

**JOINT REGIONAL PLANNING PANEL  
(Southern)**

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|---|--|
| JRPP No   | <b>2014STH019 DA</b>   |
| DA Number   | <b>351-2014</b>  |
| Local Government Area   | <b>Shellharbour City Council</b>   |
| Proposed Development  | <b>Multi Dwelling Housing Comprising of 29 Town Houses with Garages. Subdivision to include Torrens and Community Title</b>  |
| Street Address  | <b>Lot 1274, DP 1175512, Shallows Road, Shell Cove</b>   |
| Applicant/Owner   | <b>Applicant – Australand Corporation (NSW) Pty Ltd</b><br><b>Owner - Shellharbour City Council</b>  |
| Number of Submissions   | <b>Nil</b>   |
| Regional Development Criteria (Schedule 4A of the Act)                      | <b>Referred to the Panel as Council is the owner of the land and the capital investment value of proposed development is over \$5 million.</b>   |
| List of All Relevant s79C(1)(a) Matters                                     | <ul style="list-style-type: none"> <li>• <b>State Environmental Planning Policy No 55 – Remediation of Land</b></li> <li>• <b>State Environmental Planning Policy 71 – Coastal Protection</b></li> <li>• <b>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</b></li> <li>• <b>Shellharbour Local Environmental Plan 2013</b></li> <li>• <b>Shellharbour Development Control Plan 2013</b></li> <li>• <b>Shellharbour City Council Section 94 Contributions Plan 2013.</b></li> </ul> |
| List all documents submitted with this report for the panel's consideration | <ul style="list-style-type: none"> <li>• <b>Architectural Plans</b></li> <li>• <b>Stage 10D5 Architectural Justification Statement</b></li> </ul>  |
| Recommendation  | <b>Approve, subject to modified condition</b>  |
| Report by   | <b>Jasmina Micevski</b><br><b>Senior Development Assessment Officer</b>  |

**Assessment Report and Recommendation Cover Sheet**

# **Assessment Report and Recommendation**

## **1. PURPOSE OF REPORT**

The purpose of this report is to seek a determination from the Joint Regional Planning Panel (the Panel) of a development application (DA) for multi-dwelling housing and subdivision.

Pursuant to *Schedule 4A Development for which regional panels may be authorised to exercise consent authority functions of councils*, of the *Environmental Planning and Assessment Act 1979*, the Panel is the determining authority for this DA as the development has a capital investment value of \$7,779,399.00 which exceeds the threshold of \$5 Million for Council owned land.

## **2. SUMMARY OF RECOMMENDATION**

It is recommended that the Panel approve the DA No. 351/2014 for multi-dwelling housing and subdivision at Lot 1274, DP 1175512, Shallows Road, Shell Cove, subject to the conditions contained within this report.

## **3. THE SITE**

The site is located in a master planned residential estate located about 17km south of Wollongong. The estate is located directly south of the existing Shellharbour Village and is bounded by South Shellharbour Beach, Killalea State Park, Bass Point Quarry and Shellharbour Road.

The subject DA was lodged against the parent lot being Lot 206 DP 857030 and Lot 8422 DP 1169822. During the assessment process the land become registered and is now described as Lot 1274 DP 1175512.

The site was approved as part of a previous subdivision DA that comprised parks, 71 residential lots and 4 super lots. The DA was considered and approved by the Panel at its meeting of 3 February 2011.

The site has an approximate area of 9266.8sqm and is a regular shaped parcel that is accessed via Shallows Drive. The site also fronts the proposed Harbour Boulevard.

The site is located at the fringe of the older and more traditional estate of Shell Cove as well as to the developing boat harbour precinct.

**A plan illustrating the location of the development is below.**



#### 4. BACKGROUND

The opportunity to develop the site as multi dwelling housing is underpinned by the Shell Cove Master Plan.

A pre-lodgment meeting was held with Australand and Council staff prior to the submission of the DA. The key considerations from that meeting include:

- a. waste servicing,
- b. issues relating to the hybrid of the integrated housing provisions contained in the former Infill DCP and multi dwelling housing. The provisions in the Shellharbour Development Control Plan 2013 (DCP) are not a neat fit requiring specific attention within the documentation to be lodged as part of the subject site, and
- c. the importance of visitor parking.

#### 5. THE PROPOSAL

The proposed development seeks to construct 29 multi dwelling housing in a staged sequence. The development will comprise a mixture of detached, semi-detached and attached dwellings.

The proposal is designed to accommodate dwellings on a mixture of Torrens and Community Title lots. Lots 1701-1712 will be Torrens Title, supporting 4 dwelling houses and 8 semi-detached dwellings. These dwellings will have double garages fronting Shallows Drive.

Lot 1713 will be a large Torrens Title lot that will undergo a Community Title subdivision into 18 lots. Community Lot 1 will form the internal driveway that will provide access to the remaining 17 Community Title lots that will support 6 semi-detached dwellings and 11 attached dwellings.

These Community Title lots will also have frontages to Harbour Boulevard.

**A copy of the development plans is provided as Attachment 1.**

## **6. NOTIFICATION**

The DA was publicly notified for a period of 21 days between 11 September and 1 October 2014. During the assessment process it was found that the newspaper notification omitted the full property details and did not note the determining authority to be the JRPP.

As a result, the DA was re-notified in the newspaper for a period of 14 days.

No submissions were received during the two periods of notification.

## **7. PLANNING CONTROLS**

The following are relevant planning controls that have been considered in the assessment of this DA:

- State Environmental Planning Policy No 55 – Remediation of Land
- State Environmental Planning Policy 71 – Coastal Protection
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Shellharbour Local Environmental Plan 2013
- Shellharbour Development Control Plan 2013
- Shellharbour City Council Section 94 Contributions Plan 2013.

## **8. ASSESSMENT**

This application has been assessed in accordance with Section 79C of the Act.

The following comments are made with respect to the proposal:

### **8.1. (1)(a)(i) The provisions of any Environmental Planning Instrument**

#### **8.1.1 State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55)**

The contamination assessment prepared in support of the proposal (*Report on Preliminary Site Investigation with Targeted Sampling, Douglas Partners, Nov 2014*) has been satisfactorily completed in accordance with relevant industry guidelines. The report concludes that based on assessment results the project site has a low potential for contamination. In any instance, conditions have been imposed to ensure all works cease in the event of unexpected findings during development works.

Based on the above, the site is fit for residential development and satisfies the objectives of SEPP 55.

#### **8.1.2 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

A BASIX Certificate has been issued for the development and relevant conditions requiring the fulfilment of commitments will form part of the development consent, and in this regard the aims of the Policy have been satisfied.



### **8.1.3 State Environmental Planning Policy 71 – Coastal Protection (SEPP 71)**

In broad terms, the aims of the SEPP seek to protect and manage the unique attributes of the NSW coast by encouraging sensitive and appropriate development. The SEPP 71 is a means of implementing the State's *Coastal Policy*.

The proposed development is not considered inconsistent with the aims of the SEPP 71 as the heads of consideration listed in clause 8 and part 4 are capable of being addressed or have no relevance to the subject site.

### **8.1.4 Shellharbour Local Environmental Plan 2013 (SLEP 2013)**

#### **8.1.4.1 Zoning / Permissibility**

The SLEP 2013 zones the site as R2 – Low Density Residential. The objectives of that 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 not inconsistent with the objectives of the zone in that it will provide a housing need for the community in a predominantly low density environment.

#### *Development Characterisation*

a. The development contains the following mix of residential uses:

- 4 Dwelling Houses,
- 14 Semi-Detached Dwellings, and
- 3 Attached Dwellings.

SLEP 2013 provides the following definitions to each of these land uses/development types. They include:

Dwelling House: *means a building containing only one dwelling.*

Semi-Detached Dwellings: *means a dwelling that is on its own lot of land and is attached to only one other dwelling.*

Attached Dwellings: *means a building containing 3 or more dwellings, where:*

- a. each dwelling is attached to another dwelling by a common wall, and*
- b. each of the dwellings is on its own lot of land, and*
- c. none of the dwellings is located above any part of another dwelling.*

The R2 zone permits, with consent, a range of residential uses, including dwelling houses, semi-detached dwellings and attached dwellings.

b. The development also seeks to subdivide land.

By virtue of clause 2.6 of SLEP 2013, subdivision is permitted with consent.

#### **8.1.4.2 Clause 4.1 Minimum subdivision lot size**

Under this clause the minimum lot size is 450sqm. By virtue of clause 4.1(4), this clause is applicable only to the Torrens title lots.

The proposed development consists of 12 Torrens title lots which range between 311sqm and 348sqm.

These lot sizes are permitted as a result of clause 4.1B(3) which states:

*Despite clause 4.1, development consent may be granted to a single development application for both of the following:*

- (a) the subdivision of land into 2 or more lots, if the size of each lot is at least 200 square metres,*
- (b) development for the purposes of an attached dwelling, a semi-detached dwelling or a dwelling house on each lot resulting from the subdivision.*

Compliance with this clause is satisfied as the development seeks to construct the dwellings on the Torrens Title lots which are less than the 450sqm.

#### **8.1.4.3 Clause 4.1A Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings**

The minimum lot size is 600sqm. The parent lot is 9,266sqm and therefore complies with this clause.

#### **8.1.4.4 Clause 4.3 Building Height**

The SLEP 2013 provides a building height control of 9m for the subject site.

The development complies with height controls.

#### **8.1.4.5 Clause 4.4 Floor Space Ratio**

Clause 4.4 of the SLEP 2013 provides a maximum floor space ratio (FSR) of 0.5:1 for the site. The proposed development has an overall gross floor area of 5,079.3sqm with a total site area of 9266.8sqm. This translates into a FSR of 0.55:1, which exceeds the SLEP 2013 standard.

A request for an exception to the FSR standard accompanies the application and is discussed below.

#### **8.1.4.6 Clause 4.6 Exceptions to standards**

In accordance with sub-clause 3 and 4 of SLEP 2013 the following justification is provided.

1. Clause 4.6(3)(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case.

In considering whether the development standard is unreasonable or unnecessary, an assessment is required to determine the sites attributes as well as the developments impact on the streetscape and its compatibility with the character of the area.

The logic described within the Land and Environmental Courts Planning Principal regarding compatibility and character is applied from Project Venture Developments Pty Ltd v Pittwater Council [2005] NSWLEC 191 at 22-31.

The courts put that *the most important contributor to urban character is the relationship of built form to surrounding space, a relationship that is created by building height, setbacks and landscaping and importantly the most apposite meaning in an urban design context is capable of existing together in harmony.*

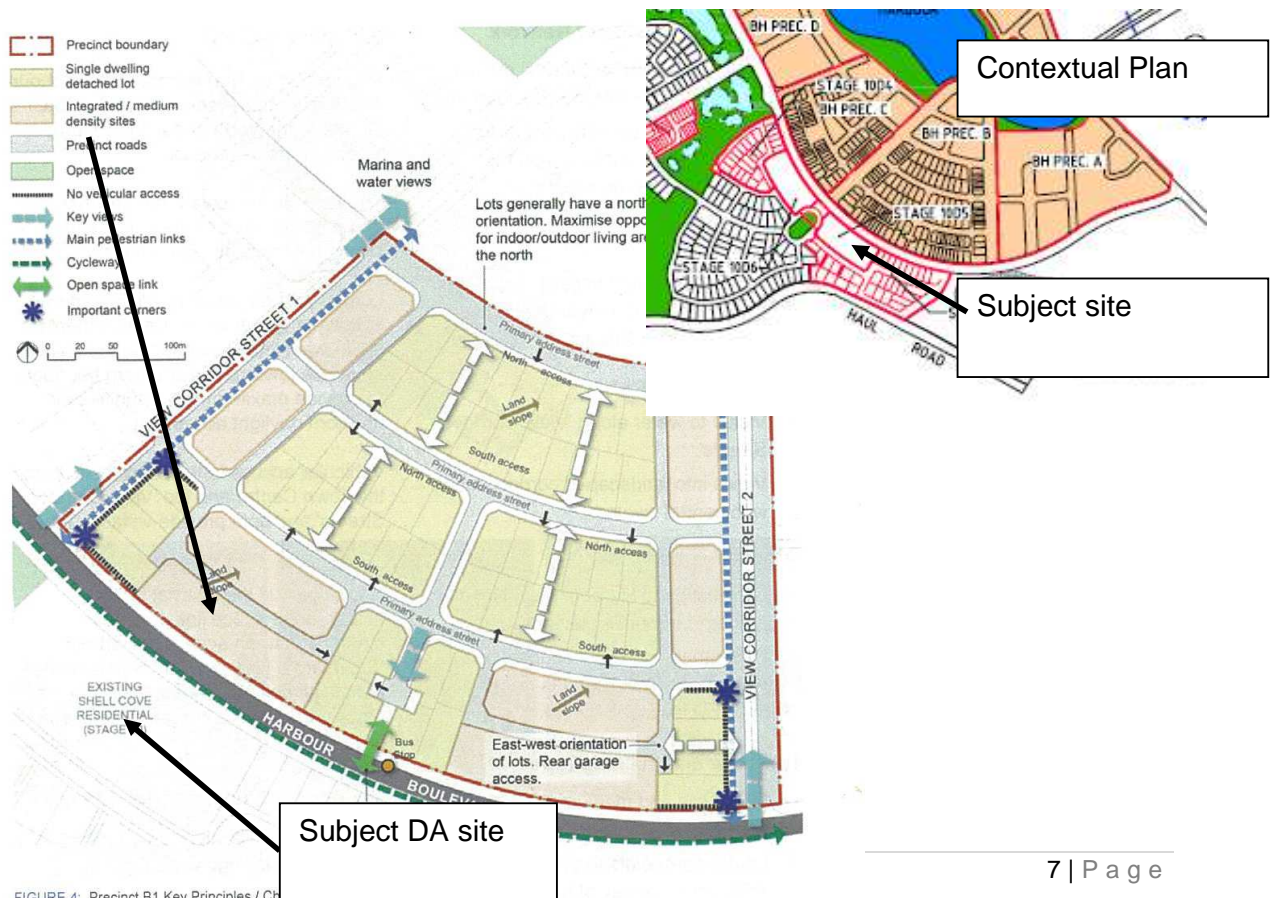
The development site (site hereafter) acts as a transitional site between the suburban area of Shell Cove to the west and the developing boat harbour precinct to the east.

The western side of the site is made up of single detached dwellings as well as attached and detached dual occupancy developments currently being constructed or under Council consideration. Building heights are maintained at 9m (maximum) with front setbacks of 5m (garages), 4.5m (single storey) and 6m (two storey). The FSR controls for this area is 0.5:1.

The desired character is essentially single and two storey developments with setbacks typical to a suburban area.

The eastern precinct is known as the future Marina and development has commenced in this area. The site and Marina precinct is separated by Harbour Boulevard which is planned to be a 30m wide road reserve with a 3m wide medium.

To the immediate east of the site, a residential precinct within the Marina is proposed as shown in the below illustrations. The concept approval shows a large parcel of land to be designated for multi-dwelling housing directly across from the subject site. The draft controls for building heights are maintained at 9m (maximum) and front setbacks of 3m with a 2m articulation zone. The FSR controls for this area is 0.7:1.



Whilst the controls are still draft, it is important to note that given the proximity to the core marina precinct, planning controls such as setbacks and FSR are typical to a urban character.

The desired character continues to be domestic in scale as single and two storey developments albeit the higher FSR's and reduced building lines.

There is little doubt that the site plays a major role in creating a relationship between the eastern and western precincts. A relationship – or a compatibility - that must respond to the suburban and urban character that will occupy either side of the site. The site responds to this by complementing the building line setbacks on either side of site as well as providing a FSR that sits between the 0.5:1 and 0.7:1 ratio – in which requires an exception to the current FSR control.

Based on this, compliance with the FSR standard is unreasonable and unnecessary.

2. Clause 4.6.(4)(a)(i) That there are sufficient environmental planning grounds to justify contravening the development standard.

Salient points which provide sufficient environmental planning grounds to support the contravention include impacts of visual privacy, overshadowing and access to sunlight.

The site is bracketed by public roads except for a portion adjoining lot 1729 which shares a boundary with a standard residential lot at 3 The Farmway.

The proposed dwelling with a shared boundary complies with the overshadowing requirements and has been designed to minimise overlooking.

As noted with section 4 of this report, the Shell Cove estate master plan provides key gateway sites as well as integrated multi-dwelling sites. The subject site was marked as one of these and further supports reasons why an increased FSR is appropriate.

3. Clause 4.6(4)(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

The objectives of clause 4.4 Floor space ratio states *'to ensure the bulk and scale of development does not have an adverse impact on the streetscape and character of the area in which the development is located'*.

The development will not compromise the objectives of the FSR clause. The density will be in harmony with the surrounding area given the unique placement of the site.

Equally, the development will continue to achieve the objectives of the zone which states:

*To provide for the housing needs of the community within a low density residential environment.*

This objective is satisfied by the proposed development in that it offers a housing type conducive to a site in transition from suburban and urban area – and still in a low density environment.

As noted within the applicant's submission:

*The existing low density residential housing in Shell Cove will not be impacted by the proposed development due a range of design features, including appropriate setbacks, built form and the location of attached dwellings fronting Harbour Boulevard. This will ensure the development*

*will front the existing low density environment at a domestic scale that is similar to existing development. This is achieved with garages at the Shallows Drive frontage. Conversely, the increased densities will be visible only to future medium to high density development in the Boat Harbour Precinct.*

The built form on the eastern and western precincts provides objectives that the subject proposal is able to respond to and be consistent with the public interest and expectations.

4. Clause 4.6.(4)(b) the concurrence of the Director-General has been obtained.

Shellharbour City Council has the delegations to satisfy this clause.

#### 5. Summary and Conclusion

The proposed FSR plays an important role in achieving a transition between the urban and suburban environments.

Planning matters such as access to sunlight, privacy and overshadowing have been considered and concludes that there are no major issues to the development within or external of the site.

Overall the developments contribution to the location and its supply of a housing need provides strong justification that the non-compliance is unreasonable and unnecessary in this instance.

Based on this, the variation of FSR is able to be supported

#### **8.1.4.7 Clause 5.5 Development within Coastal Zones**

Clause 5.5 of the LEP details the provisions for assessing development's within the coastal zone. The requirements of this clause mirror those within SEPP 71. The proposal is consistent with the provisions of SEPP 71 as identified previously and therefore complies with Clause 5.5 of SLEP 2013.

#### **8.1.4.8 Clause 6.2 Earthworks**

The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

The proposed development involves minor earthworks to create the required levels for the dwelling houses. Impacts to surrounding developments are minor in nature and will not detrimentally impact environmental functions and process.

Therefore the proposal is consistent with the objective of Clause 6.2 and the matters for consideration.

#### **8.1.4.9 Clause 6.4 Stormwater Management**

The proposal is consistent with the objective of the Clause and satisfies the matters listed in sub-clause 3. The application was referred to Council's Development and Subdivision Engineer and conditions have been recommended to ensure the stormwater management system is in accordance with Council's policies.

#### **8.1.4.10 Clause 6.9 Essential services**

The development site is able to be serviced by the essential services.

**8.2. (1)(a)(ii) The provisions of any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority**

There are no instruments applicable to this proposed modification.

**8.3 (1)(a)(iii) The provisions of any Development Control Plan (DCP)**

**8.3.1 Chapter 3 Residential Development**

A review of the controls concludes that the development does not comply with the following controls:

| Section                                  | Summary of Non-Compliant Controls   | Comment   |
|--|---|---|
| 3.2 Building Lines and Boundary setbacks | <p><u>Torrens Title Dwellings</u></p> <p>The control requires two storey components to be setback 6m and provides an allowable encroachment of 1m for structures such as balcony's.</p> <p>The second storey is setback more than 6m however the balcony encroaches into the primary building line by 2m.</p> <p>Therefore the setback to the front boundary from the balcony is 4m.</p> <p><u>Community Title Dwellings</u></p> <p>The primary boundary of these lots will be from Harbour Boulevarde. The setback controls for primary boundary are as follows:</p> <ul style="list-style-type: none"> <li>- Single storey 4.5m</li> <li>- Two storey 6m</li> <li>- Allowable encroachment into the primary building lines for both single and two storey's is 1m.</li> </ul> <p>The single storey is setback 4m. The two storey components are setback at 4m with a 1m encroachment for the second storey balcony.</p> | <p><u>Torrens Title Dwellings</u></p> <p>The non-compliance is 1m. This variation is considered acceptable as the balcony provides a canopy to reduce the dominance of the garage while providing a design feature to the front façade.</p> <p><u>Community Title Dwellings</u></p> <p>The reduction in front setbacks along Harbour Boulevarde is considered acceptable.</p> <p>The setbacks aim to respond to the future built form and proposed setbacks within the boat harbor precinct. Refer discussions within section 8.1.4.6 of this report.</p> |
| 3.3 Streetscape and design for dwellings | <p>The control states:<br/><i>must have garage doors with a width not exceeding more than 50% of the overall width of the side of the dwelling that contains the garage doors.</i></p> <p>Five of the Torrens Title dwelling will have garage door widths that exceed 50%.</p>  | <p>Satisfactory. The dominance of the garage door has been reduced by providing a balcony that overhangs the door. This provides a softening effect to the front façade.</p>  |
| 3.6 Fences                               | <p>The control states:<br/><i>a. Fences in front of the primary</i></p>   | <p>Fencing to the front frontage is comprised of a 1.05m high picket fence atop a</p>   |

|                           |  |   |
|---------------------------|--|---|
|                           | <p><i>(front) and secondary (corner lots) building lines should be no higher than 1.2 metres.</i></p> <p>b. <i>Fences on the side and rear boundary should be no higher than 1.8 metres.</i></p>   | <p>masonry retaining wall. The overall height of this fencing varies from 1.8m to 2.1m based on changes in ground level height.</p> <p>This fence will provide further privacy to the future occupants.</p> |
| 3.14<br>Adaptable housing | <p>The control states:</p> <p><i>Developers of all residential developments including combined subdivision/dwellings, boarding houses, hostels should consider applying the essential and desirable features identified in AS4299-1995 Adaptable Housing; to developments involving 4 or more dwellings.</i></p> | <p>This advisory note is provided within the DCP and is not a legislative requirement. This proposal is unable to provide adaptable housing.</p>  |

### 3.3.2 Chapter 4 – Subdivision – Infill and Greenfield

This chapter relates only to those lots proposed to be subdivided into Torrens title allotments. The following controls apply to the development:

- a. each lot created has direct full frontage to a public road,
- b. the lot to be subdivided has a cross slope of 5% or less (due to the visual effect of excessive cut and fill on small sites - should be evident from assessment of building design), and
- c. a development application for subdivision must accompany or be part of the development application for the construction of the dwellings.

The proposed lots comply with the above requirements.

### 8.3.3 Chapter 13 Parking, Traffic and Transport

The following parking provision is required:

- a. 1.5 spaces per dwelling with two or bedrooms, and
- b. 0.5 visitor spaces per dwelling with two or more dwellings

The proposal provides two parking spaces per dwelling and contains 17 visitor parking spaces. As such, the parking provision on site aligns with the numerical requirements of the DCP.

In addition, Chapter 13 states that double garages are to have the following minimum dimensions:

- a. 5.5m length x 5.8m width, and
- b. 4.8m wide opening with an access aisle of 7m. For each reduction of 0.4m in aisle width, there must be a 0.1m increase in width.

All double garages fronting Shallows Drive comply with the 5.5m x 5.8m dimensions with exception to Lot1701. The internal length of the garage varies between 5m and 5.5m. This is due to part of the wall servicing the internal stairs protruding into the rear garage floor area. The width of the protrusion extends only 2.5m along the length of the garage wall.

All double garages for the Harbour Boulevarde dwellings that gain access from the internal driveway comply with the 5.5m length requirement, and are 5.77m in width. This very minor variation will not result in the loss of a parking space. Importantly, the width complies with AS2890.1 car parking standards.

The internal access driveway is 6m in width, requiring a 5.05m wide garage door opening to meet the DCP control. All garage door widths meet this requirement, ensuring vehicles can safely and efficiently access and egress the garage.

#### **8.3.4 Chapter 15 Waste Minimisation and Management**

The development satisfies the objectives and advices set out in this chapter. Discussions have been held with Council's Waste Management Section with regard to domestic waste collection options. The collection will be generally kerb side with dwellings to present bins on specific roads. The aim here is to minimise the proliferation of bins along the streetscape. Such requirements form part of the development consent conditions.

#### **8.3.5 Chapter 17 Crime Prevention through Environmental Design**

The development satisfies the objectives set out in this chapter. Most notably the dwellings fronting Shallows Drive have been orientated to allow surveillance into the internal road at the rear. This has been achieved by locating the principal private open space areas of these dwellings to the rear which is adjacent to the internal roadway.

#### **8.3.6 Chapter 20 Landscaping**

The development satisfies the objectives and development provisions set out in this chapter. The application was assessed by Councils Landscape Officer and the recommended conditions have been included as part of the draft conditions following this report.

#### **8.3.7 Chapter 25 Storm water Management**

The development satisfies the objectives and development provisions set out in this chapter. The application was assessed by Councils Development Engineer and the recommended conditions have been included as part of the draft conditions following this report.

Lot 1713 to lot 1729 are proposed to drain to Harbour Boulevard. However if Harbour Boulevard is not constructed the drainage network for these dwellings must be required to drain through each community title lot to connect into a headwall to be constructed as part of Harbour Boulevard. Conditions have been imposed to factor each scenario.

#### **8.3.8 Chapter 31 Acoustic Protection**

An acoustic report was produced for the DA. Acoustic attenuation measures have been recommended as part of the development consent conditions following this report.

#### **8.3.9 Shellharbour City Council Section 94 Contributions Plan 2013**

The site is subject to contributions under Councils Section 94 Contributions Plan. The required contributions have been included as part of the draft conditions following this report.

### **8.4 (1)(a)(iia) The provisions of any Planning Agreement**

There are no planning agreements applicable to this site or development.

### **8.5 (1)(a)(iv) The provisions of the Regulations**

The *Environmental Planning & Assessment Regulation 2000* prescribes certain development consent conditions that form part of the development consent conditions imposed. This includes compliance with the Building Code of Australia.



## **8.6 (1)(b) The likely impacts of the development**

Various impacts on the proposed development have been discussed throughout this report. Other impacts include:

### **8.6.1 Streetscape**

The matter of streetscape has been discussed within section 8.1.4.6 of this report. The applicant has provided a architectural design justification to outline the design features of the development and how it is intended to respond to the emerging streetscape (Attachment 2).

In considering the justification provided as well as the discussion made in section 8.1.4.6 of this report, the following points are provided for consideration:

The dwellings fronting Shallows Drive continue to provide garage and side setbacks in accordance with the Residential chapter of the DCP. Each dwelling will have garages facing Shallows Road with a setback between 6.4m and 8.2m with an average of 6.65m from the property boundary and garage door. Each garage will be one double door and a balcony will overhang above the garage to soften the dominance of the garage door.

For the detached dwellings the side setback will be between 1.2m and 2.4m.

From a design perspective, no two adjoining dwellings share the same façade treatments and this can be seen within the design statement lodged by the applicant.

The lot widths range between 9.9m and 12.5m with an average of 10.8m. In growth centers such as Oran Park, this type of lot width would typically require setbacks of 4.5m to building elevation line with 3m articulation zone, 5.5m to garage and 900mm from side boundary. Conversely however, the guidelines require single garages only.

Considerations were made to provide some dwellings as rear loaders to soften the dominance of garage doors however this would be at the expense of a) loss of visitor parking for the community title lots due to new driveways being required, b) increase use of the internal road way and c) reallocating the principal private open space areas of those dwellings to the southern side.

In addition, removing the availability of onsite parking is discouraged in an area of high car dependency. Tandem parking could be considered however this would then require a reduced front setback to achieve the internal length within the garage.

Notwithstanding, to reduce the visual impact of the driveway, conditions have been imposed to require the driveways at the crossover to be reduced to 3.5m (from 4m) for each dwelling which will then reduce the hard surface area for the dwellings facing Shallows Road.

It is considered that on balance, the impact from changing the dwellings to rear loaders to achieve a different streetscape along Shallows Road would only minimize the level of amenity to the future residents.

As noted within section 8.1.4.6 of this report, the streetscape of the development will be consistent with the emerging character as the site transitions into the marina precinct. The combination of increased setbacks and incorporation of different building design elements will not negatively impact on the streetscape.

### **8.6.2 Impacts during Construction**

Given the size of the development, temporary impacts resulting from construction noise, dust and traffic are likely to bring inconveniences to the surrounding area.

The developer has committed to the following strategies to reduce the impact during the construction phase. These strategies form part of the development consent conditions following this report.

- a. Use of silt fencing to ensure sediment laden runoff does not occur off site during earthworks,*
- b. the hours of construction shall be in accordance with Council's standard construction hours unless prior arrangements are made,*
- c. prior to works commencing advise adjoining landowners of the works program and provide the contractors details should any concerns need to be raised during works,*
- d. building contractors are to implement the requirements of the Office of Environment "Interim Construction Noise Guideline (July 2009)" as far as practicable,*
- e. all reasonable, practicable steps are to be undertaken to reduce noise and vibration from the site,*
- f. construction noise is to be attenuated with the use of screening, acoustic enclosures, engine silencing and substitution by alternative processes to reduce noise emission levels from typical construction equipment, and*
- g. plant and equipment is to be maintained, checked and calibrated in accordance with the appropriate design requirements and to ensure that maximum sound power levels are not exceeded.*

### **8.6.3 Traffic Impacts**

The existing road networks have sufficient capacity to cater for anticipated loads from the proposed development. Councils Acting Traffic Engineer has advised that this site was considered for multi-dwelling as part of the stage 10D2 subdivision.

### **8.6.4 Social Impacts**

The creation of new lots will provide additional housing opportunities within the LGA. The additional population will provide additional demands on urban infrastructure, services and facilities. Section 94 contributions will assist in supplying some services/facilities provided by Council.

### **8.6.5 Economic Impacts**

The development will have a positive economic impact by providing employment in housing construction.

## **8.7 (1)(c) The suitability of the site for the development**

The matter of suitability has been discussed throughout this report. The proposal is permitted with consent, is consistent with the objectives of the zone and where there are potential for adverse impacts conditions have been imposed. The development site does not appear to have any physical impediments to prevent development.

## **8.8 (1)(d) Any submissions**

No submissions were received during the exhibition of the DA.

## 8.9 (1)(e) The public interest

The development positively contributes to the public interest the following reasons:

- a. The development provides a housing need and type for the population within the Shellharbour community.
- b. The development will act as an important landmark of the evolving Shell Cove urban release area.
- c. The development will act as an interface with the adjoining residential lands which is in the interest of the residents who live within the single detached housing dwellings.

Subject to compliance with the conditions listed below, it is expected that the proposed development will not create any significant or negative impacts on the surrounding area or public interest.

## 9. REFERRALS

During the assessment of both the DA a number of internal and external technical referrals were made seeking expert opinion on key issues. These have been discussed throughout the report and where relevant conditions have been recommended within the draft consent. In summary internal referrals were made to the following officers:

- a. Landscape Technical Officer
- b. Section 94 Accountant
- c. Team Leader - Building (City Development)
- d. Traffic Engineer
- e. Development & Subdivision Engineer
- f. Environment Officer

## 10. RECOMMENDATION

It is recommended that the Panel approve the DA No. 351/2014 for multi-dwelling housing and subdivision at Lot 1274, DP 1175512, Shallows Road, Shell Cove, subject to the draft development consent conditions shown below.

### PART A - ADMINISTRATIVE CONDITIONS

#### **A1 Construction Certificate & PCA Notification** ***Environmental Planning & Assessment Act 1979 Section 81A***

**Before any site works, building or use is commenced**, the person having the benefit of the development consent must:

- a. obtain a Construction Certificate from Shellharbour City Council or other accredited certifier, and
- b. appoint a Principal Certifying Authority.

## A2 Prescribed Conditions

This development consent is subject to the prescribed conditions made under the *Environmental Planning & Assessment Regulation 2000*. The prescribed conditions include compliance with the *Building Code of Australia*.

## A3 Development in Accordance with Plans and Documents

The development must be in accordance with the following except as modified by conditions of this consent.

| Name of Plan/Document                    | Prepared By      | Drawing/Document No./Revision                  | Drawing/Document Date (dd/mm/yyyy) |
|--|------------------|--|------------------------------------|
| Site Plan                                | Australand       | 1.2 Revision B                                 | 24/2/2015                          |
| Ground Floor Plan                        | Australand       | 1.2 Revision B                                 | 24/2/2015                          |
| First Floor Plan                         | Australand       | 1.3 Revision B                                 | 24/2/2015                          |
| Elevations Plan                          | Australand       | 3.1 Revision B                                 | 24/2/2015                          |
| BASIX*                                   | Victor Lin       | Certificate No. 570263M                        | 24/8/2014                          |
| Waste Management Plan                    | Australand       | Waste Management Multi-Dwellings C/N 1701-1729 | N/A                                |
| Subdivision Plan                         | Australand       | 1.1 Revision B                                 | 24/2/2015                          |
| Concept Landscape Plan or Landscape Plan | Eco – design     | L01-L07 Revision C                             | 24/2/2015                          |
| Colour/Material Schedule                 | Arkee            | External Colours C/N 1701-1729                 | N/A                                |
| Concept Drainage Plan                    | Cardno           | FR112021-21-SK001 P5                           | 25/8/2014                          |
| Statement of Environmental Effects       | Cardno           | 112-021-23/report 001-Ver1                     | 25/8/2014                          |
| Preliminary Investigation Report         | Douglas Partners | 40999.96 Stage 10d5 PSI                        | 14/11/2014                         |
| Acoustic Report                          | Acoustic logic   | 20141256.1/0312A/R1/YK                         | 3/12/2014                          |

\* The approved BASIX Certificate may only be updated, without the need to lodge a modification to the development consent, where any change to the BASIX Commitments does not result in the proposal being inconsistent with this development consent and/or alter the approved development application plans.

## A4 Compliance with Notations on Drawings

Works must comply with any annotations on the approved plans.

## A5 Staging of Development

The development shall be staged as follows, unless otherwise approved by Council in writing:

- Stage 1 – Torrens Title subdivision of Lot 1274 to create 12 lots and 1 residue lot for subsequent community title development and the internal access driveway.,

- b. Stage 2 – Community Title subdivision of the residue lot in Stage 1 to create 17 community title lots and 1 lot for the internal access driveway.

## **PART B - PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

### **B1 Amendments to Approved Plans**

The amendments described below must be incorporated in the overall development and must be reflected in any plans prepared for the purpose of obtaining a Construction Certificate:

- a. the landscape plan must be updated to include the following:
  - i. the trees shown on the landscape plan along the access road exiting off Shallows Drive the use of either tree species *Syzygium jambos*, *Ceratopetalum gummiferum* or *Buckinghamia celsissima* is recommended, and
  - ii. the use of the tree species *Cupaniopsis anacardioides* is to be omitted and is to be replaced with the tree species *Tristania laurina* 'Luscious' or an alternative to be approved in writing by council.
- b. the Construction Certificate plans must be amended to provide a 1.2m wide footpath connecting the subject site and the footpath along The Farmway.

### **B2 Section 94 Contributions – Stage 1**

A contribution of \$134,631.76, subject to annual indexation, must be paid to Council towards the provision of community infrastructure and services prior to the issue of the Construction Certificate. This amount has been calculated in accordance with Shellharbour City Council's *Section 94 Contributions Plan 2013* dated 18 December 2013.

The contribution amount contained in this condition is the base rate indexed to the date the consent is issued. The contribution amount will be adjusted in accordance with the indexation methods detailed in the *Contributions Plan*. Current indexed rates are available from Council.

The *Contributions Plan* may be inspected or a copy purchased at the Customer Service Counter at Council's offices, or downloaded from [www.shellharbour.nsw.gov.au](http://www.shellharbour.nsw.gov.au)

### **B3 Section 94 Contributions – Stage 2**

A contribution of \$179,509.02, subject to annual indexation, must be paid to Council towards the provision of community infrastructure and services prior to the issue of the Construction Certificate. This amount has been calculated in accordance with Shellharbour City Council's *Section 94 Contributions Plan 2013* dated 18 December 2013.

The contribution amount contained in this condition is the base rate indexed to the date the consent is issued. The contribution amount will be adjusted in accordance with the indexation methods detailed in the *Contributions Plan*. Current indexed rates are available from Council.

The *Contributions Plan* may be inspected or a copy purchased at the Customer Service Counter at Council's offices, or downloaded from [www.shellharbour.nsw.gov.au](http://www.shellharbour.nsw.gov.au)

### **B4 Detailed Drainage Design (Subdivision)**

A detailed drainage design of the site must be submitted and approved prior to the release of the Construction Certificate. The detailed plan must:

- a. be generally in accordance with plan no. FR112021-021 SK001 revision P5 prepared by Cardno on 25/08/2014,

- b. for subdivision – lot 1701 to lot 1712 require to drain into the newly created stormwater easement over proposed Community lot 1713,
- c. for buildings - two detailed designs for drainage options to be provided. Option 1 to indicate lot 1713 to lot 1729 drain to the street (Harbour Boulevard). Option 2 to provide detailed design for drainage of lot to lot 1729 if Harbour Boulevard has not been constructed,
- d. indicate the method of disposal of all stormwater and must include existing ground levels, finished surface levels on all paved areas, estimated flow rates, invert levels and sizes of all pipelines,
- e. be to the satisfaction of the Certifying Authority,
- f. be designed to cater for a 1 in 20 year Average Recurrence Interval storm event,
- g. overflow drainage paths are to be provided and be designed to cater for 1 in 100 year Average Recurrence Interval storm event,
- h. comply with Council's *Shellharbour Development Control Plan (Chapter 25 & Appendix 12)* unless variation is specifically noted and approved on DA concept drainage plan,
- i. include the rainwater tank, dimensions and point of discharge of overflow from the rainwater tank and details of any pump required to provide water to the toilets, clothes washer and/or any other fixture identified in the BASIX certificate.

## **B5 Structural Design of Deep Pits**

All pits must be consistent with the following requirements:

- a. pits deeper than 0.9 metres must be designed by a certified structural engineer and be in accordance with *AS3600-2009*,
- b. pits deeper than 1.2 metres must have Galvanised Steel or Stainless Steel step irons (plastic coated black steel step irons will not be accepted), and
- c. pits deeper than 1.8 metres are to be reinforced concrete.

Details to this effect must be incorporated on the detailed drainage design that is submitted to the Certifying Authority prior to issue of the Construction Certificate.

## **B6 Drainage Easement & Engineer's Details**

The walls of any structure adjoining the easement boundary must be designed by a suitably qualified engineer to withstand all forces should the easement be excavated to existing pipe invert level. This may require footings to be designed such that they are set to a minimum 300mm below pipe invert level, or alternatively founded on sound rock. Details must be submitted to the Certifying Authority prior to issue of the Construction Certificate.

## **B7 Stormwater Conduit in Road Reserve and Connection with Kerb**

Where the existing connection point is not available in either normal kerb and gutter or roll type kerb and gutter, the kerb must be saw cut to provide for the connection of the pipe. The saw cut must ensure that a minimum of 50mm of cover is available on all 3 sides of the pipe to permit adequate strength and thickness for the concrete finish.

Galvanized steel pipe, sewer grade UPVC pipe or 'Corflow' spirally reinforced PVC pipe must be used from the property boundary to the kerb and gutter. The kerb and gutter connection must be a 100mm diameter galvanised steel circular section for 150mm kerb and gutter or a 150mm x 50mm galvanised rectangular steel section for roll kerb ensuring that the galvanised section is fully encased by concrete.

A maximum of two pipes of 100mm diameter may be used to discharge to the kerb and gutter.

These details must be submitted with application for a Construction Certificate.

## **B8 Initial Geotechnical Report**

A geotechnical report, prepared by a suitably qualified and experienced geotechnical engineer must be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.

The report must cover, but not be limited to the following:

- a. extent and stability of proposed embankments including those acting as retarding basins,
- b. recommended Geotechnical testing requirements,
- c. level of geotechnical supervision for each part of the works as defined under *AS 3798 - Guidelines on Earthworks for Commercial and Residential Developments*,
- d. an analysis of the level of risk to existing adjacent structures/buildings including the scenario of a construction contractor using vibratory rollers anywhere within the site the subject of these works. In the event that vibratory rollers could affect adjacent structures/buildings, high risk areas must be identified on a plan and indicate that no vibratory rollers shall be used within that zone,
- e. the impact of the installation of services on overall site stability and recommendations on short term drainage methods, shoring requirements and other remedial measures that may be appropriate during installation,
- f. the recommended treatment of any unstable areas within privately owned allotments;
- g. requirement for subsurface drainage lines,
- h. overall assessment of the engineering plans for the proposed development and their suitability in relation to the site's geotechnical characteristics.

## **B9 Soil and Water Management Plan (SWMP)**

Prior to the issue of the Construction Certificate, the applicant must submit to and obtain the Certifying Authority approval of a Soil and Water Management Plan. The SWMP must clearly identify site features, constraints and soil types together with the nature of the proposed land disturbing activities and also specifies the type and location of erosion and sediment control measures. In addition rehabilitation techniques that are necessary to deal with such activities should be referred to.

The SWMP must take into account the requirements of Landcom's publication *Managing Urban Stormwater - Soils and Construction (2004)* thus ensuring the following objectives are achieved, namely:

- a. minimise the area of soils exposed at any one time,
- b. conserve topsoil for reuse on site,
- c. identify and protect proposed stockpile locations,
- d. preserve existing vegetation and identify revegetation techniques and materials.
- e. control surface water flows through the development construction site on a manner that:
  - i. diverts clean run-off around disturbed areas.
  - ii. minimises slope gradient and flow distance within disturbed areas.

- iii. ensures surface run-off occurs at non-erodible velocities.
- iv. ensures disturbed areas are promptly rehabilitated.
- f. trap sediment on site to prevent off site damage. Hay bales are not to be used as sediment control devices. To ensure regular monitoring and maintenance of erosion and sediment control measures and rehabilitation works until the site is stabilized (includes landscaping).
- g. specifies measures to control dust generated as a result of construction activities on site,
- h. temporary sediment ponds must be fenced where the batter slope exceeds 1 vertical to 5 horizontal,
- i. design scour protection for the 10 year ARI event at all inlet and outlet structures, and
- J. including measures to prevent the tracking of sediment off the site.

#### **B10 Retaining Walls**

Where a retaining wall exceeds 600mm in height, the wall must be designed by a practising structural engineer and a Construction Certificate must be obtained prior to the commencement of work on the retaining wall.

All retaining walls must be located wholly within the property, including footings and agricultural drainage lines. Construction of retaining walls or associated drainage work along common boundaries must not compromise the structural integrity of any existing structures.

#### **B11 Driveway Finishes**

The surface finish of the internal road within the property must include at least two different materials and/or colours to break up the visual impact of the driveway and compliment the development. Uncoloured concrete is not acceptable as the dominant material. Details are to be submitted to the Certifying Authority for approval prior to issue of the Construction Certificate.

#### **B12 Visitor Parking Materials**

The visitor car parking space/s must be clearly defined with paving materials and/or colours that are different to the driveway. Line marking to delineate the visitor car parking spaces is not acceptable. Consideration should be given to using semi-pervious paving materials for visitor parking areas to soften the appearance of these areas and to allow for onsite infiltration of water. Details must be shown on the plans submitted to the Certifying Authority prior to the issue of the Construction Certificate.

#### **B13 Engineer Designed Pavement**

The vehicle pavement must be designed by a qualified civil engineer and certified to be satisfactory for the expected traffic loadings from a development of this size and type. Australian Standard 'Guide to Residential Pavements' (AS 3727-1993 or subsequent amendments) can be used as the design guideline for the pavement design. These details must be submitted with application for a Construction Certificate.

#### **B14 Site Facilities - Australia Post**

- a. Location points for mail delivery must satisfy the requirements of Australia Post.
- b. Street numbers must be obtained from Council's GIS Department during normal office hours, prior to the issue of a Construction Certificate. The allocated street numbers must be clearly shown on the Construction Certificate drawing.



## **B15 Impact on Existing Easements**

Plans submitted with the Construction Certificate must show all drainage easements:

- a. are free of encroachments from any structure, including footings and eave overhangs (driveways and paved areas are excluded from this condition),
- b. are free of any cut and fill platforms, and
- c. have no loss of support as a result of excavations.

## **B16 Acoustic Attenuation**

Prior to the Construction Certificate being issued the developer must demonstrate how the development will comply with the acoustic report prepared by Acoustic Logic (Stage 10D5, Lot 1274 Shell Cove, Doc reference 2014.1256.1/0312A/R1/YK). This can be demonstrated by the placement of these requirements on the construction certificate drawings.

## **B17 Footpath**

A 1.2m wide concrete footpath must be constructed along the road frontage of Lot 1274, DP 1175512. This work must be carried out by Council, or a Council approved contractor, at the developer's expense, including all alterations of public infrastructure where necessary. The path must be constructed in accordance with the following requirements:

- a. 25Mpa concrete 100mm thick and steel reinforced,
- b. Connelly key joints are to be used every 3m with the appropriate plastic strip in place on top to ensure a good finish,
- c. an expansion joint is to be placed every 12m and must have the reinforcing pass through it and,
- d. all connections to existing paths and gutters must be dowelled.

## **PART C - PRIOR TO COMMENCEMENT OF WORKS**

### **C1 Erosion & Runoff Controls**

Before work starts, appropriate erosion and runoff controls must be installed to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, stormwater systems or watercourses.

These controls may include the following (where applicable):

- a. erect a silt fence,
- b. limit the removal or disturbance of vegetation and topsoil,
- c. divert uncontaminated run-off around cleared or disturbed areas,
- d. install sediment traps/socks around any stormwater inlets and drainage lines,
- e. stockpile topsoil, excavated material, construction and landscaping materials and debris within the site. These should be covered or seeded to prevent loss of these materials,
- f. provide a single vehicle access to the site including measures to prevent the tracking of sediment off the site, and
- g. provide adequate control measures to suppress dust.

These measures must be in place prior to commencement of any excavation or construction works.

## **C2 Site Meeting**

A site meeting with Council's Engineer, the applicant and the contractor must be held not less than 7 days prior to the commencement of work on site.

## **C3 Soil and Water Management Plan Implementation (SWMP)**

The measures required in the Soil and Water Management Plan approved by the Certifying Authority must be implemented prior to the commencement of works.

## **C4 Subdivision Design Code Compliance**

All works to be dedicated as a Council asset must be installed/constructed in accordance with Council's *Subdivision Design Code*.

## **C5 Dilapidation Report**

It is the applicant's responsibility to notify Council of any existing damage to public areas in the vicinity of the development site through the submission of a Dilapidation Report supported with suitable photographic records. This information must be submitted to Council prior to the commencement of work.

## **C6 Structural Details**

The following structural details must be provided to the Certifying Authority prior to commencing work:

- a. structural engineer's design for all reinforced concrete footings and slabs,
- b. structural engineers design for all structural steel beams, framing and connections,
- c. roof truss and bracing details, and
- d. manufacturer's specifications for any patented construction systems.

Council records indicate that fill may be present in this area. The engineer's design for the footings or slab must make specific reference to fill as a consideration.

Council records indicate that this site has a soil classification of 'H'. The engineer's design must make specific reference to the classification as a consideration.

## **C7 Site Management Plan**

Prior to the commencement of works, the applicant must submit to and obtain approval for a construction and site management plan from the Certifying Authority that clearly sets out the following:

- a. what actions are proposed to ensure safe access to and from the site and what protection will be provided to the road and footpath area from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like
- b. the proposed method of loading and unloading excavation machines, building materials and formwork within the site
- c. the proposed areas within the site to be used for the storage of excavated material, construction materials and waste containers during the construction period

- d. how it is proposed to ensure that soil/excavated materials is not transported on wheels or tracks of vehicles or plant and deposited on the roadway
- e. the proposed method of support to any excavation adjacent to adjoining buildings or the road reserve. The proposed method of support is to be certified by an accredited certifier in civil engineering.

#### **C8 Open or Occupy a Roadway or Footpath - Section 138 Roads Act 1993**

For works within the road reserve such as:

- a. opening up a roadway or footpath, e.g. a driveway, or
- b. occupying the public road reserve for any reason (common reasons include to pump concrete, stand mobile cranes, pump stormwater from the site)

a Road Opening Permit under section 138 of the *Roads Act 1993* is required.

An application (copy attached to this consent) must be made to Council for the temporary occupation of the road reserve prior to works commencing.

Please note the application *may* require the following:

- a. detailed engineering drawings of the proposed works in the road and footpath area,
- b. a Traffic Management Plan,
- c. provision of Public Risk Insurance, and
- d. details of timing and length of works.

#### **C9 Pit Grates**

All pits must have flush fitting grates. All pits larger than 600mm x 600mm are to be grated galvanised steel grid hinged and be heavy duty type where traffic loading is expected.

#### **C10 Pit at Property Boundary**

All stormwater drainage from residential lots to go to pit just within and adjacent to property boundary prior to discharge. This pit shall have a debris screen installed.

#### **C11 Public Liability**

Prior to the commencement of works, the owner or contractor must provide evidence to Council of a Public Risk Insurance Policy with a minimum cover of \$20M in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works. The Policy is to note Council as an interested party.

### **PART D - DURING CONSTRUCTION WORKS**

#### **D1 Hours of Work During Building Work**

Noise generating activities, including excavation, construction and delivery of equipment and materials, must only be carried out between:

- 7am to 5pm Mondays to Fridays
- 8am to 1pm Saturdays

unless otherwise agreed to by Council in writing. Work must not be carried out on Sundays or public holidays.

## **D2 Maintenance of Erosion & Runoff Controls**

The soil and water management controls must be maintained at all times and checked for adequacy daily. The controls must not be removed until the development is completed and the disturbed areas have been stabilised.

Maintenance must include but is not limited to ensuring:

- a. all sediment fences, sediment traps and socks are properly placed and are working effectively
- b. drains, gutters and roads must be maintained clear of sediment at all times.

It is an offence under the *Protection of the Environment Operations Act 1997* to allow soil or other pollutants to fall or be washed into any waters or be placed where it is likely to fall or be washed into any waters. Substantial penalties may be issued for any offence.

## **D3 Waste Management**

The management of waste must comply with the approved Waste Management Plan. All receipts such as waste disposal dockets must be retained (refer Part E). Any variations to the Waste Management Plan must have prior written approval of Council.

## **D4 Storage of Materials**

Building materials and equipment must not be stored on the road reserve/footpath area.

## **D5 Survey Certification**

A report from a registered surveyor must be provided to the Certifying Authority on completion of the ground floor slab formwork **prior to the concrete being poured**.

The report must certify all of the following:

- a. the distance of the structure to all boundaries of the allotment are in accordance with the approved plans,
- b. the height of the floor level/s in relation to the natural ground level are in accordance with the approved plans, and

## **D6 Cut/Fill**

The cut and fill areas must:

- a. be suitably retained,
- b. be in accordance with the approved plans,
- c. have a maximum grade of 45° (1:1) where there is no retaining wall or no other method of stabilising the cut/fill area, and
- d. not exceed 1m in depth outside the external walls of a building, unless otherwise approved in writing by Council.

#### **D7 Retaining Wall on Boundary**

All retaining walls must be located wholly within the property, including footings and agricultural drainage lines. Construction of retaining walls or associated drainage work along common boundaries must not compromise the structural integrity of any existing structures.

#### **D8 Lots and Site Filling**

All lot and site filling must be performed under level 1 Geotechnical supervision in accordance with AS 3798-2007 or subsequent amendments.

#### **D9 Excavation & Drainage Easement**

There must be no loss of support of the drainage easement as a result of excavation of the site.

#### **D10 Construction Management**

During the construction phase of the development, the head contractor is responsible to implement the following management strategies:

- h. Use of silt fencing to ensure sediment laden runoff does not occur on site during earthworks,
- i. The hours of construction shall be in accordance with Council's standard construction hours unless prior arrangements are made,
- j. Prior to works commencing advise adjoining landowners of the works program and provide the contractors details should any concerns need to be raised during works,
- k. Building contractors are to implement the requirements of the Office of Environment "Interim Construction,
- l. Noise Guideline (July 2009)" as far as practicable,
- m. All reasonable, practicable steps are to be undertaken to reduce noise and vibration from the site,
- n. Construction noise is to be attenuated with the use of screening, acoustic enclosures, engine silencing and substitution by alternative processes to reduce noise emission levels from typical construction equipment,
- o. Plant and equipment is to be maintained, checked and calibrated in accordance with the appropriate design requirements and to ensure that maximum sound power levels are not exceeded.

#### **D11 Maintenance of Soil and Water Management Plan (SWMP)**

The soil and water management controls must be maintained at all times during each stage of the development and checked for adequacy daily. The controls must not be removed until the development is completed and the disturbed areas have been stabilised.

Maintenance must include but is not limited to ensuring:

- a. all sediment fences, sediment traps and socks are properly placed and are working effectively and,
- b. drains, gutters and roads are maintained clear of sediment at all times.

Note: It is an offence under the *Protection of the Environment Operations Act 1997* to allow soil or other pollutants to fall or be washed into any waters or be placed where it is likely to fall or be washed into any waters. Substantial penalties may be issued for any offence.

## **D12 Drainage Construction**

Construction of stormwater drainage to comply with Detailed Drainage Design Condition option 1 if Harbour Boulevard is constructed or option 2 if Harbour Boulevard is not constructed.

## **D13 Connection to Council Pit and/or Pipe**

Any connection to a Council pit and/or pipe must:

- a. be made at the pipe obvert (pipe only),
- b. be through a hole that is neatly made by cutting or drilling with any reinforcement encountered cut away,
- c. not protrude past the inner surface of the pit and/or pipe,
- d. have all junctions finished with 2:1 cement mortar,
- e. have a minimum pipe size of 150mm in diameter and either sewer grade PVC or concrete, and
- f. when the diameter of the connection is more than 1/3 the diameter of the Council pipe, connection is to be made by construction of a standard pit.

All construction is to be carried out as per Council's Subdivision Code requirements.

The Certifying Authority must arrange for a satisfactory inspection by Shellharbour City Council prior to backfilling. At least one working day's notice is required for the inspection and is to be arranged through Council's Customer Services.

An inspection fee will apply in accordance with Council's *Fees & Charges*.

## **D14 Driveway and Layback - From Kerb to Property Boundary**

A standard industrial vehicular concrete driveway and layback must be constructed between the kerb and the property boundary. The driveway must:

- a. maintain a perpendicular alignment from the kerb to the property boundary line,
- b. have a minimum width of 6m for main carcourt off Shallows Drive,
- c. Driveways for Lots 1701-1712 to be 3.5m max at property boundary.
- d. not interfere with the existing public utility infrastructure,
- e. be located 500mm clear of all drainage structures and 2m from the street tree,
- f. be finished with a slip resistant coating, and
- g. be constructed by Council, or a Council approved contractor, at the developer's expense, including all alterations of public infrastructure where necessary.

Where there is conflict between the location of the proposed driveway and the assets of a service utility, such as Telstra pits/manholes, the relevant service provider must be contacted prior to any driveway works commencing. It is an offence to modify or tamper with the assets of a service provider.

## **D15 Unexpected Finds Contingency**

Should any further suspect materials (identified by unusual staining, odour, discoloration or inclusions such as building rubble, asbestos, ash material etc) be encountered during any stage of earth works/ site preparation/ construction, then such works must cease immediately until a qualified environmental consultant has been contacted and conducted a thorough assessment.

In the event that contamination has been identified as a result of this assessment and remediation is required, site works must cease in the vicinity of the contamination and the Consent Authority must be notified immediately.

## **PART E - PRIOR TO OCCUPATION**

### **E1 Occupation Certificate**

All conditions in Parts A, B, C, D & E of this consent are preconditions for the purpose of section 109H of the *Environmental Planning & Assessment Act 1979*.

Compliance with all preconditions must be verified by the Principal Certifying Authority prior to issue of a final Occupation Certificate. The building must not be used until the Principal Certifying Authority issues an Occupation Certificate.

### **E2 Sydney Water Section 73 Compliance Certificate**

A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer [www.sydneywater.com.au](http://www.sydneywater.com.au) > *Building and Developing* > *Developing your Land* > *Water Servicing Coordinator* or telephone 13 2092 for assistance. Please make early application for the Certificate as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

### **E3 Electricity Supply**

Prior to the release of the Occupation Certificate for the development, the relevant electricity provider must provide written advice to the Principal Certifying Authority that all requirements for the supply of electricity to the proposed allotments have been satisfied.

### **E4 BASIX**

All commitments listed in the BASIX Certificate/s for the development must be carried out prior to the issue of an Occupation Certificate.

### **E5 Works As Executed - Stormwater Drainage**

Prior to the issue of an Occupation Certificate, Works As Executed Plans must be submitted the Certifying Authority by a registered surveyor certifying compliance of all drainage works with the approved design plans. The Works As Executed dimensions and levels must be shown in red on a copy of the approved Construction Certificate plans. This plan must verify surface and

invert levels on all pits, invert levels and sizes of all pipelines, and finished surface levels on all paved areas. All levels must relate to Australian Height Datum.

#### **E6 Verification of Acoustic Protection Measures**

Upon completion of all works and prior to the issue of an Occupation Certificate for each stage of the development, written certification from a suitably qualified and experienced acoustic consultant must be submitted to the Principal Certifying Authority stating that all noise mitigation measures have been incorporated as required by condition B16 Acoustic Attenuation.

#### **E7 Verification of Waste Management**

Documentation verifying that all waste streams were managed in accordance with the Waste Management Plan must be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate. All records, such as waste disposal dockets or photographic evidence, must be retained by the Principal Certifying Authority.

#### **E8 Site Facilities - Private Open Space Dimensions & Gradient**

Prior to the issue of an Occupation Certificate,

- a. the open space area of each dwelling must include a private open space area with minimum dimensions of 4m x 5m and this private open space area must exclude all encroachments such as steps, pergola/verandah posts, retaining walls, clothes drying facilities, landscaping, and the like, and
- b. the private open space areas of each dwelling must, when the development is completed, have a maximum gradient of 1 in 20.

#### **E9 Completion of Landscape Works**

The unbuilt upon land, with the exception of the paving, must be landscaped in accordance with the approved landscape plan prior to the issue of an Occupation Certificate. Landscape or turf areas must not be reduced or replaced with hard impermeable surfaces. Any variations to the plan must be authorised by Council in **writing before any changes are made**.

A report from a suitably qualified person must be provided to the Principal Certifying Authority on completion of the landscape works certifying that the landscape is in accordance with the approved Landscape Plan.

#### **E10 Repairs to Public Infrastructure**

Any damage to public infrastructure, other than that previously noted in the Dilapidation Report (refer part C), is the responsibility of the developer. All damage must be repaired and reinstated prior to the issue of the Occupation Certificate. This work must be carried out by Council, or Council approved contractor, at the developer's expense.

#### **E11 Sign for Visitor Parking**

A sign, legible from the street, must be permanently displayed to indicate the availability of visitor parking prior to the release of the Occupation Certificate.



## **PART F - PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE**

### **F1 Partial Completion of Building Works Required**

The Subdivision Certificate for the Torrens Title Subdivision must not be released until the walls of dwelling lot 1701 - lot 1712 has been constructed to a minimum height of 1.0m. Evidence that this requirement has been satisfied must be provided in the form of a Registered Surveyor's Identification Survey Report. The survey report must show all allotment boundaries and the position of the building/s in relation to the boundaries.

### **F2 Community Title Subdivision**

Prior to the issue of the Subdivision Certificate, a Community Plan must be produced in accordance with the *Community Land Development Act 1989* and submitted to the Certifying Authority for approval. The plan must include a Community Management Statement which complies with Schedule 3 of the above Act and also include the following matters:

- a. an easement on all lots for support, access and maintenance 900mm wide adjacent to the "zero" lot line walls,
- b. easements for drainage, including requirements of support, access and maintenance,
- c. lots 2-7 to present bins at the north-eastern Shallows Drive access point,
- d. lots 8-13 to present bins at the south-western Shallows Drive access point,
- e. and lots 14-18 to present bins along The Farm Way, at the southern frontage of the site, and
- f. ensuring dwellings within the community scheme are entitled to utilise the community allotment (lot 1), including visitor car parking and shares in the costs associated with its upkeep (maintenance levies and the like).

### **F3 Partial Completion of Building Works Required**

The Subdivision Certificate for the Community Title Subdivision must not be released until the common walls of dwelling lots 2-18 been constructed to a minimum height of 1.0m and the requirements of the preceding condition have been satisfied unless otherwise agreed to in writing by council. Evidence that the requirement regarding wall heights has been satisfied must be provided in the form of a Registered Surveyor's Identification Survey Report. The survey report must show all allotment boundaries and the position of the building/s in relation to the boundaries.

### **F4 Final Geotechnical Report**

A final geotechnical report prepared by a suitably qualified and experienced geotechnical consultant must be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate. The report must include, but is not necessarily limited to:

- a. all earthwork operations,
- b. a fill plan showing extent and depth of fill,
- c. certification that all earthworks within the site have complied with the Subdivision Design Code. This must include appropriate test results, and test location diagram and date of testing,
- d. certification that all recommendations contained in geotechnical reports lodged in support of this development have been satisfied,
- e. the exact extent of any restricted building zones or any other restrictions affecting any of the allotments,

- f. identification of all land affected by landslip or instability constraints (if applicable), and
- g. verification that the pipe trench bedding and backfill complies with the requirements for HS3 bedding/backfill.

#### **F5 Lot Creation Geotechnical Report**

A Geotechnical Engineer's report must be submitted to the Principal Certifying Authority with the Subdivision Certificate application. The report must be prepared by a Chartered Professional Engineer with professionally recognised geotechnical experience and must include:

- a. the classification of the proposed lot in accordance with the Australian Standard 2870-Residential Slabs and Footings or subsequent amendments,
- b. the classification of the lot in relation to risk of slope instability, and
- c. the required site preparation and construction constraints within the building envelope of the lot appropriate to the assessed risk of slope instability.

#### **F6 Works As Executed Plans - Subdivision**

Works As Executed plans must be submitted to the Principal Certifying Authority by a Registered Surveyor with the Subdivision Certificate application. The Works As Executed dimensions and levels must be shown in red on a copy of the approved Construction Certificate plans. As a minimum the plan must show:

- a. compliance with the approved design plans of all drainage works within council land, road reserve and drainage easements including connection into the subject lot/s, surface and invert levels of all pits, invert levels and sizes of all pipelines,
- b. certification from a registered surveyor that all storm water pipes and other services are wholly within an appropriate easement,
- c. compliance with the approved design plans of paved areas within rights of carriageway and road reserve,
- d. the extent, depth and final levels of filling,
- e. the location of all underground service conduits, and
- f. all deviations from the approved Civil Engineering Plans.

All levels must relate to Australian Height Datum.

#### **F7 Services & 88B Instrument**

Lots affected by new or existing utility services must be burdened with easements and restrictions on the use of land to the satisfaction of the Principal Certifying Authority and the relevant utility provider.

Restrictions must be placed on title with respect to:

- a. access and maintenance for structures on the boundary or immediately adjacent to,
- b. the provision of legal and practical access (e.g. reciprocal rights of carriageway),
- c. landscaping on boundaries,
- d. drainage structures,
- e. an easement on all lots for support, access and maintenance 900mm wide adjacent to the "zero" lot line walls,

- f. easements for drainage, including requirements of support, access and maintenance, and

#### **F9 Easements on Title**

Easements must be registered on the property title covering the following aspects of the development prior to the release of the final plan of subdivision:

- a. drainage of lot 1701 to lot 1712 onto the adjoining community title lot, and
- b. drainage of lot 1703 roofwater onto lot 1704. Drainage of lot 1705 roofwater onto lot 1706. Drainage of lot 1707 roofwater onto lot 1708. Drainage of lot 1709 roofwater onto lot 1710.

### **PART G - AFTER ISSUE OF OCCUPATION CERTIFICATE/DURING OCCUPATION**

#### **G1 BASIX Commitments**

All commitments listed in the BASIX Certificate/s for the development must be maintained for the life of the development.

#### **G2 Allocation of Visitor Parking**

The visitor car parking spaces must always be available for visitor parking and must not at any time be allocated, sold or leased to an individual owner/occupier. In this regard, the visitor car parking spaces must form part of the common property in the strata subdivision.

#### **G3 Waste Bins**

The waste management of the individual waste bins must comply with the following requirements:

- a. waste receptacles must be presented to the kerb, not impeding onto adjoining properties or Council's road verge and collected immediately after collection service, and
- b. between collection periods, all waste/recycling materials generated onsite will be securely enclosed in bins and stored at their dwelling property

**End conditions**



# **Stage 10D5 Architectural Justification Statement**

## **Urban Design and Architectural Vision;**

The vision for Shell Cove 10D5 is to create an architectural character that defines an attractive & legible streetscape, that reflects the natural qualities of the locality and pursues a contemporary Australian coastal character that responds to the inspirational yet family focussed lifestyle of the region.

The composition of dwellings into streetscapes will enhance streetscape amenity and develop an authentic and rich residential character. This will ensure that individual buildings contribute positively to the public domain of streets, and that provide for a diverse range of living options. It is important that dwellings are considered in the context of a streetscape rather than on an individual basis, particularly with regards to garaging and front facade articulation. The composition of form and materials across a streetscape will provide variety and uniqueness of character rather than repetition in proportional application.

There are several key features that contribute to a successful streetscape, and are considered to be essential elements in 10D5. They are;

- Modern facades and roof forms
- Contemporary colours & materials
- Large balconies and maximised glazing
- Awnings, overhangs & porches
- Landscaping



Typical streetscape at Shell Cove, showing CN1708 and CN1709 facade types.

## **Dwelling mix;**

A considered mix of detached, semi detached and fully attached dwellings have been provided in 10D5, to provide a dynamic neighbourhood character while providing greater housing choice. It is important that front loaded dwellings are incorporated in to this mix (currently 40% of the mix) off Shallows Drive, so that we are also providing a balance between Community Titled and Torrens Titled dwellings. Should the dwellings off Shallows Drive be rear loaded off the lane, we are not able to provide a truly diverse dwelling mix.

### **Parking;**

Our ability to provide visitor car parking spaces within the laneway will also be removed. We do not recommend this approach.

### **Garage Dominance of Dwellings along Shallows Drive**

Dwellings have been designed so that the main building line is forward of the garage, with materials, balconies, and porches composed so that the garage does not dominate the front elevation. In addition to this, setbacks to garages have been increased from the typical setback requirements to achieve further relief and undulation across the entire street. I.e.;

- CN1701 and 1712 are 13.5m frontage family dwellings, and are consistent in design and front facade proportion as those dwellings on traditional land lots throughout the estate. These dwellings have increased garage setbacks of 6790mm (CN1701) and 6255mm (CN1712).
- CN1702 and 1711 are 11.5m frontage family dwellings, with an increased garage setback of 8085mm (CN1711) and 8200mm (CN1702) to increase articulation across the streetscape, and minimise garage dominance. These homes have expansive over-sailing balconies on the first floor to further minimise the garage impact.

With regards to the duplex dwellings fronting Shallows Drive (CN1703-1710), the typical garage setback is 6400mm (an increase from the required setback). The increased setbacks generally allow a larger projection of the first floor balcony over the street.

It is also important to consider the following;

- These 8 dwellings have been broken down into 2 streetscape sections separated by a laneway (an overall gap of 16.8m)
- The facade treatments are highly varied, and articulated with a variety of materials and colours to create interest in the streetscape

### **Typical Facade Types along Shallows Drive** (colours may vary from those shown):



Facade CN1708 and 1703



Facade CN1707 and 1704



Facade CN1707 and 1704  
(Alternative colour palette)



Facade CN1710



Facade CN1709 (Alternative colour palette)



Facade CN1712



Facade CN1702

### **Driveways:**

With regards to the consolidation of duplex driveways, we have the following recommendations;

- That garages remain separated by front door entries so that each dwelling maintains its own sense of address, and a landscaped strip is provided between (as shown indicatively above)



- That on Torrens Titled lots it is not customary to share driveways and there may be market resistance to this
- That the overall perceived width of the garage will increase if doors are adjacent to one another



Facades CN1708 and 1707 – demonstrating first floor articulation to juxtapose ground floor garage



Facades CN1706 and 1705 – demonstrating first floor articulation to juxtapose ground floor garage

### **Summary:**

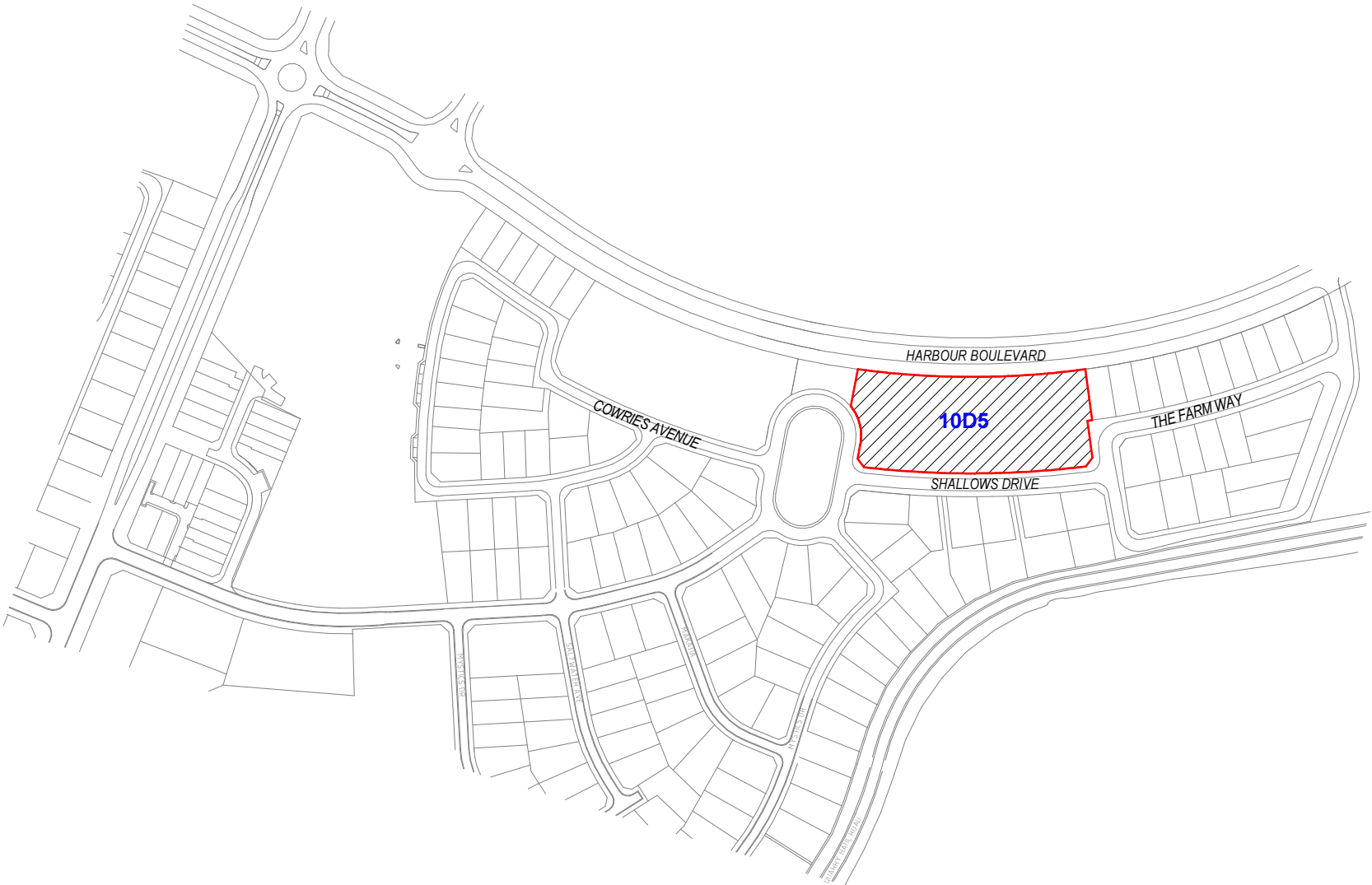
Australand understand the JRPP's concerns with garage dominance across the Shallows Drive streetscape. This document seeks to mitigate those concerns through the provision of further detail around the facade composition of dwellings (coloured 3D views with indicative landscape treatments).

It is important that dwellings are considered in the context of a streetscape rather than on an individual basis, particularly with regards to garaging and front facade articulation. The composition of form and materials across a streetscape will provide variety and depth in the front elevation rather than dominance of one element.

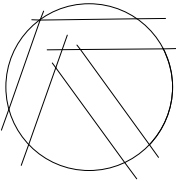
Maintaining the current dwelling mix will provide greater housing choice and a rich residential character.



STAGE 10D5 LOT 1274,  
SHELLCOVE - NSW

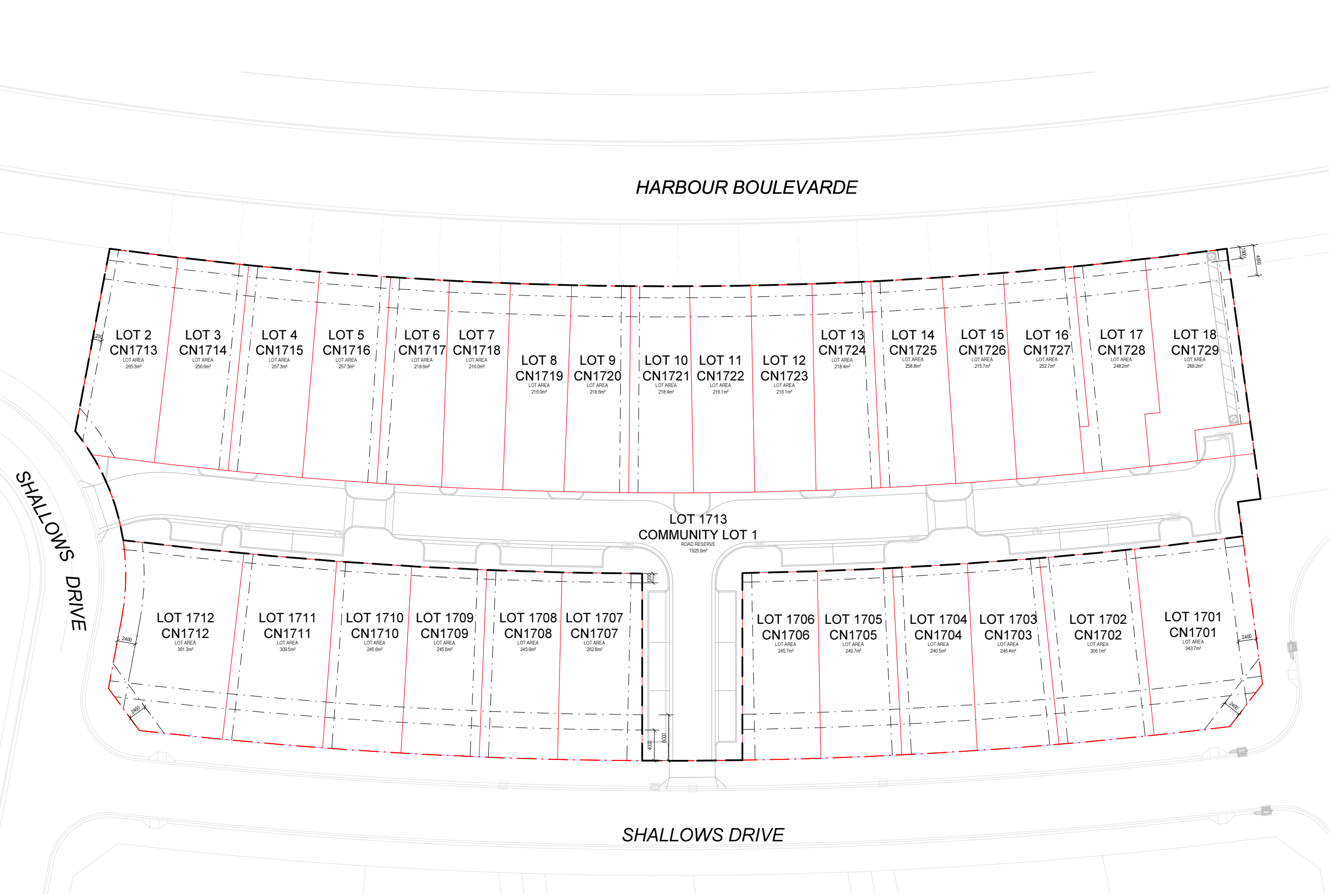


| DRAWING LIST |  |              |
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| Sheet Number | Sheet Name                                 |              |
| 0.0          | FACE PAGE                                  |              |
| 1.1          | LOT PLAN                                   |              |
| 1.2          | SITE PLAN - GROUND FLOOR                   |              |
| 1.3          | SITE PLAN - FIRST FLOOR                    |              |
| 1.4          | COMPLIANCE TABLE                           |              |
| 1.5          | WASTE MANAGEMENT PLAN                      |              |
| 1.6          | AREA PLAN - GROUND FLOOR                   |              |
| 1.7          | AREA PLAN - FIRST FLOOR                    |              |
| 2.1          | DETAILED SITE PLAN A                       |              |
| 2.2          | DETAILED SITE PLAN B                       |              |
| 2.3          | DETAILED SITE PLAN C                       |              |
| 2.4          | DETAILED SITE PLAN D                       |              |
| 2.5          | DETAILED SITE PLAN E                       |              |
| 3.1          | STREETSCAPE ELEVATIONS                     |              |
| 3.2          | STREETSCAPE ELEVATIONS - PLANNING PURPOSES |              |
| 3.3          | SITE PERSPECTIVES SHEET 1                  |              |
| 3.4          | SITE PERSPECTIVES SHEET 2                  |              |
| 4.1          | SHADOW DIAGRAMS                            |              |
| 4.2          | SHADOW DIAGRAMS                            |              |
| 5.1.1        | CN1701                                     | SHEET 1 OF 1 |
| 5.1.2        | CN1701                                     | SHEET 2 OF 2 |
| 5.2.1        | CN1702                                     | SHEET 1 OF 2 |
| 5.2.2        | CN1702                                     | SHEET 2 OF 2 |
| 5.3.1        | CN1703, CN1704                             | SHEET 1 OF 2 |
| 5.3.2        | CN1703, CN1704                             | SHEET 2 OF 2 |
| 5.4.1        | CN1705, CN1706                             | SHEET 1 OF 2 |
| 5.4.2        | CN1705, CN1706                             | SHEET 2 OF 2 |
| 5.5.1        | CN1707, CN1708                             | SHEET 1 OF 2 |
| 5.5.2        | CN1707, CN1708                             | SHEET 2 OF 2 |
| 5.6.1        | CN1709, CN1710                             | SHEET 1 OF 2 |
| 5.6.2        | CN1709, CN1710                             | SHEET 2 OF 2 |
| 5.7          | CN1711                                     |              |
| 5.8          | CN1712                                     |              |
| 5.9.1        | CN1713, CN1714                             | SHEET 1 OF 2 |
| 5.9.2        | CN1713, CN1714                             | SHEET 2 OF 2 |
| 5.10.1       | CN1715, CN1716                             | SHEET 1 OF 2 |
| 5.10.2       | CN1715, CN1716                             | SHEET 2 OF 2 |
| 5.11.1       | CN1717, CN1718, CN1719, CN1720             | SHEET 1 OF 3 |
| 5.11.2       | CN1717, CN1718, CN1719, CN1720             | SHEET 2 OF 3 |
| 5.11.3       | CN1717, CN1718, CN1719, CN1720             | SHEET 3 OF 3 |
| 5.12.1       | CN1721, CN1722, CN1723, CN1724             | SHEET 1 OF 3 |
| 5.12.2       | CN1721, CN1722, CN1723, CN1724             | SHEET 2 OF 3 |
| 5.12.3       | CN1721, CN1722, CN1723, CN1724             | SHEET 3 OF 3 |
| 5.13.1       | CN1725, CN1726, CN1727                     | SHEET 1 OF 2 |
| 5.13.2       | CN1725, CN1726, CN1727                     | SHEET 2 OF 2 |
| 5.14.1       | CN1728, CN1729                             | SHEET 1 OF 2 |
| 5.14.2       | CN1728, CN1729                             | SHEET 2 OF 2 |



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**LOT PLAN**

PROJECT:

STAGE 10D5 LOT 1274, SHELLCOVE - NSW

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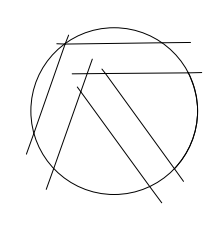
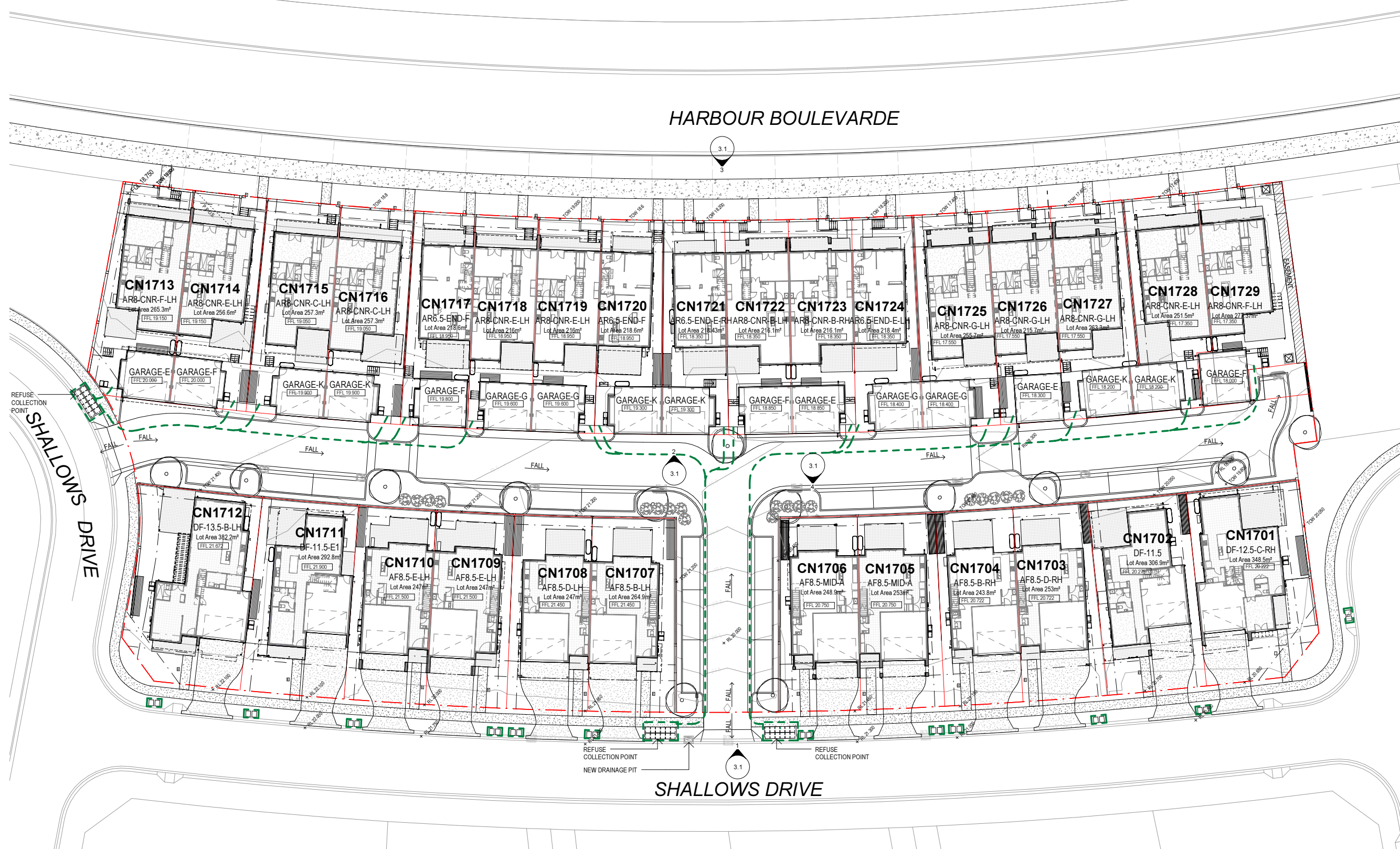












1 WASTE MANAGEMENT PLAN  
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## WASTE MANAGEMENT PLAN

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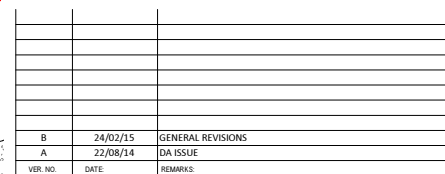
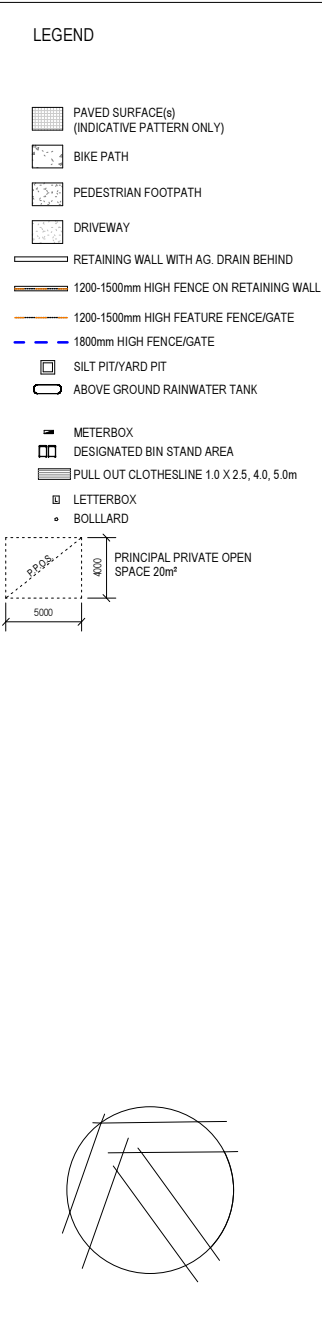
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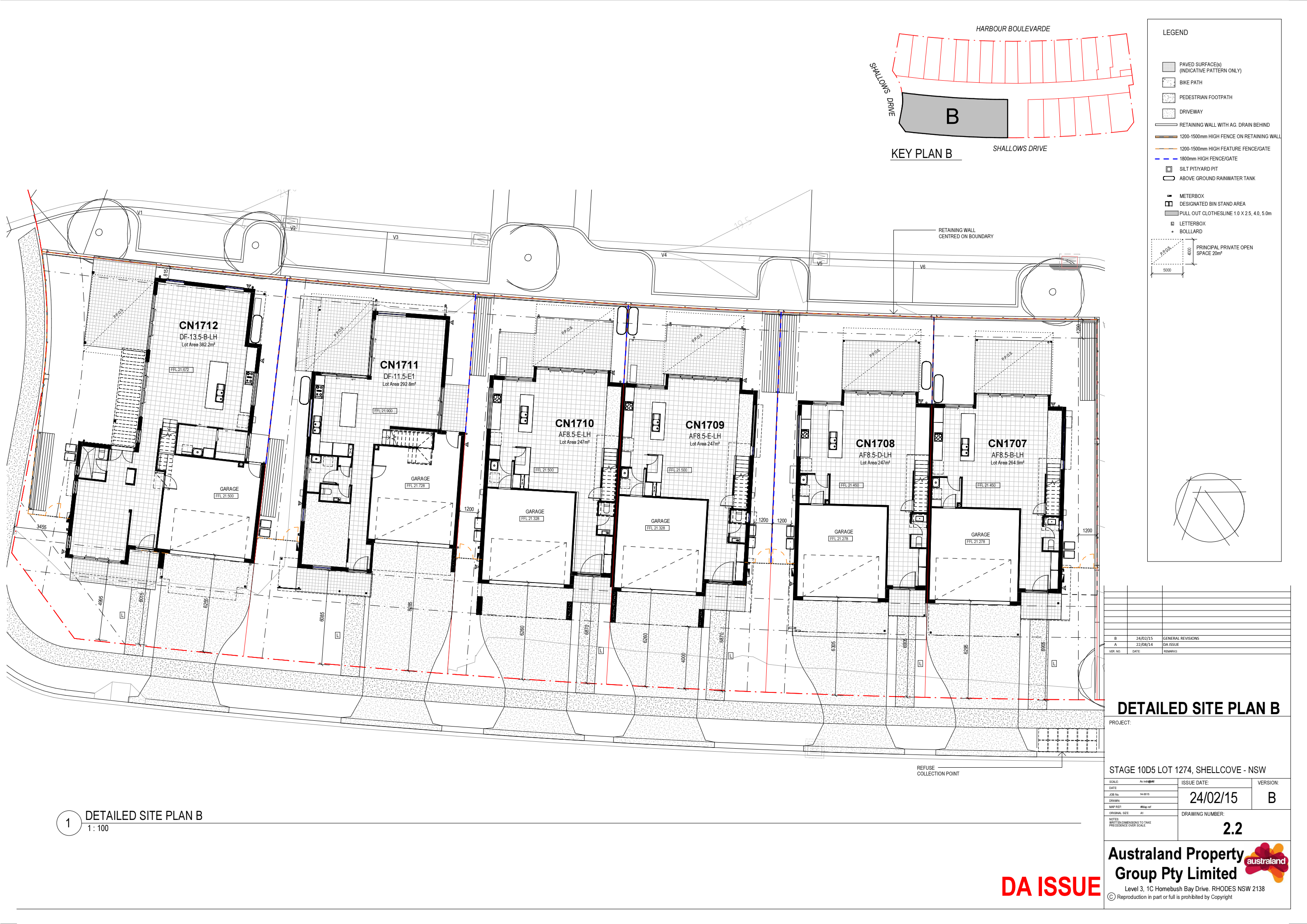
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1 DETAILED SITE PLAN B  
1: 100

## DETAILED SITE PLAN B

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STAGE 10D5 LOT 1274, SHELLCOVE - NSW

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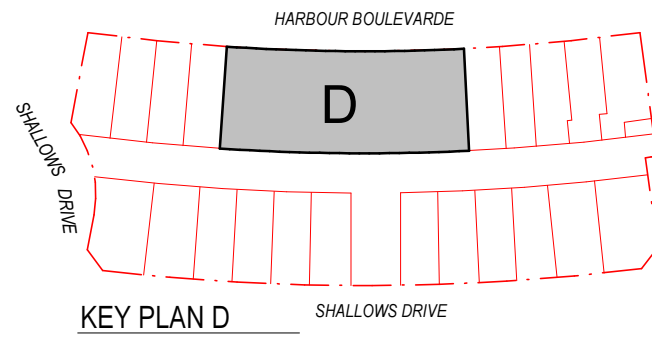
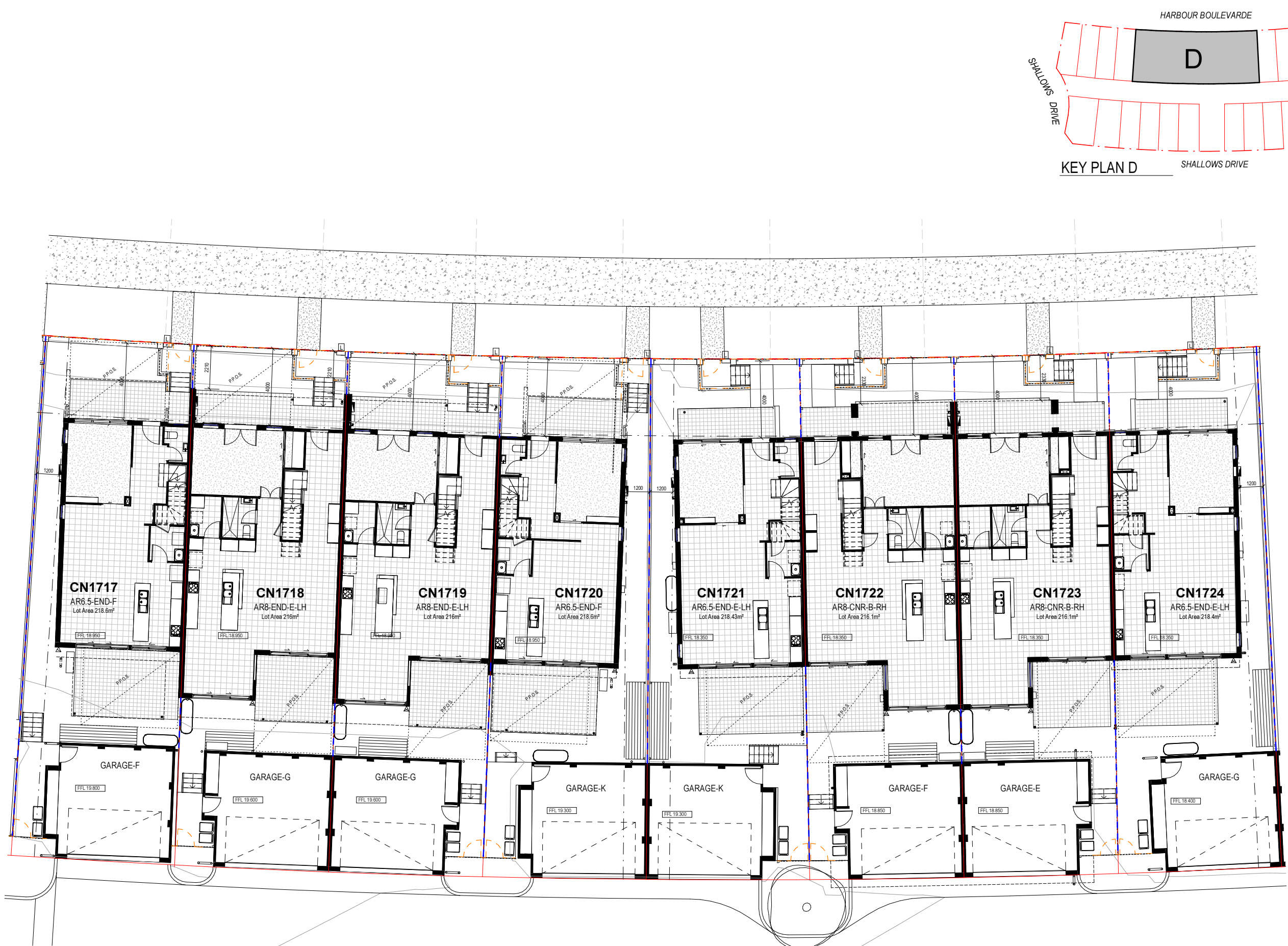
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LEGEND

PAVED SURFACE(s)  
(INDICATIVE PATTERN ONLY)

BIKE PATH

PEDESTRIAN FOOTPATH

DRIVEWAY

RETAINING WALL WITH AG. DRAIN BEHIND

1200-1500mm HIGH FENCE ON RETAINING WALL

1200-1500mm HIGH FEATURE FENCE/GATE

1800mm HIGH FENCE/GATE

SILT PIT/YARD PIT

ABOVE GROUND RAINWATER TANK

METERBOX

DESIGNATED BIN STAND AREA

PULL OUT CLOTHESLINE 1.0 X 2.5, 4.0, 5.0m

LETTERBOX

BOLLARD

4000

5000

PRINCIPAL PRIVATE OPEN SPACE 20m<sup>2</sup>

1 DETAILED SITE PLAN D  
1 : 100

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DETAILED SITE PLAN D

PROJECT:

STAGE 10D5 LOT 1274, SHELLCOVE - NSW

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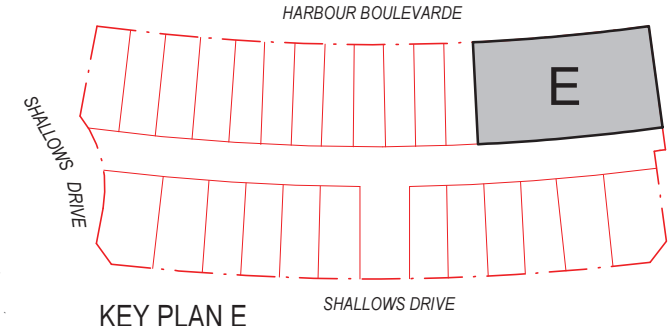
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LEGEND

PAVED SURFACE(s)  
(INDICATIVE PATTERN ONLY)

BIKE PATH

PEDESTRIAN FOOTPATH

DRIVEWAY

RETAINING WALL WITH AG. DRAIN BEHIND

1200-1500mm HIGH FENCE ON RETAINING WALL

1200-1500mm HIGH FEATURE FENCE/GATE

1800mm HIGH FENCE/GATE

SILT PIT/YARD PIT

ABOVE GROUND RAINWATER TANK

METERBOX

DESIGNATED BIN STAND AREA

PULL OUT CLOTHESLINE 1.0 X 2.5, 4.0, 5.0m

LETTERBOX

BOLLARD

2000

4000

5000

PRINCIPAL PRIVATE OPEN SPACE 20m<sup>2</sup>

1 DETAILED SITE PLAN E  
1: 100

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DETAILED SITE PLAN E

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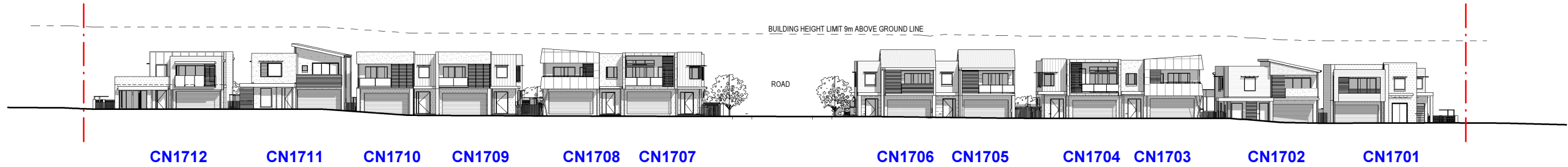
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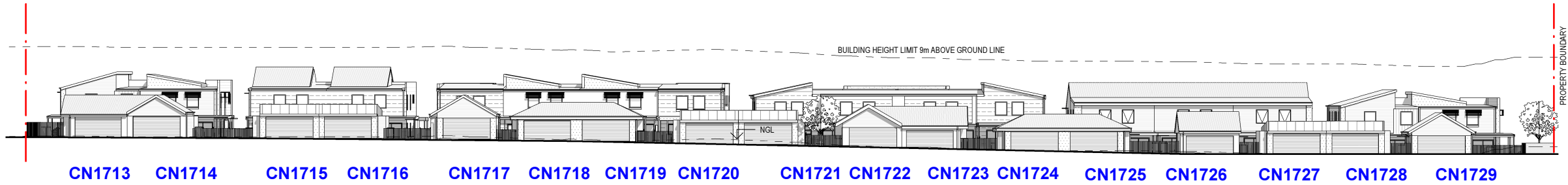
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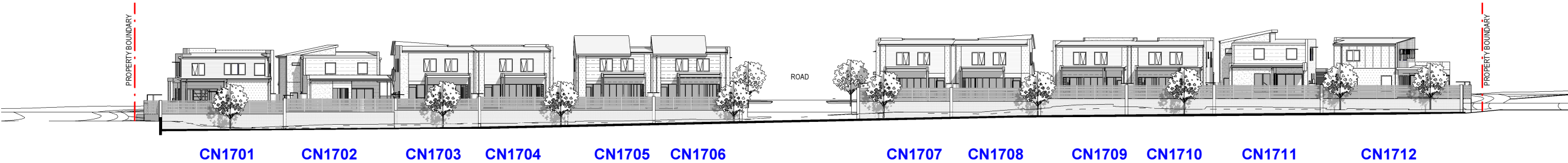
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2 INTERNAL SOUTH ELEVATION - NEW ROAD  
1 : 250



3 NORTH ELEVATION - HARBOUR BOULEVARDE  
1 : 250



4 INTERNAL NORTH ELEVATION - NEW ROAD  
1 : 250

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## STREETSCAPE ELEVATIONS

PROJECT:

STAGE 10D5 LOT 1274, SHELLCOVE - NSW

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| MAP REF:   | WMap ref     |                               |          |          |   |
| ORIGINAL SIZE:   | A1           |                               |          |          |   |
| NOTES:<br>WRITTEN DIMENSIONS TO TAKE PRECEDENCE OVER SCALE |              | DRAWING NUMBER:<br><b>3.1</b> |          |          |   |

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DA ISSUE









NORTH WEST VIEW



NORTH EAST VIEW

|          |  |          |                   |
|----------|--|----------|-------------------|
| B        |  | 24/02/15 | GENERAL REVISIONS |
| A        |  | 22/06/14 | DA ISSUE          |
| VER. NO. |  | DATE     | REMARKS           |

## SITE PERSPECTIVES SHEET 2

PROJECT:

STAGE 10D5 LOT 1274, SHELLCOVE - NSW

|               |          |                 |         |
|---------------|----------|-----------------|---------|
| SCALE         | BY       | ISSUE DATE      | VERSION |
| DATE          |          | 24/02/15        | B       |
| DRAWN         | 14/03/15 |                 |         |
| MAP REF       | Map of   |                 |         |
| ORIGINAL SIZE | A1       |                 |         |
| NOTES         |          | DRAWING NUMBER: |         |
| NOT TO SCALE  |          | 3.4             |         |

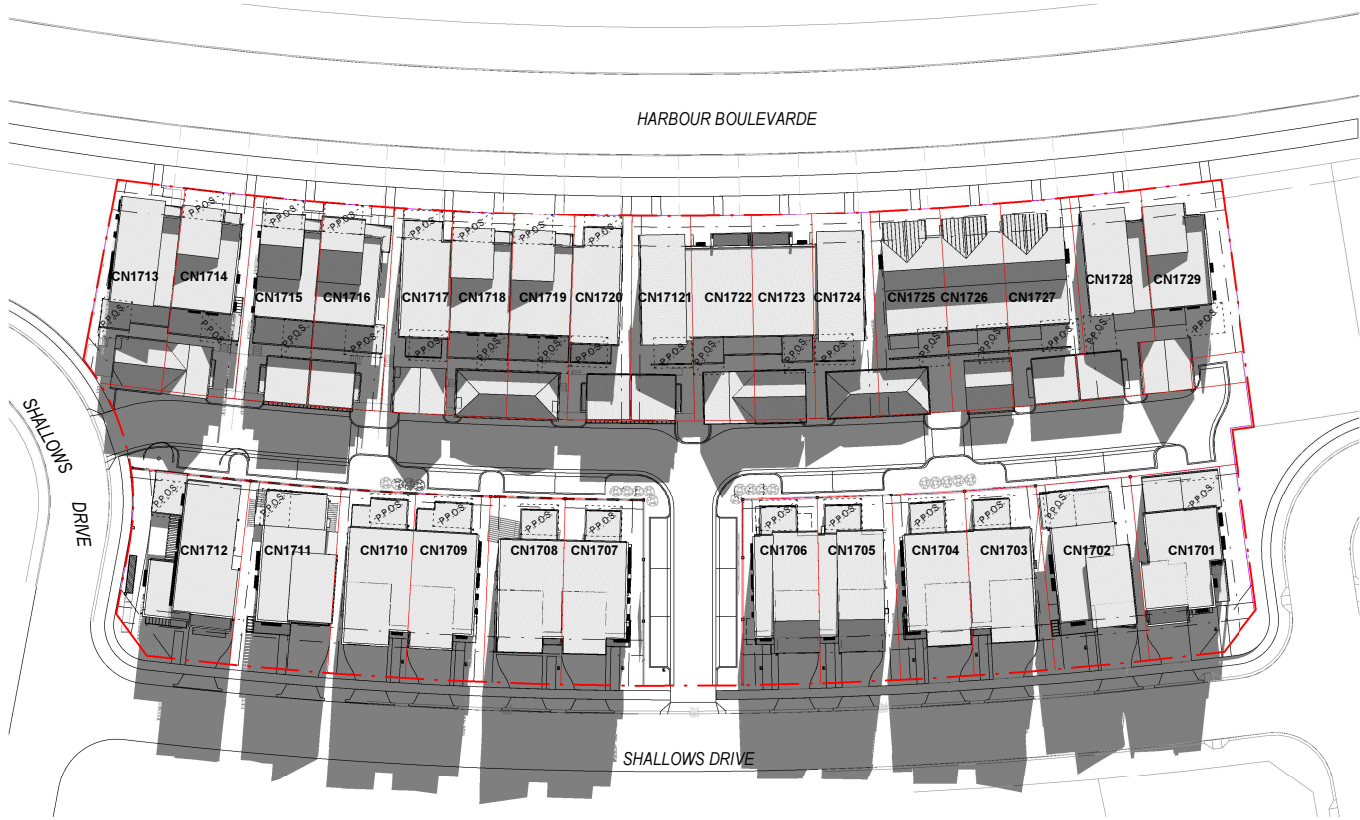
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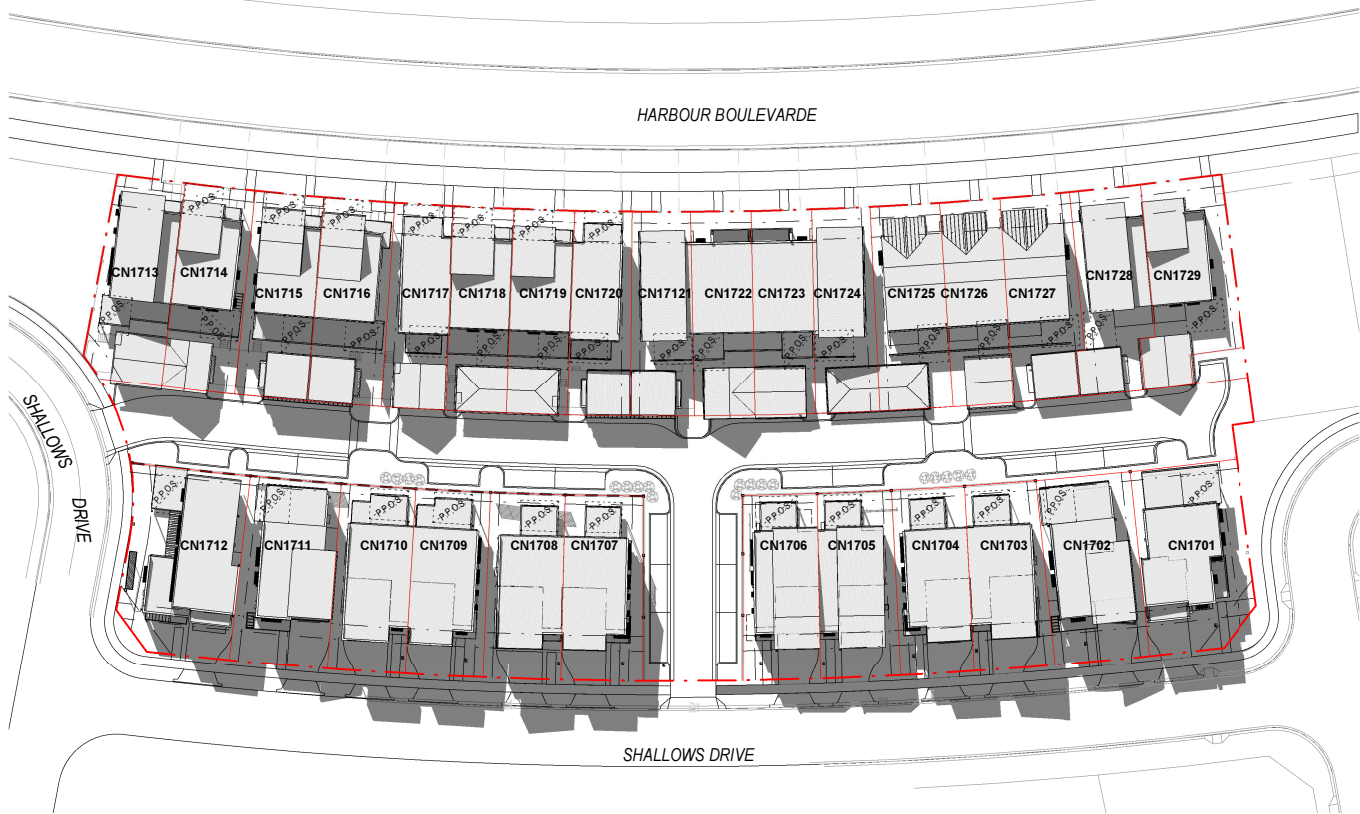




1 SHADOW DIAGRAM 9am JUNE 2014, SHELLCOVE NSW  
1 : 500



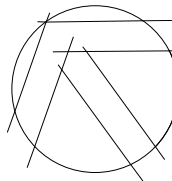
3 SHADOW DIAGRAM 12pm JUNE 2014, SHELLCOVE NSW  
1 : 500



2 SHADOW DIAGRAM 11am JUNE 2014, SHELLCOVE NSW  
1 : 500

| SOLAR COMPLIANCE TABLE |      |       |       |      |      |      |            |
|------------------------|------|-------|-------|------|------|------|------------|
| LOT                    | 9 AM | 11 AM | 12 PM | 1 PM | 2 PM | 3 PM | COMPLIANCE |
| CN1701                 | YES  | YES   | YES   | YES  | YES  | YES  | YES        |
| CN1702                 | YES  | YES   | YES   | YES  | YES  | YES  | YES        |
| CN1703                 | YES  | YES   | YES   | YES  | YES  | YES  | YES        |
| CN1704                 | YES  | YES   | YES   | YES  | YES  | YES  | YES        |
| CN1705                 | YES  | YES   | YES   | YES  | YES  | YES  | YES        |
| CN1706                 | YES  | YES   | YES   | YES  | YES  | YES  | YES        |
| CN1707                 | YES  | YES   | YES   | YES  | YES  | YES  | YES        |
| CN1708                 | YES  | YES   | YES   | YES  | YES  | YES  | YES        |
| CN1709                 | YES  | YES   | YES   | YES  | YES  | YES  | YES        |
| CN1710                 | YES  | YES   | YES   | YES  | YES  | YES  | YES        |
| CN1711                 | YES  | YES   | YES   | YES  | YES  | YES  | YES        |
| CN1712                 | YES  | YES   | YES   | YES  | YES  | YES  | YES        |
| CN1713                 | YES  | YES   | YES   | YES  | YES  | YES  | YES        |
| CN1714                 | YES  | YES   | YES   | YES  | YES  | YES  | YES        |
| CN1715                 | YES  | YES   | YES   | YES  | YES  | YES  | YES        |
| CN1716                 | YES  | YES   | YES   | YES  | YES  | YES  | YES        |
| CN1717                 | YES  | YES   | YES   | YES  | YES  | YES  | YES        |
| CN1718                 | YES  | YES   | YES   | YES  | YES  | YES  | YES        |
| CN1719                 | YES  | YES   | YES   | YES  | YES  | YES  | YES        |
| CN1720                 | YES  | YES   | YES   | YES  | YES  | YES  | YES        |
| CN1721                 | NO   | NO    | NO    | YES  | NO   | YES  | NO         |
| CN1722                 | NO   | NO    | NO    | NO   | NO   | YES  | NO         |
| CN1723                 | NO   | NO    | NO    | NO   | YES  | YES  | NO         |
| CN1724                 | NO   | NO    | NO    | NO   | YES  | YES  | NO         |
| CN1725                 | NO   | NO    | NO    | NO   | YES  | YES  | NO         |
| CN1726                 | NO   | NO    | NO    | NO   | YES  | YES  | NO         |
| CN1727                 | YES  | NO    | NO    | NO   | NO   | YES  | NO         |
| CN1728                 | NO   | YES   | YES   | YES  | YES  | YES  | YES        |
| CN1729                 | YES  | NO    | YES   | YES  | YES  | YES  | YES        |

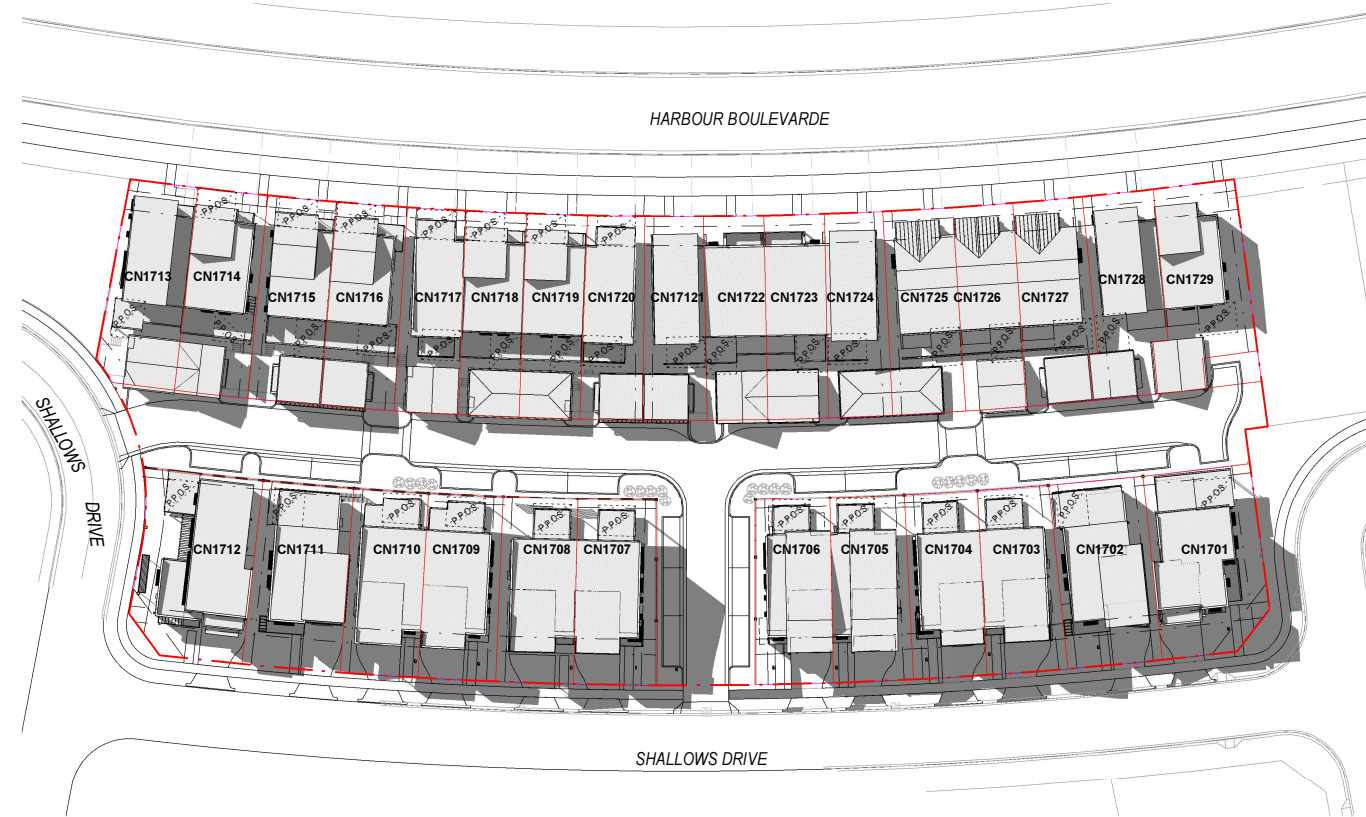
MINIMUM 3 HOURS OF DIRECT SUNLIGHT BETWEEN 9.00am AND 3.00pm JUNE 21 FOR AT LEAST 70% OF DWELLINGS - 70% COMPLIANCE ACHIEVED



|   |                      |            |
|---|----------------------|------------|
| SHADOW DIAGRAMS   |                      |            |
| PROJECT:  |                      |            |
| STAGE 10D5 LOT 1274, SHELLCOVE - NSW                      |                      |            |
| SCALE: 1: 500   | ISSUE DATE: 24/02/15 | VERSION: B |
| DATE: 16/01/15  |                      |            |
| JOB No: 16-0115   |                      |            |
| DRAWN: WMap ref   |                      |            |
| MAP REF: WMap ref   |                      |            |
| ORIGINAL SIZE: A1   |                      |            |
| NOTES: WRITTEN DIMENSIONS TO TAKE PRECEDENCE OVER SCALE   |                      |            |
| DRAWING NUMBER: 4.1                                       |                      |            |
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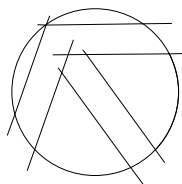


1 SHADOW DIAGRAM 1pm JUNE 2014, SHELLCOVE NSW  
1 : 500

2 SHADOW DIAGRAM 2pm JUNE 2014, SHELLCOVE NSW  
1 : 500



3 SHADOW DIAGRAM 3pm JUNE 2014, SHELLCOVE NSW  
1 : 500



|          |          |                   |
|----------|----------|-------------------|
|          |          |                   |
|          |          |                   |
|          |          |                   |
|          |          |                   |
|          |          |                   |
|          |          |                   |
|          |          |                   |
| B        | 24/02/15 | GENERAL REVISIONS |
| A        | 22/08/14 | DA ISSUE          |
| VER. NO. | DATE     | REMARKS           |

SHADOW DIAGRAMS

PROJECT:

STAGE 10D5 LOT 1274, SHELLCOVE - NSW

|   |             |          |
|---|-------------|----------|
| SCALE: 1: 500@ A1                                       | ISSUE DATE: | VERSION: |
| DATE: 14-01-15  | 24/02/15    | B        |
| JOB No:   |             |          |
| DRAWN:  |             |          |
| MAP REF: WMap ref                                       |             |          |
| ORIGINAL SIZE: A1                                       |             |          |
| NOTES: WRITTEN DIMENSIONS TO TAKE PRECEDENCE OVER SCALE |             |          |

DRAWING NUMBER:

4.2

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