WLPP No.	Item No.1
DA No.	DA-2021/1308
Proposal	Demolition of existing structures, construction of a five (5) storey residential flat building comprising 13 residential units over two (2) levels of basement car parking
Property	30 Bourke Street, North Wollongong - Lot 3 DP 37711
Applicant	PRD Architects
Responsible Team	Development Assessment and Certification - City Centre & Major Development Team (TW)
Prior WLPP meeting	N/A

ASSESSMENT REPORT AND RECOMMENDATION

Executive Summary

Reason for consideration by Wollongong Local Planning Panel - Determination

The proposal has been referred to Local Planning Panel for determination pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. Under Clause 4 of Schedule 2 of the Local Planning Panels Direction of 30 June 2020, determination of the application by the Local Planning Panel (LPP) is required as the development constitutes a residential flat building of 4 or more storeys to which SEPP 65 applies.

Proposal

The proposal involves the demolition of existing structures and the construction of a five (5) storey residential flat building comprising 13 residential units over two (2) levels of basement car parking.

Permissibility

The site is zoned R1 General Residential pursuant to Wollongong Local Environmental Plan (LEP) 2009. The proposal is characterised as a 'residential flat building' and is permissible in the zone with development consent.

Consultation

The proposal was notified in accordance with Council's Community Participation Plan and received four submissions (2 in support) which are discussed at section 1.5 of the assessment report.

Main Issues

- Development departure to Wollongong LEP 2009 Clause 4.3 Building Height; The departure is not a WLPP determination trigger being less than 10% (6.25%).
- Surplus car parking, additional Gross Floor Area and resultant exceedance of Wollongong LEP Clause 4.4 Floor Space Ratio (lack of Clause 4.6 submission);
- DCP non-compliances (Chapters B1 and D13 of Wollongong DCP 2009) in relation to setbacks/ building separation; housing choice and mix; pedestrian access, and built form;
- ADG non-compliances in relation to 3D communal open space; 3F visual privacy; 4A solar and daylight access; 4D apartment size and layout; 4H acoustic privacy; 4K apartment mix; 4L ground level apartments and 4Q universal design.

RECOMMENDATION

It is recommended that DA-2021/1308 be refused for the reasons listed in Attachment 7 to this report.

1 APPLICATION OVERVIEW

1.1 PLANNING CONTROLS

The following planning controls apply to the development:

State Environmental Planning Policies:

- SEPP (Resilience & Hazards) 2021
- SEPP 65 - Design Quality of Residential Apartment Development
- SEPP (Transport & Infrastructure) 2021
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Biodiversity & Conservation) 2021

Local Environmental Planning Policies:

- Wollongong Local Environmental Plan (WLEP) 2009

Development Control Plans:

- Wollongong Development Control Plan (WDCP) 2009

Other policies

- Wollongong City Wide Development Contributions Plan 2021
- Wollongong Community Participation Plan 2019
- NSW Apartment Design Guide

1.2 DETAILED DESCRIPTION OF PROPOSAL

The application seeks consent for the demolition of existing structures and the construction of a five (5) storey residential flat building housing thirteen x 3 bedroom units with associated car parking, provided in two basement levels, and amenities.

Specifically, the proposal comprises the following:

Site preparation

- Demolition of existing structures;
- Removal of two trees from within the site and a larger tree (Liquidamber) from the Bessell Avenue road reserve immediately adjacent to the site, which will conflict with the location of the crossover. There are a number of Cocos Palms along the Bourke Street frontage of the site which are to be removed;
- Employment of tree protection measures for trees nearby the site;
- Excavation for the purposes of facilitating the provision of 2 levels of basement car parking and ancillary site services.

Works / Construction / building details

- Construction of a five storey residential flat building containing units over all levels;
- 13 x 3 bedroom units, of which 10 have been designed as adaptable units which the applicant contends are capable of meeting the requirements of AS4299 for Adaptable Housing Class C;
- 2 basement levels housing car parking and ancillary services. Vehicular access will be obtained via the Bessell Avenue frontage of the site;
- Two (2) communal open spaces areas, one at ground adjacent to the south-western corner of the site, and the other at rooftop. Combined area 289sqm;

- Deep soil zone with an area of 95sqm to be provided adjacent to the north-western corner of the site;
- Each apartment will be provided with one or more balconies. The penthouse unit will be provided with a rooftop terrace area;
- Landscaping throughout the site;
- The external finishes comprise a combination of concrete, cladding, timber screening and face brick as illustrated on the drawings;
- The primary pedestrian access will be available from the Bourke Street frontage of the site, with lift access to all floors. Egress from the basement will also be available to the Bessell Avenue frontage of the site adjacent to the proposed driveway.

Traffic, parking and servicing

- 17 residential car spaces and 3 visitor car spaces. Of the 17 residential car spaces, 10 have been designed to support the 10 proposed adaptable apartments. There are numerous 'shared spaces' in conjunction with the adaptable car spaces;
- 1 motorcycle space;
- 5 residential bicycle spaces;
- 2 visitor bicycle spaces;
- Vehicular access is to be provided from the Bessell Avenue frontage of the site. A shutter will be positioned between the visitor spaces and the residential carpark for security;
- Provision of storage and waste rooms. Bins will be transported to the Bessell Avenue frontage for kerbside collection. The plans indicate the provision of a bay for a motorised wheely bun trolly which will move the bins to the kerbside.

1.3 BACKGROUND

Pre-lodgement meetings

A formal pre-lodgement meeting with Council officers was not held for the proposal however the applicant voluntarily met with the Design Review Panel prior to lodging the DA (DE-2021/81).

Customer service actions

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

1.4 SITE DESCRIPTION

The site is located at 30 Bourke Street, North Wollongong and the title reference is Lot 3 DP 37711.

The site is a corner allotment located on the north-western corner of the intersection of Bourke Street and Bessell Avenue. The site currently contains a c.1950 Post-war hotel constructed in the modernist architectural style, which is known as the 'Normandie Inn'. The Inn is of 3-4 storey brick masonry and reinforced concrete construction.

The site is regular in shape with an area of 1350sqm and frontage lengths of 33.155m to Bourke Street (southern boundary) plus splay corner and 33.765m to Bessell Avenue (eastern boundary).

There are two existing trees within the site adjacent to the entry to the Normandie Inn, along with a row of palms along the Bourke Street frontage of the site (within the road reserve) and a large Liquidamber (Sweet Gum) tree adjacent to the north-eastern corner of the site within the Bessell Avenue road reserve.

The site is located within a R1 General Residential zoned precinct. The locality is characterised by medium and high density development which includes a number of residential flat buildings, together with some older dwelling houses. The site is located within walking distance of North Wollongong train station, the North Wollongong beach and Stuart Park recreation precinct.

The height limit on the northern side of Bourke Street is 16m, while the height limit on the southern side of Bourke Street is 32m, resulting in differing scales of development on either side of the street.

Adjoining and/or surrounding development in the immediate vicinity is described as follows:

- **North**: 10 Bessell Avenue - 3 storey walk up residential flat building housing 12 units;
- **East**: 24 Bourke Street – 2 storey dual occupancy development;
- **South**: 2 Church Street - residential flat building housing 11 units;
- **West**: 32 Bourke Street – 3 storey + basement residential flat building housing 3 units.

Property constraints

There are a number of site constraints affecting the property. These are:-

- Site location within the *coastal environment area* and *coastal use area* under the provisions of SEPP (Resilience and Hazards) 2021.
- Acid sulphate soils class 5 affectation;
- Flood affectation;
- Site location within the Wollongong City Centre, thus subject to the city centre controls within the LEP and DCP Chapter D13.

Reference to the deposited plans indicates that there are no restrictions on the title.

The site location/ aerial photograph and zoning extract form **Attachments 1** and **2**.

1.5 SUBMISSIONS

The application was notified between 18 November 2021 and 1 December 2021 in accordance with Council's Community Participation Plan 2019. This involved notification letters being sent to the owners/ occupiers of nearby and adjacent properties.

At the conclusion of the notification period there were four (4) submissions received, two of which were in support of the proposal.

1. The first submission was received from the National Trust of Australia (NSW) Illawarra Shoalhaven Branch, who noted that the Normandie Hotel, although not listed as a heritage item, is included as an example of early post World War II architecture in Robert Irving's publication 'Twentieth Century Architecture in Wollongong'. The Trust supports the recommendations provided in the Heritage Assessment letter which include photographic archival recording of the Hotel's interiors and exteriors, its setting and existing streetscape character and salvage of extant original fabric.

   The Trust encourages Council to allocate sufficient funding for the Heritage staff to progress additional 20th century listings, particularly relating to items included in Robert Irving's publication 'Twentieth Century Architecture in Wollongong'.

2. The second submission in support was from Neighbourhood Forum 5. No reasons were cited for the support of the proposal.

The two objections raised the following summarised concerns in relation to the proposal:-

Table 1: Submissions of objection

	Concern	Comment
1	Council appears to be pro-development; hurried demands of residents to respond to the DA exhibition. Council is supportive of any development despite any impacts on local homeowners in the area.	The DA was notified in accordance with the requirements of the Wollongong Community Participation Plan. The notification period was standard to applications of this nature.
2	The sale of the Hotel was only made public recently and there was a fire shortly thereafter; this appears suspicious.	This issue is not a matter for consideration in the assessment of the DA.
3	The size of the development will create excessive car movements and traffic safety concerns	Excess parking is proposed which is discussed in this report. In terms traffic and movement, no concerns have been raised by Council's Traffic Engineer.
4	The height of the proposed building is excessive in the context of nearby development. There is a breach of the height limit which indicates that the proposal is an over-development of the site.	The application proposes a variation to the height limit which is addressed in detail below under the LEP assessment.
5	Lack of car parking within the development will leave to increased demand for on-street car parking. There is already heavy demand for on-street car parking in the area	The proposal includes sufficient resident and visitor car parking in compliance with Council's car parking rates. Excess parking is proposed which is discussed in this report.
6	The proposal represents an over-development of the site-crowded housing, car parking demands, traffic movements, overshadowing of adjoining properties; noise generation	The apartments are reasonable in size and the maximum number of apartments per floor is 3. The FSR of the development is not-compliant and the height of the building exceeds the height limit. This and the variations sought in relation to side setbacks and building depth indicate that the proposal may be an over development of the site. Council's Traffic Engineer has advised that traffic movements will not be excessive and can be accommodated within the existing road network without significant impact. The shadow diagrams indicate that the development will cast shadows primarily towards and across Bourke Street rather than onto nearby

	Concern	Comment
		properties; all adjoining properties will continue to receive good solar access.
7	All units have an internal area over 140sqm; there may be insufficient car parking provided to support the development	The car parking provision exceeds Council's car parking requirements.
8	There is insufficient unit mix proposed, with all units being large 3 BR units with a likely high asking price	The application does not propose a mix of apartment types and the applicant has sought a variation in relation to this aspect of the ADG and DCP.
9	The notification letter was misleading in that it advised that there were no development departures sought.	Departures are discussed in this report.

1.6 CONSULTATION

1.6.1 INTERNAL CONSULTATION

Design Review Panel/Architect

Prior to lodgement of the development application, the applicant participated in a voluntary Design Review Panel (DRP) meeting which was held on 7 July 2021 (DE-2021/81).

The development application was assessed by the DRP under the requirements of the SEPP 65 post lodgement on 14 December 2021. Notes of the meeting are provided at Attachment 5. The applicant submitted revised plans and further documentation in response to the DRP feedback which has been reviewed by Council's Architect as detailed below. A re-referral to the DRP was not deemed necessary.

Council's Architect reviewed the amended plans submitted in March 2022 and assessed them against the matters raised by the DRP post lodgment. Council's Architect advised that the plans have not changed much and are very similar to the plans seen at the pre-lodgement DRP meeting with minor changes.

The main concerns raised are:

- There are so many privacy screens because the building hasn't been designed well to ensure privacy outcomes. These screens also appear to have very large gaps, which questions their validity as privacy screens anyway;
- The entryway is more confusing and less resolved than previously;
- There is an excessive number of adaptable car spaces which could in practice be used as 9 additional parking spaces. At the same time, the 'adaptable units' proposed require extensive replumbing to make them work as adaptable units should the need arise to convert the units.
- There is a miscalculation of the DSZ and COS. This leads to a shortfall in COS provision;
- The fire egress stair is a poor outcome and requires redesign; it should be pulled back in line with and integrated into the building form;
- The potential privacy impacts between the proposal and the building to the immediate north remain unresolved; the terraces should be pulled back to achieve the minimum required 6m setback to this boundary;

- The poor relationship between Unit 2's POS and the driveway entry ramp remains unresolved;
- Solar panels are required to be shown in elevation, height plane diagram and view analysis; these are likely to exacerbate the height breaches.

Geotechnical Engineer

Council's Geotechnical Engineer reviewed the proposal and raised no objection subject to recommended consent conditions.

Stormwater Engineer

Council's Stormwater Officer has reviewed the revised stormwater concept plans and has indicated they have no objection subject to the imposition of recommended consent conditions.

Landscape Architect

Council's Landscape Officer has reviewed the application and has provided a satisfactory referral following the submission of revised plans and further information addressing some earlier concerns. Conditions were recommended in relation to matters including tree retention and protection during works, footpath paving, street tree and compensatory planting.

Traffic Engineer

Council's Traffic Engineer has reviewed the proposal and has provided an unsatisfactory referral. The following comments were provided:-

"The proposed development 'requires' a total of 20 car parking spaces (including 2 spaces capable of adaption for people with disabilities).

However, the development proposes the following:

- 17 residential car parking spaces (including 10 spaces capable of adaption for people with disabilities)
- 3 visitor car parking spaces
- 1 motorcycle parking space
- 5 secure (Security Class B) residential bicycle spaces
- 2 visitor bicycle spaces (Security Class C)

The additional adaptable spaces have larger area requirements (shared areas) which are 'capable' of adaption for people with disabilities. However, in reality these spaces may not actually be converted for adaptable users and are capable of being used as additional car spaces. The additional shared areas would therefore be surplus to requirements and must count as GFA.

The revised layout for some of these adaptable spaces show dimensions in accordance with AS4299 (3.8 metres wide) with hatched areas adjacent to them. If these spaces are not adapted for disabled people, then two cars could be parked here instead of one by utilising the hatched areas.

This arrangement is not supported as it could result in the use of these areas by more than one vehicle which would not be permitted under the DCP controls."

Heritage Officer

Council's Heritage Officer has reviewed the application and has provided an unsatisfactory referral including the following comments:-

"The National Trust (Illawarra Shoalhaven Branch) has made a submission, generally in support of the demolition of the Normandie Hotel and the recommendations made by Heritage 21. This is noted and is consistent with Council's position in relation to this issue.

Height Variation

The applicant has been advised that a variation to the LEP height limit would not be supported in this location.

The height variation has been considered in the context of the planning controls and is not supported by the DPO:

The justification statement submitted in relation to the height variation contains errors in that it refers to building separation being the area of variation, not building height. It also makes reference to the application being a modification, not a development application. If a variation is to be pursued, all errors must be corrected in the justification statement.

The statement provides insufficient justification for the departure. The need to provide access to rooftop communal open space is not sufficient justification for breaching the height plane. If a rooftop COS is proposed, it is expected that this space and access thereto is contained within the height plane. The statement also reports that the height standard has been abandoned; this claim is definitively refuted.

This assessment is supported from a heritage perspective.

The DRP also noted the following:

A visual impact study should be provided to determine if the height non compliance has any negative impacts. Refer to Council's DCP for detail requirements in relation to the visual impact study / View Corridor (between Lighthouse Point and the Escarpment) analysis.

In response the applicant has provided:

- Visual Impact Analysis
- Heritage Addendum
- Updated Variation Statement

It is noted the Heritage Addendum refers to "Woolhara", which suggests the wording has been copied and pasted.

The stepped roof form appears to interrupt key views to the Escarpment ridgeline from Bourke Street. Therefore the variation is considered to have a significant impact on key view lines and a variation cannot be adequately justified given this impact. These views are identified in Chpater D13: City Centre Views and View Corridors which notes it is important that views to the ocean and the escarpment be maintained from as many points as possible at street level. The variation does not comply with Part 3.10.1 Objectives and will impact on identified views along Bourke Street to the Escarpment. It is considered reasonable that a compliant proposal is provided for the site.

Figure 1 - Bourke Street perspective with highlighted section indicating visual obstruction of the view of the Escarpment.

The previously requested additional information remains outstanding:

1. Heritage Interpretation Strategy (no response provided);
2. Amended design that is compliant with the LEP height controls.

Environment Officer

Council's Environment Officer has reviewed the application and has provided a satisfactory referral including recommended consent conditions in relation to a range of matters including the requirement for a construction environmental management plan, unexpected finds protocol (potential site contamination and hazardous materials), management of hazardous building materials including asbestos, waste management, erosion controls, and implementation of the recommendations of the acoustic report.

1.6.2 EXTERNAL CONSULTATION

Endeavour Energy

The application was referred to Endeavour Energy as required by Clause 2.48 of State Environmental Planning Policy (Transport & Infrastructure) 2021. Endeavour Energy has an advisory role and provided comment as to future servicing requirements.

Sydney Water

The application was referred to Sydney Water corporation for comment. Sydney Water has an advisory role and provided comment as to future servicing requirements.

2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

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

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

NSW BIODIVERSITY CONSERVATION ACT 2016

Under the provisions of Part 7 of the Act and relevant provisions of the Biodiversity Conservation Regulation 2017, the proposal does not trigger the requirement for a biodiversity offset scheme.

The site is not identified as being of high biodiversity value on the Biodiversity Values Map and none of the trees on the site proposed for removal have been identified as containing hollows. On this basis, the development will not result in adverse impacts on biodiversity and is consistent with the provisions of the BC Act 2016.

Fisheries Management Act 1994

Not applicable.

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

2.1.1 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE & HAZARDS) 2021

Chapter 2 – Coastal Management

The proposed development has been assessed with regard to the provisions of Chapter 2 of the SEPP which relates to coastal management. The site is mapped as being located within the coastal environment area and coastal use area.

Pursuant to Clause 2.10, consent must not be granted unless the consent authority has considered whether the proposed development is likely to have an adverse impact on the following—

(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,

(b) coastal environmental values and natural coastal processes,

(c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,

(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,

(e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,

(f) Aboriginal cultural heritage, practices and places,

(g) the use of the surf zone.

Council has considered the potential impact of the development with regard to the above listed matters and no concerns are raised. The site is approx. 300m from the foreshore areas and as such will not have a direct physical impact on the foreshore environment.

Clause 2.10 (2) states that development consent must not be granted to development on land to which this section applies unless the consent authority is satisfied that—

(a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or

(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or

(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

The consent authority can be satisfied of these issues.

Consideration has been given to the matters listed in Clause 2.11(a) of the SEPP. Council can be satisfied that the development will not have an adverse impact on any of the following:-

(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,

(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,
(iii) the visual amenity and scenic qualities of the coast, including coastal headlands,
(iv) Aboriginal cultural heritage, practices and places,
(v) cultural and built environment heritage, and

Further, Council must be satisfied, pursuant to Clause 2.11(b) that—

(i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or
(ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
(iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and

Council must also, have taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.

As discussed elsewhere within this report, there are concerns with regard to the bulk, scale and height of the proposed development.

As per Clause 2.12, Council as the consent authority can be satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land. Consideration has been given to the relevant provisions of the certified coastal management program that applies to the land and no concerns are raised.

Chapter 4 Remediation of land

4.6 Contamination and remediation to be considered in determining development application

The proposed development has been assessed with regard to the requirements of Chapter 4 of the SEPP with regard to potential land contamination. The proposal has been reviewed by Council's Environmental Scientist with regard to the SEPP and the relevant provisions of Wollongong DCP 2009.

The site is not known to be contaminated or potentially contaminated and the land is not registered under the Contaminated Land Management Act 1997. Council records do not indicate any historic use that would contribute to the contamination of the site and the land is not identified as being contaminated on Council mapping.

A detailed site investigation prepared by Sydney Environmental Group Consulting (peer reviewed by a certified site contamination specialist consultant) was submitted. The DSI concluded that the site is suitable for the proposed development and remediation of the site is not required.

The proposal is considered to be satisfactory with regard to the requirements of clause 4.6. It is noted that conditions could be imposed in relation to the safe removal, handling and disposal of hazardous materials associated with the demolition of the existing building, and classification of excavated material from the site.

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

The development meets the definition of a 'residential flat building' as it is more than 3 storeys and comprises more than 4 dwellings. Therefore, the provisions of SEPP 65 apply. The application is accompanied by a statement by a qualified designer in accordance with Clauses 50(1A) & 50(1AB) of the Environmental Planning and Environment Regulation 2000.

With regard to Clause 28(2)(a), the advice from the DRP has been considered. The applicant met with the Design Review Panel (DRP) voluntarily prior to the lodgement of the DA. The proposal has since been reviewed by the DRP convened for the purposes of the SEPP (post-lodgement) as outlined above in Section 1.6.1 of this report. The notes from the post lodgement meeting are attached to this report

at Attachment 5. The applicant submitted revised plans in response to the Panel feedback; these have been reviewed by Council's Architect (as discussed above in Section 1.6.1 of this report) who has advised that the plans have not addressed all outstanding issues raised by the DRP.

With regard to Clause 28(2)(b), the design quality of the development has been considered in accordance with the design quality principles is outlined below. With regard to Clause 28(2)(c), an assessment of the application against the ADG is contained at Attachment 6 to this report and non-compliances are identified in relation to 3D communal open space provision; 3F visual privacy with regard to side and rear setbacks; 4A solar and daylight access; 4D apartment size and layout; 4H acoustic privacy; 4K apartment mix; 4L ground level apartments and 4Q universal design. The variations sought are discussed within the table at **Attachment 6**.

Schedule 1 of SEPP 65 sets out the design quality principles for residential apartment development. These must be considered in the assessment of the proposal pursuant to Clause 28(2)(a) of the Policy:-

Principle 1: Context and neighbourhood character

The predominant character of development in the locality is 2-5 storey residential flat buildings. The site is located on a reasonably prominent corner of Bessell Avenue and Bourke Street. Bourke Street is a classified road. Permitted building height on the northern side of Bourke Street, between Virginia and Kembla Street, is 16m. This increases to 32m directly opposite the site, on the southern side of Bourke Street. The land zoning prioritises residential development and there is limited commercial development west of Kembla Street. This development reflects the desired residential typology sought for this part of the city centre, however the height of the building exceeds the LEP prescribed height limit and the allowable floor space ratio. Further, insufficient communal open space has been provided and side setbacks do not comply with the DCP / ADG controls in places which impact on visual and acoustic privacy.

It is noted that Council's heritage officer is not supportive of the proposed breach of the height limit as this will impact on views towards the escarpment from various points on Bourke Street. Also, the DRP raised concerns which have not been resolved by the revised plans.

Principle 2: Built form and scale

The bulk and scale of the development is inconsistent with the applicable planning controls for the area, noting that it exceeds in part the permissible building height and the allowable floor space ratio for the site.

A number of earlier issues raised by the DRP remain unresolved. These include:

- The ground floor entryway has become more convoluted and less resolved. Further redesign is required.
- Further details of the screens / landscaping to be provided between the entry path and the bedrooms of unit 3 to secure the privacy of the bedrooms. Screening is shown on the plans for Unit 3, however the "detailed section" depicts a block labelled privacy screen. This screen is 2060mm above the entryway at the point where the section is cut, but the pathway is higher at other points, likely meaning the privacy screen should go to the ceiling on the western edge to prevent privacy issues. Also, the screening seems to be spaced widely apart, which won't help much with privacy (and not shown in perspectives).
- Further detail in relation to the terraces of Units 1 and 2 which are located closer to the northern boundary and are approx. 1.5m above natural ground level. The proximity of the terrace to the open walkway of the neighbouring building could create privacy issues. While sections have been provided, these do not depict the walkway of the neighbouring residential flat building.
- Detailed sections should be developed to show the relationship between the U1 and U2 terraces and the neighbouring building, with a view to maximising privacy and providing an appropriate landscaped transition with the neighbour. The DRP recommended that both the

basement and terrace may need to be setback further from the northern boundary to provide an appropriate transition with the northern neighbour. Council's Architect reviewed the amended plans and noted that while the POS setback has been increased to provide a larger landscaping bed, the setback remains less than the required 6m and privacy appears to not be adequately addressed. The balconies are large and could be reduced in size to increase the setback to the required minimum 6m, this would assist in resolving privacy concerns.

- Unit 2 northern terrace will be compromised by the location of the basement entry ramp. Council's Architect noted that a privacy screen is provided again to part of driveway and a very small planting bed which will provide no screening to the length of driveway.

Principle 3: Density

The floor space ratio of the development exceeds that permitted by Clause 4.4 of WLEP 2009. The height limit is also exceeded in part, setback distances in various places are non-compliant and communal open space is short of the required area, suggesting that the current proposal is an over-development of the site. The visual impact study provided in response to the DRP's suggestion indicates that there will be some minor encroachment in the views to the Escarpment from Bourke Street. The lift overrun however will be highly visible from the west.

Otherwise, local infrastructure is capable of supporting the proposed development. Endeavour Energy was consulted during the assessment process with regard to the proposed servicing and was satisfied with the proposal.

The site is well situated with regard to existing public open space, public transport, employment and services, being within ready walking distance of the city centre and foreshore recreation areas. More than adequate parking has been provided on site to cater for the number of units proposed. Contributions applicable to the development would go towards local infrastructure and facilities.

Principle 4: Sustainability

The proposal is considered generally acceptable with regard to sustainable design as follows:

- BASIX Certificate provided detailing development application stage commitments.
- An operational Waste Management has been provided indicating separation to waste to enable recycling.
- Apartments are provided with natural ventilation.
- The BASIX certificate indicates that the proposal will include photovoltaic / solar panels.
- The proposal is an efficient use of land in a location that is close to services and public open space.

It is noted, however, that marginally less than the required number of units (69%) are provided with compliant solar access. Further, the plans include large open plan rooms, with the penthouse exceeding the 8m depth requirement of the ADG, and all north-eastern units still exceeding the 6.75m depth for "family" spaces. This may affect energy efficiency.

Principle 5: Landscape

The DRP noted that the major issue with the scheme's landscape is a miscalculation of the deep soil zone (DSZ) and communal open space (COS). While the ADG allows co-location of DSZ and COS, it also outlines the requirements of each clearly; the extent to which they can overlap is quite minimal. Council's Architect has advised that this miscalculation still exists, with DSZ counted as COS despite being fully planted out. This results in a shortfall of ~50sqm.

The deep soil zone is approximately 7% of the site area.

The landscape officer has advised that the landscape plan is satisfactory. Compensatory planting will be required to offset the loss of the significant street tree on the Bessell Avenue frontage of the site.

The development is unsatisfactory with regard to Principle 5 having regard to the communal open space deficiency.

Principle 6: Amenity

The DRP noted that natural ventilation appears to be compliant however 69% of the units will achieve solar access which is marginally beneath the minimum required (70%).

There are concerns regarding the configuration of the large open plan rooms limiting the functionality of apartments; living areas should be physically separated from the main living space. The penthouse exceeds the 8m depth requirement, and all north-eastern units still exceeding the 6.75m depth for "family" spaces which will have an impact on solar access within the units.

Concerns were also raised that the master bedrooms of north-facing units are accessed directly from the living space. This creates potential acoustic privacy conflicts between the living room and bedroom. Further reconfiguration of the apartments is required to overcome these concerns.

Setbacks do not comply in full with the requirements of the DCP or the ADG, to the ground floor north facing terraces from the northern boundary and to the communal open space to the western boundary (screening is however proposed). There are many privacy screens proposed because the building has not been well designed to ensure privacy outcomes. These screens also appear to have very large gaps, which questions their validity as privacy screens anyway. There are likely to be privacy issues (both acoustic and visual) between the proposed building and the northern neighbour at 10 Bessell Avenue, which features windows and open walkways on its southern side.

The development is considered to therefore be unsatisfactory with regard to Principle 6.

Principle 7: Safety

The proposal is generally satisfactory with regard to safety and security with the exception of the design and location of the fire stair / egress adjacent to the Bessell Avenue frontage of the site. The DRP stated that the stair well must be designed so that it cannot be used to facilitate antisocial behaviour / provide a place of concealment. In this regard, it was recommended that the stair be concealed / separated from the street and ideally incorporated into the form of the building. Council's Architect has advised that this issue remains unresolved in the revised plans; the proposed enclosed stairwell is largely exposed and undetailed to Bessell Ave and recommends that this be pulled back in line with the building form.

The building is otherwise generally consistent with the principles of Crime Prevention Through Environmental Design. A defined pedestrian entry has been provided on Bourke Street. Ground floor apartments feature living room windows and balconies orientated to the street to assist in casual surveillance.

Improvements to the fire egress stair are required to ensure that the development is satisfactory with regard to Principle 7.

Principle 8: Housing diversity and social interaction

The proposal provides for only 3 bedroom units rather than a greater mix of 1-4 bedroom units which, the applicant contends, is more appropriate for the locality. The applicant indicates that 10 of the 13 are capable of adaptation which should allow for ageing in place which is a positive outcome. However in this case, extensive changes to plumbing will be required to enable the adaptable units to become truly adaptable. As a result the true commitment to ageing in place is questioned particularly when the resultant additional parking is taken into consideration.

The units are reasonable in size and feature generous balconies. The communal open space areas will facilitate some social interaction among residents.

Principle 9: Aesthetics

The building is considered to be of a reasonable quality with regard to its appearance. A mixture of materials and finishes is provided. Changes recommended by the DRP in relation to aesthetics have been considered by the applicant, with the exception of changes required to improve the streetscape treatment on the Bessell Avenue frontage of the site (fire egress stair) and the entry to Bourke Street which remains convoluted.

The development requires further improvement to ensure that it is satisfactory with regard to Principle 9.

Apartment Design Guide

The development has been assessed against the provisions of the ADG and the following variations are evident:-

- 3D Communal open space - with regard to its area;
- 3F Visual privacy in regards to the side setbacks – to the northern boundary from the ground floor units and from the Level 4 COS to the western boundary;
- 4A Solar and daylight access
- 4D Apartment size and layout
- 4K Apartment mix
- 4L Ground floor apartments
- 4Q universal design.

See discussion in **Attachment 6**.

2.1.3 STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT & INFRASTRUCTURE) 2021

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

Clause 2.118 is relevant as Bourke Street is a classified road. Matters for consideration under clause 2.118 are satisfactory. Vehicle access is provided from Bessell Avenue, and the driveway is in an acceptable location. Traffic modelling indicates no adverse impacts on the local road network.

A 'Traffic Noise & Environmental Noise Assessment' prepared by Acoustic Noise & Vibration Solutions P/L dated February 2022 has been submitted, referencing the Department of Planning, Industry and Environment's 'Development Near Rail Corridors and Busy Road – Interim Guidelines' 2008. The report concludes that measures are required to ensure traffic noise intrusion is able to be appropriately mitigated. If consent was granted, conditions should be applied requiring implementation of the recommendations of the acoustic report.

The application was not required to be formally referred to Transport for NSW (TfNSW) under clause 2.121 Traffic Generating Development.

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

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

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

2.1.5 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY & CONSERVATION) 2021

Consideration has been given to the provisions of the SEPP with regard to koala habitat protection and no concerns are raised.

2.1.6 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Clause 1.4 Definitions

Residential flat building means a building containing 3 or more dwellings but does not include an attached dwelling or multi dwelling housing.

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.

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 generally satisfactory with regard to the above objectives in that it will provide for the housing needs of the community, and contribute to range of housing types available in the city. The third zone objective is not relevant to the proposal.

The land use table permits the following uses in the zone:-

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

The proposal is categorised as a *residential flat building* as defined above and is permissible in the zone with development consent.

Clause 2.7 Demolition requires development consent

Consent for the demolition of existing structures is sought under the provisions of this clause. A demolition plan has been provided. Conditions were recommended in regards to the requirement for a hazardous building materials survey and in relation to managing asbestos disposal.

Part 4 Principal development standards

Clause 4.3 Height of buildings

The height of buildings map prescribes a maximum building height of 16m for the site. The proposed maximum height is 17.014m which exceeds the height limit by 1.014m which represents a variation of ~6%. The applicant has sought a departure from the standard in accordance with Clause 4.6 of the LEP; this is addressed below. The height exceedance relates to a portion of the lift overrun and the roof over the communal open space. This is illustrated in the below section of the upper floors of the building, with the red hatched line depicting the 16m height limit.

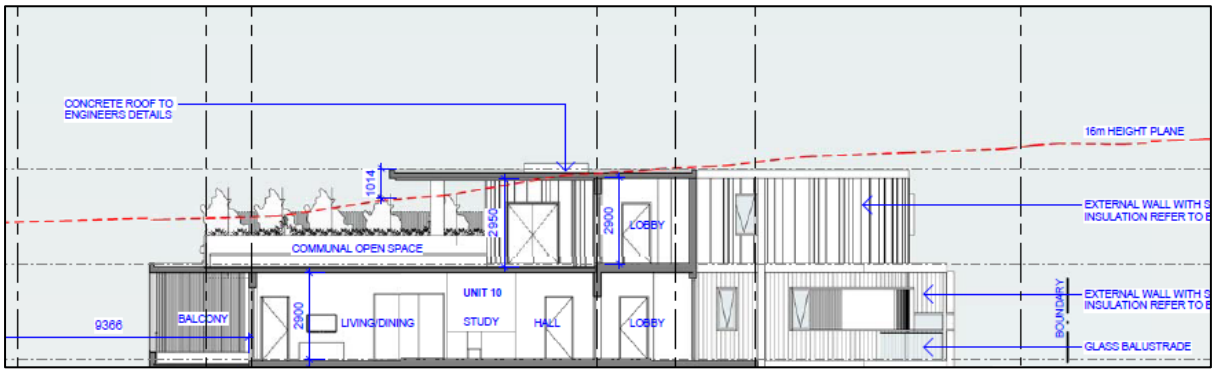


Figure 2 - extract of building section illustrating those components of the building which breach the 16m height plane.

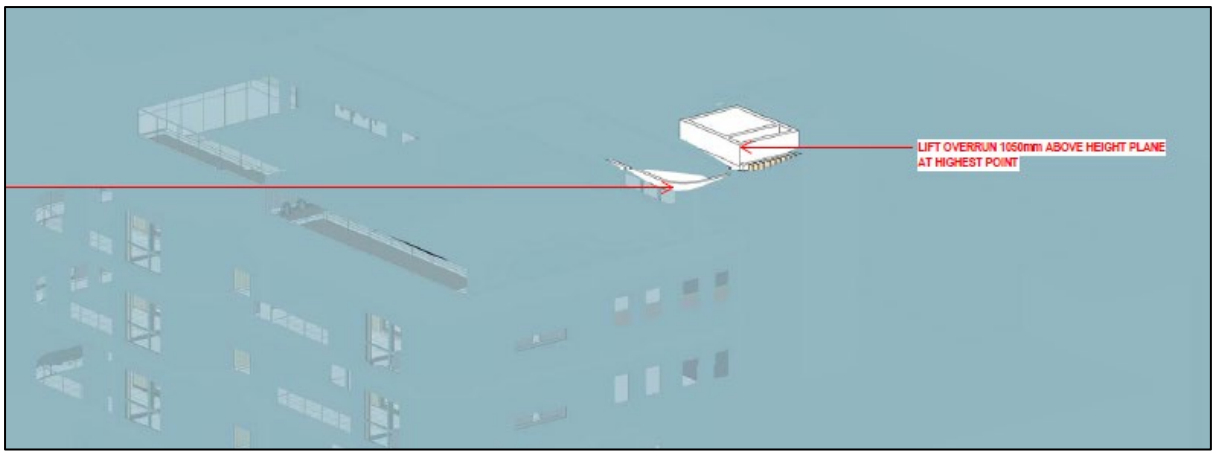


Figure 3 - extract of plan identifying the portions of the building which breach the height plane

Clause 4.4 Floor space ratio

Clause 4.4 prescribes a maximum FSR of 1.5:1 for the site. The plans indicate that the proposed Gross Floor Area (GFA) is 2015.8 sqm, resulting in a proposed FSR of 1.491. As the development provides for significantly more potential car parking spaces than is required, the area of the surplus space within the basement is required to be included in the GFA, as per the definition of GFA provided below. The proposed development 'requires' a total of 20 car parking spaces (including 2 spaces capable of adaption for people with disabilities to support the two required adaptable units) and provides significantly more than this.

The definition of *gross floor area* is as follows:-

gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes—

(a) the area of a mezzanine, and
(b) habitable rooms in a basement or an attic, and
(c) any shop, auditorium, cinema, and the like, in a basement or attic,

but excludes—

(d) any area for common vertical circulation, such as lifts and stairs, and
(e) any basement—
  (i) storage, and
  (ii) vehicular access, loading areas, garbage and services, and
(f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and

(g) car parking to meet any requirements of the consent authority (including access to that car parking), and
(h) any space used for the loading or unloading of goods (including access to it), and
(i) terraces and balconies with outer walls less than 1.4 metres high, and
(j) voids above a floor at the level of a storey or storey above.

The additional adaptable spaces above Councils requirement have larger area requirements (shared areas) which are 'capable' of adaption for people with disabilities. However, in reality these spaces may not actually be converted for adaptable users (and as mentioned elsewhere within this report, there are some doubts around the practical and efficient adaptability of the proposed units). The additional shared areas would therefore be surplus to requirements and must count as GFA. The revised layout for some of these adaptable spaces show dimensions in accordance with AS4299 (3.8 metres wide) with hatched areas adjacent to them. If these spaces are not adapted for disabled people, then two cars could be parked here instead of one by utilising the hatched areas. While the plans indicate the provision of 20 car spaces, a review of the plans indicate that there is the potential for 30 standard vehicles to park within the car park (or 28 excluding the 2 required adaptable car spaces). On this basis, it is considered reasonable to include the area of these 8 surplus spaces in the GFA of the building. At a minimum this would result in an additional GFA area of 103.68 sqm (standard car space dimension 2.4m x 5.4m), which, when added to the overall GFA of the building, would exceed that permitted by Clause 4.4. The resultant FSR is 1.57:1.

It is noted that the provision of additional space that can readily be converted into additional/ surplus car parking is not supported given Council's parking policy in central areas which is seeking to reduce reliance on private vehicles. It is noted that 3J of the ADG seeks to promote a reduction in car dependency and encourage walking, cycling and use of public transport and this is in part achieved by reducing requirements for and the availability of parking in new development, particularly in areas that have reasonable access to convenient and frequent public transport or are in proximity of a centre in regional areas. The site is close to the Wollongong CBD and close to public transport.

The applicant has not submitted a Clause 4.6 statement in relation to FSR and as such there is no power to approve the application.

Clause 4.6 Exceptions to development standards

The applicant submitted a request for variation to the building height standard [Clause 4.3] in accordance with Clause 4.6 *Exceptions to Development Standards* which is considered in detail below. The applicant's Clause 4.6 Statement forms **Attachment 4**.

WLEP 2009 Clause 4.6 proposed development departure assessment – Building Height	
Development departure	Clause 4.3 Building Height –17.014m proposed; this exceeds the height limit of 16m by 1.014m, or ~6%.
Is the planning control in question a development standard	Yes
4.6 (3) Written request submitted by applicant contains a justification:	
(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and	Yes, the applicant's request contains this justification. The applicant's submission refers to the five (5) ways (identified by the NSW Land and Environment Court in the case of Wehbe v Pittwater Council [2007] NSWLEC827' in which an applicant might establish that compliance with a development standard is unreasonable or unnecessary. These are: 1. The objectives of the standard are achieved notwithstanding non compliance with the standard;

	2. The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary 3. The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable 4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable 5. The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable or unnecessary. That is, the particular parcel of land should not have been included in the particular zone. The applicant contends that compliance with the standard is unreasonable and unnecessary in the circumstances as the objectives of the standard are achieved irrespective of the non-compliance with the building height controls. In this regard, the applicant notes:- • the FSR is compliant and the height exceedance does not result in an inconsistency with Clause 4.4 FSR; • the proposal provides for a well-designed building with appropriate scale, visual interest and compatibility with surrounding development. • the portion of the building which exceeds the height limit does not negatively impact the overall bulk and scale of the development. • the portion of the building which exceeds the height limit does not impact on view lines or solar access. • the elements of the building which exceeds the height limit are not visible. • if the breach of the height standard did not occur, the built form outcome would be compromised as it would result in a less usable space for the occupants being related to the common open space area. • the proposed development will not be out of context with the setting and the breach in the height limit will not create inconsistency with nearby development. The applicant further contends that the height limit development standard has been abandoned, with reference to 5 DAs approved with height limit departures since 2018; this suggests that some flexibility has been shown by Council in applying the maximum height control where particular circumstances warrant it.

	The following reasons are cited as justification for the height exceedance: - • Only a portion of the communal open space roof is above the 16m height limit; • The extent of the variation above the 16m height limit is confined to a small area of the lift overrun and a corner of the roof above the COS. The maximum height exceedance is 1.05m/ 6.6% exceedance of the height limit • The development is consistent with the R1 zone objectives • The contravention of the height limit will not limit the potential for adjoining sites to be developed to their permitted capabilities. • The height limit will not be out of context with the locality or surrounding permitted heights.
(b) that there are sufficient environmental planning grounds to justify contravening the development standard.	Yes, the applicant's request contains this justification – refer to Attachment 4.
4.6 (4) (a) the Consent authority must be satisfied that:	
(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), **and**	It is considered that the applicant's written request addresses the matters required to be addressed. This is not however to say that the objection is considered to be well founded. The applicant contends that there are sufficient environmental planning grounds to justify contravening the height development standard. These are: • Despite the variation to the height limit and minor DCP variations, the development is largely compliant with applicable controls • The proposed design mitigates any adverse impacts from the excess building height including solar access which is not compromised • The building has been designed to appropriately respond to the limitations of the site and will not impact solar access or visual or acoustic privacy, and is an appropriate urban form that will contribute positively to the streetscape. The following unique circumstances have been identified by the applicant as features warranting the variation: • The land falls from Bourke Street to the south by approx. 3m to the northern boundary. The development responds to the slope and the surrounding context and provides for an appropriate FSR. • There is a 32m height limit on the opposite side of Bourke Street and a 24m height limit to the east on Kembla Street;

	as such the variation is not considered significant in the scheme of the development and the context. The applicant considers that the development will not result in any significant adverse impacts on achieves a good development outcome for the site – • appropriate bulk and scale; • improved visual appearance in this ageing part of the city; • height and form of the development are consistent with the future desired character for the area; • well resolved architectural design; • good internal amenity for occupants. • the adjoining sites will be able to achieve their maximum development potential. The applicant contends that the development provides for design excellence (with regard to Clause 7.18 of WLEP 2009) and contends that if the overall height of the building were reduced to be compliant with the maximum building height, this would result in a less amendable common open space area to the rooftop of the development and a loss of potential dwelling numbers due to a minor encroachment of the lift overrun and the awning over.
(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**	It is considered that there are no particular environmental planning grounds to justify contravening the development standard. The applicant's need / desire to provide access to a roof top communal open space area is the driver for the height exceedance. Firstly, communal open space could be provided elsewhere or alternatively on the roof but in a manner which does not result in an exceedance of the height limit. Other alternative designs do not appear to have been modelled to rule out other design options which would achieve this objective (possible examples include an alternative lift location; separate lift from L3 to Level 4 COS, etc.) Lift access could be provide to a rooftop communal open space below the height limit; there appears to be no constraints to compliance being achieved in this case, with a redesign of the building. Despite the applicant's assertions to the contrary, the FSR is not compliant and there are other areas of non-compliance with controls in the ADG and DCP, which read in combination with the height exceedance suggest that the proposal represents an over-development of the site. Fundamental issues of privacy and some internal arrangement and amenity issues have not been resolved and as such it is considered that further refinement of the building design is required to address these issues. While the visual impact assessment supplied with the DA indicates that the lift overrun and communal open space roof breaching the height limit will have minimal visibility from Bourke

	Street to the east of the site, it will be clearly visible in views from the west and also from public areas and properties south and upslope of Bourke Street which look north over the site. The 'visual impact assessment' does not consider the visual impact or view impacts from these directions and as such does not adequately support the variation. The development departure is not considered to be in the public interest.
(b) the concurrence of the Secretary has been obtained.	The WLPP can exercise assumed concurrence in this instance as the consent authority.

Part 5 Miscellaneous provisions

Clause 5.10 Heritage Conservation

The site is not heritage listed nor is it located within a heritage conservation area. There are no nearby listed items of environmental heritage within the vicinity of the site.

Clause 5.21 Flood planning

The site is located within a low flood risk precinct and the application was accompanied by a flood study which, along with the proposal, has been considered by Council's Stormwater Engineer with regard to the applicable provisions of Wollongong DCP 2009 and Clause 5.21 of the LEP. Matters for consideration under subclause 2 are satisfactory.

Part 7 Local provisions – general

Clause 7.1 Public utility infrastructure

The land is located in an established urban area and it is expected that the existing utility services can be augmented to support the proposed development.

Clause 7.5 Acid Sulfate Soils

The proposal is identified as being affected by class 5 acid sulphate soils. An acid sulphate soils management plan is not required.

Clause 7.6 Earthworks

The proposal involves excavation to facilitate the provision of the building's two levels of basement car parking. The earthworks have been considered in relation to the matters for consideration outlined in Clause 7.6 and are not expected to have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features of surrounding land. Council's Geotechnical Engineer has considered the application and has provided a satisfactory referral subject to conditions.

Clause 7.14 Minimum site width

24m site width is required.

The survey plan indicates a 33.155m frontage to Bourke Street and 33.765m frontage to Bessell Avenue.

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

As the site is positioned within the Wollongong city centre, it is subject to this clause, the objective of which is to deliver the highest standard of architectural and urban design.

Development consent must not be granted to development to which this clause applies unless, in the opinion of the consent authority, the proposed development exhibits design excellence. In considering

whether development to which this clause applies exhibits design excellence, the consent authority must have regard to the following matters:-

(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,

The materials and detailing proposed are considered to be of high quality and are appropriate to the building type and location. Some concerns have however been raised elsewhere in this report in relation to some aspects of the architectural design including the pedestrian entry way being convoluted and requiring further redesign; internal apartment configuration issues relating to depth; the number and effectiveness of privacy screens required to achieve reasonable privacy outcomes for future occupants of the building and neighbouring sites; the design/ configuration and design of the fire egress stair adjacent to the Bessell Avenue frontage of the site; the relationship between the development and the neighbouring residential flat building and the poor relationship between Unit 2's POS and the driveway entry ramp. These aspects of the design remain unsatisfactory.

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

The development requires some further refinement to improve its relationship with the public domain, including some further improvement in the configuration of the fire egress on the Bessell Avenue frontage of the site. Public domain works are proposed and required which will improve the amenity of the public domain including replacement street tree planting and paving.

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

No significant view corridors are expected to be impacted. The site is located outside of the distant panoramic view corridor identified in Figure 3.12 (Clause 3.10) of Chapter D13 of Wollongong DCP 2009. A nominated street view is identified along Bourke Street (Figure 3.12 /Clause 3.10 of Chapter D13). The proposed building complies with the specified street setbacks and as such is not expected to affect this view corridor towards the east. However, Councils Heritage panner has raised concerns as discussed above.

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

The site is not identified as being affected by the sun plane controls and will not overshadow an area identified on the Sun Plane Protection Map.

(e) how the proposed development addresses the following matters:

(i) the suitability of the land for development,

The land is zoned for the type of development proposed and the proposal has been designed with regard to flooding. There are no other site constraints that would prevent the proposal.

(ii) existing and proposed uses and use mix,

The residential land use is consistent with the R1 zoning and the desired future character for the area.

(iii) heritage issues and streetscape constraints,

There are no streetscape constraints that will impact on the development other than the existing Liquidamber Tree on the Bessell Avenue frontage of the site which is proposed to be removed to facilitate the proposed driveway. The proposed driveway location is however the most appropriate with regard to traffic safety.

There are no heritage items in the vicinity of the site which may be affected by the proposed development. Other heritage issues relating to the existing building can be addressed through consent conditions if the development was recommended for approval.

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

Concerns are raised elsewhere in this report in relation to the relationship between the proposed building and the neighbouring building to the immediate north. The reduced setbacks in this direction may compromise the visual and acoustic privacy of the adjoining development, whilst also impacting on the amenity of Units 1 and 2 on the ground floor of the proposed building. Screening is proposed elsewhere in numerous places to prevent overlooking towards the side boundaries.

(v) bulk, massing and modulation of buildings,

The bulk and scale of the development measured in terms of floor space ratio is non-compliant as discussed above with regard to Clause 4.4. The height also partly exceeds the height limit. This in conjunction with the reduced setbacks in places and deficient communal open space suggest that the proposal represents an over-development of the site.

(vi) street frontage heights,

Not applicable.

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

The development incorporates sustainable design measures as outlined below. The proposal will not give rise to unreasonable overshadowing impacts in the locality and is not expected to result in uncomfortable wind conditions for pedestrians. Conditions could be imposed to limit material reflectivity if approval was recommended. Energy efficiency could be improved if solar access was improved to some units, and the depth of some units including the penthouse reduced, as discussed above with regard to the ADG.

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

The proposal is considered generally satisfactory with regard to objectives of ESD. The site is well placed with regard to access to key transport nodes, within ready walking distance of bus stops and the main North Wollongong recreation and foreshore areas. Some improvements could be made to improve energy efficiency as noted above with regard to (vii).

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

The proposal provides the required motorcycle and bicycle parking along with suitable manoeuvring areas. Satisfactory waste servicing arrangements have been provided. As noted with regard to Clause 4.4, surplus potential car parking spaces are proposed within the basement which is contrary to the parking strategy for the city centre and 3J of the ADG which seeks to promote use of alternative modes of transport.

Pedestrian access to the building could be improved and requires further resolution.

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

The existing street trees will be removed and replaced. The development otherwise is not expected to have an adverse impact on the public domain.

Part 8 Local provisions—Wollongong city centre

The site is located within the area defined as the Wollongong city centre by the LEP and accordingly the provisions within this part of the LEP are of relevance to the proposal.

Clause 8.1 Objectives for development in Wollongong city centre

The proposal would contribute to a residential apartment mix through the provision of additional housing and employment opportunities during construction. As outlined above, further refinement

of the building design is required to address unresolved issues to ensure that the design is appropriate for the city centre location.

The proposed residential flat building is an efficient use of space in an accessible location that is serviced by existing public transport.

The proposal is not expected to adversely impact on natural or cultural heritage values.

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

Draft Environment SEPP

The Explanation of Intended Effect for the Environment SEPP was on exhibition from 31 October 2017 until the 31 January 2018. It is considered the draft SEPP is of limited relevance to the application.

Draft Remediation of Land SEPP

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

The proposed SEPP provides a state-wide planning framework for the remediation of land requires consent authorities to consider the potential for land to be contaminated when determining development applications; clearly lists the remediation works that require development consent; and introduces certification and operational requirements for remediation works that can be undertaken without development consent.

The SEPP was made on 1 March 2022 (SEPP (Resilience and Hazards) 2021). The new SEPP directly transfers the provisions of SEPP 55 which have been addressed above.

Draft Design and Place SEPP

The draft Design and Place SEPP has been exhibited but the exhibited draft is not a matter for consideration under section 4.15(1)(a)(ii) of the EP&A Act 1979.

Draft Housing SEPP

The SEPP was an exhibited instrument at the time of lodgement of the application and has since been gazetted. The SEPP contains savings provisions. It has consolidated five existing housing-related SEPPs, none of which relate to the proposed development. It is considered the SEPP is of limited relevance to the proposal as it does not contain provisions of specific relevance to residential flat buildings.

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

2.3.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

The development has been assessed against the relevant chapters of WDCP 2009 – refer to compliance tables in Attachment 6. It is noted that the development departs from some of the design controls in Chapter D13, relating to the following issues:-

- Clause 2.2 Building to street alignment and street setbacks – with regard to the fire egress stair adjacent to the Bessell Avenue frontage of the site;
- Clause 2.5 Side and rear building setbacks and building separation with regard to setbacks to ground level terraces from northern boundary and to the rooftop COS from the western boundary (privacy screen proposed in lieu of compliant setback)
- Clause 6.2 Housing Choice & Mix.
- Clause 6.6 Basement Carparks - in relation to the height of the basement roof and its setback to the northern boundary of the site.

Chapter A1, Clause 8 Variations to development controls in the DCP

The applicant has sought variations in respect of the following matters:-

- Side and rear building setbacks and building separation (Clause 2.5 of Chapter D13)
- Housing Choice & Mix (Clause 6.2 of Chapter D13)

The applicant has provided a justification statement as required by Chapter A1 of the DCP in relation to the above two non-compliances. The variations are discussed below:-

1 – Side and rear building setbacks and building separation

(a) The control being varied;

Clause 2.5 side and rear setbacks and building separation.

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

The DCP requires:

- Residential uses between 12m and 24m-
- Habitable rooms with openings and balconies– 9m minimum side and rear setback
- Non-habitable rooms and habitable rooms without openings - 4.5m minimum side and rear setback.

The applicant states:-

"The development proposes:

- Ground floor units 1 & 2 – northern rear setback to building line 6.035m and western side setback to building line 6.041m. The ground floor terraces of units 1 & 2 has been further setback to increase planting and screening area to the northern boundary.
- Levels 1 – 3 Units 3 and 4 – side setback 6.041m and rear setback is 6.018 – 6.029m.
- Level 4 – rear setback 9.497m to COS wall which complies with the minimum 9m. The side setback is 7.2m to the COS wall and the setback from the non-habitable rooms (lift/ fire stairs) complies with the minimum 4.5m setback."

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

The objectives are listed as follows:

a) to ensure an appropriate level of amenity for building occupants in terms of daylight, outlook, view sharing, ventilation wind mitigation, and privacy.

b) to achieve usable and pleasant streets and public domain areas in terms of wind mitigation and daylight access.

The applicant advises: "The proposed development provides an appropriate level of amenity for building occupants and street amenity. Solar access and ventilation are compliant.

The rooftop level will have a 1.8m high max privacy screen on the west to provide privacy to the POS/ COS of 32 Bourke and prevent overlooking.

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

The applicant contends that "The proposed development resulting from this variation will result in no unacceptable adverse environmental impacts.

No living spaces face the site from the adjoining developments and given the design orientation and the privacy screens proposed, the development will not result in additional adverse impacts."

Planning Comment

Arguably there are no impacts arising from the reduced setback to the rooftop communal open space from the western boundary of the site, having regard to the configuration of the space, the privacy screen proposed to be fixed to its western edge and the proposed raised landscape beds which will minimise potential overlooking from the COS to the western neighbour. Noise transmission from the space is also unlikely to compromise the amenity of the immediately adjoining neighbour given the height difference between the two buildings.

Concerns are however raised in relation to the relationship between the ground floor terraces of Units 1 and 2 and the neighbouring residential flat building, given that the setback to the terraces from the northern boundary is non-compliant.

The buildings within the neighbouring properties are setback only approx. 2.5m from the common boundaries with the subject site. While no living spaces face the site, there are likely to be some privacy and overlooking issues, particularly to and from the north-facing balconies which are likely to be highly used, and the adjoining residential flat building which features an open walkway along its southern side adjacent to the site, as depicted in the below photograph.

Figure 4 - looking westward along the northern boundary of the site, showing the proximity of the neighbouring building to the subject site

The reduced setbacks / separation distances between the proposed building/ terraces and the building to the north has the potential to create noise conflicts, particularly as the neighbouring building has an open walkway facing south which all doors open onto.

The variation is not supported and the terraces should be set back to achieve the minimum required 6m setback to this boundary.

2 - Housing Choice and Mix

(a) The control being varied;

Clause 6.2 of Chapter D13 - Housing Choice & Mix.

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

The DCP requires:

"Studio and one bedroom units must not be less than 10% of the total mix of units within each development.

Three or more bedroom units must not be less than 10% of the total ix of units within each development, and

For smaller developments (less than six dwellings) achieve a mix appropriate to locality."

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

Applicant's variation request states:-

"The development provides larger boutique, private and well-designed single level apartments catering to larger families which is a unique offering for Wollongong, and highly sought after in this location.

Each of the dwellings are able to be adapted in their layout to provide for residents' changing needs over time ie. work from home offices and the like.

The development includes 10 out of 13 dwellings with accessible layouts and universally designed features to accommodate changing requirements and that the development will in its adaptable feature, meet the access and mobility needs of any occupant.

The development provides for higher density living for families and co-living inhabitants.

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

The proposed development resulting from this variation will result in no unacceptable adverse environmental impacts.

The proposed bulk and scale of this building is considered appropriate for this City Centre location and the internal layout of the rooms attempt to minimise overlooking with the careful location of window and door openings, whilst the size of external balconies also help maintain such visual separation.

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

Planning Comment:

The DRP noted that the proposal consists solely of large three-bedroom units, providing little diversity in housing options. However, the proposal does appear to be providing a product consistent with market demand in this neighbourhood.

It is noted that variations in relation to unit mix were recently supported in residential flat buildings proposed within North Wollongong. In the case of smaller developments, reduced housing mix does not appear to have a significant impact on housing supply in the city.

<u>3 - Basement carparks</u>

(a) The control being varied;

Clause 6.9 of Chapter B1 – Basement Car parking.

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

The DCP requires:

"The roof of any basement podium, measured to the top of any solid wall located on the podium must not be greater than 1.2m above natural or finished ground level, when measured at any point on the outside walls of the building. On sites with a greater slope, a change in level in the basement must be provided to achieve this maximum 1.2m height."

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

The applicant has not identified this variation or provided a variation request. No justification has been provided.

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

No justification has been provided.

Planning Comment:

The DRP recommended that both the basement and terrace may need to be setback further from the northern boundary to provide an appropriate transition with the northern neighbour.

The proposal involves excavation to facilitate the provision of the building's two levels of basement car parking. The surplus of car parking spaces contributes to the overall bulk of the building and off-site impacts.

2.3.2 WOLLONGONG CITY WIDE DEVELOPMENT CONTRIBUTIONS PLAN

Wollongong City-Wide Development Contributions Plan - City Centre

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

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

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

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

Environmental Planning and Assessment Regulation 2021

2 Savings

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

'2000 Regulation' means the Environmental Planning and Assessment Regulation 2000 as in force immediately before its repeal on 1 March 2022.

61 Additional matters that consent authority must consider

(1) In determining a development application for the demolition of a building, the consent authority must consider the Australian Standard AS 2601—2001*: The Demolition of Structures*.

The proposal includes the demolition of the existing structures on the site and as such the provisions of AS2601-1991 are applicable.

62 Consideration of fire safety

N/A

63 Considerations for erection of temporary structures

N/A

64 Consent authority may require upgrade of buildings

N/A.

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

The key impacts have been discussed largely in the body of this report. Further impacts are discussed below:-

Context and Setting:

Context and setting has been addressed with reference to the principles of SEPP 65 and the design excellence matters prescribed by Clause 7.18 of Wollongong LEP 2009 (see Sections 2.1.2 and 2.1.5). The immediate neighbourhood has largely been redeveloped, with only a few dwelling houses yet to be absorbed into larger apartment developments. The proposed floor space ratio of the development is not compliant and the proposed height exceeds the prescribed height limit. Recent development elsewhere within the neighbourhood has complied with applicable controls and there do not appear to be sufficient environmental planning reasons why variations should be supported in this case.

The design accounts for frontage to Bourke Street which is a classified road and locates the basement entry to Bessell Avenue.

The development will not create an isolated allotment.

Context and neighbourhood character have been addressed above in relation to SEPP 65 and no concerns were specifically raised in relation to this issue by the DRP however the development has failed to respond to several matters raised by the DRP and on balance the design is not supportable.

Access, Transport and Traffic:

Aspects of the proposal is unsatisfactory to Council's Traffic Engineer for the reasons outlined in Section 1.4.1 above. The proposed arrangements for vehicular access and manoeuvring within the site comply with relevant standards and the traffic generating impacts of the development will not be unreasonable in the locality.

Public Domain:

Footpath and street tree works would be required by consent conditions if approved.

Utilities:

The proposal is not envisaged to place an unreasonable demand on utilities supply. Existing utilities will require augmentation to support the proposal.

Heritage:

No heritage items will be impacted by the proposal. Refer to discussion above in Section 1.4.1.

Other land resources:

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

Water:

The site is presently serviced by Sydney Water. Reticulated sewerage and water supply can be readily extended to meet the requirements of the proposed development. The proposal is not expected to require unreasonable water consumption. Water quality will not be compromised during construction if effective sedimentation controls are implemented.

Soils:

Council records identify the site as containing class 5 acid sulfate soils.

Geotechnical aspects of the development are satisfactory.

The development is not expected to have an adverse impacts on soil resources subject to erosion & sedimentation controls being implemented during construction.

Air and Microclimate:

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

Flora and Fauna:

There are not expected to be any impacts on fauna arising from the proposed development.

There is some vegetation removal proposed including the removal of the large street tree on the Bessell Avenue frontage of the site, which is proposed to be removed to accommodate the driveway crossing. This has been examined in close detail by Council's Landscape Architect who has advised that the tree will be permitted to be removed and replaced with super-advanced species as street trees and within the site as compensation for such a substantial tree. No concerns were raised in relation to the other trees proposed for removal as they are not significant.

A landscape plan has been submitted with the application which provides for planting within the deep soil zone, communal open space and on structure; the plan has been reviewed and is acceptable to Council's Landscape Architect subject to conditions.

Waste:

It is noted that a Hazardous Material Survey Report was supplied.

Bins are located within Basement 1. The plans indicate that a motorised 2 bin wheely bin trolley will be housed within the same level to move bins to the Bessell Avenue frontage of the site for kerbside collection. This arrangement is satisfactory to Council's Traffic Engineer.

Energy:

The proposal is not expected to involve unreasonable energy consumption.

The BASIX certificates provided with the application demonstrate that the residential units will achieve compliance with the energy efficiency and thermal comfort targets of the BASIX SEPP.

The BASIX certificate indicates that solar panels will be provided.

Noise and vibration:

An acoustic report was submitted with the application which provides recommendations to ensure that the internal acoustic amenity of the apartments will be acceptable with regard to traffic noise intrusion, noting that Bourke Street is a classified road [SEPP (Transport & Infrastructure) 2022 and Development Near Rail Corridors & Busy Roads –Interim Guidelines]. The acoustic report also deals with mechanical plant.

Natural hazards:

The development has been designed with regard to flooding. There are no other natural hazards that will preclude the proposed development.

Technological hazards:

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

Safety, Security and Crime Prevention:

The development is not expected to give rise to increased opportunities for criminal or antisocial behaviour in the locality. The proposal has been considered with regard to the principles of crime prevention through environmental design and no concerns are raised. Fencing delineates the boundary between public and private areas.

Social Impact:

No adverse impacts are expected.

Economic Impact:

There are not expected to be any adverse economic impacts arising from approval of the proposed development. The development is expected to create employment opportunities during the construction period.

Site Design and Internal Design:

Car parking, access and vehicular manoeuvring complies with applicable controls.

The application results in departures from development standards, and some ADG and DCP controls which are discussed above. The design accounts for the known site constraints.

Construction:

Construction impacts have the potential to impact on the amenity of the neighbourhood including the public domain inclusive of traffic and pedestrian impacts. This could be managed by conditions if approval was recommended.

Cumulative Impacts:

The proposal is not expected to give rise to any negative cumulative impacts.

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

Does the proposal fit in the locality?

The proposal is permitted with consent in the R1 zone however exceeds the limits set in relation to building height and FSR. Numerous other ADG and DCP non-compliances are evident which suggest that the development is not sufficiently resolved to be supportable.

Are the site attributes conducive to development?

There are no site constraints that would prevent the proposal. The building has been satisfactorily designed with regard to flooding.

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

Refer to discussion above at Section 1.5 of this report.

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

The proposal is permitted with consent in the R1 zone however exceeds the limits set in relation to building height and FSR. Numerous other ADG and DCP non-compliances are evident which suggest that the development is not sufficiently resolved to be supportable. Approval of the development in its current form is not considered to be in the public interest.

3 CONCLUSION

The proposed development has been assessed with regard to the relevant prescribed matters for consideration outlined in Section 4.15 of the Environmental Planning & Assessment Act 1979. The proposal has been assessed with regard to the provisions of the relevant Environmental Planning Instruments and development control plan.

The proposed development is permissible with consent and is broadly consistent with the zone objectives, however there is a development departure sought in relation to building height (cl 4.3 of WLEP 2009) which is not considered warranted, and a number of variations in respect of ADG and DCP controls which have been considered on merit and are not supported in this instance. Further, the FSR exceeds that permitted by Clause 4.4 of the LEP. The applicant has not provided a written request adequately addressing the matters required to be demonstrated by Clause 4.6(3) in relation to the FSR exceedance, and consent cannot be granted. In addition, Council is not satisfied that compliance

with the standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

Council's Traffic Engineer and Architect raised concerns with regard to the current design. Otherwise the remaining internal referrals were satisfactory. Concerns raised in submissions have been addressed in this report. The social, environmental and economic impacts of the development have been assessed and concerns are raised as discussed throughout the report with regard to building bulk, scale, height and design.

It is appropriate that the application now be determined. Given the concerns arising from the assessment, refusal of the application is recommended.

4 RECOMMENDATION

It is recommended that the Wollongong Local Planning Panel refuse DA-2021/1308 pursuant to Section 4.16(1) of the Environmental Planning & Assessment Act 1979 for the reasons outlined in Attachment 7.

5 ATTACHMENTS

1 Aerial Photograph of the site & surrounds

2 Wollongong LEP 2009 zoning map

3 Plans

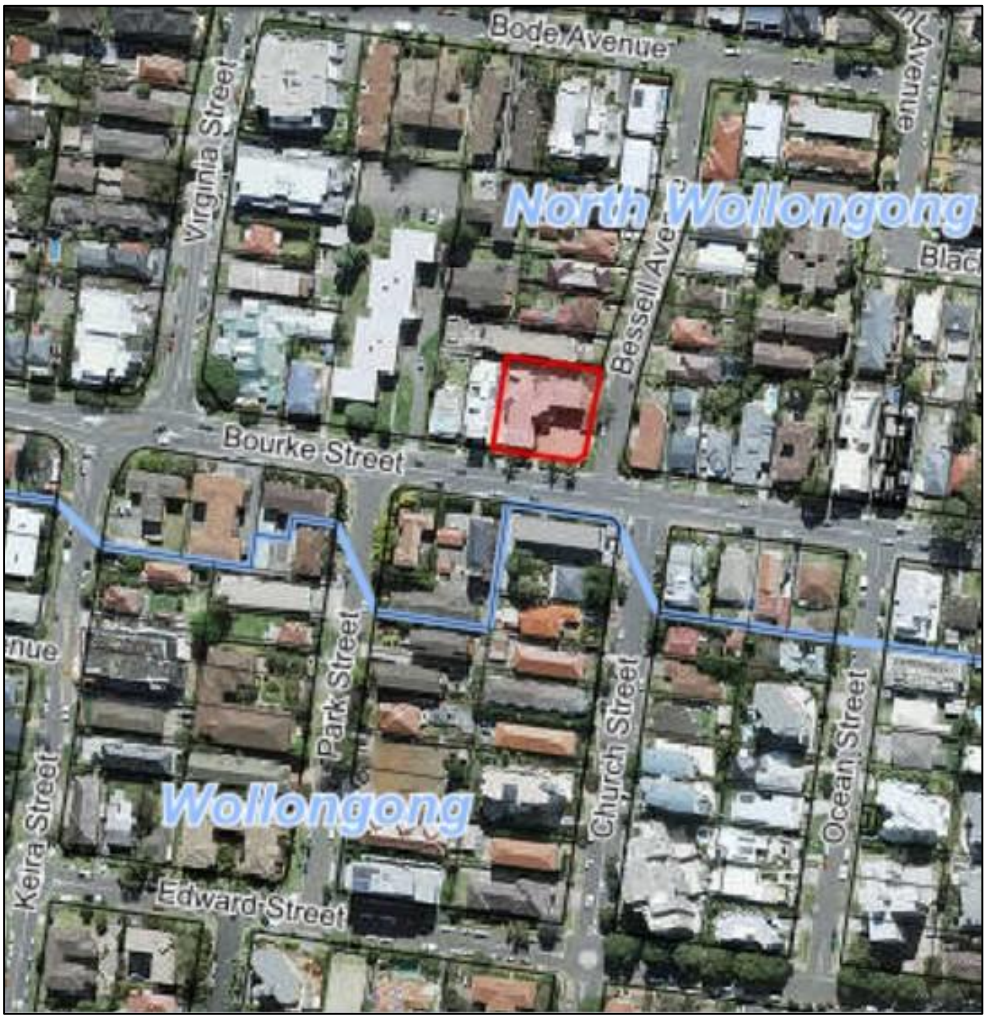
4 Applicant's Submission - Development Departures – Clause 4.3 Building Height

5 Design Review Panel meeting notes 14 December 2021

6 ADG and WDCP 2009 compliance table

7 Recommended refusal reasons

Attachment 1 - Aerial photograph



Attachment 2 - WLEP zoning map extract

NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

AMENDMENTS

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A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ

DEMOLISH EXISTING CONCRETE SURFACES

DEMOLISH EXISTING STRUCTURES

DEMOLISH AND REMOVE EXISTING REDUNDANT CONCRETE DRIVEWAY CROSSING. MAKE GOOD FOOPATH AND KERB TO COUNCIL REQUIREMENTS

EXISTING TREE TO BE REMOVED SHOWN RED DASHED

DEMOLISH EXISTING 3 & 4 STOREY BRICK BUILDING (METAL ROOF)

EXISTING TREE TO BE REMOVED

DEMOLISH EXISTING CONCRETE SURFACES

DEMOLISH EXISTING PAVEMENT

DEMOLISH EXISTING STRUCTURES

EXISTING TREE TO BE REMOVED

DEMOLISH EXISTING BITUMEN AND CONCRETE DRIVEWAY

3 & 4 STOREY BRICK BUILDING (METAL ROOF) NO. 30 "NORMANDIE INN"

3 STOREY RENDERED BUILDING (BASEMENT BELOW) No:32

3 STOREY BRICK BUILDING No:10

SP 18633

SP 83193

3 DP 37711 1350m²

BOURKE STREET

BESSELL AVENUE

1 EXISTING AND DEMOLITION PLAN
1 : 100

Project:
NORTH BEACH
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:
MODCO

Suite 3
73 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

Title:
EXISTING & DEMOLITION PLAN

Date: 02.11.2021	Job No:	Dwg:	Rev:
Scale: 1 : 100	21-11	DA-03	

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DEVELOPMENT APPLICATION

AMENDMENTS

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A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	02.11.2021	DQ
C	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ

1.8M MAX NEW COLORBOND SELECTED FENCE

13.77 INVERT SEWER LINE

RETAINING WALLS TO ENGINEERS DETAILS AND SPECIFICATION

1.8M MAX NEW COLORBOND SELECTED FENCE

EXISTING TREE TO REMAIN

4 - EXISTING TREES TO BE REMOVED AND NEW SPECIES PLANTED REFER TO ARBORIST REPORT

ENTRY FROM BOURKE STREET

BOURKE STREET

RETAINING WALLS TO ENGINEERS DETAILS AND SPECIFICATION

COMMUNAL OPEN SPACE BELOW

LETTERBOX

EXISTING DRIVEWAY TO BE DEMOLISHED SHOWN DASHED

PROPOSED STREET TREES REFER TO LANDSCAPE ARCHITECT PLANS

1 & 2 EXISTING TREES TO BE REMOVED REFER TO ARBORIST REPORT, NO 2 (APPROXIMATE LOCATION)

PROPOSED STREET TREES REFER TO LANDSCAPE ARCHITECT PLANS

ALL ROOFS TO ACHIEVE RW RATING AS PER ACOUSTIC REPORT

PROPOSED PEDESTRIAN FOOTPATH 300X300MM EBONY BASALT STRADAPAVE BY ADBRI MASONRY (OR APPROVED EQUAL) IN ACCORDANCE WITH CITY CENTRE PUBLIC DOMAIN TECHNICAL MANUAL FOR CITY ENTRY & MINOR CIVIC STREETS. REFER TO LANDSCAPE ARCHITECT PLANS

PROPOSED PEDESTRIAN FOOTPATH 300X300MM EBONY BASALT STRADAPAVE BY ADBRI MASONRY (OR APPROVED EQUAL) IN ACCORDANCE WITH CITY CENTRE PUBLIC DOMAIN TECHNICAL MANUAL FOR CITY ENTRY & MINOR CIVIC STREETS. REFER TO LANDSCAPE ARCHITECT PLANS

5 & 6 - EXISTING TREES TO BE REMOVED AND NEW SPECIES PLANTED REFER TO ARBORIST REPORT

PROPOSED STREET TREES REFER TO LANDSCAPE ARCHITECT PLANS

EXISTING DRIVEWAY TO BE DEMOLISHED SHOWN DASHED

RETAINING WALLS TO ENGINEERS DETAILS AND SPECIFICATION

VEHICULAR CROSSINGS TO WOLLONGONG CITY COUNCIL DETAILS AND SPECIFICATIONS, TYPICAL

DRIVEWAY TO ENGINEERS DETAILS

EXISTING LIQUIDAMBER TO BE FORMALLY IDENTIFIED. REQUEST REMOVAL

7. EXISTING LIQUIDAMBER TO BE FORMALLY IDENTIFIED. REQUEST REMOVAL

SECURED GATE

FIRE EXIT PATH

RETAINING WALLS TO ENGINEERS DETAILS AND SPECIFICATION

BINS AT KERB REFER TO WASTE MANAGEMENT PLAN

BESSELL AVENUE

DRIVEWAY BELOW

BALCONY BELOW

ROOF AREA 18.6m²

ROOF AREA 63.4m²

ROOF AREA 35.6m²

ROOF AREA 30.9m²

ROOF AREA 215.4m²

ROOF AREA 14.4m²

ROOF AREA 7.6m²

BALCONY BELOW 38.1m²

STORMWATER
REFER TO DRAWINGS PREPARED BY ATB CONSULTING ENGINEERS FOR ALL STORMWATER DETAILS AND SPECIFICATIONS

LANDSCAPING
REFER TO DRAWINGS PREPARED BY DSB LANDSCAPE ARCHITECTS FOR ALL LANDSCAPING DETAILS AND SPECIFICATIONS.

BASIX/NatHERS
THIS DRAWING TO BE READ IN CONJUCTION WITH BASIX/NatHERS REPORT PREPARED BY CERTIFIED ENERGY

1 SITE / ROOF PLAN
1 : 100

Project:
SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:
MODCO

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Wollongong NSW 2500
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PRD ARCHITECTS

Title:
SITE / ROOF PLAN

Date: 09.03.2022	Job No: 21-11	Dwg: DA-09	Rev:
Scale: As indicated			

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DEVELOPMENT APPLICATION

AMENDMENTS

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A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
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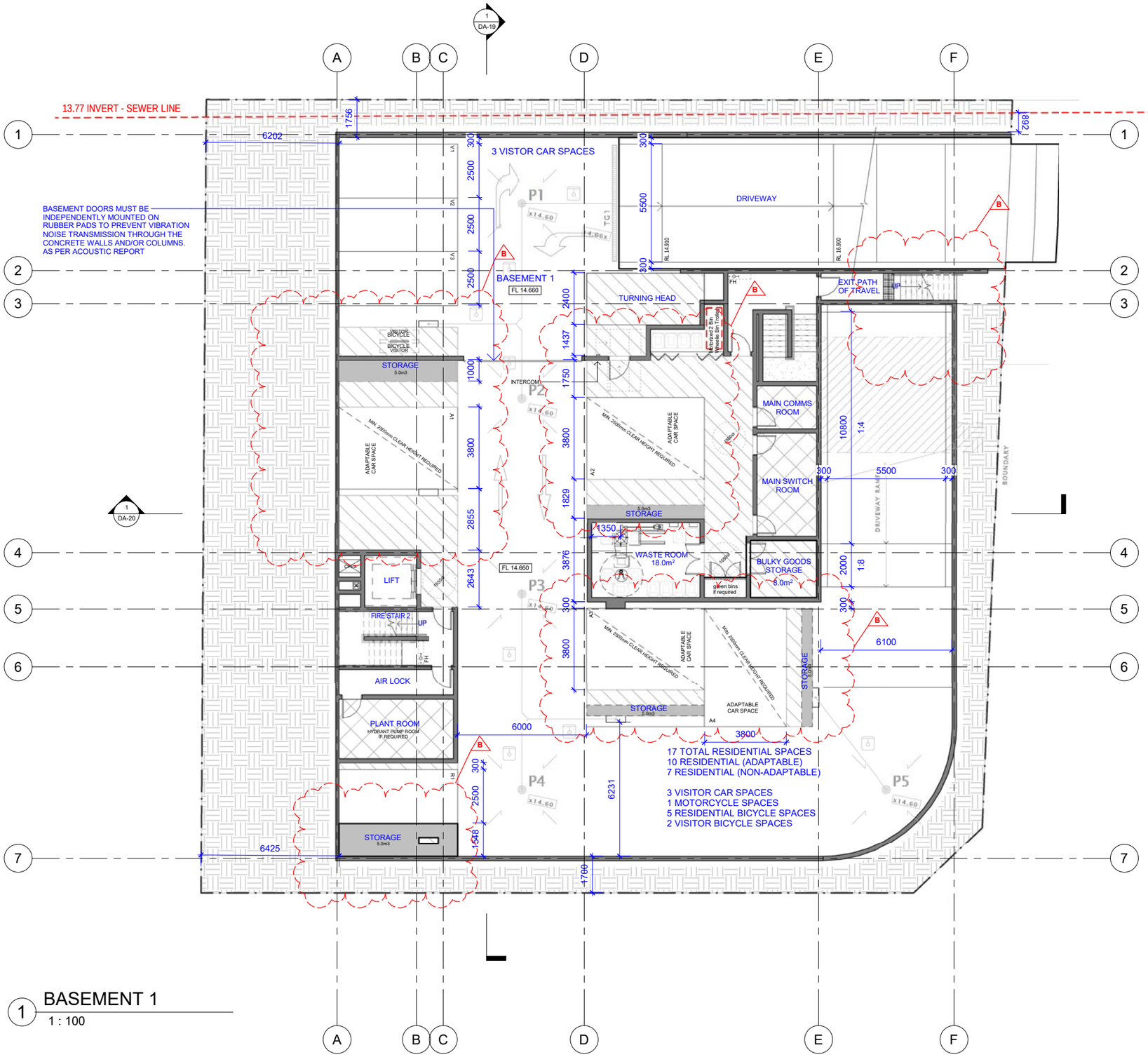

1 BASEMENT 1
1 : 100

STORMWATER
REFER TO DRAWINGS PREPARED BY ATB CONSULTING ENGINEERS FOR ALL STORMWATER DETAILS AND SPECIFICATIONS

LANDSCAPING
REFER TO DRAWINGS PREPARED BY DSB LANDSCAPE ARCHITECTS FOR ALL LANDSCAPING DETAILS AND SPECIFICATIONS.

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Title:
BASEMENT 1

Date: 09.03.2022	Job No:	Dwg:	Rev:
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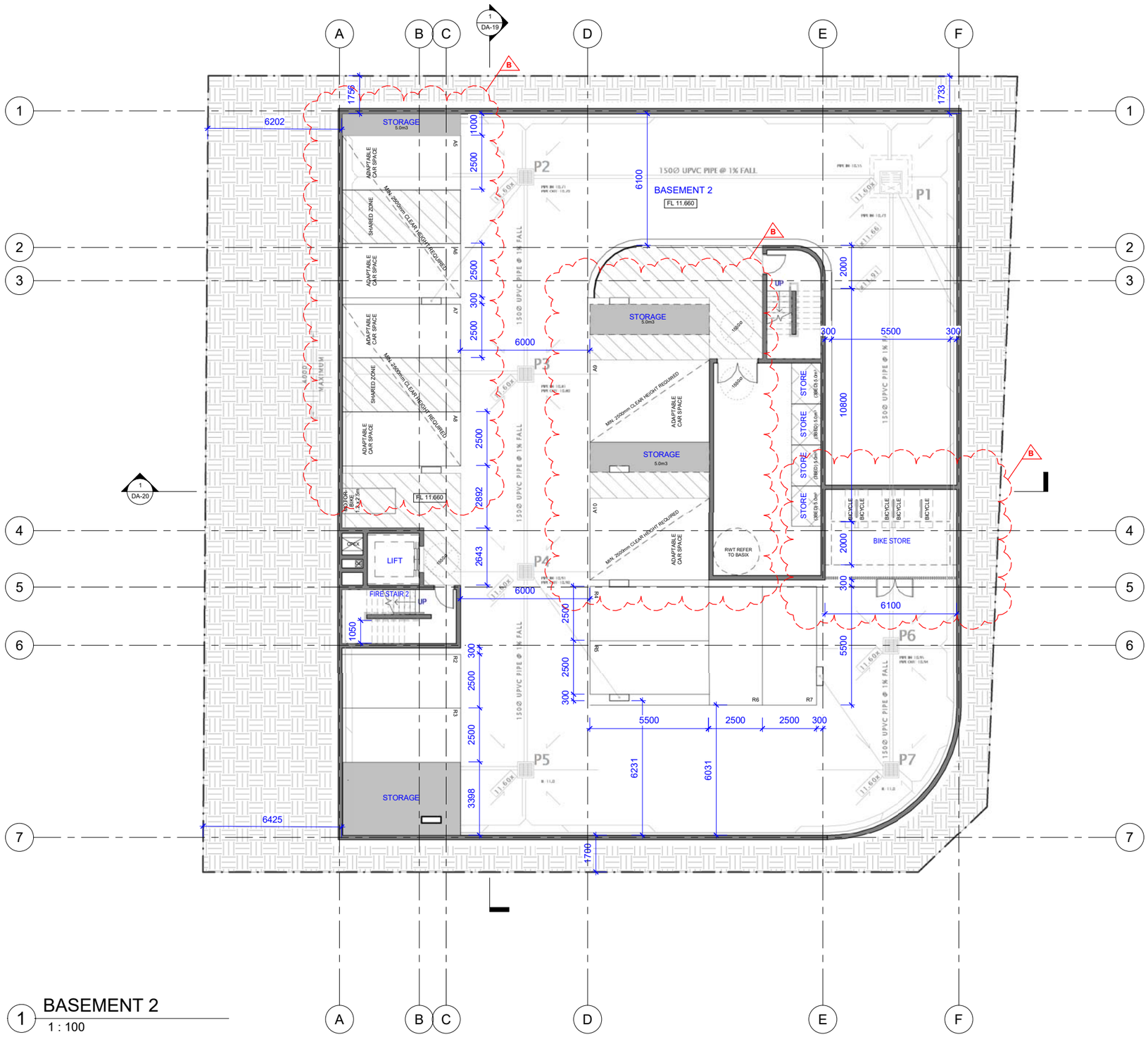

1 BASEMENT 2
1 : 100

STORMWATER
REFER TO DRAWINGS PREPARED BY ATB CONSULTING ENGINEERS FOR ALL STORMWATER DETAILS AND SPECIFICATIONS

LANDSCAPING
REFER TO DRAWINGS PREPARED BY DSB LANDSCAPE ARCHITECTS FOR ALL LANDSCAPING DETAILS AND SPECIFICATIONS.

BASIX/NatHERS
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LOT 3 DP 37711

Client:
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PRD ARCHITECTS

Title:
BASEMENT 2

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: As indicated	21-11	DA-11	

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DEVELOPMENT APPLICATION

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A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	02.11.2021	DQ
C	ISSUED FOR ADDITIONAL INFORMATION	10.12.2021	DQ
D	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ

EXISTING TREES TO REMAIN
REFER TO ARBORIST REPORT

REFER TO LANDSCAPE PLAN

1.8M MAX NEW COLORBOND SELECTED FENCE

EXTENT OF EXISTING EASEMENT

SEWER LINE

13.77 INVERT

RETAINING WALLS TO ENGINEERS DETAILS AND SPECIFICATION

WINDOWS TO ACHIEVE RW RATING AS PER ACOUSTIC REPORT

1.8M MAX NEW COLORBOND SELECTED FENCE

ENTRY DOORS TO ACHIEVE RW RATING AS PER ACOUSTIC REPORT

CAR PARK EXHAUST FOR VENTILATION

REFER TO LANDSCAPE PLAN

RETAINING WALLS TO ENGINEERS DETAILS AND SPECIFICATION

EXISTING TREE TO REMAIN

4 - EXISTING TREES TO BE REMOVED AND NEW SPECIES PLANTED REFER TO ARBORIST REPORT

ENTRY FROM BOURKE STREET

EXISTING DRIVEWAY TO BE DEMOLISHED SHOWN DASHED

SEWER LINE

EXISTING DRIVEWAY TO BE DEMOLISHED SHOWN DASHED

RETAINING WALLS TO ENGINEERS DETAILS AND SPECIFICATION

VEHICULAR CROSSINGS TO WOLLONGONG CITY COUNCIL DETAILS AND SPECIFICATIONS, TYPICAL

DRIVEWAY TO ENGINEERS DETAILS

7. EXISTING LIQUIDAMBER TO BE FORMALLY IDENTIFIED. REQUEST REMOVAL

SECURED GATE

FIRE EXIT PATH

RETAINING WALLS TO ENGINEERS DETAILS AND SPECIFICATION

1 & 2 EXISTING TREES TO BE REMOVED REFER TO ARBORIST REPORT, NO 2 (APPROXIMATE LOCATION)

PROPOSED STREET TREES REFER TO LANDSCAPE ARCHITECT PLANS

DOUBLE GLAZED WINDOWS AND SLIDING DOORS, ALL SLIDING DOORS AND WINDOWS TO ACHIEVE RW RATING AS PER ACOUSTIC REPORT

PROPOSED PEDESTRIAN FOOTPATH 1500MM WIDE BLACK OXIDE CLOURED CONCRETE, EXPOSED BLUE METAL AGGREGATE IN ACCORDANCE WITH CITY CENTRE PUBLIC DOMAIN TECHNICAL MANUAL FOR MIXED USE / RESIDENTIAL STREETS. SHOWN DASHED BLUE. REFER TO LANDSCAPE ARCHITECT PLANS

EXTERNAL WALLS TO ACHIEVE RW RATING AS PER ACOUSTIC REPORT

PROPOSED PEDESTRIAN FOOTPATH 300X300MM EBONY BASALT STRADAPAVE BY ADBRI MASONRY (OR APPROVED EQUAL) IN ACCORDANCE WITH CITY CENTRE PUBLIC DOMAIN TECHNICAL MANUAL FOR CITY ENTRY & MINOR CIVIC STREETS. SHOWN DASHED BLUE. REFER TO LANDSCAPE ARCHITECT PLANS

5 & 6 - EXISTING TREES TO BE REMOVED AND NEW SPECIES PLANTED REFER TO ARBORIST REPORT

PROPOSED STREET TREES REFER TO LANDSCAPE ARCHITECT PLANS

EX. EXISTING

BOURKE STREET

BESSELL AVENUE

TO BESSELL AVENUE

BINS AT KERB REFER TO WASTE MANAGEMENT PLAN

REFER TO LANDSCAPE PLAN

STORMWATER
REFER TO DRAWINGS PREPARED BY ATB CONSULTING ENGINEERS FOR ALL STORMWATER DETAILS AND SPECIFICATIONS

LANDSCAPING
REFER TO DRAWINGS PREPARED BY DSB LANDSCAPE ARCHITECTS FOR ALL LANDSCAPING DETAILS AND SPECIFICATIONS.

BASIX/NatHERS LANDSCAPE ARCHITECT PLANS
THIS DRAWING TO BE READ IN CONJUCTION WITH BASIX/NatHERS REPORT PREPARED BY CERTIFIED ENERGY

1 GROUND FLOOR PLAN
1 : 100

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SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:
MODCO

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PRD ARCHITECTS

Title:
GROUND FLOOR PLAN

Date: 09.03.2022	Job No: 21-11	Dwg: DA-12	Rev:
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DEVELOPMENT APPLICATION

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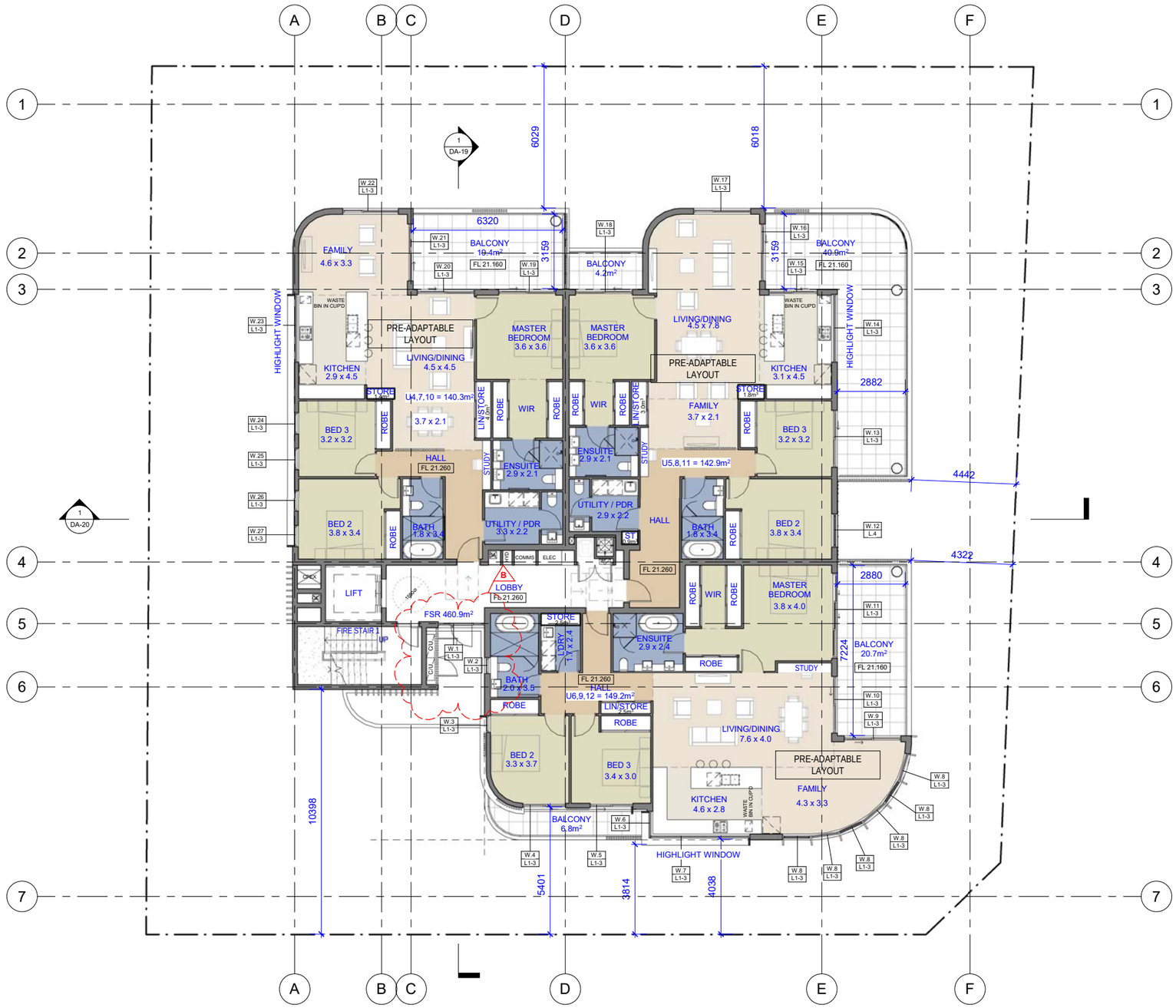
A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ



1 LEVELS 1-3 - TYPICAL

1 : 100

STORMWATER
REFER TO DRAWINGS PREPARED BY ATB CONSULTING ENGINEERS FOR ALL STORMWATER DETAILS AND SPECIFICATIONS

LANDSCAPING
REFER TO DRAWINGS PREPARED BY DSB LANDSCAPE ARCHITECTS FOR ALL LANDSCAPING DETAILS AND SPECIFICATIONS.

BASIX/NatHERS
THIS DRAWING TO BE READ IN CONJUCTION WITH BASIX/NatHERS REPORT PREPARED BY CERTIFIED ENERGY

Project:

SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:

MODCO

Suite 3
75 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

Title:

LEVELS 1-3 TYPICAL

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: As indicated	21-11	DA-13	

2 1 0 2 4 6 8

1:100 @ A1 1:200 @ A3

14/03/2022 10:01:51 AM

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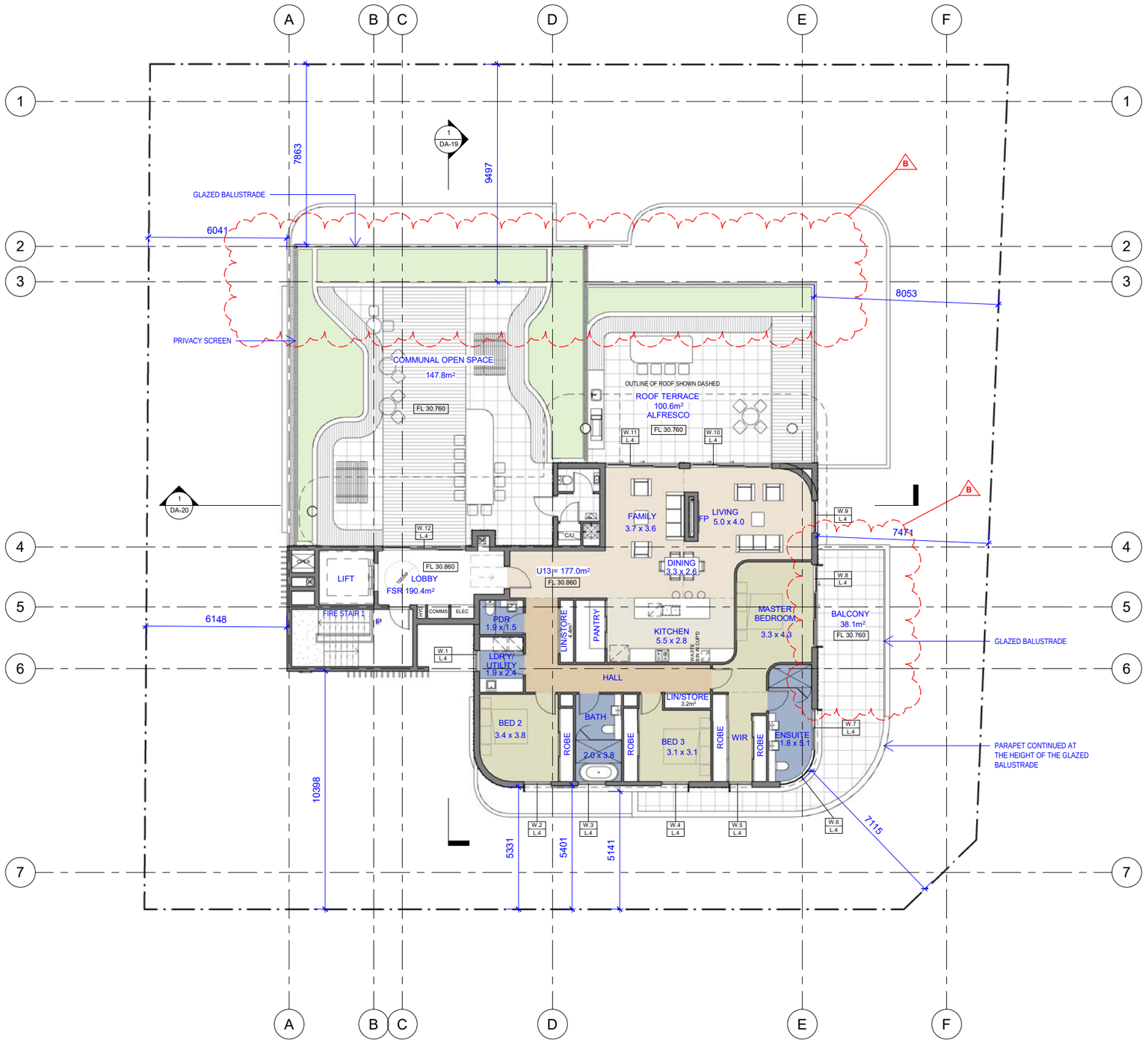
DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ



1 LEVEL 4
1 : 100

STORMWATER
REFER TO DRAWINGS PREPARED BY ATB CONSULTING ENGINEERS FOR ALL STORMWATER DETAILS AND SPECIFICATIONS

LANDSCAPING
REFER TO DRAWINGS PREPARED BY DSB LANDSCAPE ARCHITECTS FOR ALL LANDSCAPING DETAILS AND SPECIFICATIONS.

BASIX/NatHERS
THIS DRAWING TO BE READ IN CONJUCTION WITH BASIX/NatHERS REPORT PREPARED BY CERTIFIED ENERGY

Project:
SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:
MODCO

Suite 3
73 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

Title:
LEVEL 4

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: As indicated	21-11	DA-14	

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1:100 @ A1 1:200 @ A3

14/03/2022 10:02:02 AM

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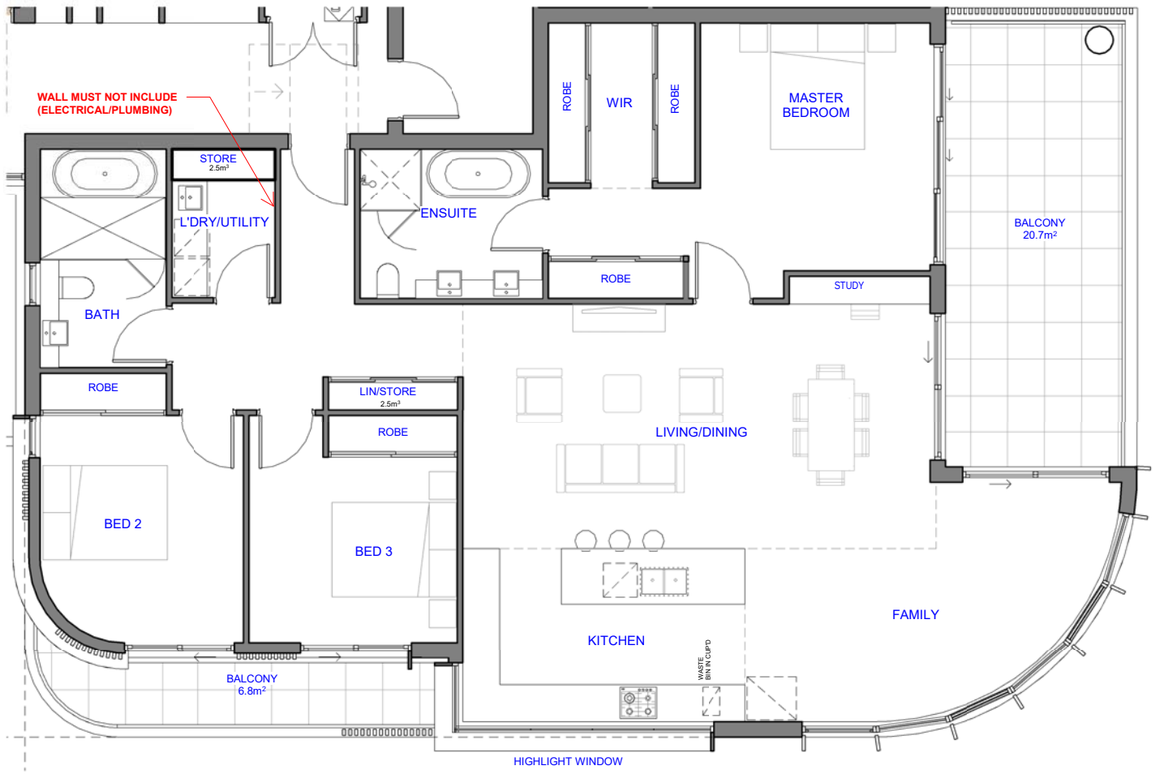
DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ

ADAPTABLE UNITS

GROUND FLOOR	UNIT 1,2 & 3
LEVEL 1	UNIT 4,5 & 6
LEVEL 2	UNIT 7,8 & 9
LEVEL 3	UNIT 12
TOTAL	**10 UNITS**



1 PRE-ADAPTABLE PLAN - UNIT 6, 9 & 12

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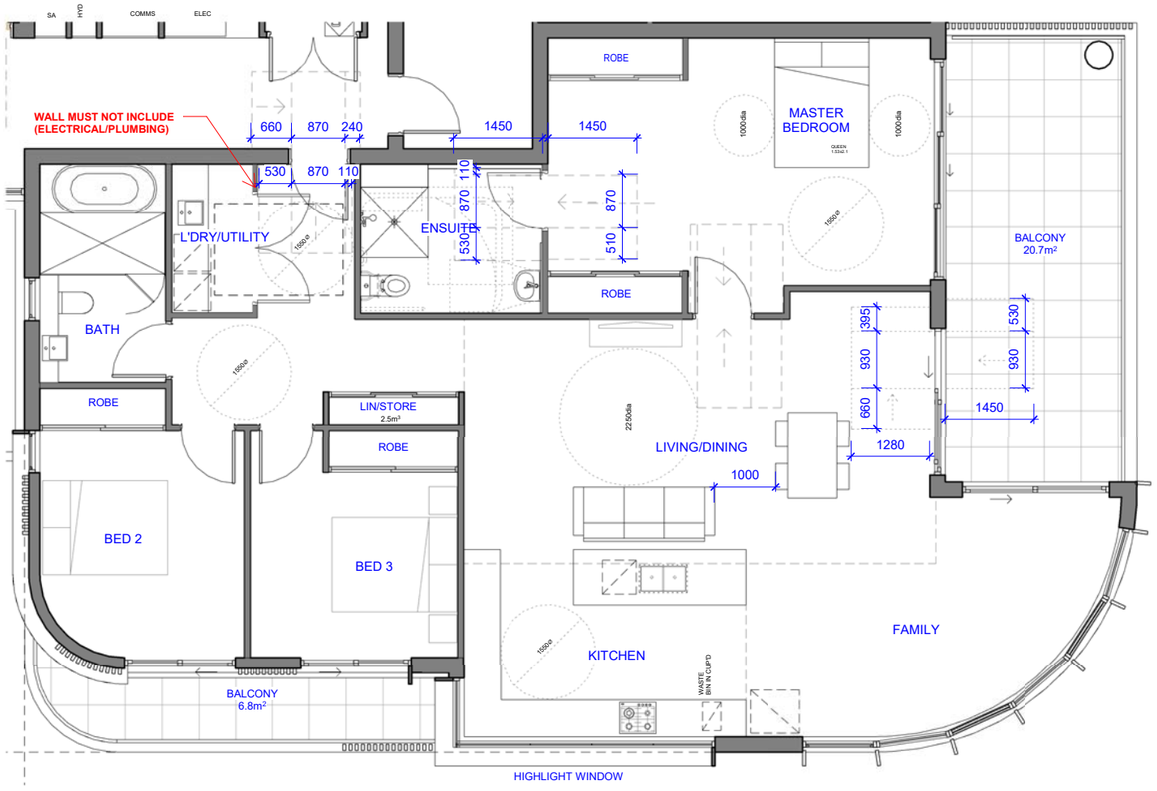

2 POST-ADAPTABLE PLAN - UNIT 6, 9 & 12

1 : 50

Project:

SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:

MODCO

Suite 3
75 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

Title:

PRE AND POST-ADAPTABLE PLANS

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: 1 : 50	21-11	DA-18a	

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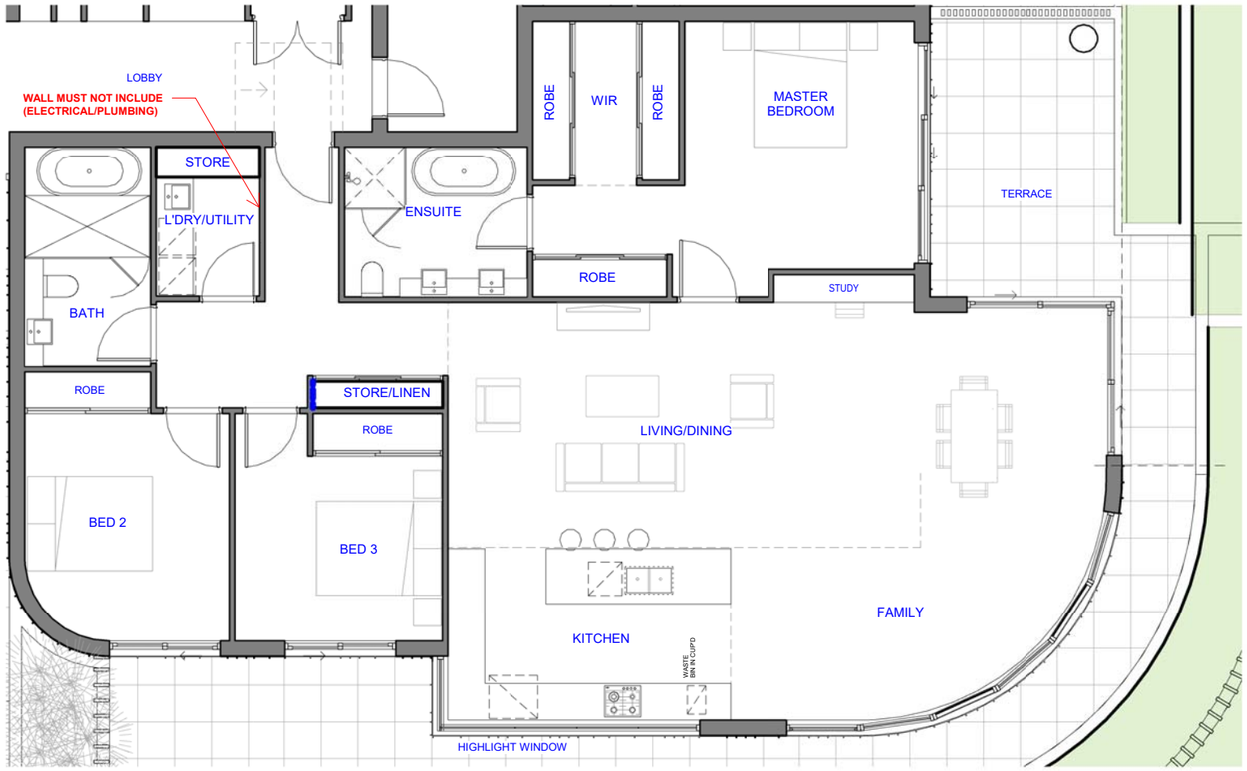
14/03/2022 10:03:27 AM



1 PRE-ADAPTABLE PLAN - UNIT 3

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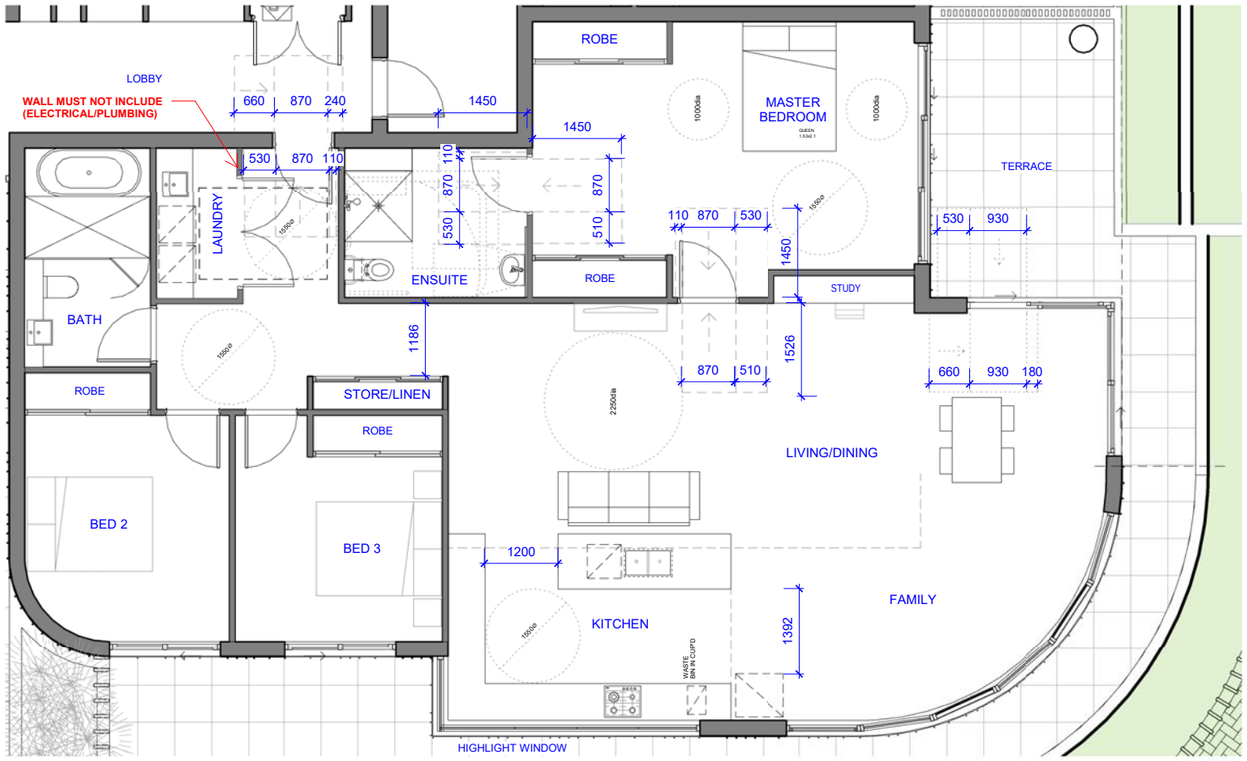

2 POST-ADAPTABLE PLAN - UNIT 3

1 : 50

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Dimensions to be verified on site before the fabrication of any building components. These designs & plans are copyright & are not to be used or reproduced wholly or in part without the written permission of P.R.D Architects

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DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ

ADAPTABLE UNITS

GROUND FLOOR	UNIT 1,2 & 3
LEVEL 1	UNIT 4,5 & 6
LEVEL 2	UNIT 7,8 & 9
LEVEL 3	UNIT 12
TOTAL	**10 UNITS**

Project:

SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:

MODCO

Suite 2
73 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

Title:

PRE AND POST-ADAPTABLE PLANS

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: 1 : 50	21-11	DA-17	

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1:50 @ A1 1:100 @ A3

14/03/2022 10:02:53 AM

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DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ

B

1 PRE-ADAPTABLE PLAN - UNIT 5 & 8
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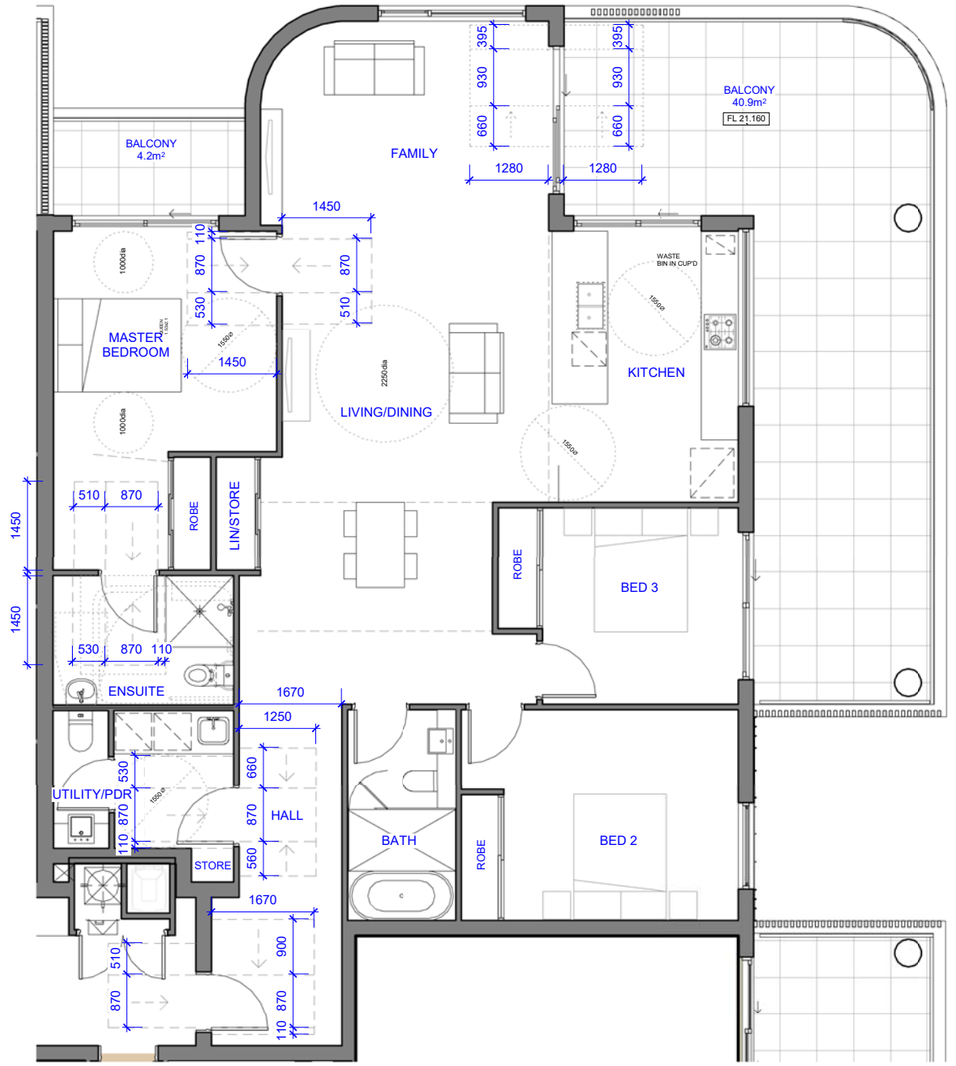

2 POST-ADAPTABLE PLAN - UNIT 5 & 8
1 : 50

ADAPTABLE UNITS

GROUND FLOOR	UNIT 1,2 & 3
LEVEL 1	UNIT 4,5 & 6
LEVEL 2	UNIT 7,8 & 9
LEVEL 3	UNIT 12
TOTAL	**10 UNITS**

Project:
SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:
MODCO

Suite 2
73 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

Title:
PRE AND POST-ADAPTABLE PLANS

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: 1 : 50	21-11	DA-18	

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1:50 @ A1 1:100 @ A3

14/03/2022 10:03:15 AM

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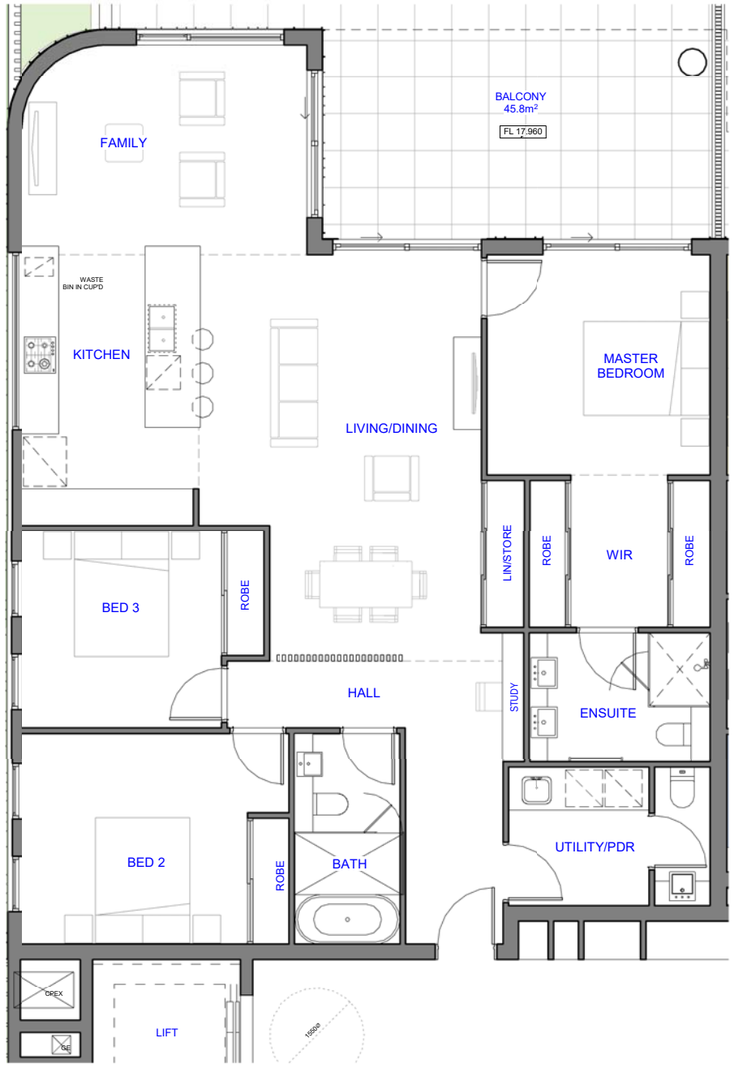
DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ

ADAPTABLE UNITS

GROUND FLOOR	UNIT 1,2 & 3
LEVEL 1	UNIT 4,5 & 6
LEVEL 2	UNIT 7,8 & 9
LEVEL 3	UNIT 12
TOTAL	**10 UNITS**



2 PRE-ADAPTABLE PLAN - UNIT 1,4 & 7
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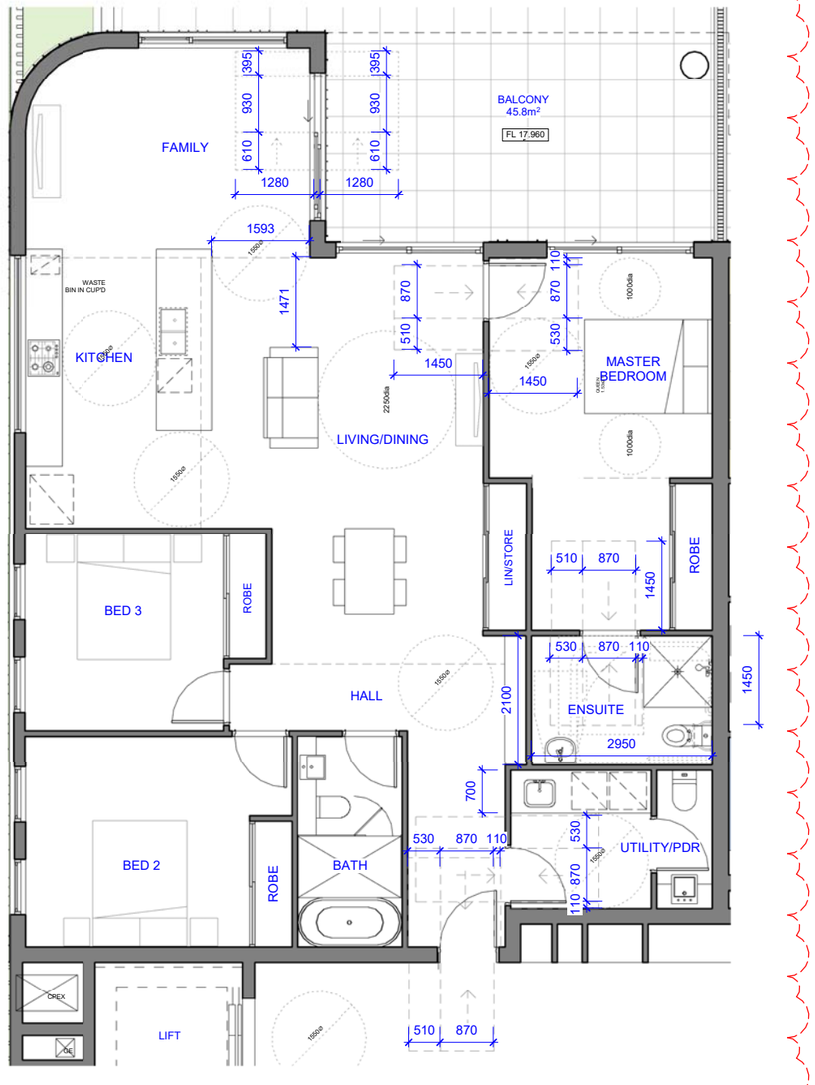

1 POST-ADAPTABLE PLAN - UNIT 1,4 & 7
1 : 50

Project:
SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:
MODCO

Suite 3
73 Market Street
Wollongong NSW 2500
P: 4226 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

Title:
PRE AND POST-ADAPTABLE PLANS

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: 1 : 50	21-11	DA-15	

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1:50 @ A1 1:100 @ A3

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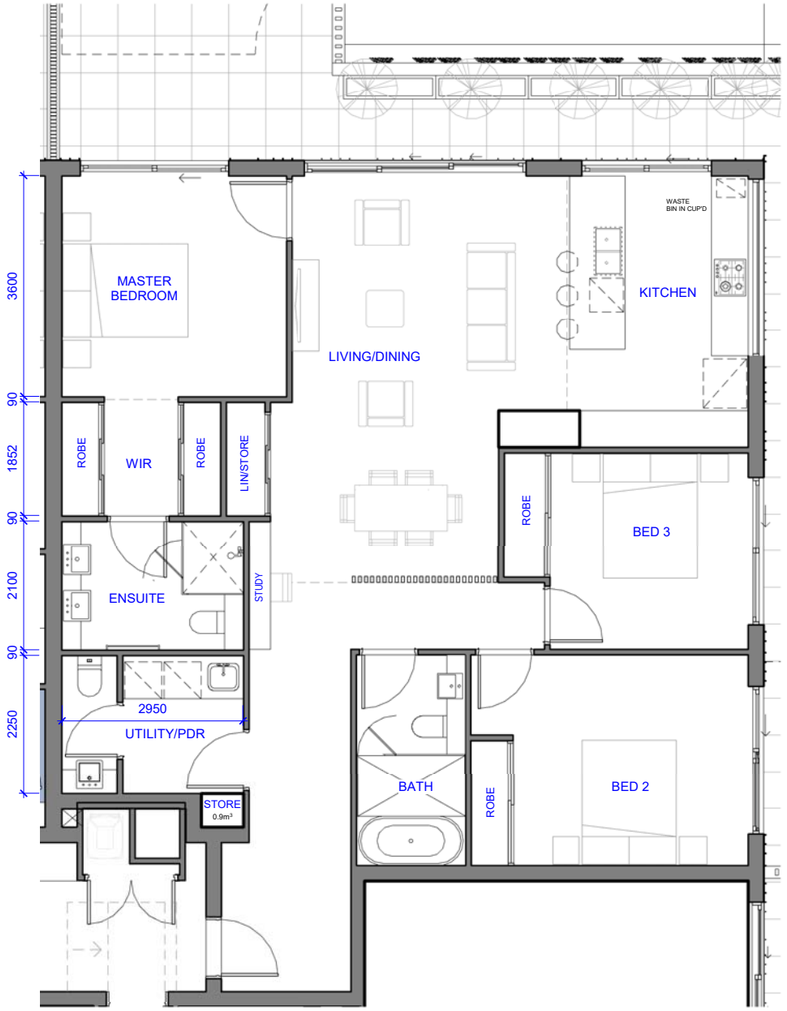
DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ

ADAPTABLE UNITS

GROUND FLOOR	UNIT 1,2 & 3
LEVEL 1	UNIT 4,5 & 6
LEVEL 2	UNIT 7,8 & 9
LEVEL 3	UNIT 12
TOTAL	**10 UNITS**



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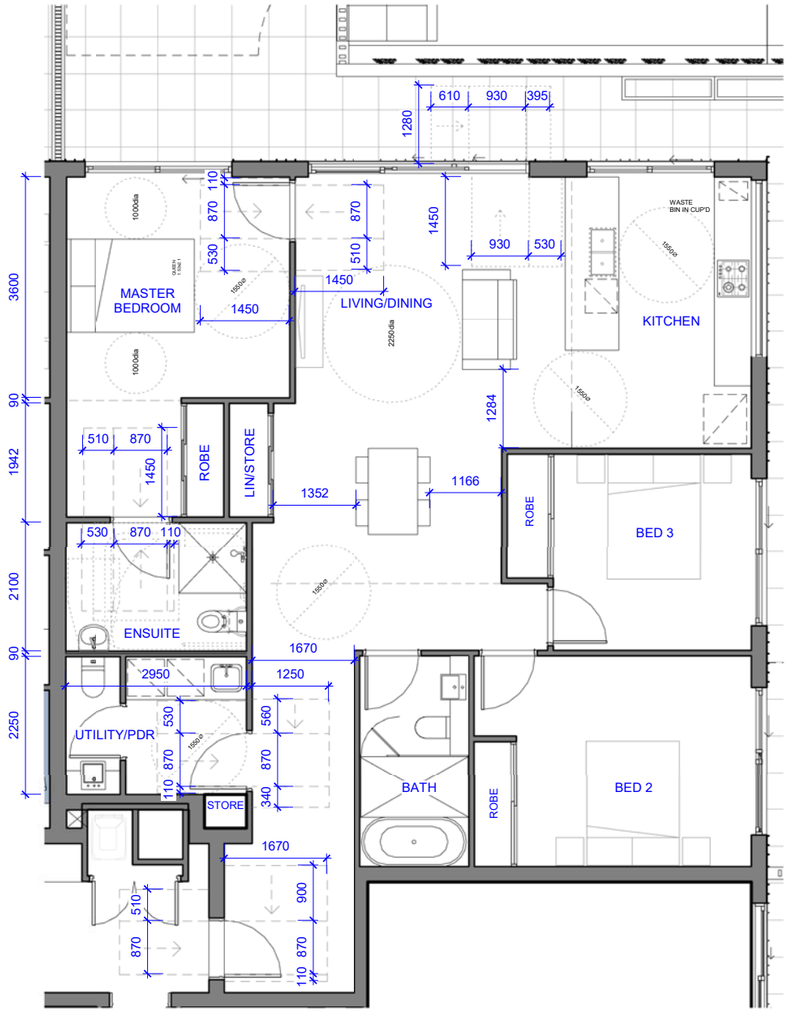

1 POST-ADAPTABLE PLAN - UNIT 2
1 : 50

Project:
SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:
MODCO

Suite 3
73 Market Street
Wollongong NSW 2500
P: 4226 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

Title:
PRE AND POST-ADAPTABLE PLANS

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: 1 : 50	21-11	DA-16	

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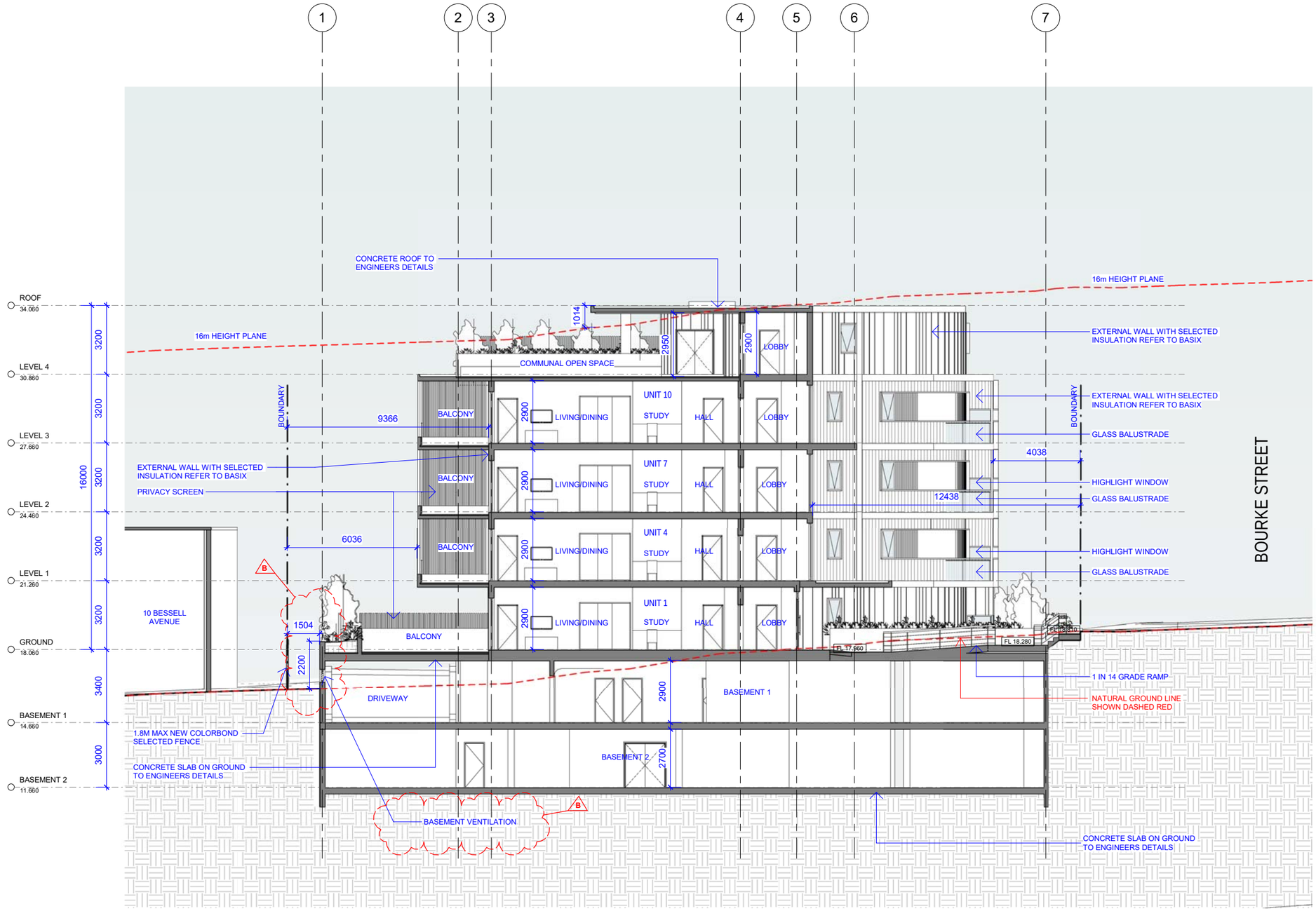
DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	10.12.2021	DQ



1 SECTION A-A
1 : 100

STORMWATER
REFER TO DRAWINGS PREPARED BY ATB CONSULTING ENGINEERS FOR ALL STORMWATER DETAILS AND SPECIFICATIONS

LANDSCAPING
REFER TO DRAWINGS PREPARED BY DSB LANDSCAPE ARCHITECTS FOR ALL LANDSCAPING DETAILS AND SPECIFICATIONS.

BASIX/NatHERS
THIS DRAWING TO BE READ IN CONJUCTION WITH BASIX/NatHERS REPORT PREPARED BY CERTIFIED ENERGY

Project:
NORTH BEACH
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:
MODCO

Suite 3
73 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

Title:
SECTION A-A

Date: 10.12.2021	Job No:	Dwg:	Rev:
Scale: As indicated	21-11	DA-19	

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10/12/2021 3:10:47 PM

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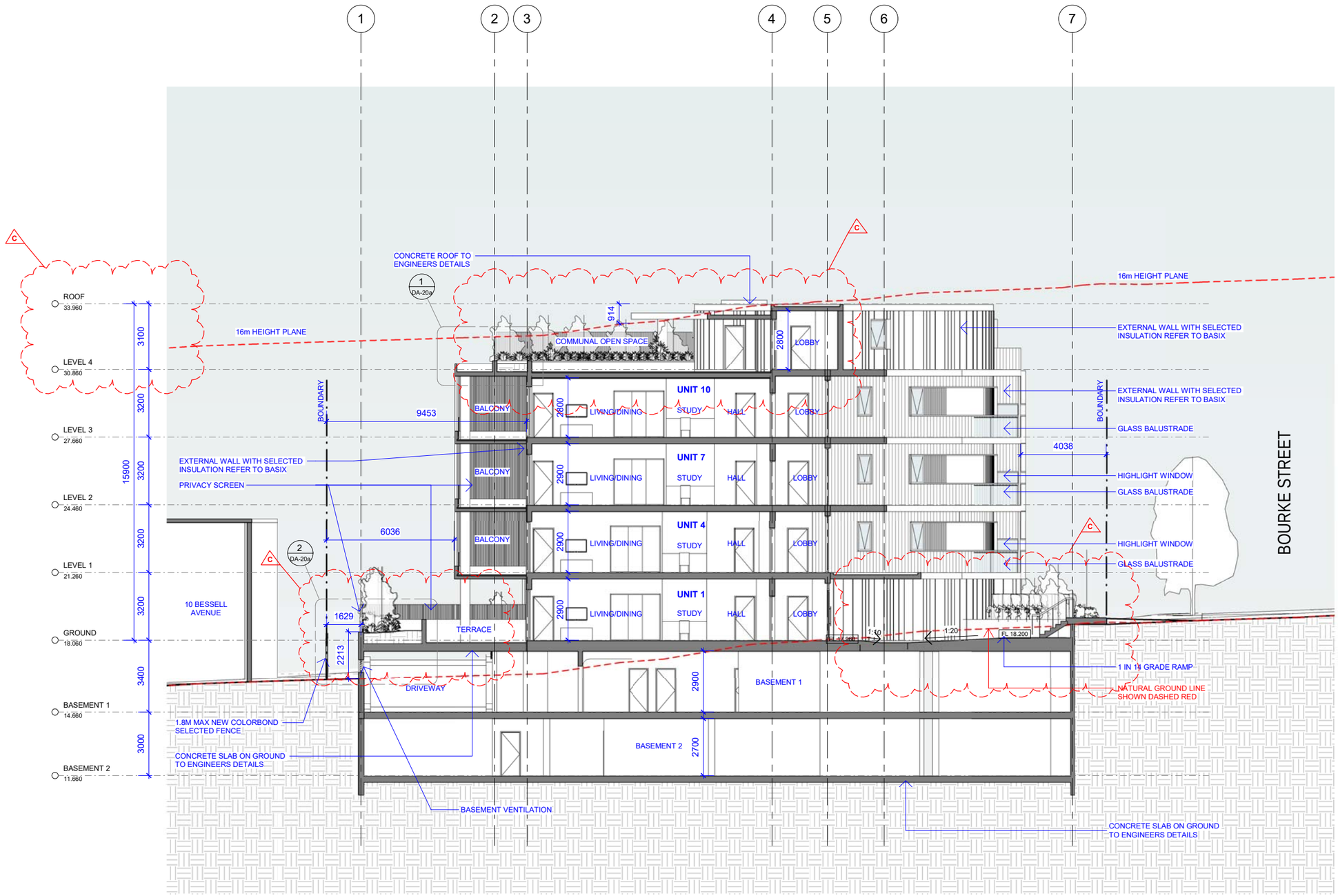
DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	10.12.2021	DQ
C	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ



1 SECTION A-A
1 : 100

STORMWATER
REFER TO DRAWINGS PREPARED BY ATB CONSULTING ENGINEERS FOR ALL STORMWATER DETAILS AND SPECIFICATIONS

LANDSCAPING
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BASIX/NatHERS
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Project:
SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:
MODCO

Suite 3
75 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

Title:
SECTION A-A

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: As indicated	21-11	DA-19	

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14/03/2022 10:03:42 AM

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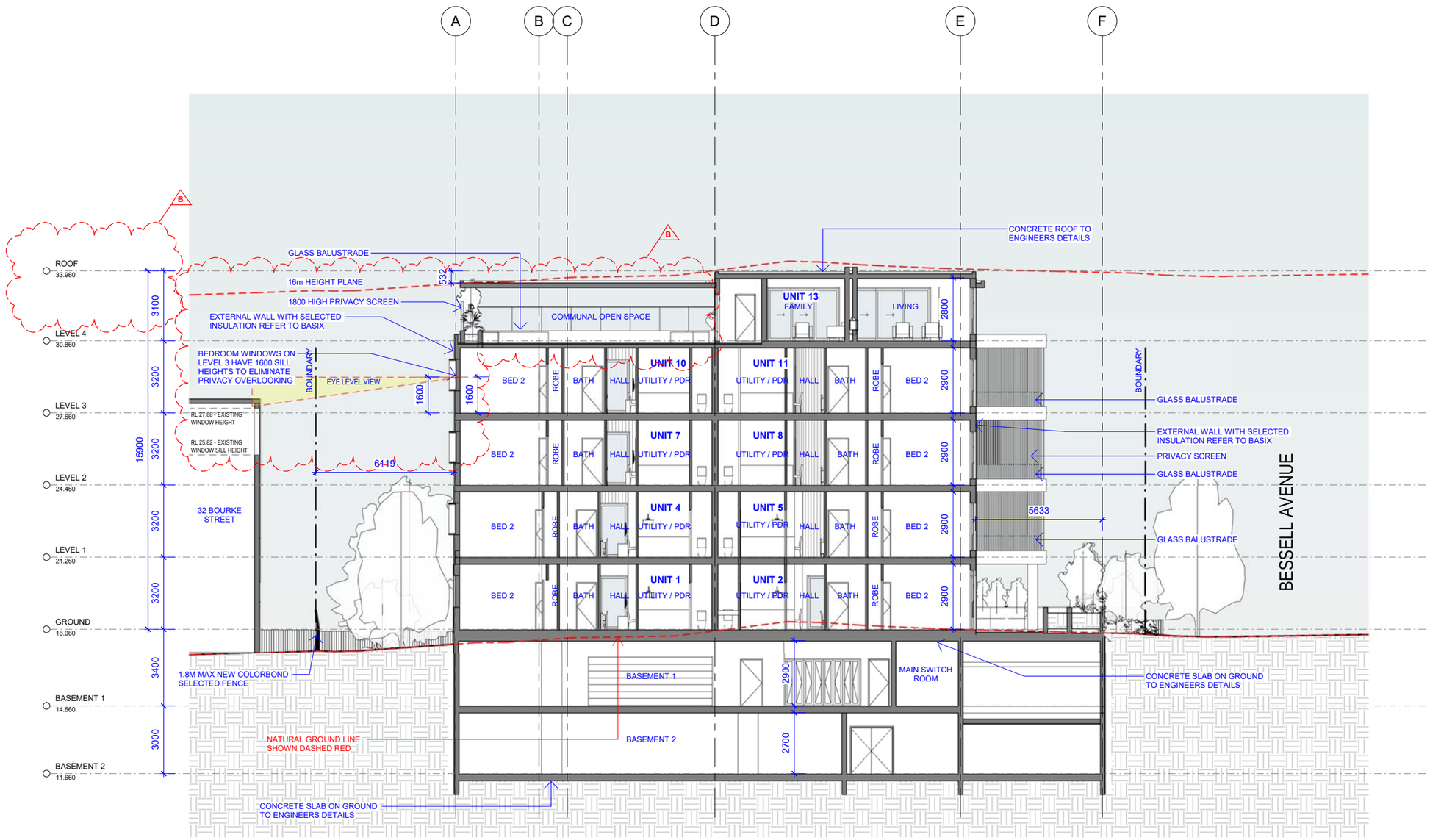
DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ



1 SECTION B-B
1 : 100

STORMWATER
REFER TO DRAWINGS PREPARED BY ATB CONSULTING ENGINEERS FOR ALL STORMWATER DETAILS AND SPECIFICATIONS

LANDSCAPING
REFER TO DRAWINGS PREPARED BY DSB LANDSCAPE ARCHITECTS FOR ALL LANDSCAPING DETAILS AND SPECIFICATIONS.

BASIX/NatHERS
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Project:
SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:
MODCO

Suite 2
73 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

Title:
SECTION B-B

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: As indicated	21-11	DA-20	

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14/03/2022 10:03:58 AM

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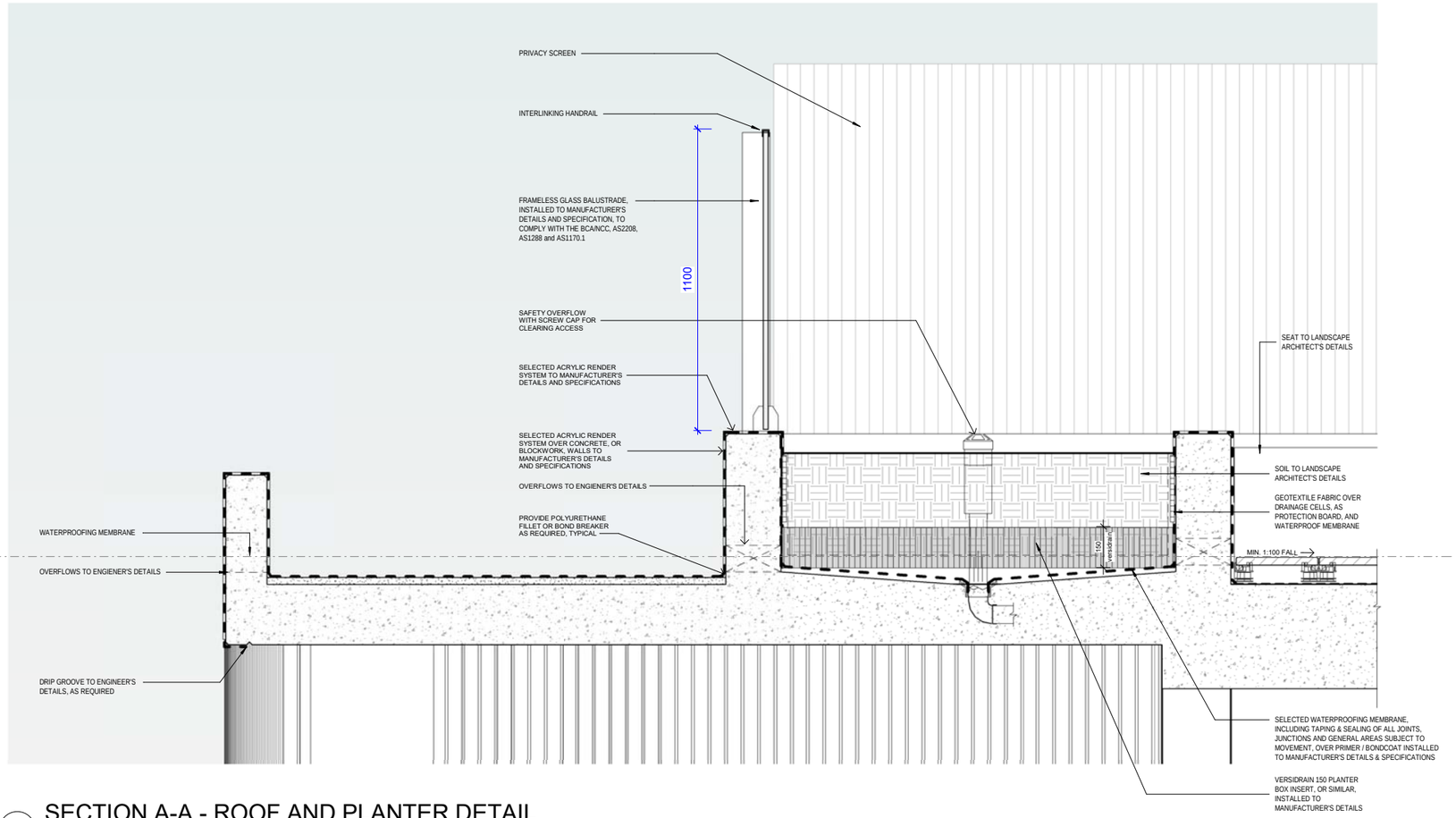
DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ



1 SECTION A-A - ROOF AND PLANTER DETAIL

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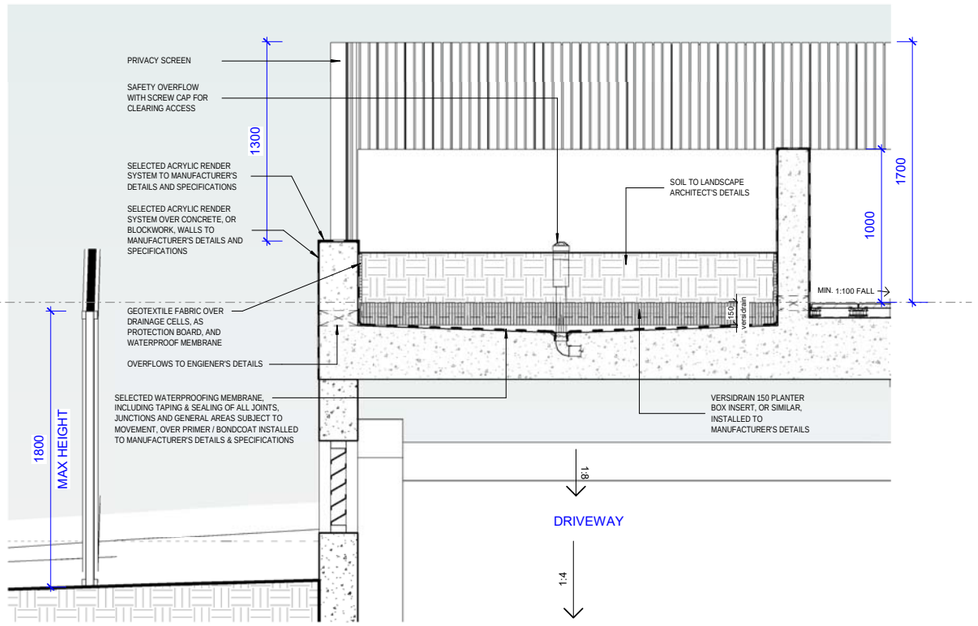
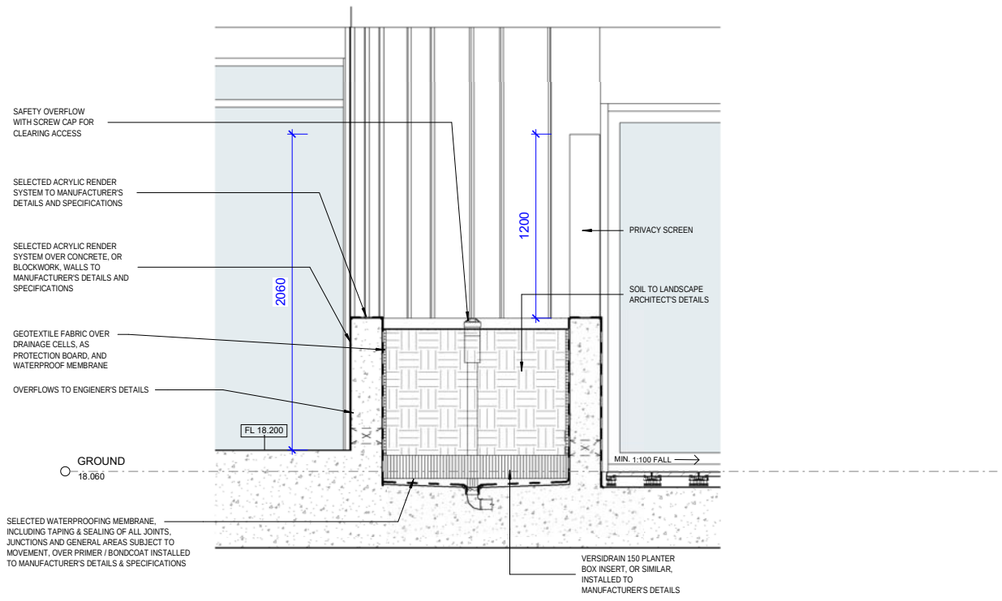


2 SECTION A-A - UNIT 1 TERRACE & PRIVACY SCREEN

1 : 20



3 SECTION C-C - ENTRY AND UNIT 3 TERRACE

1 : 20

Project:

SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:

MODCO

Suite 3
75 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

Title:

SECTION DETAILS

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: As indicated	21-11	DA-20a	

14/03/2022 10:04:16 AM

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DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ

1 NORTH ELEVATION
1 : 100

FINISHES SCHEDULE:

EXTERNAL

DULUX "VIVID WHITE" OR SIMILAR - SOFFIT & WALL RENDERED FINISH

COLORBOND SHEET METAL CLADDING
STANDING SEAM, MIXED WIDTHS
COLOUR: BASALT MATT, OR SIMILAR

SCULPTFORM - ALUMINIUM CLADDING 'WHITE OAK OR SIMILAR'

POWDERCOATED ALUMINUM BATTEN FACADE (TB)
COLOUR: KNOTWOOD 'BLACKBUTT' OR SIMILAR

POWDERCOATED ALUMINUM BATTEN FACADE (TS)
COLOUR: DULUX 'SHALE GREY' OR SIMILAR

WINDOWS & DOORS
POWDERCOATED (PC) : 'ZEUS GREY' OR SIMILAR
GLAZING: CLEAR

CLEAR GLASS

TRANSLUCENT GLASS

FRAMELESS GLASS BALUSTRADE

Project:

SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:

MODCO

Suite 3
73 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

Title:

NORTH ELEVATION

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: As indicated	21-11	DA-21	

2 1 0 2 4 6 8

1:100 @ A1 1:200 @ A3

14/03/2022 10:05:03 AM

STORMWATER
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LANDSCAPING
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BASIX/NatHERS
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DEVELOPMENT APPLICATION

AMENDMENTS

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A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
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1 EAST ELEVATION
1 : 100

FINISHES SCHEDULE:

EXTERNAL

DULUX "VIVID WHITE" OR SIMILAR - SOFFIT & WALL RENDERED FINISH

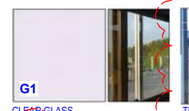
COLORBOND SHEET METAL CLADDING STANDING SEAM, MIXED WIDTHS
COLOUR: BASALT MATT, OR SIMILAR

SCULPTFORM - ALUMINIUM CLADDING 'WHITE OAK OR SIMILAR'

POWDERCOATED ALUMINUM BATTEN FACADE (TB)
COLOUR: KNOTWOOD 'BLACKBUTT' OR SIMILAR

POWDERCOATED ALUMINUM BATTEN FACADE (TS)
COLOUR: DULUX 'SHALE GREY' OR SIMILAR

WINDOWS & DOORS
POWDERCOATED (PC) : 'ZEUS GREY' OR SIMILAR
GLAZING: CLEAR



CLEAR GLASS

TRANSLUCENT GLASS

FRAMELESS GLASS BALUSTRADE

Project:
SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:
MODCO

Suite 3
75 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

Title:
EAST ELEVATION

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: As indicated	21-11	DA-22	

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1:100 @ A1 1:200 @ A3

14/03/2022 10:05:44 AM

STORMWATER
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DEVELOPMENT APPLICATION

AMENDMENTS

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A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
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1 SOUTH ELEVATION
1 : 100

FINISHES SCHEDULE:

EXTERNAL

DULUX "VIVID WHITE" OR SIMILAR - SOFFIT & WALL RENDERED FINISH

COLORBOND SHEET METAL CLADDING
STANDING SEAM, MIXED WIDTHS
COLOUR: BASALT MATT, OR SIMILAR

SCULPTFORM - ALUMINIUM CLADDING 'WHITE OAK OR SIMILAR'

POWDERCOATED ALUMINUM BATTEN FACADE (TB)
COLOUR: KNOTWOOD 'BLACKBUTT' OR SIMILAR

POWDERCOATED ALUMINUM BATTEN FACADE (TS)
COLOUR: DULUX 'SHALE GREY' OR SIMILAR

WINDOWS & DOORS
POWDERCOATED (PC) : 'ZEUS GREY' OR SIMILAR
GLAZING: CLEAR

CLEAR GLASS

TRANSLUCENT GLASS

FRAMELESS GLASS BALUSTRADE

Project:
SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:
MODCO

Suite 3
73 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

Title:
SOUTH ELEVATION

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: As indicated	21-11	DA-23	

2 1 0 2 4 6 8

1:100 @ A1 1:200 @ A3

14/03/2022 10:06:20 AM

STORMWATER
REFER TO DRAWINGS PREPARED BY ATB CONSULTING ENGINEERS FOR ALL STORMWATER DETAILS AND SPECIFICATIONS

LANDSCAPING
REFER TO DRAWINGS PREPARED BY DSB LANDSCAPE ARCHITECTS FOR ALL LANDSCAPING DETAILS AND SPECIFICATIONS.

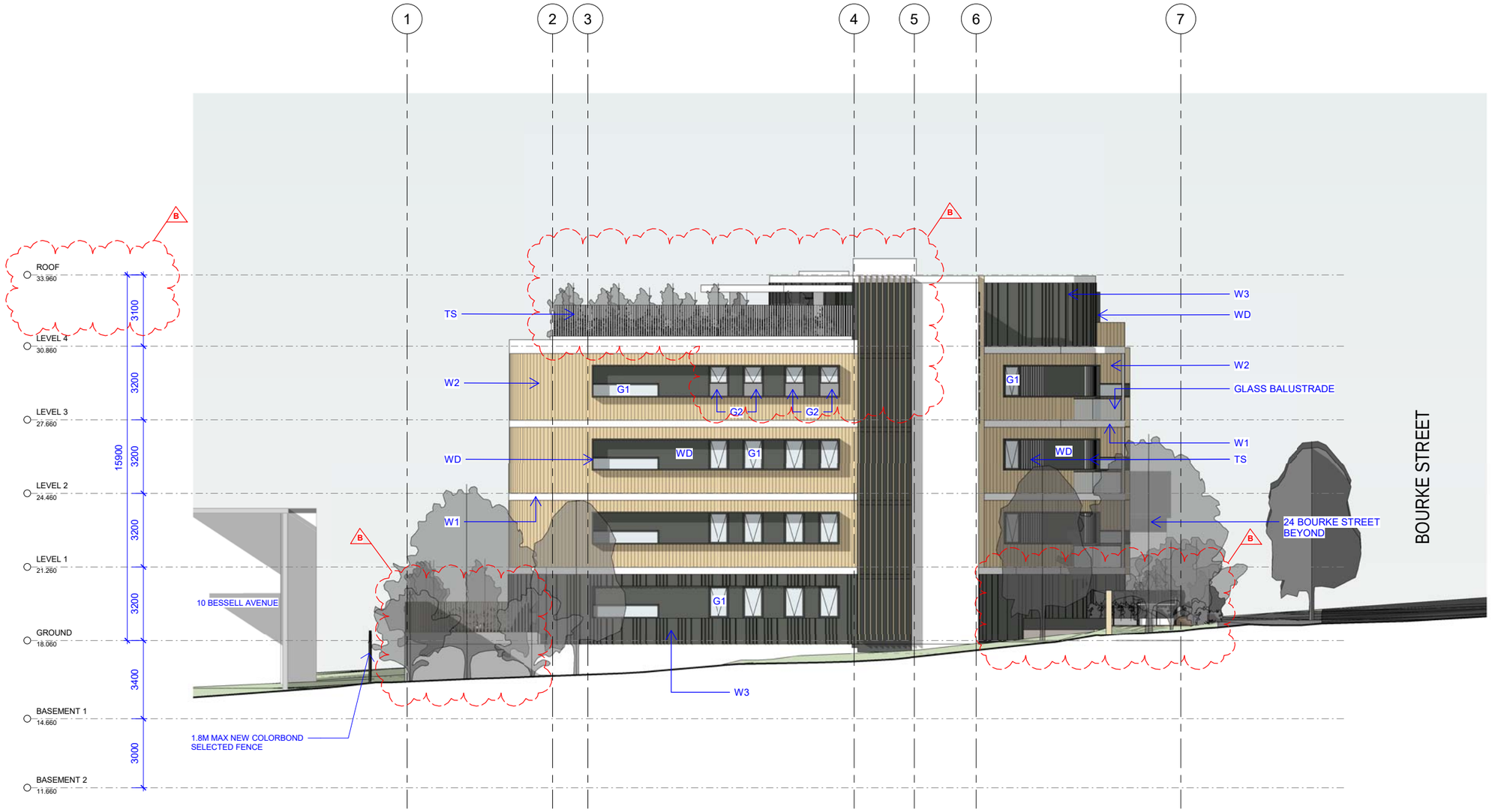
BASIX/NatHERS
THIS DRAWING TO BE READ IN CONJUCTION WITH BASIX/NatHERS REPORT PREPARED BY CERTIFIED ENERGY

NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ



1 WEST ELEVATION
1 : 100

FINISHES SCHEDULE:

EXTERNAL

DULUX "VIVID WHITE" OR SIMILAR - SOFFIT & WALL RENDERED FINISH

COLORBOND SHEET METAL CLADDING
STANDING SEAM, MIXED WIDTHS
COLOUR: BASALT MATT, OR SIMILAR

SCULPTFORM - ALUMINIUM CLADDING 'WHITE OAK OR SIMILAR'

POWDERCOATED ALUMINUM BATTEN FACADE (TB)
COLOUR: KNOTWOOD 'BLACKBUTT' OR SIMILAR

POWDERCOATED ALUMINUM BATTEN FACADE (TS)
COLOUR: DULUX 'SHALE GREY' OR SIMILAR

WINDOWS & DOORS
POWDERCOATED (PC) : 'ZEUS GREY' OR SIMILAR
GLAZING: CLEAR

CLEAR GLASS

TRANSLUCENT GLASS

FRAMELESS GLASS BALUSTRADE

STORMWATER
REFER TO DRAWINGS PREPARED BY ATB CONSULTING ENGINEERS FOR ALL STORMWATER DETAILS AND SPECIFICATIONS

LANDSCAPING
REFER TO DRAWINGS PREPARED BY DSB LANDSCAPE ARCHITECTS FOR ALL LANDSCAPING DETAILS AND SPECIFICATIONS.

BASIX/NatHERS
THIS DRAWING TO BE READ IN CONJUCTION WITH BASIX/NatHERS REPORT PREPARED BY CERTIFIED ENERGY

Project:
SEASCAPE
PROPOSED 13 APARTMENTS
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LOT 3 DP 37711

Client:
MODCO

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73 Market Street
Wollongong NSW 2500
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E: office@prdarchitects.com
PRD ARCHITECTS

Title:
WEST ELEVATION

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: As indicated	21-11	DA-24	

2 1 0 2 4 6 8

1:100 @ A1 1:200 @ A3

14/03/2022 10:07:03 AM

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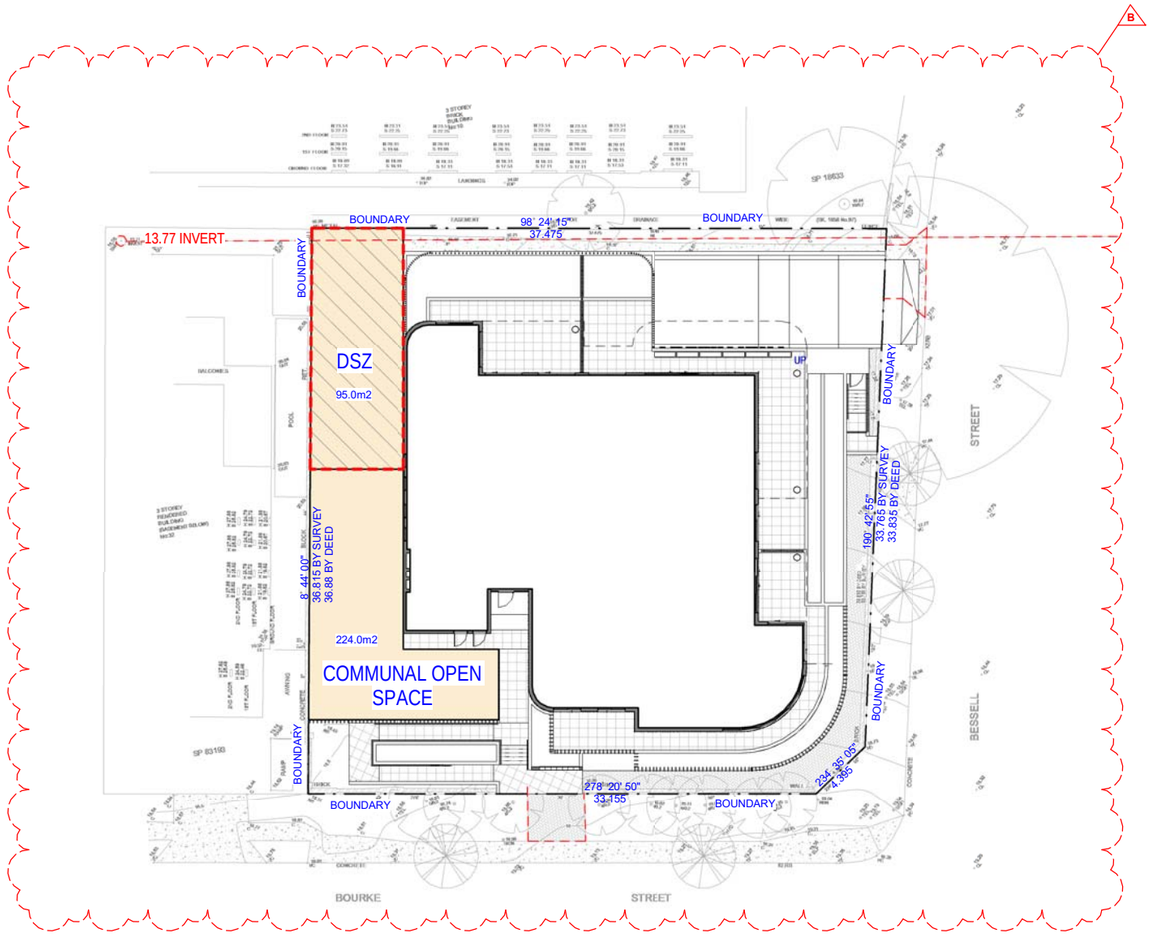
DEVELOPMENT APPLICATION

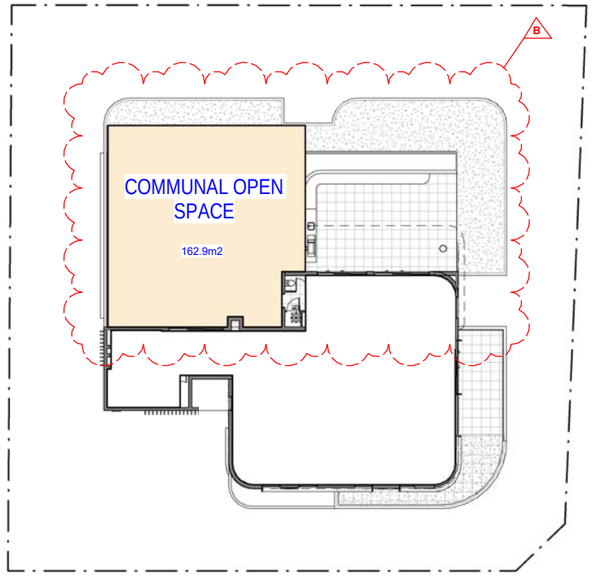
AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ



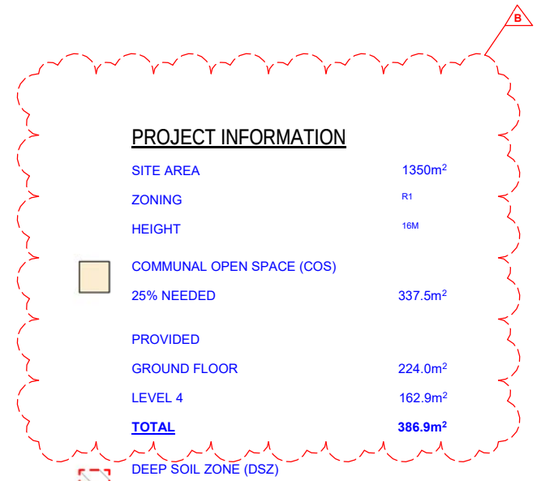
1 COMMUNAL OPEN SPACE & DEEP SOIL ZONE

1 : 200@A1 1 : 400@A3



2 COMMUNAL OPEN SPACE - LEVEL 4

1 : 200@A1 1 : 400@A3



PROJECT INFORMATION

SITE AREA	1350m²
ZONING	R1
HEIGHT	16M
COMMUNAL OPEN SPACE (COS)	
25% NEEDED	337.5m²
PROVIDED	
GROUND FLOOR	224.0m²
LEVEL 4	162.9m²
TOTAL	**386.9m²**
DEEP SOIL ZONE (DSZ)	
7% NEEDED	94.5m²
PROVIDED	
GROUND FLOOR	95.0m²
TOTAL	**95.0m²**

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PRD ARCHITECTS

Title:

COS AND DSZ DIAGRAMS

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: As indicated	21-11	DA-07	

4 0 4 8 12 16

1:200 @ A1 1:400 @ A3

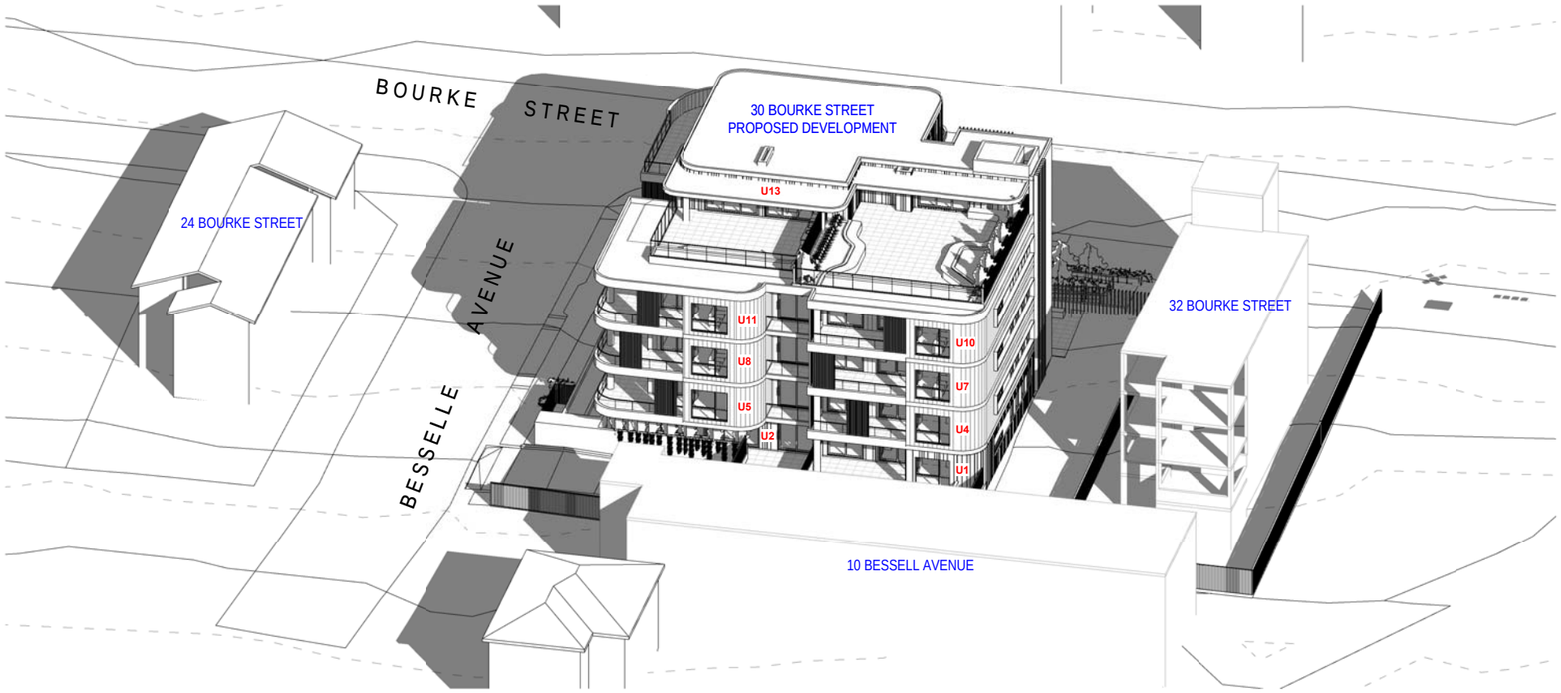
14/03/2022 9:57:54 AM

NOT FOR CONSTRUCTION

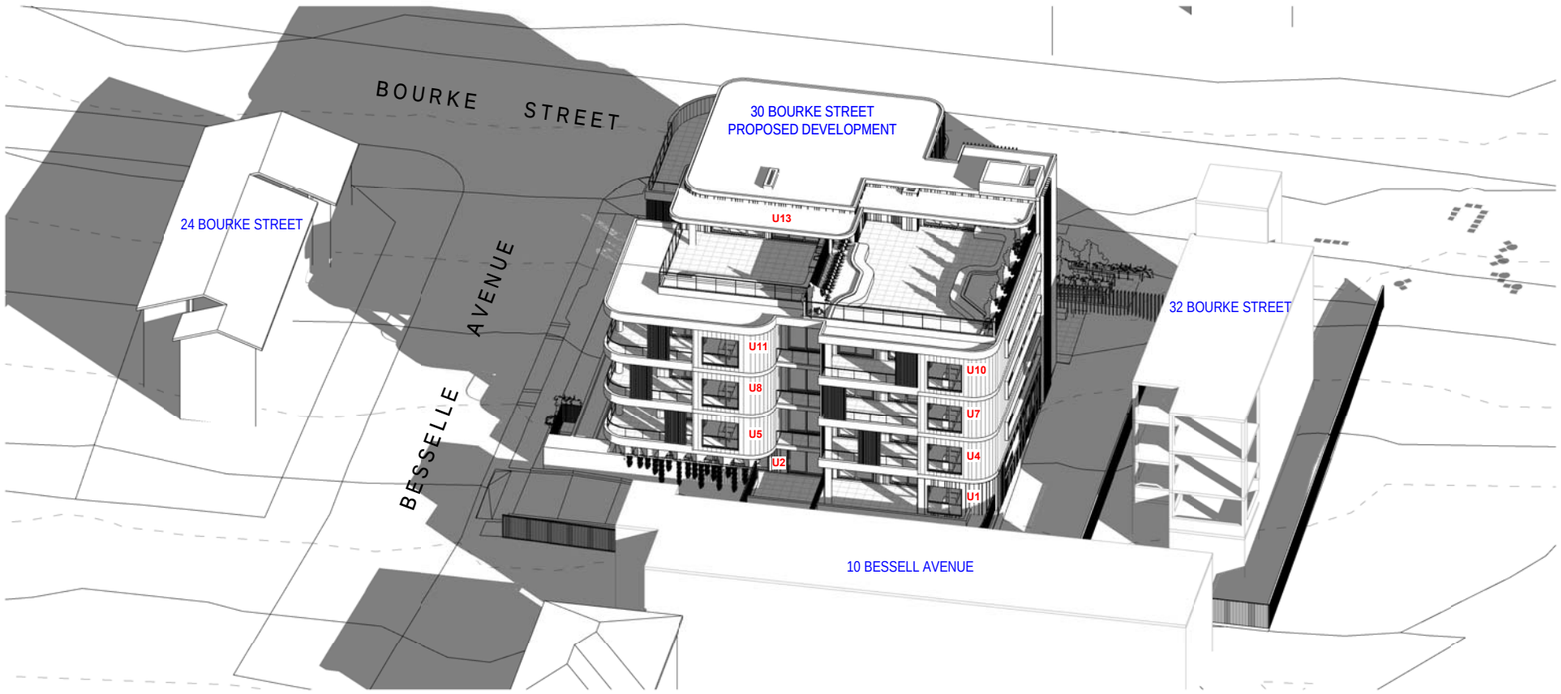
DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ



1 2pm WINTER SOLSTICE



2 3pm WINTER SOLSTICE

B

UNIT	SOLAR ACCESS (MINIMUM 2 HOURS)
UNIT 1	YES
UNIT 2	YES
UNIT 3	YES
UNIT 4	YES
UNIT 5	YES
UNIT 6	NO
UNIT 7	YES
UNIT 8	YES
UNIT 9	NO
UNIT 10	YES
UNIT 11	YES
UNIT 12	NO
UNIT 13	YES

TOTAL

10/13 UNITS RECEIVE MINIMUM 2 HOURS = 76.9%

Project:
SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:
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Suite 2
71 Market Street
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P: 4228 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

Title:
3D SHADOW DIAGRAMS

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: 1 : 100	21-11	DA-30	

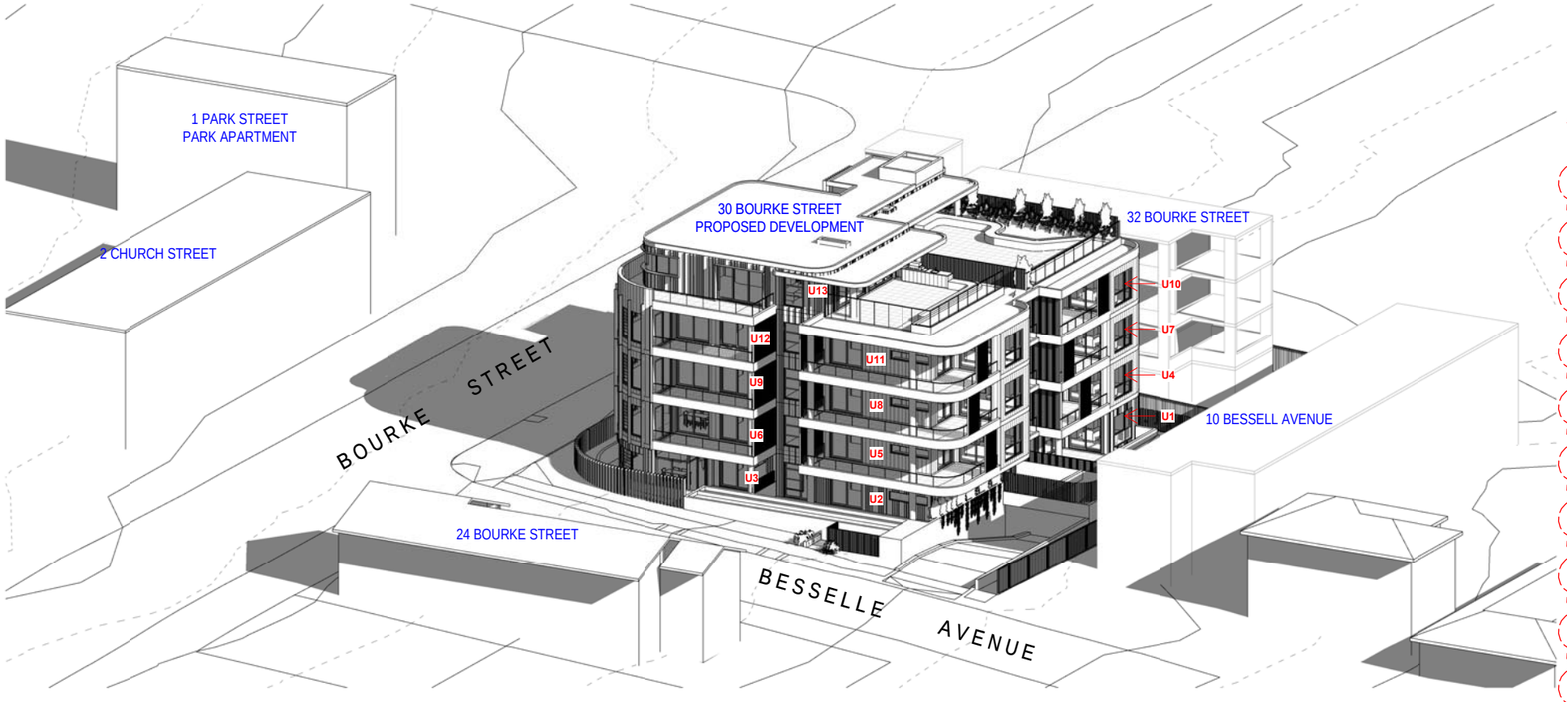
14/03/2022 10:11:52 AM

NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

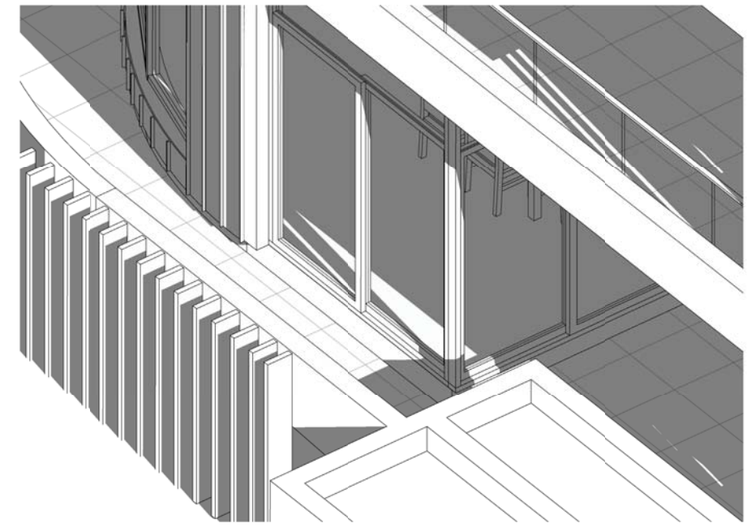
AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ

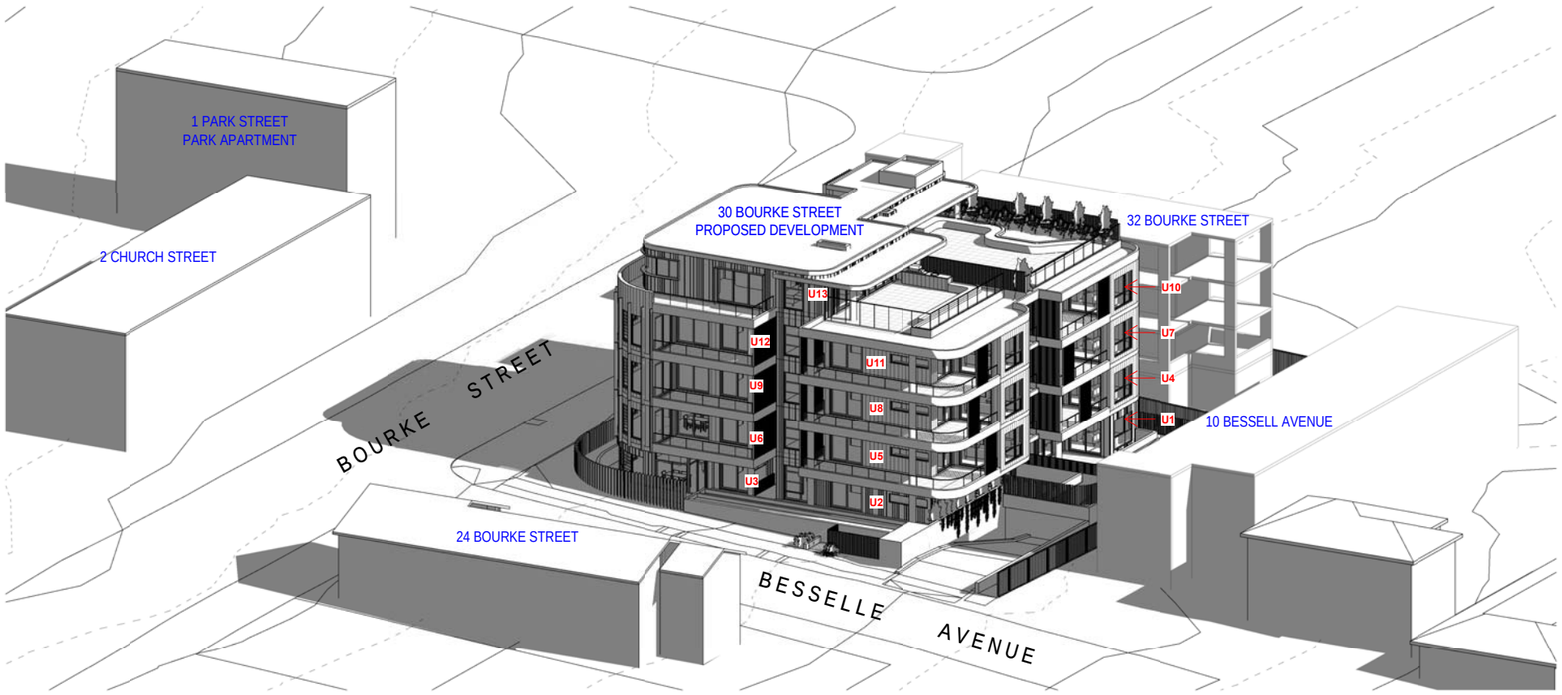


1 11am WINTER SOLSTICE

B



3 11am WINTER SOLSTICE UNIT 3



2 12pm WINTER SOLSTICE

B

UNIT	SOLAR ACCESS (MINIMUM 2 HOURS)
UNIT 1	YES
UNIT 2	YES
UNIT 3	YES
UNIT 4	YES
UNIT 5	YES
UNIT 6	NO
UNIT 7	YES
UNIT 8	YES
UNIT 9	NO
UNIT 10	YES
UNIT 11	YES
UNIT 12	NO
UNIT 13	YES

TOTAL

10/13 UNITS RECEIVE MINIMUM 2 HOURS = 76.9%

Project:

SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:

MODCO

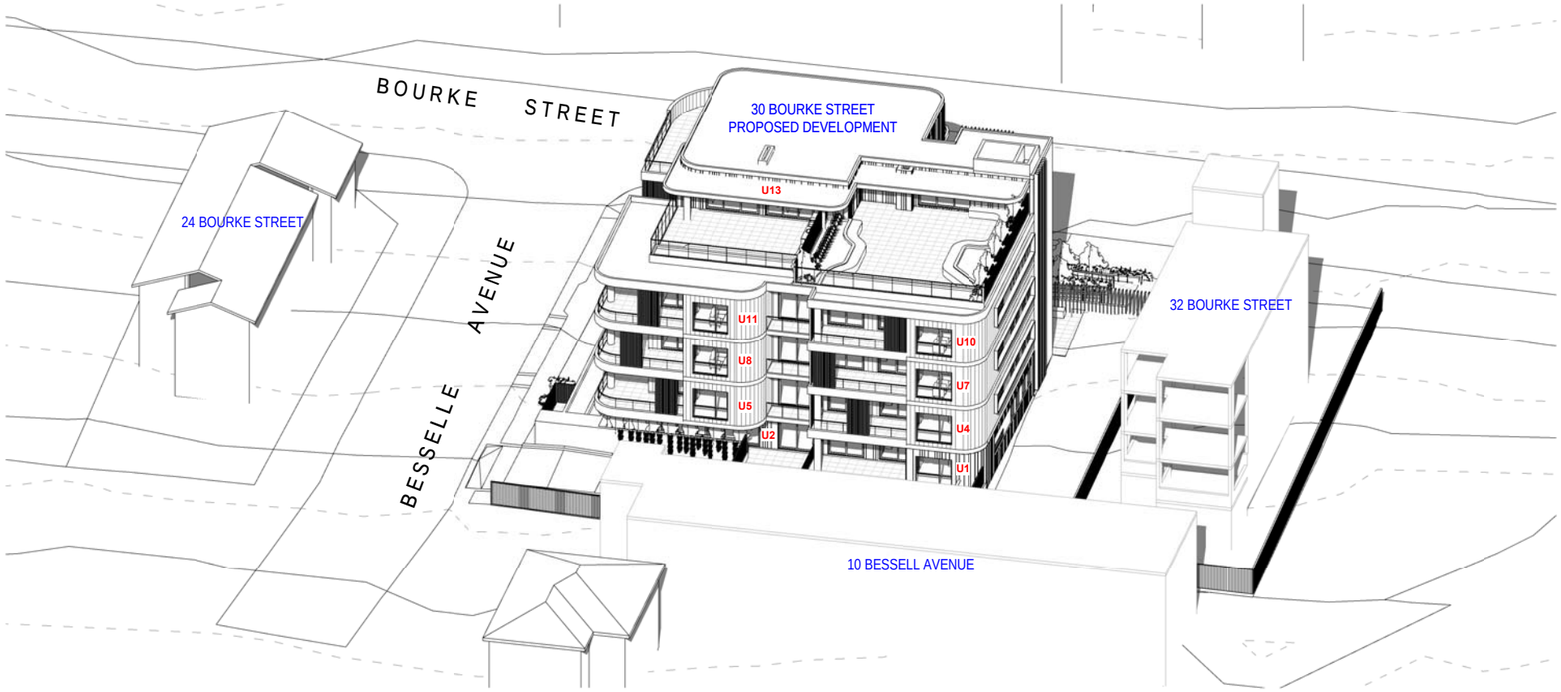
Suite 3
75 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

Title:

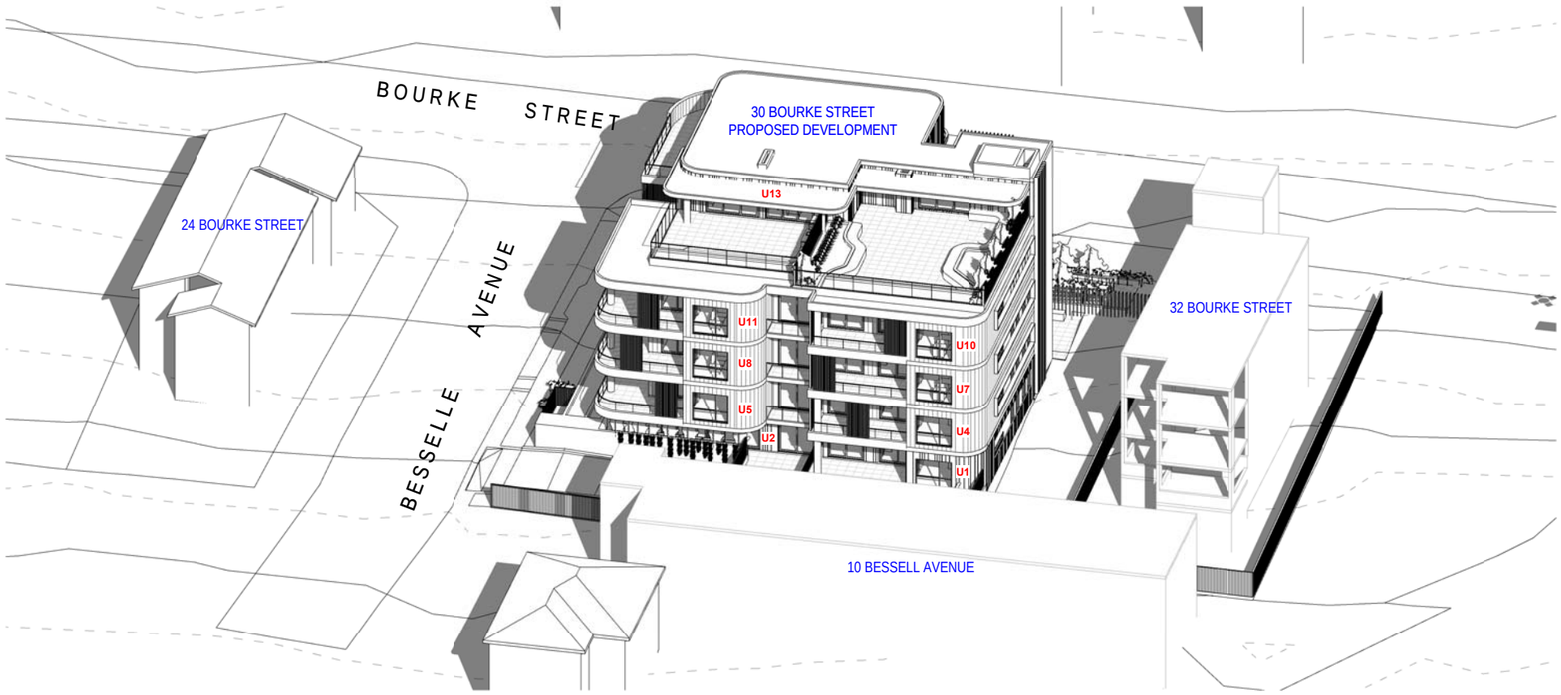
3D SHADOW DIAGRAMS

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: 1 : 100	21-11	DA-28	

14/03/2022 10:10:14 AM



1 12pm WINTER SOLSTICE



2 1pm WINTER SOLSTICE

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DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ

B

UNIT	SOLAR ACCESS (MINIMUM 2 HOURS)
UNIT 1	YES
UNIT 2	YES
UNIT 3	YES
UNIT 4	YES
UNIT 5	YES
UNIT 6	NO
UNIT 7	YES
UNIT 8	YES
UNIT 9	NO
UNIT 10	YES
UNIT 11	YES
UNIT 12	NO
UNIT 13	YES

TOTAL

10/13 UNITS RECEIVE MINIMUM 2 HOURS = 76.9%

Project:
SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

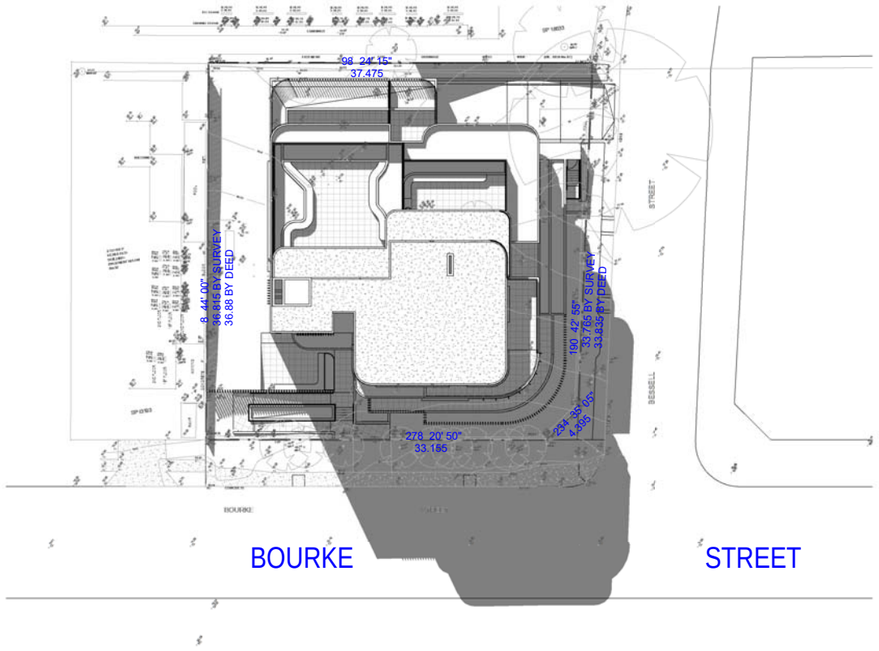
Client:
MODCO

Suite 3
71 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

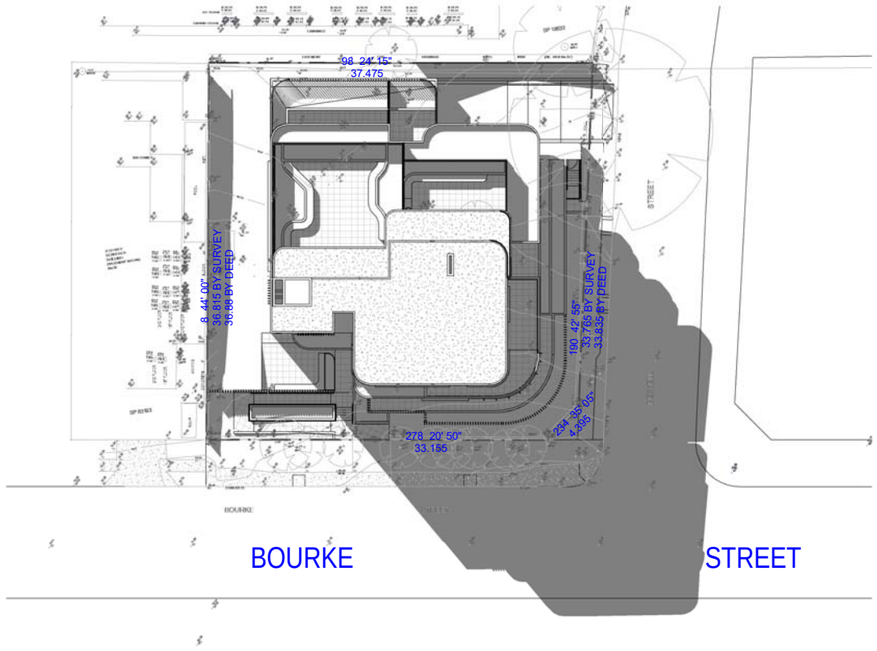
Title:
3D SHADOW DIAGRAMS

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: 1 : 100	21-11	DA-29	

14/03/2022 10:10:54 AM



1 SHADOWS - 21st June - 1pm
NTS



2 SHADOWS - 21st June - 2pm
NTS

3 SHADOWS - 21st June - 3pm
NTS

NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ

Project:
SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:
MODCO

Suite 3
73 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
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PRD ARCHITECTS

Title:
SHADOW DIAGRAMS

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: NTS	21-11	DA-26	

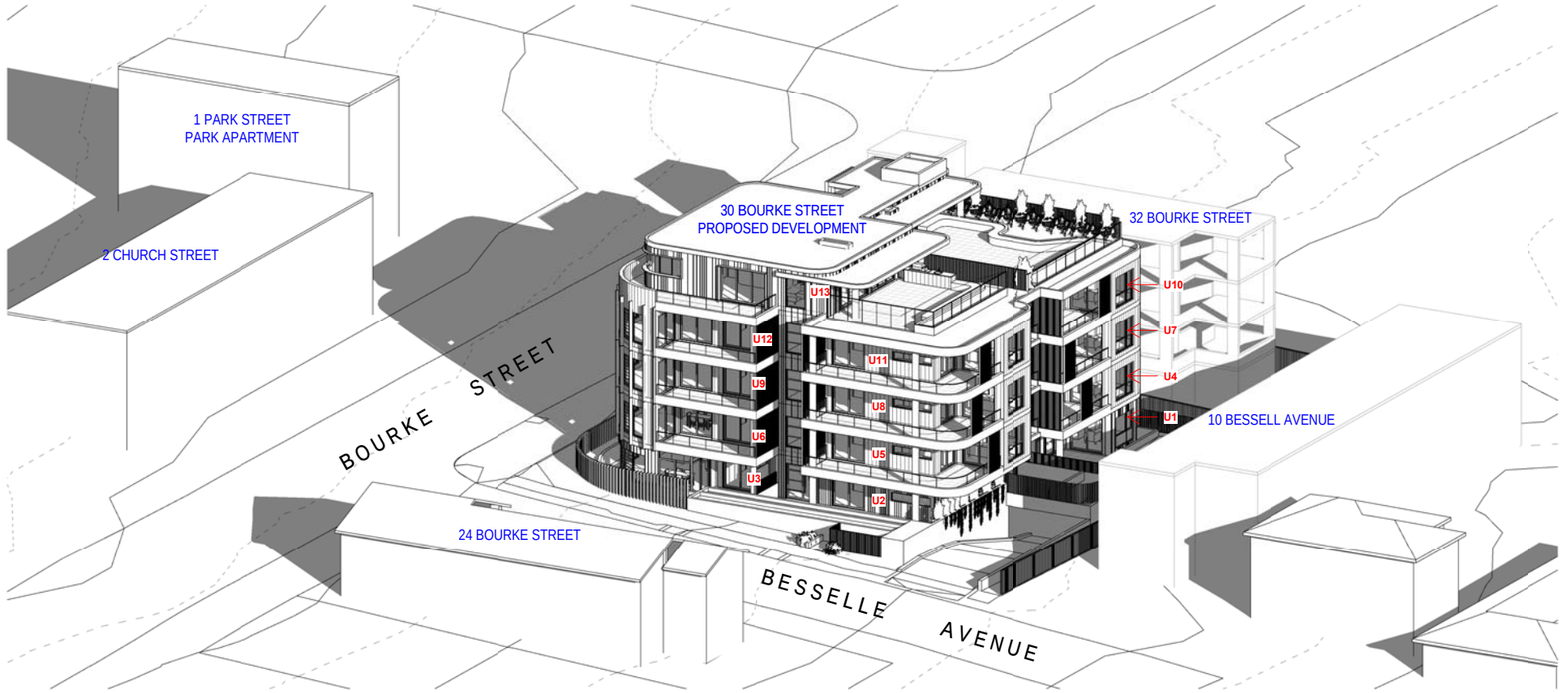
14/03/2022 10:08:22 AM

NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ



1 9am WINTER SOLSTICE

2 10am WINTER SOLSTICE

B

UNIT	SOLAR ACCESS (MINIMUM 2 HOURS)
UNIT 1	YES
UNIT 2	YES
UNIT 3	YES
UNIT 4	YES
UNIT 5	YES
UNIT 6	NO
UNIT 7	YES
UNIT 8	YES
UNIT 9	NO
UNIT 10	YES
UNIT 11	YES
UNIT 12	NO
UNIT 13	YES

TOTAL

10/13 UNITS RECEIVE MINIMUM 2 HOURS = 76.9%

Project:
SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

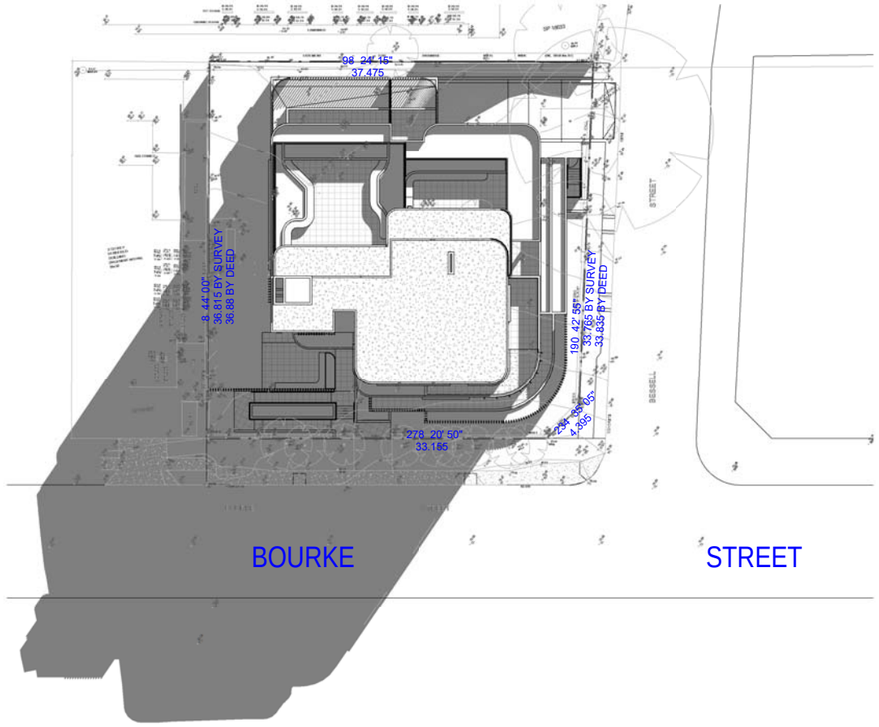
Client:
MODCO

Suite 1
73 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

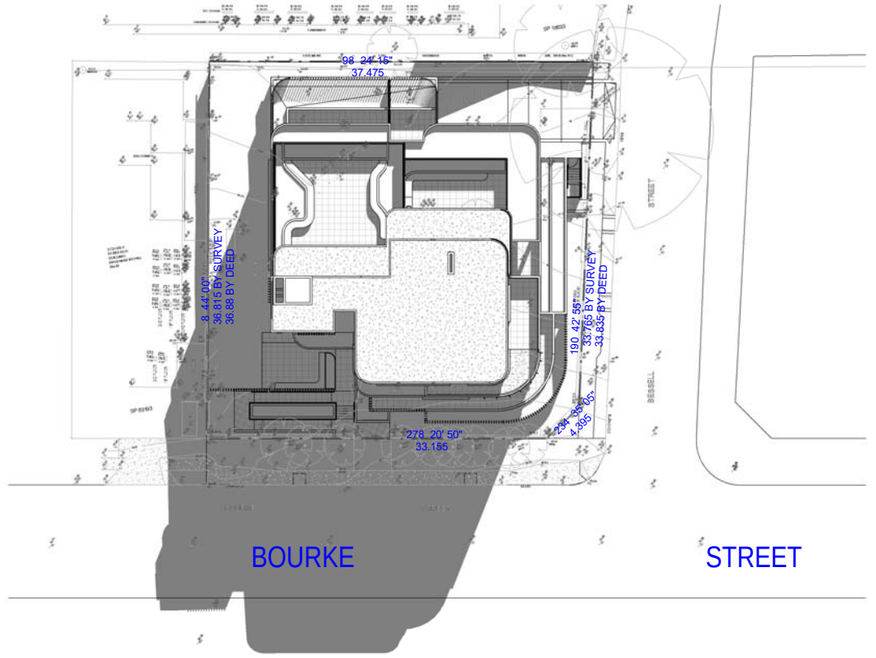
Title:
3D SHADOW DIAGRAMS

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: 1 : 100	21-11	DA-27	

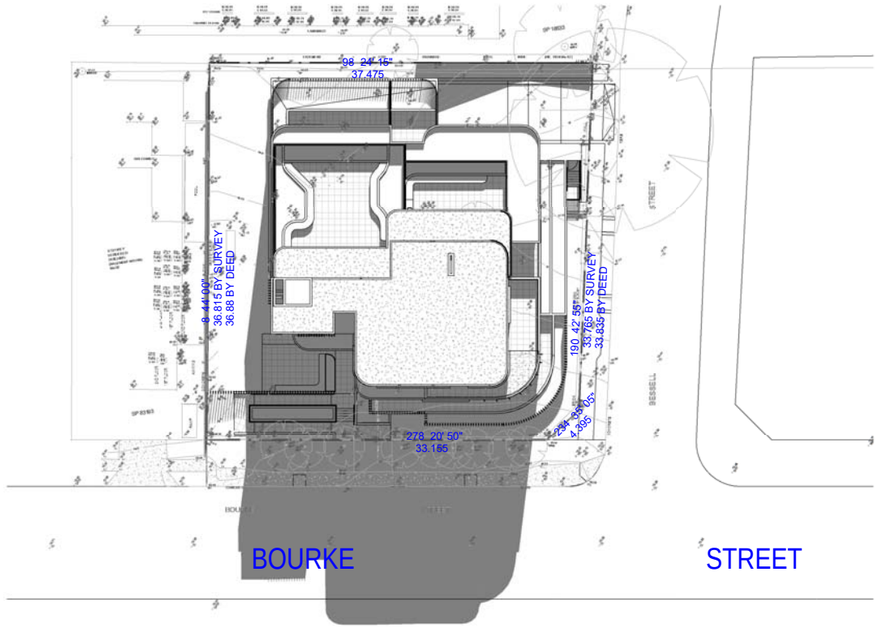
14/03/2022 10:09:16 AM



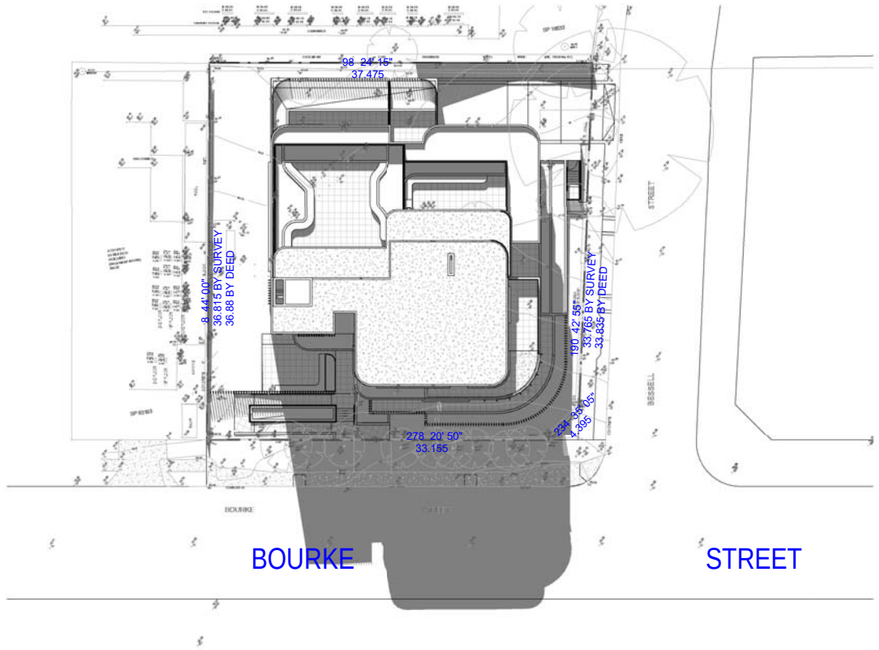
1 SHADOWS - 21st June - 9am
NTS



2 SHADOWS - 21st June - 10am Copy 1
NTS



3 SHADOWS - 21st June - 11am
NTS



4 SHADOWS - 21st June - 12pm
NTS

NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ

Project:
SEASCAPE
PROPOSED 13 APARTMENTS
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LOT 3 DP 37711

Client:
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Suite 3
73 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

Title:
SHADOW DIAGRAMS

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale: NTS	21-11	DA-25	

14/03/2022 10:07:50 AM

NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
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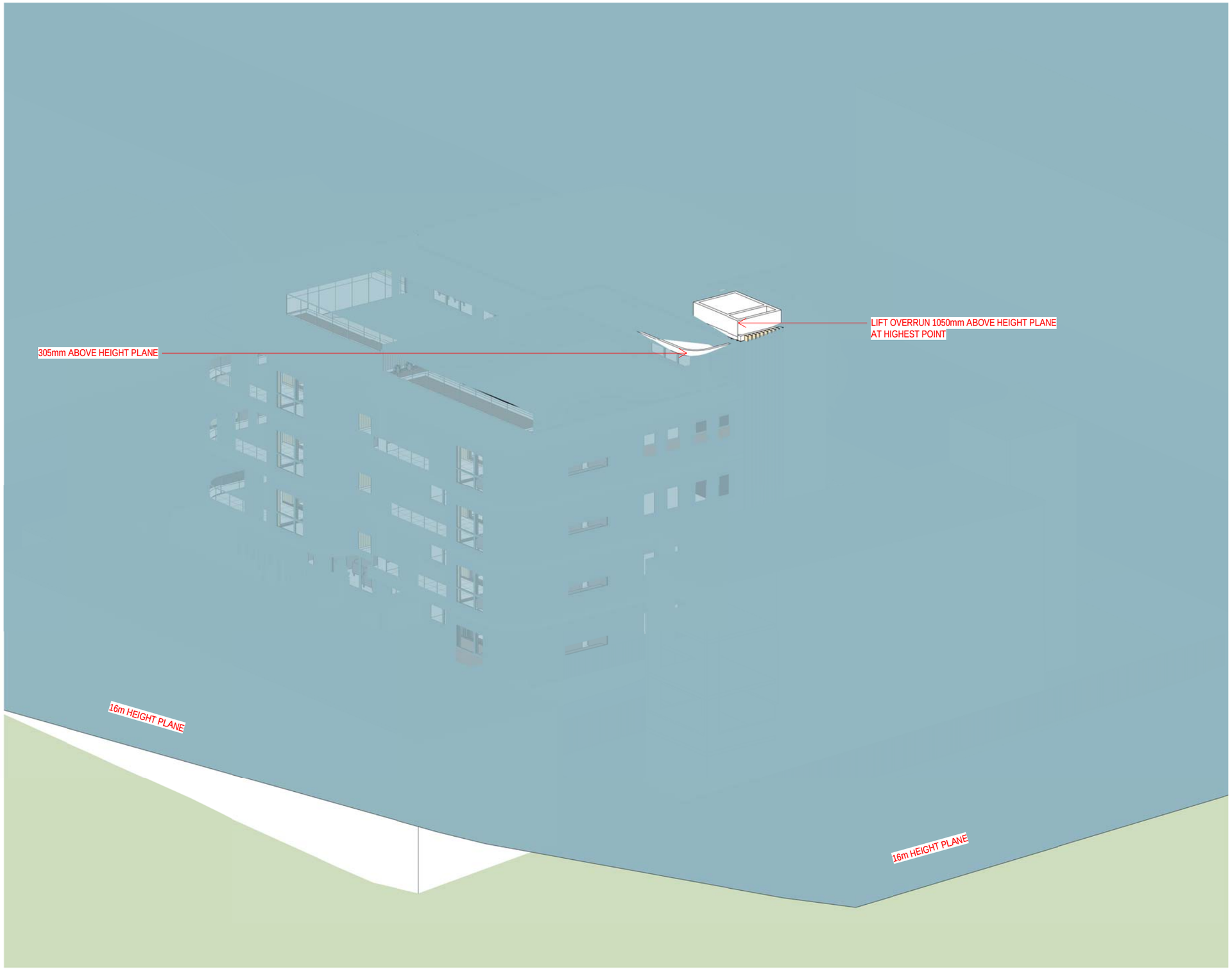
B	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ



1 HEIGHT PLANE ANALYSIS

Project:
SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:
MODCO

Suite 3
75 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

Title:
HEIGHT PLANE ANALYSIS

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale:	21-11	DA-34	

14/03/2022 10:14:01 AM

PERSPECTIVE 1 - SOUTH EAST ASPECT

PERSPECTIVE 2 - SOUTH ASPECT

NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

AMENDMENTS

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A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
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Project:

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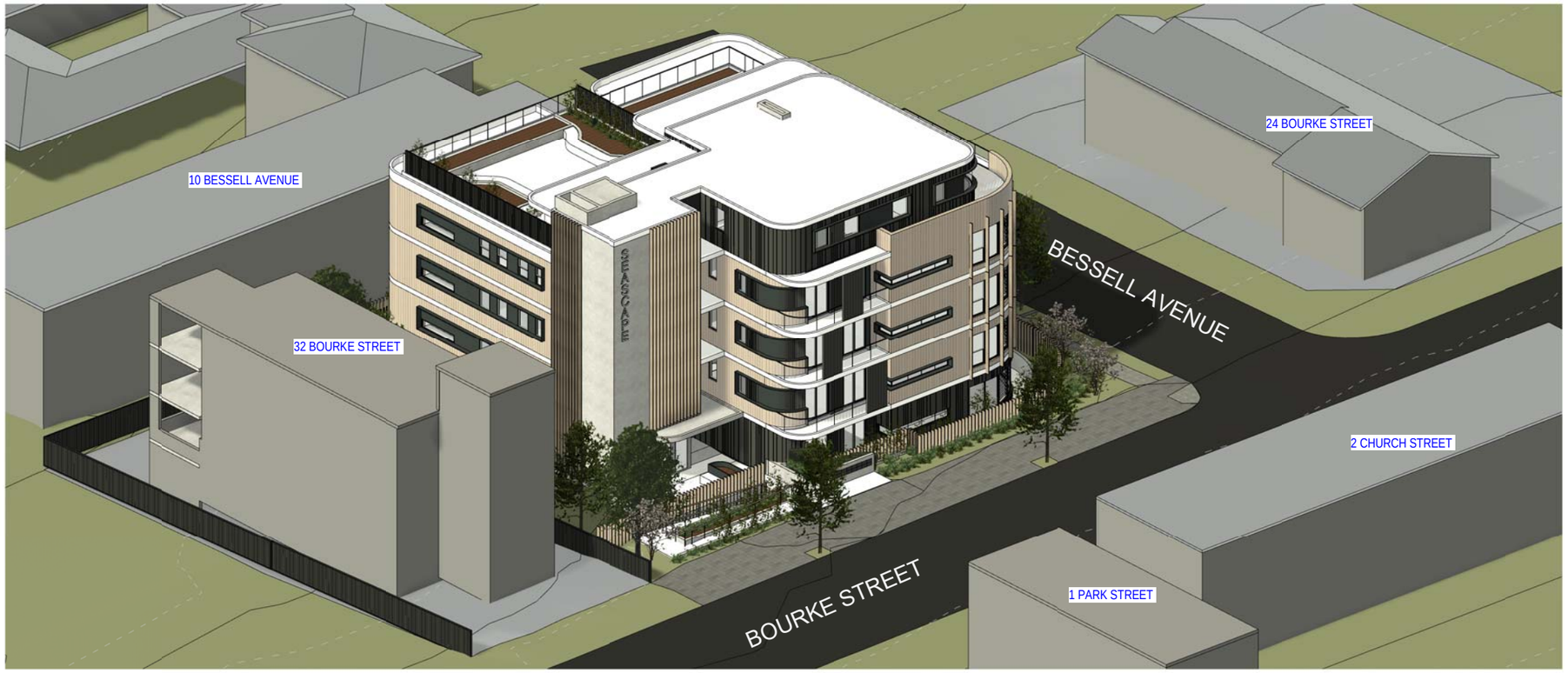
PRD ARCHITECTS

Title:

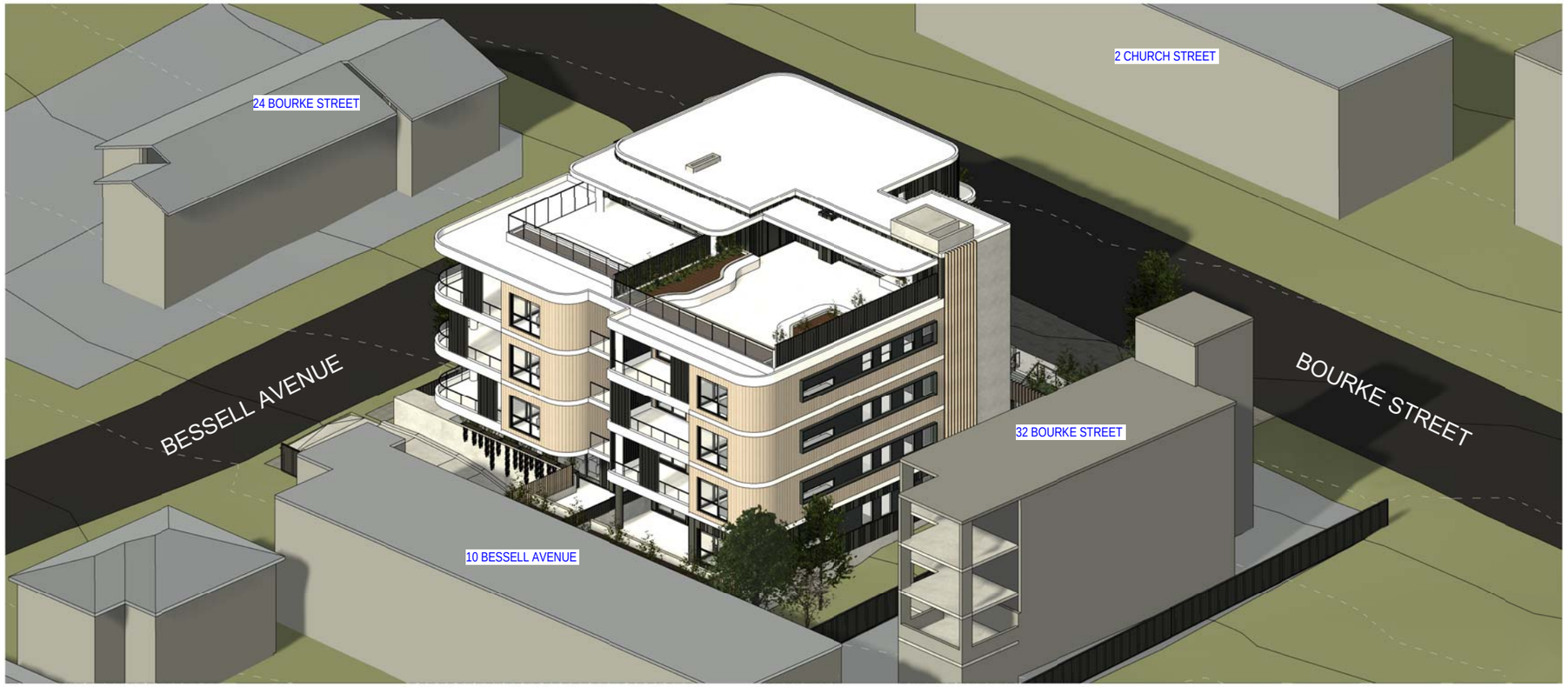
PERSPECTIVES

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale:	21-11	DA-33	

14/03/2022 10:13:42 AM



1 3D VIEW 3 - SOUTH WEST ASPECT



2 3D VIEW 4 - NORTH WEST ASPECT

NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ

Project:
SEASCAPE
PROPOSED 13 APARTMENTS
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Client:
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Suite 3
73 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

Title:
3D STUDY

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale:	21-11	DA-32	

14/03/2022 10:13:28 AM

1 3D VIEW 1 - NORTH EAST ASPECT

2 3D VIEW 2 - SOUTH EAST ASPECT

NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR DEVELOPMENT APPLICATION	23.09.2021	DQ
B	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ

Project:
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PRD ARCHITECTS

Title:
3D STUDY

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale:	21-11	DA-31	

14/03/2022 10:12:44 AM

NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ

VIEW IMPACT - VIEW 2 - FROM BOURKE STREET TOWARDS NORTH WOLLONGONG BEACH (EXISTING)

VIEW IMPACT - VIEW 2 - FROM BOURKE STREET TOWARDS NORTH WOLLONGONG BEACH (PROPOSED)

Project:
SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:
MODCO

Suite 2
75 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
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PRD ARCHITECTS

Title:
VISUAL IMPACT STUDY

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale:	21-11	DA-36	

14/03/2022 10:14:23 AM

NOT FOR CONSTRUCTION

DEVELOPMENT APPLICATION

AMENDMENTS

No.	Revision Description	Date	BY:
A	ISSUED FOR ADDITIONAL INFORMATION	09.03.2022	DQ

VIEW IMPACT - VIEW 1 - CORNER OF BOURKE AND OCEAN STREET TOWARDS ILLAWARRA ESCARPMENT (EXISTING)

VIEW IMPACT - VIEW 1 - CORNER OF BOURKE AND OCEAN STREET TOWARDS ILLAWARRA ESCARPMENT (PROPOSED)

Project:
SEASCAPE
PROPOSED 13 APARTMENTS
30 BOURKE STREET, NORTH WOLLONGONG
LOT 3 DP 37711

Client:
MODCO

Suite 3
75 Market Street
Wollongong NSW 2500
P: 4228 3699 F:4229 1145
E: office@prdarchitects.com
PRD ARCHITECTS

Title:
VISUAL IMPACT STUDY

Date: 09.03.2022	Job No:	Dwg:	Rev:
Scale:	21-11	DA-35	

14/03/2022 10:14:12 AM

dsb Landscape Architects

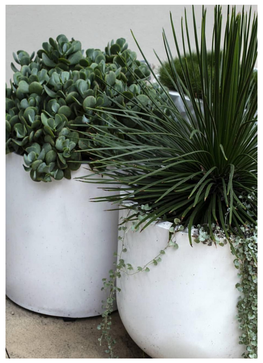
Multi-Residential Development

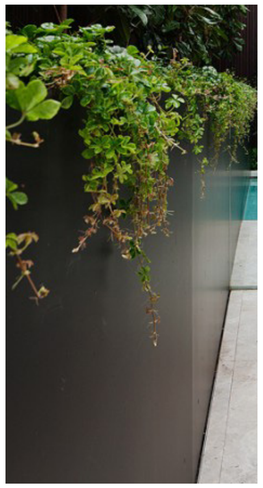
30 Bourke Street
Wollongong, NSW

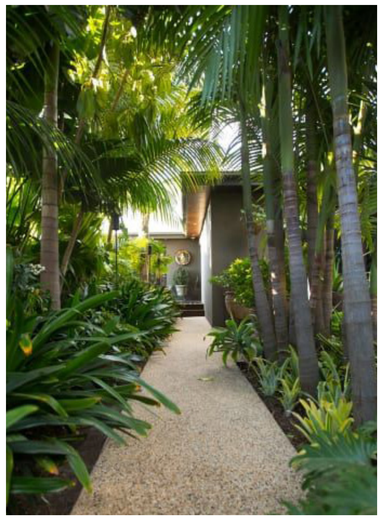
Client: MODCO

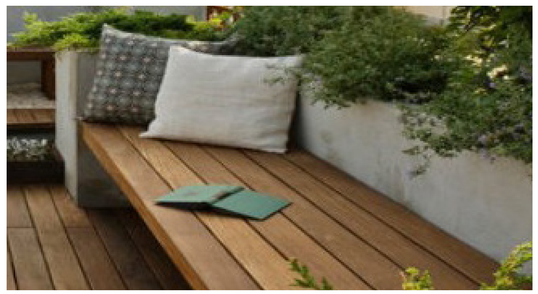
ISSUE FOR DEVELOPMENT APPLICATION

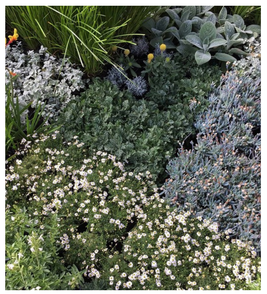
Prepared by dsb Landscape Architects







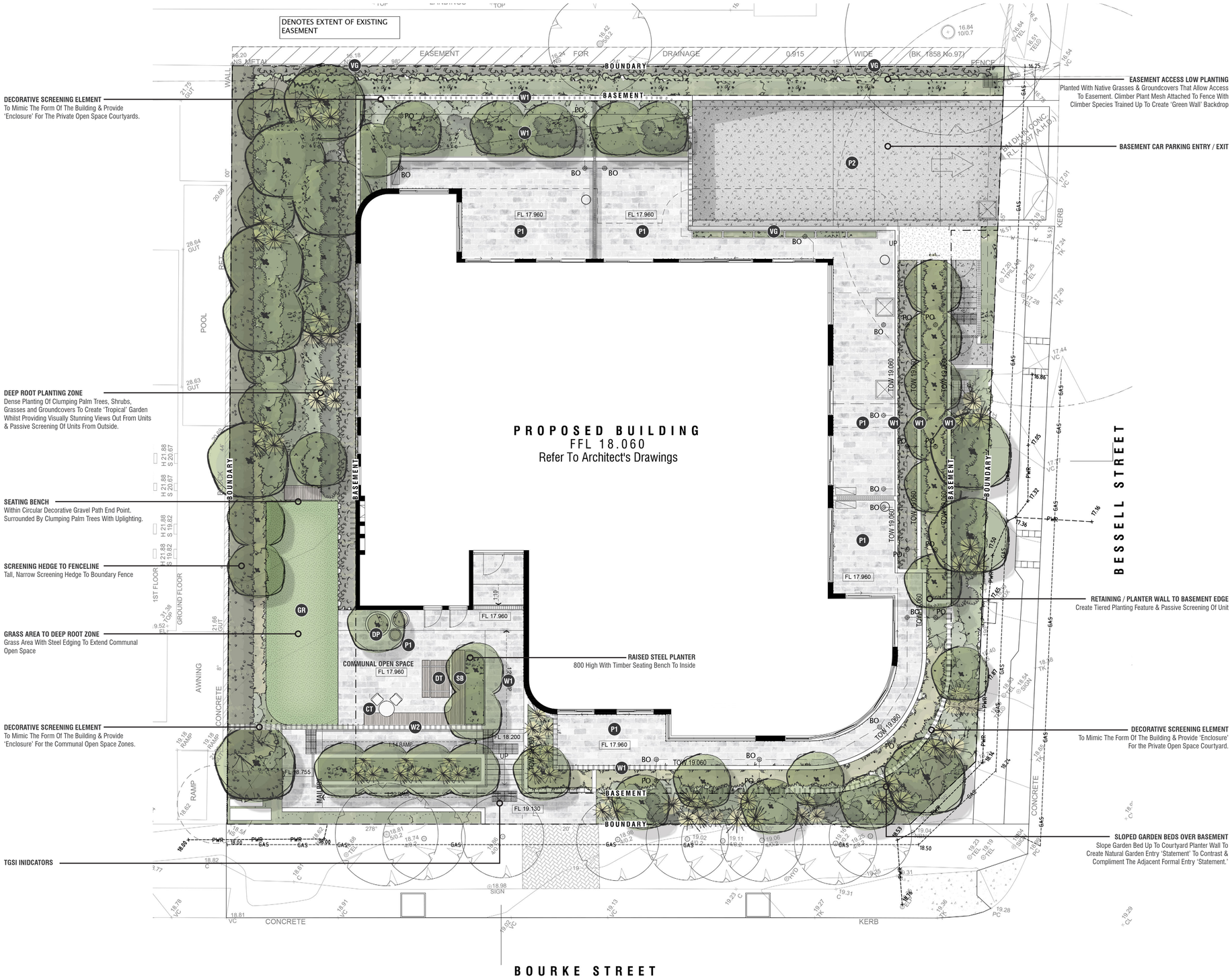




dsb Landscape Architects

PROJECT	MULTI-RESIDENTIAL DEVELOPMENT 30 Bourke Street Wollongong, NSW	**DRAWING**	4215-P101
		REVISION	B
CLIENT	MODCO	**DATE**	8 March 2022

GROUND FLOOR **INSPIRATION**



LEGEND

SURFACES

- **P1** PAVEMENT TYPE 1 - UNIT PAVERS
  Large Format, Natural Stone
- **P2** PAVEMENT TYPE 2 - CONCRETE DRIVEWAY
  Exposed Aggregate Concrete
- **GR** GRASS- IRRIGATED
  Turf Roll With Steel Edging

WALLS / STRUCTURES

- **W1** RETAINING WALL / PLANTER WALL
  Structure & Finish T.B.C
- **W2** COURTYARD WALL
  1800 High Wall For Screening & Enclosing The Communal Open Space
- **F1** ENTRY GATE / FENCE
  1500 High Black Steel Gated Entry With Feature Black Steel Intercom Panel
- **VG** VERTICAL GARDEN - CLIMBER PLANTS
  Horizontal Climber Plant Wires, 300 Spacing, Fixed To Fence / Wall

FURNITURE

- **SB** SEATING BENCH
  Timber Decking Seating Bench
- **DT** DINING TABLE
  To Future Specification
- **CT** CAFE TABLE
  Integrated With Seating Bench To Future Specification
- **DP** DECORATIVE PLANTER POT
  Off-Shelf Decorative Planter Pots Min. 1200mm Tall Against Balustrades Planted With Fruit Trees & Kitchen Herbs

SPECIES LIST

CODE	BOTANICAL NAME	COMMON NAME	MIN. SIZE	MATURE SIZE Height / Width
TREE SPECIES				
ACs	*Acer senkaki*	Japanese Maple	45L	5.0m / 3.5m
CPa	*Cupaniopsis anacardioides*	Tuckeroo	45L	10.0m / 4.0m
DYl	*Dypsis lutescens*	Golden Cane Palm (Multi-Stem)	45L	6.0m / 4.0m
LAb	*Lagerstroemia indica x L. fauriei 'Biloxi'*	Crepe Myrtle (Pink)	45L	8.0m / 4.0m
TRI	*Tristaniopsis laurina 'luscious'*	Kanooka, Water Gum	45L	7.0m / 6.0m
Note: *Trees shall be grown, containerised and supplied in accordance with MITS 09C and AS 2303.*				
SHRUB SPECIES - LARGE (>1.0m) - Mix Native & Exotic				
CRa	*Correa Alba*	White Correa	300mm	1.0m / 2.0 m
ACm	*Rhaphiolepis excelsa*	Lady Palm	300mm	3.0m / 2.0m
RSo	*Rosmarinus officianalis*	Rosemary	200mm	1.5m / 1.5m
SHRUB SPECIES - MEDIUM (0.6m-1.0m) - Mix Native & Exotic				
ARc	*Arthropodium cirratum*	New Zealand Rock Lily	140mm	0.9m / 1.0m
BAv	*Babingtonia virgata 'Howie's Sweet Midget'*	Heath Myrtle	140mm	0.8m / 0.8m
BL	*Blechnum "Silver Lady"*	Fishbone Water Fern	140mm	0.8m / 0.6m
SAc	*Santolina chamaecyparissus*	Cotton Lavender	200mm	0.7m / 0.7m
SHRUB SPECIES - SMALL (<0.6m) - Mix Native & Exotic				
WEg	*Westringia 'Grey Box'*	Coastal Rosemary	140mm	0.5m / 0.5m
GRASS / STRAPPY SPECIES - LARGE (>0.7m) - Mix Native & Exotic				
DYe	*Doryanthes excelsa*	Gymea Lily	300mm	2.0m / 2.0m
LDlp	*Lomandra 'Little Pal'*	Lomandra 'Little Pal'	140mm	0.8m / 0.5m
GRASS / STRAPPY SPECIES -SMALL/MEDIUM (<0.7m) - Mix Native & Exotic				
DLcb	*Dianella 'Cassa Blue'*	Flax Lily	140mm	0.5m / 0.4m
DTg	*Dietes grandiflora 'Grand Star'*	Dietes	140mm	0.7m / 0.6m
FEg	*Festuca glauca*	Blue Fescue	140mm	0.3m / 0.3m
IMc	*Imperata cylindrica*	Blady Grass	140mm	0.3m / 0.3m
LD	*Lomandra 'Lime Tuff'*	Mat-Rush	140mm	0.5m / 0.6m
LDc	*Lomandra confertifolia ssp. rubiginosa*	'Mist' Mat-Rush	140mm	0.3m / 0.3m
GROUNDCOVER & CLIMBER SPECIES - Mix Native & Exotic				
CAS	*Casuarina glauca 'Cousin It'*	She-oak	140mm	0.3m / 1.2m
MYp	*Myoporum parvifolium 'Yareena'*	Creeping boobialla	140mm	0.1m / 1.0 m
PAp	*Pandorea pandorana*	Wonga Wonga Vine	140mm	3.0m /2.0m
RSo	*Rosmarinus officinalis 'Prostratus'*	Creeping Rosemary	140mm	0.5m / 1.2m
TRa	*Trachelospermum asiaticum 'Flat Mat'*	Asiatic Jasmine	140mm	0.3m / 1.5m

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PROJECT	MULTI-RESIDENTIAL DEVELOPMENT 30 Bourke Street Wollongong, NSW	**DRAWING**	4215-P102
		REVISION	C
CLIENT	MODCO	**DATE**	8 March 2022

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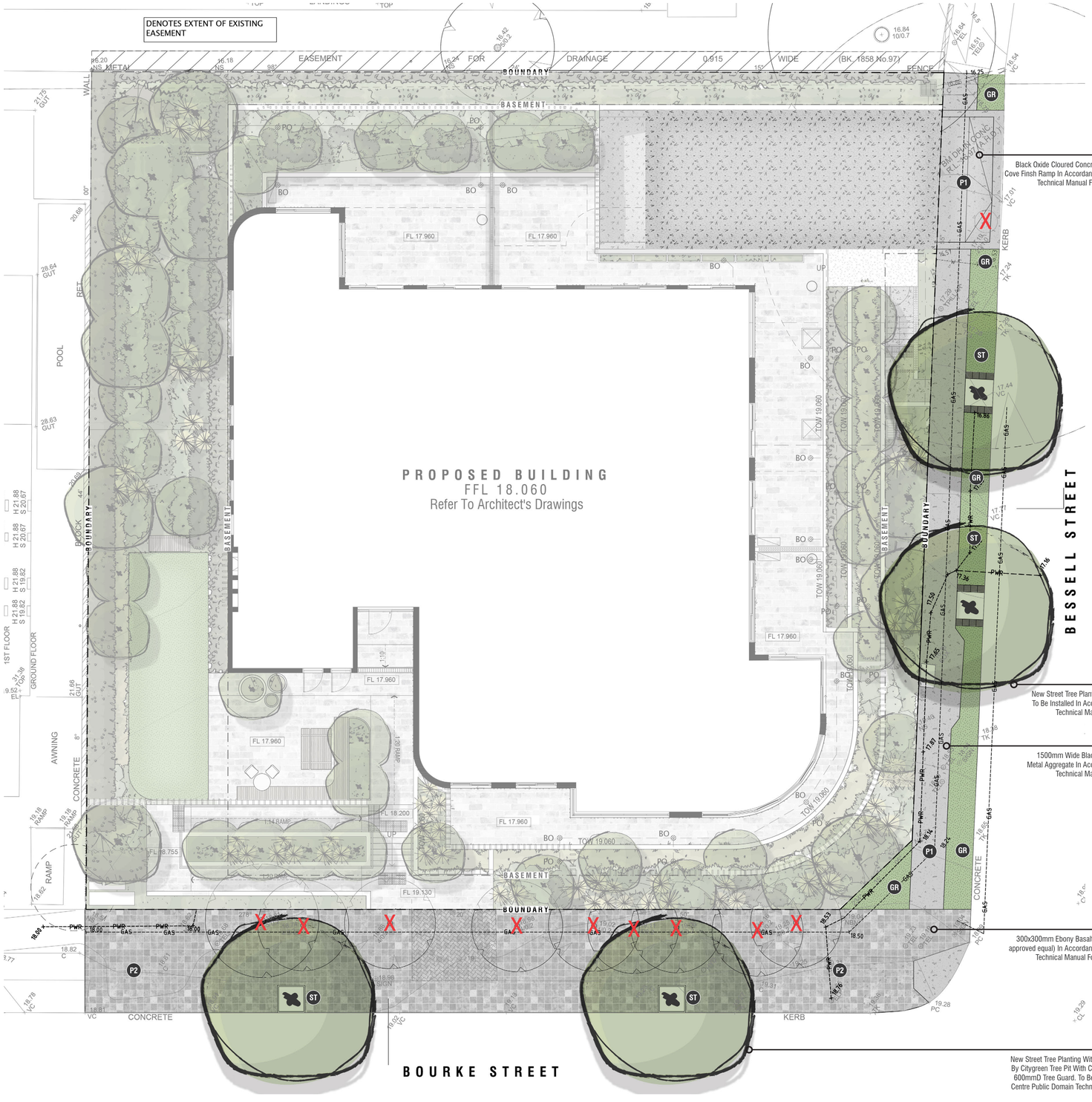
LANDSCAPE PLAN - GROUND FLOOR **CONCEPT**



LEGEND

SURFACES

- **P1** PAVEMENT TYPE 1 - CONCRETE PAVING
  In Accordance With City Centre Public Domain Technical Manual
- **P2** PAVEMENT TYPE 2 - UNIT PAVING
  In Accordance With City Centre Public Domain Technical Manual
- **GR** GRASS
  Turf Roll
- **ST** STREET TREE PLANTING
  In Accordance With City Centre Public Domain Technical Manual
- **X** EXISTING TREES TO BE REMOVED
  Refer To Arborist Report

SPECIES LIST

CODE	BOTANICAL NAME	COMMON NAME	MIN. SIZE	MATURE SIZE Height / Width
TREE SPECIES				
ACs	*Acer senkaki*	Japanese Maple	45L	5.0m / 3.5m
CPa	*Cupaniopsis anacardioides*	Tuckeroo	45L	10.0m / 4.0m
DYl	*Dypsis lutescens*	Golden Cane Palm (Multi-Stem)	45L	6.0m / 4.0m
LAb	*Lagerstroemia indica x L. fauriei 'Biloxi'*	Crepe Myrtle (Pink)	45L	8.0m / 4.0m
TRI	*Tristaniopsis laurina 'luscious'*	Kanooka, Water Gum	45L	7.0m / 6.0m

Note:
Trees shall be grown, containerised and supplied in accordance with MITS 09C and AS 2303.

dsb Landscape Architects

PROJECT	MULTI-RESIDENTIAL DEVELOPMENT 30 Bourke Street Wollongong, NSW	**DRAWING**	4215-P103
		REVISION	C
CLIENT	MODCO	**DATE**	8 March 2022

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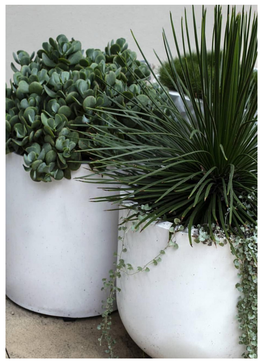
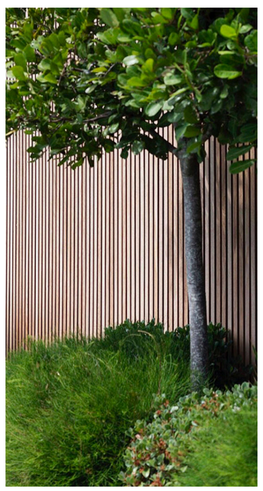
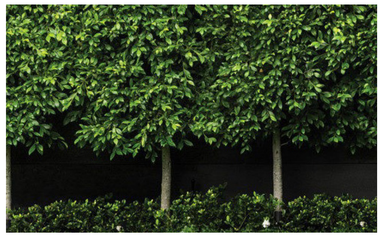
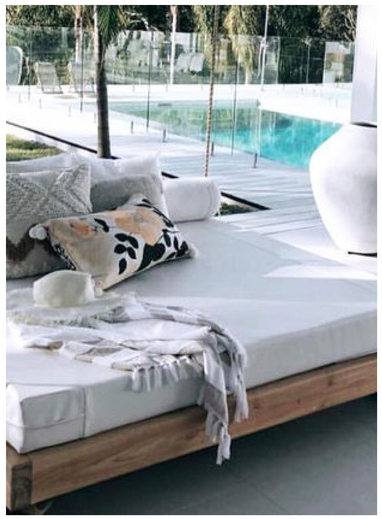
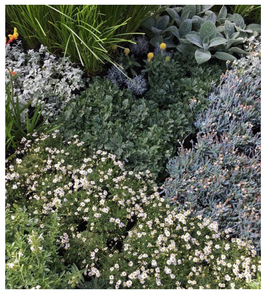
LANDSCAPE PLAN - STREETSCAPE **CONCEPT**

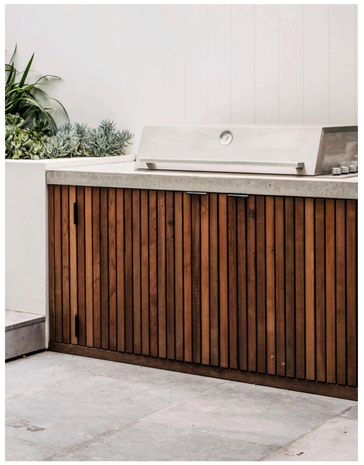


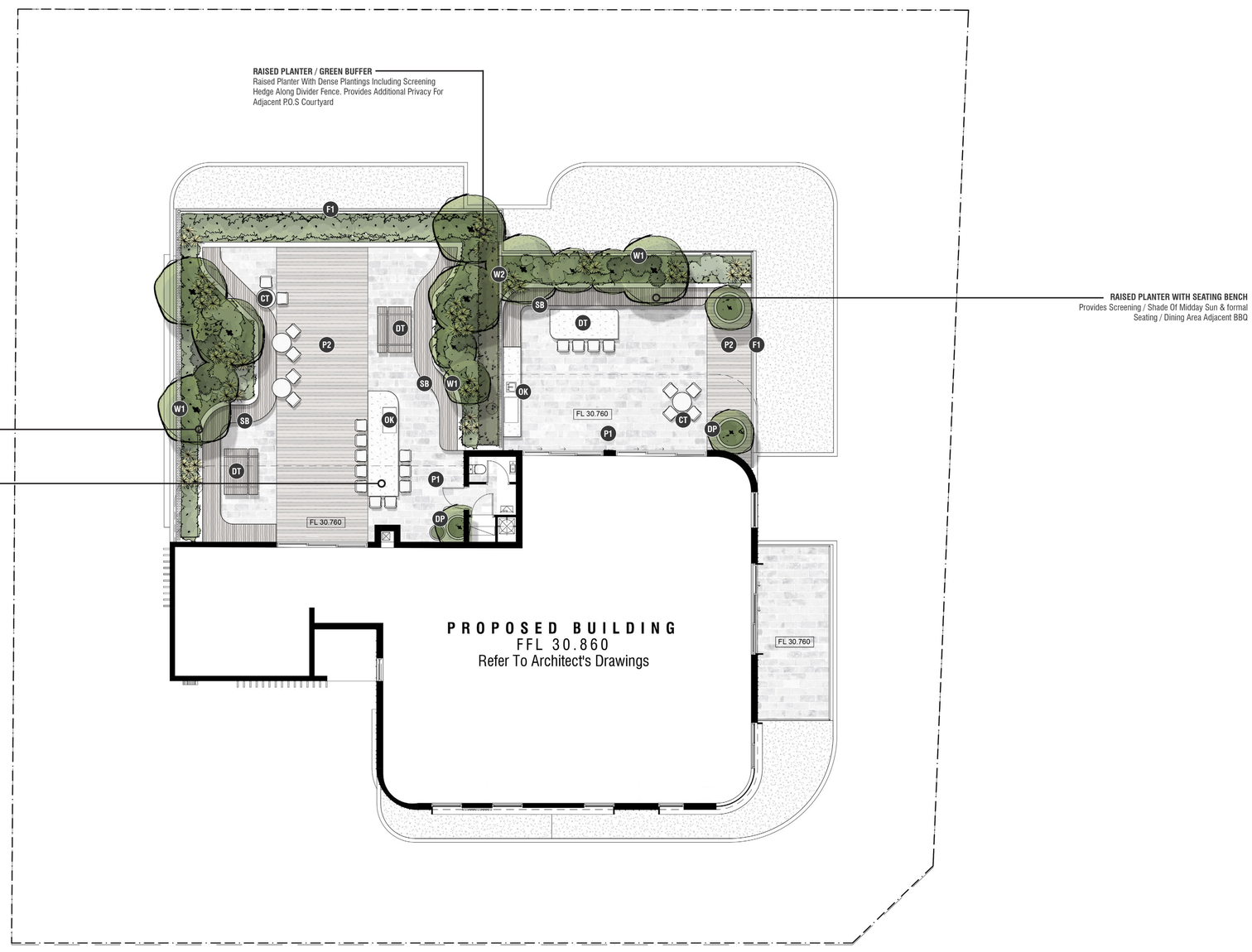












LEGEND

SURFACES

- **P1** PAVEMENT TYPE 1 - UNIT PAVERS
  Large Format, Natural Stone
- **P2** PAVEMENT TYPE 2 - DECKING - WIDE
  Large Format Decking Boards
  Light Grey / Weathered

WALLS / STRUCTURES

- **W1** RETAINING WALL / PLANTER WALL
  Structure & Finish T.B.C
- **W2** COURTYARD DIVIDER
  2200 High Timber Batten Screen
- **F1** GLASS BALUSTRADE
  Frameless Glass Balustrade

FURNITURE

- **SB** SEATING BENCH
  Timber Decking Seating Bench
- **OK** OUTDOOR KITCHEN / BUILT IN BARBEQUE
  To Future Specification & Detail
- **DT** DINING TABLE
  To Future Specification
- **CT** CAFE TABLE
  Integrated With Seating Bench
  To Future Specification
- **DP** DECORATIVE PLANTER POT
  Off-Shelf Decorative Planter Pots
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TRa	*Trachelospermum asiaticum 'Flat Mat'*	Asiatic Jasmine	140mm	0.3m / 1.5m

dsb Landscape Architects

PROJECT MULTI-RESIDENTIAL DEVELOPMENT
30 Bourke Street
Wollongong, NSW

CLIENT MODCO

DRAWING 4215-P202

REVISION B

DATE 8 March 2022

0 1 2 3 4 5m
1:100 @ A1 1:200 @ A3

LANDSCAPE PLAN - ROOFTOP **CONCEPT**

MMJ Wollongong
6-8 Regent Street
Wollongong NSW 2500
Telephone: (02) 4229 5555
Facsimile: (02) 4226 5741

EXCEPTION TO DEVELOPMENT STANDARD VARIATION STATEMENT

Building Height - Wollongong City Centre

Address: **Lot 3 DP 37711, 30 Bourke Street, North Wollongong**
Proposal: **Residential Flat Building Development**
Date: **March 2022 (REV A)**

1.0 Introduction

The purpose of this variation statement is to outline the justification for seeking an exception to the maximum building height within Zone R1 General Residential Zone (being a development standard) contained within the *Wollongong Local Environmental Plan 2009 (WLEP 2009).* This variation statement has been prepared in consideration of *Clause 4.6* and *Part 4 - Clause 4.3(2)* (Height of buildings) in *WLEP 2009* and the NSW Department of Planning, Infrastructure and Environment's (DPIE) *"Varying development standards: a guide"* (August 2011).

The advice herein relates to a development application for the *demolition of the existing structures and construction of a five (5) storey residential building consisting of thirteen (13) units with associated parking and amenities.*

The details of this proposal are shown within the Development Drawings prepared by PRD Architects (attached to the application), which identifies the proposed building height in question. Specifically, the development includes amenities associated with the communal open space on the rooftop, which exceed the permitted 16m height shown for the land on the *Height of Buildings Map*.

The proposed development application seeks to provide an appropriate and balanced development/environmental outcome for the subject site, and the Wollongong City Centre area as a whole. In doing so, an exception to a development standard contained within *Wollongong Local Environmental Plan (LEP) 2009* has been adopted. In this regard, the proposed development generally accords with all *LEP* controls, apart from a numerical variation being requested to the building height development standards contained within *Clause 4.3 Height of Buildings*.

The request is in writing to address the relevant provisions within *Clause 4.6*, to demonstrate that strict compliance with the development standard is unreasonable in the circumstances of the case, and that there are sufficient environmental planning grounds to justify the proposed variation sought.

This statement has been prepared in accordance with the NSW Department of Planning Infrastructure (DPI) guideline "*Varying Development Standards: A Guide*" dated August 2011. Applications to vary development standards should also address the 'five-part test' established by the NSW Land and Environment Court (LEC) to determine whether the objection is well founded. An assessment of this applicant against the 'five-part test' is included in this statement.

2.0 Overview of Clause 4.6

Clause 4.6 provides a framework for varying the applicable development standards under a Local Environmental Plan (LEP).

The objectives of this clause are as follows:-

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

Sub *Clauses (3)(a)* and *(3)(b)* state that development consent must not be granted unless the consent authority has considered a written request from the applicant that seeks to justify the contravention 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.*

This Statement provides a written request seeking to demonstrate the development standard is unreasonable or unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravening the development standard based on the following rationale (summary):

- In this application, only a portion of the communal open space roof is above the 16 metre height plane.
- The extent of the variation above the 16 metres height limit is confined to a small area of the lift overrun and a corner of the roof above the Communal Open Space . At the highest

point, the communal open space roof is 1.05m above the 16m height plane measured from natural ground level (existing) which is 6.6% exceedance of this height plane threshold.

- The development is still consistent with the objectives of the R1 General Residential Zone.
- The proposed contravening the development standard will not limit the potential for adjoining sites to be developed to their permitted capabilities in future.
- The proposed building height exceedance will not be out of context with the locality or surrounding permitted building height heights.

The zone objectives 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 relevant zoning objectives outline a need to provide for a variety of housing, housing types and densities and other facilities and services (as above). The proposed development is permissible within the R1 General Residential zone as a residential flat building containing thirteen (13) x three (3) bedroom apartments thereby providing for the housing needs of the community. Thus, the proposed development directly accords with the objectives of this zone.

With regard to context and setting, in the immediate context, the property is located in at the northern extent of the Wollongong CBD primarily characterised by three (3) storey Residential Flat Building development. It is noted that many of the existing properties within the immediate setting are ageing and will likely be the subject of future redevelopment opportunities in years to come. The proposed development has demonstrated that a functional building can be provided, including appropriate carparking and access, landscaping and private open space areas, without detrimentally impacting the surrounding properties.

An aerial view of the subject site is shown in *Figure 1*.

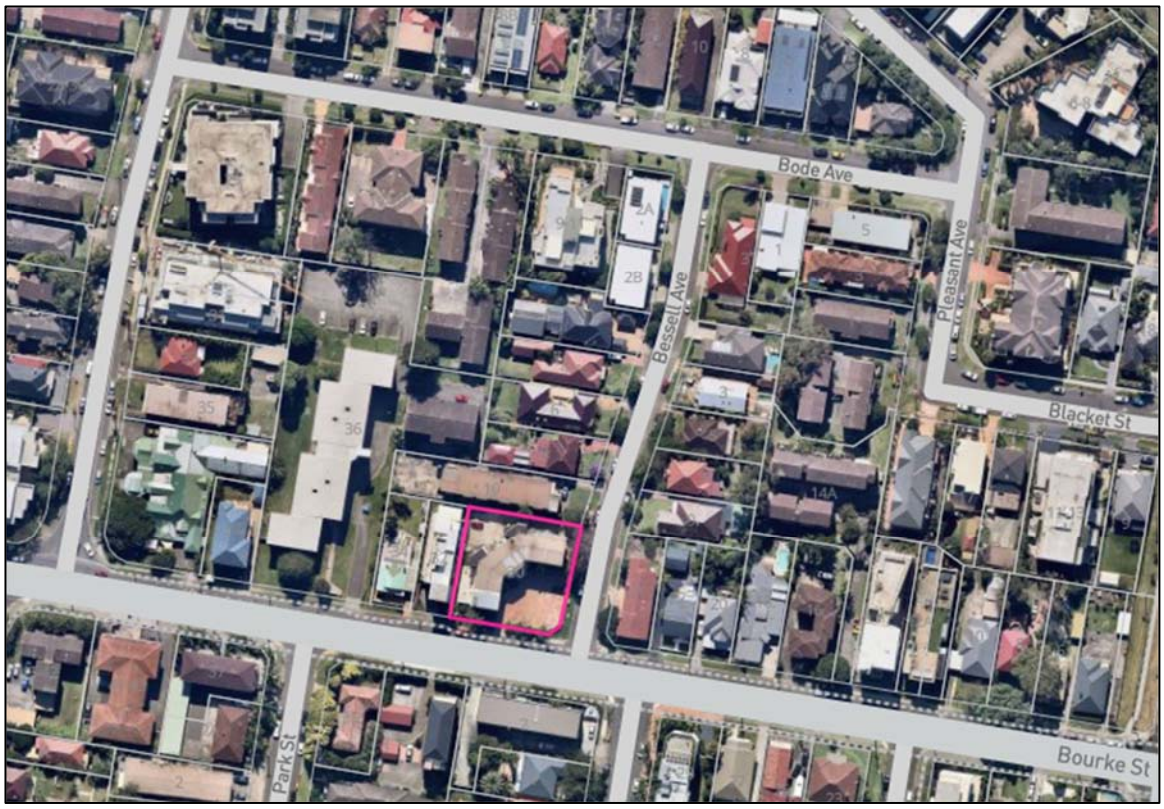

Figure 1: *Aerial View of the Site and Locality (*Source: Nearmap)*

In summary, it is concluded that the development standard is (3)(a) unreasonable or unnecessary in the circumstances of the case.

A (3)(b) assessment of the proposal under the applicable planning controls has determined that besides the proposed variation to building height requirement and minor *WDCP 2009* variations, the development is largely compliant with the applicable controls. The proposed design mitigates any adverse impacts from the excess building height including solar access which is not compromised to the adjoining or surrounding lots and amenity (privacy, visual, acoustic etc.) and the general area will not be unreasonably impacted by the development.

The proposed building has been designed to respond appropriately to the limitations posed by the site and is considered to be a reasonable development outcome for the site. The proposed building will not detrimentally impact solar access or visual and acoustic privacy, and is an appropriate urban form that will contribute positively to the streetscape.

In summary it is considered that there are sufficient site specific environmental planning grounds to justify contravening the development standard.

Furthermore sub *Clause 4(a)(i)* and (*ii)* provide that development consent must not be granted unless:-

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

This written request has adequately addressed the matters required to be demonstrated by subclause (3). It is considered that the departure from the minimum building height requirement, is in the public interest as outlined above in (3) (a) and (3) (b).

In deciding whether concurrence is to be granted or assumed, the following considerations are relevant:-

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

It is noted that as of 21 May 2014 Council has assumed concurrence of the Secretary in relation to development applications that contravene development standards. A departure by more than 10% would generally be a reason for referral and determination by the Local Planning Panel, however given the extent of this variation can be considered under Council delegation.

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

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

The *Wollongong Local Environmental Pan 2009 (WLEP 2009).*

3.2 What is the development standard being varied?

The Height of Buildings requirement contained in *Part 4 - Clause 4.3(2)* of the *WLEP 2009* which states:

"(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".

A maximum building height of 16 m applies to the site, as shown in the extract from the Height of Buildings Map in *Figure 2* below.

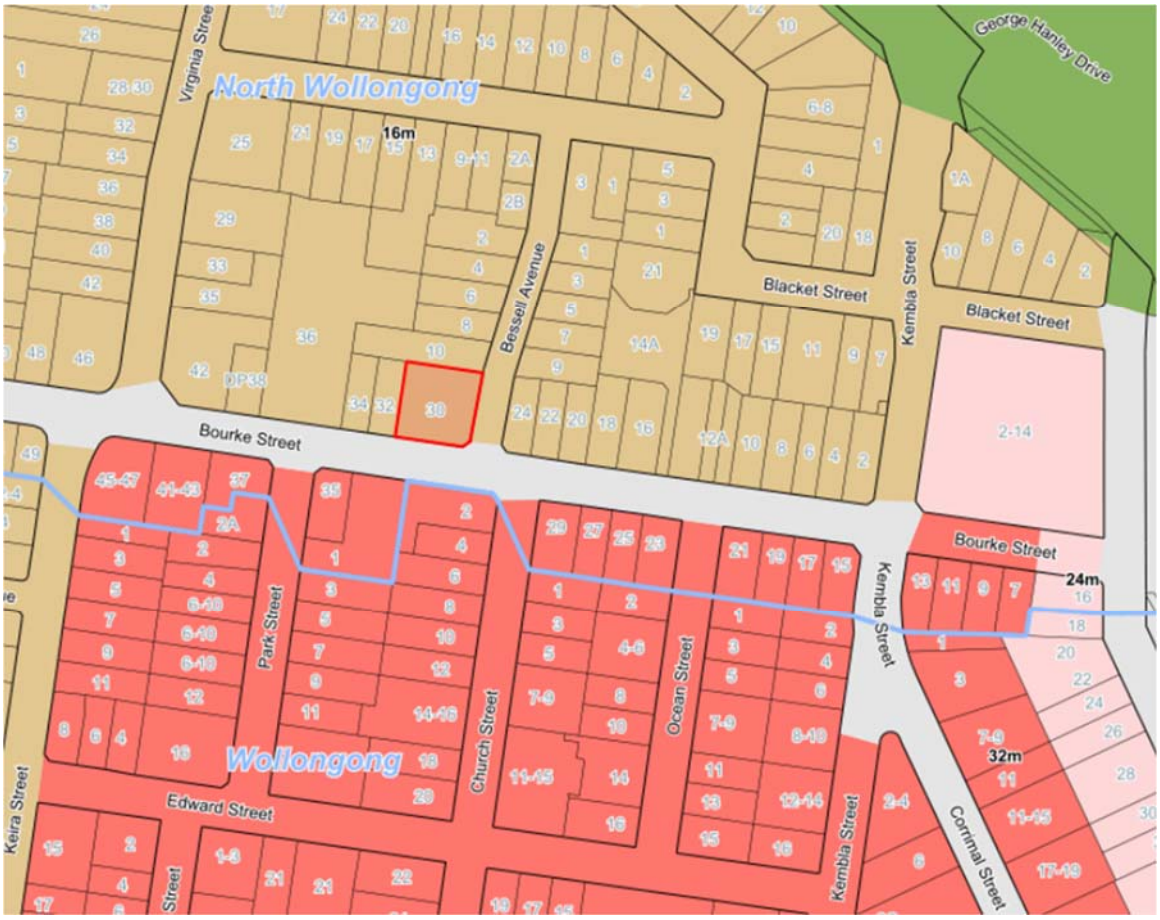

Figure 2: *Extract of the WLEP 2009 Height of Buildings Map (*Source: Wollongong City Council)*

The proposed development has a maximum building height of 17.05m. The extent of this encroachment above the 16 m height plane is shown the sections/height plane diagram prepared by PRD Architects and extracted below in *Figures 3-4*.

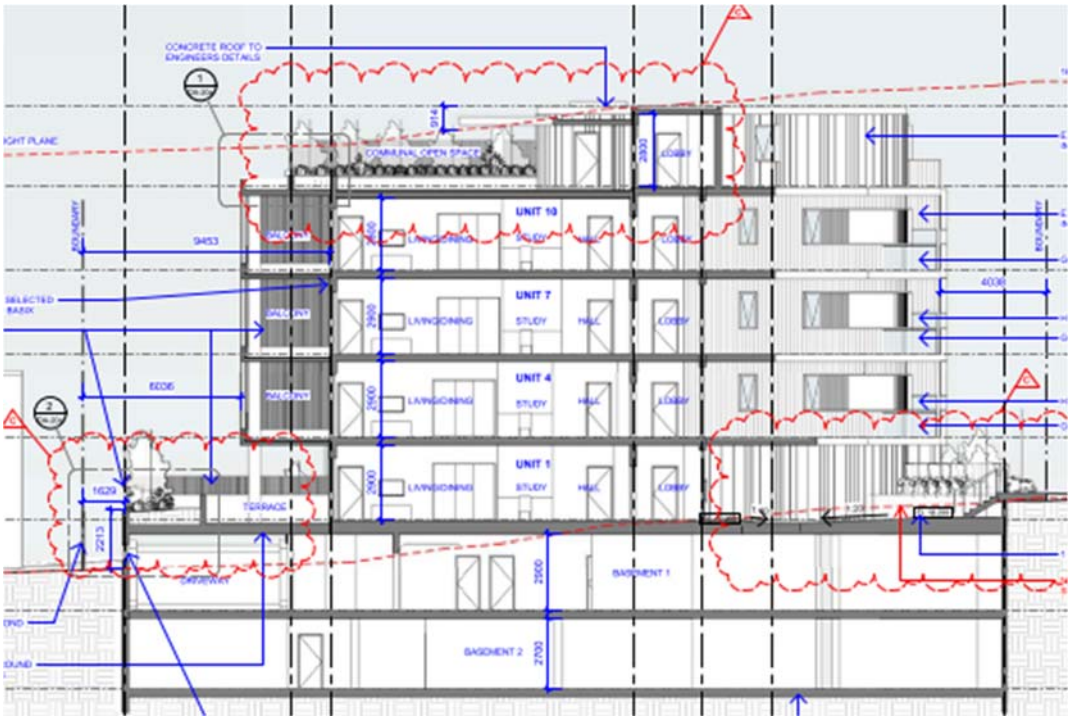

Figure 3: *Section A-Aof the proposed Development (*Source: PRD Architecture)*

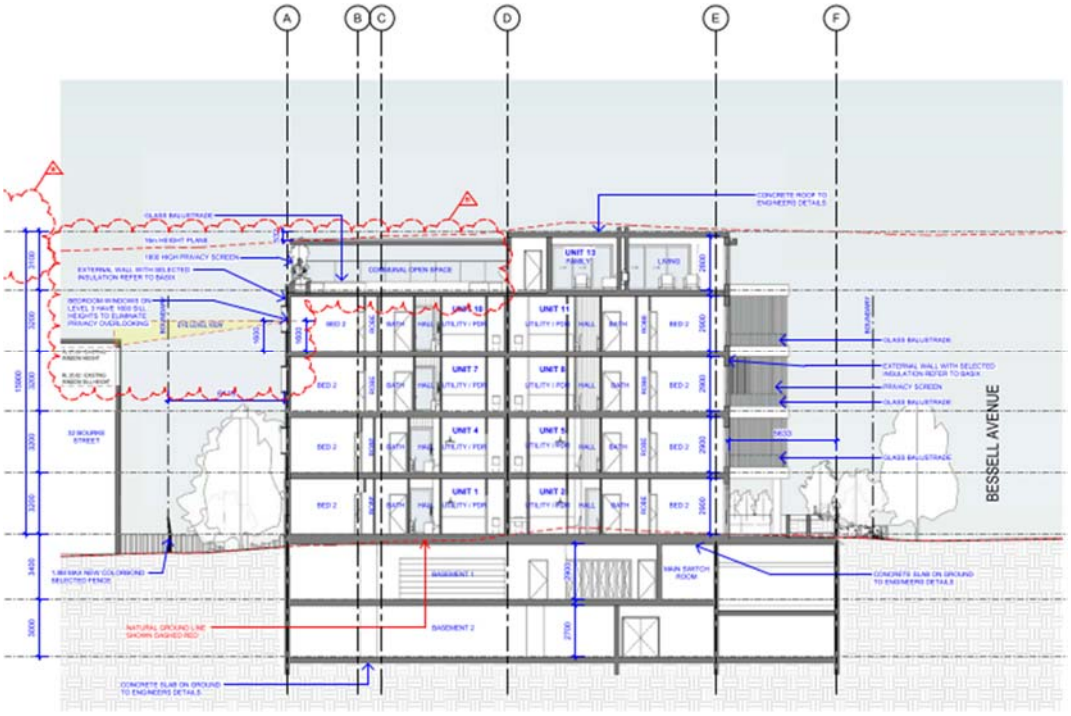

Figure 4: *Section B-B of the proposed Development (*Source: PRD Architecture)*

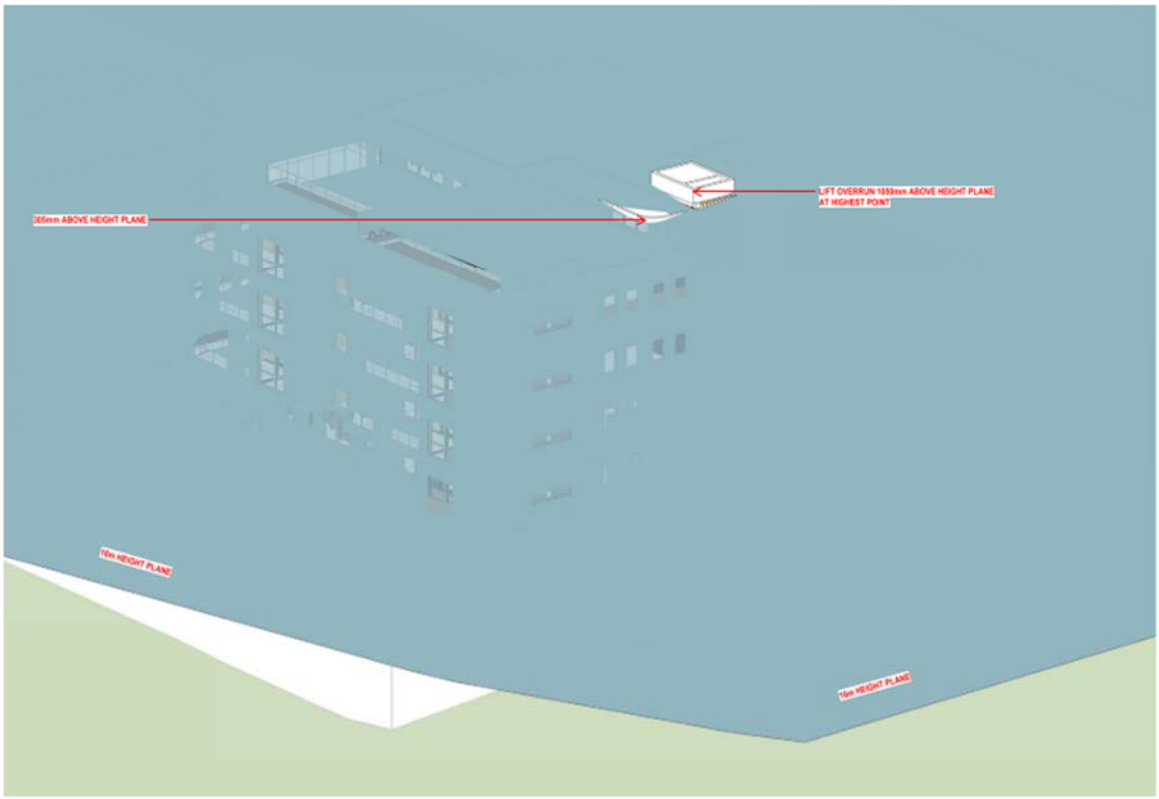

Figure 5: *Height Plane Diagram *Source: PRD Architects)*

3.3 What are the objectives of the standard?

The objectives of this clause are as follows—

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

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

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

The maximum height shown for the land on the Height of Buildings Map is 16 m. The application proposes parts of the development more than 16 m as follows:

Location	Height exceedance	Variation
Lift Overrun	1.05m	6.6%
Roof above COS	0.305m	1.9%

4.0 Assessment of Proposed Variation

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

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

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

The five (5) ways outlined in Wehbe include:

> 1. The objectives of the standard are achieved notwithstanding noncompliance with the standard (First Way)
>
> 2. The underlying objective of purpose of the standard is not relevant to the development and therefore compliance is unnecessary (Second Way)
>
> 3. The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable (Third Way)
>
> 4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable (Fourth Way)
>
> 5. The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable or unnecessary. That is, the particular parcel of land should not have been included in the particular zone (Fifth Way).

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

unnecessary, rather that the applicant's written request adequately addresses the matters in clause 4.6(3)(a) that compliance with each development standard is unreasonable or unnecessary.

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

Objective of the Development Standard:

Under WLEP 2009, Clause 4.3(1) has the following objectives in relation to the Height of Building development standard:

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

Floor Space Ratio

The development does not propose to increase the Gross Floor Area (GFA) of the overall development and complies with the applicable development standard in this regard. The breach of the maximum building height standard does not result in any inconsistency with this objective.

High Quality Urban Form

The proposed development will incorporate the construction of a new thirteen (13) storey Residential Flat Building containing basement parking below. The proposal incorporates attractive and well-considered architectural design, materials and details. The proposal involves well-articulated façades to define the building and conversely minimise bulk. The proposal will deliver good internal amenity for prospective inhabitants.

Materials and finishes will be used to for visual interest and compatibility with the surrounding development. The proposed building form is appropriate for the future streetscape of Bourke Street which permits future development of comparable or greater bulk and scale.

The overall envelope is an appropriate design and scale which reflects the site's constraints and GFA anticipated by the WLEP 2009. The portion of the building that exceeds the height is a small area of the building footprint and does not negatively impact the overall bulk and scale of the development.

The approved development and proposed development design excellence as detailed in PRD Architects architectural verification statement.

Views and Solar access

As demonstrated in the extracts of Architectural Plans by PRD Architects, the proposed breach above the heigh plane relates to a small footprint of the building, which will cause minimal impact to existing view lines, shadows and solar access. PRD architects have prepared photo montages of the proposed building envelope in the Bourke St view corridor. All visible elements in view are compliant with the 16m height plan and the lift element/small section of roof are not visible.

The proposed height is compatible within its context and will not result in any adverse impacts to surrounding properties. The breach of the standard allows for a building that achieves an improved built form to ensure services can be provided in a uniform and sympathetic manner. The breach of the standard allows a built form that is consistent with the urban design principles established in the WLEP 2009 (Wollongong City Centre Area). This includes providing an adequate setback to the street, side, and rear boundaries, as well as the provision of a protected rooftop landscaping and communal open space. If the breach did not occur; the built-form outcome would be compromised as it would otherwise result in a less useable space for the occupants being related to the common open space area.

The proposed development will not be out of context with its setting, and the breach in height limit will not create inconsistency with nearby development.

The breach of the standard does not affect consistency with this objective.

On this basis, the proposed development has been assessed against each objective contained in Clause 4.3(1) of WLEP 2009 Thus, deeming strict compliance in accordance with the First Way is unwarranted in the circumstances of this particular case.

Development Standard Abandoned:

In relation to the Fourth Way *"The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable (Fourth Way)"* it is noted that the following approvals have proposed the same variation and have been approved thereby abandoning the development standard:

DA-2020/1458: 6 Dudley Street WOLLONGONG NSW 2500
Residential - demolition of existing structures and construction of a six (6) storey residential flat building comprising of 27 units with basement level car parking and lot consolidation
Extent: A building height of 16m applies to the site. A proposed building height of 17.96m is proposed for the lift overrun and part of the communal open space roof structure. 12.25% variation

DA-2020/35: 22/100-104 Corrimal Street WOLLONGONG NSW
Residential - construction of roof level cabana for Unit 22
Extent: proposed cabana height 26.40 metres where permitted height 24.0 metres

DA-2018/1481: 22 Robert Street CORRIMAL
Mixed Use Residential - residential flat building comprising 21 apartments above basement car parking, 13 townhouses with double garages and tree removals and Subdivision - Strata title - 34 lots
Extent: The proposed residential flat building has maximum overall height of 10.075m, exceeding the height limit by a maximum of 1.075m (11.9%).

DA-2018/1517: 145-149 Princes Highway CORRIMAL
Mixed use development comprising 1 retail tenancy, 13 affordable units, 15 self-contained boarding house studios and associated car parking and landscaping works
Extent: 15 metres maximum Proposal - 16.68 metres which represents an - 11.2% exceedance

DA-2018/313: 2 Frederick Street WOLLONGONG
Residential - demolition of existing structures and construction of a boarding house development
Extent: The height of the building exceeds the 16m height limit due to the lift overrun with proposed a height of 17.76m. 11% variation

Reviewing these examples, it is reasonable to say that some flexibility has been shown by Council in the past in applying the maximum height control where particular circumstances would warrant it. Many of these examples and Council's acceptance relates to the fact that exceedance has not been relative to GFA, and primarily included communal open space and associated facilities e.g. lift overrun, plant equipment, roof form features or pergolas et cetera. Additionally, many of these examples relate to sloping sites. All of which is akin to the subject proposal.

Whether the standard has been abandoned or not is a matter of interpretation. For example, is one variation to this development standard enough to interpret as abandonment or 100 variations? Notwithstanding, it is clear that examples for circumstances such as this particular case have warranted Council abandoning the height control on such occasions. Thus, deeming strict compliance with the Height of building development standard is unwarranted (Forth Way) in the circumstances of this particular case.

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

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

The unique circumstances at the site which warrant the proposal to exceed the permissible height for this site:

The land falls from Bourke Street to the south by approx. 3m to the northern boundary. The proposed design responds to the slope of the site and the surrounding context. The development at this height limit, whilst maintaining other development standards, has an appropriate FSR for this site. Logically, restricting a built form envelope by this amount is impractical for a residential zoned site at this location and, therefore, unreasonable to consider in this instance. Given the extent of variation between the building heights in the immediate vicinity, which is 32m to the opposite side of Bourke Street, and 24m to the east on Kembla Street, the variation is not considered significant in the scheme of the development and the context. The adjoining sites are still able to achieve adequate solar access and privacy.

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

The building height is a direct design response with the intent to allow the site to respond to the demand for residential floor space in the area, whilst supporting Wollongong Councils objectives for built form within the R1 General Residential zone.

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

The proposal incorporates attractive and well-considered architectural design, materials and details, which reflect the proposed high-quality Residential Flat Building. The proposal involves well-articulated façades with good internal amenities for prospective residents.

Again, the adjoining sites are still able to achieve their maximum permitted, height, FSR and building forms with good access to views and solar amenities.

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

Pursuant to Clause 7.18(2)(a) of WLEP, as the site is identified to be located within the Wollongong city centre boundary the proposed development must exhibit design excellence, and consider and comply with the objective and controls of Clause 7.18.

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

(i) the suitability of the land for development,
(ii) existing and proposed uses and use mix,
(iii) heritage issues and streetscape constraints,
(iv) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
(v) bulk, massing and modulation of buildings,
(vi) street frontage heights,
(vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,
(viii) the achievement of the principles of ecologically sustainable development,
(ix) pedestrian, cycle, vehicular and service access, circulation and requirements,
(x) impact on, and any proposed improvements to, the public domain."

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

If the overall height of the building were to be reduced to be compliant with the maximum building height this would result in:

- A less amenable common open space area to the rooftop of the development.
- A loss of potential dwelling numbers due to a minor encroachment of the lift overrun and the awning over.

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

The proposed development has been designed will incorporate best practice initiatives with regards to ecologically sustainable development (ESD) principles, to achieve the sustainability requirements of Section J of the NCC (as well as Council guidelines under Wollongong DCP 2009).

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

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

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

4.4 Is the objection well founded?

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

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

5.0 Conclusion

The proposed variation is based on the reasons contained within this request for an exception to the stated *Height of Building* requirement, being a development standard contained within the *WLEP 2009*. The proposal will not result in any adverse impacts with regard to the amenity of the adjoining properties.

The proposed non-compliance is unlikely to result in any future precedents given the surrounding pattern of development and the combination of zoning and other associated controls currently in place. In this instance, there are sufficient environmental planning grounds to justify contravening the development standard.

In conclusion, the objection is considered to be well founded on planning grounds and compliance with the standard in unreasonable in the circumstances of the case.

Yours faithfully,
MARTIN MORRIS & JONES PTY LTD

LAUREN TURNER BUrbRegPlan MPIA
MANAGER - TOWN PLANNING & ADVISORY

ATTACHMENT 5

Wollongong Design Review Panel – via MS Teams
Meeting minutes and recommendations

Date	14 December 2021
Meeting location	Wollongong City Council Administration Offices
Panel members	(Chair) David Jarvis
	(Member) Marc Deuschle
	(Member) Tony Quinn
Apologies	None
Council staff	Pier Panozzo – Development Assessment & Certification Manager (Acting) Theresa Whittaker – City Centre & Major Development Manager (Acting) Alexandra McRobert – Architect - Development Assessment &Certification
Guests/ representatives of the applicant	Peter Rasa – PRD Architects Diego Quinones – PRD Architects Lauren Turner MMJ Wollongong David Pearce – DSBLA George Seghabi – NODCO – Client Carmelo San Gil – MODCO - Project Manager
Declarations of Interest	Nil
Item number	2
DE number	DA-2021/1308
Reason for consideration by DRP	
Determination pathway	SEPP 65 Clause 28 Design Excellence Clause 7.18 WLEP 2009
Property address	30 Bourke Street, Wollongong
Proposal	Demolition of existing structures and construction of a five(5) storey residential flat building
Applicant or applicant's representative address to the design review panel	
Background	
Design quality principals SEPP 65	
Context and Neighbourhood Character	The existing context is an eclectic mix of modestly scaled residential flat buildings and single residential dwellings. However, it is anticipated that the area will develop over time to realise the potential permitted by Councils' controls. The proposal is located on a corner site within walking distance of the beach.
Built Form and Scale	<u>Relation to ground plane</u> The site falls approximately 2.5m from the Bourke Street frontage to the site's northern boundary. In response to the site topography, the ground floor level has been set at 800mm below Bourke Street and 1.5m above natural ground level adjacent to the northern boundary. This strategy creates the following issues: - Entry The entry is located approximately 800mm below street level. It is accessed via a set of steps that connect to a narrow 1 in 14 gradient ramp. A second ramp sits parallel

to the street boundary, circumnavigating the steps to provide an accessible path of travel from the street to the lobby. The narrow ramp will require handrails and toe boards, which will contribute to providing a tight entry path with an institutional appearance.

It is recommended that the entry ramp leading to the lobby is set at a gradient of 1 in 20, this will allow the handrails and toe boards to be removed and the width of the path to be increased, whilst still providing an accessible path of travel. This appears to be achievable, without altering the proposed ground floor level. Some minor refinements to the 1:14 ramp and steps adjacent to the boundary may be required.

To further improve the quality of the entry it is recommended that the bathroom window of unit 3 is removed from the entrance (on balance the quality of the common entrance should take precedence over the minimal contribution provide by the small, frosted, fixed window to the bathroom). The letter boxes should also be relocated to the bottom of the 1 in 20 ramp, so they relate more directly to the entry and can be accessed under cover.

Details of the screens / landscaping located between the entry path and the bedrooms of unit 3 should be provided to demonstrate that the privacy of the bedrooms are not compromised.

- Unit 1 and 2 terraces

The terraces to units 1 and 2 are located approximately 3m from the northern boundary and 1.5m above natural ground level. The proximity of the terrace to the open walkway of the neighbouring building could potentially result in privacy issues.

Detailed sections should be developed to show the relationship between the terraces and the neighbouring building. The section should aim to maximise privacy and provide an appropriate landscaped transition with the neighbour. Both the basement and terrace may need to be setback further from the northern boundary to provide an appropriate transition with the northern neighbour.

It is also be noted that the proximity of the terrace to the site boundary does not comply with ADG setback requirements (a minimum setback of 6m required from balcony to boundary). The objectives of the ADG must be addressed.

Unit 2 terrace / carpark entry ramp

	Unit 2 is serviced by a large terrace wrapping around the north and eastern face of the unit. However, the northern terrace is compromised by the location of the basement entry ramp. The centrally located living room directly overlooks the basement entry ramp. It is suggested that a trellis is located over a part of the entry ramp to screen the ramp from the unit / terrace. Consideration may also be given to reconfiguring the unit layout to allow the living room to open directly into the western portion of the northern terrace. <u>Roof terrace</u> In response to the Panel's previous comments the roof terrace has been developed to provide an increased area of communal open space that provides better amenity to residents. The communal terrace is setback 6m from the western boundary. To address potential issues with the western neighbour, a planter with a powder coated aluminum screen has been provided. A bench seat has been incorporated into the planter providing amenity to the communal open space. In principle, this treatment provides an appropriate interface with the neighbour. It is recommended that this detail is captured in a detail section to ensure the design intent is realised and BCA compliance is achieved. The north-eastern corner of the roof terrace and the northern edge of the communal open space is separated from the adjoining flat roof by a glazed balustrade. The transition between terrace and roof must be carefully detailed to clearly delineate roof from terrace. It may be necessary to increase the depth of the structure in these areas to accommodate a hob / surface finishes. The flat roof area on the south-eastern corner has been developed to provide a small balcony to service the master bedroom of unit 13. It is recommended that the area of balcony is significantly increased by extending a parapet around the entire perimeter of the roof, allowing bedrooms 2 and 3 to access the balcony. This strategy will also assist in developing a stronger built from expression on the street corner (refer to aesthetic below, for further detail). Servicing areas, containing condenser units, have been located adjacent to the egress stair on levels 1, 2 and 3. The service enclosures restrict light and the potential for natural ventilation to lobby areas. Lobbies now have no outlook and minimal natural lighting. The proposal no longer complies with objectives 4F-1 (design guidance) of the ADG. It is recommended that an alternative location is provided to accommodate the condenser units; perhaps on level 4 adjacent to the fire stair.
Density	The proposal appears to be largely consistent with council's FSR control and the future desired character of this precinct. However, it is noted that a portion of the lift shaft and communal area roof sit above the maximum permissible height. A visual impact study should be provided to determine if the height non-compliance has

	any negative impacts. Refer to Council's DCP for detail requirements in relation to the visual impact study / View Corridor (between Lighthouse Point and the Escarpment) analysis.
Sustainability	The use of solar power and water heating is strongly encouraged, particularly to service communal areas. Opportunities to harvest rainwater for use in maintaining any plantings established on the building or the site should be integrated. Other water minimisation measures (reuse of rainwater for toilet flushing and washing machines) should also be considered. Landscape plantings should address aims for biodiversity protection, weed minimisation and low water use.
Landscape	The major issue with the scheme's landscape is a miscalculation of the deep soil zone (DSZ) and communal open space (COS). While the ADG allows co-location of DSZ and COS, it also outlines the requirements of each clearly; the extent to which they can overlap is quite minimal. In this scheme, the area of DSZ has a path and a seating area which makes it incompatible with the ADG's requirements. Further to this, the distance, seclusion and location of this space create potential CPTED concerns. The COS itself is a mix of spaces, one adjacent to the entry at the ground floor, and one on the rooftop. These provide a variety of space which collectively have the potential to provide good amenity to residents. In terms of quantity of COS, this is inter-related with the DSZ issue above. However, it should also be noted that some areas are counted as COS which are dubious as to their value for the adjacent spaces, one being the landscaping outside the screening in the SW corner. Such areas should be excluded from COS calculations. More information and clarity are required to show that DSZ and COS areas comply with requirements. It is unclear if one is regarded as the primary COS space; in essence either, or both collectively, could serve this purpose. Whichever is true, it appears the COS struggles to achieve its minimum 50% daylight requirements in mid-winter. This has only partially been demonstrated due to neighbouring properties not casting shadows on the ground floor COS. The rooftop COS is more than 50% covered. More information should be provided to explain this is achieved. The rooftop COS has a good, relaxed feel and is likely to attract residents. The area adjacent to the space itself appears to be bare roof – perhaps this could be used as COS or be otherwise treated to be aesthetically complementary.

	The screens to either side should be designed to provide visual privacy to neighbours and penthouse residents. The detail of this is unclear at this stage. Climb-ability is an issue with built-in seating adjacent to planters and no safety barrier to the rooftop edge. This should be addressed. Although not clearly shown on drawings the advice was that a WC would be provided on the roof – this is required to be shown as part of the documentation to be approved. All roof run-off should be collected and used to irrigate plants.
Amenity	The proposal appears capable of meeting ADG objectives for natural cross ventilation. Solar access diagrams have been provided demonstrating that 69% of units receive a minimum of 2 hours solar access, mid-winter, between 9am and 3pm. This is marginally less than the 70% objective required by the ADG. It is recommended that the northern face of the screen to units 6, 9 and 12 is developed to maximize solar access at 11:00am, mid-winter. This may be achieved with vertical louvers that accommodate natural light and outlook from the balcony, whilst preventing direct sightlines from the balcony to the bedroom of the adjacent units. Most units are serviced by large open plan living spaces consisting of living, dining and family areas. The extent of space dedicated to living areas is commendable. However, the open plan configuration of these spaces limits the functionality of the apartment. When a family room forms part of the main living space, activities within the family space will impact upon activities within the living space. For the family area to function as a second living space it would need to be physically separated from the main living space. This can be achieved by designing the family room as a separate room or providing some form of flexible partition / screening system to zone the space when required. The applicant advised that the alternative strategy outlined by the Panel had been explored, but on balance the applicant maintained a preference for a large open plan living space. The master bedrooms of north facing units are accessed directly from the living space. This creates potential acoustic privacy conflicts between the living room and bedroom. The person sleeping in the master bedroom will be disturbed by activities / noise from the living space. To address this issue, it is recommended that the ensuite and robe are reconfigured to allow the entry to the master bedroom to be relocated in the hallway. The Panel acknowledges that an acceptable level of amenity is being provided by the current proposal.

	Dimensions have been provided to all habitable rooms and balconies demonstrating that minimum ADG room and balcony sizes have been achieved.
Safety	Further detail is required to document the fire stair egressing from the basement into the Bessel Street landscaped setback. The stair well must be design so that it cannot be used to facilitate antisocial behavior / provide a place of concealment. The stair must be concealed / separated from the street, ideally the egress stair would be incorporated into the form of the building. If the stair is maintained within the landscaping, consideration should be given to turning the stair 90 degrees to run parallel to the terrace of unit 2. This will allow the stair to be more easily concealed within the landscaping, avoiding sight lines from the street down the egress stair. Note CPTED concerns raised in Landscape
Housing Diversity and Social Interaction	The proposal consists solely of large three-bedroom units, providing little diversity in housing options. However, the proposal does appear to be providing a product consistent with market demand in this neighbourhood.
Aesthetics	A curved building form is proposed on the corner of Bourke Street and Bessell Street. The street corner element is expressed with broad blades, expressed slab edges and two contrasting cladding materials. It is suggested that this expression could be developed to provide a stronger more sculptural street corner expression. Consideration should be given to the following developments: - The vertical blades applied to the street corner appear to serve little purpose. The applicant advised that blades where purely an aesthetic addition to the building. Though it is acknowledged that this is a very subjective issue, the Panel's opinion -that the blades provide little contribution to the aesthetic quality of the building - remains. - Create a balcony on the south-east corner of the building on level 4 to service unit 13. This will allow a parapet to be created to enclose the balcony and raise the height of the corner element, contributing to a more clearly defied corner expression. Consideration could also be given to extending the darker cladding down from the roof to the ground floor, between east facing balconies. This could assist in further defining the corner element. - The vertical battens applied to the south facing lobbies have the effect of filling in the recess that would otherwise assist in breaking the building bulk. The battens should be removed and clear windows servicing the lobbies be reinstated. The location of servicing zones adjacent to the lobbies has a negative impact upon both the amenity and

	aesthetic quality of the building (refer to amenity for further detailed comments) A larger scale detail section would assist in providing a better understanding of the quality of finishes being proposed and also help to ensure that the architect's design intent is realised. Perspectives and elevations appear to be showing semi-frameless balustrades with slender handrails, this should be confirmed in the finishes schedule. All proposed screens should be detailed (materials, finish, opening sizes etc). Servicing of the building must be considered at this stage of the design process. The location of service risers, car park exhausts, AC condensers, down pipes and fire hydrant boosters should be accommodated. It must also be determined if a sub-station is required. Consideration must be given to both materials and the integration of services.
Design Excellence WLEP2009	
Whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved	Further refinements required.
Whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,	Further refinements required.
Whether the proposed development detrimentally impacts on view corridors,	A visual impact study is required.
Whether the proposed development detrimentally overshadows an area shown distinctively coloured and numbered on the Sun Plane Protection Map,	NA
How the development addresses the following:	
the suitability of the land for development,	The site topography creates some challenges. However, the site is well suited for this typology of development once potential street and neighbour interfaces have been addressed.
existing and proposed uses and use mix	The proposal consists solely of large three-bedroom units, providing little diversity in housing options. However, the proposal does appear providing a product consistent with market demand in this neighbourhood.
heritage issues and streetscape constraints,	A visual impact study is required.
the location of any tower proposed, having regard to	The proposal generally responds to the immediate context of the site in a reasonable manner. However, a visual impact study is

the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,	required confirm the proposals relationship with its broader context is acceptable and to examine the impact of the proposed height non-compliance.
bulk, massing and modulation of buildings	Further development of a clear corner expression is recommended, and a visual impact study is required.
street frontage heights	Acceptable
environmental impacts such as sustainable design, overshadowing, wind and reflectivity	Further refinements are recommended to improve solar access.
the achievement of the principles of ecologically sustainable development	Further development / information required.
pedestrian, cycle, vehicular and service access, circulation and requirements	Further refinement of the pedestrian entry is recommended.
impact on, and any proposed improvements to, the public domain	
Key issues, further Comments & Recommendations	In response to the Panel's previous comments the proposal has been developed to provide an improved area of communal open space and aesthetic expression. The proposal has the potential to provide a positive contribution to this developing residential neighbourhood, pending further detail development: - Further refinements to the building entry - Detail refinements / detail information documenting the buildings interface with the northern boundary at ground floor level. - Further development to improve the interface between the basement entry ramp and unit 2. - The provision of a detailed section and additional documentation to clarify finishes / materials / services. - Relocation of condenser units to reinstate windows to all lobbies. - Development of the building's street corner expression. - Integration of Bessell Street fire egress stair. - Further development of communal open space and deep soil zone.

Attachment 5 – SEPP 65 Apartment Design Guide and Wollongong DCP 2009 Assessment

a) SEPP 65 Apartment Design Guide

Standards/controls	*Comment*	*Complies*
Part 3 Siting the development		
3A Site analysis Site analysis uses the following key elements to demonstrate that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context: - Site location plan - Aerial photograph - Local context plan - Site context and survey plan - Streetscape elevations and sections - Analysis A written statement explaining how the design of the proposed development has responded to the site analysis must accompany the development application.	Detailed site analysis plans has been provided with the DA material and presented to the Design Review Panel.	Yes
3B Orientation Buildings must be oriented to maximise norther orientation, response to desired character, promote amenity for the occupant and adjoining properties, retain trees and open spaces and respond to contextual constraints such as overshadowing and noise. *Objective 3B-1:* *Building types and layouts respond to the streetscape and site while optimising solar access within the development* Design Guidance - Buildings should define the street by facing it and providing direct access.	Building addressed both street frontages with the primary entry fronting Bourke Street. Apartments are generally configured and orientated with living areas facing north and east. Upper level balconies and ground floor apartment terrace areas offer some opportunities for casual surveillance of the two streets. Access from the street frontage to the pedestrian lobby is considered not well resolved and requires further development. The entrance is however legible and will be identifiable by the position of the mail boxes on Bourke Street as the primary frontage of the site.	

Standards/controls	*Comment*	*Complies*
Objective 3B-2 *Overshadowing of neighbouring properties is minimised during mid- winter* Design Guidance - Overshadowing should be minimised to the south or downhill by increased upper level setbacks - Refer sections 3D & 4A below for solar access requirements - A minimum of 4 hours of solar access should be retained to solar collectors on neighbouring buildings	69% of apartments will enjoy compliant solar access (see 4A below). The height of the building exceeds the height limit in part and the maximum allowable FSR is exceeded. As such, the development does not response well to the existing or desired future character for the precinct as defined by the planning controls. The strategic local character and future desired character of the site is set by Wollongong LEP 2009 (R1 zone, Clause 8.1 Objectives for development in Wollongong City Centre) and Chapter D13 of Wollongong DCP 2009 (Wollongong City Centre). Both LEP clauses and DCP chapters are assessed in detail in the assessment report. The shadow diagrams indicate that overshadowing of nearby buildings will be minimal. Neighbouring residences will continue to receive more than a minimum 3 hours of sunlight as required.	Yes
3C Public domain interface Key components to consider when designing the interface include entries, private terraces or balconies, fences and walls, changes in level, services locations and planting. The design of these elements can influence the real or perceived safety and security of residents, opportunities for social interaction and the identity of the development when viewed from the public domain.	The transition between public and private is generally acceptable. The entry is well defined however the pedestrian way requires further resolution as outlined in the assessment report. The public domain is to be treated with footpath paving and street tree planting in accordance with Council's City Centre Public Domain	Yes

Standards/controls	*Comment*	*Complies*
Objective 3C-1: *Transition between private and public domain is achieved without compromising safety and security* Design Guidance - Terraces, balconies and courtyards should have direct street entry, where appropriate - Changes in level between private terraces etc above street level provide surveillance and improved visual privacy for ground level dwellings. - Front fences and walls along street frontages should use visually permeable materials and treatments. The height of solid fences or walls should be limited to 1m. - Opportunities should be provided casual interaction between residents and the public domain e.g. seating at building entries, near letterboxes etc	Technical Manual. If approved conditions should be applied in this regard. Compensatory planting for the removal of the Liquid amber tree is also required. Residential balconies face the street frontages, providing some opportunities for natural surveillance.	
Objective 3C-2: *Amenity of the public domain is retained and enhanced* Design Guidance - Planting softens the edges of any raised terraces to the street (e.g. basement podium) - Mailboxes should be located in lobbies perpendicular to street alignment or integrated into front fences. - Garbage storage areas, substations, pump rooms and other service requirements should be located in basement car parks. - Durable, graffiti resistant materials should be used - Where development adjoins public parks or open space the design should address this interface.	Garbage storage areas, mail boxes and fire services are to be accommodated within the development in a manner which will not detract from its design quality. Mailboxes are located adjacent to the entry. Durable materials are proposed.	
3D Communal and public open space *Objective 3D-1* *An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping* Design Criteria 1.Communal open space has a minimum area of 25% of the site area (337.5m^2)	Two communal open space areas are proposed – one on the ground floor adjacent to the entry (area 135sqm) and the other on the rooftop of the building (area of 153sqm). Communal open space **does not achieves 25%** of the site	**No**

Standards/controls	*Comment*	*Complies*
2. 50% direct sunlight provided to principal usable part of communal open space for a minimum of 2 hours between 9am and 3pm on 21 June <u>Design Guidance</u> - Communal open space should be consolidated into a well-designed, usable area. - Minimum dimension of 3m - Should be co-located with deep soil areas - Direct & equitable access required - Where not possible at ground floor it should be located at podium or roof level.	area as required – proposed 289sqm when 337.8sqm is required. Solar access to the ground floor communal open space will be compromised. Both COS areas are accessible. The communal open space area does not achieve the minimum area required for the site. The rooftop COS will receive good solar access. The design and treatment will provide for well designed, usable areas. Direct and equitable access available. Ground floor COS is co-located with adjacent deep soil zone adjacent to the western boundary.	
<u>*Objective3D-2*</u> *Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting* <u>Design guidance</u> Facilities to be provided in communal open spaces for a range of age groups, and may incorporate seating, barbeque areas, play equipment, swimming pools	The landscape plan makes provision for casual seating, along with outdoor dining areas in both COS areas. The ground level COS features some lawn areas for more active recreation.	Yes
<u>*Objective 3D-3*</u> *Communal open space is designed to maximise safety* <u>Design guidance</u> Communal open space should be visible from habitable rooms and POS areas and should be well lit.	The rooftop communal open space will be safe with secured access only available be for residents. The COS adjacent to the building entry will be fenced from the street.	Yes
<u>3E Deep soil zones</u> <u>*Objective 3E-1*</u>	DSZ is proposed adjacent to the western / side boundary with an area of the 96sqm	Yes

Standards/controls	*Comment*	*Complies*
3E-1 Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality. Design Criteria: 1. Deep soil zones are to meet the following minimum requirements: Site area / Minimum dimensions / Deep soil zone (% of site area) less than 650m² / - / 7% 650m² - 1,500m² / 3m greater than 1,500m² / 6m greater than 1,500m² with significant existing tree cover / 6m Design guidance: - Deep soil zones should be located to retain existing significant trees. **3F Visual privacy** *Objective 3F-1* *Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual amenity* Design Criteria: 1. Minimum required separation distances from buildings to the side and rear boundaries are as follows: Building height / Habitable rooms and balconies / Non-habitable rooms up to 12m (4 storeys) / 6m / 3m up to 25m (5-8 storeys) / 9m / 4.5m over 25m (9+ storeys) / 12m / 6m No separation is required between blank walls	(7%) and a minimum dimension of 6m. There are variations to the building setbacks in a number of places, as follows: Up to 12m/ 4 storeys Levels G-3 *To northern boundary:* • min setback 6m to habitable rooms; setback to ground floor terrace areas Units 1 & 2 is **4.5m**; Levels 1-3, rear setback min 6.018m (6m required) *To western boundary:* • min setback 6.041m to habitable rooms 12m-24m (Level 4) *To northern boundary:* • L4 - min rear setback 7.863m to landscape bed of	**No,** variations identified in bold to the left

Standards/controls	*Comment*	*Complies*
	COS terrace; 9.497m to paved area of COS. (9m required) *To western boundary –* • L4 COS – **6.041m** to edge of COS which is provided with a 1.8m high aluminium batten privacy screen to its western edge (9m required). It is noted that both neighbouring properties are only setback approx. 2.5m approx. from the common boundaries with the subject site. While no living spaces face the site, there are likely to be some privacy and overlooking issues, particularly to and from the north-facing balconies which are likely to be highly used, and the adjoining residential flat building which features an open walkway along its southern side adjacent to the site. It is noted that planting is to be provided to the edges of the COS and private courtyard areas to provide screening of these spaces from the adjoining boundaries. in addition, a privacy screen is proposed to be fixed to the western side of the rooftop COS to minimise overlooking towards the west.	
3G Pedestrian access and entries *Objective 3G-1* *Building entries and pedestrian access connects to and addresses the public domain* Design Guidance - Multiple entries should be provided to activate the street edge.	Pedestrian access is easily visible and distinguishable to Bourke St, the mail address of the development, which is appropriate.	Yes

Standards/controls	*Comment*	*Complies*
- Buildings entries should be clearly identifiable and communal entries should be clearly distinguishable from private entries. <u>*Objective 3G-2*</u> *Access, entries and pathways are accessible and easy to identify* <u>Design Guidance</u> - Building access areas should be clearly visible from the public domain and communal spaces - Steps and ramps should be integrated into the overall building and landscape design. <u>*Objective 3G-3*</u> *Large sites provide pedestrian links for access to streets and connection to destinations*	As above – generally achieved, though the pathway to the main entry is quite convoluted as detailed in the report. Further refinement is required. No through-site link is required.	
<u>3H Vehicle access</u> <u>*Objective 3H-1*</u> *Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes* <u>Design Guidance</u> - Car park entries should be located behind the building line - Access point locations should avoid headlight glare to habitable rooms - Garbage collection, loading and service areas should be screened - Vehicle and pedestrian access should be clearly separated to improve safety. - Where possible, vehicle access points should not dominate the streetscape and be limited to the minimum width possible.	The driveway's location is satisfactory with regard to traffic safety. The driveway location will however require the removal of the large Liquidamber tree on the Bessell Avenue road reserve. This is considered acceptable subject to substantial compensatory tree planting which will be required by consent condition if consent is granted. Garbage storage within the basement with residential bins to be collected from the street. Vehicle and pedestrian access separated. Driveway and vehicular entry width is acceptable.	Yes
<u>3J Bicycle and car parking</u> <u>*Objective 3J-2*</u> *Parking and facilities are provided for other modes of transport* <u>Design Guidance</u>	Adequate visitor, motor bike and bicycle parking is proposed to meet the requirements of Chapter E3 of the DCP. The proposal incorporates far more adaptable units than	Yes

Standards/controls	*Comment*	*Complies*
- Conveniently located and sufficient numbers of parking spaces should be provided for motorbikes and scooters - Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas.	required and associated larger car parking spaces, plus large shared spaces in excess of requirements. The provision of additional potential car spaces may compromise the objective to promote a reduction in car dependency and encourage walking, cycling and use of public transport. The area of the surplus space contributes to GFA as noted in the report. Satisfactory bicycle parking arrangements are proposed.	
<u>*Objective 3J-3*</u> *Car park design and access is safe and secure* <u>Design Guidance</u> - Supporting facilities within car parks (garbage rooms, storage areas, car wash bays) can be accessed without crossing parking spaces - A clearly defined and visible lobby or waiting area should be provided to lifts and stairs. - Permeable roller doors allow for natural ventilation and improve the safety of car parking areas by enabling passive surveillance.	Supporting facilities generally appropriately located. Car parking layout is generally appropriate with regard to safety and security. Resident carparking is secured through a roller shutter. Basement is mechanically ventilated.	Yes
<u>*Objective 3J-4*</u> *Visual and environmental impact of underground car parking are minimised* <u>Design Guidance</u> - Excavation should be minimised through efficient carpark layouts and ramp design. - Protrusion of carparks should not exceed 1.0m above ground level. - Natural ventilation should be provided to basement and sub-basement car parking areas. - Ventilation grills or screening devices should be integrated into the façade and landscape design.	Acceptable. There are minimal visual and environmental impacts of the underground carpark.	
<u>*Objective 3J-5*</u>	N/A; no on-grade car parking proposed	N/A

Standards/controls	*Comment*	*Complies*
Visual and environmental impact of on-grade car parking are minimised Design Guidance - On-grade car parking should be avoided; - Where unavoidable, the following design solutions should be used – parking is located on the side or rear of the lot away from the primary street frontage - Cars are screened from view of streets, buildings, communal and private open space areas - Safe and direct access to building entry points is provided - Parking is incorporated into the landscaping design of the site - Stormwater run-off is appropriately managed - Light coloured paving materials or permeable paving systems are used and shade trees are planted to reduce increased surface temperatures from large areas of paving		
Part 4 – Designing the building - Amenity		
4A Solar and daylight access *Objective 4A-1* *To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space* Design Criteria 1. Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of two (2) hours direct sunlight between 9am and 3pm in mid-winter in Wollongong LGA. 1. A maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm at mid-winter Design Guidance - The design maximises north aspect and the number of single aspect south facing apartments is minimised - To optimise the direct sunlight to habitable rooms and balconies, the following design features are used: Dual aspect,	Units 2, 6, 9 and 12 do not receive solar access at 11am, meaning they do not achieve a full two hours solar access to internal living spaces as well as POS. 69% of the apartments therefore achieve compliant solar access compliance.	**No**

Standards/controls	*Comment*	*Complies*
Shallow apartment layouts Bay windows - To maximise the benefit to residents, a minimum of $1m^2$ of direct sunlight measured at 1m above floor level, is achieved for at least 15 minutes. *Objective 4A-2* *Daylight access is maximised where sunlight is limited* Design Guidance - Courtyards, skylights and high level windows (sill heights of 1500m or greater) are used only as secondary light sources in habitable rooms *Objective 4A-3* *Design incorporates shading and glare control, particularly for warmer months* Design Guidance Design features can include: - Balconies - Shading devices or planting - Operable shading - High performance glass that minimises external glare	Highlight windows used in kitchens on western units are a secondary light source. Glare control on the western elevation is provided in the form of blank walls and highlight or small windows only.	
4B Natural ventilation *Objective 4B-1* *All habitable rooms are naturally ventilated.* Design Guidance - A building's orientation should maximise the prevailing winds for natural ventilation in habitable rooms - The area of unobstructed window openings should be equal to at least 5% of the floor area served. - Doors and openable windows should have large openable areas to maximise ventilation. *Objective 4B-2* *The layout and design of single aspect apartments maximises natural ventilation* Design Guidance	All rooms are naturally ventilated.	Yes

Standards/controls	*Comment*	*Complies*
- Single aspect apartments should use design solutions to maximise natural ventilation.	N/A no single aspect apartments.	
<u>*Objective 4B-3*</u> *The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents*	All apartments are naturally cross ventilated.	Yes
<u>Design Criteria:</u> 1. 60% of apartments are naturally cross ventilated in the first nine storeys	All apartments are naturally cross ventilated.	
2. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	The only cross through apartment is on Level 4; this has a depth less than 18m across its shortest axis.	
<u>4C Ceiling heights</u> <u>*Objective 4C-1*</u> *Ceiling height achieves sufficient natural ventilation and daylight access* <u>Design Criteria</u> 1. Minimum 2.7m for habitable rooms and 2.4m for non-habitable rooms	3.2m floor to floor provided which meets 2.7m ceiling height requirement.	Yes
<u>*Objective 4C-2*</u> *Ceiling height increases the sense of space in apartments and provides for well-proportioned rooms*	Generally acceptable.	
<u>*Objective 4C-3*</u> *Ceiling height contribute to the flexibility of building use over the life of the building*	Generally acceptable.	
<u>Design Guidance</u> - Ceiling heights of lower level apartments in centres should be greater than the minimum required by the design criteria allowing flexibility and conversion to non-residential uses.		
<u>4D Apartment size and layout</u> <u>*Objective 4D-1*</u> *The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity* <u>Design Criteria:</u> 1. Minimum internal areas: 2 bed – 70m^2	The apartments are generously sized and feature adequately sized windows. Most units are serviced by large open plan living spaces consisting of living, dining and family areas. The DRP and Council's Architect have raised concerns that the open plan configuration of	Yes

Standards/controls	*Comment*	*Complies*
3 bed – 90m^2 The minimum internal areas include only 1 bathroom. Additional bathrooms increase the minimum internal areas by 5m^2 each. A fourth bedroom and further additional bedrooms increase the minimum internal by 12m^2. 2. Every habitable room must have a window in an external wall with a total minimum glass area of at least 10% of the floor area of the room	the living space limits the functionality of these apartments and have advised for the family area to function as a second living space it would need to be physically separated from the main living space. Also, some spaces will be difficult to furnish. The master bedrooms of north facing units are accessed directly from the living space which will create potential acoustic privacy conflicts between the living room and bedroom. All apartments achieve compliance with the minimum internal areas specified. All habitable rooms have adequate windows.	
<u>*Objective 4D-2*</u> *Environmental performance of the apartment is maximised* <u>Design Criteria:</u> 1. Habitable room depths are limited to a maximum of 2.5 x ceiling height 2. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window. <u>Design Guidance:</u> - Greater than the minimum ceiling heights can allow proportionate increases in room depths. - Where possible, bathrooms and laundries should have an external openable window. Main living spaces should be oriented towards the primary outlook.	The penthouse exceeds the 8m depth requirement, and all north-eastern units still exceed the 6.75m depth for "family" spaces.	**No**
<u>*Objective 4D-3*</u>	Generally acceptable.	

Standards/controls	*Comment*	*Complies*
Apartment layouts are designed to accommodate a variety of household activities and needs <u>Design Criteria:</u> 1. Master bedrooms have a minimum area of 10m^2 and other bedrooms 9m^2 (excl wardrobe space) 2. Bedrooms have minimum dimension of 3m (excl wardrobe) 3. Living rooms have minimum width of: - 3.6m for studio and 1 bed apartments and - 4m for 2+ beds. 4. The width of the crossover or cross through apartments are at least 4m internally to avoid deep narrow apartment layouts.	Bedroom and living room dimensions are adequate.	
<u>4E Private open space and balconies</u> Dwelling type / Minimum area / Minimum depth Studio apartments / 4m^2 / - 1 bedroom apartments / 8m^2 / 2m 2 bedroom apartments / 10m^2 / 2m 3+ bedroom apartments / 12m^2 / 2.4m <u>*Objective 4E-1*</u> *Apartments provide appropriately sized private open space and balconies to enhance residential amenity* 1. Minimum balcony depths are as per the above table. The minimum balcony depth to be counted as contributing to the balcony area is 1m. 2. Ground level apartment POS must have minimum area of 15m^2 and min. depth of 3m	All balcony areas achieve the minimum area and depth requirements. POS exceeds requirements and is generally well designed and located, with additional small balconies for some bedrooms. No ground level terraces are proposed.	Yes
<u>*Objective 4E-2*</u> *Primary private open space and balconies are appropriately located to enhance liveability for residents* <u>Design Guidance</u> - Primary private open space and balconies should be located adjacent to the living room, dining room or kitchen to extend the living space. - POS & Balconies should be oriented with the longer side facing outwards to optimise daylight access into adjacent rooms. <u>*Objective 4E-3*</u>	POS of all apartments is located adjoining and accessible from living/dining areas. Adequate solar access is available to the POS balconies and terraces. Balconies designed to articulate the façade. A variety of materials are proposed.	

Standards/controls	*Comment*	*Complies*
Primary private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building Design Guidance - A combination of solid and transparent materials balances the need for privacy with surveillance of the public domain - Full width glass balustrades alone are not desirable - Operable screens etc are used to control sunlight and wind, and provide increased privacy for occupancy while allowing for storage and external clothes drying. *Objective 4E-4* *Private open space and balcony design maximises safety* Design Guidance - Changes in ground levels or landscaping are minimised.	POS is appropriately designed with regard to safety.	
4F Common circulation and spaces *Objective 4F-1* *Common circulation spaces achieve good amenity and properly service the number of apartments.* Design Criteria 1. The maximum number of apartments off a circulation core on a single level is eight 2. For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40. Design Guidance - Long corridors greater than 12m in length should be articulated through the use of windows or seating. - Primary living rooms or bedroom windows should not open directly onto common circulation spaces, whether open or enclosed. Visual and acoustic privacy from common circulation spaces should be controlled.	Circulation space is generally minimised and natural light and ventilation is proposed. One lift services 13 apartments, with a maximum of 3 apartments at each level. Apartment entries are appropriately located with regard to circulation spaces. Short corridors are proposed. No living or bedroom window openings to common circulation spaces.	Yes
Objective 4F-2 *Common circulation spaces promote safety and provide for social interaction between residents* Design Guidance:	Some opportunities for social interaction on the ground floor within the lobby and outdoor spaces and within the rooftop COS area.	Yes

Standards/controls	*Comment*	*Complies*
Incidental spaces can be used to provide seating opportunities for residents, and promotes opportunities for social interaction.	Common circulation areas are proposed to be well lit with natural light.	
4G Storage *Objective 4G-1* *Adequate, well designed storage is provided in each apartment* 1. In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided At least 50% of the required storage is to be located within the apartment	All apartments exceed the minimum required storage. Minimum 50% is provided within each apartment, with the remainder located in the basement.	Yes
Objective 4G-2 *Additional storage is conveniently located, accessible and nominated for individual apartments* Design Guidance: - Storage not located within apartments should be allocated to specific apartments.	Basement storage is centrally located, secure and easy for residents to access and navigate.	Yes
4H Acoustic privacy *Objective 4H-1* *Noise transfer is minimised through the siting of buildings and building layout* Design Guidance - Adequate building separation is required (see also section identified in bold above). - Noisy areas within buildings should be located next to or above each other and quieter areas next to or above quieter areas.	Internal layout provides for appropriate internal acoustic amenity within individual apartments, and generally not an issue due to the limited number of apartments per floor. The reduced setbacks / separation distances between the proposed building/ terraces and the building to the north has the potential to create noise conflicts, particularly as the neighbouring building has an	Yes / **No**

Dwelling type	Storage size volume
Studio apartments	4m³
1 bedroom apartments	6m³
2 bedroom apartments	8m³
3+ bedroom apartments	10m³

Standards/controls	*Comment*	*Complies*
- Storage, circulation areas and non-habitable rooms should be located to buffer noise from external sources. - Noise sources such as garage doors, plant rooms, active communal open spaces and circulation areas should be located at least 3m away from bedrooms.	open walkway facing south which all doors open onto.	
<u>*Objective 4H-2*</u> *Noise impacts are mitigated within apartments through layout and acoustic treatments* <u>Design Guidance</u> In addition to mindful siting and orientation of the building, acoustic seals and double or triple glazing are effective methods to further reduce noise transmission.	Generally acceptable	Yes
<u>4J Noise and pollution</u> <u>*Objective 4J-1*</u> *In noisy or hostile environments, the impacts of external noise and pollution are minimised through the careful siting and layout of buildings* <u>Design Guidance</u> - Minimise impacts through design solutions such as physical separation from the noise or pollution source, <u>*Objective 4J-2*</u> *Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission* <u>Design guidance:</u> - Design solutions include limiting openings to noise sources & providing seals to prevent noise transfer.	Primary balconies are located away from Bourke Street which is appropriate but the noise impacts from neighbouring properties has not been adequately considered. A Traffic Noise assessment was provided with the DA which outlines recommendations required to ensure traffic noise intrusion is appropriately mitigated. If approved, condition should be imposed requiring implementation of the recommended mitigation measures.	Yes / No
Part 4 – Designing the building - Configuration		
<u>4K Apartment mix</u> <u>*Objective 4K-1*</u> *A range of apartment types and sizes is provided to cater for different household types now and into the future* <u>Design guidance</u> - A variety of apartment types is provided	13 x 3 bedroom apartments are proposed. The applicant has sought a variation in respect of the unit mix requirements of the ADG and DCP.	**No**, variation sought

Standards/controls	*Comment*	*Complies*
- The apartment mix is appropriate, taking into consideration the location of public transport, market demands, demand for affordable housing, different cultural/social groups - Flexible apartment configurations are provided to support diverse household types and stages of life <u>*Objective 4K-2*</u> *The apartment mix is distributed to suitable locations within the building* <u>Design guidance</u> - Larger apartment types are located on the ground or roof level where there is potential for more open space and on corners where more building frontage is available	10 of the 13 apartments are adaptable apartments; these contain 3 bedrooms. A larger penthouse is housed on the upper floor; this is also 3 bedroom.	

<u>Applicant's variation request:</u>

"The development provides larger boutique, private and well-designed single level apartments catering to larger families which is a unique offering for Wollongong, and highly sought after in this location.

Each of the dwellings are able to be adapted in their layout to provide for residents' changing needs over time ie. work from home offices and the like.

The development includes 10 out of 13 dwellings with accessible layouts and universally designed features to accommodate changing requirements and that the development will in its adaptable feature, meet the access and mobility needs of any occupant.

The development provides for higher density living for families and co-living inhabitants.

The proposed development resulting from this variation will result in no unacceptable adverse environmental impacts.

The proposed bulk and scale of this building is considered appropriate for this City Centre location and the internal layout of the rooms attempt to minimise overlooking with the careful location of window and door openings, whilst the size of external balconies also help maintain such visual separation.

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

The DRP noted that the proposal consists solely of large three-bedroom units, providing little diversity in housing options. However, the proposal does appear to be providing a product consistent with market demand in this neighbourhood.

It is noted that variations in relation to unit mix were recently supported in residential flat buildings proposed within North Wollongong.

<u>4L Ground floor apartments</u> <u>*Objective 4L-1*</u>	Ground floor apartments are setback appropriately, but these apartments have not been designed to address the street nor do they have	**No**

Standards/controls	*Comment*	*Complies*
Street frontage activity is maximised where ground floor apartments are located Design guidance - Direct street access should be provided to ground floor apartments - Activity is achieved through front gardens, terraces and the facade of the building. - Ground floor apartment layouts support small office home office (SOHO) use to provide future opportunities for conversion into commercial or retail areas. In these cases, provide higher floor to ceiling heights and ground floor amenities for easy conversion *Objective 4L-2* *Design of ground floor apartments delivers amenity and safety for residents* Design guidance - The design of courtyards should balance the need for privacy of ground floor apartments with surveillance of public spaces. Design solutions include: • elevation of private gardens and terraces above the street level by 1-1.5m (see figure 4L.4) • landscaping and private courtyards • window sill heights that minimise sight lines into apartments • integrating balustrades, safety bars or screens with the exterior design - Solar access should be maximised through: • high ceilings and tall windows • trees and shrubs that allow solar access in winter and shade in summer	access from street level via their POS which is the preferred design response. It is noted that while the DRP raised no concerns with this configuration, Council raised this issue in its request for additional information; the applicant has not provided a response to this issue. Generally achieved but could have street access as outlined above. Balconies/ terraces for ground level apartments vary in height with regard to the street.	
4M Facades *Objective 4M-1* *Building facades provide visual interest along the street while respecting the character of the local area* Design guidance - To ensure that building elements are integrated into the overall building form and façade design - The front building facades should include a composition of varied building elements, textures,	The building façade features a combination of building elements and a mixture of materials. The applicant has provided a colour and materials schedule with the DA and photomontages which form part of Attachment 3.	Yes

Standards/controls	*Comment*	*Complies*
materials, detail and colour and a defined base, middle and top of building. - Building services should be integrated within the overall facade - Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale. - To ensure that new developments have facades which define and enhance the public domain and desired street character. <u>*Objective 4M-2*</u> *Building functions are expressed by the facade* <u>Design guidance</u> - Building entries should be clearly defined	The DRP provided a number of recommendations to improve the façade treatment; these have been largely resolved in the most recent plans. Fire hydrant boosters and the like are proposed to be sited adjacent to the western boundary of the site within the landscaped area. Primary pedestrian entry is readily legible however the access remains convoluted and requires further resolution. As above.	
<u>4N Roof design</u> <u>*Objective 4N-1*</u> *Roof treatments are integrated into the building design and positively respond to street* <u>Design guidance</u> - Roof design should use materials and a pitched form complementary to the building and adjacent buildings. <u>*Objective 4N-2*</u> *Opportunities to use roof space for residential accommodation and open space are maximised* <u>Design guidance</u> - Habitable roof space should be provided with good levels of amenity. - Open space is provided on roof tops subject to acceptable visual and acoustic privacy, comfort levels, safety and security considerations <u>*Objective 4N-3*</u> *Roof design incorporates sustainability features* <u>Design guidance</u> - Roof design maximises solar access to apartments during winter and provides shade during summer	The proposed roof form is generally acceptable however it is noted that the lift overrun and part of the roof breach the height plane as detailed in the body of the report with regard to WLEP. Flat roof elements have been proposed which is consistent with similar developments nearby an appropriate to the building form. The roof plan indicates photovoltaics.	Yes / no
<u>4O Landscape design</u>	Council's Landscape Architect has advised that the	Yes

Standards/controls	*Comment*	*Complies*
Objective 4O-1 *Landscape design is viable and sustainable* Design guidance - Landscape design should be environmentally sustainable and can enhance environmental performance - Ongoing maintenance plans should be prepared *Objective 4O-2* *Landscape design contributes to the streetscape and amenity* Design guidance - Landscape design responds to the existing site conditions including: • changes of levels • views • significant landscape features	landscape design is generally satisfactory subject to conditions including substantial tree planting in compensation for the removal of the Liquidamber tree from the Bessell Avenue frontage of the site.	
4P Planting on Structures *Objective 4P-1* *Appropriate soil profiles are provided* Design guidance - Structures are reinforced for additional saturated soil weight - Minimum soil standards for plant sizes should be provided in accordance with Table 5 *Objective 4P-2* *Plant growth is optimised with appropriate selection and maintenance* Design guidance - Plants are suited to site conditions *Objective 4P-3* *Planting on structures contributes to the quality and amenity of communal and public open spaces* Design guidance - Building design incorporates opportunities for planting on structures. Design solutions may include: • green walls with specialised lighting for indoor green walls	Council's Landscape Architect is satisfied with the landscape plan. Planting depths proposed appear to be sufficient.	Yes

Standards/controls	*Comment*	*Complies*
• wall design that incorporates planting • green roofs, particularly where roofs are visible from the public domain • planter boxes		
4Q Universal design *Objective 4Q-1* *Universal design features are included in apartment design to promote flexible housing for all community members* Design guidance - A universally designed apartment provides design features such as wider circulation spaces, reinforced bathroom walls and easy to reach and operate fixtures	10 of the 13 apartments are identified as being adaptable which also satisfies the Silver level liveable apartment requirement. Council's Architect has raised concerns that the apartments labelled as adaptable require extensive replumbing to facilitate adaptation.	Yes /No
Objective 4Q-2 *A variety of apartments with adaptable designs are provided* Design guidance - Adaptable housing should be provided in accordance with the relevant council policy.	No – all adaptable apartments are the same design and 3 bedrooms. In a small development however, this may be appropriate.	
Objective 4Q-3 *Apartment layouts are flexible and accommodate a range of lifestyle needs* Design guidance Apartment design incorporates flexible design solutions	Generally acceptable – the larger apartments provide a second living space which has flexible uses, plus a study has been provided to allow flexible spaces for working from home, study etc.	
Part 4 – Designing the building - Configuration **4T Awnings and signage** *Objective 4T-1* Awnings are well located and complement and integrate with the building design	N/A	N/A
4U Energy efficiency *Objective 4U-1* *Development incorporates passive environmental design* Design guidance	The applicant has obtained a BASIX certificate which confirms that the proposed development will achieve the required energy efficiency and thermal comfort targets of the SEPP.	Yes

Standards/controls	*Comment*	*Complies*
- Adequate natural light is provided to habitable rooms (see 4A Solar and daylight access) <u>*Objective 4U-2*</u> *Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer* <u>Design Guidance</u> - Provision of consolidated heating and cooling infrastructure should be located in a centralised location <u>*Objective 4U-3*</u> *Adequate natural ventilation minimises the need for mechanical ventilation*	Less than the required number of units will achieve compliant solar access (see 4A Solar and daylight access above). Heat gain for west facing rooms has been addressed through incorporation of highlight and / or small windows only. Deep overhang to balconies on the northern side will provide some shade to POS in Summer however there are a number of north-facing living areas with no shading devices which will cause them to be hot in summer. Plant room located within the basement. Apartments are naturally ventilated.	
<u>4V Water management and conservation</u> <u>*Objective 4V-1*</u> *Potable water use is minimised* <u>*Objective 4V-2*</u> *Urban stormwater is treated on site before being discharged to receiving waters* <u>Design guidance</u> - Water sensitive urban design systems are designed by a suitably qualified professional <u>*Objective 4V-3*</u> *Flood management systems are integrated into site design*	The BASIX certificate confirms that the proposed development will meet the NSW Government requirements for sustainability if built in accordance with the commitments set out in the certificate. This relates to both energy and water efficiency (4U and 4V). Rainwater tank provided in the basement. OSD provided with built in stormwater quality controls The site is flood affected. The building has been	Yes

Standards/controls	*Comment*	*Complies*
Design guidance - Detention tanks should be located under paved areas, driveways or in basement car parks	satisfactorily designed with regard to flooding .	
4W Waste management *Objective 4W-1* *Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents* Design guidance - Common waste and recycling areas should be screened from view and well ventilated *Objective 4W-2* *Domestic waste is minimised by providing safe and convenient source separation and recycling* Design guidance - Communal waste and recycling rooms are in convenient and accessible locations related to each vertical core - For mixed use developments, residential waste and recycling storage areas and access should be separate and secure from other uses - Alternative waste disposal, such as composting, can be incorporated into the design of communal open space areas	The applicant proposes waste storage within the basement levels. On-street collection is proposed which Council's Traffic Engineer advises is acceptable in this location The waste management system involves chutes on each floor. Bins will be moved to the street for kerbside collection by the building caretaker via the car ramp with the assistance of a bin tug.	Yes
4X Building maintenance *Objective 4X-1* *Building design detail provides protection from weathering* Design guidance - Design solutions such as roof overhangs to protect walls and hoods over windows and doors to protect openings can be used. *Objective 4X-2* *Systems and access enable ease of maintenance* Design guidance - Window design enables cleaning from the inside of the Building *Objective 4X-3*	The applicant proposes to use durable and cleanable materials. Where windows are unable to be accessed from balconies or terraces, other cleaning methods will be required to be employed.	Yes

Standards/controls	*Comment*	*Complies*
Material selection reduces ongoing maintenance costs easily cleaned surfaces that are graffiti resistant		

b) Wollongong Development Control Plan 2009

CHAPTER A2 – ECOLOGICALLY SUSTAINABLE DEVELOPMENT

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

CHAPTER D13 – WOLLONGONG CITY CENTRE

2 Building Form

Objectives/controls	*Comment*	*Compliance*
2.2 Building to street alignment and street setbacks 4m setback required to both street frontages Balconies allowed to project 600mm into front setback, to a cumulative maximum width of 50% of horizontal width façade. Other minor projections allowed in some circumstances	To Bourke Street: Articularted wall setback min 4.038m; balconies and retaining walls are in part forward of this however the height of balconies is partly below ground while the retaining walls are less than 1m tall. To Bessell Avenue: Articulated wall of building setback min 4.107m excluding fire egress stair which is within 1m of the front boundary. Balconies and retaining walls are in part forward of the biulding line however the height of balconies is partly below ground while the retaining walls increase in height from south to north up to a height of 1.86m tall.	**No** in relation to fire egress stair
2.4 Building Depth and bulk Max floor plate 900sqm and 18m depth above 12m in height (excluding balconies)	L4 ~ 220sqm. Depth L4 ~14.3m measured cross its shortest axis (north-south)	Yes
2.5 Side and rear building setbacks and building separation **Residential uses up to 12m in height:** Habitable rooms with openings and balconies Side minimum 6m; Rear minimum 6m Non-habitable rooms and habitable rooms without openings Side minimum 3m; Rear minimum 4.5m	Note: ADG and DCP setbacks generally the same, with exception non habitable rear setback for buildings under 12m. Up to 12m/ 4 storeys Levels G-3 *To northern boundary:* • min setback 6m to habitable rooms; setback to ground floor terrace areas Units 1 & 2 is **4.5m**; Levels 1-3, rear setback min 6.018m (6m required) *To western boundary:* • min setback 6.041m to habitable rooms	**No**, variations are identified in bold

Objectives/controls	*Comment*	*Compliance*
Residential uses between 12m and 24m in height: <u>Habitable rooms with openings and balconies</u> Side minimum 9m; Rear minimum 9m <u>Non-habitable rooms and habitable rooms without openings</u> Side minimum 4.5m; Rear minimum 4.5m	<u>12m-24m (Level 4)</u> *To northern boundary:* • L4 - min rear setback 7.863m to landscape bed of COS terrace; 9.497m to paved area of COS. (9m required) *To western boundary –* • L4 COS – **6.041m** to edge of COS which is provided with a 1.8m high aluminium batten privacy screen to its western edge (9m required). It is noted that both neighbouring properties are only setback approx. 2.5m approx. from the common boundaries with the subject site. While no living spaces face the site, there are likely to be some privacy and overlooking issues, particularly to and from the north-facing balconies which are likely to be highly used, and the adjoining residential flat building which features an open walkway along its southern side adjacent to the site. It is noted that planting is to be provided to the edges of the COS and private courtyard areas to provide screening of these spaces from the adjoining boundaries. in addition, a privacy screen is proposed to be fixed to the western side of the rooftop COS to minimise overlooking towards the west.	**No**, variations are identified in bold

Objectives/controls	*Comment*	*Compliance*
2.6 Deep soil zone Minimum 15% of the site (i.e. 202.5sqm) Minimum dimension 6m	Deep soil zone provided along the western boundary of the site with an area of 96sqm (7% of the site area) and width of 6m.	**No**, but compliant with the ADG which is generally accepted
2.8 Landscape design	Acceptable to Council's Landscape Architect.	Yes
2.9 Green roofs, green walls and planting on structures	Planting on podium / structure proposed which has been reviewed by Council's Landscape Architect and was deemed satisfactory.	Yes
2.11 Development on classified roads	Bourke Street is a classified road; refer to discussion with regard to SEPP (Transport & Infrastructure) 2021 in the report.	N/A

3 Pedestrian Amenity

Objectives/controls	*Comment*	*Compliance*
3.4 Safety and security	Generally satisfactory design with regard to safety and CPTED principles.	Yes
3.6 Vehicular footpath crossings	Suitable driveway location proposed	Yes
3.8 Building exteriors	Generally, acceptable building materials and colours are proposed. Building design and aesthetic was the subject of feedback from the DRP and Council's Architect.	Yes
3.10 Views and view corridors It is important that views to the ocean and the escarpment be maintained from as many points as possible at street level.	Council's Heritage Officer has raised concerns that the roof elements which project above the LEP height plane impact on available views of the Escarpment from Bourke Street.	N/A

4 Access, parking and servicing

Objectives/controls	*Comment*	*Compliance*

4.2 Pedestrian access and mobility	The entrance to the building is legible despite being set below street/ footpath level. The DRP and Council's Architect have raised concerns regarding the convoluted pedestrian entry arrangement; this remains unsatisfactory.	**No**
4.3 Vehicular driveways and manoeuvring areas	Driveways, access and manoeuvring comply with relevant controls.	Yes
4.4 On-site parking As per the requirements of Chapter E3.	**No**, more than adequate parking proposed. Refer to discussion below with regard to Chapter E3 of the DCP.	Refer to E3.
4.5 Site facilities and services	The site is serviced by the major utilities; augmentation will be required to facilitate the proposal. Waste storage proposed within the basement; kerbside collection proposed and acceptable in this location.	Yes

5 Environmental Management

Objectives/controls	*Comment*	*Compliance*
5.2 Energy efficiency and conservation	Energy efficient and thermal comfort measures identified in the BASIX certificate are shown on the plans where required.	Yes
5.3 Water conservation	Water conservation measures identified in the BASIX certificate are shown on the plans. Rainwater tank proposed.	Yes
5.4 Reflectivity	Materials are not highly reflective	Yes
5.6 Waste and recycling	Bin storage room proposed within basement. Bins will be moved to Bessell Avenue for weekly kerbside collection.	Yes

6 Residential Development Standards

Objectives/controls	*Comment*	*Compliance*
6.2 Housing Choice & Mix • Min 10% of units are 1 bed or studios • Min 10% of units are 3 or more beds • 10% of all dwellings (at least one dwelling) must be designed to be capable of adaptation; designed in accordance with AS4299.	13 apartments are proposed. All apartments are 13 x 3 bedrooms. The applicant has sought a variation in respect of the unit mix requirements of the ADG and DCP as detailed above. 10 adaptable apartments are proposed.	**No**, variation sought

Objectives/controls	*Comment*	*Compliance*
• Certification from an access consultant required to verify compliance with AS4299. • 10% of all dwellings (or at least 1 dwelling) must be designed to achieve the Silver Standards of the Livable Housing Design Guideline (Livable Housing Australia 2015).		
<u>6.6 Basement Carparks</u>		**No**
• The scale and siting of the basement car park must not impact upon the ability of the development to satisfy minimum landscaping and deep soil zone requirements. • The roof of any basement podium, measured to the top of any solid wall located on the podium, must not be greater than 1.2m above natural or finished ground level, when measured at any point on the outside walls of the building. On sloping sites, a change in level in the basement must be provided to achieve this maximum 1.2m height. Generally variation to this 1.2m height will not be supported however Council recognises that there may be occasions where this standard cannot be achieved. Should such a circumstance arise, the additional portion of the basement podium above 1.2m height must be included in the total gross floor area calculation for the development • In addition, the following must be satisfied: i) Landscaped terraces are provided in front of the basement podium to reduce the overall visual impact; ii) The height of the basement does not result in the building having a bulk and scale which dominates the streetscape; and iii) The main pedestrian entry to the building is identifiable and readily accessible from the street frontage.	The basement is setback from the western boundary of the site to provide for the required deep soil zone. The roof of the basement podium is up to 2.2m high at its northern end. The setback to the northern boundary is 1.5m; a drainage easement inside the northern boundary will preclude planting that will affect the free flow of water in this area. Car park exhausts to roof.	
<u>6.7 Communal open space</u> Minimum 5m^2 per dwelling (55sqm)	Provided in part on ground and in part on the roof of the building. The combined COS area exceeds the DCP area	Yes

Objectives/controls	*Comment*	*Compliance*
	requirements. Satisfactory solar access available to at least 50% of the area of the rooftop COS.	
6.8 Private open space Each unit to have POS Courtyards: minimum 25m^2 and minimum width 2m Balconies: minimum 12m^2 and minimum depth 2.4m Minimum 70% of units must receive at least 3hrs direct sunlight 9am-3pm June 21	POS areas are provided in compliance with applicable controls.	Yes
6.9 Overshadowing Adjacent residential buildings and their public spaces must receive minimum 3 hours direct sunlight 9am-3pm on June 21	Shadow diagrams indicate that the development will cast shadows primarily towards and across Bourke Street rather than onto nearby properties; all adjoining properties will continue to receive compliant solar access.	Yes
6.10 Solar access Living rooms and POS of minimum 70% must receive at least 3 hours direct sunlight 9am-3pm.	Marginally less than the required number of units will achieve satisfactory solar access. Refer to ADG assessment.	**No**
6.11 Natural ventilation	All apartments are naturally cross ventilated, exceeding requirements.	Yes
6.12 Visual privacy	Refer to discussion above with regard to 3F of the ADG.	
6.13 Acoustic Privacy	Acceptable acoustic privacy will be provided between apartments however given the proximity of the neighbouring building to the immediate north of the site and the open walkway on its southern side, there is the potential for acoustic privacy impacts between the two buildings, particularly at ground level where the terraces do not comply with required setbacks. The driveway ramp may also impact on the amenity of Unit 2.	**No**
6.14 Storage 1 bed: 3m^2/3m^3 2 bed: 4m^2/8m^3 3 bed: 5m^2/10m^3	Adequate provision made both within units and within the car parking levels.	Yes

7 Planning controls for special areas

The site is not located within a special area.

8 Works in the public domain

Footpath paving and street tree planting will be required if consent is granted.

CHAPTER B1 – RESIDENTIAL DEVELOPMENT

Section 6 of Chapter B1 provides specific controls for residential flat buildings. Where Chapter D13 provides alternative provisions, Chapter D13 supersedes those in Chapter B1.

Clause 1 states that, in addition to the controls in Section 6, the controls within Section 4 (excluding 4.1 to 4.12 and 4.20 to 4.23) of this chapter must also be taken into consideration in the assessment of a residential flat building. The controls are addressed in the following table:

4.0 General Residential Controls

Controls/objectives	*Comment*	*Compliance*
4.12 Site Facilities		
• Letterboxes and clothes lines in an accessible location.	Letter boxes located at site entry on Bourke Street frontage.	Yes
4.13 Fire Brigade Servicing		
• All dwellings, particularly dual occupancy and dwellings on battle axe allotment must be located within 60m of a fire hydrant, or the required distance as required by Australian Standard AS 2419.1.	Complies.	Yes
4.14 Services		
• Encourage early consideration of servicing requirements.	The site is already serviced; it is expected that some augmentation to existing utilities will be required to facilitate the proposed development. Conditions can be imposed in this regard.	Yes

6 Residential Flat Buildings

Controls/objectives	Comment	Compliance
6.2 Minimum Site Width Requirement • Minimum required site width of 24 metres; width must be measured for the full length of the building envelope and perpendicular to the side boundary. Exceptions will only be considered for social housing developments and in circumstances outline below. • Do not create an "isolated lot".	Street frontage length is 33.155m to Bourke Street (southern boundary) plus splay corner and 33.765m to Bessell Avenue (eastern boundary). Developer is not a social housing provider.	Yes

Amalgamation of allotments will be required in the circumstance where an isolated allotment would otherwise be created. • In cases where the subject site is an existing "isolated lot", Council may consider a variation to the minimum site width requirement provided, in the opinion of Council, the proposed development will not cause any significant adverse overshadowing, privacy or amenity impact upon any adjoining development. • In certain existing "isolated lot" cases, a proposed development may not achieve its maximum development potential (e.g. maximum floor space ratio and height) where side and rear setbacks are varied and the development does not, in the opinion of Council, achieve: (a) Adequate separation between buildings to maintain reasonable levels of solar access, privacy and amenity to neighbouring dwellings; (b) Adequate landscaping screening of the development to maintain the amenity of adjoining dwellings; and (c) Maintain the streetscape amenity of the locality.	Site will not create an isolated allotment.	
<u>6.5 Built Form</u> • RFBs must be designed by qualified designer and design verification statement provided as per SEPP 65. • The design, height and siting of a new development must respond to its site context. • The appearance of new development must be in harmony with the buildings around it and the character of the street. New development must contain or respond to the essential elements that make up the character of the surrounding urban environment. • Incorporate the following elements:	A qualified designer has provided design verification. The proposed design is bulkier than more recent development approved or constructed in the locality. It is noted however that there is no consistent architectural character evident in the precinct, with newer taller contemporary residential flat buildings in various locations in proximity to the site, in amongst some detached dwellings and smaller residential flats and townhouses.	**No**

(a) Define a base, middle and top related to the overall proportion of the building. (b) Articulate all building elevations in both plan and section to reduce monotonous flat facades. (c) avoid highly reflective finishes and curtain wall glazing. (d) Avoid expanses of any single material. (e) Utilise high quality and durable materials and finishes. (f) Avoid blank or solid walls and the use of dark or obscured glass on street frontages. (g) screen air conditioning units. (h) For those dwellings adjacent to the street frontage, the habitable rooms must face the street. (i) The main pedestrian entrance or a foyer must be 1.2m or less above natural ground level. (j) Entrances must be visible at eye level from the street and well lit. Ensure entrances can accommodate the movement of furniture.	The height and bulk of the building exceeds applicable controls as outlined in the report. Refer to DRP discussion. Articulation and combination of building materials proposed to all elevations. No highly reflective finishes and curtain wall glazing proposed. Mix of materials proposed. Entry and front windows face street frontages. The primary pedestrian entry fronting Bourke Street is set at a level approx. 1m below the entry level adjacent to the footpath. DRP raised concerns around the convoluted entry arrangement proposed from the street frontage. The entryway in the revised plans has become more convoluted and appears to be less resolved, with discrepancies in how the 1in20 ramp meets the COS and conflicts with fire doors. The 1100mm wide switchback ramp may create conflicts for those in wheelchairs or with prams. Generally, an 1100 wide ramp isn't a good outcome, particularly as no handrail details have been provided to ensure there is a minimum 1000mm between them.	
6.10 Access Requirement		
• All vehicles must be able to leave the site in a forward direction. • Driveway grades must comply with AS 2890.1.	Compliant vehicular access and manoeuvring available.	Yes
6.11 Landscaping Requirements		
• A minimum of 30% of the total site area must be provided as landscaped area (= 405sqm) • The landscaped area may also include landscaping on a podium, where that	The plans indicate a total landscaped area of ~467 sqm (36%) which includes areas of podium planting as allowed by the DCP.	Yes

section of the podium is less or equal to than 1.2 metres in height and the minimum soil standards below are achieved. Any landscaped area on the site which is less than 1.5 metres in width is not included within the landscaped area calculations. • The required landscaped area must include a minimum 1.5 metre wide landscaping bed, which is provided along the side and rear boundaries of the site.	Landscaping is provided to side and the front boundaries. The landscape plan is acceptable to Council's Landscape Architect.	
6.15 Adaptable Housing		
• 10% of all dwellings (or at least one dwelling) must be designed to be capable of adaptation for disabled or elderly residents. Dwellings must be designed in accordance with the Australian Adaptable Housing Standard (AS 4299:1995), which includes "preadaptation" design details to ensure visitability is achieved. • The DA must be accompanied by certification from an accredited Access Consultant confirming that the adaptable dwellings are capable of being modified, when required by the occupant, to comply with the Australian Adaptable Housing Standard (AS 4299:1995).	The development incorporates 10 adaptable apartments (2 are required). Pre and post adaptation plans have been provided along with certification from an access consultant. Council's Architect has advised that the adaptable units require extensive replumbing to adapt them in the event adaptation is required.	Yes/ **No**
6.16 Access for People with a Disability		
• Provide a continuous path of travel to the development to ensure equitable access for all people including people with a disability.	Provided, however some concerns have been raised in elation to the convoluted nature of the pedestrian entry by Council's architect – refer to discussion in report.	Yes

CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposed development is generally acceptable with regard to CPTED matters.

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

Traffic impact assessment and public transport studies

A traffic assessment report was provided for the proposal.

Parking demand and servicing requirements

The development requires parking at the following WDCP 2009 rates:

Residential flat building in city centre:-

1.25 car parking spaces per dwelling >110m2 x 13 units = 16.25 [17] spaces.

plus 0.2 car parking spaces per dwelling for visitors = 2.6 [3] spaces

Total 20 spaces required

+ 6 bicycle spaces

+ 1 motorcycle space

The development provides:-

- 17 x resident car parking spaces plus 3 visitor spaces (visitor spaces are outside of the secured parking area)
- 1 x motorcycle space
- 5 secure residential bicycle spaces
- 2 visitor bicycle spaces.

It is noted that the 17 residential marked spaces include identified wider car spaces for the 10 adaptable units. It is noted that there is also abundant 'shared zones' and surplus area around the car spaces in many locations.

The additional adaptable spaces have larger area requirements (shared areas) which are 'capable' of adaption for people with disabilities. However, in reality these spaces may not actually be converted for adaptable users. The layout for some of these adaptable spaces show dimensions in accordance with AS4299 (3.8 metres wide) with hatched areas adjacent to them. If these spaces are not adapted for disabled people, then two cars could be parked here instead of one by utilising the hatched areas.

The additional space could potentially house far more cars than is indicated on the plans. Measurements between columns have been taken which indicate at least 9 additional cars can be accommodated within the basement than suggested by the number of marked car spaces. These surplus spaces and large shared areas are considered to be surplus to requirements and therefore, as per the definition of *gross floor area* in the LEP, should count as GFA.

Vehicular access

Driveway grades and sight distances are satisfactory.

Loading / unloading facilities and service vehicle manoeuvring

On-street waste collection is acceptable in this location. Waste storage rooms will be located within the basement.

Pedestrian access

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

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

The basement car parking areas are satisfactory with regard to the principles of CPTED; a shutter will separate the visitor parking areas from the residents' car parking.

CHAPTER E6: LANDSCAPING

A satisfactory landscape plan has been provided.

CHAPTER E7: WASTE MANAGEMENT

A Site Waste Minimisation and Management Plan has been provided. Kerbside waste collection is proposed and is acceptable in this location.

Suitable waste storage and servicing arrangements are proposed. Conditions should be imposed, if consent is granted, in relation to waste management during construction and ongoing waste management arrangements once the development is occupied.

CHAPTER E11: HERITAGE CONSERVATION

The site is not heritage listed nor is it located within a heritage conservation area or within proximity of any heritage items.

The existing building on the site, the Normandie Inn, has been considered with regard to potential heritage significance, as detailed in the report. The DA was supported by a Heritage Impact Statement (HIS) prepared by Heritage 21. The report recommends photographic recording of the building prior to demolition, the preparation of a salvage schedule for the salvage of significant fabric during construction (being the significant fabric identified in the HIS) and the implementation of a Heritage Interpretation Plan (HIP) which would include heritage interpretation material and interpretive devices, to reference the history of the site, its past ownership and its significance in the development of Wollongong including historic photographs of the Hotel Building in publicly accessible areas of the development. The HIP would also refer to the endorsed Salvage Schedule and propose reuse of significant salvaged fabric in publicly accessible areas as an interpretive outcome.

It is noted that the applicant was asked to provide a preliminary Heritage Interpretation Strategy has been requested however this has not been provided.

CHAPTER E12: GEOTECHNICAL ASSESSMENT

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

CHAPTER E13: FLOODPLAIN MANAGEMENT

Council's Stormwater Engineer has considered the application with regard to Clause 5.21 of the LEP and Chapter E13 of the DCP and has not raised any concerns subject to imposition of consent conditions.

CHAPTER E14: STORMWATER MANAGEMENT

Stormwater can be suitably connected to Council's existing system. Council's Stormwater Engineer has provided a satisfactory referral in this regard.

CHAPTER E17: PRESERVATION AND MANAGEMENT OF TREES AND VEGETATION

An arborist report was supplied with the application which deals with nine (9) trees located on and adjacent to the lot. Some trees are proposed for removal including a large Liquidamber (Sweet Gum) tree within the Bessell Street road reserve immediately adjacent to the site. There are a number of 'exempt' trees adjacent to the Bourke Street road reserve in addition to the nine considered in the arborist report; these are also proposed to be removed and replaced with more appropriate species which is supported by Council's Landscape Architect. It is noted that initially concerns were raised in relation to the removal of the Liquidamber from Bessell Street however Council's Landscape Architect has agreed to the removal of the tree subject to replacement with super advanced species as street trees as compensation for the loss of such a substantial tree. If approved, conditions of consent are recommended in relation to protection of trees within neighbouring sites, site landscaping and compensatory planting.

CHAPTER E20: CONTAMINATED LAND MANAGEMENT

As outlined in the report, a detailed site investigation (DSI) was supplied with the application which identified areas of environmental concern (AEC) within the site which were limited to potential fill materials historically placed beneath site buildings and hardstands and potentially hazardous building materials. The report concluded that identified contaminants of potential concern in the soils assessed are considered unlikely to present an unacceptable risk and concluded that the site is suitable for the proposed residential use. No remediation is required.

CHAPTER E21: DEMOLITION AND HAZARDOUS BUILDING MATERIALS MANAGEMENT

Demolition of the existing structures is proposed. A demolition plan has been provided along with a Hazardous Material Survey Report. If approved, conditions of consent should be applied in relation to the safe handling and disposal of hazardous materials including asbestos.

CHAPTER E22: SOIL EROSION AND SEDIMENT CONTROL

A sediment and erosion control plan has been provided. If consent is granted, appropriate conditions should be applied requiring the employment of erosion and sedimentation controls during construction.

Attachment 7 – Recommended Refusal Reasons

1. Pursuant to the provisions of Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposal does not satisfy the design quality principles of Schedule 1 of State Environmental Planning Policy No.65 - Design Quality of Residential Apartment Development.

2. Pursuant to the provisions of Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposal does not satisfy the relevant design criteria objectives of the Apartment Design Guide, particularly in regards to communal open space, visual privacy, car parking, solar and daylight access; apartment size and layout; acoustic privacy; apartment mix; ground level apartments and universal design.

3. Pursuant to the provisions of Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed variation to the maximum height limit under Clause 4.3 of Wollongong Local Environmental Plan 2009 is not well founded.

4. Pursuant to the provisions of Section 4.15(1)(a)(i) of the Environmental Planning & Assessment Act 1979, the proposed development does not comply with the maximum floor space ratio under Clause 4.4 of Wollongong Local Environmental Plan 2009. The applicant has not provided a written request adequately addressing the matters required to be demonstrated by Clause 4.6(3), and consent cannot be granted. In addition, Council is not satisfied that compliance with the standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

5. Pursuant to the provisions of Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, in the opinion of Council, the proposed development does not exhibit design excellence and therefore consent cannot be granted pursuant to Clause 7.18 of Wollongong Local Environmental Plan 2009.

6. Pursuant to the provisions of Section 4.15 (1)(a)(1), (iii) and (b) of the Environmental Planning and Assessment Act 1979, in the opinion of Council, the basement car park provides the potential for significant surplus car parking (over and above that required by Council) which is contrary to the objective of promoting a reduction in car dependency and encouraging use of alternative modes of transport.

7. In accordance with Section 4.15(1)(a)(iii) of the Environmental Planning & Assessment Act 1979, the proposed development does not comply with the provisions of Wollongong Development Control Plan 2009 in a number of areas:

    - Clause 2.2 of Chapter D13 in relation to street setbacks, with regard to the fire egress stair;
    - Clause 2.5 of Chapter D13 in relation to setbacks/ building separation, particularly with regard to setbacks to the ground level terraces of Units 1 and 2 from the northern boundary;
    - Clause 5.2 of Chapter D13 - energy efficiency and conservation - in relation to the non-compliant unit depth (required by the Apartment Design Guide) not reducing the necessity for mechanical heating and cooling;
    - Clause 6.2 of Chapter D13 in relation to housing choice and mix;
    - Clause 6.6 Basement Carparks - in relation to the height of the basement roof and its setback to the northern boundary of the site.

8. Pursuant to the provisions of Section 4.15 (1)(b) of the Environmental Planning and Assessment Act 1979, the proposal is unacceptable with regard to potential visual and acoustic privacy impacts.

9. Pursuant to the provisions of Section 4.15 (1)(b) of the Environmental Planning and Assessment Act 1979, the design of the development is unacceptable with regard to the placement and form of the fire egress stair; the pedestrian entry way is confusing and unresolved; there are numerous privacy screens, the effectiveness of which is questioned given their design; and the relationship between the terrace of Unit 2 and the driveway entry ramp is poor and requires resolution.

10. Pursuant to the provisions of Section 4.15 (1)(e) of the Environmental Planning and Assessment Act 1979 it is considered that in the circumstances of the case, approval of the development would set an undesirable precedent for similar inappropriate development and is therefore not in the public interest.