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

Reason:

To comply with the relevant Standards.

143. Positive Covenant - On-Site Detention Maintenance Schedule

A positive covenant shall be created and registered under the Conveyancing Act 1919, requiring the property owner(s) to undertake maintenance in accordance with the Construction Certificate approved On-Site Detention System and Maintenance Schedule (**DA-2022/1113**).

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

Reason:

To comply with Council's Development Control Plan.

144. On-Site Detention - Structural Certification

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

Reason:

To comply with Council's Development Control Plan.

145. 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 Occupation Certificate and commencement of use. This report is required to verify that the development can withstand the forces of floodwater, debris and buoyancy up to and including the PMF plus freeboard being RL 10.96m AHD for commercial spaces 1 and 2 and 10.58 m AHD for commercial space 3.

Reason:

To comply with Council's Development Control Plan.

146. Completion Report for Excavation Adjacent to a Public Road

A report be provided to Wollongong City Council and Principal Certifying Authority, prepared by a qualified Civil Engineer, with Chartered accreditation with the Institute of Engineers Australia and experienced in structural design that:

- a. Certifies that all proposed retaining structures within the zone of influence of any Council assets including the road pavement, stormwater pipes and pits was constructed in accordance with the approved plans prepared in accordance to RMS Technical direction GTD 2020/001.
- b. Certifies that the monitoring of the site was carried out in accordance with the requirements of RMS Technical direction GTD 2020/001.
- c. Provides a post construction dilapidation survey. The report must be provided to and approved by Wollongong City Council prior to the issue of any final occupation certificate associated with the building.

Reason:

To protect adjoining property.

147. CCTV of Works in Existing Road

All stormwater pipes within road reserves intended to be dedicated to Council must be inspected by CCTV. A copy of the CCTV inspection must be submitted to Council's Development Engineering Manager for assessment prior to the issue of the Occupation Certificate. Below standard work must either be replaced or repaired to Council's satisfaction prior to the issuing of the Occupation Certificate.

Reason:

To comply with Council's Development Control Plan.

148. Completion of Engineering works

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

Reason:

To comply with Council's Development Control Plan.

149. Flood Proofing Certification

The submission of a certificate from a suitably qualified practising civil engineer to the Principal Certifying Authority is required prior to the issue of the final Occupation Certificate. This certification is required to verify the flood proofing and associated works has been constructed in accordance with the approved Construction Certificate plans.

Reason:

To comply with Council's Development Control Plan.

150. Restriction on use – Flood Proofing

The applicant shall create a restriction on use under the Conveyancing Act 1919 over the flood proofing for commercial premises and driveways as identified on the construction certificate plans. The following terms shall be included in an appropriate instrument created under the Conveyancing Act 1919 for approval of Council:

"The registered proprietor of the lot burdened must not make or permit or suffer the making of any alterations to any flood proofing systems on the lot(s) that will compromise the integrity, performance, and intent of those systems. The expression flood proofing shall include all flood proofing measures installed onsite and associated infrastructure including but not limited to flood gates, flood proof doors, etc. Name of the authority having the power to release, vary or modify the restriction referred to is Wollongong City Council."

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

Reason:

To comply with Council's Development Control Plan.

151. Flood Proofing – Maintenance Schedule

A positive covenant shall be created under the Conveyancing Act 1919, requiring the property owner(s) to undertake maintenance in accordance with the Construction Certificate approved Flood Proofing Maintenance Schedule. The instrument, showing the positive covenant shall be submitted to the Principal Certifying Authority for endorsement prior to the issue of the Occupation Certificate.

Reason:

To comply with Council's Development Control Plan.

152. Repair of Infrastructure

Before the issue of an Occupation Certificate:

- a. any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of Council, and at no cost to Council, or
- b. if the works in (a) are not carried out to Council's satisfaction, Council may carry out the works required and the costs of any such works must be paid as directed by Council and in the first instance will be paid using the security deposit required to be paid under this consent.

Reason:

To ensure any damage to public infrastructure is rectified.

153. 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 Occupation Certificate unless satisfied that selected commitments have been complied with as specified in the relevant BASIX Certificate.

NOTE: Clause 44 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 provides for independent verification of compliance in relation to certain BASIX commitments.

Reason:

To satisfy the requirements of the legislation.

OCCUPATION AND ONGOING USE

Conditions

154. Maintenance of Wastewater and Stormwater Treatment Device

During occupation and ongoing use of the building, the applicant must ensure all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are regularly maintained, to remain effective and in accordance with any positive covenant (if applicable).

Reason:

To protect sewerage and stormwater systems.

155. Clothes Drying on Balconies/Terrace Areas Prohibited

The use of the balconies/terrace areas for the external drying of clothes is strictly prohibited.

Reason:

To ensure protection of the neighbourhood amenity.

156. Storage of Waste Bins and Waste

All waste and bins associated with the development shall be stored within the waste storage rooms at all times. No waste shall be allowed to accumulate or shall be stored on or adjacent to the street frontage of the site at any time.

Reason:

To ensure protection of the environment and neighbourhood amenity.

157. Strata Plan Requirements

Should a Strata Plan be prepared for this development in the future, the following matters must be addressed:

- a. Garbage and recycling rooms must be contained within the common area;
- b. Electric Vehicle (EV) charging spaces must be contained within the common area;
- c. Motorbike and bicycle storage areas and visitor car parking must be contained within the common area;
- d. Appropriate allocation of carparking and storage areas to the dwellings.

Reason:

To ensure protection of the environment and neighbourhood amenity.

158. Residential Storage

Each residential unit shall be allocated storage within the residential storage area provided within the building. The residential storage area shall be appropriately secured and fitted with CCTV surveillance. This requirement shall be reflected on the Construction Certificate plans.

The use of the balconies/terrace areas for the external drying of clothes is strictly prohibited.

Reason:

To ensure protection of the environment and neighbourhood amenity.

159. Electric Vehicle Charging Bays

Electric vehicle charging bays are to be maintained as operational for the intended purpose at all times. Electric vehicle charging bays are to remain as common parking spaces, and available for the use of residents and visitors without restriction or hinderance.

Reason:

To ensure that EV charging is satisfactorily maintained; to ensure EV parking spaces are used for their intended purpose; to ensure that EV charging is available for use of residents and visitors on demand; to ensure EV charging bays are not removed.