WLPP No.	Item No.1
DA No.	DA-2017/791
Proposal	Demolition of existing structures and construction of a residential flat building comprising 6 apartments
Property	Lots 9 and 10 DP 16350, 7 - 9 Henley Avenue, WOLLONGONG
Applicant	PRD Architects Pty Ltd
Responsible Team	Development Assessment and Certification - City Centre Team (TW)

ASSESSMENT REPORT AND RECOMMENDATION

Executive Summary

Reason for consideration by Local Planning Panel - Advice

The proposal has been referred to Wollongong Local Planning Panel (WLPP) for advice pursuant to clause 2.19(1)(c) of the Environmental Planning and Assessment Act 1979 under Clause 1(d) of Council's draft submissions policy. The application is the subject of five or more unique submissions by way of objection being a Class 2-9 building under the Building Code of Australia (BCA) and including, mixed use developments, multi dwelling housing, retail and commercial, industrial, motels, hospitals, clubs etc. and has a construction cost greater than $1 million.

The development is not considered to be sensitive development under Schedule 2 (4) of the Local Planning Panels Direction of 1 March 2018, despite being an application to which SEPP65 applies as the building is not more than 4 storeys in height. As a result, the application is forwarded for advice not determination.

Background

The application has been with Council for some time. The applicant was requested to provide amended plans and additional information in response to concerns in regards to the design which has not been addressed in full. Some time has passed since the last correspondence was entered into. The applicant was invited to withdraw the application, however has not done so and it is now appropriate that the application be determined.

Proposal

The application seeks consent for the demolition of existing structures and the construction of a residential flat building housing 6 apartments over 3 levels.

Permissibility

The site is zoned R2 Low Density Residential pursuant to Wollongong Local Environmental Plan 2009. The proposal is categorised as a residential flat building and is permissible in the R2 zone with development consent.

Consultation

The proposal was notified in accordance with Council's Notification & Advertising Procedures and received six (6) objections which are discussed at Section 2.8 of the assessment report.

Various internal divisions of Council were consulted as part of the assessment process. A number of the referrals raised outstanding issues that have not been resolved / responded to by the applicant.

The proposal was reviewed by the Design Review Panel (DRP) on two occasions, and the DRP remain dissatisfied with the proposed development.

Main issues

The main issues are:

- Design quality/ Design Review Panel (DRP) concerns
- Excessive bulk and scale
- Compliance with State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development and the Apartment Design Guide (ADG);
- Wollongong DCP 2009 variations in respect of number of storeys and side setbacks.

RECOMMENDATION

It is recommended that Development Application DA-2017/791 be refused for the reasons outlined in Section 4 of this report.

1. APPLICATION OVERVIEW

1.1 PLANNING CONTROLS

The following planning controls apply to the development:

State Environmental Planning Policies:

- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development

Local Environmental Planning Policies:

- Wollongong Local Environmental Plan (WLEP) 2009

Development Control Plans:

- Wollongong Development Control Plan 2009

Other policies

- Wollongong City Wide Development Contributions Plan 2018
- Apartment Design Guide

1.2 DETAILED DESCRIPTION OF PROPOSAL

The proposal comprises the demolition of existing dwellings and the construction of a residential flat building featuring six apartments over three levels. Of the units, 3 are 2 bedroom units while the remaining 3 are 3 bedroom units. The proposal will contain 1 adaptable unit, which is located on Level 1, and has direct access to both Henley Avenue and the car parking area.

Car parking, motorcycle and bicycle parking is provided in a partially subterranean level. The development provides car parking for 13 cars including 11 resident car spaces (including an accessible space and adaptable space) and 2 visitor car spaces, along with a motorbike space and three bicycle spaces. Resident store rooms are also provided on the carparking level along with a bin storage room. Bins will be moved to the street frontage for collection. Pedestrian access to the complex will primarily be from the McKenzie Avenue frontage of the site, with lift access provided from ground floor to the floors above.

Unit 1 is located on the eastern side of the ground level of the building adjacent to the car parking area. Five of the units are located across Levels 2 and 3 and are grouped around a common circulation core which includes foyer areas and internal garden beds. A deep soil zone with an area of approximately 253sqm is proposed adjacent to the southern and eastern boundaries of the site. Each unit will have access to a private open space in the form of a balcony or ground level terrace.

Due to the slope across the site (west to east), there are extensive retaining walls proposed. These are illustrated on the perspectives. The plans form Attachment 1.

1.3 BACKGROUND

Development History

The development history of the site is as follows:

Application No	Description	Date	Decision
DA-2017/518	Residential – multi dwelling housing	23/05/17	Rejected
BC-2006/105	Dwelling house (Lot 9)	1/2/07	Approved

BA-1952/775	Garage (Lot 10)	1/7/03	Approved
BA-1951/410	Dwelling (Lot 9)	22/10/51	Approved

Pre-lodgement meetings

No pre-lodgement meeting was held for the proposal.

Customer service actions

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

1.4 SITE DESCRIPTION

The site is located at 7 - 9 Henley Avenue, Wollongong. The site comprises two allotments, situated on a corner allotment on the eastern side of McKenzie Avenue. The primary street frontage is Henley Avenue. The legal description of the site is Lots 9 and 10 DP 16350.

The site is slightly irregular in shape, has a combined area of 1353.2sqm and is located on the south-eastern corner of the intersection of Henley Avenue and McKenzie Avenue.

The site slopes west to east across the property. The site is located in a residential area characterised by a mixture of dwelling types including larger single dwellings and medium density development. Site analysis plans submitted with the DA form part of Attachment 1 and provide an indication as to the character of development in the vicinity of the site. Immediately adjacent to the site, to the east, is a single storey villa development (3 units), whilst to the south is a two/ three storey brick dwelling. The site is currently occupied by two single storey red brick and tiled roof dwellings which are to be demolished. The site enjoys ocean views to the east.

The dwellings opposite the site to the west are positioned high up on their respective sites. There is also a three storey residential flat building to the west of the site.

Council's records do not identify any site constraints nor are there any restrictions on the title.

An aerial photograph of the site and locality and zoning extract form **Attachment 2**.

1.5 SUBMISSIONS

The application was notified between 14 July and 2 August 2017 in accordance with Wollongong DCP 2009 Appendix 1: Public Notification and Advertising Procedures. Notification letters were sent and a notice was placed in the local newspaper. At the conclusion of the notification period, there were 6 submissions received, all of which were in objection to the proposal. The issues identified are discussed in the table below:-

Concern	Comment
1. Building height – development does not comply with the maximum number of storeys requirement in the DCP (max 2 storeys) and is inappropriate with regard to the character of development in the locality	The development is 3 storeys in part while Chapter B1 of Wollongong DCP 2009 provides that a maximum of 2 storeys is appropriate in the R2 zone. No justification has been provided for the 3 storey building form proposed
2. Does not comply with natural ventilation requirements	All units appear to achieve appropriate natural ventilation as required by the ADG
3. Amenity impacts: a. Overshadowing of living areas, small garden/ POS areas of units to the south; increased electricity costs, reduced	Further discussion on these matters can be found throughout this report. The applicant has provided detailed shadow analysis diagrams including detailed hourly shadow diagrams (which form part of Attachment 1) which indicate that the overshadowing

Concern	Comment
vegetable production b. Increased potential of overlooking and privacy issues, particularly on the 3 single storey villas to the east c. Traffic resulting from density of development d. Noise generation	impacts of the development on the neighbouring single storey villas to the east of the site will not be unreasonable. There are greater shadowing impacts on the development to the immediate south of the site however the shadow diagrams and hourly shadow sections provided by the applicant indicate that the living areas and outdoor entertainment spaces will continue to receive compliant solar access. The development will provide additional opportunities for overlooking of development to the south and east of the site. The applicant has provided diagrams which indicate that, as a result of the height of the development and incorporation of some screens, the overlooking from primary internal living areas and balconies will not be unreasonable. There are concerns around noise generation from the car park given the open nature of the walls on the southern and western sides of the car park.
4. The development is out of character with development in the vicinity	The scale and height of the development is out of character with development in the locality particularly as the FSR of the development is non-compliant.
5. The development does not respond to the desired future character of the area; the site is beyond reasonable walking distance of any bus stop	Refer to discussion in relation to character below.
6. Unacceptable density; remote from services	The development of the site for the purposes of medium density housing is appropriate with regard to the site's R2 zoning however the FSR of the development is non-compliant and this gives rise to concerns that the scale of the development is inappropriate with regard to the character of development in the vicinity of the site.
7. Traffic generation	The scale of the proposed development does not trigger the requirement for a detailed traffic assessment. Consideration has however been given to traffic impacts in the locality by Council's Traffic Engineer and no broader network or localised impacts are expected, though some concerns have been raised in regards to internal site layout issues.
8. Traffic safety impacts at the intersection of Henley Avenue/ McKenzie Avenue	No concerns have been raised in relation to this issue by Council's Traffic Engineer.

1.6 CONSULTATION

1.6.1 INTERNAL CONSULTATION

Council's Stormwater and Geotechnical Officers have reviewed the application and provided satisfactory referrals including recommended conditions to be imposed if the development is approved.

Council's Landscape and Traffic Officers have reviewed the application and have raised the following outstanding concerns with regard to the proposal:-

Landscape Architect

The following outstanding issues were identified:

- The landscape plans submitted do not reflect the amended architectural changes nor do they show all works proposed on the Council verge including level adjustments across the length of the McKenzie Avenue frontage (include sections in this regard), any retaining walls, footpaths (surface levels), street trees; and relocate and make compliant the proposed staircase.
- Deletion of urns at the entry of McKenzie Avenue and replacement with a small feature tree to define the entry.
- Design of the communal open space in consideration of views, amenity and privacy.
- Clearly indicate a pedestrian path and or maintenance access within the deep planting zone from both Apartment 1 and Apartment 2.

Traffic Engineer

The following outstanding issues were identified: -

- In the latest car parking revision, the 1 metre blind aisle adjacent to visitor space 2 has been removed. This blind aisle should to be reinstated to allow visitors to manoeuvre out of space 2 when the roller door is closed.
- A secure bicycle enclosure (class B) for residential bicycle parking spaces is needed with provision for manoeuvring space.

1.6.2 EXTERNAL CONSULTATION

Design Review Panel

The proposal was considered by the Wollongong Design Review Panel (DRP) on two occasions, the first being on 25 July 2017 and again on 17 April 2018 here amended plans were tabled. The amended plans reviewed by the DRP at its meeting in April 2018 failed to resolve the concerns initially raised by the DRP and accordingly the DRP remain dissatisfied with the proposed development. A full copy of the DRP minutes form **Attachment 3**.

The following conclusion and key recommendations were provided by the DRP with regard to the design quality principles of SEPP 65:-

Context and Neighbourhood Character - It was noted that the minor additions to the site analysis were provided which selectively responded to the Panel's comments. Slight amendments to the scheme have improved its relationship to adjoining buildings and the amenity of internal spaces, however the layout is very similar. Therefore, many of the amenity issues and limitations of the initial layout are still evident.

Built Form and Scale -The proposed layout results in a ponderous circulation space between Apartments 3 and 4, which, with the suspended adjacent narrow communal open space – appears wasteful and lacking in amenity. This is argued as "welcoming", although it is very narrow and flanked by a bathroom and living room. The space between apartments 3 and 4 also appears unnecessary; notably, the entry to apartment 4 is not covered. With better design intent, this open

space could be eliminated, the apartments compacted, bulk reduced and the communal courtyard significantly improved.

The L-shaped level 2 entry space / communal open space could be consolidated to provide a more generously proportioned rectangular courtyard, orientated towards the desirable eastern outlook. The eastern edge of this courtyard could be treated with soft landscaping to restrict pedestrian access, thus limiting potential privacy issues with the eastern neighbour. A screened staircase could provide access from the courtyard down to the area of open space located adjacent to the carpark (level 1). In this regard, Apartment 4 should be reconfigured. By reducing the side setback to 3m, bedrooms could be orientated north towards the street and a better proportioned courtyard created. Orientating more habitable rooms away from side boundaries would also reduce potential privacy issues, whilst remaining compliant with ADG set back requirements. Apartment 1 could be developed in a similar manner.

Similarly, Apartment 6 could be substantially improved by transforming the Apartment 4 roof into a landscaped terrace - or at least, greatly reducing this unit's width and better incorporating its roof into a refined built form, comprising a series of descending horizontal roof planes. As proposed however, the outlook from Apartment 6's living room is compromised by a large bulky roof and outlook from its bedrooms completely blocked by bathrooms. Unit 1 is similarly compromised by position and orientation. Therefore, further refinements should be considered to orientate this unit north towards the street.

Landscape - The landscape plans do not appear to be fully representative of the current scheme nor coordinated well with the built form. Line work from the original survey (objects that are assumed to be removed) are still showing which make this a very difficult set of drawings to review. At the main pedestrian entry off McKenzie Avenue (and the landscape along McKenzie Avenue to either side of this entry), it is unclear how levels are resolved. The architectural plans show a currently non-existent footpath (the landscape plans do not) but it is unclear if this will be built, and by whom.

This entry relies on a solid resolution to the levels within this space and although a section through the entry is provided, the rest of the landscape along this frontage is unresolved. The large walls and bowl/urn planters proposed seem unnecessary and not in keeping with the surrounding neighbourhood. Additional stepped walls along the Henley Avenue frontage appear unnecessary in that the landscape could simply slope with the site. The entry courtyard between Apartments 2 and 4 is poorly planned and again there are inconsistencies between the architectural and landscape plans. In both versions, COS is bounded by a bathroom and lounge rooms, with windows directly onto the space, and an adjacent balcony without any buffer. The landscape plan shows seating directly outside a bathroom window which raises serious privacy concerns. The landscape to the south and east of the built form, currently shown as buffer planting, appears to be accessible by a set of stepping stones off McKenzie Avenue but similar to the main entry it is unclear how the levels in this space work and where exactly this path goes. This significant area of landscape could better provide valuable communal open space opportunities rather than how it is currently conceived. Currently it appears to be an unresolved collection of trees with no thought to where windows are, how access works (even for maintenance) or how usable spaces could be created.

Amenity - Numerous amenity issues were identified in the previous scheme. While minor amendments have been made to address these concerns, the layout is essentially the same:

- Apartment 1's position is unchanged; however, its layout allows outlook to the street and north. Further developments should seek to also re-orientate bedrooms to the north.
- Apartment 4 living now faces street with balcony allowing expansive views; however, the entry court is wasteful and lacking in amenity. Further development should seek to provide a more appropriately proportioned entry courtyard.
- Apartment 6 bedrooms still face west; whilst they activate the street, given the outlook this would appear at odds with typical design priorities.
- The outlook from Apartment 6 is still compromised by expansive Apartment 4 roof.

- Level 2 foyer is still excessive and ponderous; a more rational response to this space and its relationship with the entry courtyard could be developed to provide a more positive contribution to the quality of this development.
- Level 2 garden area is still limited in amenity. Further design development could improve the proportions of this space and provide a direct connection to the level 1 landscaped area is recommended.
  These courtyard and entry spaces contribute to building bulk and adversely impact on the proposal's built form. If this strategy is to be accepted as a reasonable response to this site, it must be developed to provide much better amenity.
- Gardens adjacent to Apartment 3 and 4 are overshadowed and limited in amenity
- In addition:
  - Apartments 1, 2, 5 and 6 have no defined entry space
  - Apartments 3 and 4 have no defined entry space and entry
  - Unit 4 has no covered porch
  - Access (compliant with the requirements of AS1428.1) must be provided from the carpark to unit 1(adaptable unit). Space is required when approaching the front door and barrier free access is required into the laundry.

Aesthetics - The "strong masonry base" previously suggested by the Panel is not legible in the expression of the current proposal; it could be improved if the dominance of the high feature fencing were to be reduced, if it were to continue along the east elevation (incorporating Apartment 1) and designed as a "garden wall" with landscape. Nor are the roofs lightened as suggested, or "regularly structured, glazed, screened and with a lean to roof". The elevations would be improved with greater regularity and consistency, less material changes and consistent roof lines.

The Panel remain of the opinion that the currently proposed development strategy for this site does not maximise the opportunities of the site. Units with better amenity could be developed with an alternative site layout as outlined in the Panel's previous comments. However, further development of the current proposal could improve the proposal's amenity and relationship with the immediate context of the site:

- Reconfiguration of entry courtyard
- Connection to level 1 open space
- Detail treatment of landscaped spaces
- Re-orientation of unit 1 and 4 bed rooms
- Further development of apartment 6 roof terrace
- Development of unit plans to provide clearly defined entrances
- Further refinement of the building aesthetic

The applicant was advised of the DRP's position on the most recent plans and was provided with the opportunity to amend the scheme further or to withdraw the current DA. No response has been received.

2. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 – 4.15 EVALUATION

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

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

Clause 7 - Contamination and remediation to be considered in determining development application

A desktop audit of previous land uses does not indicate any historic use that would contribute to the contamination of the site. The proposal does not comprise a change of use and accordingly no concerns are raised in regard to potential site contamination as per the requirements of Clause 7.

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

The provisions of the SEPP apply as the development includes a 'residential flat building', is more than 3 storeys in height and houses more than 4 dwellings.

The application was accompanied by a statement by a qualified designer in accordance with Clauses 50(1A) & 50(1AB) of the Environmental Planning and Environment Regulation 2000.

Clause 28 provides that the application must be referred to the relevant design review panel (if any) for advice concerning the design quality of the development while Clause 28(2) provides that a consent authority is to take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration):-

(a) the advice (if any) obtained from the design review panel, and

(b) the design quality of the development when evaluated in accordance with the design quality principles, and

(c) the Apartment Design Guide.

The proposal has been reviewed by a Design Review Panel convened for the purposes of the SEPP as outlined above in Section 2.5.2 of this report. A re-design is required in order to address the design quality principles and the requirements of the ADG and DCP.

The design quality of the development has been evaluated in accordance with the Design Quality Principles contained within SEPP 65:-

Principle 1: Context and neighbourhood character

The DRP advised that, when this proposal was first presented, the Panel was greatly impressed by the site's elevated position and outlook. It was noted then that while the "site was reasonably well described" in the proposal (including street elevations and analysis plans), the analysis did not fully describe the local context, nor identify its outlook to ocean views and its outstanding potential. While the proposal competently handled slope and site issues, it did not appear to take full advantage of its context or to create amenable entry and open spaces or even optimize dwelling layouts to maximize views and internal amenity. Hence, alternative layouts were suggested to improve outlook, streetscape and amenity.

Following the initial review of the proposal, amended plans were tabled by the applicant however these did not incorporate significant design changed. The DRP commented, "The proponent has made minor additions to the site analysis and selectively responded to the Panel's comments. Slight amendments to the scheme have improved its relationship to adjoining buildings and the amenity of internal spaces, however the layout is very similar. Therefore, many of the amenity issues and limitations of the initial layout are still evident."

Principle 2: Built form and scale

The DRP were of the view that the proposed layout results in a ponderous circulation space between Apartments 3 and 4, which, with the suspended adjacent narrow communal open space – appears wasteful and lacking in amenity. The applicant contends that this space is "welcoming", however the DRP consider it to be very narrow and flanked by a bathroom and living room. The space between apartments 3 and 4 also appears unnecessary; notably, the entry to apartment 4 is not covered. With better design intent, this open space could be eliminated, the apartments compacted, bulk reduced and the communal courtyard significantly improved. It is considered that the internal 'courtyard / circulation space contributes additional building bulk which exaggerates the scale of the development. The GFA of the building is increased significantly by the inclusion of the floor area of the courtyard (which is largely enclosed) and this results in the FSR of the development exceeding the maximum 0.5:1 prescribed by Wollongong LEP 2009.

The DRP consider that the L-shaped level 2 entry space / communal open space could be consolidated to provide a more generously proportioned rectangular courtyard, orientated towards the desirable eastern outlook. The eastern edge of this courtyard could be treated with soft landscaping to restrict pedestrian access, thus limiting potential privacy issues with the eastern neighbour. A screened staircase could provide access from the courtyard down to the area of open space located adjacent to the carpark (level 1). In this regard, Apartment 4 should be reconfigured. By reducing the side setback to 3m, bedrooms could be orientated north towards the street and a better proportioned courtyard created. Orientating more habitable rooms away from side boundaries would also reduce potential privacy issues, whilst remaining compliant with ADG set back requirements. Apartment 1 could be developed in a similar manner.

Similarly, Apartment 6 could be substantially improved by transforming the Apartment 4 roof into a landscaped terrace - or at least, greatly reducing this unit's width and better incorporating its roof into a refined built form, comprising a series of descending horizontal roof planes. As proposed however, the outlook from Apartment 6's living room is compromised by a large bulky roof and outlook from its bedrooms completely blocked by bathrooms. Unit 1 is similarly compromised by position and orientation. Therefore, further refinements should be considered to orientate this unit north towards the street.

Principle 3: Density

At its last review of the scheme, the DRP noted, "While the proposal appears to comply with density requirements, the resultant layout, its stepping and its excessive circulation spaces limit outlook and unnecessarily increase bulk."

Council considers that the area of the first floor communal circulation space is considered to form gross floor area (GFA) for the purposes of determining the proposal's floor space ratio (FSR). The components of the building providing vertical circulation (being the lift and stairs) are excluded from the GFA as per the definition, however it is considered that the first floor communal space is effectively enclosed and therefore GFA. The inclusion of this space would result in the FSR exceeding the maximum 0.5:1. In any event, as raised by the DRP and confirmed in the planning assessment, the layout of the building and this courtyard area unnecessarily increases the bulk of the building and does not improve the internal amenity of the development. The built form should be contracted and the lobby space condensed to reduce the overall bulk of the building and to resolve other concerns.

The applicant's planning consultant contends that the argument provided in the revised SEE refers to the definition of GFA excluding areas for common vertical circulation. The communal circulation space is common horizontal circulation space. The statement states that "we are not aware of any residential apartment development where the GFA includes the circulation space within corridors." Lobby areas, foyers and hallways are included in the GFA calculations of all developments as per the definition GFA provided by the LEP.

The FSR of the development exceeds that permitted by WLEP 2009 and the design of the development provides for an inappropriate built scale. The proposal is therefore unsatisfactory when considered with regards to Principle 3.

Principle 4: Sustainability

The DRP commented that the development is satisfactory with regard to ADG solar access and natural ventilation compliance. There is an abundance of deep soil provided which will allow for large tree planting. The landscape plan provides for large landscaped areas.

The DRP noted that it is unclear if further sustainability measures such as water collection and re-use, solar panels and the like are proposed and considers that these should be included.

It is noted that the application was companied by BASIX certificates which indicate that the BAISX thermal comfort, water and energy efficiency targets can be achieved.

Principle 5: Landscape

The development provides for a reasonably large deep soil zone and landscaping throughout the site and to its perimeter. The landscape plans are however not satisfactory to either the DRP or Council's Landscape Officer.

The landscape plans do not align with the most recently submitted architectural plans. At the main pedestrian entry off McKenzie Avenue (and the landscape along McKenzie Avenue to either side of this entry), it is unclear how levels are resolved. The architectural plans show a currently non-existent footpath (the landscape plans do not) but it is unclear if this will be built, and by whom.

The DRP initially raised concerns in regards to the landscape scheme and how levels were to be resolved across the site. Following the review of the amended plans provided in April 2018, the following further comments were provided in relation to Principle 5:-

"The landscape plans are poorly presented and do not appear to be fully representative of the current scheme nor coordinated well with the built form. Line work from the original survey (objects that are assumed to be removed) are still showing which make this a very difficult set of drawings to review. At the main pedestrian entry off McKenzie Avenue (and the landscape along McKenzie Avenue to either side of this entry), it is unclear how levels are resolved. The architectural plans show a currently non-existent footpath (the landscape plans do not) but it is unclear if this will be built, and by whom.

This entry relies on a solid resolution to the levels within this space and although a section through the entry is provided, the rest of the landscape along this frontage is unresolved. The large walls and bowl planters proposed seem unnecessary and not in keeping with the surrounding neighbourhood. Additional stepped walls along the Henley Avenue frontage appear unnecessary in that the landscape could simply slope with the site.

The entry courtyard between units 2 and 4 is poorly planned and again there are inconsistencies between the architectural and landscape plans. In both versions, COS is bounded by a bathroom and lounge rooms, with windows directly onto the space, and an adjacent balcony without any buffer. The landscape plan shows seating directly outside a bathroom window which raises serious privacy concerns.

The landscape to the south and east of the built form, currently shown as buffer planting, appears to be accessible by a set of stepping stones off McKenzie Avenue but similar to the main entry it is unclear how the levels in this space work and where exactly this path goes. This significant area of landscape could better provide valuable communal open space opportunities rather than how it is currently conceived. Currently it appears to be an unresolved collection of trees with no thought to where windows are, how access works (even for maintenance) or how usable spaces could be created."

The development is considered to therefore be unsatisfactory with regard to Principle 5.

Principle 6: Amenity

There were numerous concerns raised by the DRP at its initial review of the scheme in July 2017 and despite amended plans being submitted, these concerns were not resolved in full:-

"Numerous amenity issues were identified in the previous scheme. While minor amendments have been made to address these concerns, the layout is essentially the same:

- Apartment 1's position is unchanged; however, its layout allows outlook to the street and north. Further developments should seek to also re-orientate bedrooms to the north.
- Apartment 4 living now faces street with balcony allowing expansive views; however, the entry court is wasteful and lacking in amenity. Further development should seek to provide a more appropriately proportioned entry courtyard.

- Apartment 6 bedrooms still face west; whilst they activate the street, given the outlook this would appear at odds with typical design priorities.
- The outlook from Apartment 6 is still compromised by expansive Apartment 4 roof.
- Level 2 foyer is still excessive and ponderous; a more rational response to this space and its relationship with the entry courtyard could be developed to provide a more positive contribution to the quality of this development.
- Level 2 garden area is still limited in amenity. Further design development could improve the proportions of this space and provide a direct connection to the level 1 landscaped area is recommended.

  These courtyard and entry spaces contribute to building bulk and adversely impact on the proposal's built form. If this strategy is to be accepted as a reasonable response to this site, it must be developed to provide much better amenity.
- Gardens adjacent to Apartment 3 and 4 are overshadowed and limited in amenity
- In addition:
    - Apartments 1, 2, 5 and 6 have no defined entry space
    - Apartments 3 and 4 have no defined entry space and entry
    - Unit 4 has no covered porch
    - Access (compliant with the requirements of AS1428.1) must be provided from the carpark to unit 1(adaptable unit). Space is required when approaching the front door and barrier free access is required into the laundry."

In addition to this, there is potential off site amenity impacts arising from the development including overshadowing impacts and overlooking. There are openings on the eastern elevation of the car park which may result in noise transmission from vehicles and residents into the neighbouring villas to the east as well as headlight glare. While there is landscaping proposed between the building and the eastern property boundary, it will take some time for this to reach maturity and therefore mitigate these impacts.

Principle 7: Safety

The DRP commented that the under-croft parking area still appears to be open for a great deal of its length which is potentially unsafe.

Principle 8: Housing diversity and social interaction

The proposal is considered to be acceptable with regard to this Principle.

Principle 9: Aesthetics

At its initial review of the scheme, the DRP commented that the expression of the building is overly heavy, especially for a building of this relatively small scale. The DRP commented, "it appears more like a large apartment building, even though it is only two storeys high. This is very much at odds with its detached dwelling context, which reveal a higher, lighter aspiration of domesticity within landscape. It may be better to conceive of the base as a heavy landscape element – masonry garden walls, raised terraces and the incorporated lower unit 1 – with a lighter metal structure above containing units 2 – 6: regularly structured, glazed, screened and with a lean to roof. A breaking down of the form into smaller articulated portions (with deep recesses etc.), especially on the western elevation, would reduce the scale of the development and provide a more contextual response."

On review of the amended plans in April 2018, the DRP considered that the "strong masonry base" previously suggested is not legible in the expression of the current proposal; it could be improved if the dominance of the high feature fencing were to be reduced, if it were to continue along the east elevation (incorporating Apartment 1) and designed as a "garden wall" with landscape. Nor are the roofs lightened as suggested, or "regularly structured, glazed, screened and with a lean to roof". The elevations would be improved with greater regularity and consistency, less material changes and consistent roof lines.

In conclusion, the development remains unacceptable with regard to the Design Quality Principles of the SEPP however with some redesign these issues could potentially be overcome. The applicant was advised of the DRP's position on the most recent plans and was provided with the opportunity to amended the scheme further or to withdraw the current DA. No response has been received.

An assessment of the application against the Apartment Design Guide (ADG) has been undertaken. It is considered that the proposal does not satisfy the relevant design criteria objectives of the ADG:-

- 1B Local Character and Context – the desired future character of the neighbourhood is reflected in the existing planning controls, which set limits on building height and density. As mentioned elsewhere, the scale and bulk of the development is increased by the volume of the large circulation core, which should be removed as recommended by the DRP to achieve a more compact built form. Further, Chapter B1 seeks to limit building height in the R2 Low Density Residential zone to 2 storeys; the proposal is 3 storeys in part, which is considered to be over scale for the neighbourhood.
- 3C Public Domain Interface - the design criteria for Objective 3C-2 in the Apartment Design Guide (ADG) seeks to retain and enhance the amenity of the public domain. As noted in the discussion with regard to the DRP review of the proposal, the high fencing and retaining walls around the corner of the site of the site (adjacent to the Henley Avenue/ McKenzie Avenue intersection) are visually obtrusive and the visual impact of these could be reduced and improved.
- 4F - Common Circulation Spaces - the design criteria for Objective 4F states that common circulation spaces should achieve good amenity. The common circulation arrangement proposed creates problems for the built form, the internal layout and amenity of the development and potentially will compromise the amenity of the neighbours via overlooking, noise transmission and light spill. The common circulation is enclosed in part which contributes additional bulk to the building; the DRP has recommended that the building be redesigned in this regard.
- 4H - Acoustic Privacy - the design criteria for Objective 4H seeks to minimise noise transfer through the siting of buildings and building layout. This can be achieved in numerous ways, specifically through providing adequate separation distances to neighbouring buildings and through layout and acoustic treatments. The setback to the ground floor unit is less than 6m from the eastern boundary and given the proximity of the neighbouring units to the immediate east of the site, the reduced building separation distance may reduce the acoustic privacy of the neighbouring site. This unit and its appurtenant private open space area are raised. Noise from the open car park may also compromise the acoustic amenity of the neighbours.
- 4M - Facades – the DRP are of the view that the aesthetic expression of the building could be improved, "The "strong masonry base" previously suggested by the panel is not legible in the expression of the current proposal; it could be improved if the dominance of the high feature fencing were to be reduced, if it were to continue along the east elevation (incorporating unit 1) and designed as a "garden wall" with landscape. Nor are the roofs lightened as suggested, or "regularly structured, glazed, screened and with a lean to roof". The elevations would be improved with greater regularity and consistency, less material changes and consistent roof lines."

Further discussion on the ADG is contained within the compliance table at **Attachment 4**.

2.1.3 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.

2.1.4 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 indicates that the site is zoned R2 Low Density Residential.

Clause 2.3 – Zone objectives and land use table

Clause 2.3 of Wollongong LEP 2009 specifies:

> *(a) the objectives for development, and*
> *(b) development that may be carried out without development consent, and*
> *(c) development that may be carried out only with development consent, and*
> *(d) development that is prohibited*

The objectives of the **R2** zone are as follows:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The proposal is consistent with the first of the two objectives in that it will provide for the housing needs of the community however there are some concerns about the density/scale of the development and in regards to concerns about compatibility of the proposed built form with that of the surrounding neighbourhood.

The land use table permits the following uses in the **R2** zone:-

> Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Exhibition homes; Exhibition villages; Group homes; Health consulting rooms; Home-based child care; Hospitals; Hostels; Information and education facilities; Jetties; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); *Residential flat buildings*; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Signage; Veterinary hospitals

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

Clause 2.7 Demolition requires development consent

Consent is sought for the demolition of the existing structures on the site in accordance with this clause.

Part 4 Principal development standards

Clause 4.3 Height of buildings

Clause 4.3 of Wollongong LEP "Height of Buildings" provides the objectives for limiting the height of buildings, and provides that 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. The Map prescribes a height limit of 9m

for the site. The applicant has provided plans which indicate that all parts of the building are contained within the 9m height limit.

Clause 4.4 Floor space ratio

Clause 4.4 of Wollongong LEP "Floor Space Ratio" provides the objectives for limiting floor space ratio, and prescribes a maximum floor space ratio of 0.5:1 for the site, as shown on the Floor Space Ratio Map.

The applicant's GFA calculations indicate that the GFA of the development is 676.3sqm which results in a FSR of 0.5:1. This GFA excludes the area of the internal courtyard which Council considers (at least in part) should be included in the GFA calculations as it is enclosed and partly roofed. The inclusion of this space would result in the FSR exceeding the maximum 0.5:1 and the layout in this regard unnecessarily increases the bulk of the building. It is noted that the applicant responded to this issue through the submission of an amended planning report labelled "Addendum Statement of Environmental Effects". The argument provided in this submission refers to the definition of GFA excluding areas for common *vertical* circulation. The communal circulation space is common horizontal circulation space. The components of the building providing vertical circulation (being the lift and stairs) are excluded from the GFA as per the definition, however it is considered that the first floor communal space is effectively enclosed and therefore GFA.

The statement states that "we are not aware of any residential apartment development where the GFA includes the circulation space within corridors." Lobby areas, foyers and hallways are included in the GFA calculations of all developments as per the definition GFA provided by the LEP.

The inclusion of this space would result in the FSR exceeding the maximum 0.5:1. In any event, as raised by the DRP and confirmed in the planning assessment, the layout of the building and this courtyard area unnecessarily increases the bulk of the building and does not improve the internal amenity of the development. The built form should be contracted and the lobby space condensed to reduce the overall bulk of the building and to resolve other concerns.

The applicant has not provided a request for variation to the floor space ratio controls prepared in accordance with Clause 4.6 of Wollongong LEP 2009. In any event it is difficult to support a variation in circumstances where it would appear that compliance with the standard is not unreasonable and there are no sufficient environmental planning grounds to justify contravening the development standard. Further, the scale of the development, when expressed as a measure of floor space, is excessive. The public interest will not be served by approval of the application.

Part 7 Local provisions – general

Clause 7.1 Public utility infrastructure

The land has previously been serviced by electricity, water and sewerage services. It is expected that the existing services can be readily augmented to facilitate the proposed development. If consent is granted, conditions should be imposed requiring approval from the relevant authorities for the connection of electricity, water and sewerage to service the site.

Clause 7.3 Flood planning area

The site is not identified as being located at or below the "flood planning level".

Clause 7.4 Riparian lands

The site is not identified in the Riparian Land Map as containing "riparian land".

Clause 7.5 Acid Sulfate Soils

The site is not identified as containing "acid sulfate soils".

Clause 7.6 Earthworks

The proposal involves excavation to facilitate the construction of the proposed development inclusive of the 2 partial basement car park. The proposed earthworks have been considered with regard to the prescribed matters for consideration. Suitable geotechnical and environmental conditions should be imposed in the event consent is granted. The earthworks in themselves are not expected to have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items.

Council's Geotechnical Engineer has reviewed the application and advised that supplementary investigations will be required to support the design of site preparation earthworks; conditions could be imposed in relation to this matter if the application is supported.

Clause 7.14 Minimum site width

This clause states that development consent must not be granted for development for the purposes of a residential flat building unless the site area on which the development is to be carried out has a dimension of at least 24 metres. The site has a frontage length of 29.865m to Henley Avenue and a frontage length of 42.52m to the McKenzie Avenue frontage.

It is noted that the width of the site when measured in accordance with the controls in Chapter B1 of Wollongong DCP 2009 is compliant.

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

None applicable.

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

2.3.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

CHAPTER A1 – INTRODUCTION

The development has been assessed against the relevant chapters of WDCP 2009 and found to be unsatisfactory, with the table of compliance at Attachment 4 to this report identifying some areas of non-compliance. No non-compliances have been identified or justified by the applicant.

CHAPTER A2 – ECOLOGICALLY SUSTAINABLE DEVELOPMENT

It is noted that development controls to improve the sustainability of development throughout Wollongong are integrated into the relevant chapters of this DCP and are discussed in part above in relation to the ADG.

There are some concerns raised in relation to the lack of integration of sustainable design initiatives within the development however the development was supported by BASIX certificates which demonstrate that the BASIX thermal comfort, and water and energy efficiency targets will be met.

CHAPTER B1 – RESIDENTIAL DEVELOPMENT

The development fails to achieve compliance with numerous provisions within Chapter B1 Residential Development, specifically in relation to:-

- Clause 4.1 - Maximum Number of Storeys

  The maximum building height is set by the LEP however this clause notes that a maximum height of 9m/ maximum of 2 storeys is permitted in the R2 zone. It is noted that the development is under the 9m height limit however is 3 storeys in part. The applicant has provided some contextual analysis diagrams which include an analysis of the heights of buildings in the vicinity of the site. There is one 3 storey building within proximity (being an older residential flat building to the south of the site) however all other buildings are of single or two storey construction. It is noted in this case that the building is stepped down the site and reads as a two storey building to the long frontage of the site (McKenzie Avenue frontage) however reads as a three storey building to the Henley Avenue frontage.

- Clause 6.4 - Side and Rear Setbacks / Building Separation

  The proposed eastern side setbacks to habitable rooms within Unit 1 are not a minimum of 6m as required. Building up to 4 storeys (12 metres) in height are required to be setback 6 metres to habitable rooms/ balconies and 3.5 metres to non-habitable rooms and blank walls. The ground floor unit is sited less than 6m to the eastern boundary though there is a privacy screen proposed to be fixed to the adjacent courtyard and a landscaped setback adjacent to that. All other units provide for compliant setbacks.

- Clause 6.5 Built Form - in that the design, bulk, scale and height of the development does not respond to the site context nor are appropriate with regard to the applicable development controls pertaining to floor space ratio, building height (measured in terms of number of storeys) and, to a lesser degree, setbacks.

- Clause 6.7 in relation to acoustic privacy – specifically in relation to loss of privacy from the common circulation core and noise transmission from the car park to the neighbouring units.

- Clause 6.15 in relation to the lack of livable dwellings designed to achieve the Silver Standards of the Livable Housing Design Guideline (Livable Housing Australia 2015).

Further discussion is contained within the Wollongong DCP 2009 compliance table at **Attachment 5**.

CHAPTER D1: CHARACTER STATEMENTS

There are character statements in Chapter D1 in relation to the defined Wollongong city centre area but not areas within the suburb of Wollongong outside of this. It is noted that the site is close to the boundary of the suburb of Coniston and for this reason, it would appear to have merit to consider the existing and desired future character statement for Coniston:-

Coniston is likely to experience increased residential densities in close proximity to Coniston railway station, as part of Council's urban consolidation initiatives. This will be achieved through medium density housing in the form of villas, townhouses, some residential flat buildings and shop top housing. It is also anticipated that some of the existing dwelling stock on the western upper part of Coniston will be replaced by larger two storey dwellings and some dual occupancy developments.

The Coniston retail centre will remain as a village centre which provides for the daily and weekly convenience needs of the surrounding residential community. This may include a small supermarket / retail grocery store, butcher shop, fruit and vegetable retailer, bakery, newsagent, hairdressing salons, dry cleaning shops etc. Healthy food and grocery shops are particularly encouraged.

The General Industrial IN1 zone generally bounded by Bridge Street, the railway, John Cleary Place and Springhill Road will cater for a range of general industrial and port related activities, given its proximity to the inner harbour of Port Kembla and direct road links to the Southern Freeway.

CHAPTER E1: ACCESS FOR PEOPLE WITH A DISABILITY

An accessibility report has been provided with the DA which indicates that the development can achieve compliance with the BCA and AS 4299 Adaptable Housing provisions.

The development provides car parking with suitable dimensions to service the adaptable dwelling in compliance with AS4299 (1995) and AS 2890.6 (2009).

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

The development complies with the provisions within of Chapter E3 Car Parking, Access, Servicing/Loading Facilities and Traffic Management. Sufficient car parking is proposed to service the development and largely the vehicular access and manoeuvring arrangements proposed are acceptable. Council's Traffic Engineer has however identified the issues outlined above.

The waste management arrangements proposed are satisfactory; refer to Chapter E7 discussion below.

CHAPTER E6: LANDSCAPING

A landscape plan was provided with the development application which has been reviewed by Council's landscape officer and as part of the DRP's review of the development. The landscaping plan is unacceptable for as outlined above.

CHAPTER E7: WASTE MANAGEMENT

A Waste Management Plan specific to the demolition, construction and operational phases of the development has been provided as required.

In relation to ongoing waste management arrangements, the plans indicate that satisfactory waste management arrangements in compliance with Clause 9 and Schedule 1 of Chapter E3 and Chapter E7: Waste Management, can be achieved at the site. Bins will be stored within the building and will be moved to the street frontage for collection. Kerbside collection from either street frontage can be accommodated without compromising resident amenity, streetscape appeal, pedestrian amenity and safety, and availability of on-street car parking in front of the site on collection days.

CHAPTER E9: HOARDINGS AND CRANES

If the development were to be approved, conditions should be imposed requiring approval for the use of any hoardings or cranes in conjunction with construction of the building.

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 for imposition in the event the application is approved.

CHAPTER E14: STORMWATER MANAGEMENT

Council's Stormwater Engineer has assessed the proposed development with regard to Chapter E14 of the DCP and has provided a satisfactory referral. The proposal is satisfactory with conditions.

CHAPTER E19: EARTHWORKS (LAND RESHAPING WORKS)

The proposal involves excavation to facilitate the construction of the development. Council's Geotechnical Engineer has considered the application and has provided a satisfactory referral subject to conditions.

CHAPTER E20: CONTAMINATED LAND MANAGEMENT

The proposal is satisfactory with regard to Clause 7 of SEPP 55; refer to Section 2.1.1 of the report in this regard. There is no record of any site history which may have resulted in contamination of the site.

CHAPTER E21: DEMOLITION AND ASBESTOS MANAGEMENT

A site waste minimisation and management plan has been submitted in accordance with Chapter E7 (Waste Management) of Wollongong DCP 2009.

In addition, a Demolition Plan has been lodged with the application as required by Chapter E21 (Demolition and Hazardous Building Materials Management) of Wollongong DCP 2009. If required, a hazardous materials survey may be required to be provided in relation to the existing structures to be demolished; this could be dealt with by consent conditions if the application is approved.

CHAPTER E22: SOIL EROSION AND SEDIMENT CONTROL

If the development were to be approved, conditions of consent should be imposed in regards to the implementation of appropriate sediment and erosion control measures to be in place during works.

2.3.2 WOLLONGONG CITY WIDE DEVELOPMENT CONTRIBUTIONS PLAN 2018

The estimated cost of works is $2,365,000 and a levy of 1% is applicable under this plan.

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)

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

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

(a) in the case of a development application for the carrying out of development:

(i) in a local government area referred to in the Table to this clause, and

(ii) on land to which the Government Coastal Policy applies, the provisions of that Policy,

(b) in the case of a development application for the demolition of a building, the provisions of AS 2601.

Demolition is proposed and accordingly consideration must be given to the provisions of AS2601. If approved, conditions should be imposed in regards to demolition including compliance with AS2601-1991.

The site is located outside of the NSW Coastal Zone.

93 Fire safety and other considerations

N/A.

94 Consent authority may require buildings to be upgraded

N/A.

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

Context and Setting:

As discussed above in relation to SEPP 65 and the ADG, the proposal is somewhat inappropriate with regard to its context in relation to matters including bulk, scale, height, setbacks and density.

Access, Car parking, Traffic and Servicing:

The proposal provides for sufficient car parking and satisfactory waste management arrangements. There have been some concerns raised by Council's Traffic Engineer in relation to vehicular manoeuvring and bicycle parking which remain unresolved; refer to discussion in relation to Chapter E3 of WDCP 2009.

Public Domain:

The development is not expected to have an unreasonably adverse impact on the public domain though some improvements could be made to reduce the number and extent of walls and fencing proposed, unnecessary planter bowls and the like to reduce the impact of these on the streetscape and better fit the development to its context.

Utilities:

The site is serviced and it is expected that existing utilities are capable of augmentation to service the proposal. If approved, it is recommended that conditions be imposed on the consent requiring the developer to make appropriate arrangements with the relevant servicing authorities prior to construction.

Heritage:

There are no nearby heritage items.

Water:

The site is presently serviced by Sydney Water's reticulated water and sewerage services. It is expected that these services can be extended/ augmented to meet the requirements of the proposed development.

The proposal is not expected to involve unreasonable water consumption. The BASIX certificates provided in relation to the units demonstrate compliance with the water efficiency targets contained within the BASIX SEPP.

Soils:

It is expected that, with the use of appropriate erosion and sedimentation controls during construction, soil impacts will not be unreasonably adverse. Conditions could be imposed in this regard if the application were approved.

Air and Microclimate:

The proposal is not expected to have any negative impact on air or microclimate subject to appropriate dust mitigation controls being implemented during construction.

Flora/ Fauna and Landscaping:

There are inconsistencies within the plans in regards to tree removal and retention, with the landscape plan indicating retention of an existing frangipani tree within the front portion of Lot 9 and the removal of two small Jacarandas within the Henley Avenue footpath; while the architectural plans indicate removal of the Frangipani and retention of the Jacarandas. Either way, no other vegetation removal is proposed and additional landscaping is proposed and on this basis it is expected that there will be minimal impact on possible habitat.

There are shortcomings in the landscaping scheme which are discussed above.

Waste:

The proposed waste management arrangements are satisfactory as discussed above in relation to Chapters E3 and E7 of DCP 2009.

A site waste management plan was provided with the DA in relation to demolition and construction waste, as required.

Energy:

The BASIX certificates provided with the application demonstrate compliance with the energy efficiency and thermal comfort targets of the BASIX SEPP.

Noise and vibration:

Conditions could be imposed if the DA was approved to minimise noise and nuisance during the course of works and in relation to restricted working hours to reduce impacts on neighbours.

Concerns are raised that the open walls to the car park will give rise to unreasonable acoustic impacts, as discussed above.

There are no external noise sources expected to unreasonably affect the amenity of the proposed units.

Natural hazards:

There are no known natural hazards that are likely to preclude the development from occurring in the manner proposed.

Technological hazards:

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

Safety, Security and Crime Prevention:

This development is not expected to create any additional opportunities for criminal or antisocial behaviour.

Social Impact:

There are not expected to be any adverse social impacts arising from the proposed development.

Economic Impact:

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

Site Design and Internal Design:

The development features some departures from development standards and controls within the ADG, WLEP and WDCP 2009 as outlined above.

Construction:

Construction impacts have the potential to impact on the amenity of the neighbourhood and the public domain inclusive of traffic and pedestrian impacts. If the development were to be approved, conditions could be imposed in relation to hours of work, tree protection, traffic controls, erosion and sedimentation controls, works in the road reserve, excavation, demolition and use of any crane, hoist, plant or scaffolding.

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

Does the proposal fit in the locality?

The proposal is considered inappropriate with regard to its bulk and scale. With some redesign, it is considered likely that a suitable design could be arrived at for the site however the scheme in its current format is not supported by the DRP.

Are the site attributes conducive to development?

There are no site constraints that would preclude the proposal.

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

Refer to discussion at Section 1.5 of this report.

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

As discussed as length throughout this report, the development remains unsatisfactory to the Design Review Panel and Council's Landscape and Traffic Officers. There are concerns in regards to design quality with regard to the principles of SEPP 65, and some of the requirements the ADG and Wollongong LEP and DCP 2009. It is expected to have some impacts on the amenity and character of the area. On this basis, it is concluded that the public interest would not be served if the application was approved in its current form.

3. CONCLUSION

The proposed development has been assessed with regard to the relevant prescribed matters for consideration outlined in Section 4.15(1) of the Environmental Planning & Assessment Act 1979. The proposed development is permissible with consent in the R2 Low Density Zone however it is considered that the development does not provide for a low density scale of residential development as envisaged by the zone objectives and LEP and DCP controls.

The scale of the development is exacerbated by the car park height and the provision of a large circulation core which adds additional unnecessary bulk to the building without contributing to its amenity. The DCP seeks to limit building forms to 2 storeys within the R2 zone to reflect both the existing and desired future character of this zone however the proposed building is 3 storeys in part and reads as a 3 storey building from the north and east. It will be visually imposing as a result in near and more distant views.

It is considered that the development in its current form does not appropriately respond to the design principles espoused in SEPP 65 nor does it address in full the requirements of the ADG or WDCP2009. The Design Review Panel raised numerous concerns in regards to the proposal which warrant some redesign. The applicant has been offered the opportunity to amend the plans or withdraw the current application however despite the passing of some time, has not overcome the concerns raised nor withdrawn the DA.

The development in the form presented is unable to be supported and given the failure of the applicant to progress the application, it should now be determined.

4. RECOMMENDATION

It is recommended that the Wollongong Local Planning Panel **recommend refusal** of DA-2017/791 pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979 for the following reasons:-

1. In accordance with Section 4.15(1)(a)(i) of the Environmental Planning & Assessment Act 1979, the development is not acceptable when evaluated having regard to the design quality principles outlined in Schedule 1 of State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development (SEPP 65) and the Apartment Design Guide.
2. In accordance with Section 4.15(1)(a)(i) of the Environmental Planning & Assessment Act 1979, the proposal does not satisfy the relevant design criteria objectives of the Apartment Design Guide, particularly in regards to local character and context; public domain interface; communal open space; bicycle and car parking; acoustic and visual privacy; facades and common circulation spaces.
3. In accordance with Section 4.15)(1)(a)(i) of the Environmental Planning & Assessment Act 1979, the proposed development is inconsistent with the objective for the R2 Low Density Residential zone in that there are concerns in relation to the density/scale of the development and its compatibility with the built form character of the surrounding low density neighbourhood.
4. In accordance with Section 4.15)(1)(a)(i) of the Environmental Planning & Assessment Act 1979, the proposed development does not comply with Clause 4.4 Floor Space Ratio 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 any event, 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. 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:-

   5.1 Chapter B1 Residential Development

   - Clause 6.4 - in relation to side and rear building setbacks and building separation.
   - Clause 6.5 in relation to inappropriate built form outcomes.
   - Clause 6.6 in relation to visual privacy impacts from the common circulation core.
   - Clause 6.7 in relation to acoustic privacy and noise transmission from the carpark.
   - Clause 6.8 in relation to bicycle storage and vehicular manoeuvring.
   - Clause 6.11 in relation to landscaping requirements.
   - Clause 6.15 in relation to Universally Designed Housing.

   5.2 Chapter E3 Car Parking, Access, Servicing/Loading Facilities and Traffic Management in regards to car parking layout and vehicular manoeuvring and lack of appropriate secure 'communal' bicycle enclosure for residential bicycle parking;

   5.3 Chapter E6 Landscape in that the landscape plans are incompatible with the architectural plans and there are numerous shortcomings with the landscape scheme requiring redesign.

6. In accordance with Section 4.15(1)(b) of the Environmental Planning & Assessment Act 1979, there are inconsistencies between the architectural plans and landscape plans. There are conflicting statements with regard to tree retention and removal and lack of integration between the architectural and landscape plans.

7. In accordance with Section 4.15(1)(b) of the Environmental Planning & Assessment Act 1979, the openings in the eastern wall of the car park may result in headlight glare impacts on the neighbouring properties of the east of the site.

8. In accordance with Section 4.15(1)(e) of the Environmental Planning & Assessment Act 1979, having regard to the above matters, approval of the proposed development in its current form would not be in the public interest.

5. ATTACHMENTS

1 Plans

2 Aerial photograph, WLEP 2009 zoning map and site photographs

3 Design Review – Wollongong Design Review Panel

4 Apartment Design Guide Assessment

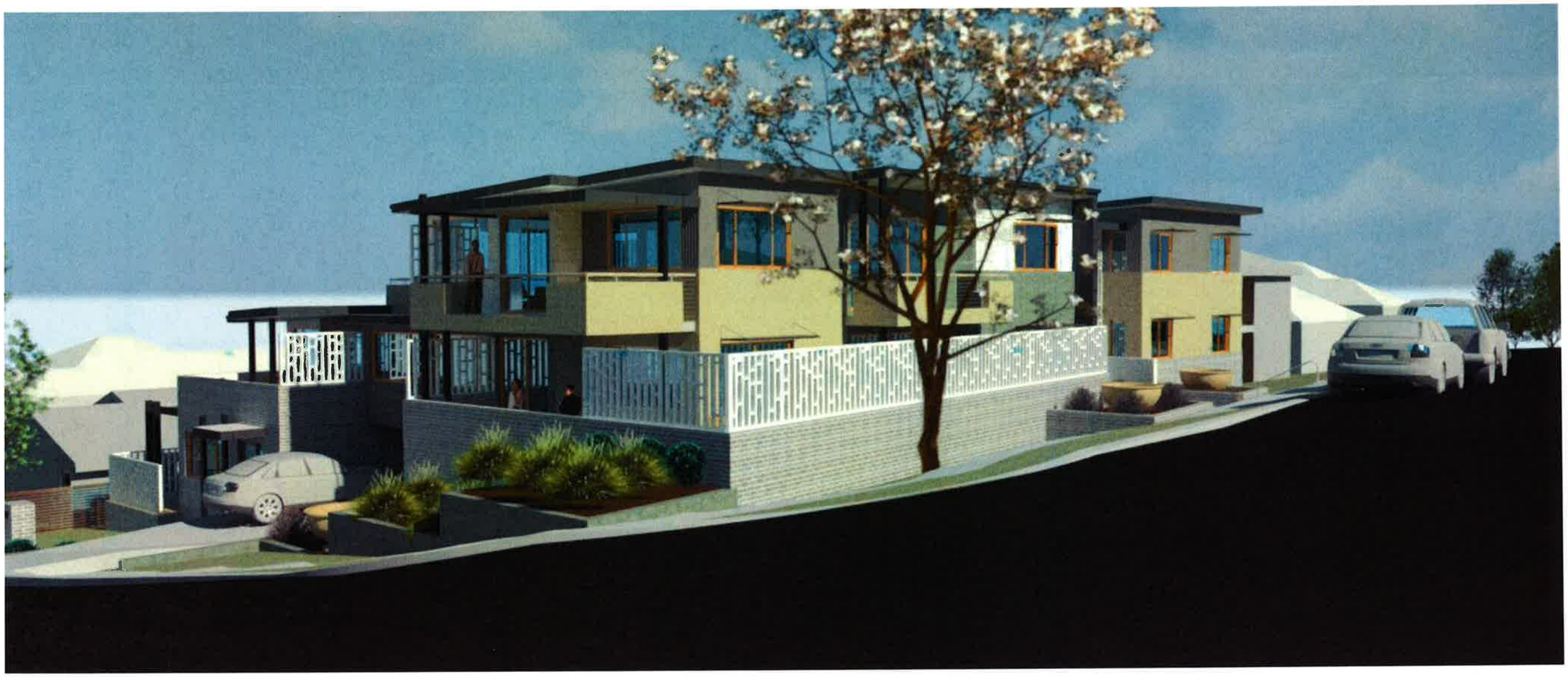
5 Wollongong DCP 2009 Assessment

NOT FOR CONSTRUCTION

PRELIMINARY

AMENDMENTS

No	Revision Description	Date	BY:
1	DA APPROVAL	29.07.16	HS
2	RFI DRP RESPONSE	2018.04.05	SH



Sheet List					
DWG No.	Sheet Name	Rev.	Date	Drawn	Approved By
DA-00	COVER SHEET	2	2018.04.06	SH	PR
DA-01	SITE ANALYSIS	2	2018.04.06	SH	PR
DA-02	DEMOLITION PLAN	2	2018.04.06	SH	PR
DA-03	SITE PLAN	2	2018.04.06	SH	PR
DA-04	LEVEL 1 PLAN	2	2018.04.06	SH	PR
DA-05	LEVEL 2 PLAN	2	2018.04.06	SH	PR
DA-06	LEVEL 3 PLAN	2	2018.04.06	SH	PR
DA-07	SECTIONS	2	2018.04.06	SH	PR
DA-08	SECTIONS	2	2018.04.06	SH	PR
DA-09	ELEVATIONS	2	2018.04.06	SH	PR
DA-10	ELEVATIONS	2	2018.04.06	SH	PR
DA-11	WINTER SHADOW DIAGRAM	2	2018.04.06	SH	PR
DA-12	WINTER SHADOW DIAGRAM	2	2018.04.06	SH	PR
DA-13	WINTER SHADOW DIAGRAM	2	2018.04.06	SH	PR
DA-14	CONTEXTUAL ANALYSIS	2	2018.04.06	SH	PR
DA-15	CONTEXTUAL ANALYSIS	2	2018.04.06	SH	PR
DA-16	STREET VIEW	2	2018.04.06	SH	PR
DA-17	9M HEIGHT PLANE	2	2018.04.06	SH	PR
DA-18	WINTER SHADOW DIAGRAMS RELATING TO No.5 HENLEY AVE	2	2018.04.06	SH	PR
DA-19	WINTER SHADOW DIAGRAMS RELATING TO No.35 McKENZIE AVE	2	2018.04.06	SH	PR
DA-20	RENDERINGS 1	2	2018.04.06	SH	PR
DA-21	RENDERINGS 2	2	2018.04.06	SH	PR

PROPOSED 6 APARTMENTS

7-9 HENLEY AVENUE

PROPOSED 6 MEWS APARTMENTS

7-9 HENLEY AVENUE, WOLLONGONG

COVER SHEET

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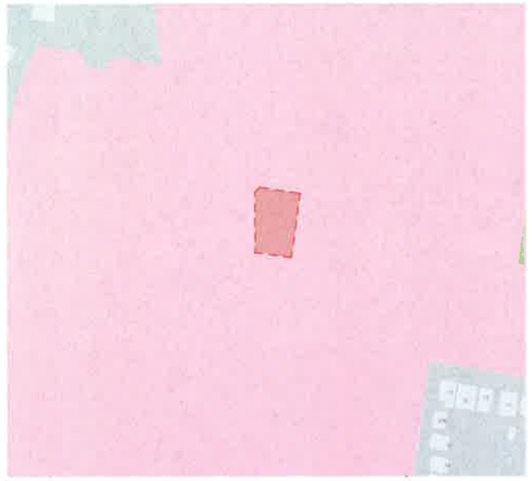
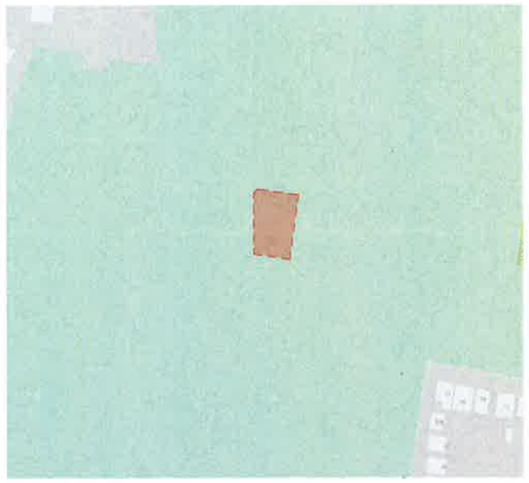
PRELIMINARY

AMENDMENTS

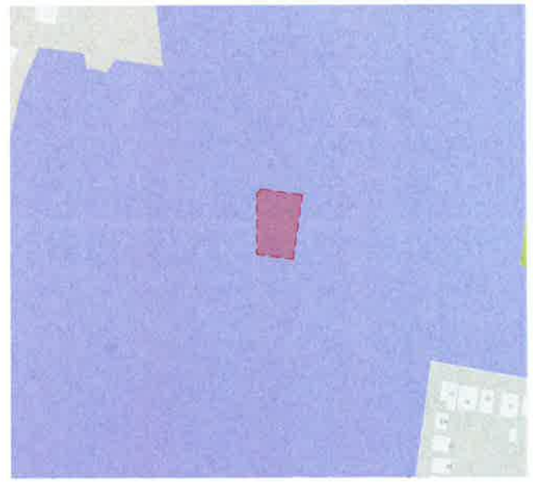
No	Revision Description	Date	BY:
1	DA APPROVAL	29.07.16	HS
2	RFI/ DRP RESPONSE	2018.04.06	SH



ZONE - R2 -0.5:1
1 : 100



BUILDING HEIGHT -9M HIGH
1 : 100



FLOOR SPACE RATIO -0.5:1
1 : 100

CONTEXTUAL STUDY
1 : 50

LEGEND

SUBJECT SITE

RESIDENTIAL
- 1 STOREY RESIDENTIAL
- 2 STOREY RESIDENTIAL

UNITS
- 1 STOREY UNITS
- 2 STOREY UNITS
- 3 STOREY UNITS

COUNCIL ZONING
- ZONE - R2
- HEIGHT RESTRICTION - 9M
- FSP - 0.5:1

1 0.5 0 1 2 3 4
1:50 @ A1 1:100 @ A3

5/04/2018 8:33:29 PM

PROPOSED 6 MEWS APARTMENTS

7-9 HENLEY AVENUE, WOLLONGONG

CONTEXTUAL ANALYSIS

G. NIKOLOVSKI 012-007

DA-15 -2

Suite 3
75 Market Street
Wollongong NSW 2500
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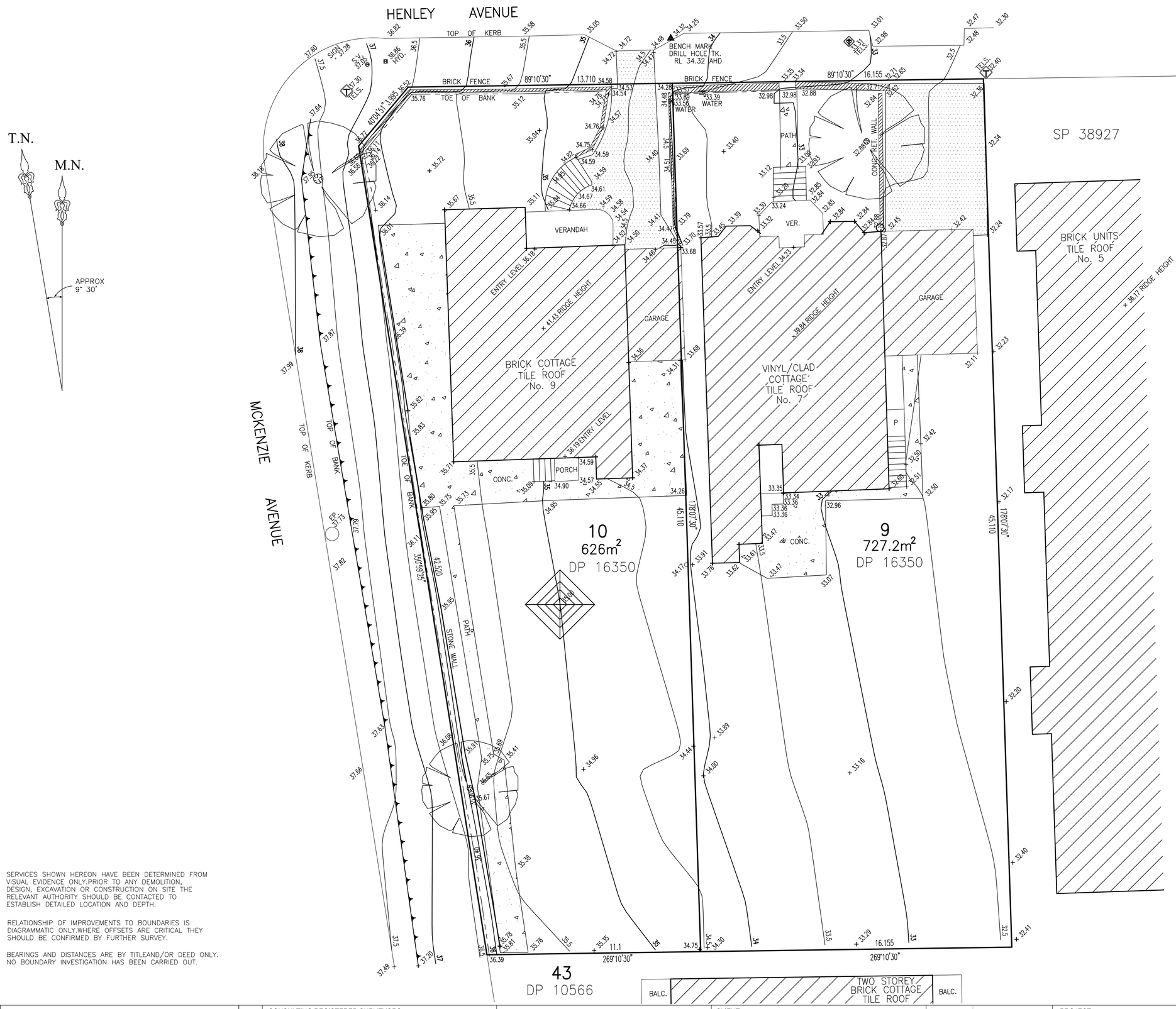


NOTES :

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

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

BEARINGS AND DISTANCES ARE BY TITLEAND/OR DEED ONLY. NO BOUNDARY INVESTIGATION HAS BEEN CARRIED OUT.

www.dialbeforeyoudig.com.au
DIAL 1100 BEFORE YOU DIG

AN UNDERGROUND SERVICES SEARCH SHOULD BE UNDERTAKEN PRIOR TO ANY EXCAVATION TAKING PLACE UPON THE SITE

No	DATE	REVISION DETAILS	BY
A	25.01.12	ISSUE FOR INFORMATION	AH.

CONSULTING REGISTERED SURVEYORS

C. ROBSON & ASSOCIATES PTY. LTD.
LAND & ENGINEERING SURVEYORS

12 FOOTHILLS ROAD, CORRIMAL P.O. BOX 93, CORRIMAL 2518
Phone: 02 4284 0787 Fax: 02 4284 0787 Mobile 0402 641 693
Email: crobson@fishinternet.com.au
A.B.N. 63 105 569 837

0 2 4 6 8 10m
1 : 100

CLIENT: MR GEORGE NIKOLOVSKI

×43.17RIDGE HEIGHT

SCALES:	AS SHOWN
DATUM:	AHD
GRID:	LOCAL
JOB REF:	11632
APPROVED:	N/A

PROJECT: 7-9 HENLEY AVENUE WOLLONGONG

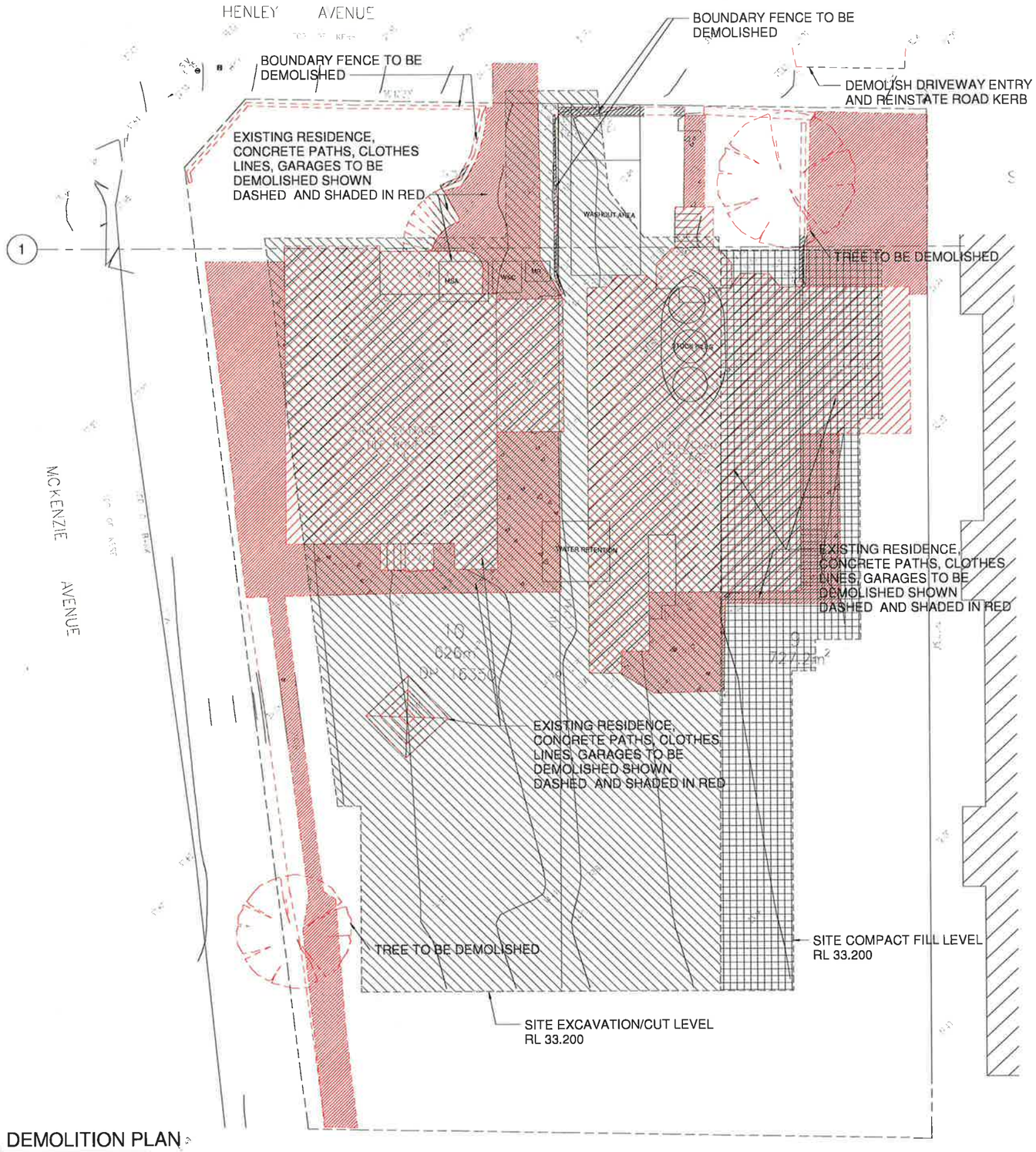
LOT 9 &10 DP 16350

DRAWING: DETAIL SURVEY PLAN

DRAWING No **11632/0** REVISION **A**

SHEET 1 OF 1 SHEETS **A1**

ISSUED FOR: **INFORMATION**



1 DEMOLITION PLAN
1 : 100

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PRELIMINARY

AMENDMENTS

No	Revision Description	Date	BY
1	DA APPROVAL	29.07.16	HS
2	RFI/ DRP RESPONSE	2018.04.06	SH

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

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5/04/2018 8:31:43 PM

PROPOSED 6 MEWS APARTMENTS
7-9 HENLEY AVENUE, WOLLONGONG

DEMOLITION PLAN

G. NIKOLOVSKI 012-007
DA-02 -2

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PRELIMINARY

AMENDMENTS

No	Revision Description	Date	BY:
-			
1	DA APPROVAL	29.07.16	HS
2	RFI/ DRP RESPONSE	2018.04.06	SH

SITE VIEWS

VIEW EAST FROM McKENZIE AVE

VIEW EAST FROM HENLEY AVE

LIMITED NORTHERN VIEWS UP McKENZIE AVE

LIMITED WESTERN VIEWS DUE TO ADJACENT LAND SLOPE

2 1 0 2 4 6 8

1:100 @ A1 1:200 @ A3

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PROPOSED 6 MEWS APARTMENTS

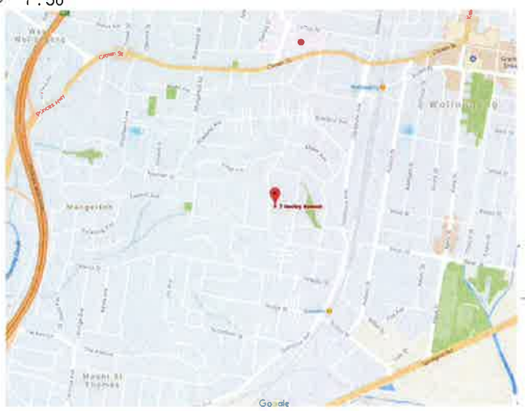
7-9 HENLEY AVENUE, WOLLONGONG

G. NIKOLOVSKI 012-007

SITE ANALYSIS

DA-01 -2

SITE LOCATION
1 : 50



KEY MAP
1 : 50

BASIX

GLAZING DOORS/WINDOWS:

Aluminium framed single clear glazing to all apartments
Sliders, Fixed, and double hung windows
U-Value: 6.70 (equal to or lower than) SHGC: 0.70 (± 10%)

Awning, bi-fold and casement windows
U-Value: 6.70 (equal to or lower than) SHGC: 0.57(± 10%)
Given values are NFRC, total window values

ROOF:
Metal roof with builders blanket (R1.0 up and R1.0 down)
Medium colour SA > 0.475 < 0.7

CEILING:
Plasterboard ceiling, R 2.5 insulation to all units with roof/ balcony above

Note: Loss of ceiling insulation due to penetrations from downlights have been accounted for in accordance with BCA Technical Note 2 and assume capped or non-vented compact fluorescent or LED downlights.

EXTERNAL WALL:
Brick veneer with R2.0 insulation
Default colour modelled

INTER TENANCY WALLS:
Cavity brick no insulation

WALLS WITH-IN DWELLINGS:
Plasterboard on studs

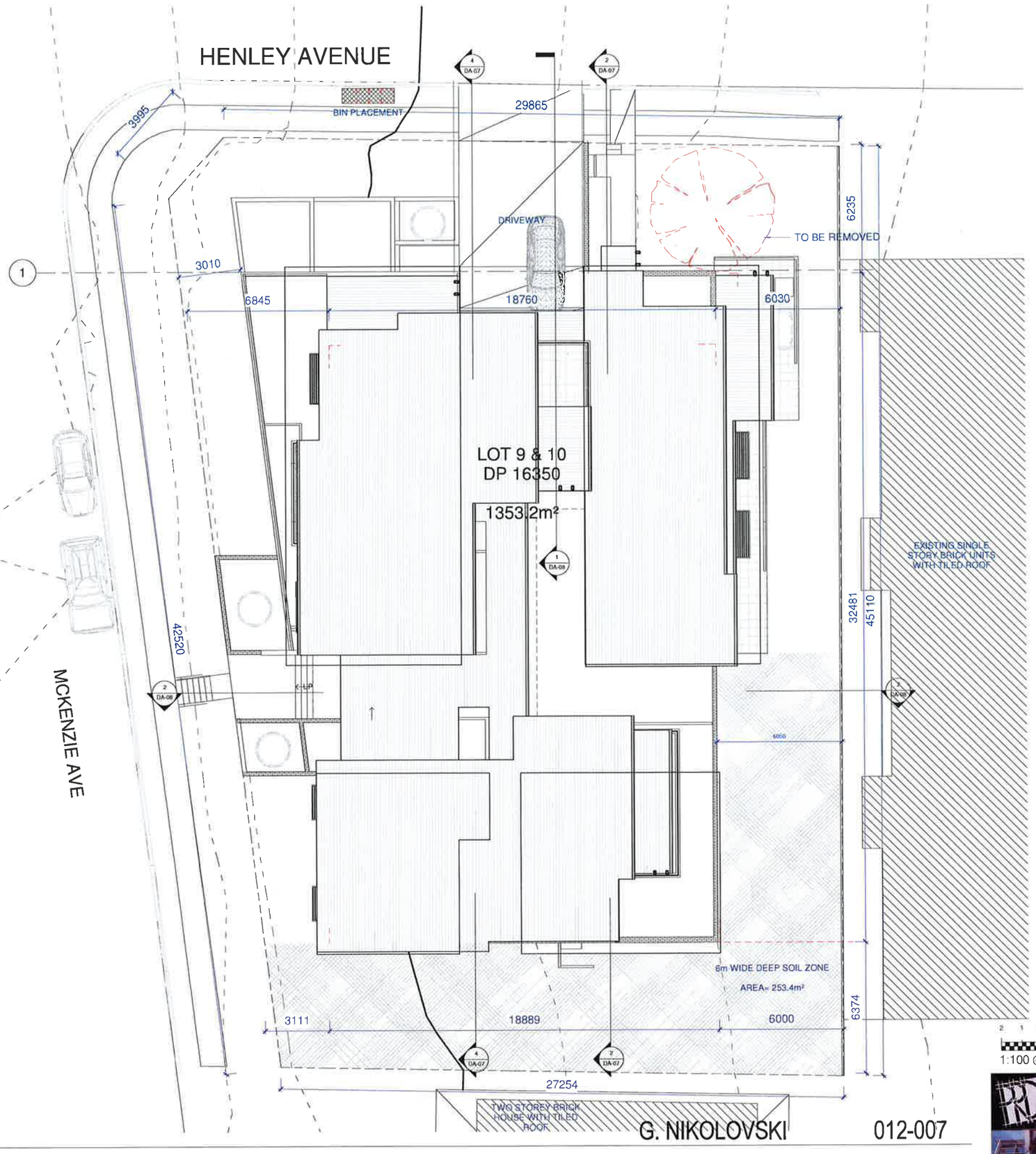
FLOORS:
Concrete slab on ground
Concrete between levels no insulation

FLOOR COVERINGS:
Tiles to wet areas and carpet to all other areas

RAIN WATER TANK:
Not required

LANDSCAPING:
51m2 of native species

HOT WATER SYSTEM:
Central gas fired boiled with R1.0 insulation to ring main and supply riser



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1	DA APPROVAL	29.07.16	HS
2	RFI/ DRP RESPONSE	2018.04.05	SH

SITE INFORMATION

FSR	0.5
SITE AREA	1350.2m²
MAX FSR	676.6m²
LANDSCAPING AREA	485.5m²
APARTMENT 1	96.8m²
APARTMENT 2	115.7m²
APARTMENT 3	117.7m²
APARTMENT 4	112.7m²
APARTMENT 5	115.7m²
APARTMENT 6	117.7m²
TOTAL AREA	**676.3m²**

CAR PARKING

REQUIRED:	
UNITS	11
VISITORS	2
MOTORBIKE	1
EBCDIC	3
PROVIDED:	
UNITS	11
VISITORS	2
MOTORBIKE	1
EBCDIC	3

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

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PROPOSED 6 MEWS APARTMENTS

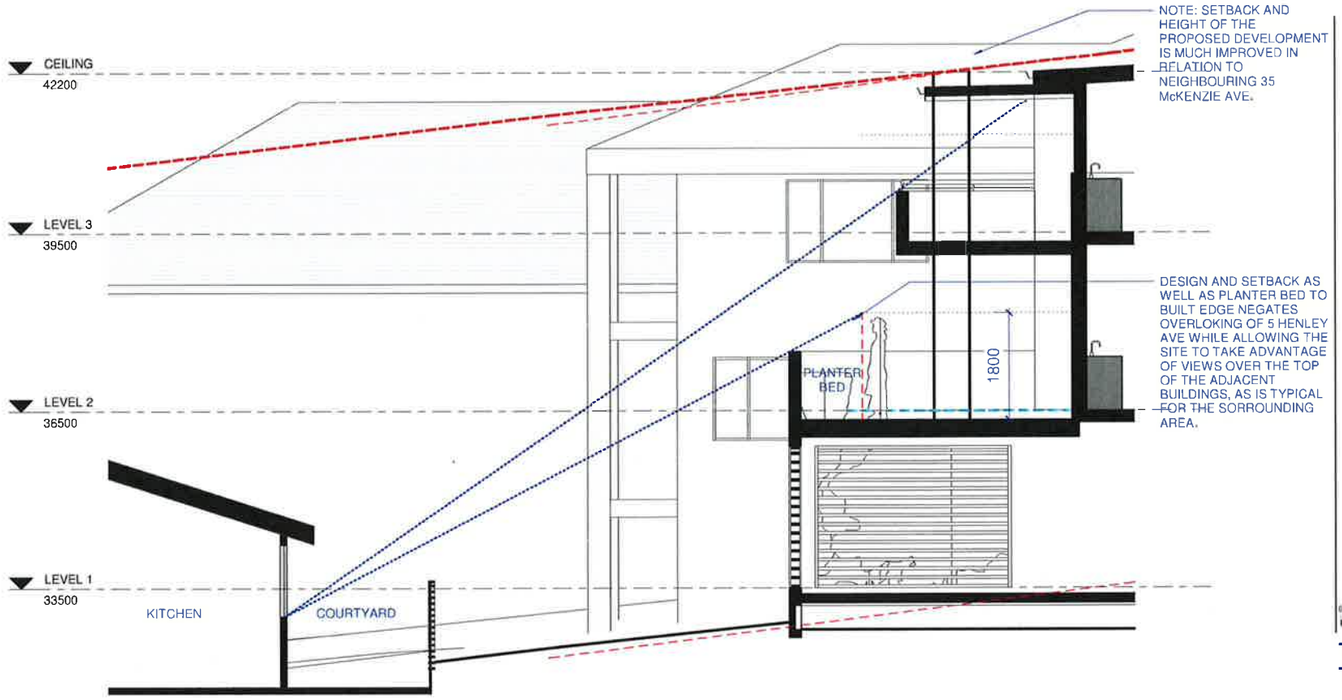
7-9 HENLEY AVENUE, WOLLONGONG

SITE PLAN

G. NIKOLOVSKI

012-007

DA-03 -2



BOUNDARY RELATION TO
3 5 HENLEY AVE
1 : 50

TYPICAL FLOOR LAYOUT OF ADJACENT 5 HENLEY AVE TOWNHOUSES FROM McGRATH REALESTATE WEBSITE

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AMENDMENTS

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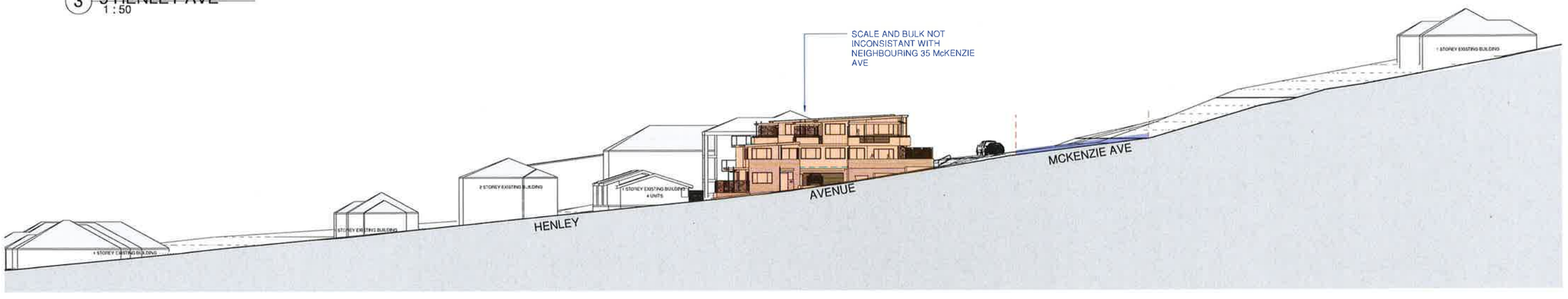
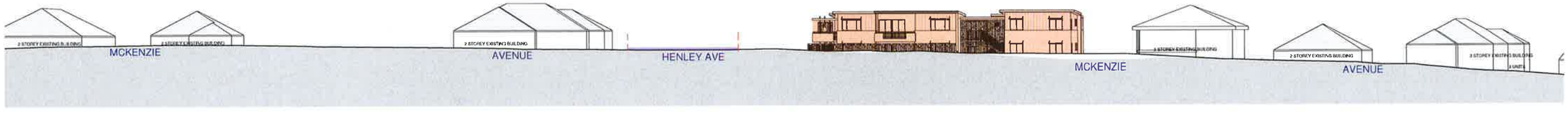
1	DA APPROVAL	29.07.16	HS
2	RFI/ DRP RESPONSE	2018.04.06	SH



CONTEXTURAL STUDY -
1 HENLEY AVE
1 : 250



CONTEXTUAL STUDY -
2 MCKENZIE AVE
1 : 250

PROPOSED 6 MEWS APARTMENTS

7-9 HENLEY AVENUE, WOLLONGONG

CONTEXTUAL ANALYSIS

G. NIKOLOVSKI 012-007

DA-14 -2

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5/04/2018 8:33:28 PM

BASIX

GLAZING DOORS/WINDOWS:

Aluminium framed single clear glazing to all apartments
Sliders, Fixed, and double hung windows
U-Value: 6.70 (equal to or lower than) SHGC: 0.70 (± 10%)

Awning, bi-fold and casement windows
U-Value: 6.70 (equal to or lower than) SHGC: 0.57(± 10%)
Given values are NFRC, total window values

ROOF:
Metal roof with builders blanket (R1.0 up and R1.0 down)
Medium colour SA > 0.475 < 0.7

CEILING:
Plasterboard ceiling, R 2.5 insulation to all units with roof/ balcony above

Note: Loss of ceiling insulation due to penetrations from downlights have been accounted for in accordance with BCA Technical Note 2 and assume capped or non-vented compact fluorescent or LED downlights.

EXTERNAL WALL:
Brick veneer with R2.0 insulation
Default colour modelled

INTER TENANCY WALLS:
Cavity brick no insulation

WALLS WITH-IN DWELLINGS:
Plasterboard on studs

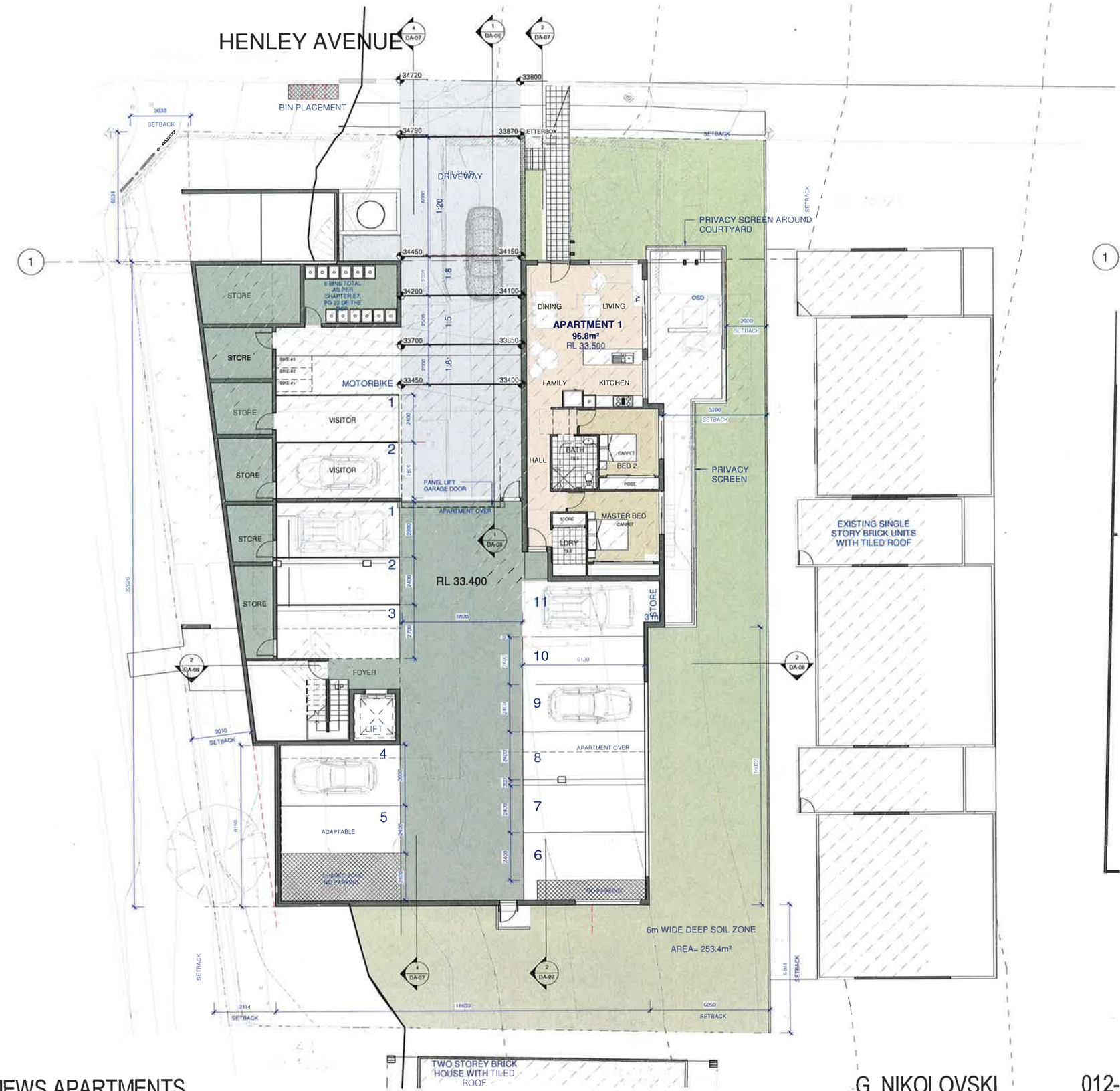
FLOORS:
Concrete slab on ground
Concrete between levels no insulation

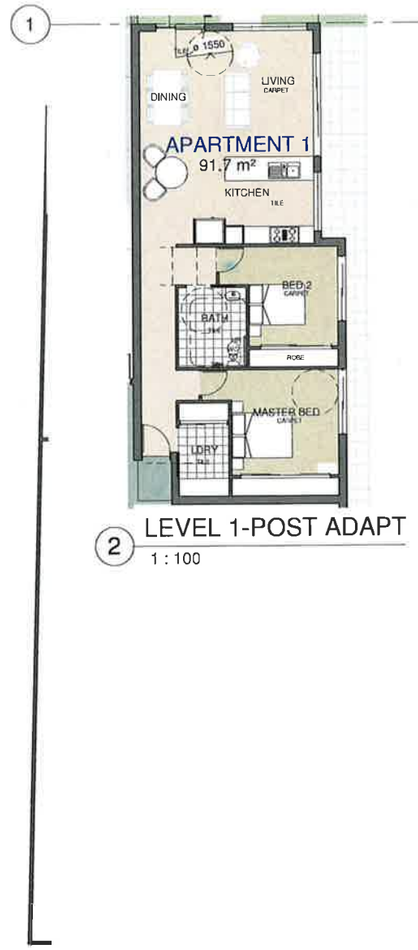
FLOOR COVERINGS:
Tiles to wet areas and carpet to all other areas

RAIN WATER TANK:
Not required

LANDSCAPING:
51m2 of native species

HOT WATER SYSTEM:
Central gas fired boiled with R1.0 insulation to ring main and supply riser





2 LEVEL 1-POST ADAPT
1 : 100

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1:100 @ A1 1:200 @ A3

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PROPOSED 6 MEWS APARTMENTS
7-9 HENLEY AVENUE, WOLLONGONG

LEVEL 1 PLAN

G. NIKOLOVSKI

012-007
DA-04 -2

BASIX

GLAZING DOORS/WINDOWS:

Aluminium framed single clear glazing to all apartments
Sliders, Fixed, and double hung windows
U-Value: 6.70 (equal to or lower than) SHGC: 0.70 (± 10%)

Awning, bi-fold and casement windows
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Given values are NFRC, total window values

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Default colour modelled

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WALLS WITH-IN DWELLINGS:
Plasterboard on studs

FLOORS:
Concrete slab on ground
Concrete between levels no insulation

FLOOR COVERINGS:
Tiles to wet areas and carpet to all other areas

RAIN WATER TANK:
Not required

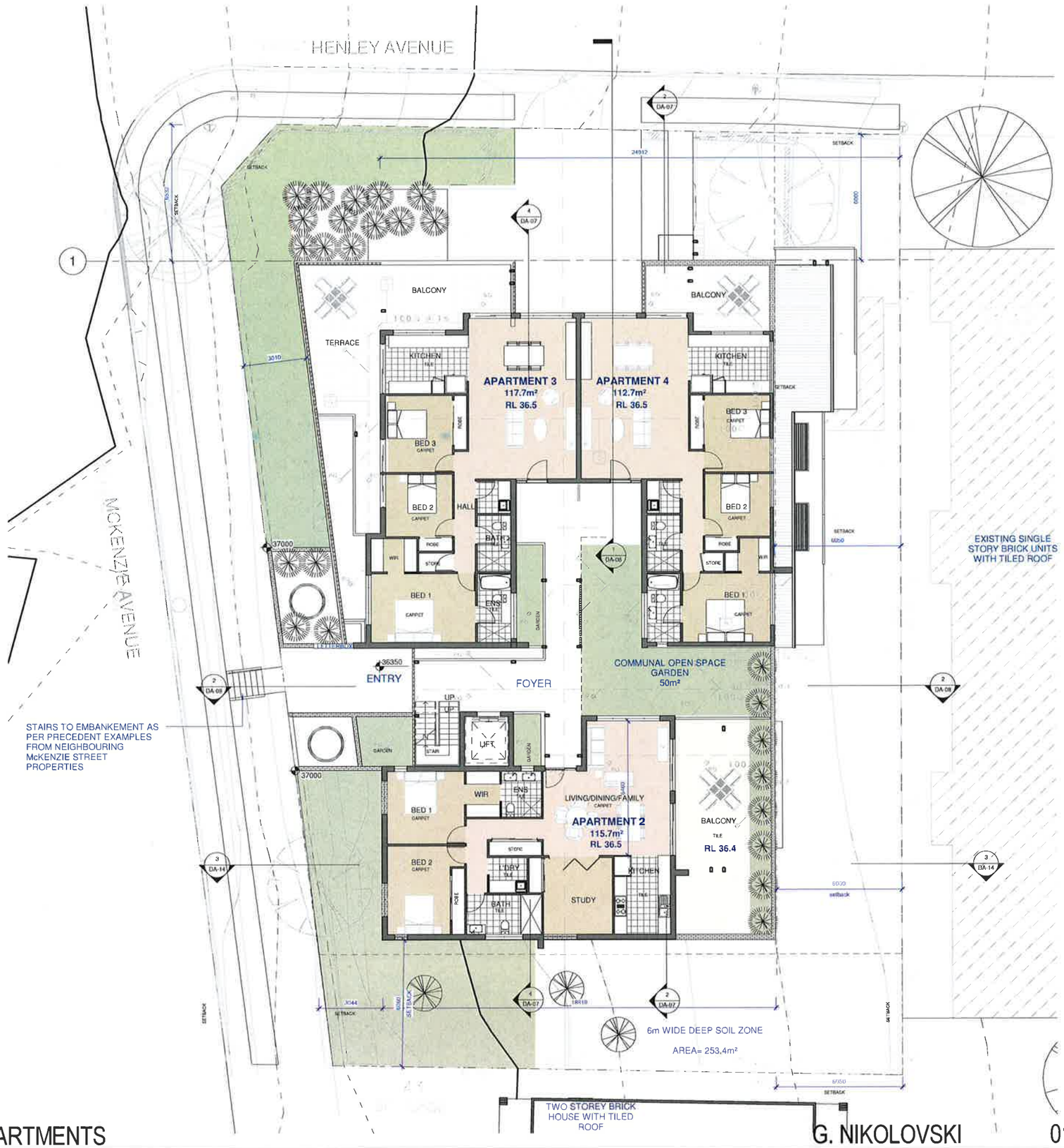
LANDSCAPING:
51m2 of native species

HOT WATER SYSTEM:
Central gas fired boiled with R1.0 insulation to ring main and supply riser

25 McKENZIE AVE, FOOTPATH ACCESS

27 McKENZIE AVE, FOOTPATH ACCESS

29 McKENZIE AVE, FOOTPATH ACCESS



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AMENDMENTS

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1:100 @ A1 1:200 @ A3

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PROPOSED 6 MEWS APARTMENTS

7-9 HENLEY AVENUE, WOLLONGONG

G. NIKOLOVSKI

012-007

LEVEL 2 PLAN

DA-05 -2

BASIX

GLAZING DOORS/WINDOWS:

Aluminium framed single clear glazing to all apartments
Sliders, Fixed, and double hung windows
U-Value: 6.70 (equal to or lower than) SHGC: 0.70 (± 10%)

Awning, bi-fold and casement windows
U-Value: 6.70 (equal to or lower than) SHGC: 0.57(± 10%)
Given values are NFRC, total window values

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Default colour modelled

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WALLS WITH-IN DWELLINGS:
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FLOORS:
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Concrete between levels no insulation

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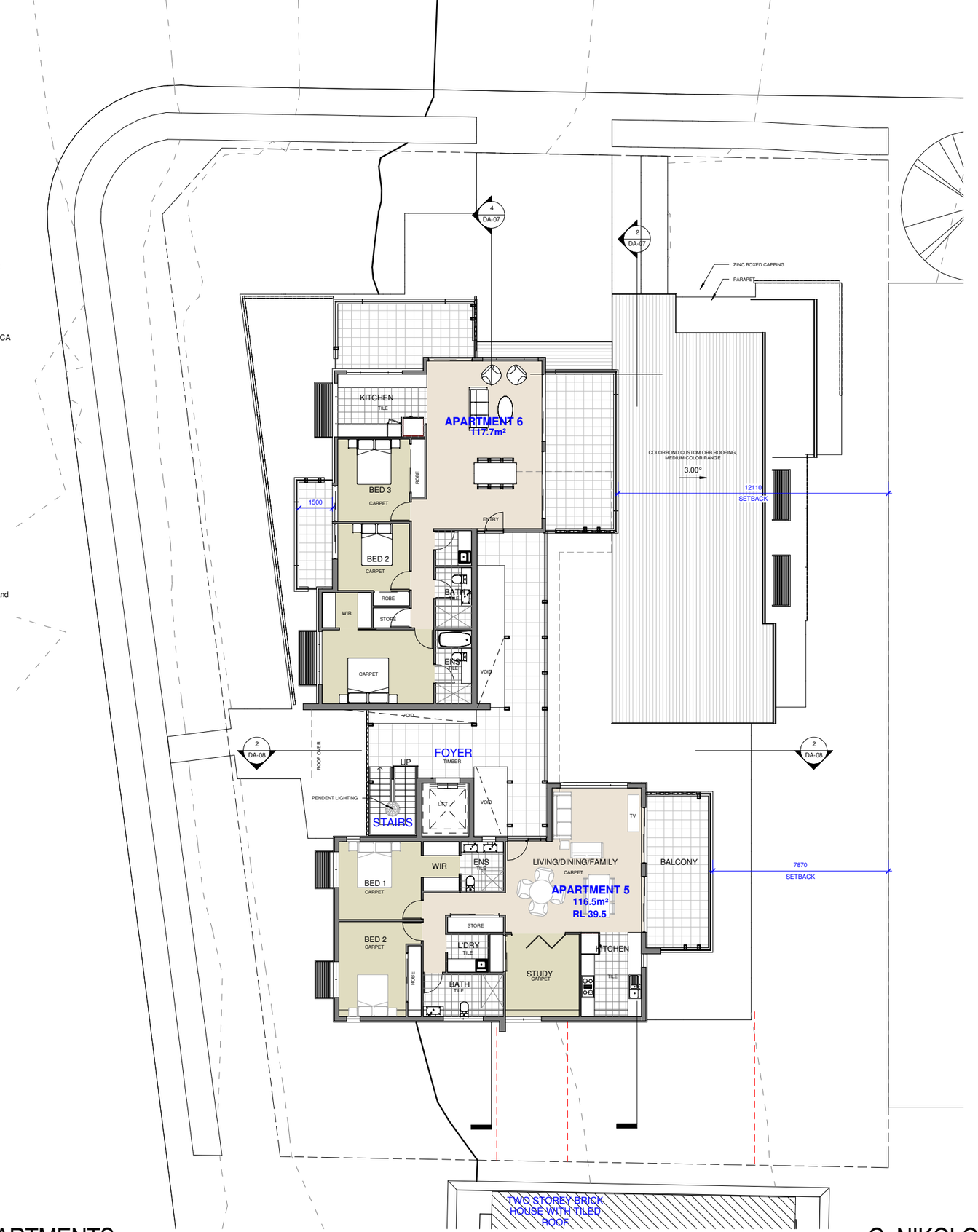
Tiles to wet areas and carpet to all other areas

RAIN WATER TANK:
Not required

LANDSCAPING:
51m2 of native species

HOT WATER SYSTEM:
Central gas fired boiled with R1.0 insulation to ring main and supply riser



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PRELIMINARY

AMENDMENTS

No	Revision Description	Date	BY:
1	DA APPROVAL	29.07.16	HS
2	RFI/ DRP RESPONSE	2018.04.06	SH

2 1 0 2 4 6 8

1:100 @ A1 1:200 @ A3

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11/04/2018 11:36:09 AM

PROPOSED 6 MEWS APARTMENTS

7-9 HENLEY AVENUE, WOLLONGONG

G. NIKOLOVSKI 012-007

LEVEL 3 PLAN

DA-06 -2

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PRELIMINARY

AMENDMENTS

No	Revision Description	Date	BY:
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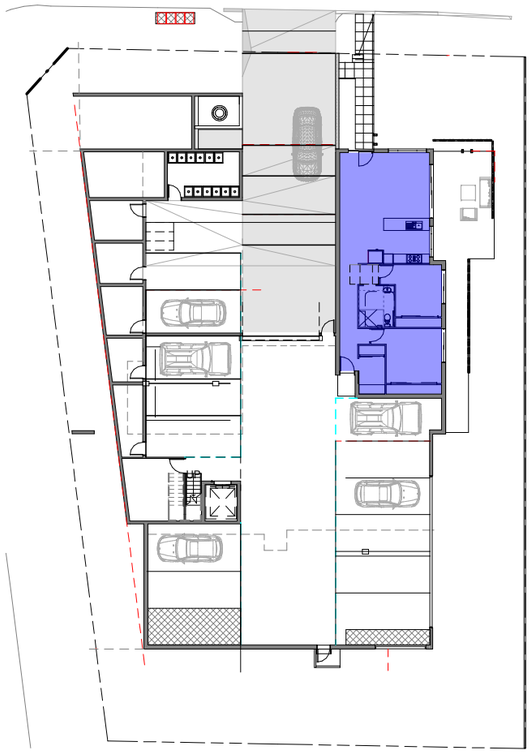
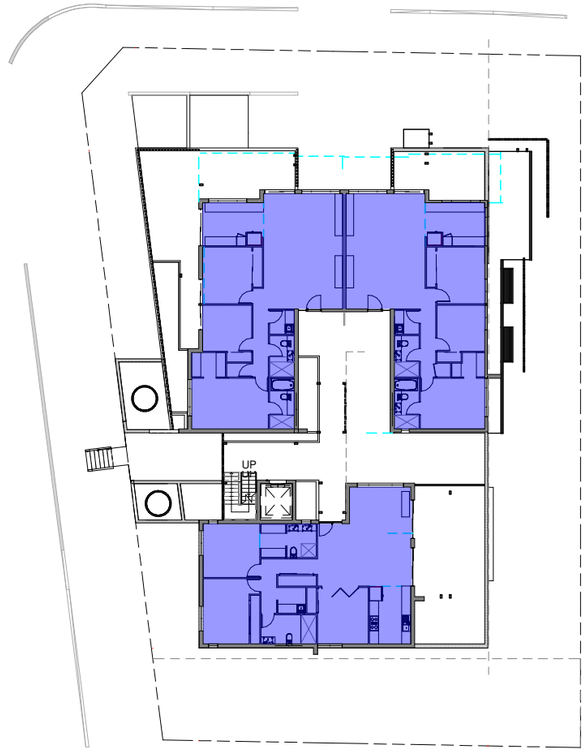
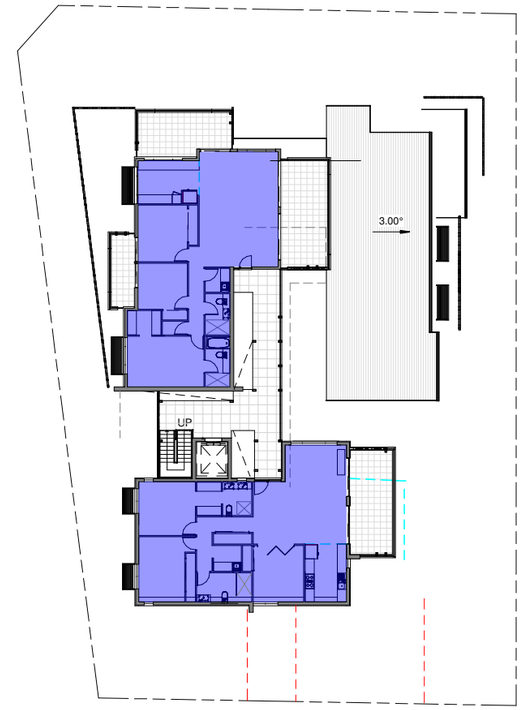


FSR INCLUSIONS- LEVEL 1
1 : 200



FSR INCLUSIONS- LEVEL 2
1 : 200



FSR INCLUSIONS- LEVEL 3
1 : 200

SITE INFORMATION

FSR	0.5
SITE AREA	1350.2m²
MAX FSR	676.6m²
LANDSCAPING AREA	485.5m²
APARTMENT 1	96.8m²
APARTMENT 2	115.7m²
APARTMENT 3	117.7m²
APARTMENT 4	112.7m²
APARTMENT 5	115.7m²
APARTMENT 6	117.7m²
TOTAL AREA	**676.3m²**

CAR PARKING

REQUIRED:	
UNITS	11
VISITORS	2
MOTORBIKE	1
EBCDIC	3
PROVIDED:	
UNITS	11
VISITORS	2
MOTORBIKE	1
EBCDIC	3

SITE INFO
1 : 50

4 0 4 8 12 16
1:200 @ A1 1:400 @ A3

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11/04/2018 11:36:16 AM

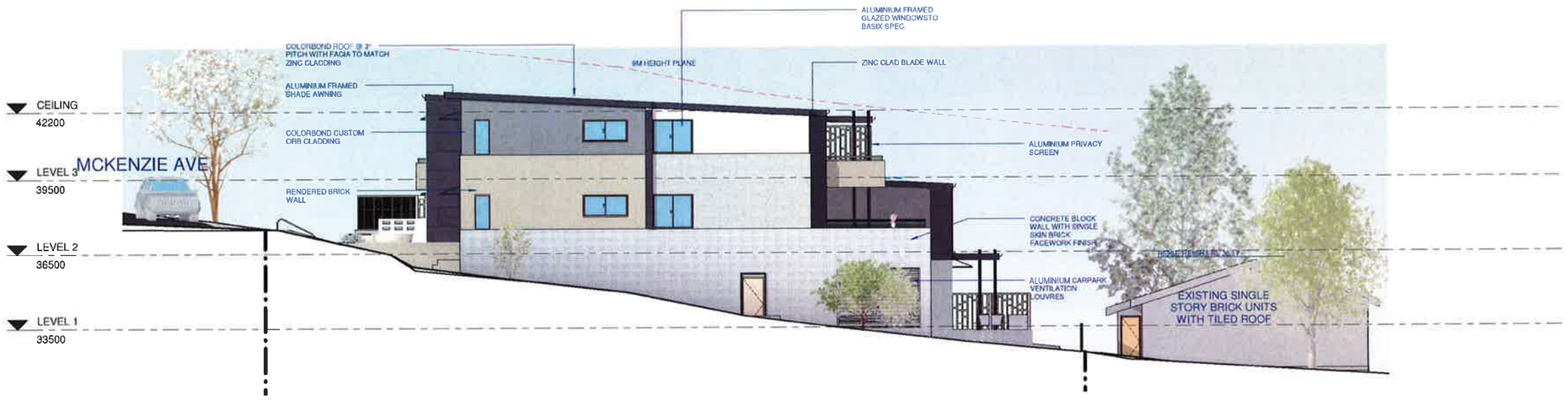
PROPOSED 6 MEWS APARTMENTS
7-9 HENLEY AVENUE, WOLLONGONG

FSR PLANS

G. NIKOLOVSKI 012-007

DA-22 -

1 NORTH
1 : 100



2 SOUTH
1 : 100

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2	RFI/ DRP RESPONSE	2018.04.06	SH

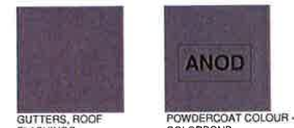
FINISHES SCHEDULE:

FACEBRICK
AUSTRAL BOWRAL RANGE "GERTRUDIS BROWN"

METAL ROOF SHEETING - COLORBOND
CUSTOM ORB "BASALT"

HORIZONTAL CLADDING- PAINTED WHITE

METAL WALL CLADDING- COLORBOND CUSTOM ORB 'BASALT'



GUTTERS, ROOF FLASHINGS, COLORBOND "BASALT"

POWDERCOAT COLOUR - COLORBOND CUSTOM ORB "BASALT"

ZINC FASICA SYSTEM 'BASALT'

2 1 0 2 4 6 8

1:100 @ A1 1:200 @ A3

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PROPOSED 6 MEWS APARTMENTS

7-9 HENLEY AVENUE, WOLLONGONG

ELEVATIONS

G. NIKOLOVSKI 012-007

DA-10 -2

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PRELIMINARY

AMENDMENTS

No	Revision Description	Date	BY
1	DA APPROVAL	29.07.16	HS
2	RFI/ DRP RESPONSE	2018.04.06	SH

3 WEST
1 : 100

2 EAST
1 : 100

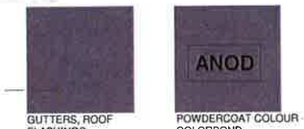
FINISHES SCHEDULE:

FACEBRICK
AUSTRAL BOWRAL RANGE "GERTRUDIS BROWN"

METAL ROOF SHEETING - COLORBOND CUSTOM ORB "BASALT"

HORIZONTAL CLADDING- PAINTED WHITE

METAL WALL CLADDING- COLORBOND CUSTOM ORB 'BASALT'



GUTTERS, ROOF FLASHINGS, COLORBOND "BASALT"

POWDERCOAT COLOUR COLORBOND CUSTOM ORB "BASALT"

ZINC FASICA SYSTEM 'BASALT'

2 1 0 2 4 6 8

1:100 @ A1 1:200 @ A3

Suite 3
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PROPOSED 6 MEWS APARTMENTS

7-9 HENLEY AVENUE, WOLLONGONG

ELEVATIONS

G. NIKOLOVSKI 012-007

DA-09 -2

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PRELIMINARY

AMENDMENTS

No	Revision Description	Date	BY:
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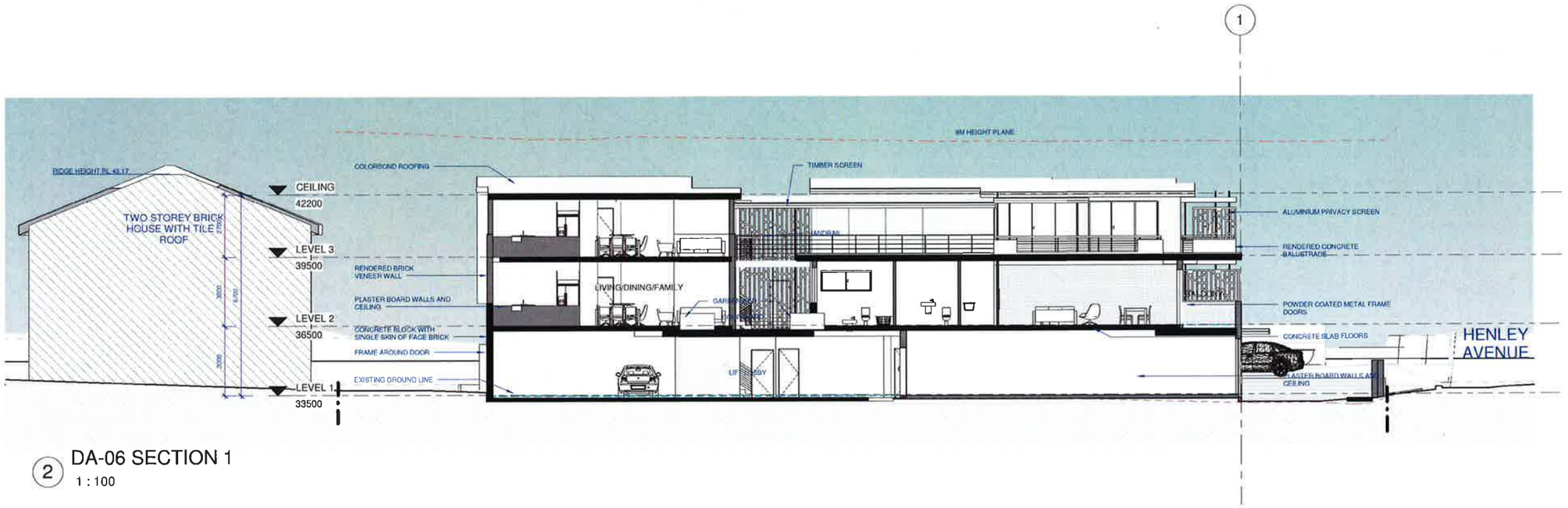
2	RFI/ DRP RESPONSE	2018.04.06	SH



2 DA-06 SECTION 1
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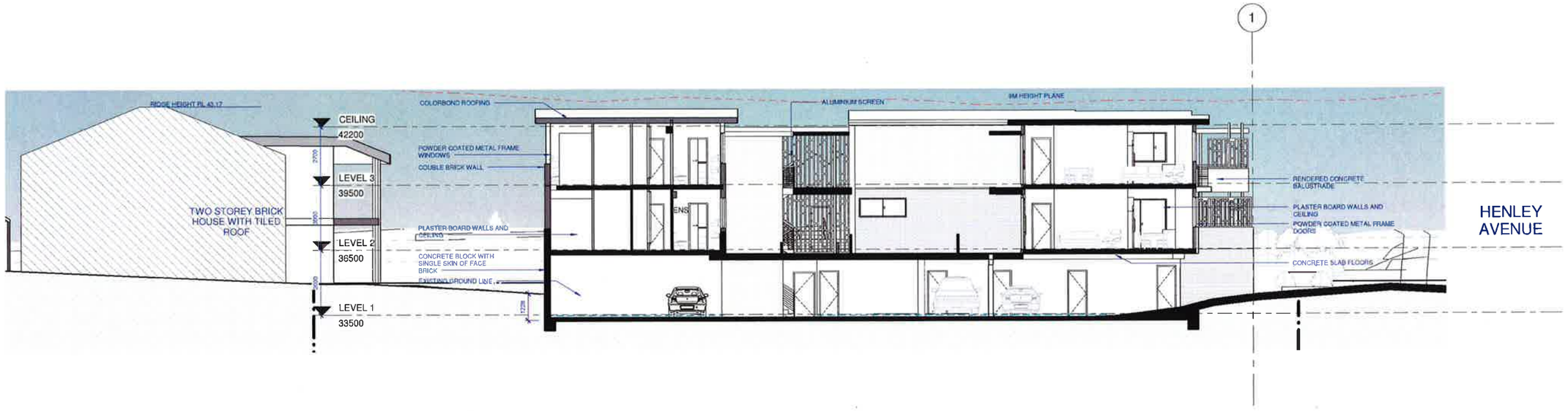

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PROPOSED 6 MEWS APARTMENTS

7-9 HENLEY AVENUE, WOLLONGONG

SECTIONS

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DA-07 -2

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AMENDMENTS

No	Revision Description	Date	BY
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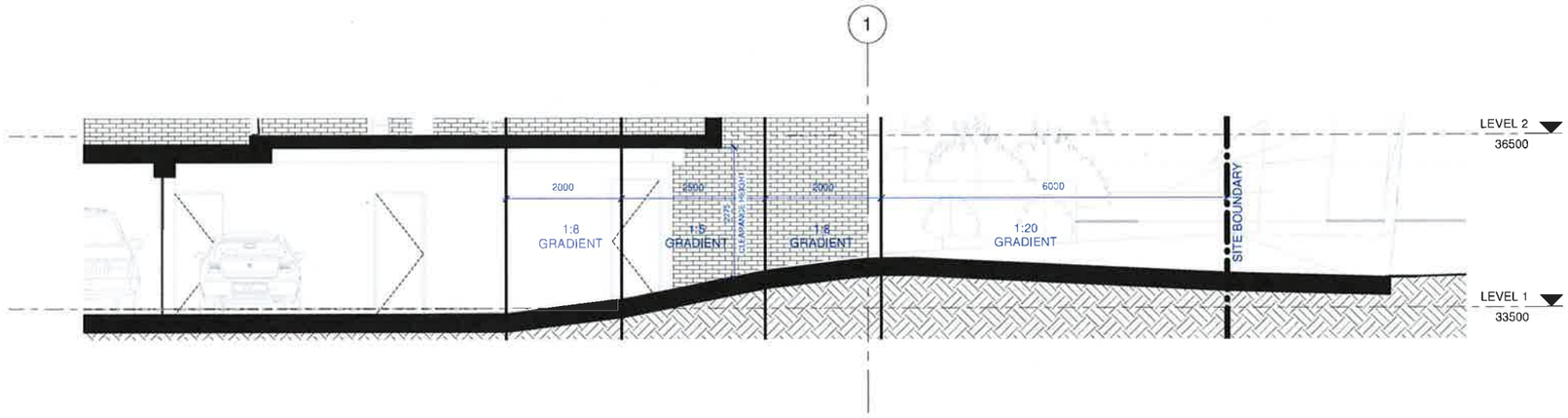
2	RFI/ DRP RESPONSE	2018.04.05	SH



1 DRIVEWAY SECTION
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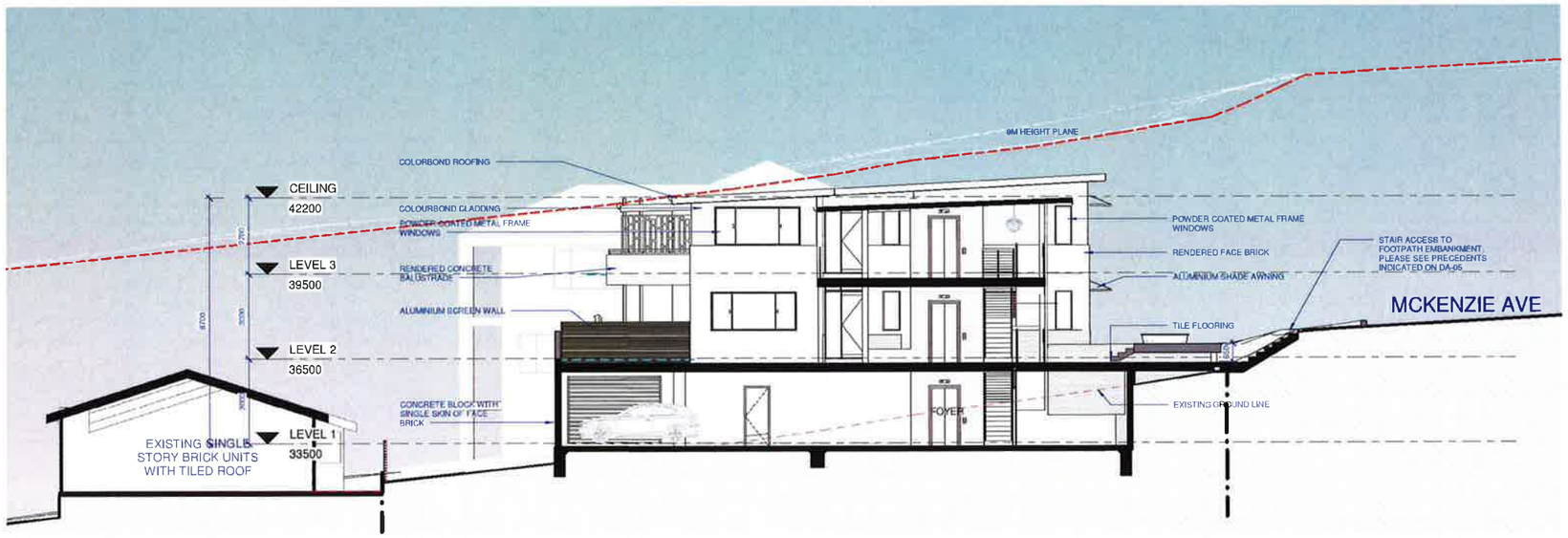

2 SECTION 3
1 : 100

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1:100 @ A1 1:200 @ A3

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PROPOSED 6 MEWS APARTMENTS
7-9 HENLEY AVENUE, WOLLONGONG

SECTIONS

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AMENDMENTS

No	Revision Description	Date	BY
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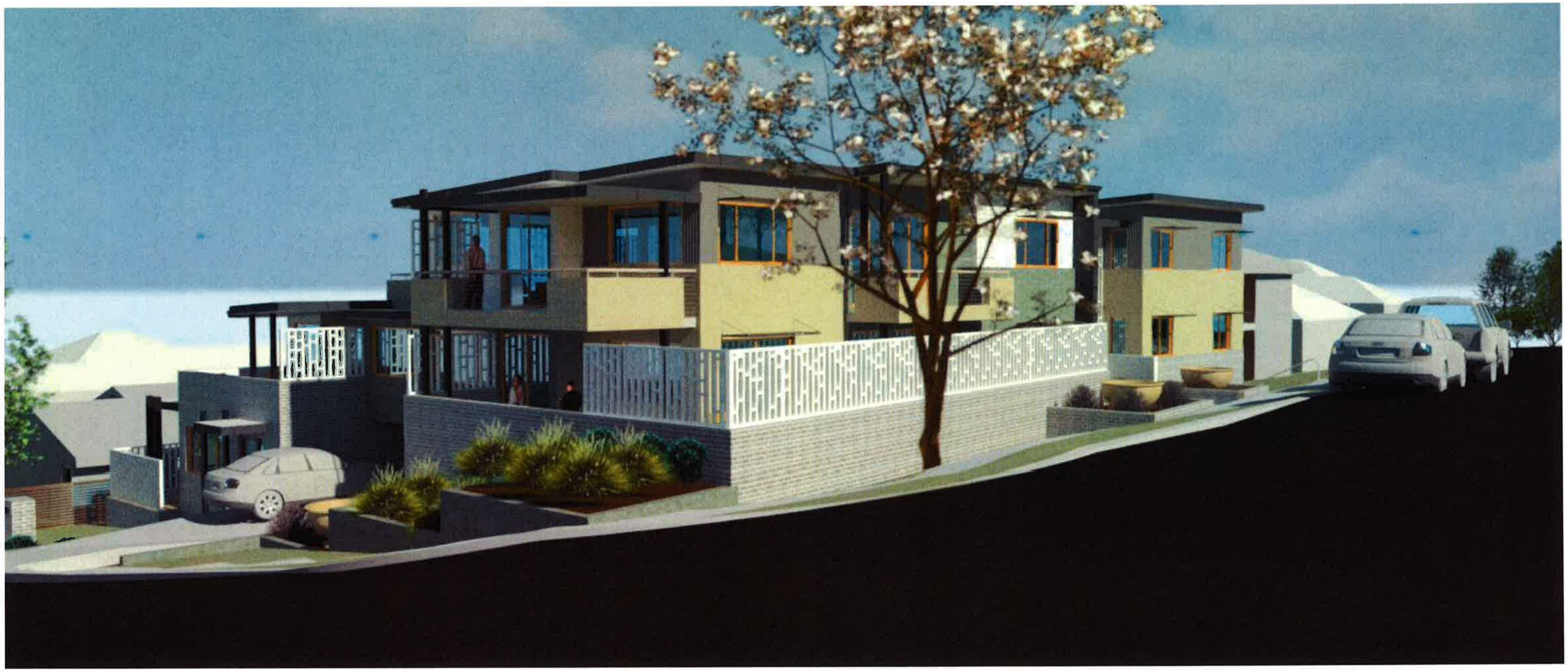

PROPOSED 6 MEWS APARTMENTS

7-9 HENLEY AVENUE, WOLLONGONG

RENDERINGS 1

G. NIKOLOVSKI

012-007

DA-20 -2

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AMENDMENTS

No	Revision Description	Date	BY
2	RFI/DRP RESPONSE	2018.04.05	SH

PROPOSED 6 MEWS APARTMENTS

7-9 HENLEY AVENUE, WOLLONGONG

RENDERINGS 2

G. NIKOLOVSKI

012-007

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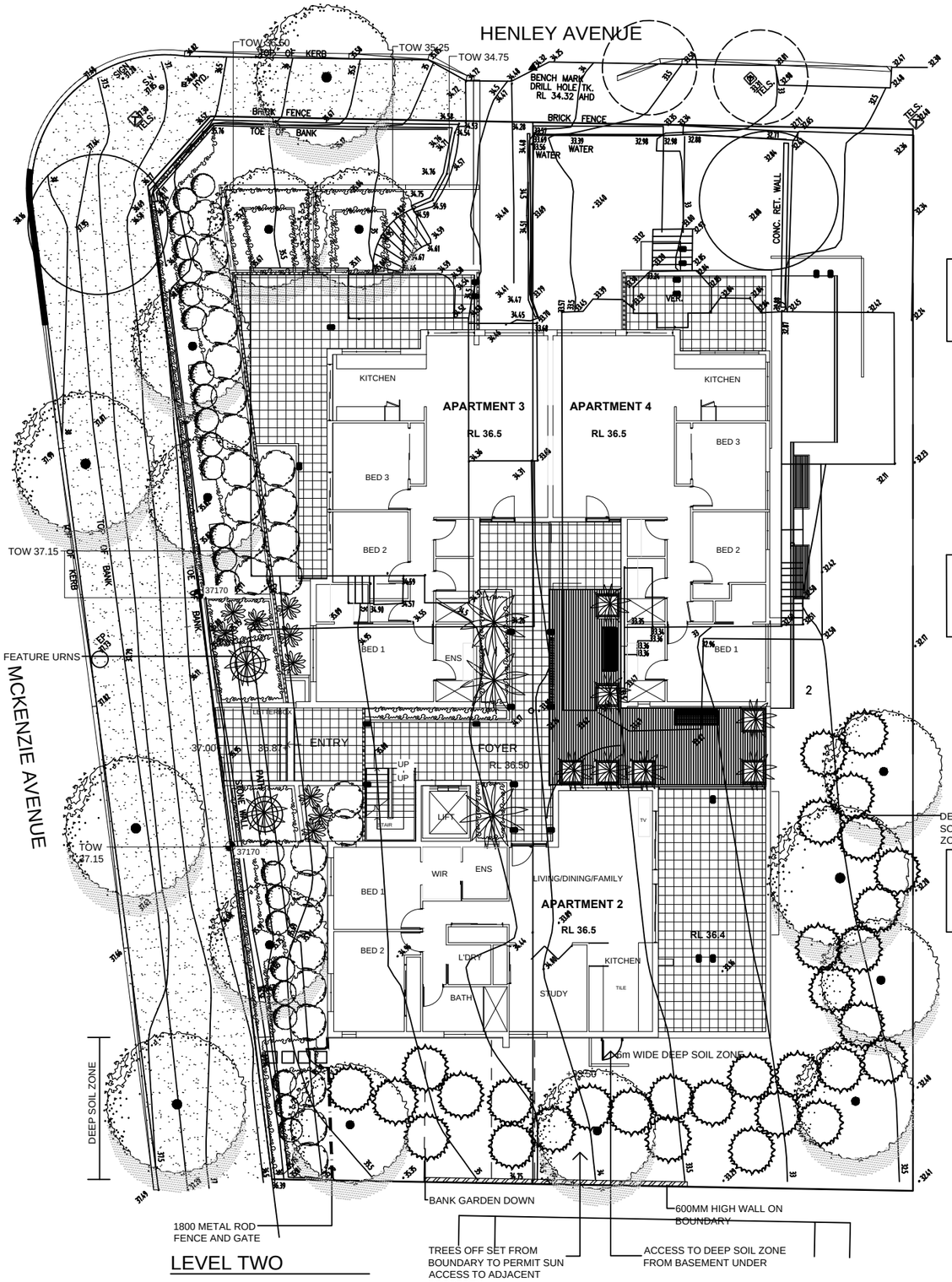
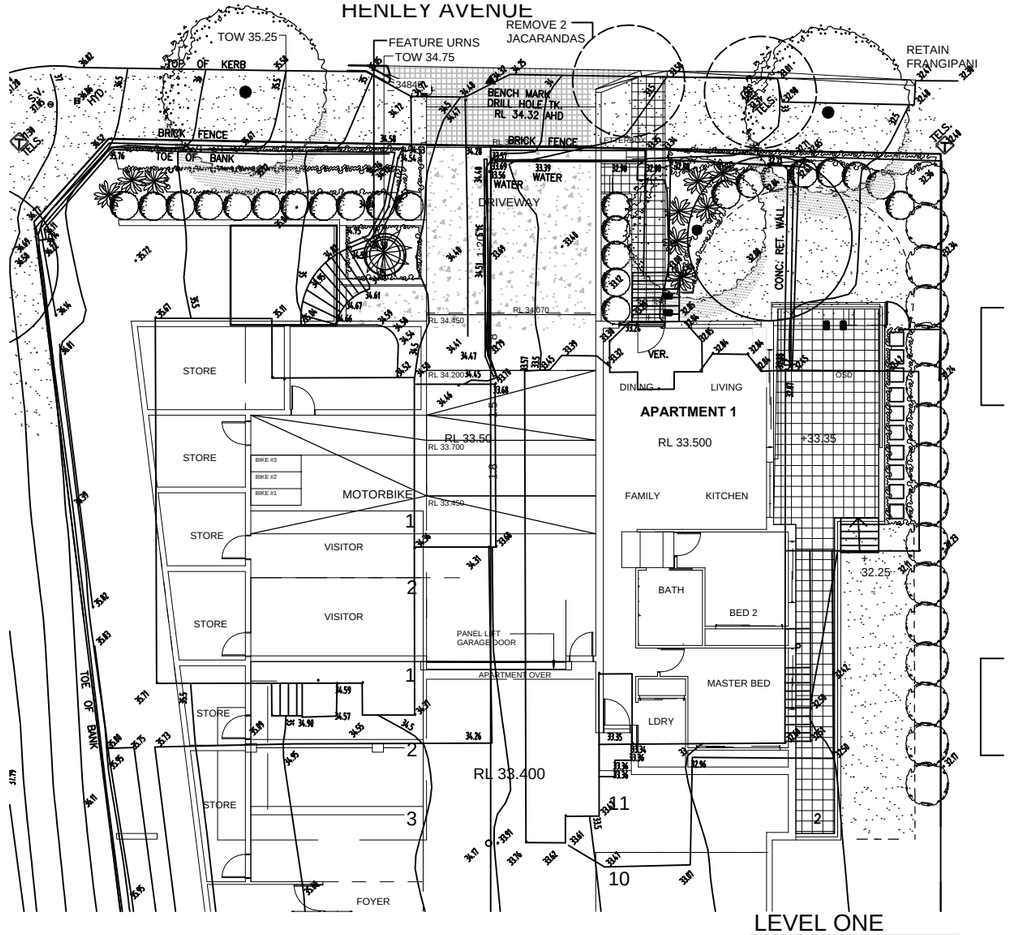


LEVEL TWO



LEVEL ONE

RECOMMENDED PLANT SPECIES

CODE	BOTANICAL NAME	COMMON NAME
	TREES	
ERP	Elaeocarpus reticulatus 'PrimaDonna'	Blueberry Ash
TLL	Tristaniopsis laurina 'Luscious'	Tristaniopsis laurina 'Luscious'
LCO	Lophostemon confertus	Brush Box
DDR	Dracena draco	Dragon tree
ACU	Archontophoenix cunninghamiana	Bangalow palm
BAC	Brachychiton acerfolius	Illawarra flame tree
PAC	Plumeria acutifolia	Frangipani
	SHRUBS	
MPA	Murraya paniculata	Orange Blossom
WFR	Westringea fructicosa	Coastal rosemary
SHU	Syzigium 'Hunchy'	Lilly Pilly
PRR	Photinia 'Red Robin'	Photinia
CRE	Cycas revoluta	Japanes Sago Palm
BCI	Backhousia citriodora	Lemon myrtle
MLI	Melaleuca linariifolia 'Snowstorm'	Snow in summer
EMA	Escallonia macrantha 'Apple Blossum'	Escallonia
	GROUNDCOVERS & ACCENTS	
LME	Liriope 'Evergreen Giant'	Turf Lily
GAZ	Gazania tomentosa	Silver Gazania
DTA	Dianella tasmanica	Paroo Lilly
LTA	Lomandra 'Tanika'	Fine mate rush
PTE	Phormium tenax	NZ Flax
DEX	Doryanthes excelsa	Gymea lilly
JCO	Juniperus conferta	Japanese Shore Juniper

LEGEND

- Existing levels and contours
- Proposed spot levels
- Existing trees to be retained
- Existing trees to be removed
- Proposed feature pot
- Proposed tree planting
- Proposed mass shrub planting
- Proposed turf with timber edging
- Proposed select unit paving
- Proposed charcoal coloured concrete driveway
- Proposed stepping stones 500x500mm
- Proposed retaining walls to engineers detail

ISSUE: Amended Development Application 04.04.18
ISSUE: Development Application 18.04.17
ISSUE: For Comment 19.12.16, 14.03.17
REV.a: Amend building, landscape 28.03.18

ochre landscape architects
PO Box 395 Wollongong NSW 2520
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Wollongong NSW 2500
Tel. 02 4227 6427 Fax. 02 4227 6876
Email: design@ochre.net.au

PROJECT
Proposed Unit Development
7-9 Henley Avenue
WOLLONGONG

DRAWING TITLE
Landscape Concept Plan

CLIENT
G.Nikolovski

DRAWING NO.
1752-LD01A

SCALE: 1:100 @ A1, 1:200 @ A3

DRAWN: DF CHECKED: TW

DATE. 15.12.16

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PRELIMINARY

AMENDMENTS

No	Revision Description	Date	BY.
-			
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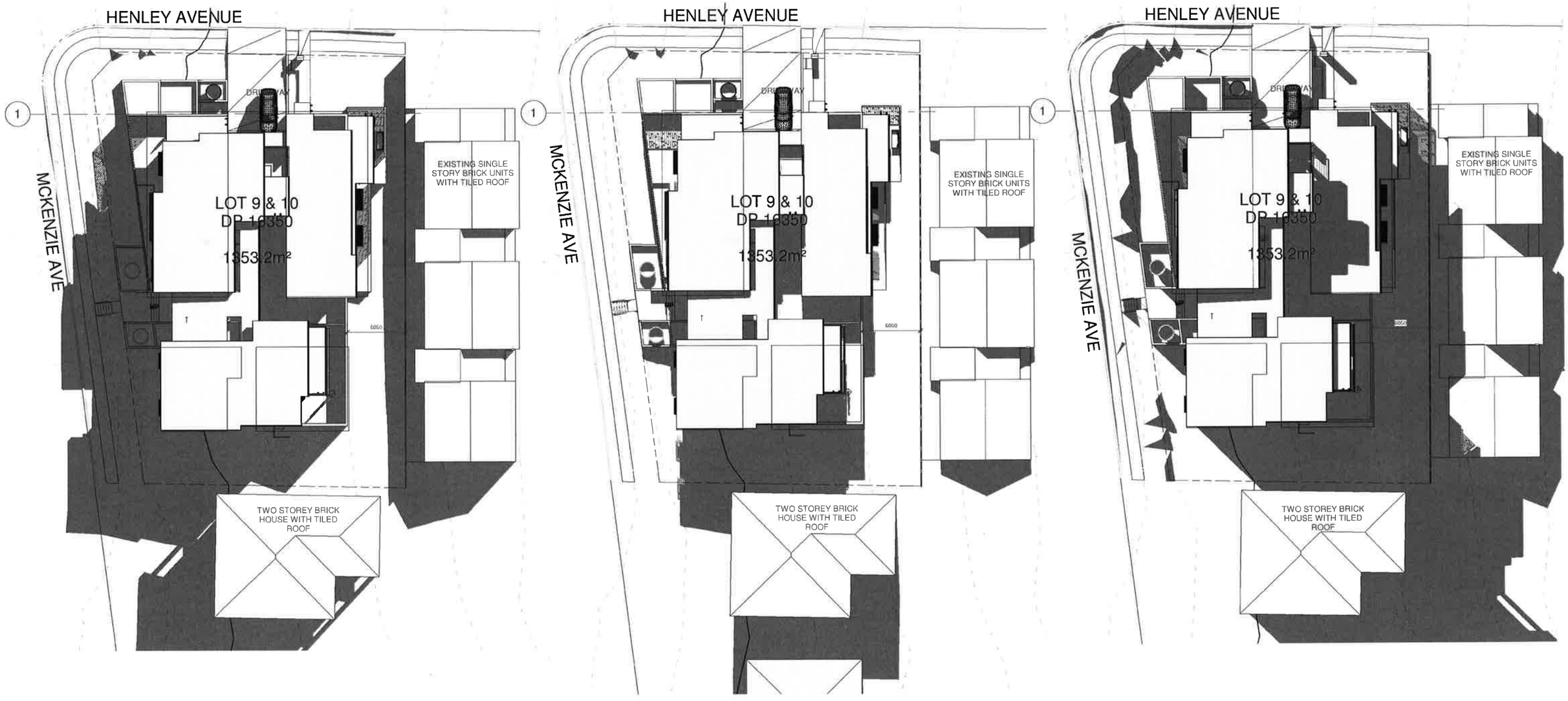
2	RFI DRP RESPONSE	2018.04.06	SH



1 WINTER SHADOW-9am
1 : 200

2 WINTER SHADOW-12 noon
1 : 200

3 WINTER SHADOW-3pm
1 : 200

4 0 4 8 12 16
1:200 @ A1 1:400 @ A3

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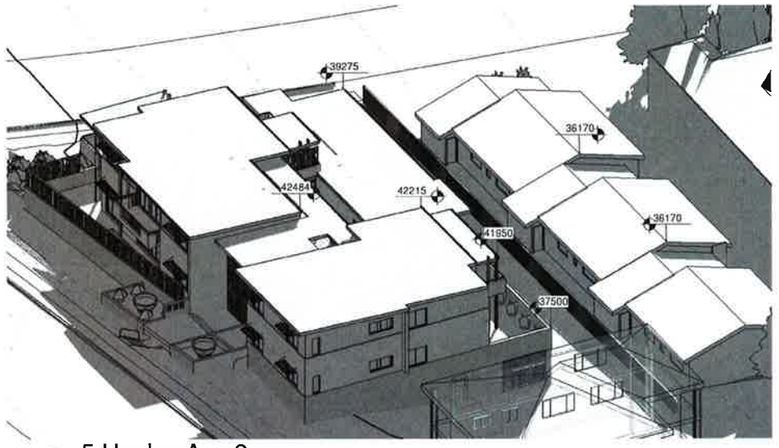
PROPOSED 6 MEWS APARTMENTS

7-9 HENLEY AVENUE, WOLLONGONG

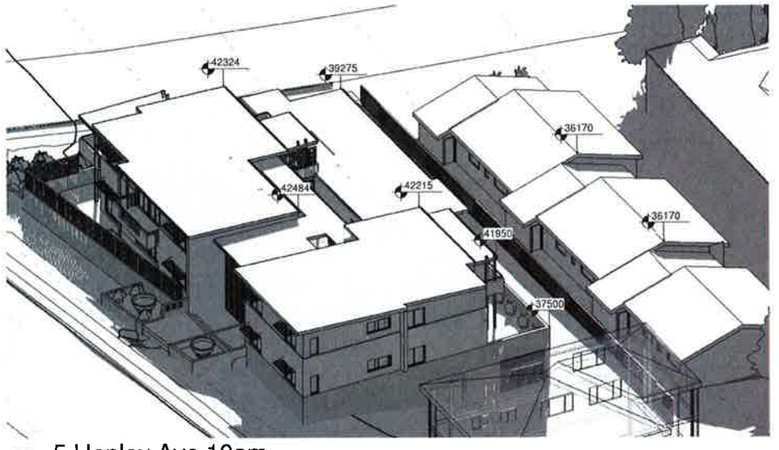
WINTER SHADOW DIAGRAM

G. NIKOLOVSKI 012-007

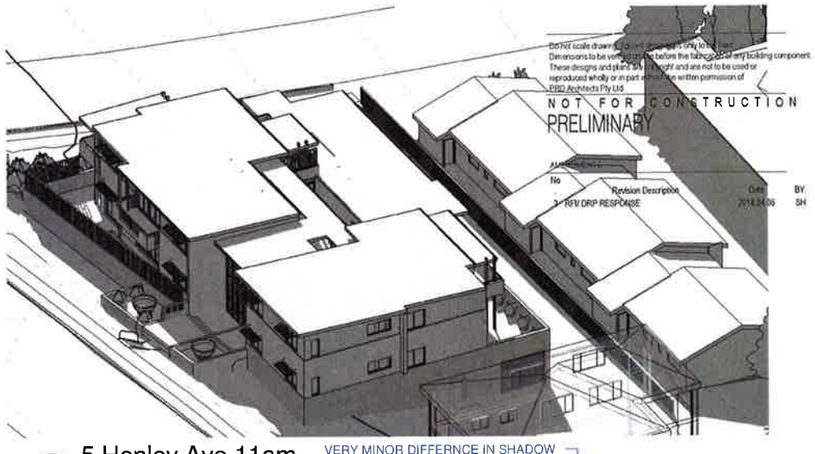
DA-11 -2



1 5 Henley Ave 9am



2 5 Henley Ave 10am



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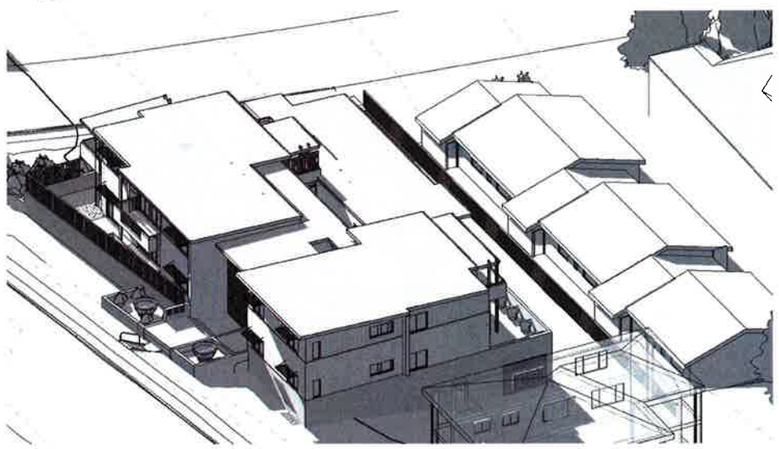
No	Revision Description	Date	BY
1	RFI/ DRP RESPONSE	2018.04.06	SH

3 5 Henley Ave 11am

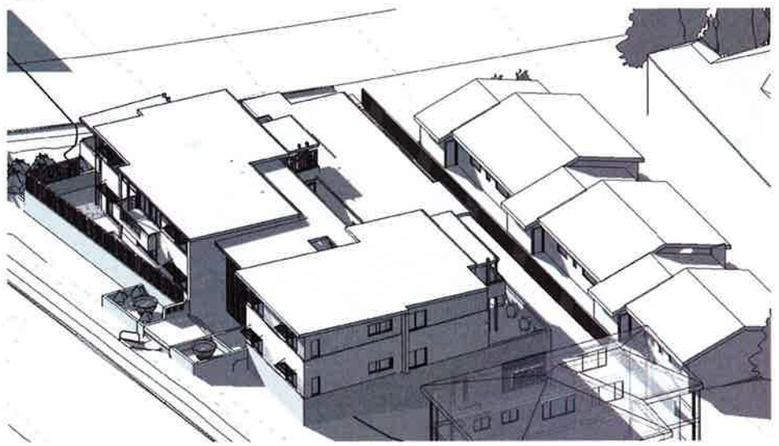
VERY MINOR DIFFERNCE IN SHADOW BETWEEN EXISTING AND PROPOSED WHICH HAS NEGLIGABLE EFFECT ON SOLAR ACCESS AT 2PM



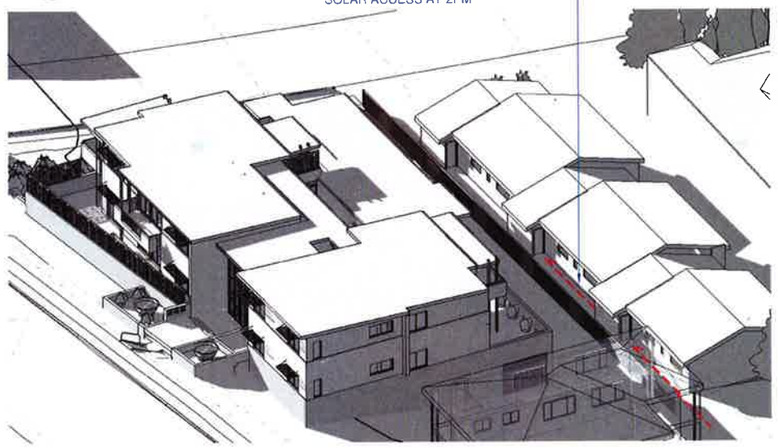
4 5 Henley Ave 12pm

MINOR ADDITIONAL OVERSHADOWNING OF WINDOWS TO KITCHEN, BED 2 AND WC AT 3PM ONLY

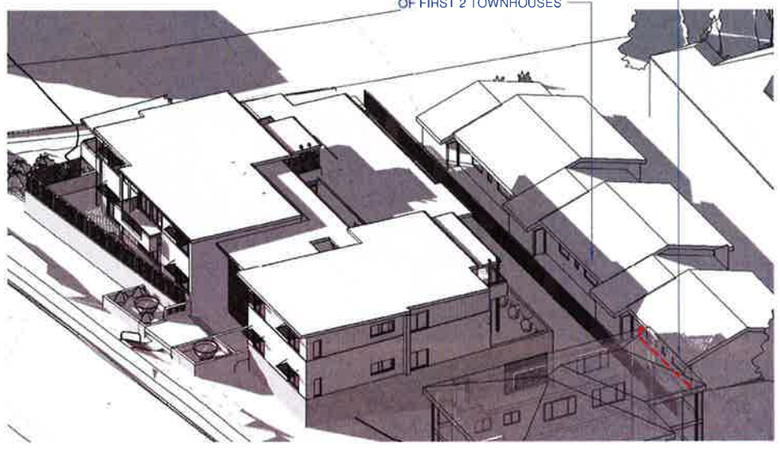
NO ADDITIONAL OVERSHADOWNING OF FIRST 2 TOWNHOUSES



5 5 Henley Ave 1pm

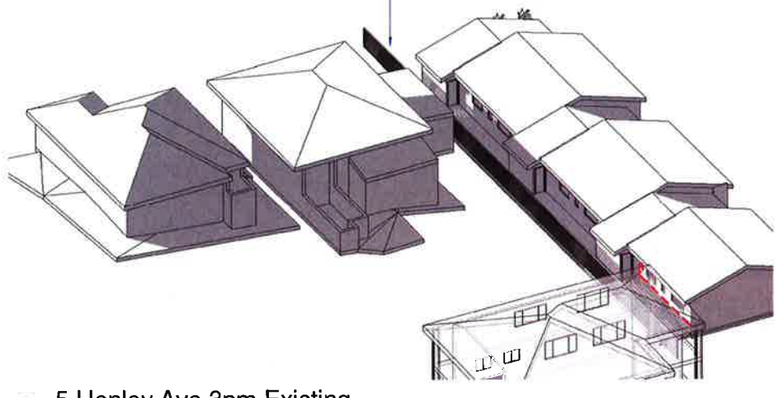


6 5 Henley Ave 2pm

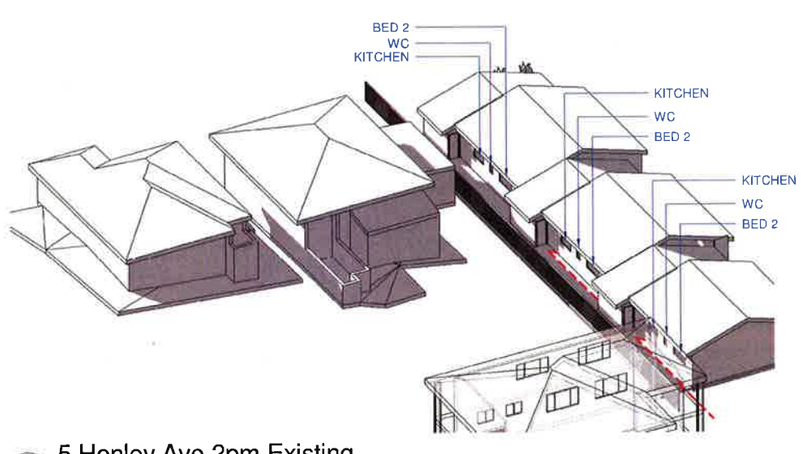


7 5 Henley Ave 3pm

TYPICAL 1500mm AV, HIGH TIMBER FENCE ON HIGHSIDE OF THE BLOCK IS THE PRIMARY CAUSE OF OVERHADOWING ALONG WITH POOR ORIENTATION OF No.5 HENLEY AVE. TIMBER FENCE TO BE RETAINED OR REPLACED WITH NO INCREASE TO HEIGHT



B 5 Henley Ave 3pm Existing



A 5 Henley Ave 2pm Existing

PROPOSED 6 MEWS APARTMENTS

7-9 HENLEY AVENUE, WOLLONGONG

G. NIKOLOVSKI 012-007

WINTER SHADOW DIAGRAMS RELATING TO No.5 HENLEY AVE

DA-18 -2

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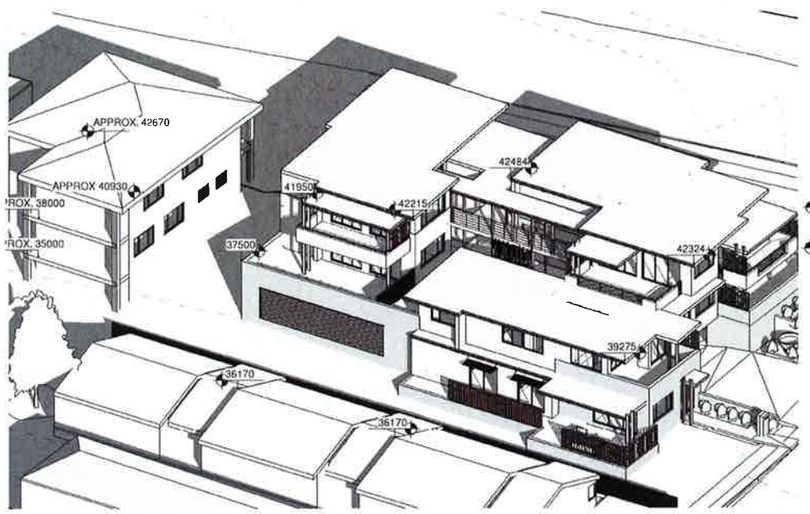
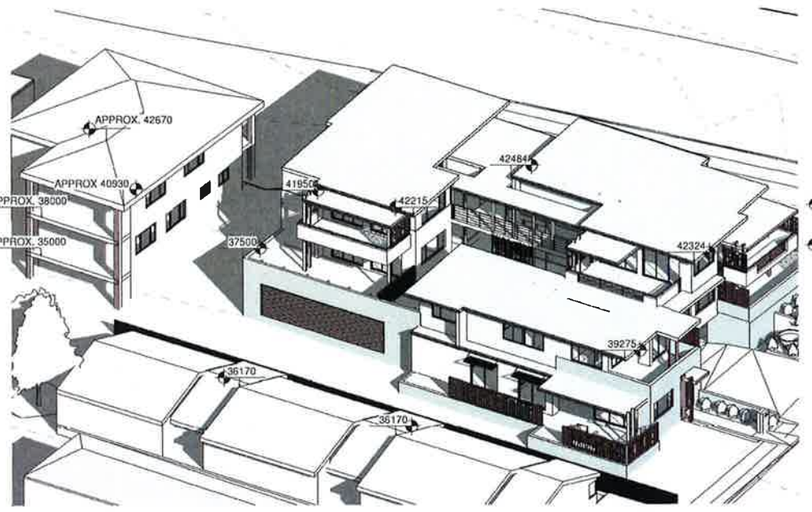


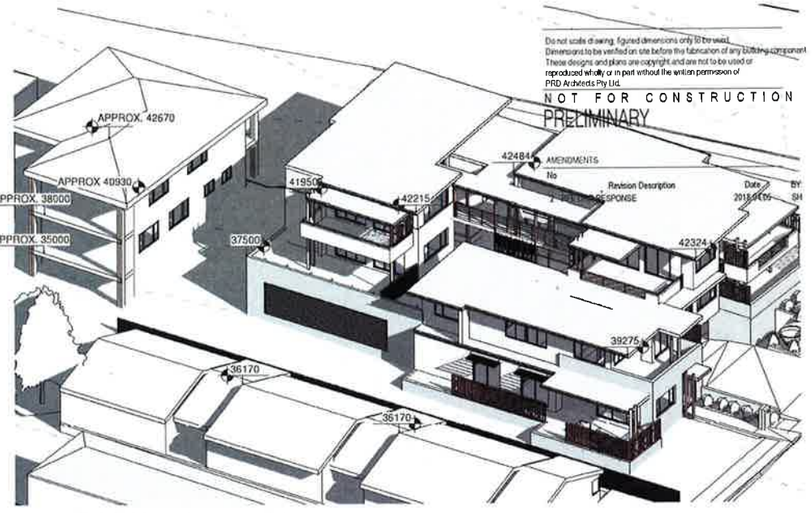
1 35 McKenzie Ave 9am

SOLAR ACCESS TO ALL LIVING AREA WINDOWS BETWEEN 9AM AND 12PM MINIMUM



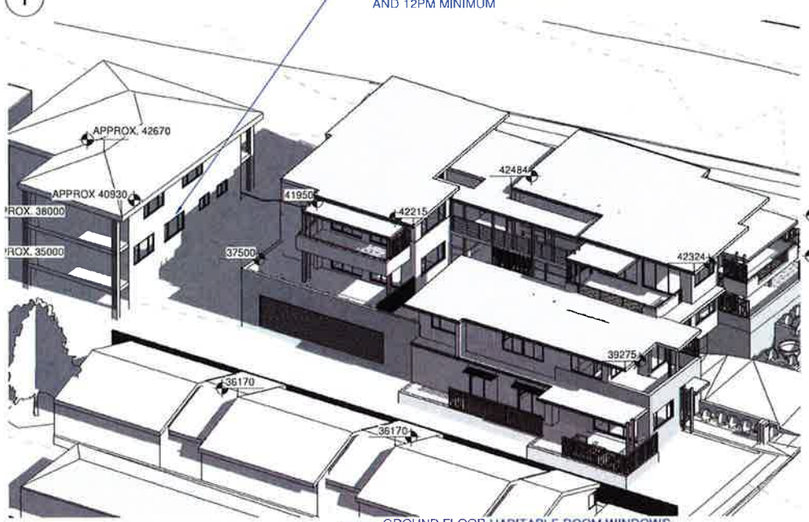
2 35 McKenzie Ave 10am

NO OVERSHADOWING OF BALCONIES AND PRIVATE OPEN SPACE, SHADOWS CREATED BY No.35'S OWN BUILT FORM.



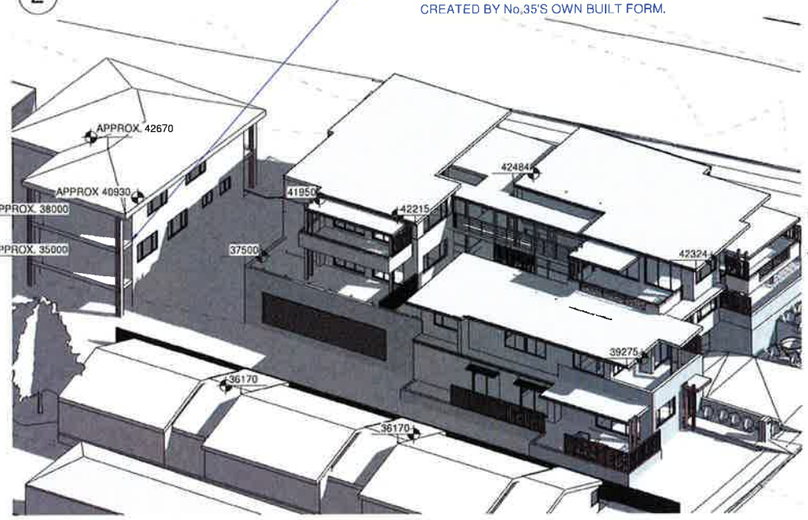
3 35 McKenzie Ave 11am

GARAGE WINDOWS

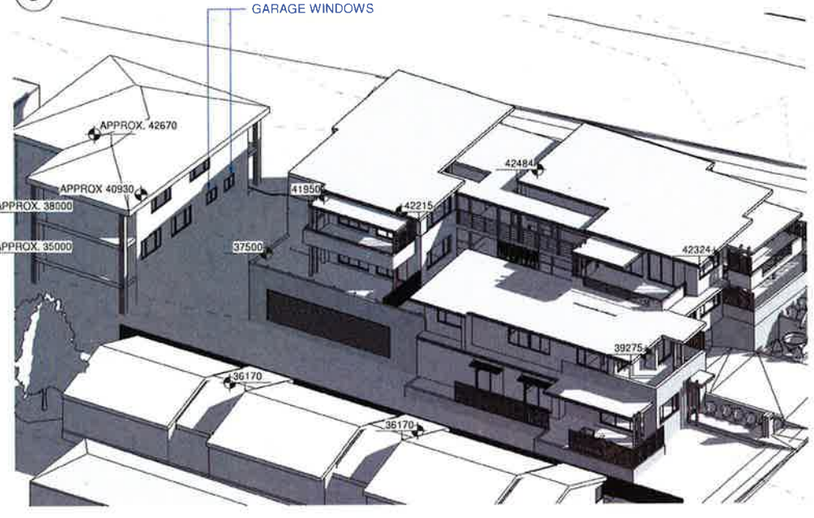


4 35 McKenzie Ave 12pm

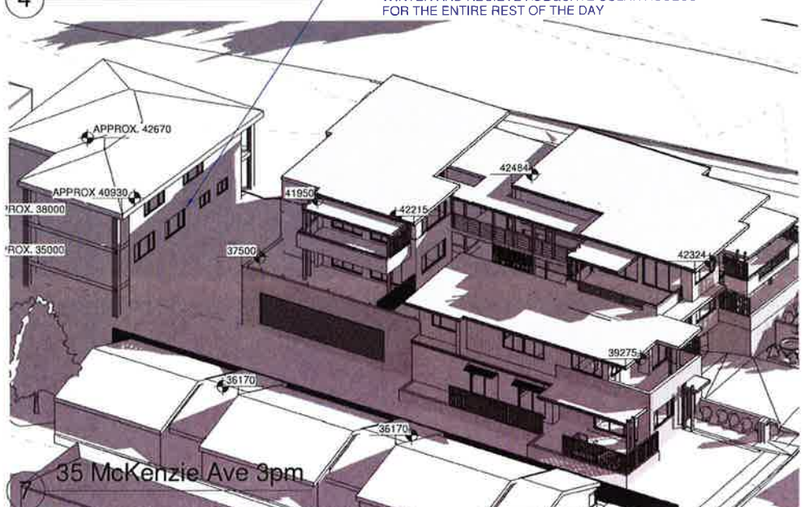
GROUND FLOOR HABITABLE ROOM WINDOWS ONLY OVERSHADOWED BETWEEN 2PM-3PM MID WINTER AND RECIEVE ADEQUATE SOLAR ACCESS FOR THE ENTIRE REST OF THE DAY



5 35 McKenzie Ave 1pm

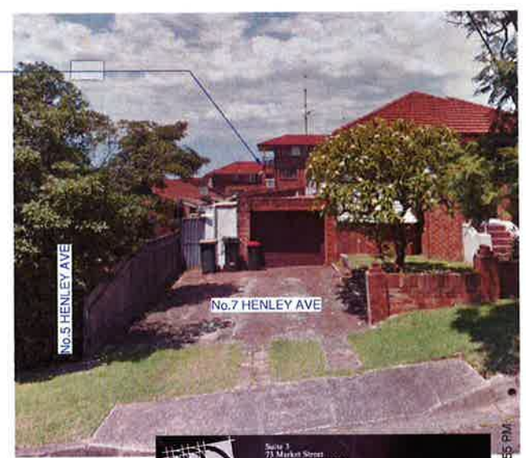


6 35 McKenzie Ave 2pm



7 35 McKenzie Ave 3pm

EXISTING BUILT FORM CLOSE TO BOUNDARY (APPROX 2.7M) AND SIMILAR HEIGHT TO PROPOSED DESIGN



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AMENDMENTS

No	Revision Description	Date	BY
1	RESPONSE	2018.05	SH

PROPOSED 6 MEWS APARTMENTS
7-9 HENLEY AVENUE, WOLLONGONG

WINTER SHADOW DIAGRAMS RELATING TO
No.35 McKENZIE AVE

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DA-19 -2

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Attachment 1 - Aerial photograph and Wollongong LEP 2009 zoning map

Figure 1 – 2018 Aerial photograph (source: Wollongong Council). The site is outlined by the red line.

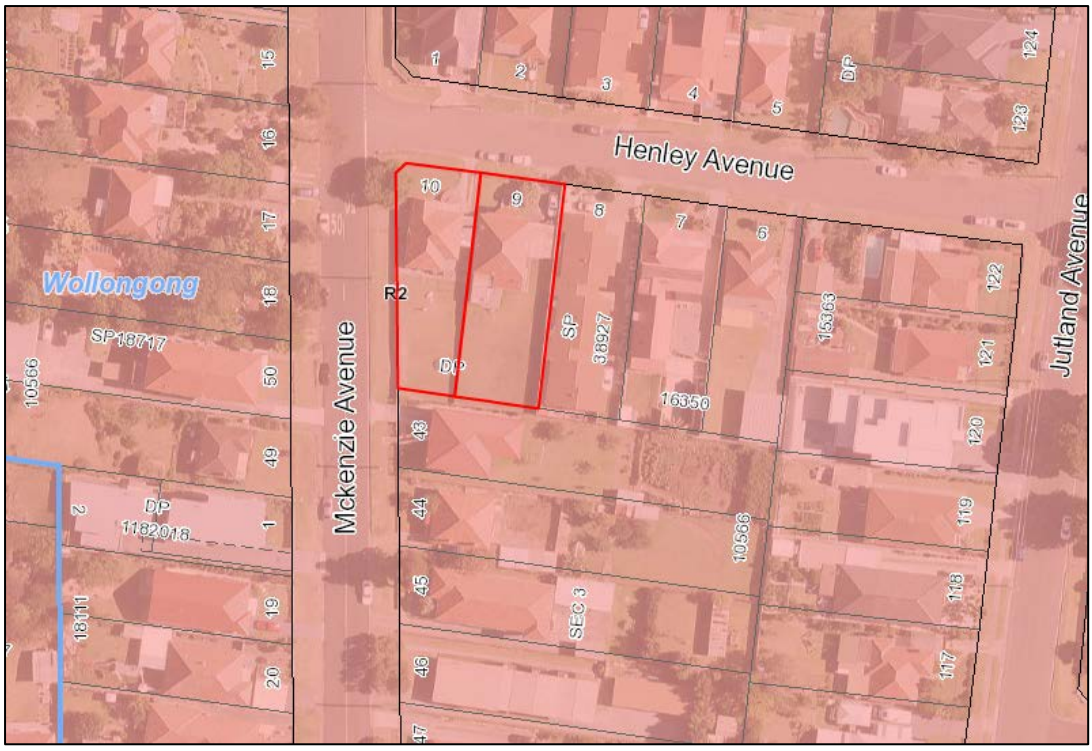

Figure 2 – Zoning Extract Wollongong LEP 2009

Wollongong Design Review Panel
Meeting minutes and recommendations DA-2017/791

Date	17 April 2018
Meeting location	Wollongong City Council Administration offices
Panel members	Brendan Randles
	David Jarvis
	Marc Deuschle
Apologies	Pier Panozzo - Manager City Centre & Major Development
Council staff	Theresa Whittaker - Senior Development Project Officer Parker Wai – Planning Intern
Guests/ representatives of the applicant	Applicant chose not to attend
Declarations of Interest	Nil
Item number	3
DA number	DA-2017/791
Reasons for consideration by DRP	Clause 28 SEPP 65 – Residential Flat Building
Determination pathway	Local Planning panel (IHAP) Section 4(b) of Schedule 2 of the Local Planning Panels Direction of 1 March 2018, as the Development is sensitive development.
Property address	7-9 Henley Avenue Wollongong
Proposal	Residential Flat Building
Applicant or applicant's representative address to the design review panel	
Background	The site was previously inspected by the Panel 25 July 2017
Design quality principals SEPP65	
Context and Neighbourhood Character	When this proposal was first presented, the Panel was greatly impressed by the site's elevated position and outlook. It was noted then that while the "site was reasonably well described" in the proposal (including street elevations and analysis plans), the analysis did not fully describe the local context, nor identify its outlook to ocean views and its outstanding potential. While the proposal competently handled slope and site issues, it did not appear to take full advantage of its context or to create amenable entry and open spaces or even optimize dwelling layouts to maximize views and internal amenity. Hence, alternative layouts were suggested to improve outlook, streetscape and amenity. The proponent has made minor additions to the site analysis and selectively responded to the Panel's comments. Slight amendments to the scheme have improved its relationship to adjoining buildings and the amenity of internal spaces, however the layout is very similar. Therefore, many of the amenity issues and limitations of the initial layout are still evident.
Built Form and Scale	As previously advised, the proposed layout results in a ponderous circulation space between apartments 3 and 4, which, with the suspended adjacent narrow communal open space – appears wasteful and lacking in amenity. While the proponent defends the common open space as "welcoming", it is very narrow and flanked by a bathroom and living room. The space between apartments 3

	and 4 also appears unnecessary; notably, the entry to apartment 4 is not even covered. With better design intent, this open space could be eliminated, the apartments compacted, bulk reduced and the communal courtyard significantly improved. The L shaped level 2 entry space / communal open space could be consolidated to provide a more generously proportioned rectangular courtyard, orientated towards the desirable eastern outlook. The eastern edge of this courtyard could be treated with soft landscaping to restrict pedestrian access, thus limiting potential privacy issues with the eastern neighbor. A screened staircase could provide access from the courtyard down to the area of open space located adjacent to the carpark (level 1). To achieve this goal, apartment 4 should be reconfigured. By reducing the side set back to 3m, bedrooms could be orientated north towards the street and a better proportioned courtyard created. Orientating more habitable rooms away from side boundaries would also reduce potential privacy issues, whilst remaining compliant with ADG set back requirements. Apartment 1 could be developed in a similar manner. Similarly, unit 6 could be substantially improved by transforming the unit 4 roof into a landscaped terrace - or at least, greatly reducing unit 4's width and better incorporating its roof into a refined built form, comprising a series of descending horizontal roof planes. As proposed however, the outlook from unit 6 living room is compromised by a large bulky roof and outlook from its bedrooms completely blocked by bathrooms. Unit 1 is similarly compromised by position and orientation. Therefore, further refinements should be considered to orientate this unit north towards the street.
Density	As noted previously, "while the proposal appears to comply with density requirements, the resultant layout, its stepping and its excessive circulation spaces limit outlook and unnecessarily increase bulk".
Sustainability	To meet Basix requirements.
Landscape	The landscape plans are poorly presented and do not appear to be fully representative of the current scheme nor coordinated well with the built form. Line work from the original survey (objects that are assumed to be removed) are still showing which make this a very difficult set of drawings to review. At the main pedestrian entry off McKenzie Avenue (and the landscape along McKenzie Avenue to either side of this entry), it is unclear how levels are resolved. The architectural plans show a currently non-existent footpath (the landscape plans do not) but it is unclear if this will be built, and by whom. This entry relies on a solid resolution to the levels within this space and although a section through the entry is provided, the rest of the landscape along this frontage is unresolved. The large walls and bowl planters proposed seem unnecessary and not in keeping with the surrounding neighbourhood. Additional stepped walls along the Henley Avenue frontage appear unnecessary in that the landscape

	could simply slope with the site. The entry courtyard between units 2 and 4 is poorly planned and again there are inconsistencies between the architectural and landscape plans. In both versions, COS is bounded by a bathroom and lounge rooms, with windows directly onto the space, and an adjacent balcony without any buffer. The landscape plan shows seating directly outside a bathroom window which raises serious privacy concerns. The landscape to the south and east of the built form, currently shown as buffer planting, appears to be accessible by a set of stepping stones off McKenzie Avenue but similar to the main entry it is unclear how the levels in this space work and where exactly this path goes. This significant area of landscape could better provide valuable communal open space opportunities rather than how it is currently conceived. Currently it appears to be an unresolved collection of trees with no thought to where windows are, how access works (even for maintenance) or how usable spaces could be created.
Amenity	Numerous amenity issues were identified in the previous scheme. While minor amendments have been made to address these concerns, the layout is essentially the same : - Apartment 1's position is unchanged; however, its layout allows outlook to the street and north. Further developments should seek to also re-orientate bed rooms to the north. - Apartment 4 living now faces street with balcony allowing expansive views; however, the entry court is wasteful and lacking in amenity. Further development should seek to provide a more appropriately proportioned entry court yard. - Apartment 6 bedrooms still face west; the applicant's claim that they activate the street is correct but given the outlook, would appear at odds with to typical design priorities - Apartment 6 living spaces now combined to achieve an acceptable size - outlook from apartment 6 is still compromised by expansive apartment 4 roof - Level 2 foyer is still excessive and ponderous; a more rational response to this space and its relationship with the entry courtyard could be developed to provide a more positive contribution to the quality of this development. - Level 2 garden area is still limited in amenity. Further design development could improve the proportions of this space and provide a direct connection to the level 1 landscaped area is recommended. - These courtyard and entry spaces contribute to building bulk and adversely impact on the proposal's built form. If this strategy is to be accepted as a reasonable response to this site, it must be developed to provide much better amenity. - Gardens adjacent to Apartment 3 and 4 are overshadowed and limited in amenity

	In addition : - apartments 1, 2, 5 and 6 have no defined entry space - apartments 3 and 4 have no defined entry space and entry 4 has no covered porch - Access (compliant with the requirements of AS1428.1) must be provided from the carpark to unit 1(adaptable unit). Space is required when approaching the front door and barrier free access is required into the laundry.
Safety	The under croft parking area still appears to be open for a great deal of its length; this is potentially unsafe.
Housing Diversity and Social Interaction	Acceptable
Aesthetics	The “strong masonry base” previously suggested by the panel is not legible in the expression of the current proposal; it could be improved if the dominance of the high feature fencing were to be reduced, if it were to continue along the east elevation (incorporating unit 1) and designed as a “garden wall” with landscape. Nor are the roofs lightened as suggested, or “regularly structured, glazed, screened and with a lean to roof”. The elevations would be improved with greater regularity and consistency, less material changes and consistent roof lines.
Recommendations	The panel remain of the opinion that the currently proposed development strategy for this site does not maximise the opportunities of the site. Units with better amenity could be developed with an alternative site layout as outlined in the panels previous comments. However, further development of the current proposal could improve the proposal’s amenity and relationship with the immediate context of the site: - Reconfiguration of entry court yard - Connection to level 1 open space - Detail treatment of landscaped spaces - Re-orientation of unit 1 and 4 bed rooms - Further development of apartment 6 roof terrace - Development of unit plans to provide clearly defined entrances - Further refinement of the building aesthetic The Panel do hope that the advice provided can be incorporated into the current design to optimize its built form, streetscape, internal and external amenity and aesthetics. It is not necessary to see the proposal again.

Attachment 4 - Apartment Design Guide Assessment

Standards/controls	*Comment*	*Compliance*
Part 1 – Identifying the context		
1A Apartment building types	The proposal is an RFB that does not specifically reflect any of the apartment building type examples provided in the ADG.	
1B Local character and context This guideline outlines how to define the setting and scale of a development, and involves consideration of the desired future character, common settings and the range of scales.	The strategic local character and future desired character of the site is set by Wollongong LEP 2009, R2 Low Density Residential zone and Chapter B1 of Wollongong DCP 2009. Both LEP and DCP clauses are assessed in detail at **Sections 2.1.5** and **2.3.1** of the assessment report.	
1C Precincts and individual sites Individual sites: New development on individual sites within an established area should carefully respond to neighbouring development, and also address the desired future character at the neighbourhood and street scales. Planning and design considerations for managing this include:		
- Site amalgamation where appropriate	The site comprises 2 allotments which are to be consolidated.	
- Corner site and sites with multiple frontages can be more efficient than sites with single frontages	The site is a corner allotment with frontages to Henley Avenue and McKenzie Avenue.	
- Ensure the development potential for adjacent sites is retained - Avoid isolated sites that are unable to realise the development potential.	The development is not expected to create an isolated allotment or have an impact on the development potential of the adjacent sites.	
Part 2 – Developing the controls		N/A
These guidelines include tools to support the strategic planning process when preparing planning controls, and aren't relevant to the development assessment of individual proposals.	Strategic planning tool intent noted.	

Standards/controls	*Comment*	*Compliance*
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.	Site analysis plans provided with the DA material. DRP have advised that insufficient consideration appears to have been given to the context of the site in arriving at the design response proposed	No
3B Orientation		Yes
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 faces and addresses both street frontages and the units are oriented towards the east and north to take advantage of distant ocean views. Development offers some opportunities for casual surveillance of the street. Units 1, 3, 4 and 6 have a northern orientation. Most units have been reasonably well designed with regard to solar access and cross ventilation. Primary pedestrian entry is reasonably legible however there are problems with resolving levels from the McKenzie Avenue footpath into the site. The scale of the building does not respond to the desired future character sought to be achieved in the precinct as defined by the planning controls (bulk, height in terms of number of storeys, and to a lesser degree building setbacks). The strategic local character and future desired character of the site is set by Wollongong LEP 2009 (R2 zone) and Chapter B1 of Wollongong DCP 2009. Both LEP and DCP clauses are assessed in detail in the assessment report. Council's Landscape Architect and the DRP have raised concerns in regard to the	

Standards/controls	*Comment*	*Compliance*
	landscaping scheme.	
<u>*Objective 3B-2*</u> *Overshadowing of neighbouring properties is minimised during mid- winter* <u>Design Guidance</u> - Overshadowing should be minimised to the south or down hill 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	The shadow diagrams suggest significant overshadowing of the neighbouring residential buildings to south and east however the applicant has provided hourly shadow diagrams and sections which indicate that overshadowing of the properties immediately adjacent to the site will be within reasonable limits. Refer to Attachment 1.	Yes
<u>3C Public domain interface</u> 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		No
<u>*Objective 3C-1:*</u> *Transition between private and public domain is achieved without compromising safety and security* <u>Design Guidance</u> - 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 eg seating at building entries, near letterboxes etc	Separate street entry available to ground floor unit from Henley Avenue. Elevated courtyards adjacent to the street frontages are fenced for privacy however there remain some opportunities for surveillance of the street/ footpath. Combined pedestrian entry to other units from McKenzie Avenue frontage though practically most units will achieve access via the lift from the car parking level; the level change across the footpath and into the pedestrian entry remains unresolved. Security devices provided; security gate at main entry. High walls and fences to parts of the perimeter of the site.	
<u>*Objective 3C-2:*</u>		

Standards/controls	*Comment*	*Compliance*
Amenity of the public domain is retained and enhanced <u>Design Guidance</u> - Planting softens the edges of any raised terraces to the street (eg 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.	Enclosed foyer/ entry courtyard at the first floor combined with the landscaped courtyard Landscape plan provides for some planting to the perimeter of the raised terraces Letter box integrated into front wall adjacent to main pedestrian entry off McKenzie Avenue. Garbage storage areas and storage accommodated within the basement/ car park	
<u>3D Communal and public open space</u> *<u>Objective 3D-1</u>* *An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping* <u>Design Criteria</u> 1.Communal open space has a minimum area of 25% of the site area 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. *<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>	The development does not make any provision for communal open space. Chapter B1 of Wollongong DCP 2009 excludes the requirement for communal open space in the case of developments featuring 10 or less dwellings, the ADG (which prevails over the DCP) does not remove this requirement for smaller scale apartment developments.	No

Standards/controls	*Comment*	*Compliance*
- Facilities to be provided in communal open spaces for a range of age groups, and may incorporate seating, barbeque areas, play equipment, swimming pools *Objective 3D-3* *Communal open space is designed to maximise safety* Design guidance - Communal open space should be visible from habitable rooms and POS areas and should be well lit.		
3E Deep soil zones *Objective 3E-1* *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.	DSZ proposed. Site area 1353.2sqm; minimum required dimension 3m and minimum area 7% of site area = 94.724sqm Proposed deep soil zone provided to the east and south of the building – area is approx 253.4sqm based on plans. The landscape plan makes provision for moderately dense tree and shrub planting in the DSZ.	Yes
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:	The ADG requires a minimum separation distance of 6m from buildings to the side and rear boundaries for habitable rooms and	**No** Non-compliance to Unit 1

Standards/controls	*Comment*	*Compliance*
	balconies, and a minimum of 3m for non-habitable rooms. Apartment 1 setback to eastern boundary is 5.2m; 2.0m to terrace area. All other units comply **<u>Levels ground - L3</u>** <u>East (side)</u> • **L1 Unit 1 - min 5.2m to east facing windows; 2.0m to POS (6m required)** • L2: 6.050m to Unit 4 windows and balcony (6m required). • L2: 6m to balcony of Unit 2 • L3: 7.87m to balcony of Unit 5 and 12.110m to balcony to Unit 6 (6m required). <u>West (rear)</u> L1, 2, 3: 6.060m to rear wall	

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

<u>Objective 3F-2:</u>

Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space

<u>Design Guidance</u>

- Communal open space, common areas and access paths should be separated from private open space and windows to apartments. Design solutions include:
  - Setbacks,
  - Solid or partly solid balustrades to balconies
  - Fencing or vegetation to separate spaces
  - Screening devices
  - Raising apartments/private open space above the public domain
  - Planter boxes incorporated into walls and balustrades to increase visual separation
  - Pergolas or shading devices to limit overlooking
  - Only on constrained sites where it's demonstrated that building layout opportunities are limited – fixed

Standards/controls	*Comment*	*Compliance*
louvres or screen panels - Windows should be offset from the windows of adjoining buildings		
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. - Buildings entries should be clearly identifiable and communal entries should be clearly distinguishable from private entries. *Objective 3G-2* *Access, entries and pathways are accessible and easy to identify* Design Guidance - 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. *Objective 3G-3* *Large sites provide pedestrian links for access to streets and connection to destinations*	Single entry proposed to each frontage; single separate entry to Unit 1 available from Henley Avenue; common pedestrian entry proposed to McKenzie Avenue frontage for units 2 – 6. Entries are readily identifiable on the street frontages. Council's Landscape Architect and the DRP have raised concerns in regards to the lack of resolution of levels across the footpath from McKenzie Avenue; difficult uneven footpath and cross-slope from kerb into the site. Ground floor level is accessible from the Henley Avenue frontage via path and driveway. Lift and stair access is provided to all dwellings from the basement and ground floor level. Access points are visible. No through-site link required.	Yes and no
3H Vehicle access *Objective 3H-1* *Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes* Design Guidance - Car park 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.	Proposed car park entry/ garage shutter is behind the building line. Headlight glare is not expected to be an issue from the driveway but headlight glare will potentially impact on the neighbouring units to the east via the openings on the eastern side of the car park. Proposed driveway location removed from the nearest intersection and position retains	Yes

Standards/controls	*Comment*	*Compliance*
- Where possible, vehicle access points should not dominate the streetscape and be limited to the minimum width possible.	opportunities for landscaping of the frontage. Garbage storage within the basement with bins to be collected from the street. Roller shutters proposed within the building. Driveway and vehicular entry width is acceptable.	
3J Bicycle and car parking		Yes and no
Objective 3J-2 *Parking and facilities are provided for other modes of transport* Design Guidance - Conveniently located and sufficient numbers of parking spaces should be provided for motorbikes and scooters - Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas.	Site is not within 800m of railway station, or near B3/ B4 zones, therefore DCP car parking rates apply. Adequate vehicle parking provided; adequate motor bike and bicycle parking provided as per DCP rates. Parking to be provided within the basement car park. Insufficient resident bicycle security arrangements are proposed.	
Objective 3J-3 *Car park design and access is safe and secure* Design Guidance - 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 adequately located. Basement layout is generally appropriate with regard to safety and security. Roller shutter proposed within the basement. If approved, it is recommended that proposed any roller shutters be permeable to improve ventilation. Natural basement ventilation available via the openings on the eastern wall of the car park however there are concerns raised in regards to headlight glare and noise impacts arising from openings.	
Objective 3J-4 *Visual and environmental impact of underground car parking are minimised* Design Guidance - 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	As discussed within the body of the report, the basement/ car park protrudes well out of the ground; walls are setback from boundaries and there is landscaping proposed to screen walls to reduce impact. Position of Unit 1 will reduce visibility of the car park from the street frontage.	

Standards/controls	*Comment*	*Compliance*
areas. - Ventilation grills or screening devices should be integrated into the façade and landscape design. <u>*Objective 3J-5*</u> *Visual and environmental impact of on-grade car parking are minimised* <u>Design Guidance</u> - 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	Parking is partially on-grade, concealed within the building.	
Part 4 – Designing the building - Amenity **<u>4A Solar and daylight access</u>** <u>*Objective 4A-1*</u> *To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space* <u>Design Criteria</u> 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 <u>Design Guidance</u> - The design maximises north aspect and the	It appears based on the plans that at least 80% of the units can achieve appropriate solar access (living rooms and private open spaces receive a minimum of 2 hours sunlight between 9am-3pm mid-Winter.)	Yes

Standards/controls	*Comment*	*Compliance*
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, 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.	There are no single aspect south-facing units; floor plates are designed with most units positioned with aspects to the east and north to maximise access to ocean views and solar orientation.	
<u>*Objective 4A-2*</u> *Daylight access is maximised where sunlight is limited* <u>Design Guidance</u> - Courtyards, skylights and high level windows (sill heights of 1500m or greater) are used only as secondary light sources in habitable rooms	Sunlight is not limited in this instance.	
<u>*Objective 4A-3*</u> *Design incorporates shading and glare control, particularly for warmer months* <u>Design Guidance</u> Design features can include: - Balconies - Shading devices or planting - Operable shading - High performance glass that minimises external glare	No concerns are raised with regard to thermal comfort, heat gain, glare control on the western elevation; shade awnings proposed to windows.	
<u>4B Natural ventilation</u> <u>*Objective 4B-1*</u> *All habitable rooms are naturally ventilated.* <u>Design Guidance</u> - 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	The units have been designed to achieve cross ventilation. Habitable rooms are all naturally ventilated.	Yes

Standards/controls	*Comment*	*Compliance*
ventilation. *Objective 4B-2* *The layout and design of single aspect apartments maximises natural ventilation* Design Guidance - Single aspect apartments should use design solutions to maximise natural ventilation. *Objective 4B-3* *The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents* Design Criteria: 1. 60% of apartments are naturally cross ventilated in the first nine storeys 2. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	There are no single-aspect units. All units are cross-through apartments and are naturally cross ventilated	
4C Ceiling heights *Objective 4C-1* *Ceiling height achieves sufficient natural ventilation and daylight access* Design Criteria 1. Minimum 2.7m for habitable rooms and 2.4m for non-habitable rooms *Objective 4C-2* *Ceiling height increases the sense of space in apartments and provides for well-proportioned rooms* *Objective 4C-3* *Ceiling height contribute to the flexibility of building use over the life of the building* Design Guidance - Ceiling heights of lower level apartments in centres should be greater than the minimum required by the design criteria allowing flexibility and conversion to non-residential uses.	Minimum ceiling height of 2.7m proposed to habitable (all) rooms.	Yes
4D Apartment size and layout *Objective 4D-1* *The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity*	Apartment size and layout is generally functional. Some concerns have been raised by the DRP in regards to the lack of proper	Yes

Standards/controls	*Comment*	*Compliance*
Design Criteria: 1. Minimum internal areas: 2 bed – 70m^2 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.	entry spaces inside the front door of some of the units; giving rise to concerns around lack of privacy to units. All units achieve compliance with the minimum internal areas specified.	
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	All habitable rooms have adequate windows.	
Objective 4D-2 *Environmental performance of the apartment is maximised* Design Criteria: 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.	Habitable room depths comply.	
Design Guidance: - 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.	2.7m ceiling heights proposed. Living spaces are oriented towards the east and north to take advantage of outlook/ solar access.	
Objective 4D-3 *Apartment layouts are designed to accommodate a variety of household activities and needs* Design Criteria: Master bedrooms have a minimum area of 10m^2 and other bedrooms 9m^2 (excl wardrobe space) 1. Bedrooms have minimum dimension of 3m (excl wardrobe) 2. Living rooms have minimum width of:	Bedroom and living room dimensions are adequate.	

Standards/controls	*Comment*	*Compliance*
- 3.6m for studio and 1 bed apartments and - 4m for 2+ beds. 3. The width of the crossover or cross through apartments are at least 4m internally to avoid deep narrow apartment layouts. <u>Design Guidance:</u> - Access to bedrooms, bathrooms and laundries is separated from living areas - Minimum 1.5m length for bedroom wardrobes - Main bedroom apartment: minimum 1.8m long x 0.6m deep x 2.1m high wardrobe - Apartment layouts allow for flexibility over time, including furniture removal, spaces for a range of activities and privacy levels within the apartments.		
<u>4E Private open space and balconies</u> <u>*Objective 4E-1*</u> *Apartments provide appropriately sized private open space and balconies to enhance residential amenity* 1. Minimum balcony depths are: 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 <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	Unit 1 has a ground floor terrace, albeit raised. All other units have a balcony which appear to achieve the minimum requirements. Unit 1 POS at ground level – main courtyard area is approx. 28sqm. POS of all units are located adjoining and accessible from living/dining areas. Adequate solar access appears to be available to the private open space areas.	Yes

Dwelling type	Minimum area	Minimum depth
Studio apartments	4m^2	-
1 bedroom apartments	8m^2	2m
2 bedroom apartments	10m^2	2m
3+ bedroom apartments	12m^2	2.4m

Standards/controls	*Comment*	*Compliance*
the longer side facing outwards to optimise daylight access into adjacent rooms. *Objective 4E-3* *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.	Balconies designed to articulate the façade. A variety of materials are proposed, including short solid upturns, steel wire railing and aluminium privacy screens. No concerns are raised in regards to safety of the balcony areas	
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. *Objective 4F-2*	The DRP has raised concerns in regards to the amenity of the central circulation/ access courtyard in terms of noise transmission into units, acoustic privacy loss and consider it to be wasteful and lacking in amenity; DRP considers that it contributes unnecessary bulk to the development. Only 6 apartments in total; serviced by 1 lift. The circulation core is open in part – ready access to natural light and ventilation The DRP noted that Apartments 1, 2, 5 and 6 have no defined entry space while Apartments 3 and 4 have no defined entry space and entry 4 has no covered porch Concerns around acoustic privacy impacts from open courtyard/ circulation core – some units feature openings onto the common circulation space.	Yes and no

Standards/controls	*Comment*	*Compliance*
Common circulation spaces promote safety and provide for social interaction between residents Design Guidance: - Incidental spaces can be used to provide seating opportunities for residents, and promotes opportunities for social interaction.	Space for seating opportunities available within the foyer. Some opportunities for social interaction on the ground floor within the open courtyard. 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 | Dwelling type	Storage size volume | |---|---| | Studio apartments | 4m³ | | 1 bedroom apartments | 6m³ | | 2 bedroom apartments | 8m³ | | 3+ bedroom apartments | 10m³ | At least 50% of the required storage is to be located within the apartment *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.	Sufficient storage proposed to be provided in the basement and within cupboards internal to the units. Individual storage lockers are proposed within the basement level. Additional storage also provided for internal to units. Overall quantum of storage provision is compliant. It is recommended that a condition be imposed to ensure apartment dedication occurs to the residential storage lockers.	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 3F above). - Noisy areas within buildings should be located next to or above each other and quieter areas next to or above quieter	Insufficient building separation proposed to eastern boundary to Unit 1. Privacy screen/ fencing may however reduce noise transmission. Noise from open car park on southern and	**No**

Standards/controls	*Comment*	*Compliance*
areas. - 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. <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.	eastern side may be adverse. No sources of unreasonable external noise intrusion. There will be noise transfer from the common courtyard/ circulation core to the units via openable windows and potential loss of acoustic privacy. Internal layout generally provides for appropriate internal acoustic amenity within individual units. Acoustic seals and the like will be required to provide for appropriate internal acoustic amenity and privacy.	
<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.	The site is not considered to be located within a noisy or hostile environment.	Yes
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>	6 units only proposed; units are all 2 – 3	Acceptable mix proposed

Standards/controls	*Comment*	*Compliance*
- A variety of apartment types is provided - 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	bedroom 1 adaptable and no livable units are proposed. Some flexibility in apartment configurations proposed; 2 bedroom units also feature studies which are capable of adaptation to a third bedroom.	
<u>4L Ground floor apartments</u> <u>*Objective 4L-1*</u> *Street frontage activity is maximised where ground floor apartments are located* <u>Design guidance</u> - 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 <u>*Objective 4L-2*</u> *Design of ground floor apartments delivers amenity and safety for residents* <u>Design guidance</u> - 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)	1 ground floor apartment; this will have separate access from Henley Avenue as well as access via the car park. Fencing delineates the private domain as separate from the public footpath and provides privacy to the ground floor courtyard. Privacy screen proposed to ground floor unit terrace area.	Yes

Standards/controls	*Comment*	*Compliance*
• 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		
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, 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.	Refer to lengthy discussion around this issue in the body of the report and the DRP notes at Attachment 3.	No
Objective 4M-2 *Building functions are expressed by the facade* Design guidance - Building entries should be clearly defined	Building functions are expressed by façade. Building entries reasonably well defined	
4N Roof design *Objective 4N-1* *Roof treatments are integrated into the building design and positively respond to street*		

Standards/controls	*Comment*	*Compliance*
Design guidance - Roof design should use materials and a pitched form complementary to the building and adjacent buildings. *Objective 4N-2* *Opportunities to use roof space for residential accommodation and open space are maximised* Design guidance - Habitable roof space should be provided with good levels of amenity. - Open space is provided on roof tops subject to acceptable visual and acoustic privacy, comfort levels, safety and security considerations *Objective 4N-3* *Roof design incorporates sustainability features* Design guidance - Roof design maximises solar access to apartments during winter and provides shade during summer	DRP raised some concerns in relation to the roof forms in terms of outlook from units. No roof top services are indicated on the plans though conditions should be imposed in relation to this issue if the application is approved.	
4O Landscape design *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 unsatisfactory; does not satisfy relevant provisions and is unsatisfactory to Council's Landscape Section and the DRP.	**No**
4P Planting on Structures *Objective 4P-1*	Concerns are raised in regards to landscape	Yes

Standards/controls	*Comment*	*Compliance*
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 • wall design that incorporates planting • green roofs, particularly where roofs are visible from the public domain • planter boxes	plan generally, not specifically in relation to planting on structure.	
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 *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 universal apartment proposed. 1 adaptable unit proposed. Applicant has provided an access report verifying that the adaptable unit can achieve	**No**

Standards/controls	*Comment*	*Compliance*
Objective 4Q-3 *Apartment layouts are flexible and accommodate a range of lifestyle needs* Design guidance - Apartment design incorporates flexible design solutions	compliance with the relevant Australian standard. There are no units proposed capable of providing compliance with the features of Silver level of Livable Housing Guidelines.	
4S Mixed use *Objective 4S-1* *Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement* Design guidance - Mixed use development should be concentrated around public transport and centres - Mixed use developments positively contribute to the public domain. *Objective 4S-2* *Residential levels of the building are integrated within the development, and safety and amenity is maximised for residents* Design guidance - Residential circulation areas should be clearly defined. - Landscaped communal open space should be provided at podium or roof levels	N/A; residential only	N/A
4T Awnings and signage *Objective 4T-1* *Awnings are well located and complement and integrate with the building design* Design guidance - Awnings should be located along streets with high pedestrian activity and active frontages *Objective 4T-2* *Signage responds to the context and desired streetscape character* Design guidance - Signage should be integrated into the building design and respond to the scale, proportion and detailing of the	N/A	N/A

Standards/controls	*Comment*	*Compliance*
development		
Part 4 – Designing the building - Configuration		
4U Energy efficiency		Yes and no
Objective 4U-1		
Development incorporates passive environmental design Design guidance - Adequate natural light is provided to habitable rooms (see 4A Solar and daylight access)	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. Adequate natural light will be provided to all habitable rooms. Further addressed above at 4A.	
Objective 4U-2 *Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer* Design Guidance - Provision of consolidated heating and cooling infrastructure should be located in a centralised location	Heat gain for west facing windows has been addressed. There are no concerns around thermal comfort and building efficiency. Cross ventilation available to all units will reduce reliance on mechanical ventilation Plant room located within the basement.	
Objective 4U-3 *Adequate natural ventilation minimises the need for mechanical ventilation*	Adequate natural ventilation available to units.	
4V Water management and conservation		Yes
Objective 4V-1 *Potable water use is minimised*	The applicant has obtained a BASIX certificate which 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).	
Objective 4V-2 *Urban stormwater is treated on site before being discharged to receiving waters* Design guidance - Water sensitive urban design systems are designed by a suitably qualified professional	The stormwater design is satisfactory; no flood mitigation required as the site is not flood affected.	
Objective 4V-3 *Flood management systems are integrated into*		

Standards/controls	*Comment*	*Compliance*
site design Design guidance - Detention tanks should be located under paved areas, driveways or in basement car parks		
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. On-street collection is proposed which is satisfactory in this location. Waste will be transported to the garbage room manually. A single waste storage room is proposed with on-street collection proposed Bulky waste room proposed within basement	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*	No concerns raised in regards to materials or ongoing maintenance. Most windows can be accessed from balconies or terraces for ease of cleaning.	Yes

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

Attachment 5 - Wollongong Development Control Plan (DCP) 2009 Assessment

CHAPTER B1 – RESIDENTIAL DEVELOPMENT

4.0 General Residential controls

Controls/objectives	*Comment*	*Compliance*
Clause 4.1 Maximum Number of Storeys • R2 max height of 9m or two storey • R3 max height of 13m or 3 storeys • Battle axe allotments - 1 storey • Ancillary structures – 1 storey • Built form that has a positive impact on the visual amenity of the area and addresses site constraints and overlooking of neighbouring properties • In R2 Low Density Residential zones, where development occurs within the 8m rear setback the development is limited to single storey	The proposed development is 3 storeys in part and reads as a 3 storey building from the north and east; there are concerns around the appropriateness of this scale in the context given the prevailing single and 2 storey character of development	**No**

Part 6 - Residential flat buildings

Controls/objectives	Comment	Compliance
6.2 Minimum Site Width Requirement • minimum site width of 24 metres is required for residential apartment buildings; width must be measured for the full length of the building envelope and perpendicular to the side boundary.	Northern frontage width – 29.865m Southern boundary length – 27.255m	Yes
6.3 Front Setbacks (a) The same distance as one or other of the adjoining buildings, provided the difference between the setbacks of the two adjoining dwellings is less than 2.0m. (b) The average of the setbacks of the two adjoining buildings, if the difference between the setbacks of the buildings is greater than 2.0m. (c) A minimum front setback of 6m applies to residential apartment buildings where calculations of a) or b) result in a front setback of less than 6m. 2. On corner allotments, a minimum setback of 3m to the secondary street frontage from the dwelling façade must be provided. 3. Balconies, front courtyard fences and other building extrusions may be setback up	Site is a corner allotment – McKenzie Avenue min front setback 3.01m; Henley Avenue 6.145m	Yes

to 900mm closer than the required front or secondary setback.		
6.4 Side and Rear Setbacks / Building Separation	Southern rear setback – 6.028m; Eastern side setback – 4.95m. The proposed eastern side setbacks do not provide for the minimum requirement of 6m setback to the eastern boundary.	**No**
6.5 Built Form • All RFBs must be designed by a qualified designer; a Design Verification Statement must accompany the DA • The design, height and siting of the development must respond to its 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. This character is created by elements such as building height, setbacks, architectural style, window treatment and placement, materials and landscaping.	Development has been designed and verified by a registered architect as per the requirements of SEPP 65. DRP meeting minutes attached and discussion in relation to character and neighbourhood context, built form in the body of the report	**No**
6.6 Visual privacy	Refer to ADG Assessment; ADG prevails	N/A
6.7 Acoustic privacy	Concerns are raised in regards to (a) noise transmission from the car park given the openings on the eastern and southern walls of the car park; (b) noise transmission from central courtyard into openable windows of units and to neighbours to the east	**No**
6.8 Car Parking Requirements	Refer to Chapter E3 discussion; some unresolved issues regarding manoeuvring and bicycle parking	**No**
6.9 Basement Car Parking • The roof any of basement podium, measured to the top of any solid wall located on the podium must not be greater than 1.2 metres above natural or finished ground level, when	The site has a considerable cross slope from west to east. The roof of the basement podium extends more than 1.2m above ground level for part of the length of the building. The setback to the car park is 6m to the eastern side	Yes but could be improved

measured at any point on the outside walls of the building. • In addition, the following must be satisfied: o Landscaped terraces are provided in front of the basement podium to reduce the overall visual impact; o The height of the basement does not result in the building having a bulk and scale which dominates the streetscape; and o The main pedestrian entry to the building is identifiable and readily accessible from the street frontage, including access by disabled persons • The following setbacks from side and rear boundaries apply to basement podiums: a) Where the height of the basement podium (measured to the top of any solid wall located on the podium) is less than 1.2m above natural or finished ground level (whichever distance is greater), the basement podium may extend to the property boundary. A minimum 1.5m wide landscaped planter must be provided on the perimeter of any section of the basement podium which is located on a side or rear property boundary. Such planter must prevent direct access to the outer edge of the podium, to minimise direct overlooking of adjacent dwellings and open space areas b) Any portion of the basement (measured to the top of any solid wall located on the podium) which exceeds 1.2m above natural or finished ground level (whichever distance is greater) must be setback from the property boundaries by a ratio of 1:1 (height setback). A minimum setback of 1.5m applies in this instance, with this area to be landscaped. • The visual impact of all basement walls must be minimised through the use of various design techniques including well-proportioned ground level articulation and relief, mixed finished and materials, terracing and/or dense	boundary and the plans make provision for a deep soil zone in this setback. From the street, the car park will not be readily perceptible as it is sited behind Unit 1 which provides for an active street frontage comprising an entry doorway and front living room windows. The height of the basement podium in part elevates the first floor of the development resulting in podium walls inside the northern and western boundaries of the site integrated into the retaining walls and fences. The landscape plan provides for landscaping adjacent to the podium walls which will reduce its impact on the streetscape. The height and overall scale of the development could potentially be reduced if the basement/ car park were lowered somewhat. This would improve the level transitions also within the site; the current scheme results in the driveway being elevated above ground level.	

landscaping.		
6.10 Access Requirements	Vehicular access arrangements comply with applicable standards.	Yes
6.11 Landscaping Requirements • A minimum of 30% of the total site area must be provided as landscaped area. • The required landscaped area must include a minimum 1.5 metre wide landscaping bed along the side and rear boundaries of the site	There are numerous problems with the landscape plan – refer to discussion within the body of the report	**No**
6.12 Deep Soil Zone • A minimum of half of the landscaped area (i.e. 15% of the site) must be provided as a deep soil zone, where the deep soil zone is not located at the rear of the site. • The deep soil zone may be located in any position on the site; subject to this area having a minimum dimension of 6m. • Alternatively, the deep soil may extend along the full length of the rear of the site, with a minimum width of 6m. The area of deep soil planting must be contiguous. • No structures are permitted within the deep soil zone. • deep soil zone must be densely planted with trees and shrubs. • Where a residential apartment building is to be strata titled, the deep soil zone must be retained in the common property and be managed by the body corporate.	Sufficient deep soil zone proposed	Yes
6.13 Communal Open Space • Developments of more than 10 units must incorporate communal open space; min rate of 5m2 per dwelling.	No COS provided; not required by the DCP for RFBs with less than 10 dwellings	N/A
6.14 Private Open Space	Refer to ADG assessment; ADG prevails	N/A
6.15 Adaptable and Universally Designed Housing • Within a residential apartment building, 10% of all dwellings (at least 1 dwelling) must be capable of adaptation for	1 adaptable unit proposed with associated carparking; access report supplied.	Yes

disabled / elderly residents. Dwellings must be designed in accordance with the Australian Adaptable Housing Standard (AS 4299-1995). • Adaptable dwellings shall be located on the ground floor where possible		
• Within a residential apartment building incorporating more than six (6) dwellings, 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). All proposed livable dwellings must be clearly identified on the submitted DA plans.	No 'livable dwellings' identified on the plans [Silver Standards of the Livable Housing Design Guideline, 2015].	**No**
6.16 Access for People with a Disability		
• The provision of continuous path of travel is required to the development to ensure equitable access for all people including people with a disability	Access available via the lift	Yes
6.17 Apartment Size and Layout Mix for Larger Residential Flat Building Developments • For residential apartment buildings having ten (10) or more dwellings, a minimum of 10% of the apartments must be one bedroom and/or studio apartments, to provide for housing choice.	Refer to ADG assessment; ADG prevails	N/A
6.18 Solar Access	Refer to ADG assessment; ADG prevails	N/A
6.19 Natural Ventilation	Refer to ADG assessment; ADG prevails	N/A

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

Traffic impact assessment and public transport studies

A Car Parking / Traffic Impact Assessment Study is required to be submitted where, in the opinion of Council, a development may cause a potential significant adverse traffic generation or traffic management impact upon the surrounding road network. Council's Traffic Engineer has reviewed the application and has not identified the necessity for a traffic impact assessment.

Parking demand and servicing requirements

Based on the applicable car parking rates, the development requires the following car parking provision:-

	Rate	*Calculation*	*Required*	*Provided*	*Compliance*
Car parking					
Resident:	1 per dwelling <70m²	0	0		

	1.5 per dwelling 70-110m²	1 x 1.5	1.5		
	2 per dwelling >110m²	2 x 5	10		
Visitor:		0.2 x 16	1.2		
TOTAL			**12.7 (13)**	13	Yes
Bicycle parking					
Resident:	1 bicycle space per 3 dwellings	6/3	2	2	Yes
Visitors:	1 bicycle space per 12 dwellings	6/12	0.5	1	Yes
TOTAL			**2.5 (3)**	3	Yes
Motorbike	1 motorcycle space per 15 dwellings	6/15	**1**	1	Yes

It is noted that the Traffic Engineer has advised that the applicant needs to provide a secure bicycle enclosure for residential bicycle parking spaces. These facilities need to be provided as 'Class B' bicycle facilities with a self-closing door and combination lock. This facility needs to provide adequate manoeuvring space for users to move their bicycles in and out of the enclosure and lock their bicycles to the bicycles racks provided.