

<b>WLPP No.</b>	Item No. 1
<b>DA No.</b>	DA-2018/313
<b>Proposal</b>	Residential - demolition of existing structures and construction of a boarding house
<b>Property</b>	Lot 90 DP 654200, 2 Frederick Street, Wollongong
<b>Applicant</b>	Hope Wollongong Pty Ltd
<b>Responsible Team</b>	Development Assessment and Certification - City Centre Team (VD)

## ASSESSMENT REPORT AND RECOMMENDATION

### Executive Summary

#### Reason for consideration by Local Planning Panel - Determination

The proposal has been referred to Wollongong Local Planning Panel for determination pursuant to 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. Under Schedule 2 clause 3 of the Local Planning Panels Direction of 1 March 2018, the development exceeds the height limit by greater than 10% (11%) under Clause 4.3 of Wollongong Local Environmental Plan 2009.

#### Proposal

The application was lodged on 16 March 2018 and is for demolition of the existing dwelling house and construction of a boarding house comprising of 2 separate buildings containing a total of 67 boarding rooms, one on-site manager's room and basement parking for 15 car parking spaces. Each boarding room contains bathroom and kitchen facilities. Internal communal rooms and outdoor communal areas and landscaping is also provided.

#### Permissibility

The site is zoned R1 General Residential pursuant to Wollongong Local Environmental Plan 2009 and *boarding houses* are permissible with development consent. The development seeks approval under SEPP Affordable Rental Housing 2009. The proposal is also permissible under the SEPP.

#### Consultation

The application was placed on notification and eight submissions were received with 7 objections and one letter of support from Neighbourhood Forum 5. The concerns raised are detailed in Section 1.5 of this report.

#### Main Issues

The main issues arising from the assessment process are:-

- Compatibility with the character of the local area;
- Side setbacks;
- Car parking.

The proposal seeks variation to building height and a Clause 4.6 submission has been received.

#### RECOMMENDATION

It is recommended that the application be approved subject to the draft conditions contained in Attachment 6.

## **1 APPLICATION OVERVIEW**

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### **1.1 PLANNING CONTROLS**

The following planning controls apply to the development:

#### State Environmental Planning Policies:

- State Environmental Planning Policy No.55 - Remediation of Land
- State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP ARH)
- SEPP 71 Coastal Protection (Applicable at time of lodgement, since repealed but did not apply to the city centre)
- SEPP Coastal Management 2016 (Draft at time of lodgement)

#### Local Environmental Planning Policies:

- Wollongong Local Environmental Plan 2009 (WLEP 2009)

#### Development Control Plans:

- Wollongong Development Control Plan 2009 (WDCP 2009)

#### Other policies

- Wollongong City-Wide Development Contributions Plan (2018)

### **1.2 DETAILED DESCRIPTION OF PROPOSAL**

The proposal involves demolition of the existing detached dwelling house and outbuildings and construction of a boarding house comprising of 2 separate buildings with basement level parking.

67 boarding rooms are proposed (48 single rooms and 19 double rooms) along with:

- Basement level parking for 15 cars, bin storage room, bike locker room, motorcycle parking and truck turning table;
- 1 on-site manager's room located on the ground floor;
- Balcony private open space in each lodging room;
- 8 of the boarding rooms are nominated as being adaptable;
- Communal terrace area located centrally within the site between the 2 buildings;
- Communal room located on the ground floor and level 5;
- Lift and laundry facilities servicing all levels;
- Landscaping is proposed around the site in a number of locations including deep soil planting, internal central courtyard, rooftop terrace, front setback and perimeter landscaping.

The southern building will overlook Frederick Street with 3 boarding rooms, caretaker's room and communal room. The first floor contains seven boarding rooms; three of these rooms have south facing balconies. On the second to fourth floor, the building will contain seven units with balconies to the south for 3 of these.

The northern building (located to the rear of the site) will also contain 7 boarding rooms with balconies facing north and towards the central courtyard area. The fifth floor contains a communal room on the southern building. A rooftop terrace and 4 boarding rooms are located on level 6 for the northern building.

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

### **1.3 BACKGROUND**

A search of Council's records indicates that the site has historically been used for residential purposes.

Pre-lodgement meeting (PL-2017/171) was held on 16 October 2017. The initial design as presented

at the pre-lodgement was a boarding house in the form of a residential flat building comprising 5-6 storeys extending along the site. This design had all windows and balconies orientated along the western elevation.

A pre-lodgement Design Review Panel (DRP) meeting (DE-2017/154) held on 31 October 2017 suggested that the building be divided into 2 separate buildings with a central courtyard to provide amenity for the residents and to 'break up' the building form.

A post lodgement DRP was held on 17 April 2018 during the assessment of this application. The Panel noted that boarding houses play an important role in providing a diverse and affordable housing stock. In response to panel comments, the proposal was significantly improved, especially in regards to the form and scale of the building, its functional spaces and response to site and context. Further developments were recommended to refine the proposals amenity and aesthetic.

#### Customer service actions

There are no outstanding customer service requests affecting the land.

#### **1.4 SITE DESCRIPTION**

The subject site is located at 2 Frederick Street, Wollongong and has a title reference Lot 90 DP 654200. The site currently contains a two story brick dwelling house.

The site is situated on the northern side of Frederick Street, approximately 45m west of the intersection with Gladstone Avenue. The site has an area of 1065.7sqm and a frontage width of 16.765m to Frederick Street.

Adjoining development is as follows

- East of the proposed development a lane way runs the length of the site; this is approximately 3m wide. Adjoining the lane way at the south of the site is a four (4) storey residential flat building (No. 12-14 Gladstone Avenue). To the north of this site (No. 6-10 Gladstone Avenue) is an eight (8) storey residence and hotel.
- West (4 Frederick Street): A multi- unit development adjoins the development to the west 2 storeys in height.
- South of the site on Frederick Street are detached dwelling houses and on the corner of Gladstone Avenue and Frederick Street there is a single story commercial premises currently containing an education facility.
- North of the site is a continuation of the laneway from the east of the property; beyond this is a detached dwelling with elevated views of the proposed development.
- Directly to the north of the site is a construction site at 373 Crown Street with approval for a mixed use development in the form of 2 towers up to 20 storeys in height. This development will use the laneway adjacent to this site for pedestrian access to the development and for the installation of drainage infrastructure.

This site is zoned as R1 General Residential, continuing to the south and west of this. The eastern edge of this site is bordering B4 Mixed Use zone, and the northern edge of the site borders B3 Local Centre zone.

The site is located approximately 130m west of Wollongong railway station and 190m north of Wollongong West TAFE College and approximately 220m south-east of Wollongong Hospital. Crown Street shopping mall is located approximately 640m to the north east of the proposed development. The site is situated approximately 150m from Wollongong train station to the south east with bus services located along Gladstone Avenue and Crown Street. A zoning map and aerial photograph of the site and the locality is provided at Attachment 1.

#### Property constraints

Council records identify the land as being located within an uncategorised flood risk precinct.

There are no restrictions on the property title.

## 1.5 SUBMISSIONS

The application was notified from 6-26 April 2018 in accordance with the requirements of the Wollongong DCP 2009 Appendix 1: Public Notification and Advertising Procedures. This comprised notification letters being sent to adjacent and adjoining land owners and occupiers and the placement of a notice in the local newspaper. At the conclusion of the notification period 8 submissions had been received (inclusive of one letter of support from Neighbourhood Forum 5).

**Table 1: Submissions**

Objectives/concerns	Comment
<p><b>Overshadowing</b></p> <ul style="list-style-type: none"> <li>• Properties to the west will be overshadowed other than a short period in the middle of the day</li> <li>• Townhouses to the west have small courtyards and washing lines on their eastern boundaries where general enjoyment and welfare will be adversely effected</li> <li>• Shadow plans display that some properties will not receive solar light after 2pm. These properties already experience overshadowing from other properties. As a result will receive 1 hour solar light a day.</li> </ul>	<p>Shadow diagrams have been submitted detailing the extent of overshadowing impacts of the proposed development. The building will cast shadows to the neighbouring property to the west in the morning. This shadow will be lifted from the western neighbouring and cast onto Frederick Street at midday. The afternoon shadows from the proposed development will fall on adjoining development along Gladstone Avenue in the afternoon.</p> <p>Shadows from nearby existing and approved development also create overshadowing impacts to the western property and the subject development site throughout the day.</p>
<p><b>Privacy</b></p> <ul style="list-style-type: none"> <li>• Overlooking in to the western townhouses, from high windows, stairwells and rooftop.</li> <li>• Lighting from the stairways and within the boarding house, the privacy of all residents to the western boundary will be adversely effected</li> <li>• Balconies view will be into dwelling to the eastern boundary</li> </ul>	<p>The original design submitted prior to lodgement comprised of a single building, 5-6 storeys in height extending nearly the full length of the site. The building comprised a number of balconies and windows located on the western elevation.</p> <p>Following a pre-lodgement meeting and a referral to the Design Review Panel, it was recommended that the building be redesigned into 2 separate buildings with habitable rooms and balconies orientated towards the street frontage, rear boundary and internal courtyard area.</p> <p>The Applicant implemented these recommended design changes into the final plans lodged with Council. The changes have resulted in reduced privacy impacts along the western elevation due to the deletion of habitable windows and balconies on this elevation.</p>

	<p>The proposal is not considered to result in significant privacy impacts due to these changes. The western elevation comprises blank walls with obscured non-habitable room windows. On each level there are 1-2 habitable room windows. These windows have been designed to be offset to reduce overlooking and located 4m from the western boundary.</p>
<p><b>Traffic and Parking</b></p> <ul style="list-style-type: none"> <li>Proposed application seems to be grossly inadequate for the area</li> <li>Contrary to the traffic report resident states that there is seldom any street parking available, with the railway station, TAFE and other high density residences nearby</li> <li>18 car spaces for 81 residents</li> <li>Frederick Street is a no through road and more traffic from 68 units will affect the traffic flow in the area</li> <li>During construction period there will be large vehicles</li> <li>Irresponsible to suggest that overflow can be accommodated in public parking at Wollongong train station, should be prioritised for commuters.</li> </ul>	<p>The application as lodged incorporated mechanical stackers; however, this was not supported from Council's Traffic Division due to the shared use of car parking associated with a boarding house development.</p> <p>The basement plan was subsequently amended to provide for 15 car parking spaces and removal of the mechanical stackers.</p> <p>The development complies with car parking arrangements under Council's DCP Chapter E3 for Boarding Houses. The application was lodged prior to the parking amendments to SEPP ARH. The proposal does not comply with the new car parking requirements under the SEPP ARH and further discussed in Section 2.1.2.</p> <p>The site is located within an area serviced by train and bus services. The site is therefore suitable for affordable housing.</p> <p>Council's Traffic Engineer has reviewed the application and has provided a satisfactory referral and conditions have been provided.</p>
<p><b>Character of the area</b></p> <ul style="list-style-type: none"> <li>New development will be visually overbearing as it is out of scale to the adjacent properties</li> <li>Five (5) storey building may be outside the current development controls</li> <li>Current zoning is R1 General Residential</li> </ul>	<p>The current zoning of the site allows for a 16m height limit and an FSR of 1.5:1 for the site. Due to the location of the development, a bonus FSR can be considered by Council through the SEPP ARH. However, this has not been applied for.</p> <p>Current development controls facilitate a building of this scale. A minimum site width for boarding house development is not required under Council's LEP.</p> <p>The character of the area has been considered by the Design Review Panel under Clause 30A of the SEPP ARH (Character of Local Area). The final notes from the Panel states that 'the proposal</p>

	<p>has been significantly improved, especially in regard to the form and scale of the building, its functional spaces and response to site and context’.</p> <p>The proposal is therefore considered to be consistent with the future character of the area.</p>
<p><b>Management</b></p> <ul style="list-style-type: none"> <li>• Will the manager be able to manage the behaviour of residents</li> <li>• Correct screening of prospective tenants</li> </ul>	<p>A boarding house management plan has been submitted with the application and amendments have been made in response to comments from Council’s Environmental Division. A final management plan has been submitted and is satisfactory.</p> <p>Conditions of consent are also recommended and found in the draft consent relating to the management of the boarding house.</p>
<p><b>Social impact report</b></p> <ul style="list-style-type: none"> <li>• Over a year old (2 January 2017)</li> <li>• Small sample group used to produce the report</li> <li>• Proposed relocation of a methadone clinic (DA-2018/27) to the vicinity of the proposed boarding house</li> </ul>	<p>A Social Impact Assessment Report (Judith Stubbs and Associates, 2/1/17) has been submitted providing an overview of the development and potential social impacts. The report discussed issues such as affordability, housing diversity and amenity. The report further detailed the likely demography of proposed boarding house. It is considered that the report provides a comprehensive overview of the social impacts associated with the development.</p> <p>The previous application for the methadone clinic has been refused by the Wollongong Local Planning Panel on 20 June 2018.</p>
<p><b>Noise</b></p> <ul style="list-style-type: none"> <li>• 81 residents</li> <li>• The number of residents proposed will impact the community greatly</li> </ul>	<p>An Acoustic Report has been submitted (Acoustic Logic June 2018) which includes a number of recommendations including building and management controls to ensure ongoing compliance with noise emission goals. Some of these include:</p> <ul style="list-style-type: none"> <li>- Restricted hours of use for the outdoor communal areas;</li> <li>- Restricted amplified music in communal rooms;</li> <li>- Signage, glazing requirements;</li> <li>- Review of external mechanical plants at Construction Certificate stage.</li> </ul> <p>Further conditions have been recommended by Council’s Environment Division with regard to acoustic management and boarding house management. These conditions are found in the</p>

	draft conditions at attachment 6.
<b>Ground works</b> <ul style="list-style-type: none"> <li>• May impact the structure of surrounding buildings</li> </ul>	The application has been reviewed by Council's Geotechnical Engineer and conditions of consent are recommended and found in the draft conditions at attachment 6. It is also recommended that a dilapidation survey be undertaken prior to any construction works for the basement.
<b>Footpath</b> <ul style="list-style-type: none"> <li>• There is no current footpath in Frederick street, there would be an increase in foot traffic</li> </ul>	Council's landscape division have requested that the developer be responsible for footpath paving for the entire frontage of the development .This is to be constructed to in accordance with Council's Public Domain Technical Manual.
<b>Facilities</b> <ul style="list-style-type: none"> <li>• Kitchen facilities within the units are inadequate and there should not be a reliance on communal kitchen facilities.</li> </ul>	Facilities to meet the requirements of the SEPP ARH and Chapter C3 have been proposed on the plans and are satisfactory.

## 1.6 CONSULTATION

### 1.6.1 INTERNAL CONSULTATION

Council's Stormwater Engineer, Traffic Engineer, Landscape and Environment Officer have reviewed the application. They have indicated no objection to the development, subject to conditions of consent. These conditions are contained in Attachment 6.

The application was referred to Council's DRP on two occasions. The final DRP meeting recommended further development to refine the proposals amenity and aesthetic and pending the successful resolution of these issues to the satisfaction of council staff, the proposal was not required to be reviewed by the panel again. In summary the following changes were made in response to the final DRP comments:

- Reconfiguration of ground floor plan to provide additional storage, change in the overall footprint and the provision of outdoor sunken gardens to provide natural light and ventilation to the communal area.
- Location of ground floor lift and staircase amended to provide a more direct path of travel
- Entrance to the lobby area separated from the vehicular access entrance
- Removal of western external staircase
- Changes to the design of the rear outdoor space and changes in levels to remove the long pathway to the outdoor space
- Outdoor clothes drying area added
- Ceiling fans added
- Single room windows changed to clear glass (from frosted)
- Colour palette changed to lighter grey

The final Panel's comments are found in Attachment 5.

### 1.6.2 EXTERNAL CONSULTATION

No submissions from public authorities was required

## **2.1 SECTION 4.15 1(A)(I) ANY ENVIRONMENTAL PLANNING INSTRUMENT**

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

A Preliminary Site Investigation and a Stage 2 Detailed Site Investigation (DSI) report have been submitted. These reports have been reviewed by Council Environment Officer.

Soil sampling was carried out as part of the assessment from 6 locations on the site. Results found that there was 'no exceedance of the health and ecological screening criteria' of these samples. The DSI report concluded no apparent evidence of contamination was noted.

Conditions of consent have been included which require a remediation action plan prior to the issue of any construction certificate and a site validation certificate prior to the issue of an occupation certificate.

The site is therefore considered to be suitable for the proposed development with regard to clause 7.

### **2.1.2 STATE ENVIRONMENTAL PLANNING POLICY (AFFORDABLE RENTAL HOUSING) 2009**

Boarding houses are permissible in the R1 General Residential zone under Wollongong Local Environmental Plan 2009. However, the applicant has elected to lodge the development application pursuant to SEPP ARH 2009.

Clause 6 describes 'affordable housing' as

*'The Act defines affordable housing as follows:*

*affordable housing means housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument.'*

*Note.*

*(1) In this Policy, a household is taken to be a very low income household, low income household or moderate income household if the household:*

*(a) has a gross income that is less than 120 per cent of the median household income for the time being for the Greater Sydney (Greater Capital City Statistical Area) (according to the Australian Bureau of Statistics) and pays no more than 30 per cent of that gross income in rent, or*

*(b) is eligible to occupy rental accommodation under the National Rental Affordability Scheme and pays no more rent than that which would be charged if the household were to occupy rental accommodation under that scheme.*

*(2) In this Policy, residential development is taken to be for the purposes of affordable housing if the development is on land owned by the Land and Housing Corporation.*

Conditions of consent restricting occupation of the building to those households defined in the Act and SEPP (ARH) 2009 are set out in the draft conditions at attachment 6.

Division 3 of the SEPP relates to construction of boarding houses, and applies to several zones including the R1 General Residential zone. The SEPP adopts the boarding house definition in the Standard Instrument:

*boarding house means a building that:*

*(a) is wholly or partly let in lodgings, and*

*(b) provides lodgers with a principal place of residence for 3 months or more, and*

*(c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and*

*(d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers, but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.*  
*Note. Boarding houses are a type of residential accommodation—see the definition of that term in this Dictionary.*

Division 3 sets out the following:

Clause 29 Standards that cannot be used to refuse consent

A consent authority cannot refuse consent on the following grounds:

**Density and scale:** *if the floor space ratio is not more than the existing floor space (ie. 1.5:1 through Wollongong LEP 2009) plus a bonus of 0.5:1.*

Comment: Proposed density complies with LEP requirements of 1.5:1 and no further bonus FSR is proposed.

**Building height:** *if the height complies with the maximum building height in an environmental planning instrument.*

Comment: Clause 4.6 variation requested and discussed in section 2.1.3.

**Landscaped area:** *if the landscape treatment of the front setback area is compatible with the streetscape in which the building is located.*

Comment: Landscape has been found to be satisfactory. The landscape plans have been assessed by Council's Officer and no concerns raised. Additional street planting has been recommended and conditioned by Council's landscape department.

**Solar access:** *if the development provides at least one communal living room receiving minimum 3 hours direct sunlight between 9am and 3pm mid-winter.*

Comment: A communal room is proposed on level 5 which includes north facing windows and would receive three hours sunlight in mid-winter.

**Private open space; if at least**

*One area minimum 20m<sup>2</sup> with minimum dimension 3m is provided for use of lodgers, and*

Comment: Communal open space has been provided with a central outdoor courtyard located between the 2 buildings; outdoor communal garden and clothes drying area is proposed to the rear of the site along with a rooftop terrace.

*One area minimum 8m<sup>2</sup> with minimum dimension 2.5m is provided for the use of a boarding house manager, adjacent to their accommodation,*

Comment: The manager's private open space with an area of 10sqm is located adjacent to their room.

**Parking if**

*(i) in the case of development carried out by or on behalf of a social housing provider in an accessible area—at least 0.2 parking spaces are provided for each boarding room, and*

*(ii) in the case of development carried out by or on behalf of a social housing provider not in an accessible area—at least 0.4 parking spaces are provided for each boarding room, and*

***(iia) in the case of development not carried out by or on behalf of a social housing provider—at least 0.5 parking spaces are provided for each boarding room, and***

*(iii) in the case of any development—not more than 1 parking space is provided for each person employed in connection with the development and who is resident on site.*

Comment: The application will not be carried out on behalf of a social housing provider and does not comply with the above parking rates. The above rates were introduced on 1 June 2018 as a result of amendments to the SEPP ARH.

Exhibition of the draft car parking amendments to the SEPP was held between 29 March to the 16 April 2018. As the application was lodged prior to exhibition, on 16 March 2018, the Applicant is requesting that the DCP rates apply to this development.

Council's DCP rates for boarding houses differ (ie. 1 space per 5 rooms) to the above SEPP rates.

Discussions were held with the NSW Department of Planning with regard to any savings provisions for applications lodged with Council before the amendments to the SEPP were made. The Department advised that there are no savings provisions in place, however, under Subclause 4 of Clause 29, the SEPP states that a *consent authority may consent to development to which this Division applies whether or not the development complies with the standards set out in subclause (1) or (2).*

Council therefore has discretion under subclause 4 of Clause 29 to vary the car parking rates.

Given that the application was lodged prior to the exhibition and amendment to the SEPP, and the sites close proximity to the railway station, it is considered acceptable for the Applicant to rely on the car parking rates under Council's DCP Chapter E3-Car Parking in this instance. Whilst not complying with the new SEPP car parking rates, compliance can be achieved with Council's DCP rates for boarding houses.

***Accommodation size*** if each boarding room has a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of at least, 12m<sup>2</sup> for boarding rooms intended to be use by a single lodger; or

Comment: single rooms range from 16-18m<sup>2</sup>

16m<sup>2</sup> in another case

Comment: double rooms are 19m<sup>2</sup>

#### Clause 30 Standards for boarding houses

A consent authority must not grant consent to development unless it is satisfied of each of the following:

<b>Standard</b>	<b>Compliance</b>
If a boarding house has five or more boarding rooms, at least one communal living room will be provided	Communal rooms are located on the ground floor and level 5.
No boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25 square metres	No boarding room exceeds 25sqm.
No boarding room will be occupied by more than two lodgers	The boarding rooms have been identified as single or double, however a condition of consent is recommended
Adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger,	Each boarding room has its own kitchenette.

If the boarding house has capacity to accommodate 20 or more lodgers, a boarding room or on site dwelling will be provided for a boarding house manager,	The manager's dwelling is located at the front of the building at ground level
At least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms	Complies, 15 bicycle and 15 motorcycle parking is proposed in the basement.

Clause 30A Character of local area

Prior to issuing consent, the consent authority must take into consideration whether the design of the development is compatible with the character of the local area. Council raised concerns regarding compatibility with the local area at the pre-lodgement meeting and pre-lodgement DRP. The application was amended in response to the final DRP notes at attachment 5.

Clause 52 No subdivision of boarding houses

Strata or community title subdivision of boarding houses is not permitted. A condition of consent is recommended and is contained in the draft consent.

2.1.3 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

**Part 2 Permitted or prohibited development**

Clause 2.2 – zoning of land to which Plan applies

The zoning map identifies the land as being zoned R1 General Residential

Clause 2.3 – Zone objectives and land use table

The objectives of the zone are as follows:

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

The proposal is satisfactory with regard to the above objectives as the proposed boarding house will provide for the affordable housing needs of the community.

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

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

The proposal is categorised as a **Boarding House** as described below and is permissible in the zone with development consent.

Clause 1.4 Definitions

**Boarding house** means a building that:

- (a) is wholly or partly let in lodgings, and*
- (b) provides lodgers with a principal place of residence for 3 months or more, and*
- (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and*

*(d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,*

*but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.*

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

Clause 2.7 Demolition requires development consent

Consent is sought for the demolition of the dwelling house and outbuildings in accordance with this clause.

**Part 4 Principal development standards**

Clause 4.3 Height of buildings

16m height control applies. The applicant has lodged a Clause 4.6 exception with respect to a proposed departure of the building height limit of 16m applying to the site. The development seeks a building height of 17.76m exceeding the standard by 1.76m (11%).

Clause 4.4 Floor space ratio

An FSR of 1.5:1 applies to the site.

The site comprises an area of 1066sqm and the proposed gross floor area is 1557.6sqm with an FSR 1.46:1

Clause 4.6 Exception to development standards

<b>WLEP 2009 clause 4.6 proposed development departure assessment</b>	
Development departure	Clause 4.3 Height of buildings
Is the planning control in question a development standard	Yes
4.6 (3) Written request submitted by applicant contains a justification:	
That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and	<p>Yes.</p> <p>The applicant has submitted a Clause 4.6 Statement (Attachment 3) with the following justification:</p> <ul style="list-style-type: none"> <li>• The tallest part of the building and breach to the height limit relate to the lift core. There is no habitable floor area contributing to the breach in height;</li> <li>• The proposed design has been carefully designed to project a highly articulated appearance to each of the facades. The separation into 2 built forms limits the perceived bulk and scale of the building;</li> <li>• The proposed development has been designed to positively respond to the sloping nature of the site which seeks to limit its overshadowing impact on adjoining the site.</li> </ul> <p>Based on the above, the applicant states that compliance with the height control of 16m is considered to be unreasonable and unnecessary.</p>

<p>That there are sufficient environmental planning grounds to justify contravening the development standard.</p>	<p>The sufficient planning grounds to justify contravening the 16m height limit are outlined in the applicant's Clause 4.6 Statement.</p> <p>The applicant has noted environmental planning grounds that justify the departure also include:</p> <ul style="list-style-type: none"> <li>• The proposal addresses site constraints, streetscape and relevant objectives of both the standard and the zone.</li> <li>• The proposal will not result in any unreasonable amenity or environmental impacts</li> <li>• The proposal provides a social benefit to the community providing for new affordable accommodation in an area serviced by public transport and local infrastructure.</li> <li>• The proposal is close to the city centre and compliance with the FSR of 2:1 that can be offered through the SEPP.</li> </ul>
<p>4.6 (4) (a) Consent authority is satisfied that:</p>	
<p>The applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and</p>	<p>The applicant's written request adequately addresses the matters required to be demonstrated under subclause 3.</p> <p>The variation to the height is requested due to the lift overrun and is considered by the applicant to be a minor variation to the development standard.</p> <p>The applicant considers that the development will not lead to adverse visual or environmental impacts. The Clause 4.6 Statement has provided reasonable justification that the development achieves the objectives of Clause 4.3, the objectives of the R1 zone and has sufficient planning grounds to justify the variation. The applicant is of the view that requiring compliance with the maximum 16m height limit is not necessary in this instance.</p>
<p>The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and</p>	<p>The objectives of Clause 4.3 Height of Buildings are:</p> <p><i>(a) to establish the maximum height limit in which buildings can be designed and floor space can be achieved,</i></p> <p><i>(b) to permit building heights that encourage high quality urban form,</i></p> <p><i>(c) to ensure buildings and public areas continue to have views of the sky and receive exposure to sunlight.</i></p> <p>With regard to objective 'a', it is considered that site has been designed in accordance with the prescribed floor space and height restrictions. A bonus FSR of 0.5:1 can be applied for under the SEPP however is not sought by the applicant. The departure represents an increase (11%) to the overall building height for a small portion of the building relating to the internal lift.</p> <p>With regard to objective 'b', the proposed departure from the height control will not substantially impact on the ability for the development to achieve a high quality urban form.</p> <p>With regard to objective 'c', the additional height will not detract from views of the sky or exposure to sunlight. The height variation</p>

	<p>applies to a small section of the overall built form. The majority of the 2 buildings fall under the 16m height limit.</p> <p>Objectives of the zone</p> <p>The objectives of the R1 General Residential zone are:</p> <ul style="list-style-type: none"> <li>• <i>To provide for the housing needs of the community.</i></li> <li>• <i>To provide for a variety of housing types and densities.</i></li> <li>• <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i></li> </ul> <p>The development is consistent with the above objectives as outlined below:</p> <ul style="list-style-type: none"> <li>• The proposed boarding house will create additional housing servicing the affordability needs of the locality.</li> <li>• The development results in a housing type which differs to nearby developments. The zone caters for a higher density of 1.5:1.</li> <li>• The development is for a type of residential accommodation (ie. boarding house) and consistent with the last objective.</li> </ul> <p>The built form has been assessed as satisfactory by the DRP, with attempts made to mitigate any impacts to the environment or surrounding neighbours.</p> <p>Given that the development is consistent with the objectives of Clause 4.3 and the objectives of the zone, the proposed variation to the building height is considered to be in the public interest.</p>
<p>The concurrence of the Secretary has been obtained.</p>	<p>Yes – the concurrence of the secretary is provided under delegation to Council.</p>

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

### Clause 7.1 Public utility infrastructure

The site is currently serviced by electricity, water and sewerage services. The developer would be required to obtain the necessary connection approval from utility providers.

### Clause 7.3 Flood planning area

The land is identified as being flood affected and is situated within an uncategorised flood risk precinct. Council’s Stormwater Engineer has reviewed the flooding information submitted with the application and conditions of approval have been provided. Council can be satisfied in relation to all matters contained within Clause 7.3.

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

### 8.1 Objectives for development in Wollongong city centre

The objectives of this control are as follows:

- (a) to promote the economic revitalisation of the Wollongong city centre,*
- (b) to strengthen the regional position of the Wollongong city centre as a multifunctional and innovative centre that encourages employment and economic growth,*
- (c) to protect and enhance the vitality, identity and diversity of the Wollongong city centre,*
- (d) to promote employment, residential, recreational and tourism opportunities within the Wollongong city centre,*

- (e) to facilitate the development of building design excellence appropriate to a regional city,*
- (f) to promote housing choice and housing affordability,*
- (g) to encourage responsible management, development and conservation of natural and manmade resources and to ensure that the Wollongong city centre achieves sustainable social, economic and environmental outcomes,*
- (h) to protect and enhance the environmentally sensitive areas and natural and cultural heritage of the Wollongong city centre for the benefit of present and future generations.*

The proposal would contribute to a residential unit mix through the provision of additional housing and employment opportunities during construction. The vitality of the city centre is enhanced through living within the centre where boarding houses are not inconsistent with the centre identity and diversity. It is considered that the development provides for a standard of design, materials and detailing appropriate for the building type and its location and zoning. The proposal provides a mixture of accommodation that are expected to contribute towards housing choice and affordability in Wollongong. The proposed building is considered an efficient use of space in an accessible location that is considered to encourage use of public transport and existing services. The proposal is not expected to impact on natural or cultural heritage values.

The proposal is considered to satisfy the design excellence provisions.

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

### **State Environmental Planning Policy (Coastal Management) 2016**

Draft State Environmental Planning Policy (Coastal Management) 2016 and associated maps had been exhibited at the time of lodgement of the application and the policy (dated 2018) has now been gazetted. The maps published with the SEPP indicate that the land is not within the land application map.

## **2.3 SECTION 4.15C 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 WDCP2009 and found to be satisfactory. A full compliance table can be found at Attachment 4 to this report; only the variations are discussed below:

#### **CHAPTER A1- INTRODUCTION**

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

#### **Side and rear building setbacks and building separation**

Applicable Controls

#### **Chapter D13- Wollongong City Centre**

#### **Clause 2.5 Side and rear building setbacks and building separation**

*Up to 12m in height:-*

- habitable rooms with openings and balconies – 6m
- non-habitable rooms and habitable rooms without openings – 3m

*Residential uses between 12m & 24m*

- habitable rooms with openings and balconies – 9m
- non-habitable rooms and habitable rooms without openings – 4.5m

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

#### **Clause 6.4 Side and rear building setbacks and building separation**

*Up to 12m in height:-*

- where a habitable room/balcony on development site- 6m
- where a non-habitable room/blank wall 3.5m

*Buildings up to 25m (5 to 8 storeys)*

- where a habitable room/balcony faces an adjacent property – 9m
- where a non-habitable room/blank wall faces an adjacent property – 4.5m

**Proposed variation**

**Eastern setback (adjoining laneway):**

**Ground level:** proposed buildings are to be built on the boundary at ground level, with the lobby and lift and caretaker storage located 900mm from the boundary. Boarding house room at ground level located 3m from boundary.

**Levels 1-6:** Common laundry is setback 900mm from the boundary and the remainder of the building is setback 3m.

**Western setback**

**Ground level:** ground level, manager's private open space 3.5m (courtyard)

**Levels 1-6:** the building is setback 3.5m.

**Rear setback:** Minimum of 6m

**Applicant's submission:**

At ground level, the onsite manager's POS is setback 3.5m with the habitable room window setback 5.28m and therefore a minor variation ranging from 0.72 to 1.5m is sought. This variation is considered appropriate as any side boundary fencing would obstruct direct overlooking offsetting any privacy concerns.

For the levels above the ground floor, where centrally located single rooms are proposed, habitable room windows are setback from the western boundary. For the remainder of the western facade where a 3.5m setback is proposed, glazing is provided to the non-habitable rooms which complies with the 3m standard.

In relation to the eastern boundary, variations are sought at ground level and this is considered acceptable as any negative visual privacy impacts would be offset due to boundary fencing and no openings or glazing proposed. Separation between building forms has been supplemented by the 4.57m wide laneway. A 3m setback is proposed to the eastern boundary. Habitable room windows have been designed as highlight windows with 1.8m sill heights.

**Comment:**

Chapter C3 of the DCP governs boarding houses and references setback controls contained in Chapter B1 are to apply. However, given that the site is within the Wollongong City Centre, the controls of Chapter D13 override B1 and apply. Notwithstanding this, controls from both Chapters B1 and D13 have been considered.

Whilst the development is in the form of a residential flat building, the site does not have the 24m minimum site width required for residential flat buildings as the development is for a boarding house and a minimum site frontage is not required.

The applicant is further requesting that non-compliance be given to the setback controls for levels greater than 4 storeys as this cannot be achieved due to the narrowness of the site and sloping nature of the site. A reason for the request is glazing is predominantly to non-habitable rooms and

consists of a high sill window where no visual privacy concerns would arise. Given, the sloping nature of the land and narrow width of the site, the development would generally read as 4 -5 storeys which also works to reduce the impression of its bulk and scale.

Given the narrowness of the site (16.7m) full compliance of the side separation controls would be difficult to achieve. The original design prior to lodgement incorporated a single residential building in the form of a residential tower. The DRP suggested that the development be broken into 2 separate buildings to provide some relief for the privacy and visual impacts and provide internal amenity for the residents.

The redesign has resulted in the removal of balconies and habitable windows from the western elevation which was a main concern raised during the pre-lodgment.

Whilst full compliance with the setback controls has not been achieved, the redesign addresses the privacy impacts along the western elevation. Blank walls and frosted non-habitable rooms windows are now located on this elevation. 1-2 habitable room windows on each level are proposed on this elevation but are offset and located 4m from the western boundary.

Given the site's location adjoining an existing laneway, there are no concerns with the encroachments into the setbacks along the eastern boundary with minimal privacy impacts.

All habitable rooms and balconies are orientated towards the street/rear of the site and towards the internal courtyard area. It is therefore considered that the side setbacks are acceptable in this instance.

#### 2.3.2 WOLLONGONG CITY-WIDE DEVELOPMENT CONTRIBUTIONS PLAN 2018

Payment of a contribution is required for development exceeding \$100,000. The estimated cost of works is in excess of this and a levy is therefore payable. The amount is specified in the conditions.

#### **2.4 SECTION 7.4 ANY PLANNING AGREEMENT THAT HAS BEEN ENTERED INTO UNDER SECTION 93F, OR ANY DRAFT PLANNING AGREEMENT THAT A DEVELOPER HAS OFFERED TO ENTER INTO UNDER SECTION 93F**

There are no planning agreements entered into or any draft agreement offered to enter into under S93F which affect the development.

#### **2.5 SECTION 4.15 1(A)(IV) THE REGULATIONS (TO THE EXTENT THAT THEY PRESCRIBE MATTERS FOR THE PURPOSES OF THIS PARAGRAPH)**

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

*(1) For the purposes of section 4.15 (1) (a) (iv) of the Act, the following matters are prescribed as matters to be taken into consideration by a consent authority in determining a development application:*

- (a) in the case of a development application for the carrying out of development:
  - (i) in a local government area referred to in the Table to this clause, and*
  - (ii) on land to which the Government Coastal Policy applies, the provisions of that Policy,**
- (b) in the case of a development application for the demolition of a building, the provisions of AS 2601.*

Condition(s) of consent are recommended with regard to the proposed demolition.

The site is not located within the Coastal Zone.

93 Fire safety and other considerations

N/A.

94 Consent authority may require buildings to be upgraded

N/A.

## **2.6 SECTION 4.15 1(A)(V) ANY COASTAL ZONE MANAGEMENT PLAN (WITHIN THE MEANING OF THE COASTAL PROTECTION ACT**

Repealed 1 March 2018 prior to the lodgement of the application.

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

### Context and Setting:

The site is located in a residential zone within the Wollongong City Centre which is transitioning from small scale residential dwellings to larger types of residential and commercial buildings due the proximity to Wollongong train station. The boarding house is also located within close proximity to employment, shopping and medical services. Accordingly, the site is suitably located to accommodate affordable housing.

It is considered that the impacts have been addressed during the assessment process and in depth during the DRP meetings. This has resulted in design changes to ensure the proposed boarding house fits into the existing and future context and setting of the immediate and broader locality.

### Access, Transport and Traffic:

The proposal is satisfactory with regard to car parking, access and traffic matters. The proposed boarding house is situated in an accessible location within close proximity to the Wollongong train station and bus services.

### Public Domain:

The developer will be responsible for footpath paving for the entire frontage of the development in accordance with Council's Public Domain Technical Manual.

### Utilities:

The development is not envisaged to place an unreasonable demand on utilities supply. Existing utilities are adequate to service the building and a substation is proposed within the landscaping at in front of the building.

### Heritage:

No heritage items are in the immediate vicinity.

### Other land resources:

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

### Water:

The site is presently serviced by Sydney Water's reticulated water and sewerage services. A section 73 certificate will be required.

### Soils:

Discussed under SEPP 55 in Section 2.1.

### Air and Microclimate:

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

Flora and Fauna:

No significant flora or fauna will be affected by the proposed works.

Waste:

A condition will be attached to any consent granted that an appropriate receptacle be in place for any waste generated during the construction and ongoing servicing.

Noise and vibration:

Conditions are proposed to minimise nuisance during the course of works and in relation to restricted working hours to reduce impacts on neighbours.

Natural hazards:

There are no natural hazards which will have an impact on the proposed development.

Technological hazards:

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

Safety, Security and Crime Prevention:

This application will not promote opportunities for criminal or antisocial behaviour.

Social Impact:

This application does not result in any opportunities for criminal or antisocial behaviour. Adequate access control methods are proposed.

Economic Impact:

The proposal is not expected to create any negative economic impacts.

Site Design and Internal Design:

The application result in a departure from the height development standard and proposes variation to Wollongong Development Control Plan, 2009, as discussed above. A condition is recommended that all works are to be in compliance with the Building Code of Australia.

Construction:

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

Cumulative Impacts:

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

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

Does the proposal fit in the locality?

The proposed building is permissible in the zone and meets design excellence requirements of WLEP 2009. The proposal is considered appropriate with regard to the zoning of the site and is not expected to have any negative impacts on the amenity of the locality or adjoining developments.

Are the site attributes conducive to development?

There are no site constraints that would prevent the proposal.

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

Refer to Part 1.5 of this report

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

The development is not expected to result in unreasonable impacts on the environment or the amenity of the locality. It is considered appropriate with consideration to the zoning and the expected future character of the locality and is therefore considered to be in the public interest.

## **3 CONCLUSION**

---

This application has been assessed as satisfactory having regard to the Heads of Consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, The proposed development is permissible with consent and has regard to the objectives of the zone and is consistent with the applicable provisions of the relevant planning instruments including Wollongong LEP 2009 and SEPP ARH, Council DCPs, Codes and Policies. The design of the development is appropriate with regard to the controls outlined in these instruments.

The application involves a development departure to the maximum height permitted under Clause 4.3 of Wollongong Local Environmental Plan 2009. A Clause 4.6 Statement has been submitted by the applicant and has been assessed as satisfactory in the circumstances.

The proposal also involves variations to set backs under WDCP2009. Variation request statements and justification have been provided for the non-compliances in accordance with Chapter A1 of WDCP2009. The variations have been considered and are supported in this instance.

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

Recommendations of the Design Review Panel have been incorporated into revised plans.

## **4 RECOMMENDATION**

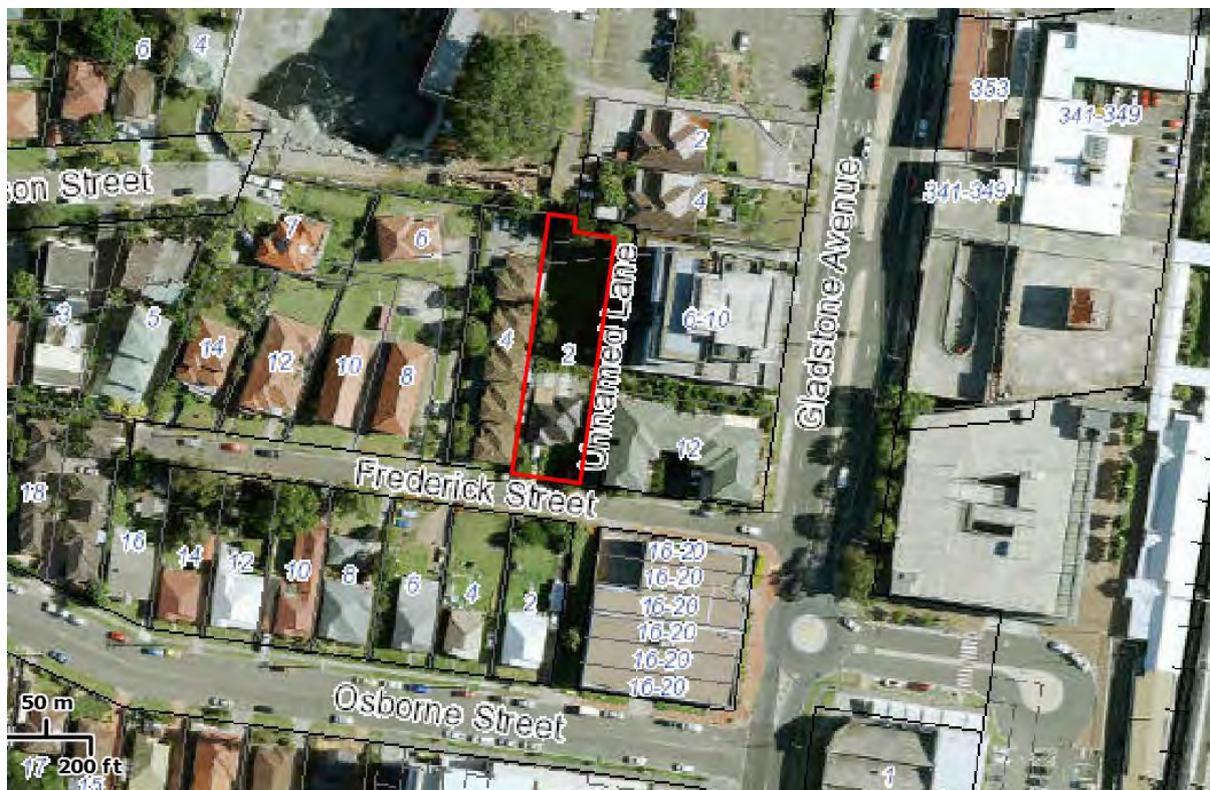
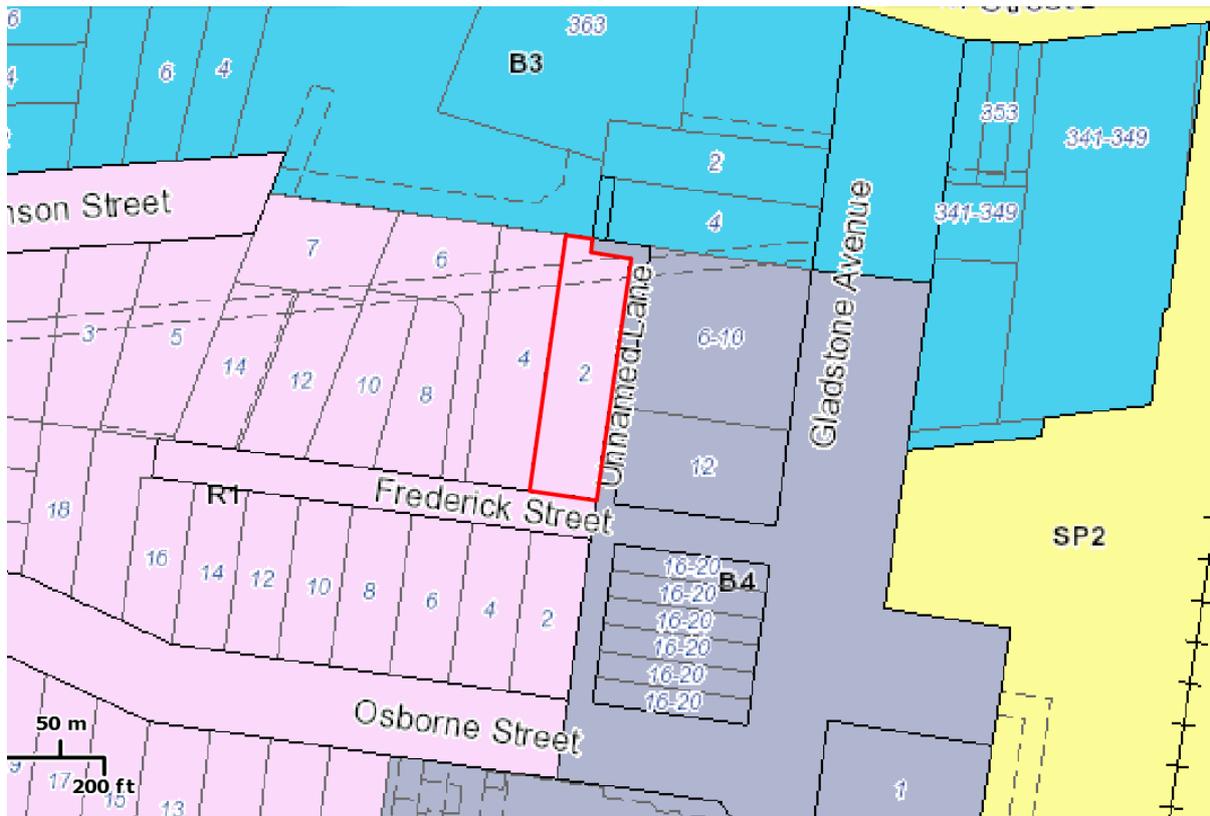
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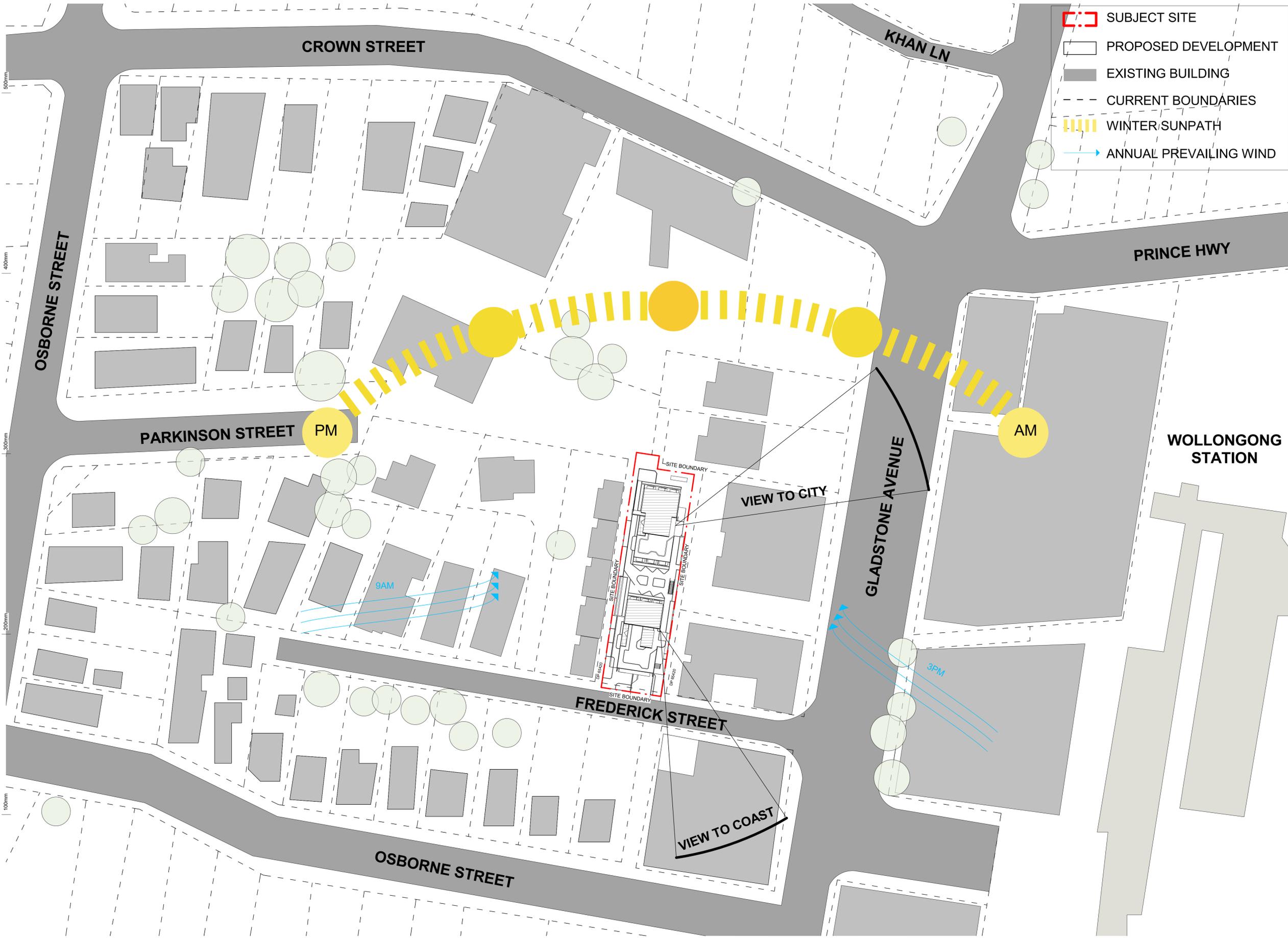
It is recommended that DA-2018/313 be approved subject to appropriate conditions of consent as outlined in Attachment 6.

## **ATTACHMENTS**

- 1 Aerial photograph and WLEP 2009 zoning map
- 2 Plans
- 3 Clause 4.6 submission
- 4 Compliance table for Wollongong Development Control Plan 2009
- 5 Design Review Panel assessment
- 6 Draft conditions of consent

Attachment 1 Aerial photograph and WLEP 2009 zoning map- DA2018/313





**Notes DA:**

**1. DESIGN RESOLUTION**

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1.3. The dimensions shown are general only and are subject to further design resolution.

1.4. Location of car park entry point is general only and will be confirmed and dimensioned at later stage.

1.5. The size and position of louvre sun screens is indicative and shown in open and closed positions.

1.6. Ceiling RL (where shown) indicates general ceiling design level only, which does not account for services bulkheads or similar partial ceiling protrusions.

1.7. Landscape components is shown indicatively only and subject to further design development at later stage.

1.8. Location of plant, equipment and services on drawings is general and indicative only, and does not include minor elements, such as vent pipes, flues, aerials, etc.

**2. SOURCE REPRESENTATION**

2.1. Colours presented on drawings are generic only and indicative of the architectural design intent. Some colour deviation may occur in the printing process.

**3. EXISTING STRUCTURES AND SERVICES**

3.1. Extent and location of existing structures and services is according to the available survey information and will need to be verified on site at later stage.

3.2. All unchanged site levels are as per the existing survey information.

Date	Rev	By	Description
11/12/17	A	DA Submission	

CLIENT

**MR. HOWARD YU**

PROJECT

**BOARDING HOUSE DEVELOPMENT**

**2 Frederick Street, Wollongong NSW**

ARCHITECT



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ACN 169 027 936

Australia, Singapore, Hong Kong, China

TITLE

**SITE ANALYSIS PLAN**

Scale 1: 100

0 2 4 6

STAGE: DA

DATE: 11/12/17

DRAWING SCALE: As indicated

SHEET SIZE: A1

PROJECT NO. 17015

DRAWING NO. DA-1-01

REVISION A

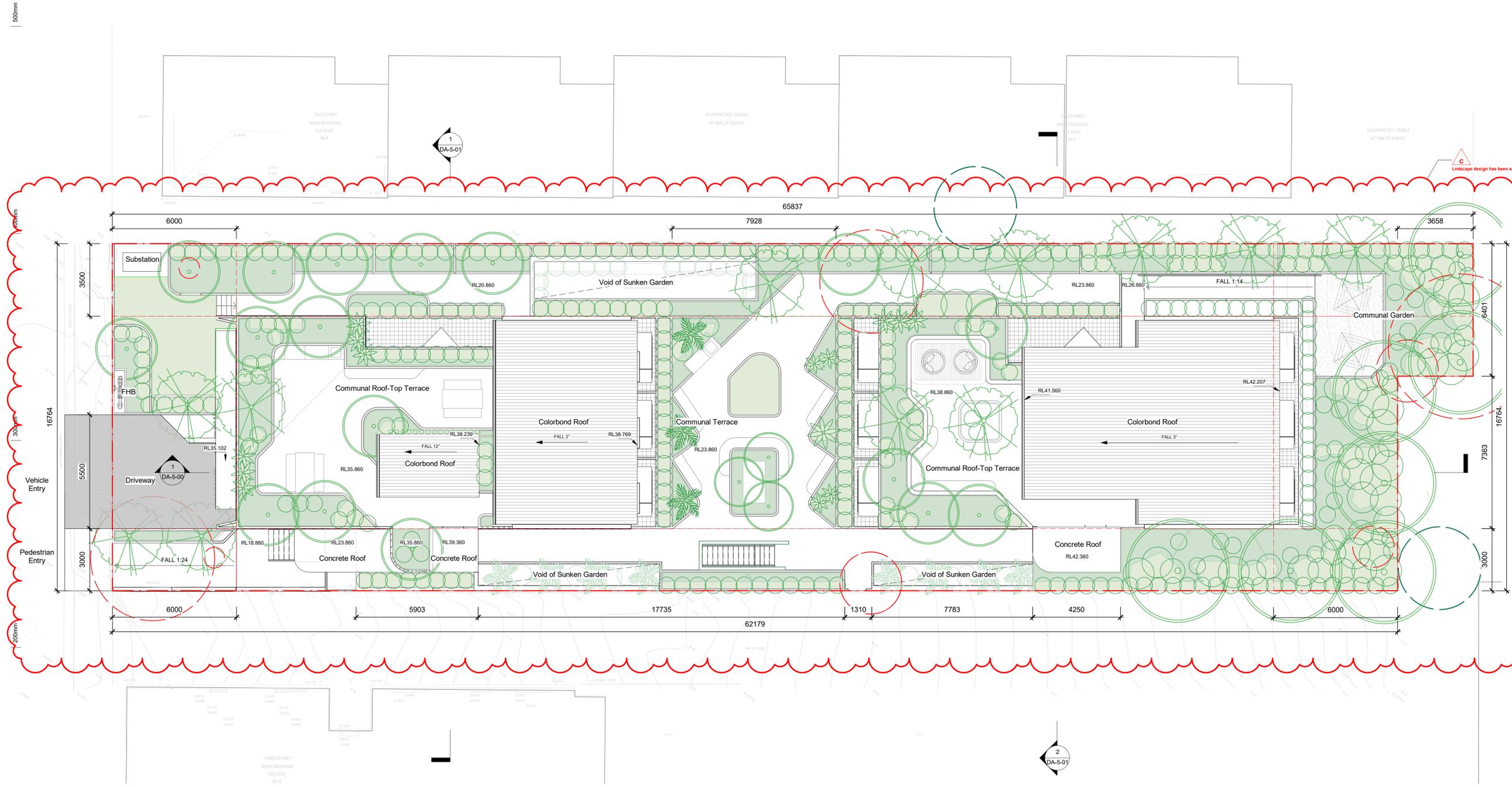
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**1 SITE ANALYSIS PLAN**  
1 : 500



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**1 SITE PLAN**  
1 : 100

4100518	C	Required Amendments
11/12/17	A	DA Submission
Date	Rev	Description

**CLIENT**  
MR. HOWARD YU

**PROJECT**  
**BOARDING HOUSE DEVELOPMENT**  
2 Frederick Street, Wollongong NSW

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 Website: www.thearc.com.au  
 ACN 169 027 936  
 Australia, Singapore, Hong Kong, China

PROJECT CALCULATION	
Site Area:	1066 sqm
Proposed Gross Floor Space:	1557.6 sqm
Proposed FSR:	1 : 1.46
Proposed Height:	5-6 Levels
Proposed Unit:	67 Units
Proposed Parking:	15 Lots

**TITLE**  
SITE PLAN

**DA**

Scale 1: 100  
0 2 4 6

STAGE:	DA	
DATE:	11/12/2017	
DRAWING SCALE:	1 : 100	
SHEET SIZE:	A1	
PROJECT NO.	DRAWING NO.	REVISION
<b>17015</b>	<b>DA-1-02</b>	<b>C</b>

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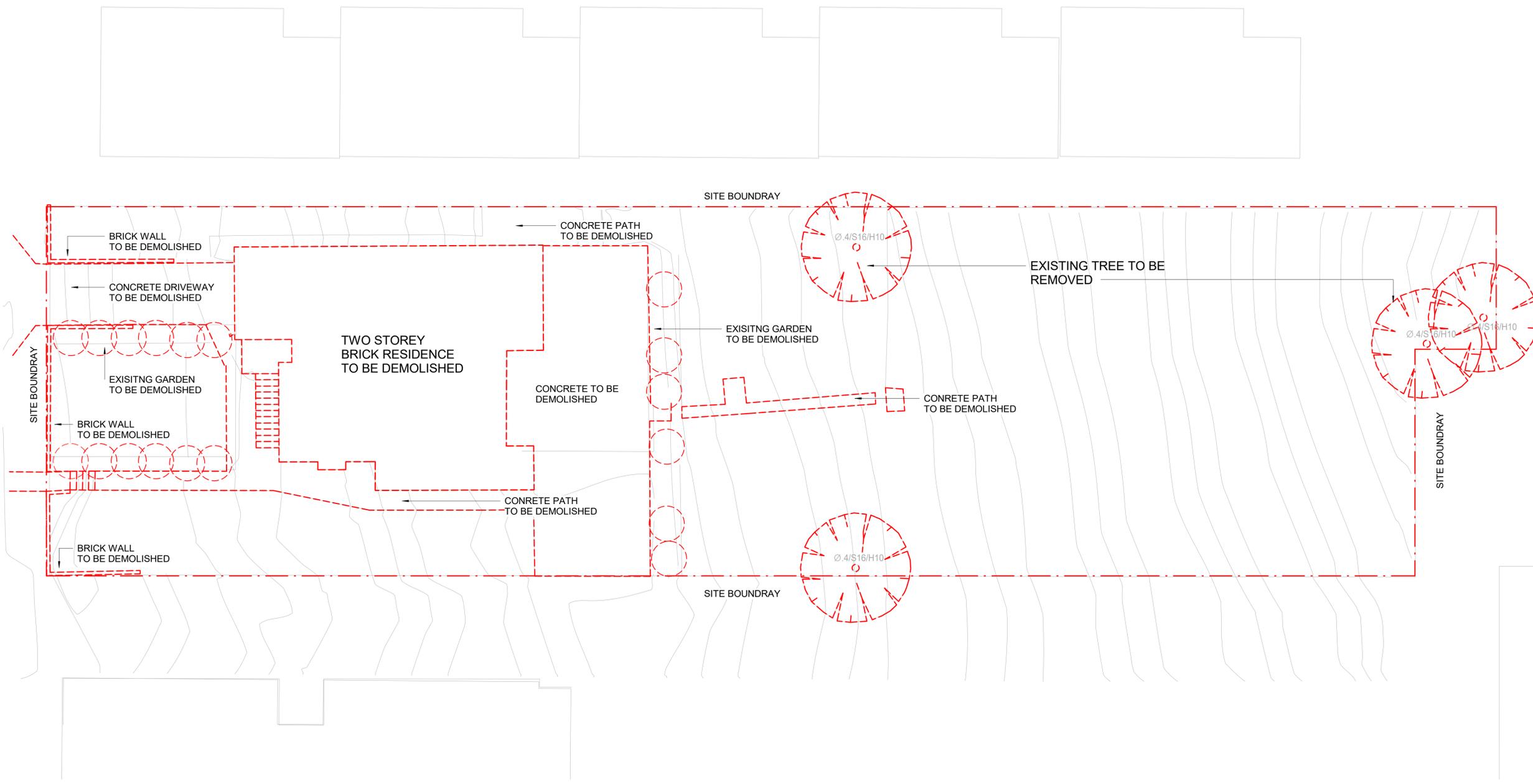
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**3. EXISTING STRUCTURES AND SERVICES**

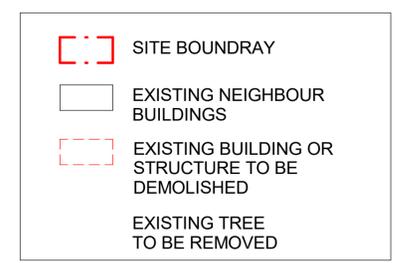
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3.2. All unchanged site levels are as per the existing survey information.

Date	Rev	DA Submission	Description
11/12/17	A	Submission	



**1 DEMOLITION PLAN**  
1 : 100



CLIENT

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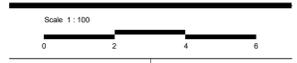
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ACN 169 027 936

Australia, Singapore, Hong Kong, China

TITLE  
**DEMOLITION PLAN**

**DA**



	STAGE: DA
	DATE: 11/12/2017

DRAWING SCALE: 1 : 100 SHEET SIZE: A1

PROJECT NO. <b>17015</b>	DRAWING NO. <b>DA-1-03</b>	REVISION <b>A</b>
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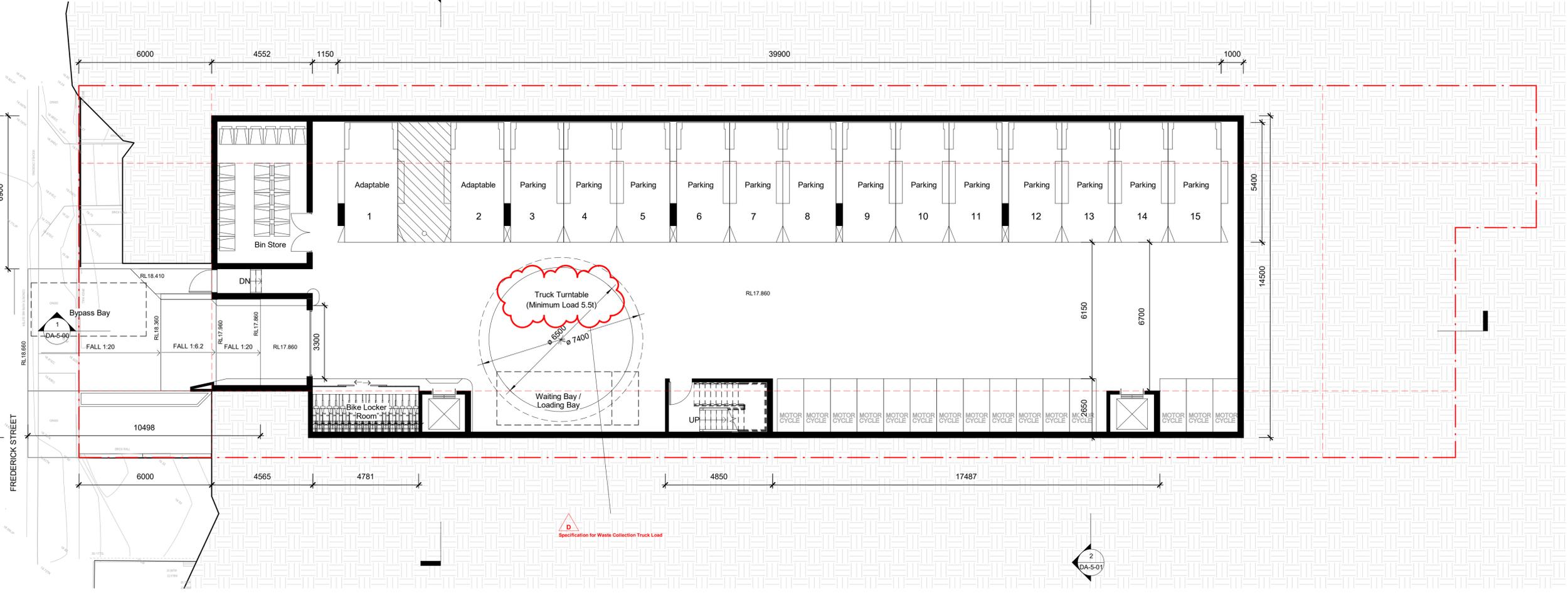
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**1 BASEMENT**  
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Date	Rev.	Description
24/08/18	D	Additional Information
11/12/17	A	Revised Assesments
	DA	Submission

CLIENT

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Website: www.thearc.com.au

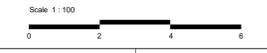
ACN 169 027 936

Australia, Singapore, Hong Kong, China

TITLE

**BASEMENT**

**DA**



STAGE:	DA
DATE:	11/12/2017

DRAWING SCALE:	1 : 100	SHEET SIZE:	A1
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PROJECT NO.	17015	DRAWING NO.	DA-2-00	REVISION	D
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24/08/2018 9:58:31 AM

500mm

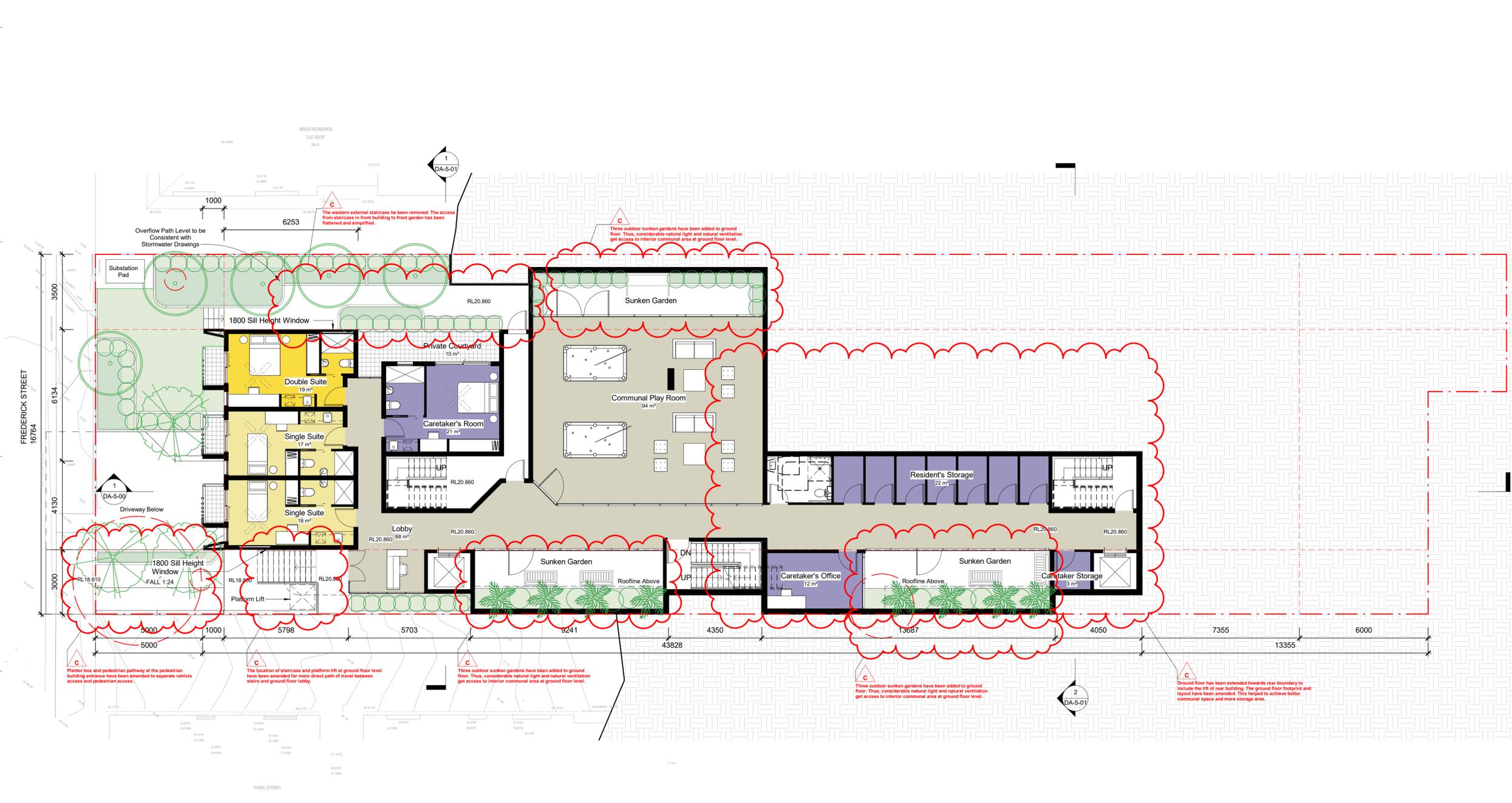
400mm

300mm

200mm

100mm

0mm



**1 GROUND FLOOR**  
1 : 100

**Notes DA:**

**1. DESIGN RESOLUTION**

1.1 The drawings represent general architectural intent for the purpose of this development application only.

1.2 The material layout is shown indicatively and is subject to further design development.

1.3 The dimensions shown are general only and are subject to further design resolution.

1.4 Location of car park entry point is general only and will be confirmed and dimensioned at later stage.

1.5 The size and position of louvre sun screens is indicative and shown in open and closed positions.

1.6 Ceiling RL (where shown) indicates general ceiling design level only, which does account for services bulkheads or similar partial ceiling protrusions.

1.7 Landscape component is shown indicatively only and subject to further design development at later stage.

1.8 Location of plant, equipment and services on drawings is general and indicative only, and does not include minor elements, such as vent pipes, flues, aerials, etc.

**2. GRAPHIC PRESENTATION**

2.1 Colours presented on drawings are generic only and indicative of the architectural design intent. Some colour deviation may occur in the printing process.

**3. EXISTING STRUCTURES AND SERVICES**

3.1 Extent and location of existing structures and services is according to the available survey information and will need to be verified on site at later stage.

3.2 All unchanged site levels are per the existing survey information.

Date	Rev	Description
11/12/17	A	DA Submission
4/10/18	C	Required Amendments

CLIENT

**MR. HOWARD YU**

PROJECT

**BOARDING HOUSE DEVELOPMENT**

**2 Frederick Street, Wollongong NSW**

ARCHITECT



**Planning . Architecture . Interior . Landscapes**

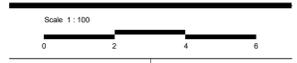
The Silver Arc Dreamscapes Pty Ltd

S1502, Level 15, Citadel Towers, Tower B, 799  
Pacific Highway, Chatswood, NSW 2067  
Phone (02) 80688318  
Email: info@thearc.com.au  
Website: www.thearc.com.au

ACN 169 027 936  
Australia, Singapore, Hong Kong, China

TITLE  
**GROUND FLOOR PLAN**

**DA**



STAGE:	DA
DATE:	11/12/2017

DRAWING SCALE:	1 : 100	SHEET SIZE:	A1
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PROJECT NO.	DRAWING NO.	REVISION
<b>17015</b>	<b>DA-2-01</b>	<b>C</b>

8/06/2018 5:41:11 PM

0mm 100mm 200mm 300mm 400mm 500mm 600mm 700mm 800mm

500mm

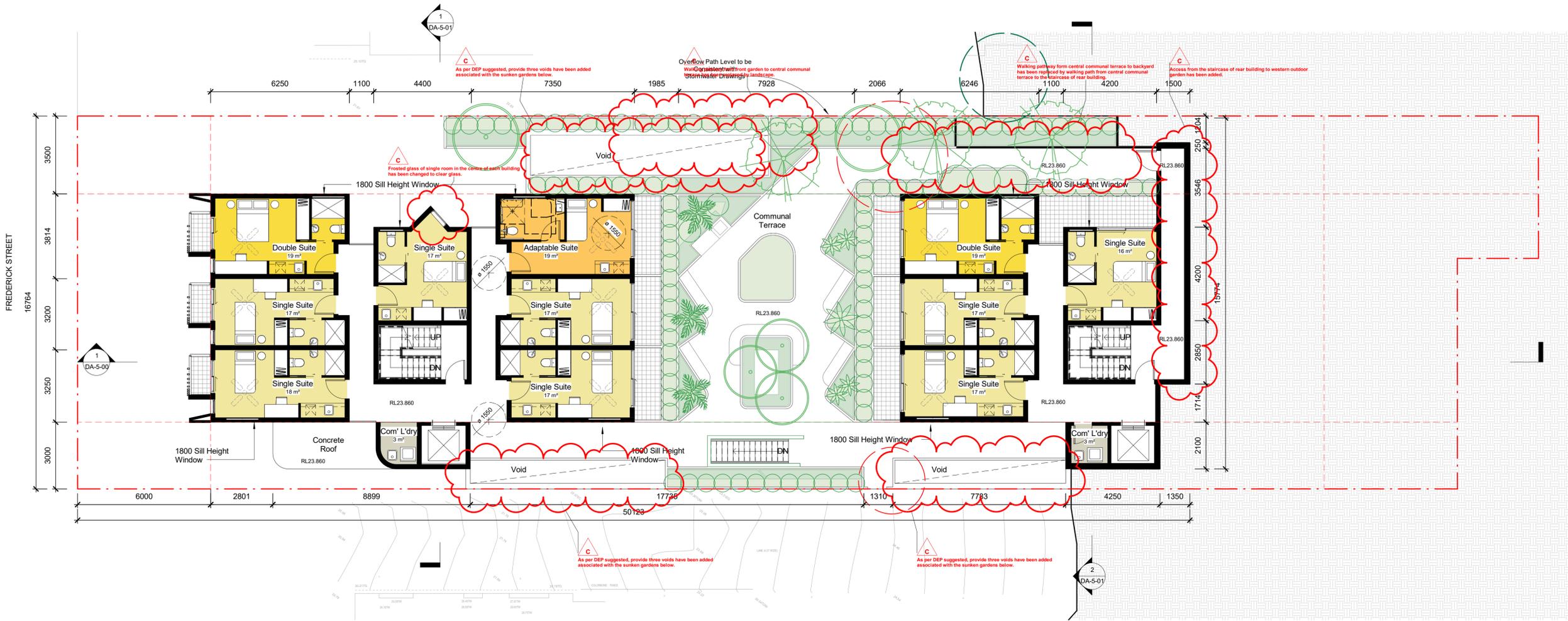
400mm

300mm

200mm

100mm

0mm



**1 LEVEL 1**  
1 : 100

**Notes DA:**

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1.3 The dimensions shown are general only and are subject to further design resolution.

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1.5 The size and position of louvre sun screens is indicative and shown in open and closed positions.

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1.7 Landscape component is shown indicatively only and subject to further design development at later stage.

1.8 Location of plant, equipment and services on drawings is general and indicative only, and does not include minor elements, such as vent pipes, flues, aerials, etc.

**2. GRAPHIC PRESENTATION**

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**3. EXISTING STRUCTURES AND SERVICES**

3.1 Elevation and location of existing structures and services is according to the available survey information and will need to be verified on site at later stage.

3.2 All unchanged site levels are as per the existing survey information.

Date	Rev	Description
11/12/17	A	DA Submission
4/10/18	C	Required Amendments

CLIENT

**MR. HOWARD YU**

PROJECT

**BOARDING HOUSE DEVELOPMENT**

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ACN 169 027 936

Australia, Singapore, Hong Kong, China

TITLE

**LEVEL 1 FOOLR PLAN**

**DA**



	STAGE: DA
	DATE: 11/12/2017

DRAWING SCALE: 1 : 100	SHEET SIZE: A1
------------------------	----------------

PROJECT NO.	DRAWING NO.	REVISION
<b>17015</b>	<b>DA-2-02</b>	<b>C</b>

8/06/2018 5:41:14 PM

100mm 200mm 300mm 400mm 500mm 600mm 700mm 800mm

**Notes DA:**

- 1. DESIGN RESOLUTION**
- 1.1. The drawings represent general architectural intent for the purpose of this development application only.
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- 2. GRAPHIC PRESENTATION**
- 2.1. Colours presented on drawings are generic only and indicative of the architectural design intent. Some colour variation may also occur in the printing process.
- 3. EXISTING STRUCTURES AND SERVICES**
- 3.1. Extent and location of existing structures and services is according to the available survey information and will need to be verified on site at later stage.
  - 3.2. All unchanged site levels are as per the existing survey information.



**1 LEVEL 2**  
1:100

Date	Rev.	Description
11/12/17	A	DA Submission
4/10/18	C	Required Amendments

CLIENT  
**MR. HOWARD YU**

PROJECT  
**BOARDING HOUSE DEVELOPMENT**  
**2 Frederick Street, Wollongong NSW**

ARCHITECT  
**DREAMSCAPES ARCHITECTS**  
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Australia, Singapore, Hong Kong, China

TITLE  
**LEVEL 2 FLOOR PLAN**

**DA**



STAGE:	DA
DATE:	11/12/2017
DRAWING SCALE:	1:100
SHEET SIZE:	A1
PROJECT NO.	17015
DRAWING NO.	DA-2-03
REVISION	C

8/06/2018 5:41:16 PM

**Notes DA:**

- 1. DESIGN RESOLUTION**
- 1.1. The drawings represent general architectural intent for the purpose of this development application only.
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- 3. EXISTING STRUCTURES AND SERVICES**
- 3.1. Extent and location of existing structures and services is according to the available survey information and will need to be verified on site at later stage.
  - 3.2. All unchanged site levels are as per the existing survey information.

Date	Rev.	By	Description
11/12/17	A	DA Submission	
4105/18	C	Required Amendments	

CLIENT

**MR. HOWARD YU**

PROJECT

**BOARDING HOUSE DEVELOPMENT**

**2 Frederick Street, Wollongong NSW**

ARCHITECT



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 Website: www.thearc.com.au

ACN 169 027 936

Australia, Singapore, Hong Kong, China

TITLE

**LEVEL 3 FLOOR PLAN**

**DA**

Scale 1: 100



STAGE: DA

DATE: 11/12/2017

DRAWING SCALE: 1: 100 SHEET SIZE: A1

PROJECT NO. 17015 DRAWING NO. DA-2-04 REVISION C

8/06/2018 5:41:18 PM

500mm

400mm

300mm

200mm

100mm

0mm

**1 LEVEL 3**  
1: 100

0mm 100mm 200mm 300mm 400mm 500mm 600mm 700mm 800mm



**C**  
Frosted glass of single room in the centre of each building has been changed to clear glass.

**C**  
Frosted glass of single room in the centre of each building has been changed to clear glass.

**1**  
DA-5-01

**2**  
DA-5-01

FREDERICK STREET  
16764

6401

16764

3000

3654

65837

6250 1100 4400 1100 6250 12000 6250 1100 4400 1100 6250 9659

6000 19100 12000 19100 6000 3654 62179

1800 Sill Height Window

RL29.860

RL29.860

Com' L'dry 3 m<sup>2</sup>

Com' L'dry 3 m<sup>2</sup>

Double Suite 19 m<sup>2</sup>

Single Suite 17 m<sup>2</sup>

Adaptable Suite 19 m<sup>2</sup>

Single Suite 17 m<sup>2</sup>

Single Suite 18 m<sup>2</sup>

Double Suite 19 m<sup>2</sup>

Single Suite 17 m<sup>2</sup>

Adaptable Suite 19 m<sup>2</sup>

Single Suite 17 m<sup>2</sup>

Single Suite 18 m<sup>2</sup>

Single Suite 17 m<sup>2</sup>

Single Suite 18 m<sup>2</sup>

Single Suite 17 m<sup>2</sup>

Single Suite 18 m<sup>2</sup>

UP

DN

UP

DN

UP

DN

UP

DN

**Notes DA:**

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- 3.1 Extent and location of existing structures and services is according to the available survey information and will need to be verified on site at later stage.
  - 3.2 All unchanged site levels are as per the existing survey information.

Date	Rev	Description
11/12/17	A	DA Submission
4/10/18	C	Required Amendments

CLIENT

**MR. HOWARD YU**

PROJECT

**BOARDING HOUSE DEVELOPMENT**

**2 Frederick Street, Wollongong NSW**

ARCHITECT



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Website: www.thearc.com.au

ACN 169 027 936

Australia, Singapore, Hong Kong, China

TITLE

**LEVEL 4 FLOOR PLAN**

**DA**

Scale 1:100



STAGE: DA

DATE: 11/12/2017

DRAWING SCALE: 1:100 SHEET SIZE: A1

PROJECT NO. 17015 DRAWING NO. DA-2-05 REVISION C

8/06/2018 5:41:21 PM

500mm

400mm

300mm

200mm

100mm

0mm

**1 LEVEL 4**  
1:100

0mm 100mm 200mm 300mm 400mm 500mm 600mm 700mm 800mm



FREDERICK STREET

**Notes DA:**

- 1. DESIGN RESOLUTION**  
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 3.2. All unchanged site levels are as per the existing survey information.

Date	Rev.	Description
4/10/18	C	Required Amendments
14/03/18	B	Additional Information
11/12/17	A	DA Submission

CLIENT

**MR. HOWARD YU**

PROJECT

**BOARDING HOUSE DEVELOPMENT**

**2 Frederick Street, Wollongong NSW**

ARCHITECT



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 Website: www.thearc.com.au

ACN 169 027 936

Australia, Singapore, Hong Kong, China

TITLE

**LEVEL 5 FLOOR PLAN**

**DA**



	STAGE: DA
	DATE: 11/12/2017
DRAWING SCALE: 1 : 100	SHEET SIZE: A1
PROJECT NO. <b>17015</b>	DRAWING NO. <b>DA-2-06</b>
	REVISION <b>C</b>

8/06/2018 5:41:23 PM

**1 LEVEL 5**  
1 : 100

500mm

400mm

300mm

200mm

100mm

0mm

100mm 200mm 300mm 400mm 500mm 600mm 700mm 800mm



**Notes DA:**

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500mm

400mm

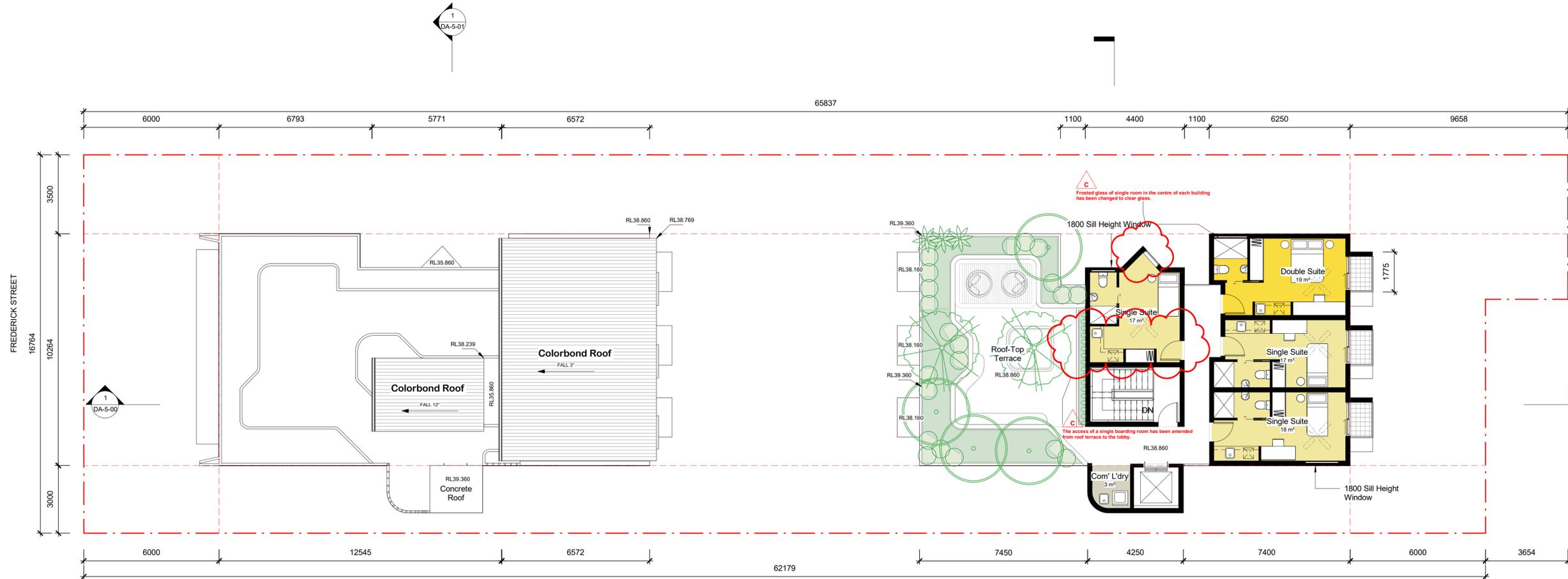
300mm

200mm

100mm

0mm

**1 LEVEL 6**  
1 : 100



Date	Rev	Description
4/05/18	C	Required Amendments
11/12/17	A	DA Submission

Date	Rev	Description

CLIENT  
**MR. HOWARD YU**

PROJECT  
**BOARDING HOUSE DEVELOPMENT**  
**2 Frederick Street, Wollongong NSW**

ARCHITECT  
**DREAMSCAPES ARCHITECTS**  
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 Email: info@thearc.com.au  
 Website: www.thearc.com.au  
 ACN 169 027 936  
 Australia, Singapore, Hong Kong, China

TITLE  
**LEVEL 6 FLOOR PLAN**

**DA**

Scale 1: 100 0 2 4 6	
STAGE: DA	DATE: 11/12/2017
DRAWING SCALE: 1 : 100	SHEET SIZE: A1
PROJECT NO. <b>17015</b>	DRAWING NO. <b>DA-2-07</b>
REVISION <b>C</b>	
8/06/2018 5:41:26 PM	

100mm 200mm 300mm 400mm 500mm 600mm 700mm 800mm

500mm

400mm

300mm

200mm

100mm

0mm

0mm

100mm

200mm

300mm

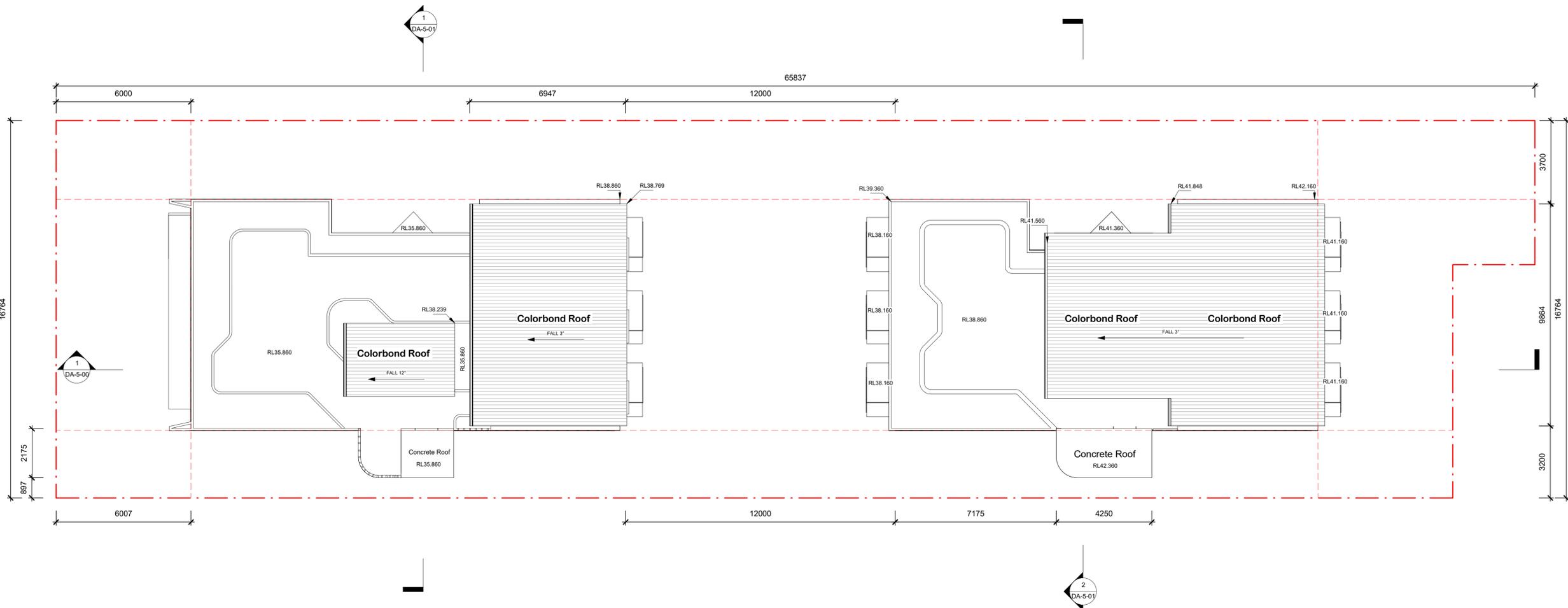
400mm

500mm

600mm

700mm

800mm



**1 ROOF PLAN**  
1 : 100

**Notes DA:**

**1. DESIGN RESOLUTION**

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**3. EXISTING STRUCTURES AND SERVICES**

3.1. Extent and location of existing structures and services is according to the available survey information and will need to be verified on site at later stage.

3.2. All unchanged site levels are as per the existing survey information.

Date	Rev.	DA Submission	Description
11/12/17	A	DA Submission	

CLIENT

**MR. HOWARD YU**

PROJECT

**BOARDING HOUSE DEVELOPMENT**

**2 Frederick Street, Wollongong NSW**

ARCHITECT



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Website: www.hearc.com.au

ACN 169 027 936  
Australia, Singapore, Hong Kong, China

TITLE

**ROOF PLAN**

**DA**



	STAGE: DA
	DATE: 11/12/2017

DRAWING SCALE: 1 : 100	SHEET SIZE: A1
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PROJECT NO. <b>17015</b>	DRAWING NO. <b>DA-2-08</b>	REVISION <b>A</b>
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8/06/2018 5:41:27 PM

**Notes DA:**

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Date	Rev	Description
4/05/18	C	Request Amendments
11/02/17	A	DA Submission

Retrofit bathroom to Comply with AS 4299 Class C

Capped off Basin Waste

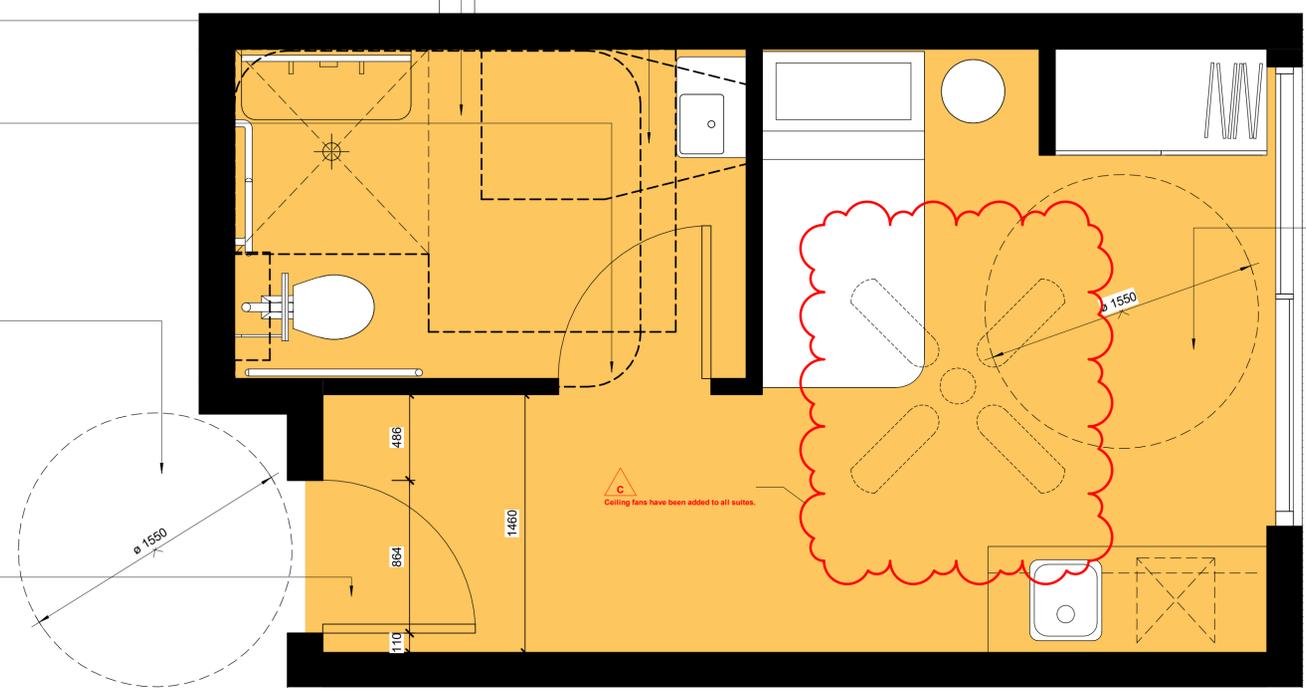
864 Clear opening for internal doors

1550mm Circulation spaces at doorways for unit entry

864 Clear Opening Entry Door

Bedroom sufficient size to accommodate single size bed, wardrobe and circulation space for 180° turn

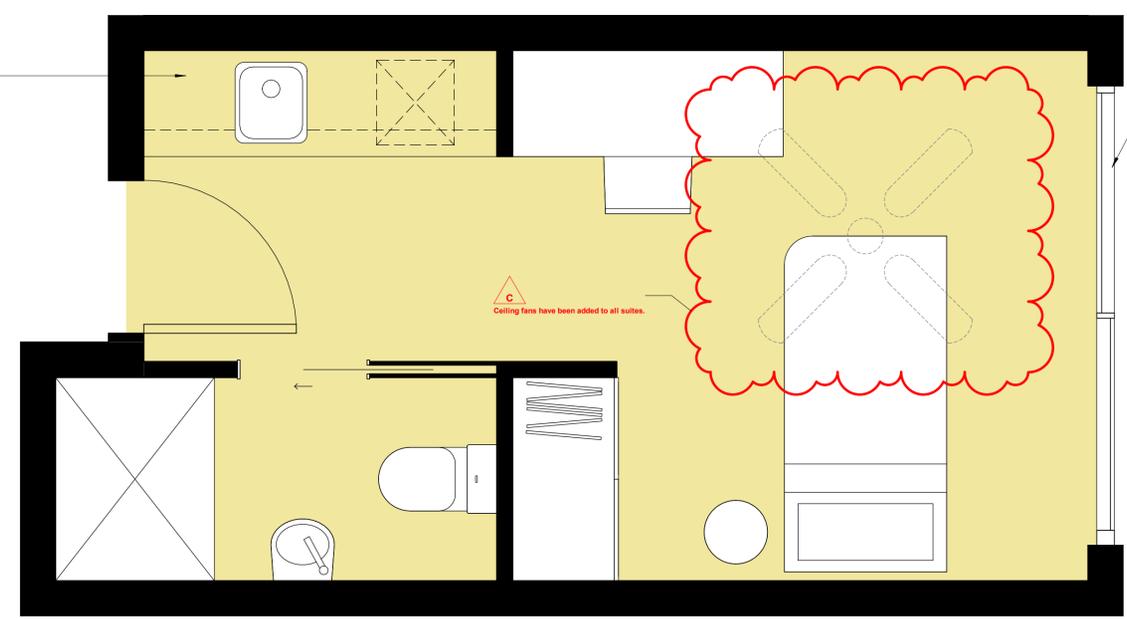
**1 ADAPTATABLE UNIT LAYOUT**  
1 : 20



Bar Fridge, Microwave, Cooktop & Kitchen Sink to be Provided

Sliding Door to Connect to Private Open Space

**2 TYPICAL UNIT LAYOUT**  
1 : 20



CLIENT

MR. HOWARD YU

PROJECT

BOARDING HOUSE DEVELOPMENT

2 Frederick Street, Wollongong NSW

ARCHITECT



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ACN 169 027 936

Australia, Singapore, Hong Kong, China

TITLE

TYPICAL UNIT PLAN

DA



STAGE:	DA
DATE:	41/05/18
DRAWING SCALE:	1 : 20
SHEET SIZE:	A1
PROJECT NO.	17015
DRAWING NO.	DA-3-00
REVISION	C

8/06/2018 5:41:29 PM

500mm

400mm

300mm

200mm

100mm

0mm

100mm

200mm

300mm

400mm

500mm

600mm

700mm

800mm

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Date	Rev	Description
11/09/18	E	Issue for In-Dependent Hearing & Assessment Panel
4/10/18	C	Request Assessment
11/12/17	A	DA Submission

500mm

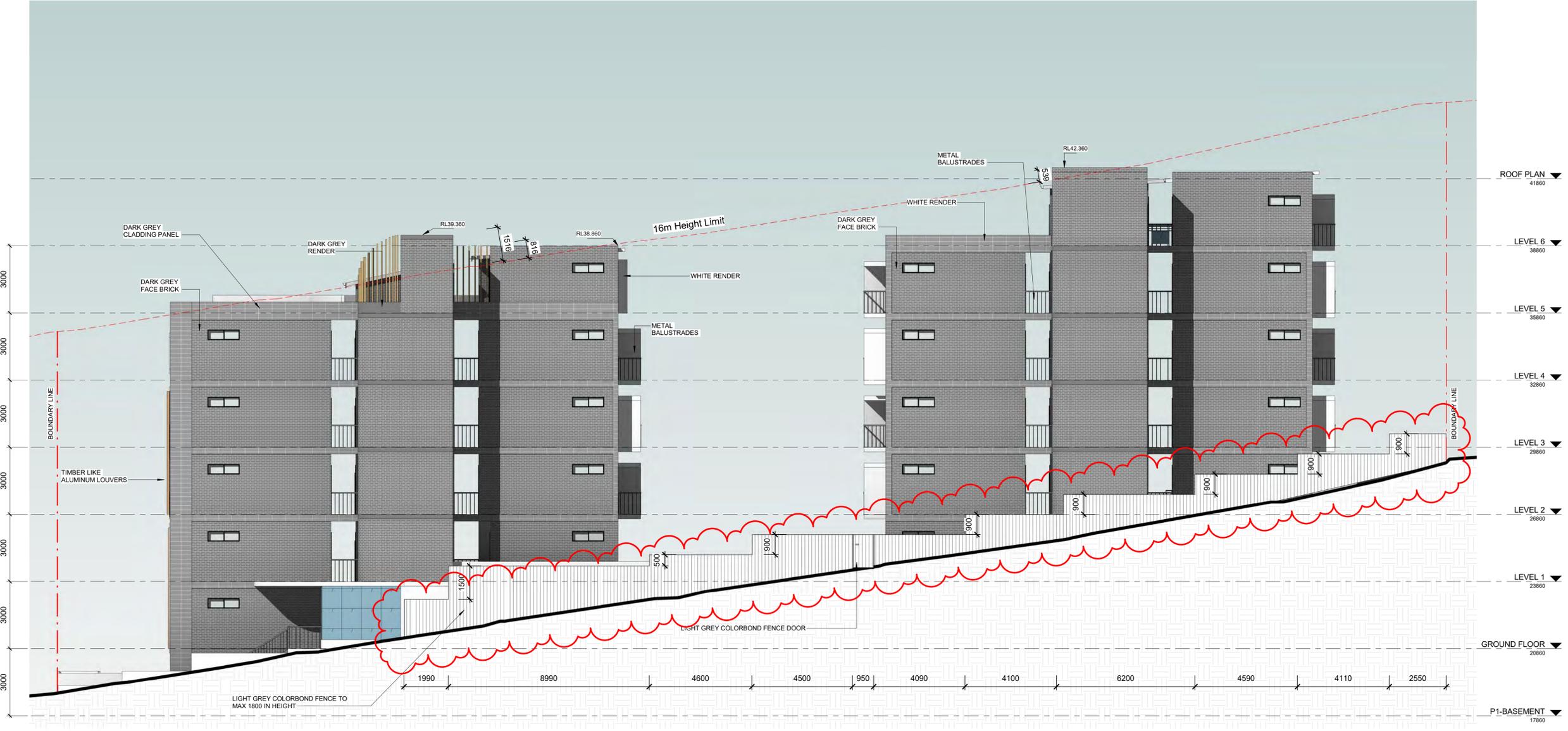
400mm

300mm

200mm

100mm

0mm



**1 EAST ELEVATION**  
1:100

CLIENT

**MR. HOWARD YU**

PROJECT

**BOARDING HOUSE DEVELOPMENT**

**2 Frederick Street, Wollongong NSW**

ARCHITECT



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 Email: info@hear.com.au  
 Website: www.hearc.com.au

ACN 169 027 936  
 Australia, Singapore, Hong Kong, China

TITLE

**EAST ELEVATION**

**DA**



STAGE: DA	
DATE: 11/09/18	
DRAWING SCALE: 1:100	SHEET SIZE: A1
PROJECT NO. <b>17015</b>	DRAWING NO. <b>DA-4-00</b>
	REVISION <b>E</b>

11/09/2018 12:27:38 PM

100mm

200mm

300mm

400mm

500mm

600mm

700mm

800mm

500mm

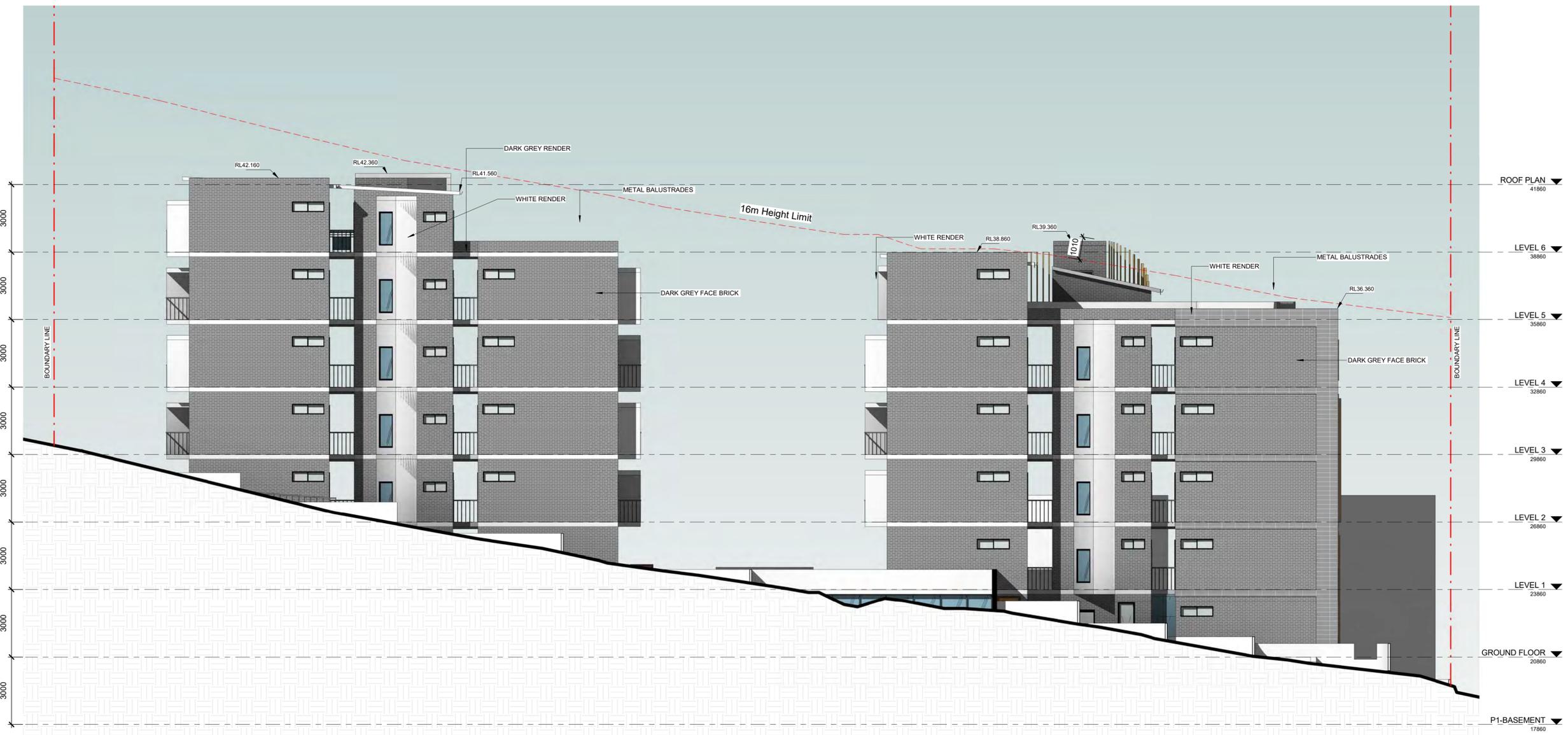
400mm

300mm

200mm

100mm

0mm



**1 WEST ELEVATION**  
1 : 100

**Notes DA:**

- DESIGN RESOLUTION**
  - The drawings represent general architectural intent for the purpose of this development application only.
  - The material layout is shown indicatively and is subject to further design development.
  - The dimensions shown are general only and are subject to further design development.
  - Location of car park entry point is general only and will be confirmed and dimensioned at later stage.
  - The size and position of louvre sun screens is indicative and shown in open and closed positions.
  - Ceiling RL (where shown) indicates general ceiling design level only, which does account for services bulkheads or similar partial ceiling protrusions.
  - Landscaping component is shown indicatively only and subject to further design development at later stage.
  - Location of plant, equipment and services on drawings is general and indicative only, and does not include minor elements, such as vent pipes, flues, aerials, etc.
- GRAPHIC PRESENTATION**
  - Colours presented on drawings are generic only and indicative of the architectural design intent. Some colour deviation may occur in the printing process.
- EXISTING STRUCTURES AND SERVICES**
  - Extent and location of existing structures and services is according to the available survey information and will need to be verified on site at later stage.
  - All unchanged site levels are as per the existing survey information.

Date	Rev	Description
11/09/18	E	Issue for In-Dependent Hearing & Assessment Panel
4/05/18	C	Revised Assessment
11/02/17	A	DA Submission

CLIENT

**MR. HOWARD YU**

PROJECT

**BOARDING HOUSE DEVELOPMENT**

**2 Frederick Street, Wollongong NSW**

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Australia, Singapore, Hong Kong, China

TITLE

**WEST ELEVATION**

**DA**



STAGE:	DA
DATE:	11/09/18
DRAWING SCALE:	1 : 100
SHEET SIZE:	A1
PROJECT NO.	17015
DRAWING NO.	DA-4-01
REVISION	E

11/09/2018 12:28:38 PM

100mm

200mm

300mm

400mm

500mm

600mm

700mm

800mm

**Notes DA:**

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 1.8. Location of plant, equipment and services on drawings is general and indicative only, and does not include minor elements, such as vent pipes, flues, aerials, etc.

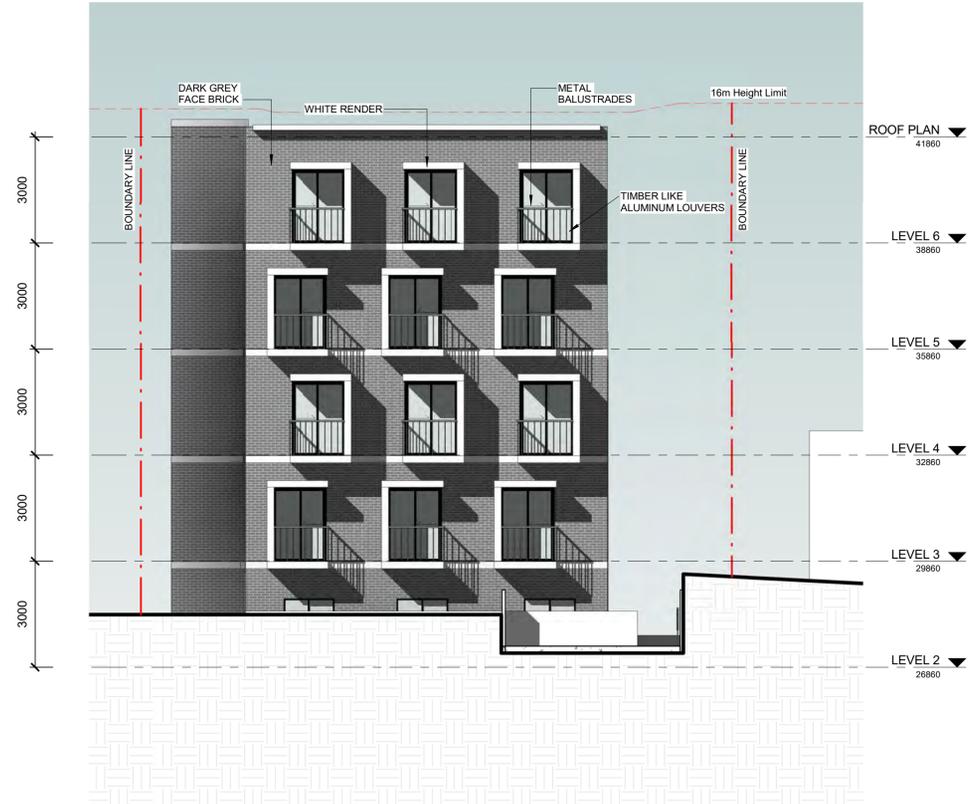
- 2. GRAPHIC PRESENTATION**  
 2.1. Colours presented on drawings are generic only and indicative of the architectural design intent. Some colour variation may occur in the printing process.

- 3. EXISTING STRUCTURES AND SERVICES**  
 3.1. Extent and location of existing structures and services is according to the available survey information and will need to be verified on site at later stage.  
 3.2. All unchanged site levels are as per the existing survey information.

Date	Rev	Description
11/12/17	A	DA Submission



**1 SOUTH ELEVATION**  
1 : 100



**2 NORTH ELEVATION**  
1 : 100



**3 INTERNAL ELEVATION 1**  
1 : 100



**4 INTERNAL ELEVATION 2**  
1 : 100

CLIENT

**MR. HOWARD YU**

PROJECT

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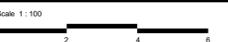
ACN 169 027 936

Australia, Singapore, Hong Kong, China

TITLE

**NORTH AND SOUTH & INTERNAL ELEVATION**

**DA**



STAGE: DA	
DATE: 11/12/17	
DRAWING SCALE: 1 : 100	SHEET SIZE: A1
PROJECT NO. 17015	DRAWING NO. DA-4-02
	REVISION A

8/06/2018 5:44:40 PM

0mm

100mm

200mm

300mm

400mm

500mm

600mm

700mm

800mm

500mm

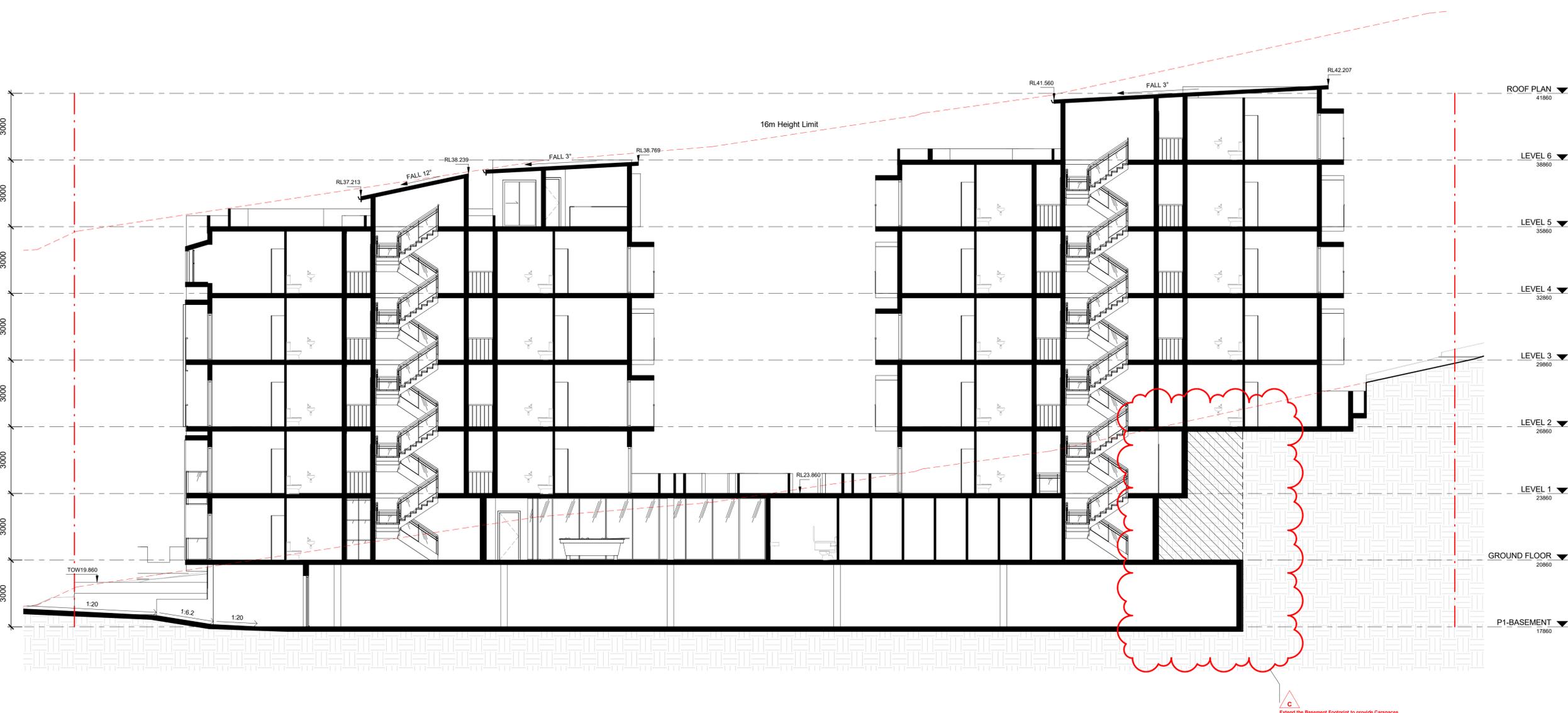
400mm

300mm

200mm

100mm

0mm



**1 SECTION 1**  
1:100

**Notes DA:**

**1. DESIGN RESOLUTION**  
 1.1. The drawings represent general architectural intent for the purpose of this development application only.  
 1.2. The material layout is shown indicatively and is subject to further design development.  
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 1.8. Location of plant, equipment and services on drawings is general and indicative only, and does not include minor elements, such as vent pipes, flues, aerials, etc.

**2. GRAPHIC PRESENTATION**  
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**3. EXISTING STRUCTURES AND SERVICES**  
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 3.2. All unchanged site levels are as per the existing survey information.

Date	Rev	Description
4/05/18	C	Request Amendments
11/02/17	A	DA Submission

CLIENT

**MR. HOWARD YU**

PROJECT

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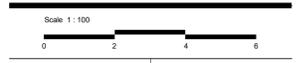
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TITLE  
**SECTION 1**

**DA**



STAGE:	DA
DATE:	41/05/18

DRAWING SCALE: 1:100 SHEET SIZE: A1

PROJECT NO.	DRAWING NO.	REVISION
<b>17015</b>	<b>DA-5-00</b>	<b>C</b>

8/06/2018 5:44:43 PM

0mm 100mm 200mm 300mm 400mm 500mm 600mm 700mm 800mm

500mm

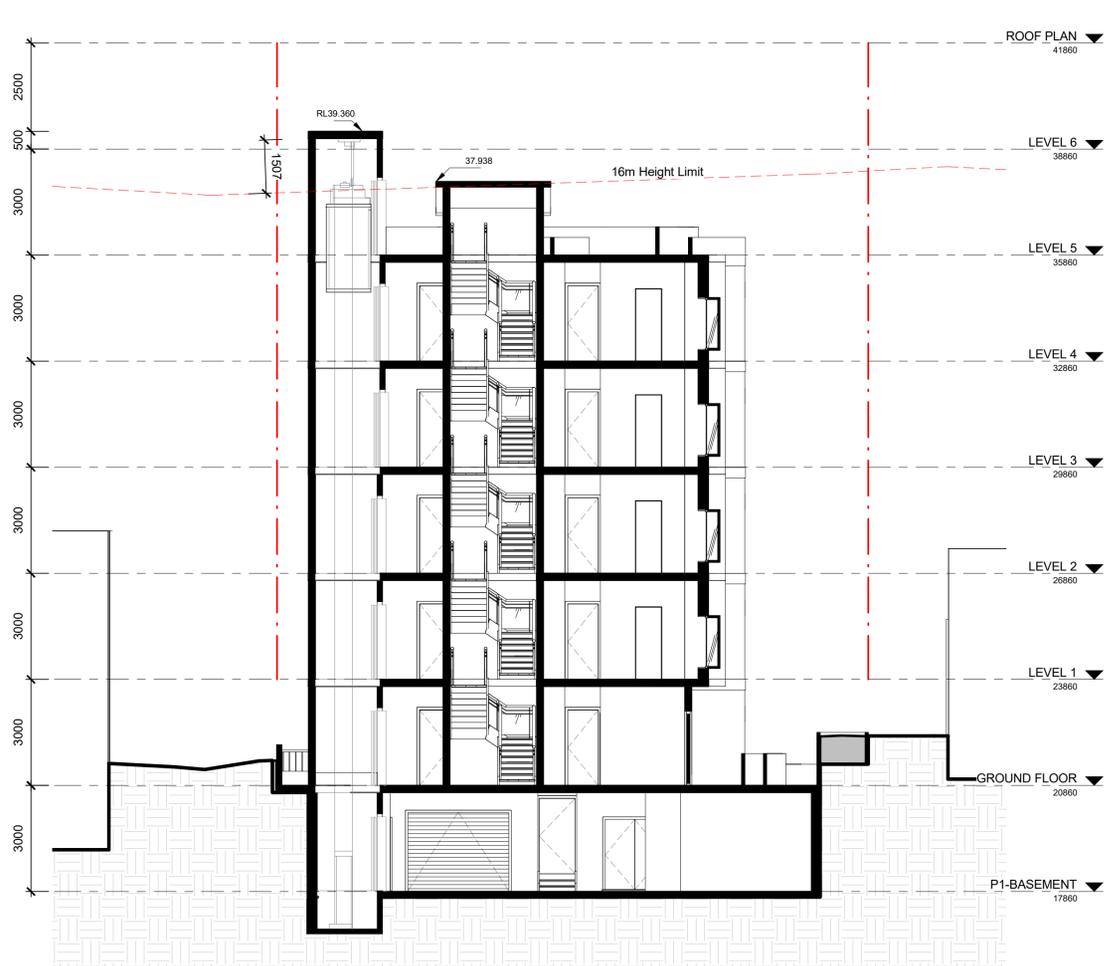
400mm

300mm

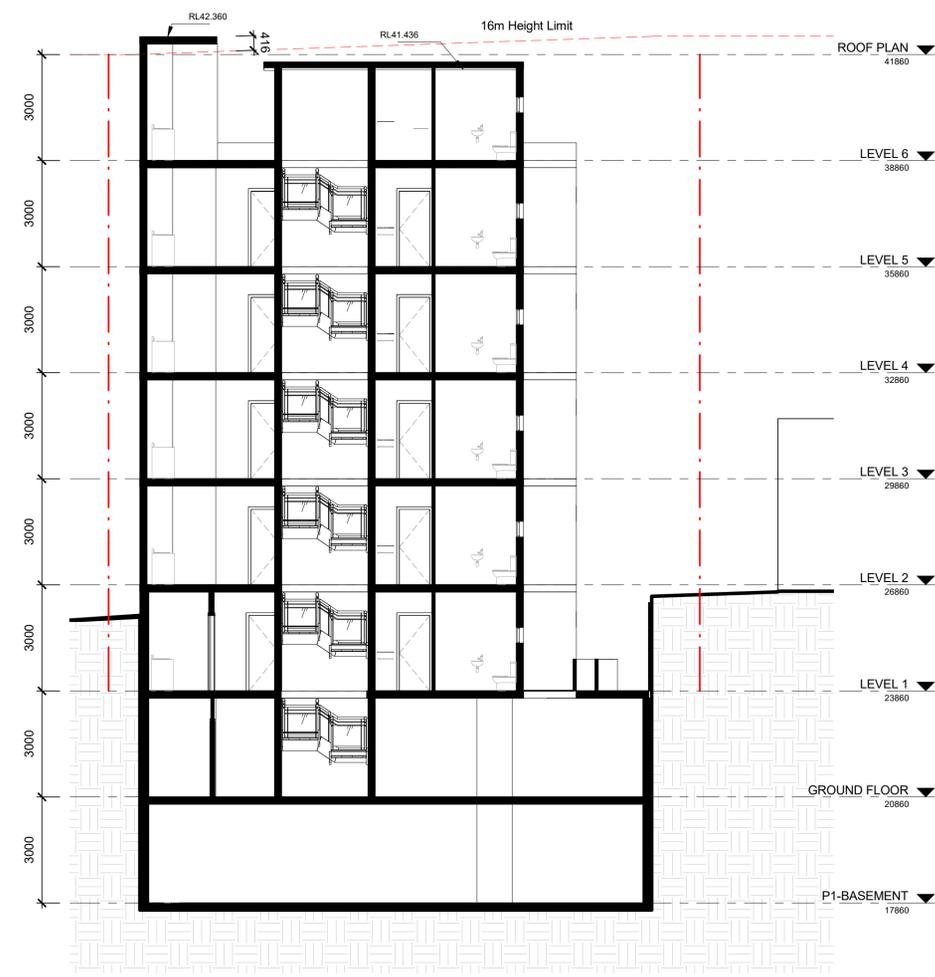
200mm

100mm

0mm



**1 SECTION 2**  
1 : 100



**2 SECTION 3**  
1 : 100

**Notes DA:**

**1. DESIGN RESOLUTION**

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1.3. The dimensions shown are general only and are subject to further design development.

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**2. GRAPHIC PRESENTATION**

2.1. Colours presented on drawings are generic only and indicative of the architectural design intent. Some colour variation may occur in the printing process.

**3. EXISTING STRUCTURES AND SERVICES**

3.1. Extent and location of existing structures and services is according to the available survey information and will need to be verified on site at later stage.

3.2. All unchanged site levels are as per the existing survey information.

Date	Rev	Description
11/09/18	E	Issue For 3D Dependent Hearing & Assessment Panel
11/02/17	A	DA Submission

CLIENT

**MR. HOWARD YU**

PROJECT

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**SECTION 2 AND SECTION 3**

**DA**



STAGE:	DA
DATE:	11/09/18

DRAWING SCALE:	1 : 100	SHEET SIZE:	A1
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PROJECT NO.	DRAWING NO.	REVISION
<b>17015</b>	<b>DA-5-01</b>	<b>E</b>

11/09/2018 12:28:39 PM

100mm

200mm

300mm

400mm

500mm

600mm

700mm

800mm

500mm

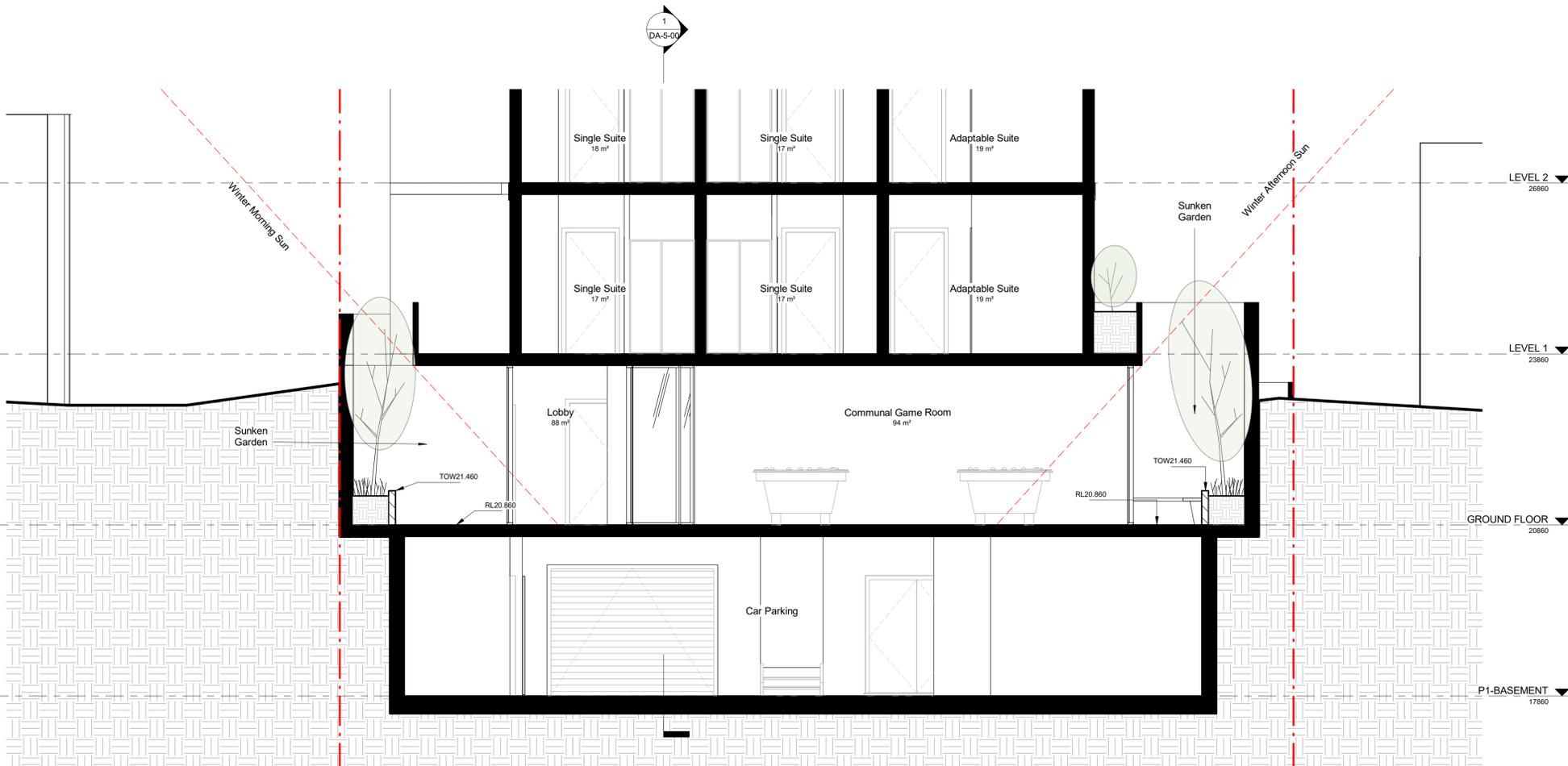
400mm

300mm

200mm

100mm

0mm



**1 SECTION 4**  
1:50

**Notes DA:**

**1. DESIGN RESOLUTION**

1.1. The drawings represent general architectural intent for the purpose of this development application only.

1.2. The material layout is shown indicatively and is subject to further design development.

1.3. The dimensions shown are general only and are subject to further design development.

1.4. Location of car park entry point is general only and will be confirmed and dimensioned at later stage.

1.5. The size and position of louvre sun screens is indicative and shown in open and closed positions.

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1.8. Location of plant, equipment and services on drawings is general and indicative only, and does not include minor elements, such as vent pipes, flues, aerials, etc.

**2. GRAPHIC PRESENTATION**

2.1. Colours presented on drawings are generic only and indicative of the architectural design intent. Some colour deviation may occur in the printing process.

**3. EXISTING STRUCTURES AND SERVICES**

3.1. Elevation and location of existing structures and services is according to the available survey information and will need to be verified on site at later stage.

3.2. All unchanged site levels are as per the existing survey information.

11/09/18	E	Issue for In-Dependent Hearing & Assessment Panel
Date	Rev	Description

CLIENT

**MR. HOWARD YU**

PROJECT

**BOARDING HOUSE DEVELOPMENT**

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TITLE

**SECTION - ADDITIONAL INFORMATION**

**DA**



STAGE:	DA
DATE:	11/09/18
DRAWING SCALE:	1:50
SHEET SIZE:	A1
PROJECT NO.	17015
DRAWING NO.	DA-5-20
REVISION	E

11/09/2018 12:28:40 PM

100mm 200mm 300mm 400mm 500mm 600mm 700mm 800mm

500mm

400mm

300mm

200mm

100mm

0mm

**Notes DA:**

**1. DESIGN RESOLUTION**

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1.3. The dimensions shown are general only and are subject to further design resolution.

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**2. GRAPHIC PRESENTATION**

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**3. EXISTING STRUCTURES AND SERVICES**

3.1. Extent and location of existing structures and services is according to the available survey information and will need to be verified on site at later stage.

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Date	Rev	Description
4/05/18	C	Request Amendments
11/02/17	A	DA Submission

DGFB

WR

MB

GCW

GCP

TLAL



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MR. HOWARD YU

PROJECT

BOARDING HOUSE DEVELOPMENT

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ARCHITECT



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TITLE

MATERIALS AND FINISHES

DA



STAGE: DA

DATE: 41/05/18

DRAWING SCALE: SHEET SIZE: A1

PROJECT NO. DRAWING NO. REVISION

17015 DA-6-00 C

8/06/2018 5:45:17 PM

C Reference picture for 'White rendering' and 'Timber look aluminum louvers' have been updated.

C Reference picture for 'White rendering' and 'Timber look aluminum louvers' have been updated.

C Colour of grey brick has been adjusted to a lighter colour.



WR  
WHITE RENDER



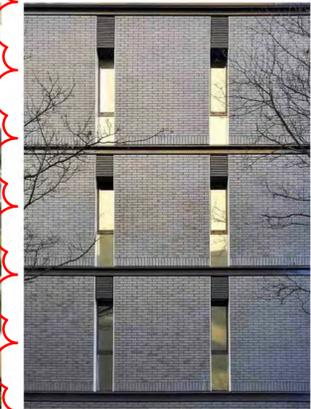
MB  
METAL BALUSTRADES



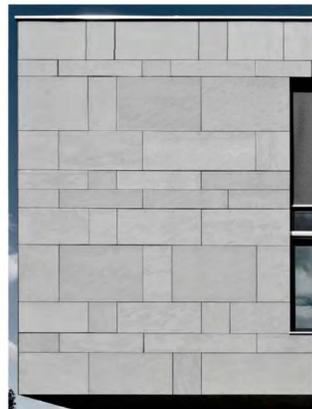
GCW  
GLAZING CURTAIN WALL / GLAZING BALUSTRADE



TLAL  
TIMBER LIKE ALUMINUM LOUVERS



DGFB  
DARK GREY FACE BRICK



GCP  
GREY CLADDING PANEL

0mm

0mm

100mm

200mm

300mm

400mm

500mm

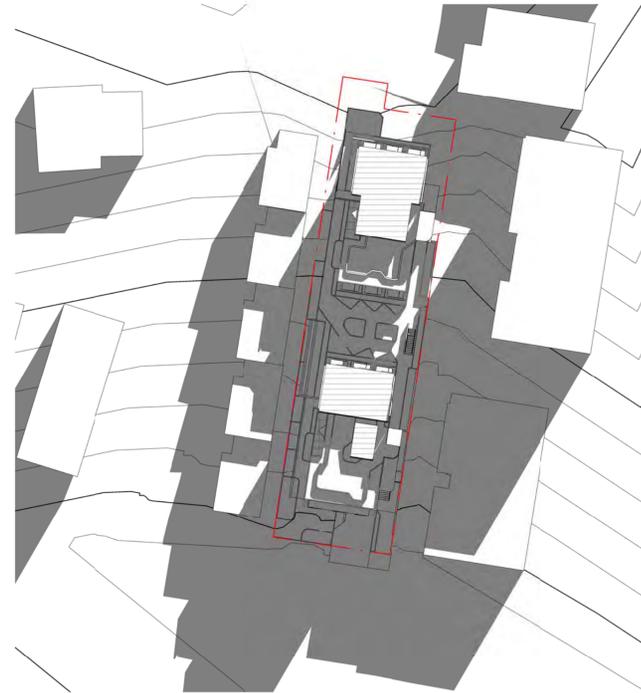
600mm

700mm

800mm



**1 SOLAR DIAGRAM - 9AM**  
1 : 500



**2 SOLAR DIAGRAM - 10AM**  
1 : 500



**3 SOLAR DIAGRAM - 11AM**  
1 : 500



**4 SOLAR DIAGRAM - 12PM**  
1 : 500

**Notes DA:**

- I. DESIGN RESOLUTION**  
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Date	Rev.	DA Submission	Description
11/12/17	A	DA Submission	

**CLIENT**

**MR. HOWARD YU**

**PROJECT**

**BOARDING HOUSE DEVELOPMENT**

**2 Frederick Street, Wollongong NSW**

**ARCHITECT**



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**Australia . Singapore . Hong Kong . China**

**TITLE**

**SHADOW DIAGRAM**

**DA**

Scale 1 : 100



STAGE: DA

DATE: 11/12/2017

DRAWING SCALE: 1 : 500

SHEET SIZE: A1

PROJECT NO. 17015 DRAWING NO. DA-6-01 REVISION A

8/06/2018 5:45:31 PM

500mm

400mm

300mm

200mm

100mm

0mm

100mm

200mm

300mm

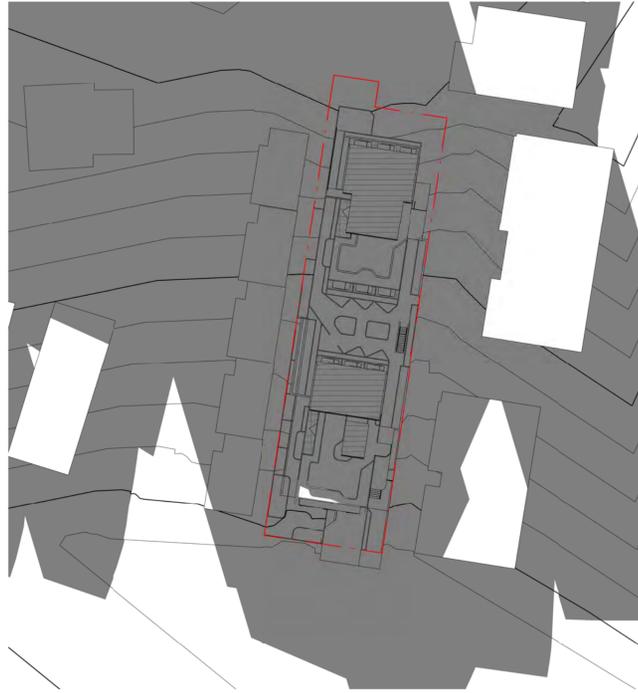
400mm

500mm

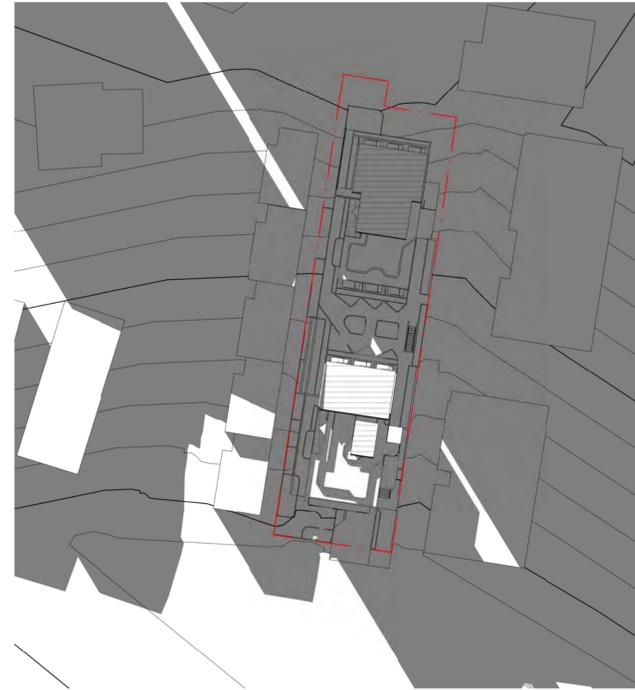
600mm

700mm

800mm



**1 SOLAR DIAGRAM - 1PM**  
1 : 500



**2 SOLAR DIAGRAM - 2PM**  
1 : 500



**3 SOLAR DIAGRAM - 3PM**  
1 : 500

**Notes DA:**

- I. DESIGN RESOLUTION**  
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Date	Rev.	DA Submission	Description
11/12/17	A	DA Submission	

**CLIENT**

**MR. HOWARD YU**

**PROJECT**

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**TITLE**

**SHADOW DIAGRAM**

**DA**

Scale 1: 100



	STAGE: DA
	DATE: 11/12/2017

DRAWING SCALE: 1 : 500 SHEET SIZE: A1

PROJECT NO.	DRAWING NO.	REVISION
<b>17015</b>	<b>DA-6-02</b>	<b>A</b>

8/06/2018 5:45:44 PM

500mm

400mm

300mm

200mm

100mm

0mm

100mm

200mm

300mm

400mm

500mm

600mm

700mm

800mm

500mm

400mm

300mm

200mm

100mm

0mm

100mm

200mm

300mm

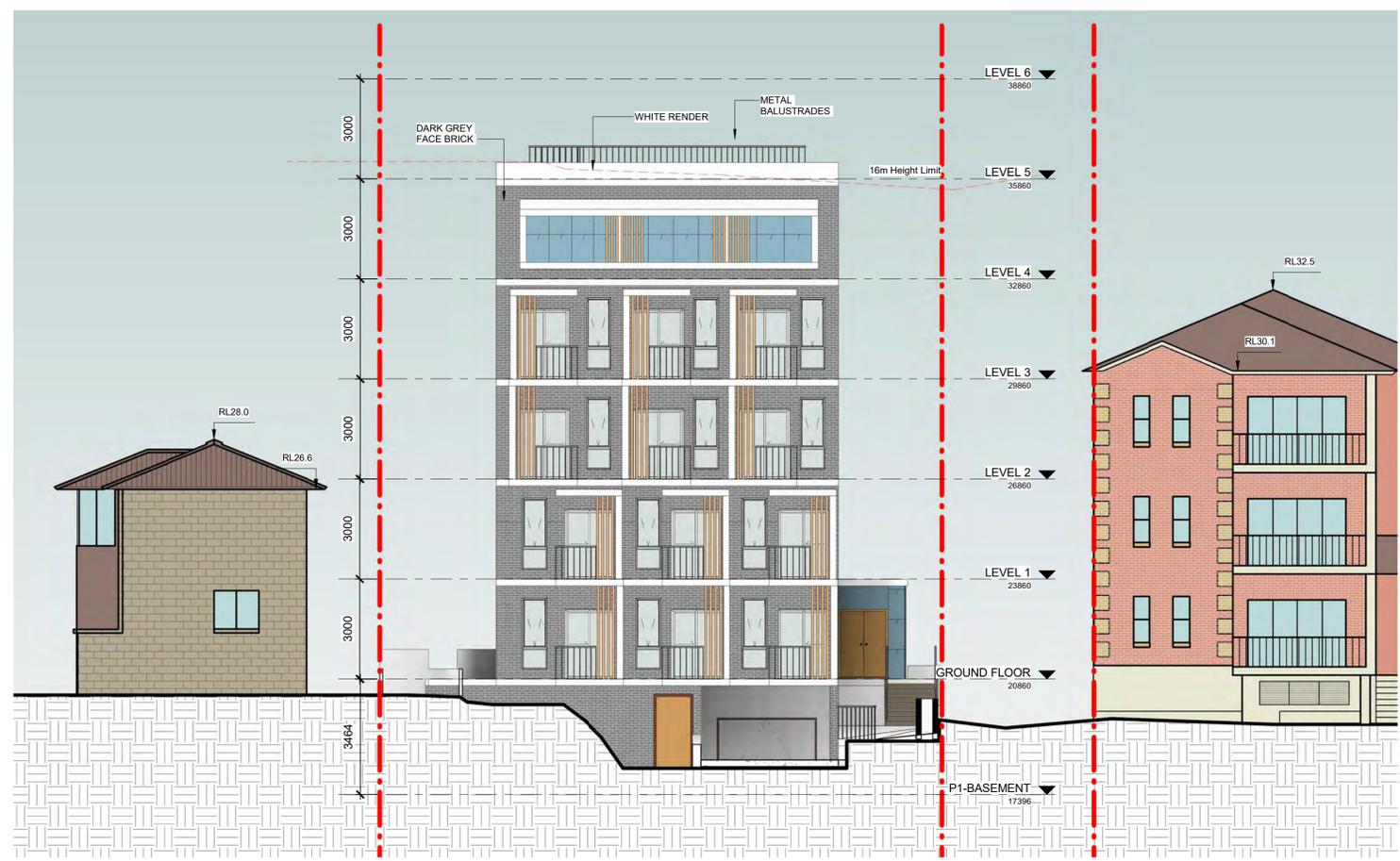
400mm

500mm

600mm

700mm

800mm



**1 Streetscape Elevation**  
1 : 100

**Notes DA:**

**1. DESIGN RESOLUTION**

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Date	Rev	Description

CLIENT

**MR. HOWARD YU**

PROJECT

**BOARDING HOUSE DEVELOPMENT**

**2 Frederick Street, Wollongong NSW**

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ACN 169 027 936

Australia . Singapore . Hong Kong . China

TITLE

**STREETSCAPE ELEVATION**

**DA**



STAGE:	DA
DATE:	
DRAWING SCALE:	1 : 100
SHEET SIZE:	A1
PROJECT NO.	17015
DRAWING NO.	DA-4-50
REVISION	

16/04/2018 11:14:02 AM

# 2 FREDERICK STREET, WOLLONGONG, NSW 2500

## Landscape Documentation for Development Application



IMAGE TAKEN FROM NEARMAP 2018

### Drawing Register

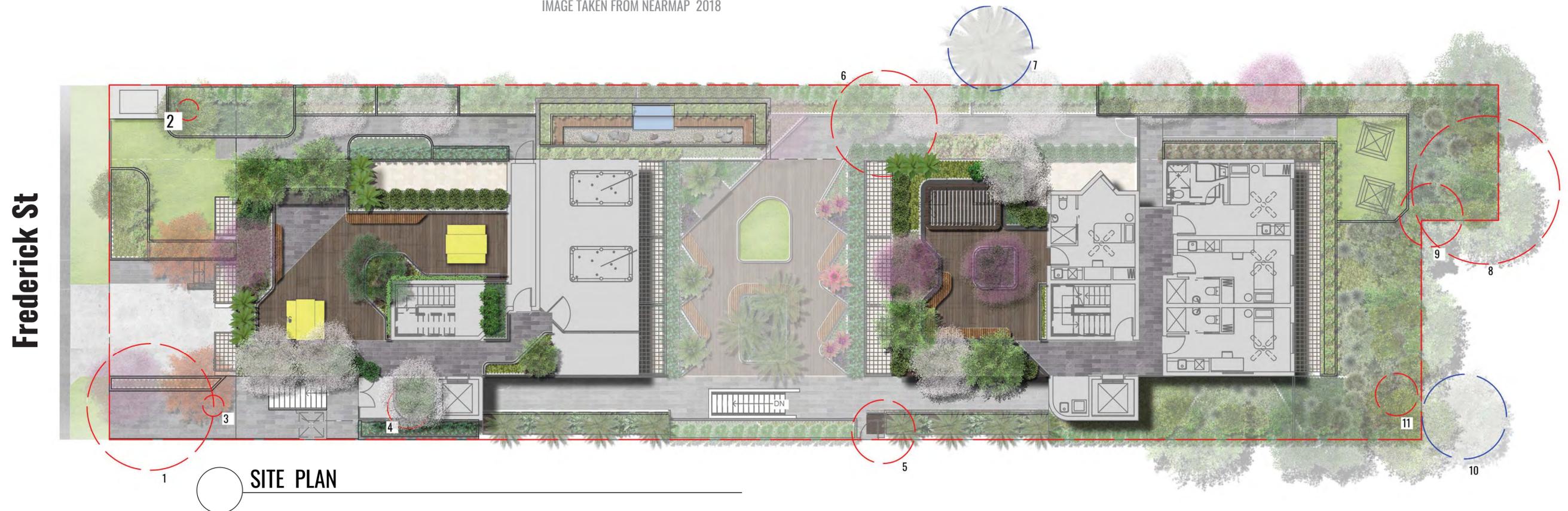
Dwg No.	Drawing Name
LDA-00	Cover Page
LDA-01	Landscape Plan - Ground Floor
LDA-02	Landscape Plan - Level 1
LDA-03	Landscape Plan - Level 2
LDA-04	Terrace Plan Level 5 - South Building
LDA-05	Terrace Plan Level 6 - North Building
LDA-06	Sunken Garden Elevation
LDA-07	Courtyard Illustrative Sketch
LDA-08	Landscape Section
LDA-09	Specification & Details
LDA-10	Planting Schedule & Imagery

### Removal & Retention Tree Schedule

CODE	EXISTING	TREE SIZE	STATUS
1	Cotoneaster lacteus	6m	To Be Removed
2	Elaeocarpus reticulatus	1m	To Be Removed
3	Elaeocarpus reticulatus	1m	To Be Removed
4	Tristaniopsis laurina	2m	To Be Removed
5	Lophostemon confertus	3m	To Be Removed
6	Melaleuca linariifolia	5m	To Be Removed
7	Syagrus romanzoffianum *	4m	To Be Retained
8	Pinus radiata	7m	To Be Removed
9	Laurus nobilis	3m	To Be Removed
10	Pittosporum undulatum *	4m	To Be Retained
11	Laurus nobilis	2m	To Be Removed

\* Adjoining Property Trees

NOTE: (Refer to arborist report by Australis Tree Management )



SITE PLAN

Drawing Title:  
**COVER PAGE**

DWG No:

**LDA-00**

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Architect:

**DREAMSCAPES**  
ARCHITECTS

Client:

MR. HOWARD YU

Scale:  
1:100 @ A1  
1:200 @ A3

Date:  
25.05.18

Job Number:  
180504

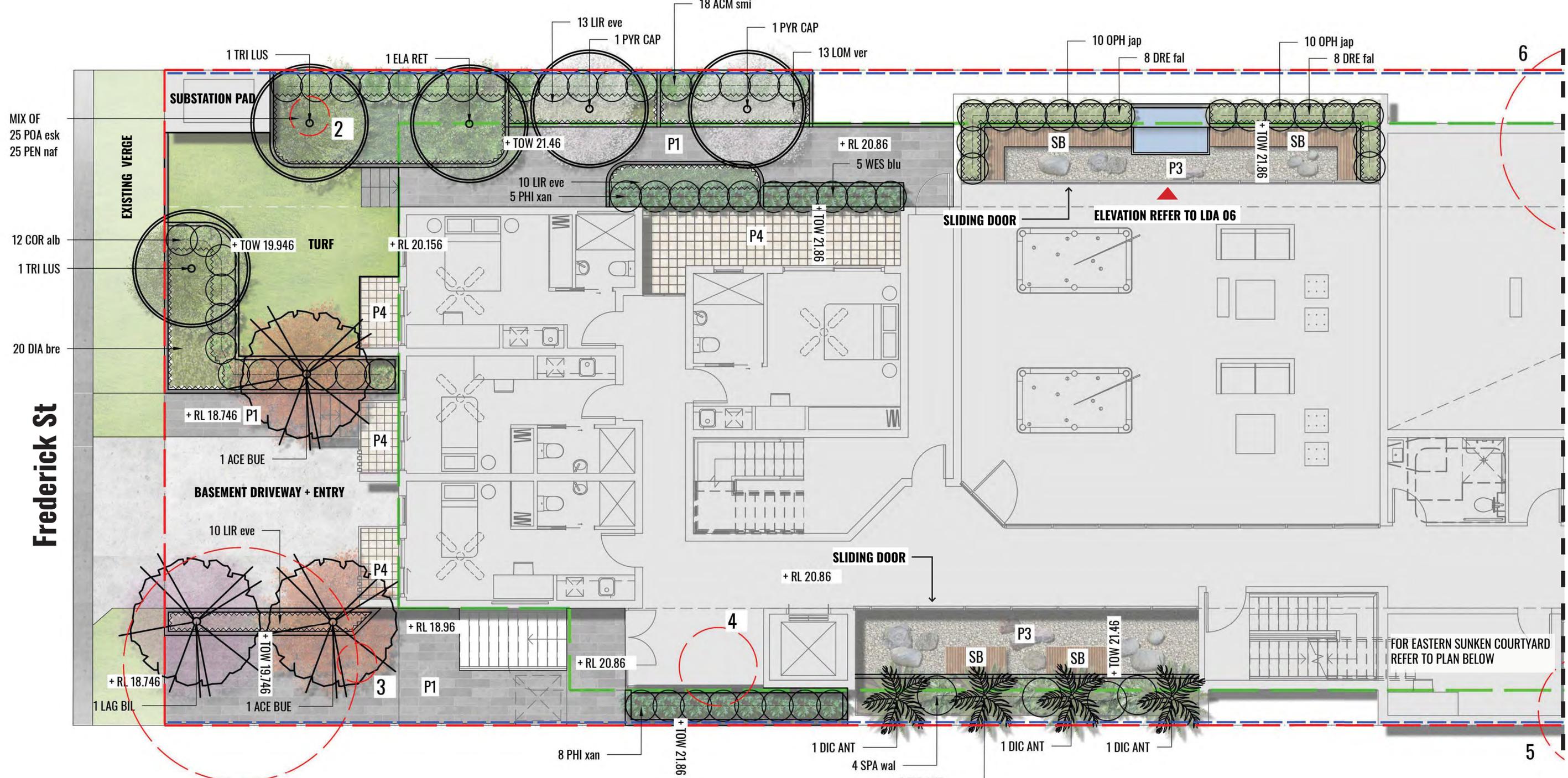
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Project:

2 Frederick Street

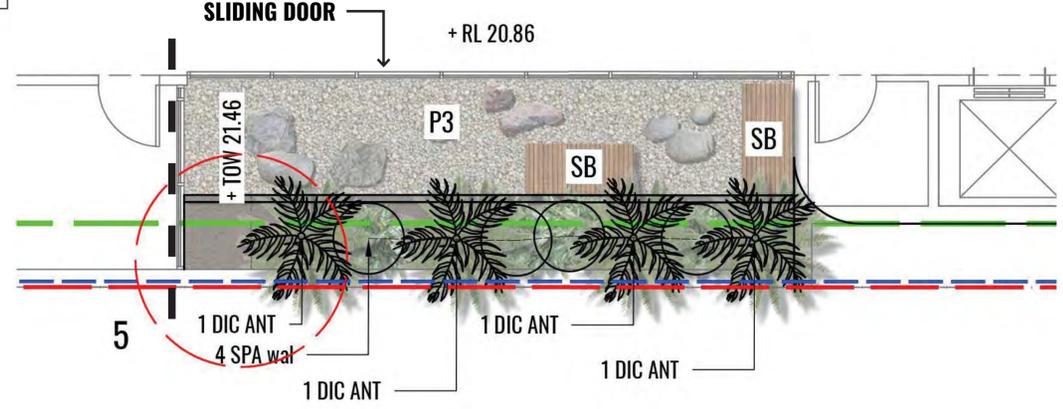
Wollongong, NSW 2500

Revision			FOR DEVELOPMENT APPLICATION	
Rev	Date	Description	Drawn	Checked
A	22.05.18	DRAFT DA	JT	BG
B	25.05.18	FOR DA	JT	BG



**LEGEND**

- TREE TO BE REMOVED
- 1.8M HIGH FENCE
- LINE OF BASEMENT
- SITE BOUNDARY
- RETAINING WALL
- TURF
- LIMESTONE ROCKS & GRAVEL
- WOODEN SEATING BENCH
- SHRUBS
- PROPOSED TREES
- NATIVE STONE PAVING
- TERRACE PAVING TO ARCHITECT'S DETAILS
- GRASSES/ GROUNDCOVERS
- TOP OF WALL LEVELS
- EXISTING LEVELS
- PROPOSED LEVELS



**EASTERN SUNKEN COURTYARD PLAN**

Drawing Title:  
**LANDSCAPE PLAN - GROUND FLOOR**  
DWG No:  
**LDA-01**

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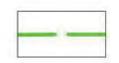
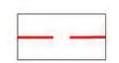
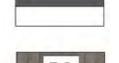
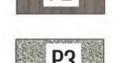
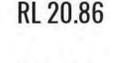
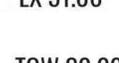
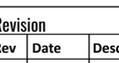
Architect:  
**DREAMSCAPES ARCHITECTS**

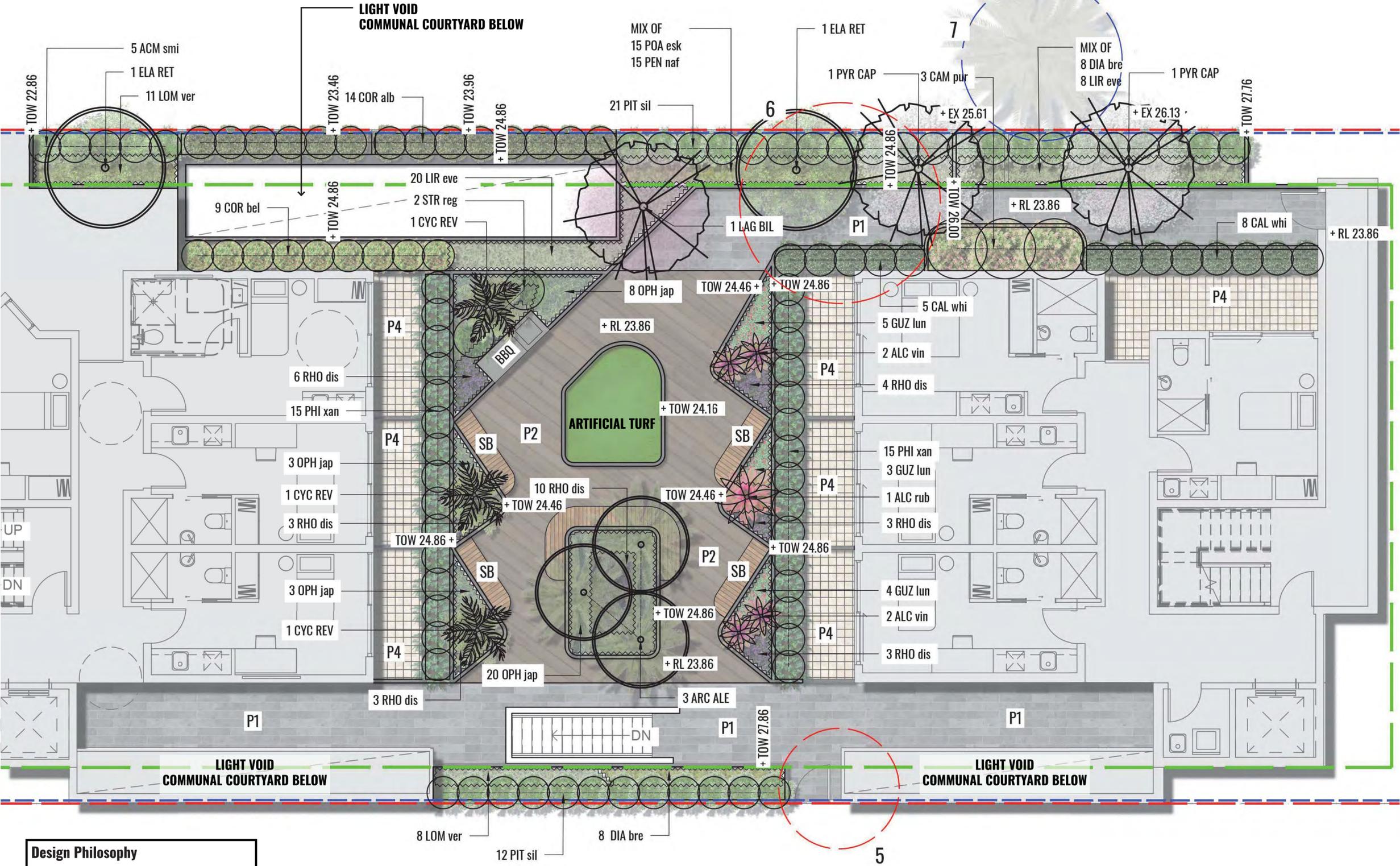
Client:  
MR. HOWARD YU

Scale: 1:50 @ A1, 1:100 @ A3  
Date: 25.05.18  
Job Number: 180504  
Project: 2 Frederick Street  
Wollongong, NSW 2500

Revision		FOR DEVELOPMENT APPLICATION		
Rev	Date	Description	Drawn	Checked
A	22.05.18	DRAFT DA	JT	BG
B	25.05.18	FOR DA	JT	BG

# LEGEND

-  TREE TO BE RETAINED
-  TREE TO BE REMOVED
-  1.8M HIGH FENCE
-  LINE OF BASEMENT
-  SITE BOUNDARY
-  SHRUBS
-  PROPOSED TREES
-  P1 NATURAL STONE PAVING
-  GRASSES/ GROUNDCOVERS
-  RETAINING WALL
-  P2 TIMBER DECKING
-  P3 LIMESTONE ROCKS & GRAVEL
-  SB WOODEN SEATING BENCH
-  ARTIFICIAL TURF
-  RL 20.86 PROPOSED LEVELS
-  EX 31.00 EXISTING LEVELS
-  TOW 30.00 TOP OF WALL LEVELS
-  P4 TERRACE PAVING TO ARCHITECT'S DETAILS
-  BBQ COMMUNAL BBQ FACILITIES



**Design Philosophy**

- Provide a meeting point
- Take advantage of shaded and sunlit areas
- Create interest for apartments looking down from upper levels
- Create a tropical oasis

Drawing Title:  
**LANDSCAPE PLAN - LEVEL 1**

DWG No:  
**LDA-02**

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Architect:  
**DREAMSCAPES ARCHITECTS**

Client:  
**MR. HOWARD YU**

Scale: 1:50 @ A1  
1:100 @ A3

Date: 25.05.18

Job Number: 180504

North: 

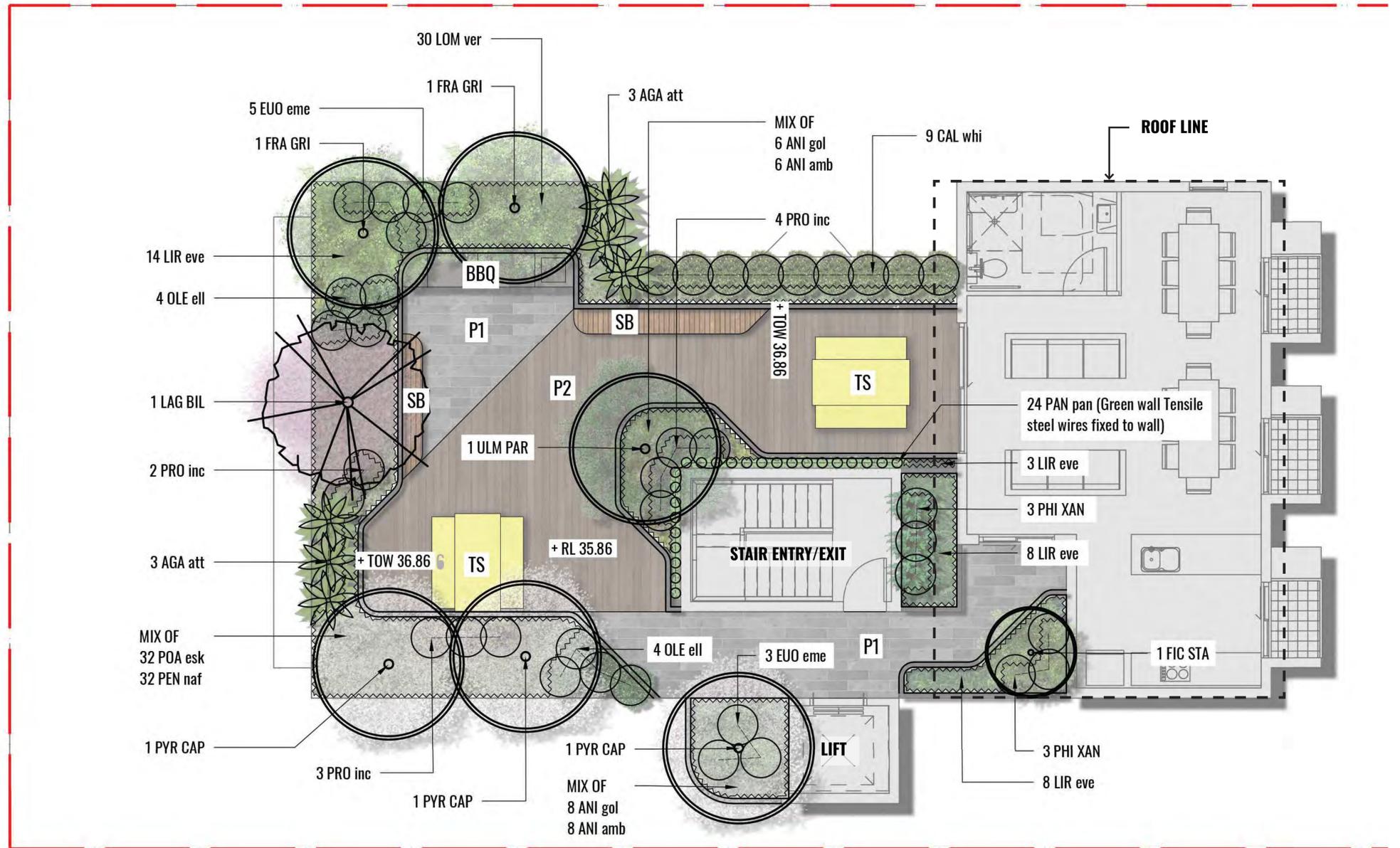
Project: 2 Frederick Street  
Wollongong, NSW 2500

Revision		FOR DEVELOPMENT APPLICATION		
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# LEGEND

-  TREE TO BE REMOVED
-  SITE BOUNDARY
-  SHRUBS
-  PROPOSED TREES
-  P1 NATURAL STONE PAVING
-  GRASSES/ GROUNDCOVERS
-  RETAINING WALL
-  P2 TIMBER DECKING
-  P3 LIMESTONE ROCKS & GRAVEL
-  SB WOODEN SEATING BENCH
-  TURF
- RL 20.86 PROPOSED LEVELS
- EX 31.00 EXISTING LEVELS
- TOW 30.00 TOP OF WALL LEVELS
-  BBQ WITH SINK & WORKTOP
-  TABLE SETTING



**Design Philosophy**

- Create a social gathering space to complement the communal room
- Provide amenity with cooking facilities and seating
- Place feature trees to focus views from internal windows
- Use materials to separate spaces
- Use climbing plants to create a feature of the stair entry wall

Drawing Title:  
**TERRACE PLAN LEVEL 5 - SOUTH BUILDING**  
DWG No:  
**LDA-04**

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Architect:  
**DREAMSCAPES**  
ARCHITECTS

Client:  
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Scale: 1:50 @ A1, 1:100 @ A3  
Date: 25.05.18  
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Project: 2 Frederick Street  
Wollongong, NSW 2500

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**CLAUSE 4.6 VARIATION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS)  
OF THE WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009**

**1. INTRODUCTION**

---

This submission seeks a variation to Clause 4.3 of the Wollongong Local Environmental Plan 2009 (WLEP09), which relates to building height.

This submission has been prepared with regards to a development application over No. 2 Frederick Street, Wollongong for the demolition of all existing structures and the development of a 4-5 storey boarding house across two distinct built forms through the depth of the subject site. The boarding house will comprise a total of 67 boarding rooms, 1 on-site managers room, basement car parking along with associated landscaping and site works. The development is made pursuant to State Environmental Planning Policy (Affordable Rental Housing) 2009, specifically in accordance with Division 3 Boarding Houses.

As detailed in this written request for a variation to building height being a development standard under WLEP09, the proposed development meets the requirements prescribed under Clause 4.6 of WLEP09.

This submission is made under clause 4.6 of the WLEP09 – Exceptions to development standards. Clause 4.6 states the following:

***“4.6 Exceptions to development standards***

- (1) *The objectives of this clause are as follows:*
- (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
  - (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*
- (2) *Development consent may, subject to this clause, be granted for a development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*
- (3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
- (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
  - (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*
- (4) *Development consent must not be granted for development that contravenes a development standard unless:*
- (a) *the consent authority is satisfied that:*
    - (i) *the applicant’s written request has adequately addressed the matters required to be demonstrated by subclause (3), and*

- (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
  - (b) *the concurrence of the Director-General has been obtained.*
- (5) *In deciding whether to grant concurrence, the Director-General must consider:*
  - (a) *whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
  - (b) *the public benefit of maintaining the development standard, and*
  - (c) *any other matters required to be taken into consideration by the Director-General before granting concurrence.*
- (6) *Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:*
  - (a) *the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or*
  - (b) *the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.*
- (7) *After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).*
- (8) *This clause does not allow development consent to be granted for development that would contravene any of the following:*
  - (a) *a development standard for complying development,*
  - (b) *a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,*
  - (c) *clause 5.4*
    - (ca) *clause 4.2A, 6.1 or 8.3.*
- (8A) *(Repealed)*

The use of Clause 4.6 to enable an exception to this development control is appropriate in this instance and the consent authority may be satisfied that all requirements of Clause 4.6 have been satisfied in terms of the merits of the proposed development and the content in this Clause 4.6 variation request report.

Clause 4.6 Exceptions to development standards establishes the framework for varying development standards applying under a local environmental plan. Subclause 4.6(3)(a) and 4.6(3)(b) requires that a consent authority must not grant consent to a development that contravenes a development standard unless a written request has been received from the applicant that seeks to justify the contravention of the standard by demonstrating that:

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

*4.6(3)(b) that there is sufficient environmental planning grounds to justify contravening the development standard.*

In addition, 4.6(4)(a)(i) and (ii) requires that development consent must not be granted to a development that contravenes a development standard unless the:

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

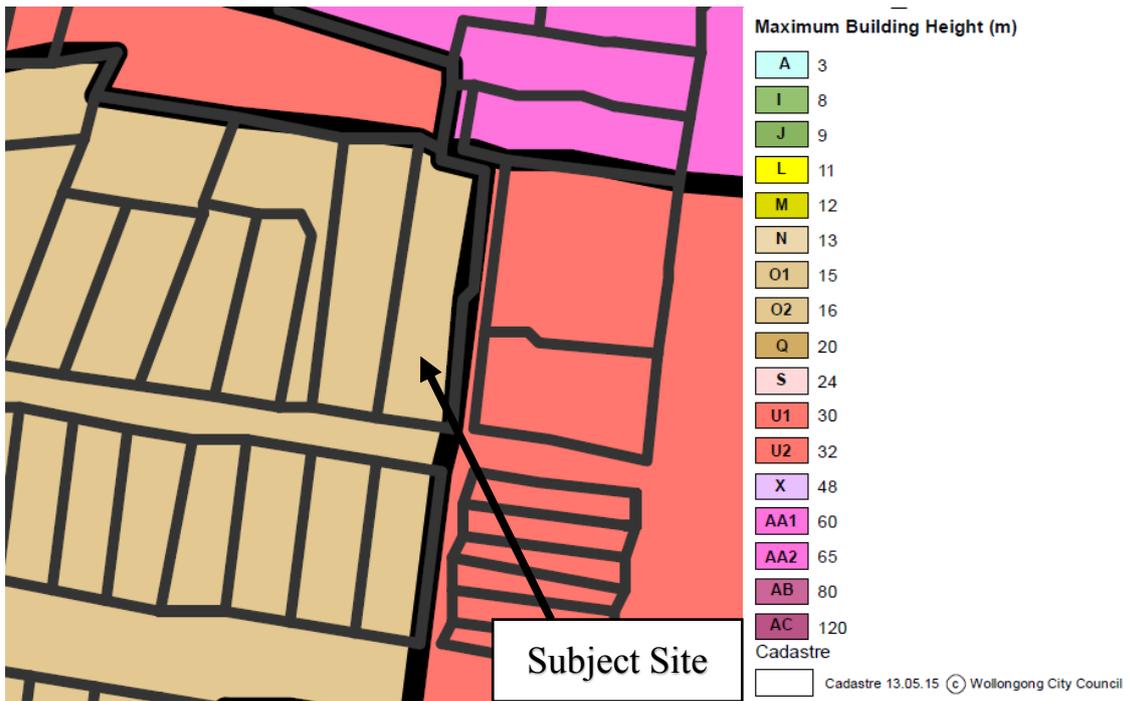
The Environmental Planning Instrument to which these variations relate to is the WLEP 09.

The development standard to which this variation relates to is Clause 4.3 – Height of Buildings, which reads as follows:

- “(1) The objectives of this clause are as follows:*
  - (a) to establish the maximum height limit in which buildings can be designed and floor space can be achieved,*
  - (b) to permit building heights that encourage high quality urban form,*
  - (c) to ensure buildings and public areas continue to receive satisfactory exposure to the sky and sunlight,*
- (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.*

As demonstrated in Figure 1 below, the subject site is limited to a maximum building height of 16m.

Figure 1 – Height of Buildings Map



Source: NSW Legislation, WLEP 09 map 025.

The proposed boarding house will exceed the standard with a maximum height of 17.76m proposed as measured from the ground level to the top of the lift overrun. The variation is equivalent to 1.76m or 11%.

A written justification is therefore required for the proposed variation to the maximum building height development standard, in accordance with Clause 4.6 of the WLEP 09.

## 2. EXTENT OF NON-COMPLIANCE

As noted above Clause 4.3 of the LLEP 08 states that the maximum building height for the site is 16m.

The current proposal seeks a maximum building height of 17.76m. The proposal therefore exceeds the standard by 1.76m or 11%.

It is our submission that the breach to the building height control will not impact on the amenity of the development or adjoining properties, nor will the variation compromise the architecture of the building or the bulk and scale of the development.

A degree of flexibility is considered reasonable in this instance.

## 3. IS COMPLIANCE WITH THE DEVELOPMENT STANDARD UNREASONABLE OR UNNECESSARY IN THE CIRCUMSTANCES OF THE CASE?

The proposed variation from the development standard is assessed against the required tests in Clause 4.6. In addition, in addressing the requirements of Clause 4.6(3), the accepted five possible approaches for determining whether compliances are unnecessary or unreasonable established by the NSW Land and Environment Court in *Wehbe vs Pittwater Council (2007) LEC 827* are considered.

In the matter of Four2Five, the Commissioner stated within the judgement the following, in reference to a variation:

*“...the case law developed in relation to the application of SEPP 1 may be of assistance in applying Clause 4.6. While Wehbe concerned an objection under SEPP 1, in my view the analysis is equally applicable to a variation under Clause 4.6 where Clause 4.6 (3)(a) uses the same language as Clause 6 of SEPP 1.”*

In the decision of *Wehbe vs Pittwater Council (2007) LEC 827*, Preston CJ summarised the five (5) different ways in which an objection under SEPP 1 has been well founded and that approval of the objection may be consistent with the aims of the policy. The five possible ways are as set out below:

<b>First</b>	<i>The most commonly invoked way is to establish that compliance with the development standards is unreasonable or unnecessary because the objectives of the development standard are achieved notwithstanding non-compliance with the standard.</i>  <i>The rationale is that development standards are not ends in themselves but means of achieving ends. The ends are environmental or planning objectives. If the proposed development proffers an alternative means of achieving the objective, strict compliance with the standard would be unnecessary and unreasonable. (applicable)</i>
<b>Second</b>	<i>A second way is to establish that the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary. (not applicable)</i>
<b>Third</b>	<i>A third way is to establish that the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable. (not applicable)</i>
<b>Fourth</b>	<i>A fourth way is to establish that the development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable. (not applicable)</i>
<b>Fifth</b>	<i>A fifth way is to establish that “the zoning of particular land” was “unreasonable or inappropriate” so that “a development standard appropriate for that zoning was also unreasonable or unnecessary as it applied to that land” and that “compliance with the standard in that case would also be unreasonable or unnecessary. (not applicable)</i>

In respect of the building height standard, the first method is invoked.

It is considered both unreasonable and unnecessary to comply with the maximum 16m height limit prescribed over the subject site in accordance with the Wollongong Local Environmental Plan for the reasons detailed below.

The objectives supporting the maximum building height control identified in Clause 4.3 are discussed below. Consistency with the objectives and the absence of any environmental impacts, would demonstrate that strict compliance with the standards would be both unreasonable and unnecessary in this instance.

The discussion provided below demonstrates how the proposal is consistent with the objectives of Clause 4.3.

- “(1) The objectives of this clause are as follows:*
- (a) to establish the maximum height limit in which buildings can be designed and floor space can be achieved,*
  - (b) to permit building heights that encourage high quality urban form,*
  - (c) to ensure buildings and public areas continue to receive satisfactory exposure to the sky and sunlight”*

With respect to objective (a), the subject site is afforded a maximum building height limit of 16 metres and floor space ratio control of 1.5:1 under WLEP09. As the current proposal is made under State Environmental Planning Policy (Affordable Rental Housing) 2009, a bonus 0.5:1 is afforded, enabling a maximum floor space ratio of 2:1 to be achieved on the site.

The proposal is notably compliant with the maximum floor space ratio control, however seeks a variation to the maximum height control as described in this letter.

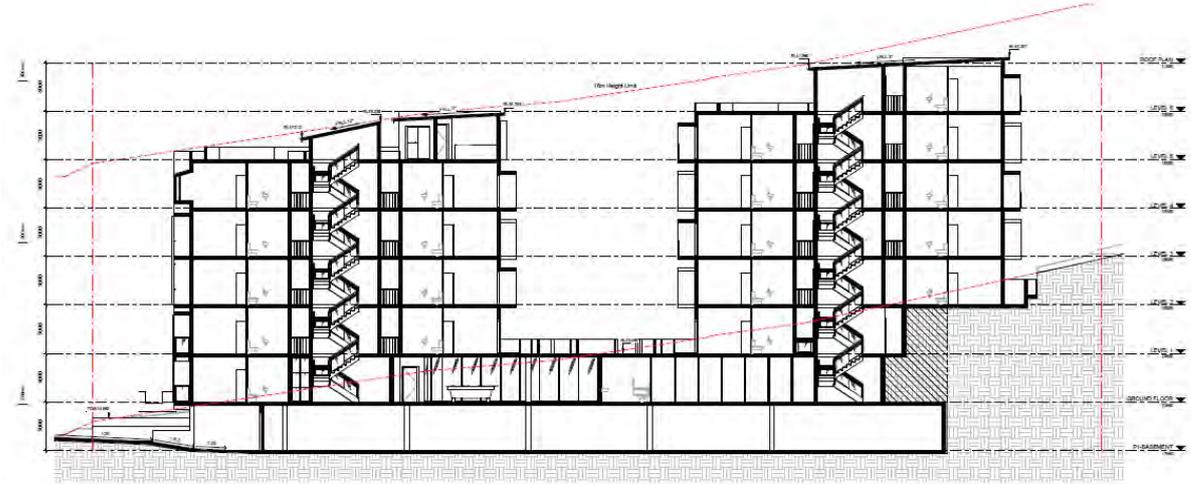
In a decision of the Land Environment Court, *Abdul-Rahman v Ashfield Council [2015] NSWLEC 1122*, Commissioner O’Neil stated,

*“I accept the argument put by the applicant that the consequence of the SEPP ARH incentives, which seek to facilitate the effective delivery of new affordable rental housing by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards, is to expand the permissible building envelope for a site in some way, although pursuant to cl 16A of SEPP ARH, any increase of the building envelope has to be compatible with the character of the local area. In this matter, the proposal complies with the FSR development standard in LEP 2013 and does not seek the benefit of the FSR incentive of SEPP ARH at cl 13, however the principle of an expanded building envelope in recognition of the contribution of affordable rental housing made by the proposal is still relevant”.*

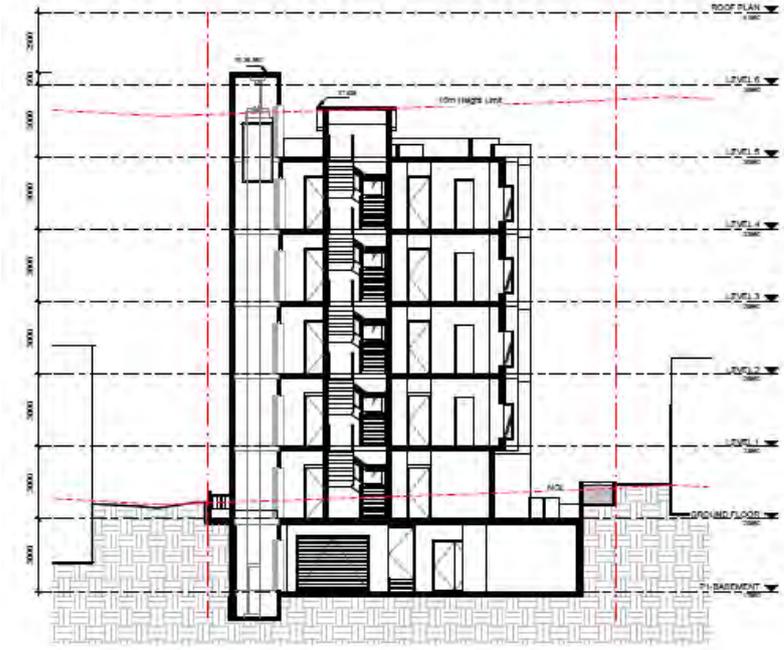
In keeping with the above, we submit that the proposed variation is attributable to the increased density available on the site. In view of the context of the site, it was not considered feasible to further encroach upon the setbacks of the adjoining developments. Consequently, the proposed height has exceeded the maximum standard, mainly due to the fall of the land. Therefore, rendering strict compliance both unreasonable and unnecessary.

It is worthy to note, that the greatest variation to the height control is achieved only over the lift overrun rather than to the upper levels themselves. This is demonstrated in the images below. Hence, the extent of breach is minimal and contained to only parts of the built form servicing common circulation, negating any significant impacts through a variation to the standard.

Figure 2:



① SECTION 1  
1:100



① SECTION 2  
1:100



② SECTION 3  
1:100

Source: Dreamscapes Architects

Furthermore, it is important to recognise that the tallest part of the building and breaches as shown in the images above, relate to only certain elements of building being the lift core and internal stair core. There is no habitable floor area which contributes to any breaches in height. Overall, the majority of the built form has demonstrated compliance with the prescribed height development standard. It is only select portions of the building which contribute to this minor breach. Therefore, compliance is considered unreasonable and unnecessary in this instance.

The proposed development has been carefully designed to project a highly articulated appearance to each of the facades, contributed to by two distinct built forms, careful selection of materials, balconies and interspersed glazing. The separation of the overall built form into two limits the perceived bulk and scale of the built form allowing for a distinct break in its design. The use of balconies to the front and rear of the building facades provides for visual relief from what would otherwise be solid external walls and aids to delineate the overall building mass. The use of varied building materials ranging from brick, glass and timber provides for visual interest and creates a visual balance to the development when viewing the built form. The proposal therefore satisfies objective (b).

The proposed development has been designed to positively respond to the sloping nature of the subject site, which seeks to limit its overshadowing impacts on adjoining sites. The proposal complies in terms of FSR and is generally conducive with Council's development controls as detailed within the accompanying Statement of Environmental Effects. Hence, it is considered the proposal is not an overdevelopment of the site. Therefore, inherently reducing potential overshadowing impacts.

Internal communal living rooms receive adequate solar access in accordance with the SEPP (Affordable Rental Housing) 2009. Objective (c) is thus satisfied.

In demonstrating consistency with the objectives of Clause 4.3 as they relate to height of buildings, the discussion above has demonstrated that strict compliance with the maximum building height control is both unreasonable and unnecessary in this instance. To summarise the key points above, the proposal is made under State Environmental Planning Policy (Affordable Rental Housing) 2009 which enables a maximum floor space ratio of 2:1 to be achieved at the site. Notably, the proposal has complied with the maximum floor space ratio control.

In keeping with the decision of the Land Environment Court, *Abdul-Rahman v Ashfield Council [2015] NSWLEC 1122*, as detailed above and given the context of the site it was not considered feasible to further encroach upon the setbacks of adjoining properties and consequently the height of the built form has exceeded the maximum standard prescribed over the site which is mainly due to the fall of the land. The extent of breach is contained to only parts of the built form, with these considered to be minor. The majority of the built form is contained within the maximum building height limit, with no habitable floor area contributing to this breach.

A carefully designed built form with a high degree of articulation is proposed which is achieved through two distinct built forms, careful selection of materials, balconies and interspersed glazing. This has offered visual relief and visual interest when viewing the proposed development.

As the subject site exhibits a slope from the rear to the street, the proposal has been designed to positively respond to this slope as it steps down the subject site. This has limited the overshadowing impacts to neighbouring sites and has therefore retained the positive amenity of surrounding development. Additionally, the proposal complies with FSR and is generally conducive with Council's development controls which has been detailed in the submitted Statement of Environmental Effects. Overall, the development is considered to have retained the positive amenity enjoyed by surrounding sites with there being no adverse environmental effects resulting from the proposal.

In consideration of the above, strict compliance with the maximum height of building control is considered to be both unreasonable and unnecessary in this instance.

#### **4. ARE THERE SUFFICIENT ENVIRONMENTAL PLANNING GROUNDS?**

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The assessment above demonstrates that the resultant environmental impacts of the proposal will be satisfactory.

The proposal addresses the site constraints, streetscape and relevant objectives of both the standards and the zone. The proposal will not result in any unreasonable amenity or environmental impacts.

We respectfully submit that the proposal will result in a better planning outcome in accordance with the SEPP (Affordable Rental Housing) 2009 as an affordable housing development will be provided in an accessible location.

The proposal therefore provides a social benefit to the community providing for new, affordable accommodation in an area well serviced by public transport, services and local infrastructure.

The site is located in close proximity to the retail/commercial premises located within the Wollongong City Centre including those contained within Crown Central Shopping Centre and Wollongong Central Shopping Centre.

The development is also notably compliant with the maximum 2:1 FSR prescribed by SEPP (Affordable Rental Housing) 2009, as an FSR of 1.34:1 is proposed.

In this case, strict compliance with the development standard for height of buildings development standard of the WLEP 09 is unnecessary and unreasonable.

## **5. IS THE VARIATION IN THE PUBLIC INTEREST?**

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Clause 4.6 states that the development consent must not be granted for development that contravenes a development standard unless the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is to be carried out.

It is considered that this submission provides sufficient environmental planning grounds to justify contravening the development standard under Part 4.

The development as proposed will be in the public interest as it is consistent with the objectives of Clause 4.3.

The building contextually has regard to its surrounding properties and provides sufficient open space and landscaping for the amenity of future residents.

Furthermore, it is important to also consider the objectives of the R1 General Residential zone in relation to the development, which are as follows:

### ***Zone R1 General Residential***

#### ***Objectives of zone***

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

In response to the above the following is provided:

In response to the zones objectives, the proposed boarding house development works to increase the supply of affordable housing within the Wollongong local government area, providing additional housing stock in an accessible location which seeks to meet the demands of the local community.

The development offers a varied housing type, of which there is considered to be a shortage of in the locality, this has also been identified in the accompanying Social Impact Assessment. The boarding house provides for a mixture of single and double rooms offering a greater housing choice in an area which is capable of supporting an increased density.

The proposed boarding house will not restrict other land uses in the area which provide for the day to day needs of residents. In fact, the development will encourage a greater population density in an area well serviced by local facilities, amenities and services enabling these to be readily accessed by future residents.

## **6. PUBLIC BENEFIT OF MAINTAINING THE STANDARD**

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It is considered that there is no benefit to the public or the community in maintaining the development standards. The proposed development will allow for the creation of a high quality residential development which as stated above meets the desired objectives of the standard.

A Social Impact Assessment has been prepared and accompanies this development application. It has been noted that currently Wollongong is experiencing serious and rising housing affordability issues for those residents in the very low and low-income bracket. This trend is especially evident amongst those in the population seeking to live in the northern suburbs of Wollongong including its city centre.

The additional height sought on the site will enable additional units to be provided to the benefit of the local government area. The area can support an increase in density and this is encouraged by Council.

It is not considered that the variation sought raises any matter of significance for State or regional environmental planning.

The departure from the height of buildings control within the WLEP 09 allows for the orderly and economic use of the site in a manner which achieves the outcomes and objectives of the relevant planning controls.

## **7. IS THE VARIATION WELL FOUNDED?**

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It is considered that this has been adequately addressed in Parts 4 and 5 of this submission. In summary, this Clause 4.6 Variation is well founded as required by Clause 4.6 of the LLEP 08 in that:

- ❑ Compliance with the development standards would be unreasonable and unnecessary in the circumstances of the development;
- ❑ There are sufficient environmental planning grounds to justify the departure from the standards;
- ❑ The development meets the objectives of the standard to be varied (height of buildings) and objectives of the R1 General Residential zoning of the land;
- ❑ The proposed development is in the public interest and there is no public benefit in maintaining the standard;
- ❑ The breach does not raise any matter of State of Regional Significance; and
- ❑ The development submitted aligns with the existing and future character envisioned for the locality.

Based on the above, the variation is considered to be well founded.

## 8. GENERAL

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Clause 4.6 also states that:

- “(6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:*
- (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or*
  - (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.*
- (7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant’s written request referred to in subclause (3).*
- (8) This clause does not allow development consent to be granted for development that would contravene any of the following:*
- (a) a development standard for complying development,*
  - (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,*
  - (c) clause 5.4,*
  - (ca) clause 4.2A, 6.1 or 8.3*
- (8A) (Repealed)”*

This variation does not relate to the subdivision of land. The variation sought is thus not contrary to subclause (6).

Should the exception to the development standard sought under this submission be supported by Council, the Council must retain a record of the assessment of this submission.

The development proposed is not complying development.

A Section J Report was provided for the development.

Clause 5.4 of the WLEP 09 does not apply to the proposal.

Clauses 4.2A, 6.1 or 8.3 of the WLEP 09 do not apply to the site.

## 9. CONCLUSION

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The proposal does not strictly comply with the maximum building height control as prescribed by Clause 4.3 of the WLEP 09. Having evaluated the likely affects arising from this non-compliance, we are satisfied that the objectives of Clause 4.6 of the WLEP 09 are satisfied as the breach to the controls does not create any adverse environmental impacts.

As reiterated throughout this report, the proposal seeks to provide for a development in accordance with the SEPP (Affordable Rental Housing) 2009, specifically Division 3 Boarding houses in a convenient and well serviced location, where there is a shortage of such development. This is supported in the accompanying Social Impact Assessment Report.

Consequently, strict compliance with this development standard is unreasonable and unnecessary in this particular instance and that the use of Clause 4.6 of the WLEP 09 to vary this development controls appropriate in this instance.

Based on the above, it is sensible to conclude that strict compliance with the maximum building height control is not necessary and that a better outcome is achieved for this development by allowing flexibility in the application.

Should you have any questions regarding the proposed development, please do not hesitate to contact me.

Kind regards,

Valdis Aleidzans  
GAT & Associates  
Plan 3181

## Attachment 4: Compliance with Wollongong Development Control Plan 2009

DA-2018/313 2 Frederick Street Wollongong

### CHAPTER B1 – RESIDENTIAL DEVELOPMENT

Chapter B1 does not apply to boarding houses, with the exception of setback controls. The setback controls in Section 2.3 of the Report.

### CHAPTER C3: BOARDING HOUSES

<i>Controls/objectives</i>	<i>Comment</i>	<i>Complies</i>
<b>3 Development controls for boarding houses</b>		
<u>3.1 Location of Boarding Houses</u>		
Generally access to public transport within 400m walking distance of railway station or bus stop (regular bus service) that has at least one bus per hour 6am-9pm Monday to Friday and 8am-6pm weekends.	Wollongong railway station is located 150m south east of the site. Bus stop location and frequency of service complies. Bus stop locations along Gladstone Avenue and Crown Street within 240m.	Yes
Access to employment and or services, to parks and education facilities.	Wollongong Central Shopping Centre is located approximately 640m north east of the site and offered a range of employment opportunities. Wollongong West TAFE is located approximately 196m south of the site and Wollongong University and Wollongong TAFE are accessed by buses from Crown Street approximately 240m from the site.	Yes
<u>3.2 Front Building Line Setbacks</u>		
Setbacks as required by Chapter B1 for the building form. Minimum 6m required	6m proposed setback	Yes
<u>3.3 Side &amp; Rear Setbacks</u>		
Setbacks as required by Chapter B1 for the building form.	Refer to variation request in the Report.	Variation Requested
<u>4 Minimum facilities for boarding houses</u>		
Class 3 boarding house BCA requirements.	Building is Class 3	Yes
Demonstrate balance between shared and private areas.	Balcony, common rooms and communal open space areas provide good amenity.	Yes
Boarding rooms minimum 12m <sup>2</sup> (single room) and minimum 16m <sup>2</sup> (double room).	Room size on plans range from 16-19m <sup>2</sup> for single rooms and are 19 m <sup>2</sup> for double rooms	Yes

<i>Controls/objectives</i>	<i>Comment</i>	<i>Complies</i>
Maximum no. of lodgers per room is two.	Plan of management does specify maximum of one person may occupy a single boarding room at any one time and a maximum of two people may occupy a double boarding room at any one time.	Yes
If ensuite provided, minimum additional 3 m <sup>2</sup> .	All rooms have ensuite.	Yes
Laundry and clothes drying facilities at following rate: <ul style="list-style-type: none"> <li>• 1 machine and tub/10 boarding rooms</li> <li>• 1 clothesdryer or 30m clothesline/10 boarding rooms</li> </ul>	Communal laundry contains a washing machine. Outdoor clothes drying facilities are identified on the plans	Yes
Minimum 1 communal living room of sufficient size to accommodate proposed number of residents.	Roof top communal room and ground floor communal room proposed	Yes
Communal living room 3 hours direct sunlight 9am-3pm on 22 June.	Roof top communal room would receive more than 3 hours sunlight. Ground floor communal room will not receive the required solar access.	Yes
Communal living rooms appropriately located to minimise impacts on adjoining properties	Communal room situated on the roof of the southern building includes access to roof terrace with perimeter planting.	Yes
Communal kitchen supply cupboards, sink, food preparation benches and cooking facilities plus tables and chairs in a central location. Minimum area of 15 m <sup>2</sup> plus 1 m <sup>2</sup> per additional person above 12 persons.	Communal kitchen 51 m <sup>2</sup> of communal space, including a kitchen with required cupboards, sink, food preparation benches and cooking facilities plus tables and chairs.	Yes
Minor kitchenettes provided in bedrooms shall contain fridge, adequate cupboards and shelves, with a microwave.	Private kitchenettes are provided, including sink, bench, cupboards, fridge and microwave.	Yes
Private open space in the rear setback Minimum 1 private open space area of 20m <sup>2</sup> with minimum dimension 3m for use of lodgers Where boarding house is not within walking distance of public open space, should provide 30m <sup>2</sup> of private open space.	Communal terrace provided in to the centre of the two buildings and open space provided to the rear of the site.  Planting along the western boundary provide privacy and buffer against potential noise transmission. Planting on the eastern boundary does not run the full length of the site and allows access to the lane way.	Yes

<i>Controls/objectives</i>	<i>Comment</i>	<i>Complies</i>
Landscaping in front setback should soften built form of the boarding house and maintain visual amenity of surrounding locality.	Nearest public reserve approximately 883m. Open space within the site exceeds 100m <sup>2</sup> .	Yes
Landscape plan required.	Landscape plan show combination of boundary and bed planting and grass. Landscaping in front setback.  Landscaping plan provided.	Yes
Satisfactory provision for on-site car parking for residents, manager and visitors.	Refer to Chapter E3 in the Report.	Yes
Car parking in accordance with Chapter E3.	Car parking in accordance with Chapter E3.	Yes
Suitable disabled access arrangement in accordance with Australian Standards.	Disable access to boarding rooms via the lift from the basement to the southern building. The northern building has access via the lift to the first floor and through the courtyard	Yes
Subdivision or community title subdivision is prohibited.	Subdivision not proposed.	Condition
Application shall address what the key objectives of the development are, local area characteristics, physical and social characteristics of the boarding house, key social impacts.	Social Impact Assessment Report submitted with the application.	Yes
<u>5 Management Plan</u>		
Plan of Management required	Plan of Management provided.	Yes
Staffing measures	One on-site caretaker to be appointed.	
Measures to ameliorate potential noise or amenity impacts within the building and surrounding locality	Information to lodgers upon signing agreement includes expectation that neighbouring residential amenity will be maintained.  Outdoor communal areas not to be used between 10pm and 7am.  Visitors must not stay overnight.  Minimum let of three months for each boarding room.	Condition
Safety and security measures to be employed	Evacuation process is displayed in each boarding room, hallway and common area. Each sign states the emergency contact details and evacuation process	Yes

<i>Controls/objectives</i>	<i>Comment</i>	<i>Complies</i>
House rules to be displayed.	Each lodger would be required to sign copy of house rules statement and an occupancy agreement. Minimum stay 3 months.	Condition
Emergency evacuation plan	To be approved by the Principal Certifying Authority. Caretaker to be trained in operation of the evacuation plan.	Condition
Parking statement	All parking on a first come first served basis.	N/a
24hr contact details of the manager/caretaker.	To be displayed in common room and externally at the front entrance. Manager to reside on-site.	Condition
<u>6 Fire safety</u>		
Fire safety statement to be displayed in building	As required by legislation and referred to in Plan of Management. Can be conditioned.	Condition
Floor layout plan to be affixed to each room door	As required by legislation and referred to in Plan of Management. Can be conditioned.	Condition
Annual certification for essential fire safety measures	As required by legislation and referred to in Plan of Management. Can be conditioned.	Condition
<u>Schedule 1 Boarding House Management Template</u>		
Various matters	Plan of Management provided	Condition

## CHAPTER D13 – WOLLONGONG CITY CENTRE

The site is located within the Wollongong City Centre, as defined in WLEP 2009 and WDCP 2009. Chapter D13 applies to the development and prevails over other parts of the DCP where there is any inconsistency. A detailed assessment table of Chapter D13 is provided in the table below.

### 2 Building form

<i>Objectives/controls</i>	<i>Comment</i>	<i>Compliance</i>
<u>2.1 General</u>		
<u>2.2 Building to street alignment and street setbacks</u>		
<ul style="list-style-type: none"> <li>4m front setback</li> </ul>	5-6m proposed	Yes
<u>2.3 Street frontage heights in commercial core</u>	N/A	N/A
<u>2.4 Building depth and bulk</u>		
<ul style="list-style-type: none"> <li>Max depth 18m above 12m high</li> </ul>	Achieves the required depth of bulk requirement.	Yes
<u>2.5 Side and rear building setbacks and building separation</u>		
<p><i>Up to 12m in height:-</i></p> <ul style="list-style-type: none"> <li>habitable rooms with openings and balconies – 6m</li> <li>non-habitable rooms and habitable rooms without openings – 3m</li> </ul> <p><i>Residential uses between 12m &amp; 24m</i></p> <ul style="list-style-type: none"> <li>habitable rooms with openings and balconies – 9m</li> <li>non-habitable rooms and habitable rooms without openings – 4.5m</li> </ul>	Refer to variation request in the Report	Variation requested.
<u>2.6 Mixed used buildings</u>	N/A	N/A
<u>2.7 Deep soil zone (DSZ)</u>		
<ul style="list-style-type: none"> <li>deep soil zone shall comprise no less than 15% of the total site area preferably provided in one continuous block and shall have a minimum dimension (width or length) of 6 metres.</li> </ul>	<p>Total site area = 1066m<sup>2</sup></p> <p>Total DSZ required: 15% = 159.9m<sup>2</sup></p> <p>Provided: Deep soil zone located along the rear and front of the</p>	Yes

<i>Objectives/controls</i>	<i>Comment</i>	<i>Compliance</i>
	site with a total area of 237.4sqm (22.3%) of the site. Ranges in depth from 4.5m-8m	
<u>2.8 Landscape design</u>	Landscape plan is satisfactory.	Yes
<u>2.9 Green roofs, green walls and planting on structures</u>	Roof top terrace proposed.	Yes
<u>2.10 Sun access planes</u>	The site is not identified as being located within a site access plane.	N/A
<u>2.11 Development on classified roads</u>	N/A	N/A

### **3 Pedestrian amenity**

<i>Objectives/controls</i>	<i>Comment</i>	<i>Compliance</i>
<u>3.2 Permeability</u>	No identified site links affect the site.	N/A
<u>3.3 Active street frontages</u>		
<ul style="list-style-type: none"> <li>Active frontage uses are defined as one or a combination of the following at street level: Entrance to retail. Shop front. Glazed entries to commercial and residential lobbies occupying less than 50% of the street frontage, to a maximum of 12m frontage. Café or restaurant if accompanied by an entry from the street. Active office uses, such as reception, if visible from the street.</li> <li>Active ground floor uses are to be at the same general level as the footpath and be accessible directly from the street.</li> </ul>	<p>Development frontage is appropriate for a boarding house development. The main pedestrian access and lobby accesses the building from Frederick Street.</p> <p>The primary entry is well defined. Entry treatment and fencing provides a clear delineation between private and public spaces.</p> <p>The primary balcony and habitable room windows to the front units overlook and address Frederick Street for the front building and the central courtyard area for the rear building.</p>	Yes

<p><u>3.4 Safety and security</u></p> <ul style="list-style-type: none"> <li>• Ensure that the building design allows for casual surveillance of accessways, entries and driveways.</li> <li>• Avoid creating blind corners and dark alcoves that provide concealment opportunities in pathways, stairwells, hallways and carparks.</li> <li>• Provide entrances which are in visually prominent positions and which are easily identifiable, with visible numbering.</li> <li>• Provide adequate lighting of all pedestrian access ways, parking areas and building entries. Such lighting should be on a timer or movement detector to reduce energy consumption and glare nuisance.</li> <li>• Provide clear lines of sight and well-lit routes throughout the development.</li> <li>• Where a pedestrian pathway is provided from the street, allow for casual surveillance of the pathway.</li> <li>• Provide security access controls where appropriate.</li> </ul>	<p>Natural surveillance will be available from upper level balconies and residential living areas.</p> <p>Secure access to the building is to be installed through security gate including intercom. Roller Shutter security proposed for basement.</p> <p>Design responds appropriately to CPTED principles; refer to Chapter E2 assessment.</p>	<p>Yes</p>
<p><u>3.5 Awnings</u></p>	<p>N/A</p>	<p>N/A</p>
<p><u>3.6 Vehicular footpath crossings</u></p> <ul style="list-style-type: none"> <li>• 1 vehicle access point only (including the access for service vehicles and parking for non-residential uses within mixed use developments) will be generally permitted</li> <li>• Double lane crossing with a maximum width of 5.4 metres may be permitted</li> <li>• Doors to vehicle access points are to be roller shutters or tilting doors fitted behind the building façade.</li> <li>• Vehicle entries are to have high quality finishes to walls and ceilings as well as high standard detailing. No service ducts or pipes are to be visible from the street.</li> </ul>	<p>1 entry point only proposed with a 5.5m wide driveway. Driveway crossing width is acceptable from Council's Traffic Division.</p>	<p>Yes</p>
<p><u>3.7 Pedestrian overpasses, underpasses and encroachments</u></p>	<p>N/A</p>	<p>N/A</p>
<p><u>3.8 Building exteriors</u></p> <ul style="list-style-type: none"> <li>• Adjoining buildings (particularly heritage</li> </ul>	<p>The proposal has been designed in</p>	<p>Yes</p>

<p>buildings) are to be considered in the design of new buildings in terms of appropriate alignment and street frontage heights; setbacks above street frontage heights; appropriate materials and finishes selection; façade proportions including horizontal or vertical emphasis;</p> <ul style="list-style-type: none"> <li>• Balconies and terraces should be provided, particularly where buildings overlook parks and on low rise parts of buildings. Gardens on the top of setback areas of buildings are encouraged.</li> <li>▪ Articulate facades so that they address the street and add visual interest.</li> <li>• External walls should be constructed of high quality and durable materials and finishes with 'selfcleaning' attributes, such as face brickwork, rendered brickwork, stone, concrete and glass.</li> <li>• Finishes with high maintenance costs, those susceptible to degradation or corrosion from a coastal or industrial environment or finishes that result in unacceptable amenity impacts, such as reflective glass, are to be avoided.</li> <li>▪ To assist articulation and visual interest, avoid expanses of any single material.</li> <li>▪ Limit opaque or blank walls for ground floor uses to 30% of the street frontage.</li> <li>• Highly reflective finishes and curtain wall glazing are not permitted above ground floor level</li> <li>• A materials sample board and schedule is required to be submitted with applications for development over \$1 million or for that part of any development built to the street edge.</li> <li>• Minor projections up to 450mm from building walls in accordance with those permitted by the BCA may extend into the public space providing it does not fall within the definition of GFA and there is a public benefit.</li> <li>• The design of roof plant rooms and lift overruns is to be integrated into the overall architecture of the building.</li> </ul>	<p>response to comments/concerns raised by the DRP.</p> <p>Balconies are provided to all rooms; overlooking/ surveillance of the street will be available.</p> <p>Facades address the street and the building is generally considered to be well articulated and detailed to add visual interest.</p> <p>A colour &amp; material schedule has been provided. High quality and durable materials and finishes are proposed.</p> <p>High quality finishes are proposed.</p> <p>Colour and material schedule submitted with the application.</p> <p>Clause 4.6 submission for the lift overrun over the height limit.</p>	<p>Yes</p> <p>Yes</p> <p>No</p>
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<u>3.9 Advertising and signage</u>	N/A	N/A
<u>3.10 Views and view corridors</u> <ul style="list-style-type: none"> <li>• Existing views shown in Figure 3.12 are to be protected to an extent that is practical.</li> <li>• Align buildings to maximise view corridors between buildings</li> <li>• Remove or avoid installation of built elements that obstruct significant views.</li> <li>• Carefully consider tree selection to provide views along streets in Figure 3.12 and keep under storey planting low where possible.</li> <li>• Site analysis must address views with the planning and design of building forms taking into account existing topography, vegetation and surrounding development</li> </ul>	No significant view corridor will be imposed. The split into the 2 building forms allows for a central view corridor between the buildings.	Yes

#### **4 Access, parking and servicing**

<i>Objectives/controls</i>	<i>Comment</i>	<i>Compliance</i>
<u>4.1 General</u>		
<u>4.2 Pedestrian access and mobility</u> <ul style="list-style-type: none"> <li>• Main building entry points should be clearly visible from primary street frontages and enhanced as appropriate with awnings, building signage or high quality architectural features that improve clarity of building address and contribute to visitor and occupant amenity.</li> <li>• The design of facilities (including car parking requirements) for disabled persons must comply with the relevant Australian Standard and the Disability Discrimination Act 1992.</li> <li>• The development must provide at least one main pedestrian entrance with convenient barrier free access in all developments to at least the ground floor.</li> <li>• The development must provide continuous access paths of travel from all public roads and spaces as well as unimpeded internal access.</li> <li>• Pedestrian access ways, entry paths and</li> </ul>	<p>Pedestrian access is available from the street frontage with one entry point.</p> <p>Car parking for the adaptable units is provided within the basement car parking levels, with access throughout the building available via the lifts.</p> <p>The finish of pedestrian pathways and the like can be dealt with by consent conditions.</p>	Yes

lobbies must use durable materials commensurate with the standard of the adjoining public domain.

- Building entrance levels and footpaths must comply with the longitudinal and cross grades specified in AS 1428.1, AS/NZS 2890.1:2004 and the DDA.

#### 4.3 Vehicular driveways and manoeuvring areas

- Driveways should be:
  - Provided from lanes and secondary streets rather than the primary street, wherever practical.
  - Located taking into account any services within the road reserve, such as power poles, drainage pits and existing street trees.
  - Located a minimum of 6m from the nearest intersection
  - If adjacent to a residential development setback a minimum of 1.5m from the relevant side property boundary.
- Vehicle access is to be designed to:
  - Minimise the impact on the street, site layout and the building façade design; and
  - If located off a primary street frontage, integrated into the building design.
- All vehicles must be able to enter and leave the site in a forward direction without the need to make more than a three point turn
- Driveway widths must comply with the relevant Australian Standards.
- Car space dimensions must comply with the relevant Australian Standards.
- Driveway grades, vehicular ramp width/grades and passing bays must be in accordance with the relevant Australian Standard
- Access ways to underground parking should not be located adjacent to doors or windows of the habitable rooms of any residential development.

#### 4.4 On-site parking

- On-site parking must meet the relevant

Appropriate driveway location is proposed; does not appear to conflict with any services in the road reserve.

Driveway width is acceptable and manoeuvring areas appear to comply with applicable controls.

Vehicles can turn on site and leave in a forward direction.

Car spaces, driveway grades and appear to generally comply with relevant standards.

Basement parking provided. Sufficient car parking, motorcycle

Yes

Yes

<p>Australian Standard</p> <ul style="list-style-type: none"> <li>• Council may require the provision of a supporting geotechnical report prepared by an appropriately qualified professional as information to accompany a development application to Council.</li> <li>• Car parking and associated internal manoeuvring areas which are surplus to Council's specified parking requirements will count towards the gross floor area, but not for the purpose of determining the necessary parking.</li> <li>• Any car parking provided in a building above ground level is to have a minimum floor to ceiling height of 2.8m so it can be adapted to another use in the future.</li> <li>• On-site vehicle, motorcycle and bicycle parking is to be provided in accordance with Part E of this DCP.</li> <li>• To accommodate people with disabilities, minimum of 1% of the required parking spaces to be provided as disabled persons' car parking.</li> </ul>	<p>and bicycle parking is provided. Sufficient car parking to support the adaptable units is also proposed. Council's Traffic Engineer has assessed the proposal as being consistent with this Clause.</p>	
<p><u>4.5 Site facilities and services</u></p>		
<p>Waste storage and collection</p>	<p>On site waste collection is proposed within the basement. Conditions have been provided from Council's Traffic Engineer.</p>	<p>Satisfactory</p>

## 5 Environmental management

<i>Objectives/controls</i>	<i>Comment</i>	<i>Compliance</i>
<p><u>5.2 Energy efficiency and conservation</u></p>	<p>Section J Energy Efficiency Report (BCA/NCC -2016)</p>	<p>Yes</p>
<p><u>5.3 Water conservation</u></p>	<p>Conditions of consent have been imposed with regard to water conservation.</p>	<p>Yes</p>
<p><u>5.4 Reflectivity</u></p>	<p>No concerns are raised in regards to material reflectivity.</p>	<p>Yes</p>
<p><u>5.5 Wind mitigation</u></p>	<p>A wind impact statement was not required.</p>	<p>N/A</p>
<p><u>5.6 Waste and recycling</u></p>	<p>Waste management</p>	<p>Yes</p>

arrangements are satisfactory

## CHAPTER A2- ECOLOGICALLY SENSITIVE DEVELOPMENT

This application was referred to Council's Environment Officer and conditions of approval in relation to Water Cycle/Stormwater Quality treatment. A Section J Energy Efficiency Report (BCA/NCC -2016) has been undertaken and the commitments are required to be undertaken prior to issue of Occupation Certificate for the building. This is included in the draft conditions.

## CHAPTER E1: ACCESS FOR PEOPLE WITH A DISABILITY

An Access Report (Obvius Access Consultants, December 2017) was submitted with the application outlining compliance with AS4299 and this Chapter.

All communal areas are required to comply with the Disability (Access to Premises- Buildings) Standards 2010 (Premises Standards) and the National Construction Code.

Adaptable car parking spaces has been designed in accordance with AS 2890.6.

If approved it is recommended the application also be conditioned to comply with the BCA and relevant Australian Standards.

## CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

<i>Control/objective</i>	<i>Comment</i>	<i>Compliance</i>
<u>3.1 Lighting</u>	No lighting shown however, it is expected to be provided around the entrance points of the building and within the basement car park. No light spill impacts are expected.	Yes
<u>3.2 Natural surveillance and sightlines</u>	Opportunities for natural surveillance of Frederick Street and the adjoining laneway is available from the balconies.	Yes
<u>3.3 Signage</u>	No signage proposed.	N/A
<u>3.4 Building design</u>	The design is considered to adequately respond to CPTED principles. There are no places of obvious concealment or entrapment evident on the plans.	Yes
<u>3.5 Landscaping</u>	Landscaping treatment will not result in any concealment opportunities in any unsecure places.	Yes

A Report has been prepared by the Applicant's Social Planning Consultants to address compliance with this Chapter. The report covers the areas of surveillance, access control, territorial reinforcement and space management.

Additionally, the development incorporates a Boarding House Management Plan which issues such as security, management arrangements, procedures for visitors to the premises, house rules and fire safety.

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

Boarding houses are required to provide parking at the following rate:

- Car parking: 0.5 spaces/staff plus 1 car parking space/ 5 beds.
  - 1 staff = 1 space designated for staff
  - Boarding house: 67 rooms/5 beds – 13.4 spaces required
  - Proposed- 14 spaces for boarding house
  - Total parking proposed= 15 spaces
- Bicycle parking: 1 space per bed
  - 68 beds (includes staff) = 68
  - 15 spaces provided
- Motorcycle parking: nil required, 15 provided

The proposed bicycle parking does not comply with the required 68 spaces. However, space is provided for 15 motorcycle parking. Council's Traffic Engineer is of the view that the area for the motorcycle parking is required more than additional bicycle parking as this will reduce the use of the allocated vehicular parking for the parking of motorcycles.

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

Site Waste Minimisation and Management Plan provided. Standard conditions to apply.

### **CHAPTER E9: HOARDINGS AND CRANES**

Conditions are recommended in relation to the use of any hoardings or cranes for the construction of the building and found in the draft consent.

### **CHAPTER E12 GEOTECHNICAL ASSESSMENT**

The requirements contained within this chapter have been considered and a referral from Council's Geotechnical Engineer has been received. Appropriate conditions are recommended and included in the draft conditions.

### **CHAPTER E14 STORMWATER MANAGEMENT**

Council's Stormwater Officer has reviewed the proposal and recommended conditions of consent regarding stormwater management, which are included in the draft consent.

### **CHAPTER E21 DEMOLITION AND ASBESTOS MANAGEMENT**

Council's standard conditions of consent are recommended in relation to demolition and asbestos management.

### **CHAPTER E20 CONTAMINATED LAND**

Refer to comments in the report under SEPP 55- Remediation of Land in Section 2.1.

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

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

**Wollongong Design Review Panel  
Meeting minutes and recommendations DA-2018/313**

<b>Date</b>	17 April 2018
<b>Meeting location</b>	Wollongong City Council Administration offices
<b>Panel members</b>	David Jarvis Marc Deuschle Brendan Randles
<b>Apologies</b>	Pier Panozzo, Manager City Centre & Major Development
<b>Council staff</b>	Vanessa Davis – Senior - Development Project Officer Mary Jane Craig – Assistant Town Planner Parker Wai – Planning Intern
<b>Guests/ representatives of the applicant</b>	Edward Li - Dreamscapes Architects Jacob Lui - Dreamscapes Architects Gerard Turrisi- GAT & Associates Valdis Aleidzans- GAT & Associates
<b>Declarations of Interest</b>	Nil
<b>Item number</b>	1
<b>DA number</b>	DA-2018/313
<b>Reason for Consideration by DRP</b>	WCC advice, SEPP65, Clause 30A Character of local area State Environmental Planning Policy (Affordable Rental Housing) 2009
<b>Determination pathway</b>	Local Planning Panel (IHAP) Section 2 of Schedule 2 of the Local Planning Panels Direction of 1 March 2018, as the Development Application is the subject of more than 10 objections.
<b>Property address</b>	2 Fredrick Street Wollongong
<b>Proposal</b>	Residential – Boarding House
<b>Applicant or applicant's representative address to the design review panel</b>	
<b>Background</b>	The site was previously considered by the Panel prior to lodgement under DE-2017/154 on 31 October 2017
<b>Design quality principals SEPP65</b>	
<b>Context and Neighbourhood Character</b>	<p>The proposal is located on a steep narrow site (16.7m), which falls to the south, towards Fredrick Street. These conditions will ultimately restrict the width of building and limit potential for solar access.</p> <p>There is a narrow strip of land (approximately 4.5m wide) owned by council, located adjacent to the eastern site boundary, it is understood that it is intended to utilise this land for a pedestrian foot path. The applicant is encouraged to discuss the potential to connect to this path with council. If the design of the proposed building can be co-ordinated with the path, clear access points could be created which would improve the proposal's pedestrian access.</p> <p>The western site boundary is adjoined by two storey town houses, living rooms and courtyards of the towns houses adjoin the sites western boundary. Though the western neighbour may eventually be developed to fully realise the permissible height and FSR of the site, it is likely that the existing town houses will remain for the foreseeable future. Further to the west of Frederick Street, there</p>

	<p>are several low rise residential flat buildings with particularly generous side, front and rear setbacks. These setbacks are characterised largely by landscaping.</p> <p>To inform and develop the DA submission, a more detailed contextual analysis should be provided, including a street elevation showing existing and future built form context. Refer to appendix 1 of the ADG for a compressive list of the issues that should be covered by a site analysis. It is however, acknowledged that the revised building form reflects a clearer understanding of the opportunities and constraints of this site and its immediate context.</p>
<p><b>Built Form and Scale</b></p>	<p>Typically, this site would be developed as a residential flat building, which would result in an apartment building of up to 10- 12 units. In developing this site as a boarding house with in-excess of 60 units, it is a major challenge to provide appropriate orientation, good solar access and outlook while minimizing potential privacy issues.</p> <p>The proposal's built form has been developed in response to the panel's previous comments. As recommended, the building has now been split into two separate building forms, creating a central court yard. Boarding rooms are now orientated towards the street, central courtyard or the rear of the site. This is a positive outcome for the proposal as it has significantly reduced potential privacy issues with neighbouring buildings and improved the amenity of boarding rooms. However, further refinements should be considered to improve amenity, particularly circulation through the building:</p> <ul style="list-style-type: none"> <li>- Consider re-orientating the south western corner unit in the rear building. The living area in this room could be reconfigured to face north and the room size slightly increased.</li> <li>- The lift servicing the rear building appears to be sitting just outside the foot print of the basement car park and ground floor. Consideration should be given to swapping the location of the laundry and lift to moving the lift further south, then connecting it with the basement and ground floor.</li> <li>- Pedestrian circulation from the street to the rear building is currently a little contorted. This could be improved by sliding the courtyard facing units on level 1 of the front and rear buildings approximately 1.5m further west. This would allow a more direct path of travel to be created between the lobbies of the two buildings.</li> <li>- The proposed combination of steps and ramps, make the area of rear common open space very difficult to access. It is suggested that this area is accessed directly from level three, by sliding the rear three north facing rooms approximately 1.5m west. An at grade foot path can then be provided from the level 3 lobby to the common open space.</li> <li>- The platform lift located at ground floor level should be flipped to allow a more direct path of travel between the stairs and ground floor lobby.</li> <li>- The ground floor communal room is a positive addition to the development, but it currently lacks amenity / sufficient natural light. If this area is considered in conjunction with</li> </ul>

	<p>the suggestions made above (pedestrian circulation at level 1) it may be possible to reduce area of the communal room and provide a courtyard adjacent to the eastern boundary (between the stairs and caretakers office). This will create a better proportioned room with an outlook and more natural light.</p> <ul style="list-style-type: none"> <li>- Given that this room is connected to a large roof terrace, the north facing balconies on level 5 community room are not necessary and should be removed.</li> </ul>
<b>Density</b>	<p>The proposal no longer presents as an over development of the site. The extent and distribution of built form relates appropriately to the site.</p>
<b>Sustainability</b>	<p>Consideration should be given to rain water harvesting for use in landscape irrigation and toilet flushing. The provision of photo voltaic cells is also encouraged.</p>
<b>Landscape</b>	<p>Steps should be removed from the western side of the site. The western side boundary should be dedicated to providing a landscaped buffer and modest areas of private open space to boarding rooms.</p> <p>The front entry has the pedestrian entry immediately adjacent to the vehicular entry. An attempt should be made to define the pedestrian entry and separate / distinguish it from the vehicular entry. Although a suggestion has been made to remove the western stair access, the current drawings show a lack of clarity with regards to the levels within the front garden and how they relate to both the street and the proposed new works.</p> <p>A similar lack of level clarity exists where the central courtyard and the northern garden meet the western pathway.</p> <p>Generally the arrangement of communal open spaces allows for a variety of outlooks, opportunities and potential amenity. As further development of the design of these spaces occurs, they must each be considered with the other communal open spaces in mind, Each space takes on a particular role on a daily and seasonal timetable given their varied location, outlook, solar access and adjacent uses.</p> <p>The current configuration of the central courtyard feels like a thoroughfare as opposed to an inviting destination. Given this space will lack year round solar access the amenity of the space should be carefully considered. With the removal of the western access pathway, the arrangement of this courtyard needs refinement.</p> <p>This northern garden will benefit from the proposed access coming at one level higher than currently shown. The opportunity to sculpt this corner of land, to provide a more level and interesting space, should be explored. This is the only portion of COS on deep soil, therefore the opportunity to provide large trees and lush planting should be taken.</p>

	<p>The provision of two roof terraces is a positive addition to the amount of COS within the development. The roof terrace immediately adjacent to the common room (southern tower) is more successful in that its location complements the internal function.</p> <p>Consideration could be given to removing the second roof terrace (northern tower). Its more isolated location may encourage less desirable uses due to the lack of passive surveillance from a communal room. It may also negatively impact the adjacent boarding rooms if retained but not successfully designed and maintained.</p> <p>Consideration must be given to where external clothes drying could take place without negatively effecting the quality of the COS.</p>
<p><b>Amenity</b></p>	<p>Most rooms are planned in a functional manner to best utilise the space permitted by the Affordable Rental Housing SEPP.</p> <p>A single boarding room is accessed via the level 6 roof top terrace, requiring it occupants to exit the covered lobby area to access the boarding room. This unit should be accessed from the lobby on the northern side of the boarding room.</p> <p>The single rooms in the center of each building are noted as having frosted glass to the window of the boarding room. Given that these windows are not orientated directly towards the side boundary, it would be reasonable to allow these windows to be clear glass. This will provide the rooms with an outlook.</p> <p>Clothes drying area should be provided.</p>
<p><b>Safety</b></p>	<p>The applicant should clarify council vehicle access and garbage collection requirements. In developing the vehicle access and building servicing requirements, a safe secure pedestrian entry, that is clearly legible from the street must be maintained. Should council permit, direct access to/from the proposal to the eastern adjoining lane way should be provided for pedestrians. Casual surveillance should be encouraged over this laneway from either the ground floor or upper floors of the proposal.</p>
<p><b>Housing Diversity and Social Interaction</b></p>	<p>It is extremely important that affordable housing options are provided throughout our community. Pending the minor developments outlined above the proposal will provide a reasonable level of amenity to its occupants and relate to its immediate context in a reasonable manner.</p>
<p><b>Aesthetics</b></p>	<p>Drawings show a reasonable strategy for the aesthetic expression of the building. The pallet of white render, grey brick work and timber screens could provide timber screens could be developed to provide a simple but refined aesthetic. However, more consideration must be given to material selection and detail treatment. Drawing DA-6-00 A, demonstrates a concerning lack of</p>

	<p>attention to materials and detail treatment of the building. The material images in this drawing do not match the design intent shown in the drawings. This must be clarified by revising the DA documents to clearly document selected materials.</p> <p>Given the large areas of brickwork proposed, the quality / tone of brick selected will play an important role in the aesthetic of the building. The colour of the selected brick should not be too dark.</p> <p>Servicing of the building must also be considered at this stage of the design process. The location of service risers, AC condensers, down pipes should be accommodated.</p>
<b>Key issues, further Comments &amp; Recommendations</b>	<p>The Panel notes that boarding houses play an important role in providing a diverse and affordable housing stock. In response to panel comments, the proposal has been significantly improved, especially in regards to the form and scale of the building, its functional spaces and response to site and context.</p> <p>Further developments are recommended to refine the proposals amenity and aesthetic as outlined above. Pending the successful resolution of these issues to the satisfaction of council staff, the proposal is not required to be reviewed by the panel again.</p>

## Attachment 6

### DRAFT CONDITIONS: DA-2018/313

- 1) The development shall be implemented substantially in accordance with the details and specifications set out on:

Demolition Plan DA-1-03 dated 11 December 2017 (Revision A) prepared by Dreamscapes Architects

Site Plan DA-1-02 dated 11 December 2017 (Revision C) prepared by Dreamscapes Architects

Basement Plan DA-2-00 dated 24 August 2018 (Revision D) prepared by Dreamscapes Architects

Ground Floor Plan DA-2-01 dated 4 May 2018 (Revision C) prepared by Dreamscapes Architects

Level 1 Floor Plan DA-2-02 dated 4 May 2018 (Revision C) prepared by Dreamscapes Architects

Level 2 Floor Plan DA-2-03 dated 4 May 2018 (Revision C) prepared by Dreamscapes Architects

Level 3 Floor Plan DA-2-04 dated 4 May 2018 (Revision C) prepared by Dreamscapes Architects

Level 4 Floor Plan DA-2-05 dated 4 May 2018 2017 (Revision C) prepared by Dreamscapes Architects

Level 5 Floor Plan DA-2-06 dated 4 May 2018 (Revision C) prepared by Dreamscapes Architects

Level 6 Floor Plan DA-2-07 dated 4 May 2018 (Revision C) prepared by Dreamscapes Architects

Roof Plan DA-2-08 dated 11 December 2017 (Revision A) prepared by Dreamscapes Architects

East Elevation DA-4-00 dated 11 September 2018 (Revision E) prepared by Dreamscapes Architects

West Elevation DA-4-01 dated 11 September 2018 (Revision E) prepared by Dreamscapes Architects

Internal Elevations DA-4-02 dated 11 September 2018 (Revision A) prepared by Dreamscapes Architects

Section 1 Plan DA-5-00 dated 4 May 2018 (Revision C) prepared by Dreamscapes Architects

Section 2 and 3 Plan DA-5-01 dated 11 September 2018 (Revision E) prepared by Dreamscapes Architects

Section 4 Plan DA-5-20 dated 11 September 2018 (Revision E) prepared by Dreamscapes Architects

Plan of Management dated September 2018 prepared by Mark Shanahan Planning Pty Ltd

and any details on the application form, and with any supporting information received, except as amended by the conditions specified and imposed hereunder.

### General Matters

- 2) **Geotechnical**
  - a. A dilapidation report is required for all structures located within the zone of influence of the proposed earthworks as determined by the geotechnical consultant.
  - b. All excavations need to be supported during and after construction particularly to protect adjoining property with nearby existing development.
  - c. Retaining wall design is not to include anchors extending on to adjoining property without the written consent of the adjoining property owner.
  - d. 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.

- e. Hard bedrock where encountered will be difficult to excavate. Alternative excavation methods should be considered to minimise noise and vibration.
- f. An earthworks plan is to be developed by the geotechnical consultant prior to start of earthworks.
- g. All recommendations of the geotechnical consultant, Martens Consulting Engineers, in their geotechnical report dated 13 March 2018 are to be accommodated in the earthworks plan.
- h. The earthworks plan may require modification in light of any subsequent geotechnical reports commissioned to address unforeseen geotechnical conditions encountered during the site preparation earthworks.
- i. 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.
- j. At the completion of the site preparation earthworks, the geotechnical consultant is to prepare a works-as-executed report detailing encountered geotechnical conditions and how the works addressed these conditions so that the residual geotechnical constraints can be accommodated within the structural designs for the development. These structural designs are to be confirmed or amended by the structural engineer based on the works-as-executed geotechnical report.

3) **Subdivision Prohibited**

Subdivision of the boarding house into strata or community title allotments is prohibited.

4) **Building Work - Compliance with the Building Code of Australia**

All building work must be carried out in compliance with the provisions of the Building Code of Australia.

5) **Construction Certificate**

A Construction Certificate must be obtained from Council or an Accredited Certifier prior to work commencing.

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

**Note:** The submission to Council of two (2) copies of all stamped Construction Certificate plans and supporting documentation is required within **two (2)** days from the date of issue of the Construction Certificate, in the event that the Construction Certificate is not issued by Council.

6) **Disability Discrimination Act 1992**

This consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992.

It is the responsibility of the applicant to guarantee compliance with the requirements of the Disability Discrimination Act 1992. The current Australian Standard AS1428.1 (2009) – Design for Access and Mobility is recommended to be referred for specific design and construction requirements, in order to provide appropriate access to all persons within the building.

7) **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 Certifying Authority indicating agreement by the affected property owners.

8) **Occupation Certificate**

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

Certifying Authority must be satisfied that the requirements of section 6.9 of the Environmental Planning and Assessment Act 1979, have been complied with as well as all of the conditions of the Development Consent.

9) **Tree Retention / Removal**

The developer shall retain the existing tree(s) on the adjacent sites, indicated on the submitted Landscape Plan by Geoscapes, drawing number LDA-00, Issue B, dated 22.05.18 consisting of tree(s) numbered 7 and 10.

Any branch pruning, which has been given approval, must be carried out by a qualified arborist in accordance with Australian Standard AS4373-2007.

All tree protection measures are to be installed in accordance with Australian standard AS4790-2009 Protection of Trees on development Sites.

This consent permits the removal of trees numbered 1 to 6, 8, 9 and 11 as indicated on the on the submitted Landscape Plan by Geoscapes, drawing number LDA-00, Issue B, dated 22.05.18. No other trees shall be removed without prior written approval of Council.

10) **Use of Boarding House**

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

The owner of the boarding house must ensure that the development operates at all times in accordance with the definition of a boarding house as detailed in State Environmental Planning Policy (Affordable Rental Housing) 2009, as at the date of this consent. The current definition is:

*boarding house means a building that:*

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

Reason: To facilitate the aims of State Environmental Planning Policy (Affordable Rental Housing) 2009 in effectively delivering new affordable rental housing.

11) **Accommodation Records**

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

- Each room used or offered for use for accommodation or occupation;
- The accommodation or occupation history of each room, including duration of stay and rental records confirming that the rooms are rented to households with a gross income that is less than 120 per cent of the median household income for the time being for the Sydney Statistical Division (according to the Australian Bureau of Statistics) and pays no more than 30 per cent of that gross income in lodging fee.

The records referred to above are to be provided to Council at each inspection required to be carried out by Council under the Boarding houses Act 2012.

Reason: To facilitate the aims of State Environmental Planning Policy (Affordable Rental Housing) 2009 in effectively delivering new affordable rental housing.

12) **Water Cycle/Stormwater Quality Management**

- a) The water cycling management treatment nodes shall be constructed as per the water stormwater plan prepared by Partridge Consulting to achieve the treatment goals for removal of pollutants and nutrients which shall be minimum: GP – 90%, TSS – 80%, TP – 55% and TN – 40%
- b) It is the developer's responsibility to maintain the water cycle management infrastructure and undertake regular servicing of gross pollutant filtration system

## **Prior to the Issue of the Construction Certificate**

### 13) **Amend Plan of Management**

The developer must amend the approved *Boarding House Management Plan* to incorporate the conditions of this development consent and the amended plan must be submitted to Council and the Principal Certifying Authority prior to issue of the Construction Certificate.

### 14) **Protection of Buildings from Ingress of Stormwater Runoff**

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

### 15) **Pump System**

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

### 16) **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. 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.

### 17) **Flows from Adjoining Properties**

Stormwater flows from adjoining properties shall be accepted, contained and directed to the proposed stormwater management system on site. Finished ground/surface levels (incl. structures such as kerbs, walls, retaining walls, planter beds/edges, etc.) shall be no higher than the existing upslope adjacent ground levels. Overflow paths shall be maintained to cater for flows in excess of the capacity of the underground stormwater system.

### 18) **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](http://www.sydneywater.com.au) then search to “Find a Water Servicing Coordinator”. Alternatively, telephone 13 20 92 for assistance.

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

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

### 19) **Endeavour Energy Requirements**

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

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

### 20) **Obscure Glazing for all Bathroom and WC windows**

The bathroom and WC windows for each dwelling in the development shall be frosted or opaque glass. This requirement shall be reflected on the Construction Certificate plans.

- 21) **Car Parking and Access**

The development shall make provision for a total of 15 car parking spaces, 15 motorcycle parking spaces and 15 secure (Class B) bicycle spaces. This requirement shall be reflected on the Construction Certificate plans. Any change in the above parking numbers shown on the approved DA plans shall be dealt with via a section 96 modification to the development. The approved parking spaces shall be maintained to the satisfaction of Council, at all times.
- 22) 

The parking dimensions, internal circulation, aisle widths, kerb splay corners, head clearance heights, ramp widths and grades of the car parking areas are to be in conformity with the current relevant Australian Standard AS2890.1, except where amended by other conditions of this consent. Details of such compliance are to be reflected on the Construction Certificate plans.
- 23) 

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.
- 24) **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 Certifying Authority prior to the release of the Construction Certificate.
- 25) 

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

Any proposed structures adjacent to the driveway shall comply with the requirements of the current relevant Australian Standard AS2890.1 (figure 3.2 and 3.3) to provide for adequate pedestrian and vehicle sight distance. This includes, but is not limited to, structures such as signs, letterboxes, retaining walls, dense planting etc. This requirement shall be reflected on the Construction Certificate plans.
- 27) **Water/Wastewater Entering Road Reserve**

Provision shall be made for a minimum 200mm wide grated box drain along the boundary of the property at the vehicular crossing/s to prevent surface water entering the road reserve. This requirement shall be reflected on the Construction Certificate plans.
- 28) 

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

The submission of a final Landscape Plan will be required in accordance with the requirements of Wollongong City Council DCP 2009 Chapter E6 and the approved Landscape Plan (ie as part of this consent) for the approval by the Principal Certifying Authority, prior to the release of the Construction Certificate.
- 30) 

The submission of certification from a suitably qualified and experienced landscape designer and drainage consultant to the Principal Certifying Authority prior to the release of the Construction Certificate, confirming that the landscape plan and the drainage plan are compatible.
- 31) 

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 Certifying Authority prior to release of the Construction Certificate.

32) **Tree Protection and Management**

The existing trees are to be retained upon the adjoining properties and shall not be impacted upon during the excavation or construction phases of the development. This will require the installation and maintenance of appropriate tree protection measures, including (but not necessarily limited to) the following:

- a) Installation of Tree Protection Fencing - Protective fencing shall be 1.8 metre cyclone chainmesh fence, with posts and portable concrete footings. Details and location of protective fencing must be indicated on the architectural and engineering plans to be submitted to the Principal Certifying Authority prior to release of the Construction Certificate.

33) **Engineering Plans and Specifications - Retaining Wall Structures Greater than 1m**

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

- 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;
- f. Reinforcing and joining details of any bend in the wall at the passing bay of the accessway;
- g. The assumed loading used by the engineer for the wall design.
- h. 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.

34) **Dust Suppression Measures**

The submission of details of the proposed dust suppression measures for the demolition, excavation and construction phases of the development to the Principal Certifying Authority, prior to issue of the Construction Certificate.

35) **Asbestos Management Report**

A report prepared by a licensed asbestos assessor that indicates the exact nature and extent of asbestos material contained within the site and the proposed remediation measures to be adopted for the removal of the asbestos material from the site to a NSW Environment Protection Authority licensed waste disposal facility shall be submitted to the Principal Certifying Authority for its separate approval prior to the issue of the Construction Certificate.

36) **Roof Water Connection to Kerb**

Connection across footways shall be by means of one or two (maximum), sewer grade UPVC pipe(s), 100mm diameter pipes with a continuous downslope gradient to the kerb. Connection to the kerb shall be made with a rectangular, hot dipped galvanised mild steel weephole(s) shaped

to suit the kerb profile, with each weephole having the capacity equal to a 100mm diameter pipe. Alternatively, a maximum of two 150mm x 100mm hot dipped galvanised steel pipes may be used across footways, with the 150mm dimension being parallel to the road surface to suit the kerb profile.

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

38) **Footpath Paving City Centre**

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

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

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

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

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

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.

39) **Street Trees City Centre**

The developer must address the street frontage by installing street tree planting. The number and species for this development two *Tristaniopsis laurina* 'Luscious', 200 litre container size in accordance with AS 2303:2015 Tree stock for landscape use. Tree pit detailing is to be in accordance with the Wollongong City Council Public Domain Technical Manual. Dial Before You Dig must be consulted prior to any excavation on site. Pot holing must be carried out to determine service location. Location of street tree plantings to be sited to ensure no conflict occurs with street light poles.

Tree pits must be adequately mulched, plants installed and tree guard/staking/tree grille/edging installed to the satisfaction of WCC Manager of Development Engineering.

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

40) **Roofwater Drainage**

All roof gutters and downpipes shall be designed to cater for a 1 in 100 year ARI storm event in accordance with the current version of AS 3500.3 - Plumbing and Drainage (Stormwater Drainage). Details of gutter/downpipe sizes and downpipe locations shall be reflected on the Construction Certificate plans.

41) **Stormwater Drainage Design**

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

- a Be prepared by a suitably qualified civil engineer in accordance with Chapter E14 of Wollongong City Council's Development Control Plan 2009, Subdivision Policy, conditions listed under this consent, and generally in accordance with the concept plan/s lodged for development approval, prepared by Partridge Hydraulic Services, Reference No. 2017H0222 SWDA1.1, 2017H0222 SWDA1.2, 2017H0222 SWDA1.3, 2017H0222

SWDA1.4, 2017H0222 SWDA1.5, 2017H0222 SWDA1.6 and 2017H0222 SWDA1.7 issue P2, dated 08/06/2018.

- b Include details of the method of stormwater disposal. On Site Detention Storage Facility must be redesigned to allow discharge to kerb limited to 55 L/s. Method of stormwater disposal to be amended to discharge to Kerb and Gutter.
- c Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified engineer and be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties. The plan must indicate the method of disposal of all stormwater and must include rainwater tanks, existing ground levels, finished surface levels on all paved areas, estimated flow rates, invert levels and sizes of all pipelines.
- d Overflow paths shall be provided to allow for flows of water in excess of the capacity of the pipe/drainage system draining the land, as well as from any detention storage on the land. Blocked pipe situations with 1 in 100 year ARI events shall be incorporated in the design. Overflow paths shall also be provided in low points and depressions. Each overflow path shall be designed to ensure no entry of surface water flows into any building and no concentration of surface water flows onto any adjoining property. Details of each overflow path shall be shown on the detailed drainage design.

42) **On-Site Stormwater Detention (OSD) Design**

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

- a Must be prepared by a suitable qualified engineer in accordance with Chapter E14 of the Wollongong DCP 2009.
- b Must include details of the Site Storage Requirement (SSR) and Permissible Site Discharge (PSD) values for the site in accordance with Section 12.2.4 of Chapter E14 of the Wollongong DCP2009.
- 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 600/900mm x 600/900mm square lockable grate for access and maintenance purposes, provision for safety, debris control screen, and a suitably graded invert to the outlet to prevent ponding.
- e Must include discharge control calculations (i.e. orifice/weir calculations) generally in accordance with Section 12.2.6 and 12.5.4 of Chapter E14 of the Wollongong DCP2009.
- f Details of the orifice plate including diameter of orifice and method of fixing shall be provided.
- g Must include details of a corrosion resistant identification plaque for location on or close to the OSD facility. The plaque shall include the following information and shall be installed prior to the issue of the occupation certificate:
  - The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.
  - Identification number [DA-2018/313];
  - Any specialist maintenance requirements.

h Must include a maintenance schedule for the OSD system, generally in accordance with Chapter E14 of the Wollongong DCP2009.

43) **Designated Overland Flow Paths**

Details of each overland flow path located on the site shall be provided with the detailed drainage design. Each overland flow path shall be capable of catering for the 1 in 100 year storm event flows from the contributing catchment area, and where required, direct these flows to the on-site stormwater detention facility. The overland flow path shall be free of any vegetation and/or structures that are likely to impede natural overland flow, or make provision for such obstructions, so there will be no adverse stormwater impacts upon the subject land and adjoining properties. Full Manning's calculations shall be provided on the capacity of each overland flow path. These requirements shall be reflected on the Construction Certificate plans and supporting documentation.

44) **Council Footpath Reserve Works**

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

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

45) **Dilapidation Survey**

A dilapidation survey and report shall be submitted to the Principal Certifying Authority.

The dilapidation survey and report shall accurately reflect the condition of existing public and private infrastructure in the adjacent street(s) fronting the lots.

The report shall outline measures for the protection of existing public and private infrastructure during the works.

Any damage to infrastructure items and relics which is caused by the developer shall be repaired to the satisfaction of the Principal Certifying Authority prior to the issue of a Certificate of Practical Completion for Subdivision works.

46) **Acoustic Report**

Compliance with the recommendations of the Acoustic Assessment (Acoustic Logic 4 June 2018) are to be carried out and details provided on Construction Certificate Plans.

47) **Development Contributions**

Pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979 and the Wollongong City-Wide Development Contributions Plan (2018), a monetary contribution of **\$65,332.93** (subject to indexation) must be paid to Council towards the provision of public amenities and services, prior to the release of any associated Construction Certificate.

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

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

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

Where:

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

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

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

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

The following payment methods are available:

48) **Remediation Action Plan and associated reports**

- Preparation of a site remediation plan with amended legislation considering WDCP Chapter E-20 and PoEO Regulation 2000; and
- Site waste management plan.

**Prior to the Commencement of Works**

49) **Construction Environmental Management Plan**

- Submit a construction environmental management to PCA, the plan shall address as 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.
- Submit an excavated soil material disposal plan to the PCA, with the batching, sampling and analysis procedures as per the DECCW (2009) *Waste Classification Guidelines*. The plan shall be prepared by a suitably qualified and experienced consultant. A copy of the plan shall be forwarded to council.

50) **Unexpected Finding Protocol**

Unexpected contamination and “hotspots” Sometimes site contamination is not expected and is detected after work commences. Excavations may uncover buried asbestos, other materials. Unexpected contamination or hotspots on a site should be taken into account for any site health and safety plan. Precautions should be included in the plan, including:

- workers trained to recognise potential contamination and danger signs eg odours or soil discolouration
- precautions if signs of unexpected contamination or hot spots are found, such as:
  - stop work
  - report signs to the site supervisor immediately
  - isolate the area with a physical barrier
  - assume the area is contaminated until an assessment proves otherwise

51) **Appointment of Principal Certifying Authority**

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

- a) Appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment irrespective of whether Council or an accredited private certifier is appointed; and
- b) notify Council in writing of their intention to commence work (at least two days notice is required).

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

52) **Sign – Supervisor Contact Details**

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

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

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

53) **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:

- a) a standard flushing toilet; and
- b) connected to either:
  - i) the Sydney Water Corporation Ltd sewerage system or
  - ii) an accredited sewage management facility or
  - iii) an approved chemical closet.

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

54) **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 Certifying Authority, prior to the commencement of any works on the site.

55) **Enclosure of the Site**

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

56) **Demolition Works**

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

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

57) **Demolition Notification to Surrounding Residents**

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

58) **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.

59) **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.

60) **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.

- 61) **Survey Report – Siting of Development within Property Boundaries**  
A survey report prepared by a registered surveyor is required to be submitted to the Principal Certifying Authority 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.
- 62) **Support for Neighbouring Buildings**  
This consent requires the preservation and protection of neighbouring buildings from any damage and if necessary, requires the underpinning and support of any neighbouring building in an approved manner. The applicant or the contractor carrying out the work must at least seven days in advance of any excavation works below the level of the base of the footings of a building 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.
- 63) **Supervision of Works and Notification to Council of Works in Road Reserve**  
The work shall be supervised by a suitably qualified and experienced Civil Engineer, Registered Surveyor or Civil Engineering Foreman. The supervisor's name, address and contact details (including telephone number) shall be submitted to the Principal Certifying Authority and Council prior to the commencement of any works.  
  
The submission of a written construction program and anticipated duration of the construction to Council is required prior to the commencement of any works within any public road reserve.
- 64) **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.
- 65) **Erosion Controls – Vehicular Entry/Exit Points**  
The vehicular entry/exits to the site must be protected from erosion and laid with a surface material which will not wash into the street drainage system or watercourse.
- 66) **Application for Occupation, Use, Disturbance or Work on Footpath/Roadway**  
Any occupation, use, disturbance or work on the footpath or road reserve for construction purposes, which is likely to cause an interruption to existing pedestrian and / or vehicular traffic flows requires Council consent under Section 138 of the Roads Act 1993. An application must be submitted and approved by Council prior to the works commencing where it is proposed to carry out activities such as, but not limited to, the following:
- (a) Digging or disruption to footpath/road reserve surface;
  - (b) Loading or unloading machinery/equipment/deliveries;
  - (c) Installation of a fence or hoarding;
  - (d) Stand mobile crane/plant/concrete pump/materials/waste storage containers;
  - (e) Pumping stormwater from the site to Council's stormwater drains;
  - (f) Installation of services, including water, sewer, gas, stormwater, telecommunications and power;
  - (g) Construction of new vehicular crossings or footpaths;
  - (h) Removal of street trees;
  - (i) Carrying out demolition works.

67) **Site Management, Pedestrian and Traffic Management (Where Works are Proposed in or from a Public Road Reserve)**

The submission, as part of an application for a permit under Section 138 of the Roads Act 1993, of a Site Management, Pedestrian and Traffic Management Plan to Council's Manager Regulation and Enforcement for approval is required, prior to works commencing on the site. 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 AS1742 - Traffic Control Devices for Works on Roads and the RMS 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:

- a) proposed ingress and egress points for vehicles to/from the construction site;
- b) proposed protection of pedestrians, adjacent to the construction site;
- c) proposed pedestrian management whilst vehicles are entering/exiting the construction site;
- d) 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;
- e) proposed method of loading and unloading excavation machines, building materials formwork and the erection of any part of the structure within the site;
- f) proposed areas within the site to be used for the storage of excavated material, construction materials and waste containers during the construction period;
- g) 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 NSW Roads and Maritime Service's Specification - "Traffic Control at Work Sites Manual" and the Australian Standard AS1742. - "Manual of Uniform Traffic Control Devices" and accompanying field handbooks (SAA HB81);
- h) 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 an accredited certifier in Civil Engineering; and
- i) 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 approved plan 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.

68) **Protection of Public Infrastructure**

Council must be notified in the event of any existing damage to any of its infrastructure such as the road, kerb and gutter, road shoulder, footpath, drainage structures and street trees fronting the development site, prior to commencement of any work.

Adequate protection must be provided for Council infrastructure prior to work commencing and during building operations.

Any damage to Council's assets shall be made good, prior to the issue of any Occupation Certificate or commencement of the operation.

## **During Demolition, Excavation or Construction**

- 69) **Recommendations from the Detailed Site Investigation Report**  
The Recommendations from the Detailed Site Investigation Report are to be carried out.
- 70) **Importation soils to site**  
Prior to importing any soils to site for the purpose of back-filling also requires validation testing following the EPA (1995) *Sampling Design Guidelines* to confirm suitability for the proposed land use.
- 71) **Façades Glazing for acoustic requirement**  
Implement all the acoustic report recommendations prepared by Acoustic Logic dated 4 June 2018 for façade glazing and structural materials for window, doors, external walls, roof/ceiling construction and boarding house operation management to comply the boarding noise levels with the NSW NPfI 2017 and POEO Regulation 2000.
- 72) **Mechanical Plants and Exhaust Ventilation system**  
The outdoor units for refrigeration system including air conditioners shall have suitable acoustic enclosure to comply with the noise guidelines.
- 73) **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.  
  
All sealed surfaces intended to carry vehicular traffic must be managed with the aim of preventing windblown dust emissions.
- 74) **WSUD Treatment Devices Installation**  
WSUD report prepared by Partridge Consulting recommendations to install stormwater 360 filtration system to meet the stormwater quality objectives of WDCP Chapter E-15.
- 75) **No Adverse Run-off Impacts on Adjoining Properties**  
The design of the development shall ensure there are no adverse effects to adjoining properties as a result of flood or stormwater run-off. Attention must be paid to ensure adequate protection for buildings against the ingress of surface run-off.  
  
Allowance must be made for surface run-off from adjoining properties. Any redirection or treatment of that run-off must not adversely affect any other property.
- 76) **Copy of Consent to be in Possession of Person carrying out Tree Removal**  
The applicant/developer must ensure that any person carrying out tree removal/vegetation clearance is in possession of this development consent and/or the approved landscape plan, in respect to the trees/vegetation which have/has been given approval to be removed in accordance with this consent.
- 77) **Restricted Hours of Construction Work**  
The developer must not carry out any work, other than emergency procedures, to control dust or sediment laden runoff outside the normal working hours, namely, 7.00 am to 5.00 pm, Monday to Saturday, without the prior written consent of the Principal Certifying Authority and Council. No work is permitted on public holidays or Sundays.  
  
Any request to vary these hours shall be submitted to the **Council** in writing detailing:
- a the variation in hours required (length of duration);
  - b the reason for that variation (scope of works);
  - c the type of work and machinery to be used;
  - d method of neighbour notification;
  - e supervisor contact number;
  - f any proposed measures required to mitigate the impacts of the works.

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

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

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

79) **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.

80) **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.

81) **Screen planting**

To mitigate impact to adjoining dwellings a continuous hedge is to be established along the western, northern and eastern boundary for the length of property boundary.

Recommended species:

- i. *Photinia* "Red Robin"
- ii. *Viburnum tinus*,
- iii. *Syzygium australe* "Aussie Southern",
- iv. *Syzygium australe* "Aussie Compact",
- v. *Syzygium luehmannii* x *S.wilsonii* "Cascade",

Minimum spacing 900mm.

Minimum pot size 75 lt.

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

82) **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

83) **Survey Report for Floor Levels**

A Survey Report must be submitted to the Principal Certifying Authority verifying that each floor level accords with the floor levels as per the approved plans under this consent. The survey shall be undertaken after the formwork has been completed and prior to the pouring of concrete for each respective level of the building (if the building involves more than one level). All levels shall relate to Australian Height Datum.

**Prior to the Issue of the Occupation Certificate**

84) **Prior to issue of Occupation Certificate the PCA shall have the following reports:**

- **Acoustic Compliance Certificate**

The developer shall submit a noise compliance report prepared by an acoustic consultant who is a member of the Australian Acoustic Society (AAS) or the Association of

Australian Acoustic Consultants (AAAC) in relation to noise and vibration requirements stated in Condition..... A copy of the acoustic and vibration compliance report must be submitted to PCA and a copy forwarded to council.

- **Water Sensitive Urban Design compliance Certificate**

The developer shall submit an engineering certificate stated that the recommended water sensitive urban design filtration system/treatment devices were installed as per the Jones Nicholson WSUD report to comply with WDCP Chapter E 15 water quality objectives

- **Site Validation Report**

A Validation Report (Stage IV) stating that site is suitable for proposed used. The report shall verify that:

- a) the site is not affected by soil and/or groundwater contamination, above the NSW EPA threshold limit criteria; and
- b) the site is suitable for the proposed development.

The validation report must be prepared by contaminated land consultant who has one of the certification scheme as stated below:

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

The contaminated land consultant should send document (Validation Report) directly to Council. No third party submissions will be accepted.

85) **Fire Safety Certificate**

A Fire Safety Certificate must be issued for the building prior to the issue of an Occupation Certificate. As soon as practicable after a Fire Safety Certificate is issued, the owner of the building to which it relates:

- a) Must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of New South Wales Fire Brigades, and
- b) must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.

86) **Drainage**

The developer must obtain a certificate of Hydraulic Compliance (using Council's M19 form) from a suitably qualified civil engineer, to confirm that all stormwater drainage and on-site detention works have been constructed in accordance with the approved plans. In addition, full works-as-executed plans, prepared and signed by a Registered Surveyor must be submitted. These plans and certification must satisfy all the stormwater requirements stated in Chapter E14 of the Wollongong DCP2009. This information must be submitted to the Principal Certifying Authority prior to the issue of the final Occupation Certificate.

87) **Restriction on use – On-site Detention System**

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

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

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

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

88) **Retaining Wall Certification**

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

89) **Positive Covenant – On-Site Detention Maintenance Schedule**

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

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

90) **On-Site Detention – Structural Certification**

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

91) **Completion of Landscape Works**

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

**Operational Phases of the Development/Use of the Site**

92) All waste collection is to be undertaken from within the site. On-street collection of waste is not permitted at any time.

93) All waste collection is to be carried out by a vehicle no larger than 6.4 metres in length from the designated loading/unloading facility, utilising the turntable and exiting the site in a forward direction.

94) **Maintenance of Turntable**

The turntable shall be regularly maintained to ensure that it remains operational at all times.

95) **Boarding house Management**

a) **Changes to approved Boarding house Management Plan**

Any changes or alterations to the use of the boarding house or the terms of the approved *Boarding House Management Plan* will require modification of this development consent.

b) **Operation in Accordance with Boarding House Management Plan**

- The Manager will be responsible for the operation, administration and cleanliness of the premises.
- The Manager will be responsible for enforcing this management plan and the expected behaviour policy.
- Details of the identity and contact details for the manager will be displayed at the entry to the premises.

- c) **Registration under Boarding Houses Act 2012**  
 At all times when operating, the boarding house must hold current registration with the Department of Fair Trading as a registrable boarding house under the Boarding Houses Act 2012.  
Reason: To facilitate the aims of State Environmental Planning Policy (Affordable Rental Housing) 2009 in effectively delivering new affordable rental housing.
- d) **Maximum Number of Occupants**  
 Boarding rooms must be occupied by either one or two people, consistent with the room designation of single or double room on the approved plans. At no time shall the number of occupants of a boarding room exceed two (2) persons.
- e) **Use of Boarding House - Occupants**  
 The owner of the boarding house must ensure that it is let only to persons who qualify as very low income households, low income households or moderate income households, as defined in accordance with clause 6 of State Environmental Planning Policy (Affordable Rental Housing) 2009, as at the date of this consent.  
Reason: To facilitate the aims of State Environmental Planning Policy (Affordable Rental Housing) 2009 in effectively delivering new affordable rental housing.
- f) **Use of Boarding House – Maximum Lodging Fee**  
 At all times, the owner of the boarding house must ensure that it is let only at a fee permitted by the definition of affordable housing (i.e. very low income households, low income households or moderate income households) in accordance with clause 6 of State Environmental Planning Policy (Affordable Rental Housing) 2009.  
Reason: To facilitate the aims of State Environmental Planning Policy (Affordable Rental Housing) 2009 in effectively delivering new affordable rental housing.
- g) **Minimum Three Months Occupancy**  
 The minimum duration of stay in any boarding room is three months. Shorter stays are prohibited.
- h) **No Overnight Visitors Boarding Rooms**  
 No visitors are permitted to stay on the premises overnight.
- i) **Use of Outdoor Common Area**  
 The use of the outdoor common area shall be restricted to the hours prescribed in the Boarding House Management Plan.
- j) **Complaints Contact Number**  
 A contact phone number for complaints is to be displayed near the front entrance and be clearly visible to the public.
- 96) **Acoustic Report**  
 Compliance with the recommendations of the Acoustic Assessment (Acoustic Logic 4 June 2018) is to be carried out at all times.
- 97) **Fire Safety Measures**  
 All new and existing fire safety measures shall be maintained in working condition, at all times.