

FSR CALCULATION DIAGRAM GROUND FLOOR PLAN

TOTAL AREA SHADED = 2059.25m²





FSR CALCULATION DIAGRAM LEVEL I FLOOR PLAN

$$\text{TOTAL AREA SHADED} = 3040.06\text{m}^2$$





FSR CALCULATION DIAGRAM
LEVEL 2 FLOOR PLAN

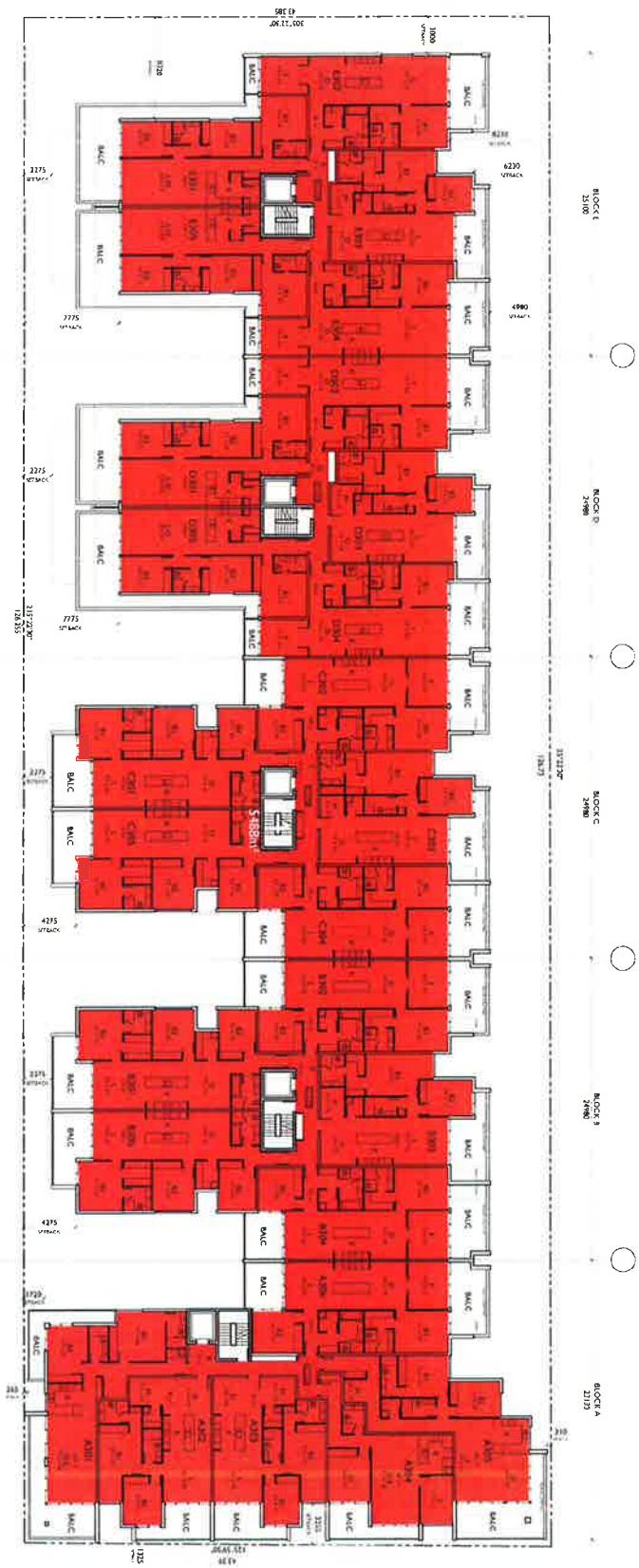
TOTAL AREA SHADeD = 2969.36m²





FSR CALCULATION DIAGRAM
LEVEL 3 FLOOR PLAN

TOTAL AREA SHADeD = 2658.60m²



adm
ARCHITECTS

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ISSUE A - 21.05.2015

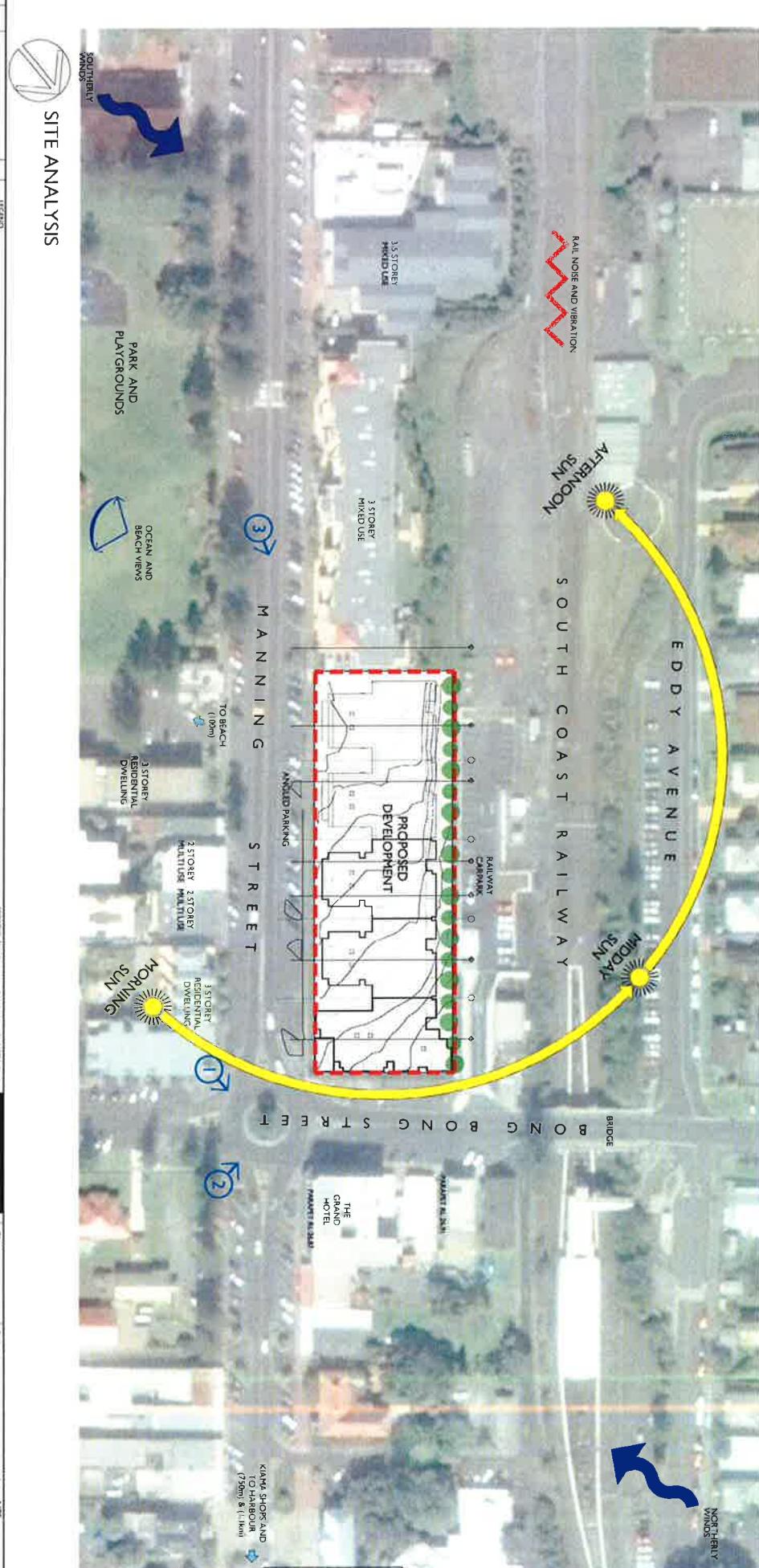


PHOTO I.- THE GRAND HOTEL



PHOTO 2 - CNR OF MANNING AND BONG BONG STREET



PHOTO 3 - ADJOINING BUILDING MANNING STREET



NOT FOR CONSTRUCTION

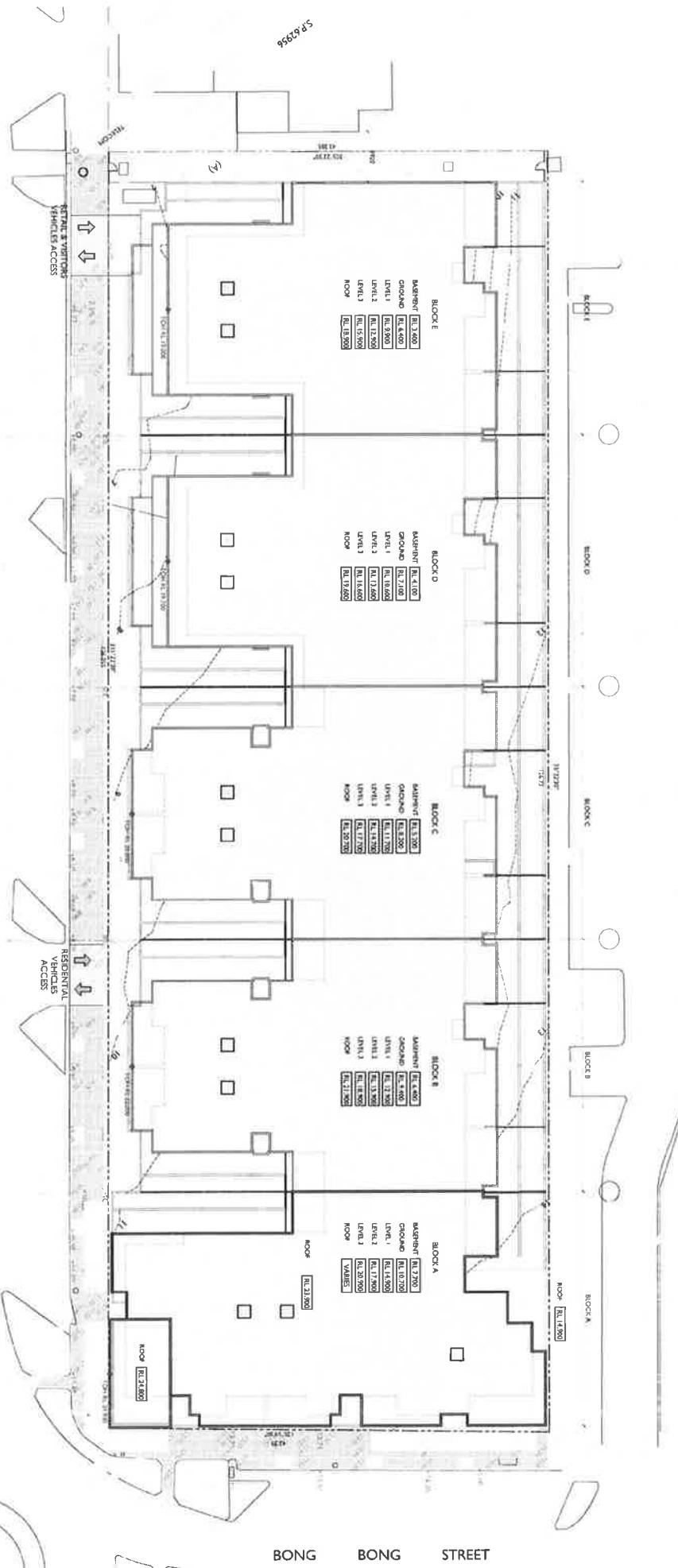


SITE PLAN

LAWN ENGINEER'S DOCUMENTATION FOR
TER COLLECTION & ALL EXTERNAL SURFACE
LANDSCAPE ARCHITECT'S DOCUMENTATION
AVING & PLANTING DETAILS

MANNING

STREET

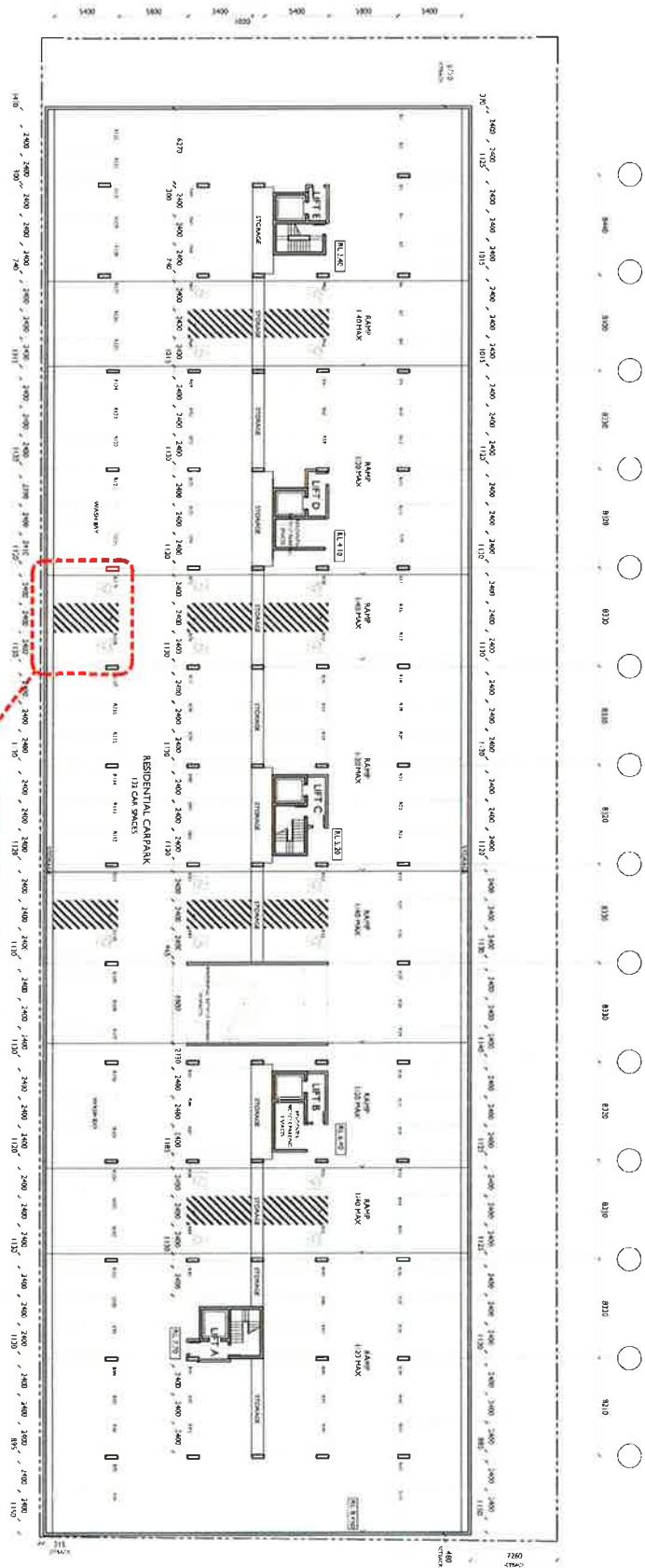
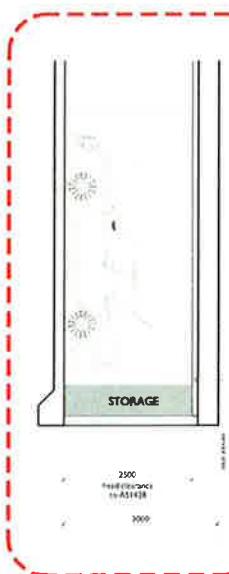


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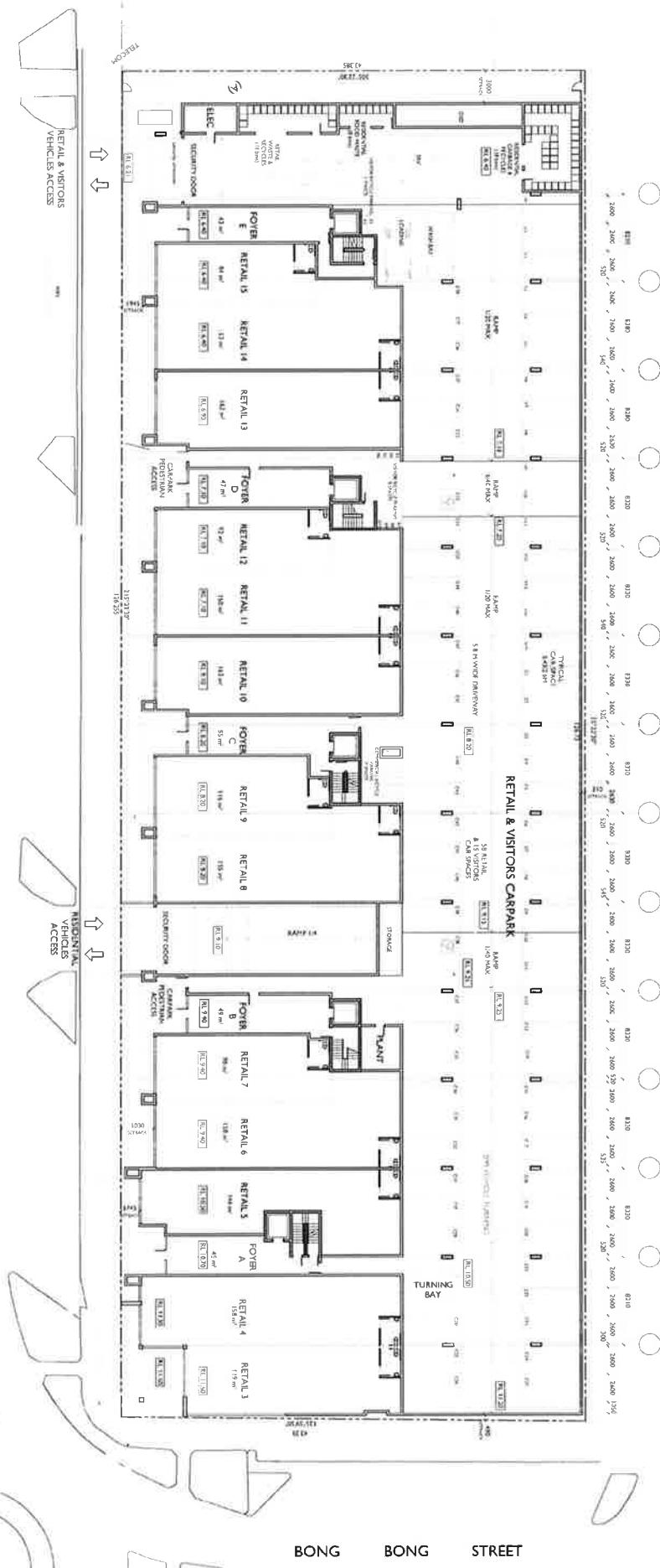
BASEMENT FLOOR PLAN

ADAPTABLE SPACE TYPICAL SECTION @ 1:50



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GROUND FLOOR PLAN

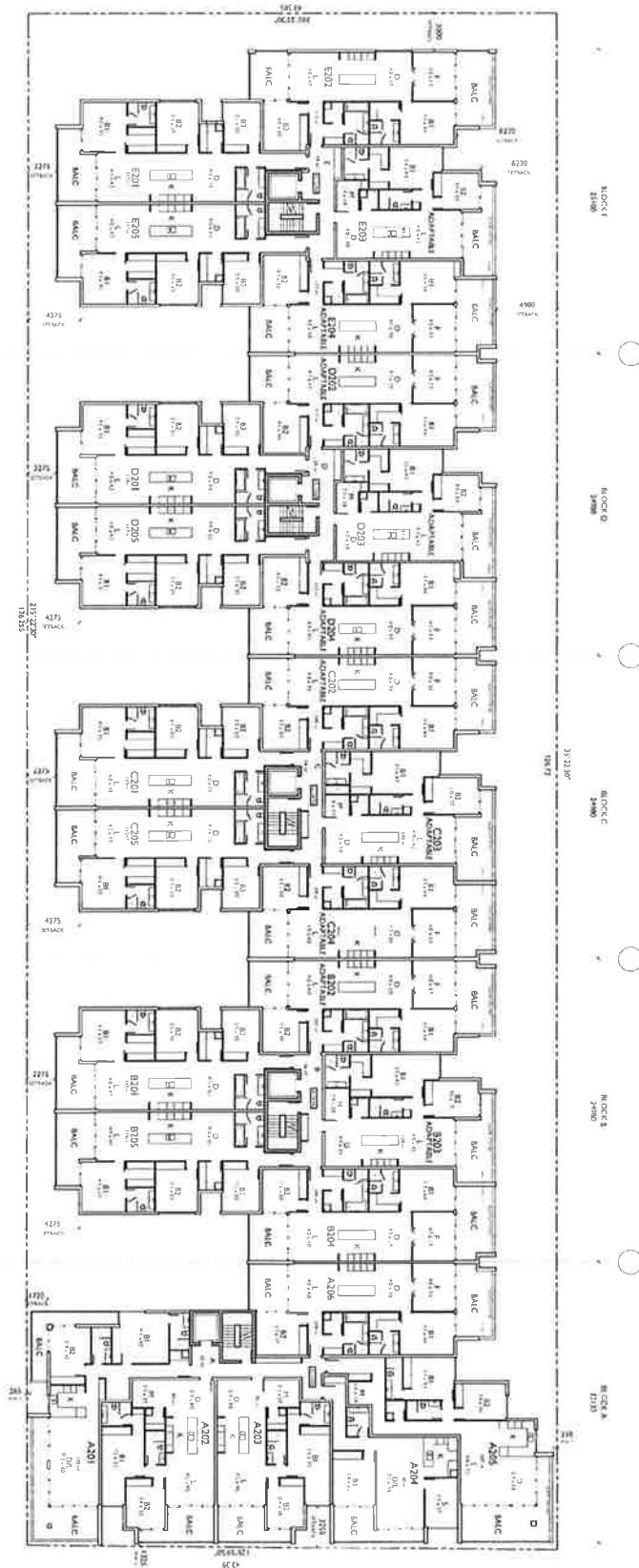


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PROPOSED MIXED USE DEVELOPMENT		ADM	
ADM 1005		ADM	
CNR MANNING & BONG BONG STREETS, KUMA, BAGUIO CITY		GROUND FLOOR PLAN	
PROJ. NO. A04		DRAWING NO. B	
DRAWN BY: NICOLAS DAQUD & CO. P.H. Ltd.			
APPROVED BY: NICOLAS DAQUD & CO. P.H. Ltd.			
DATE: 2014-15			
REMARKS:			



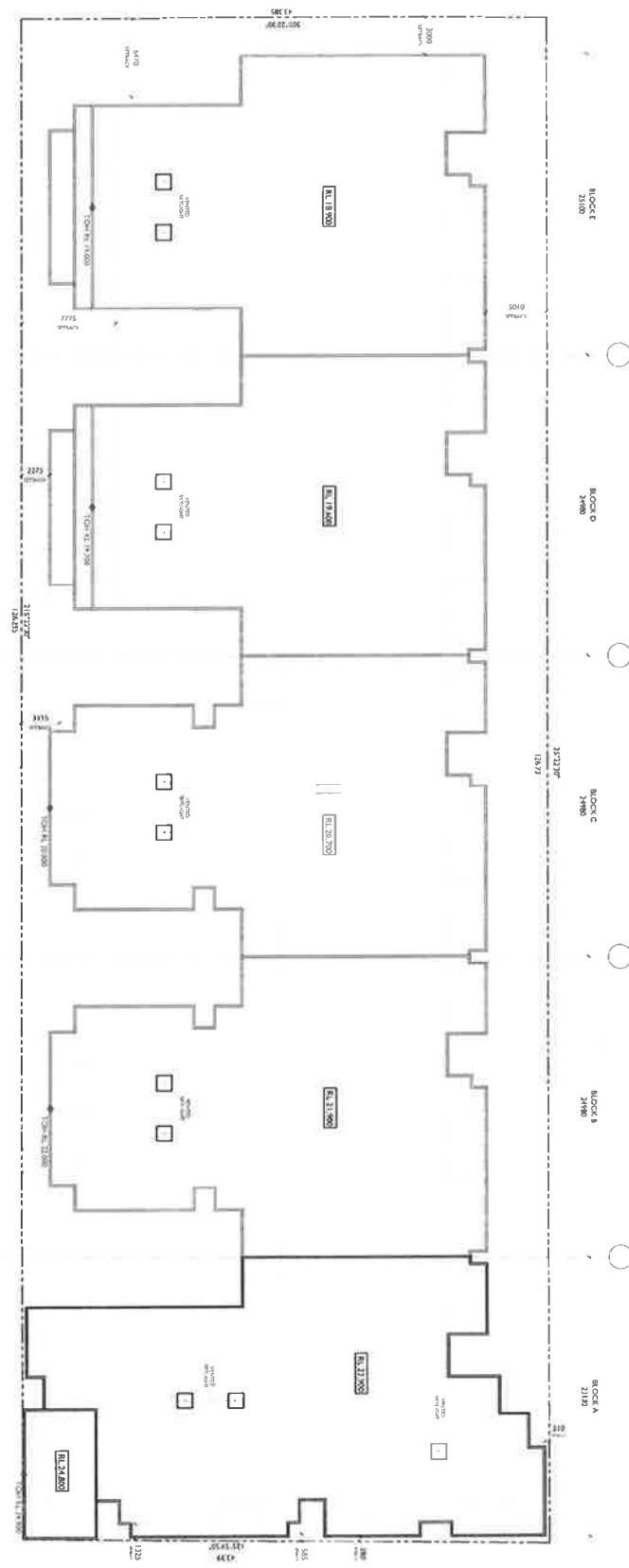
LEVEL 2 FLOOR PLAN



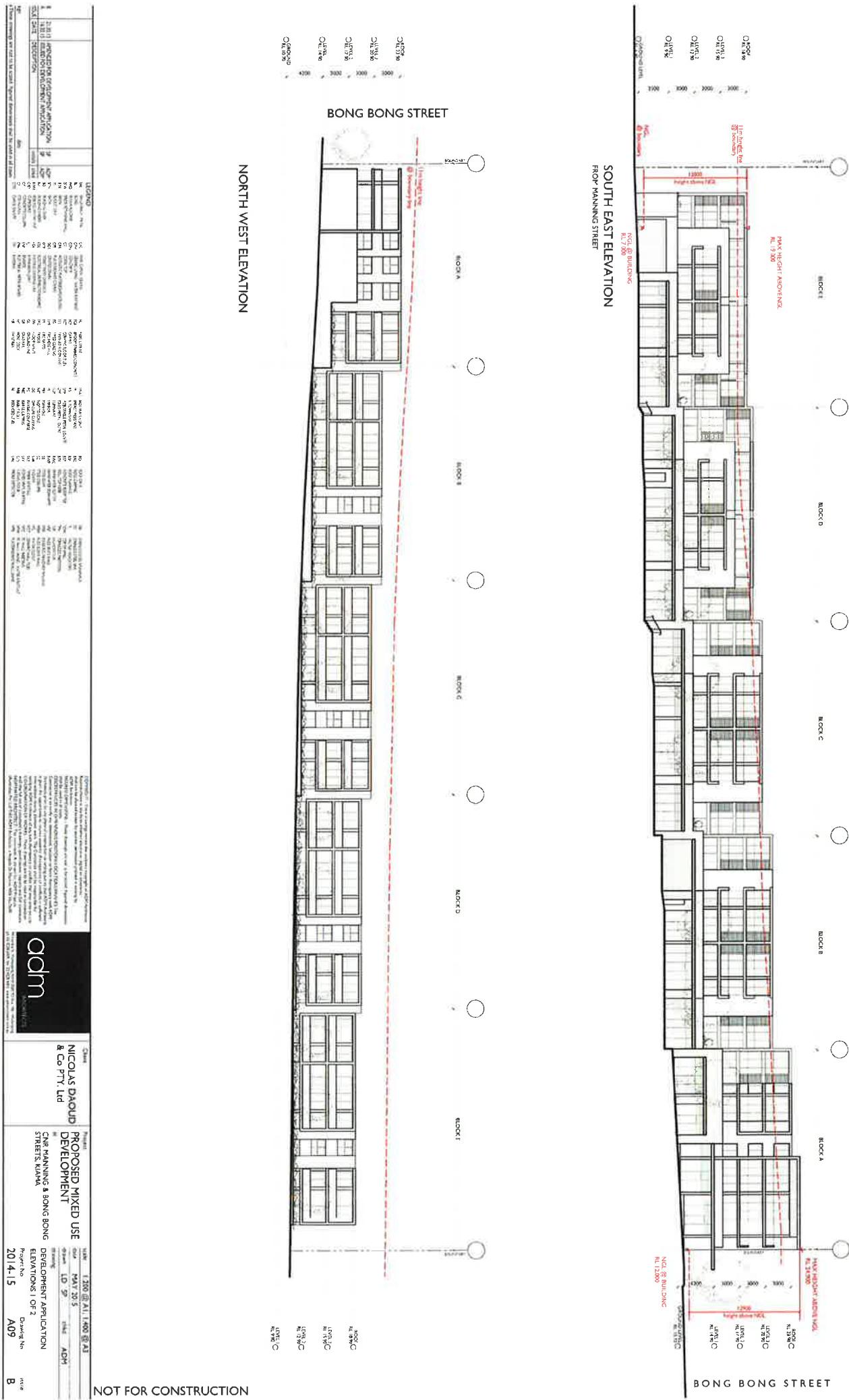
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ROOF PLAN



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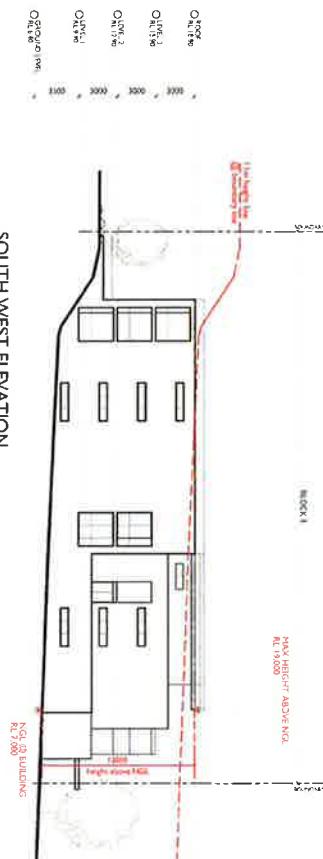
NOT FOR CONSTRUCTION

ADM		NOT FOR CONSTRUCTION	
Project No.	ADM 2014-15	Drawn By	ADM
Drawing No.	A10	Date	2014-15
Scale	1:200	ADM	
Project Name	PROPOSED MIXED USE DEVELOPMENT	Client	NICOLAS DAOUD & CO PTY. LTD
Address	CNR MANNING & BONG BONG STREETS KIAMA	Project No.	ADM 2014-15
Project Description	DEVELOPMENT APPLICATION ELEVATIONS 2 OF 2	Drawn	LD SP
Comments	Project No. 2014-15	Approved	ADM
Notes	NOT FOR CONSTRUCTION	Revised	
Stamp	ADM	Stamp	

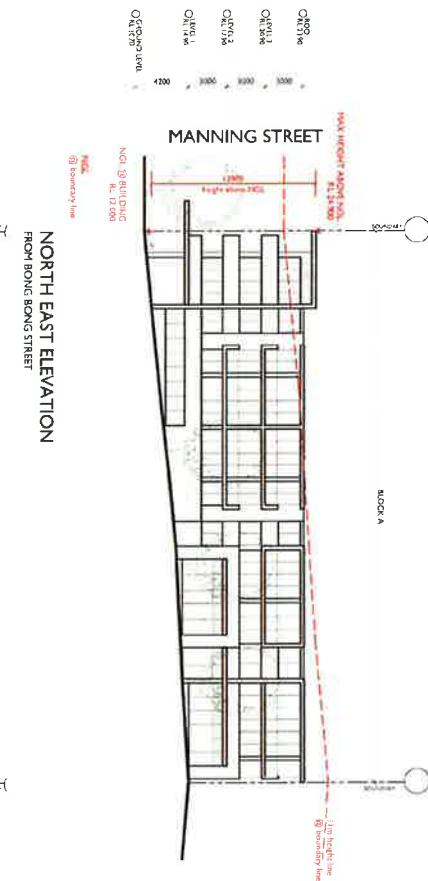
STREETSCAPE ELEVATION
FROM MANNING STREET
1:200



SOUTH WEST ELEVATION



NORTH EAST ELEVATION
FROM BONG BONG STREET



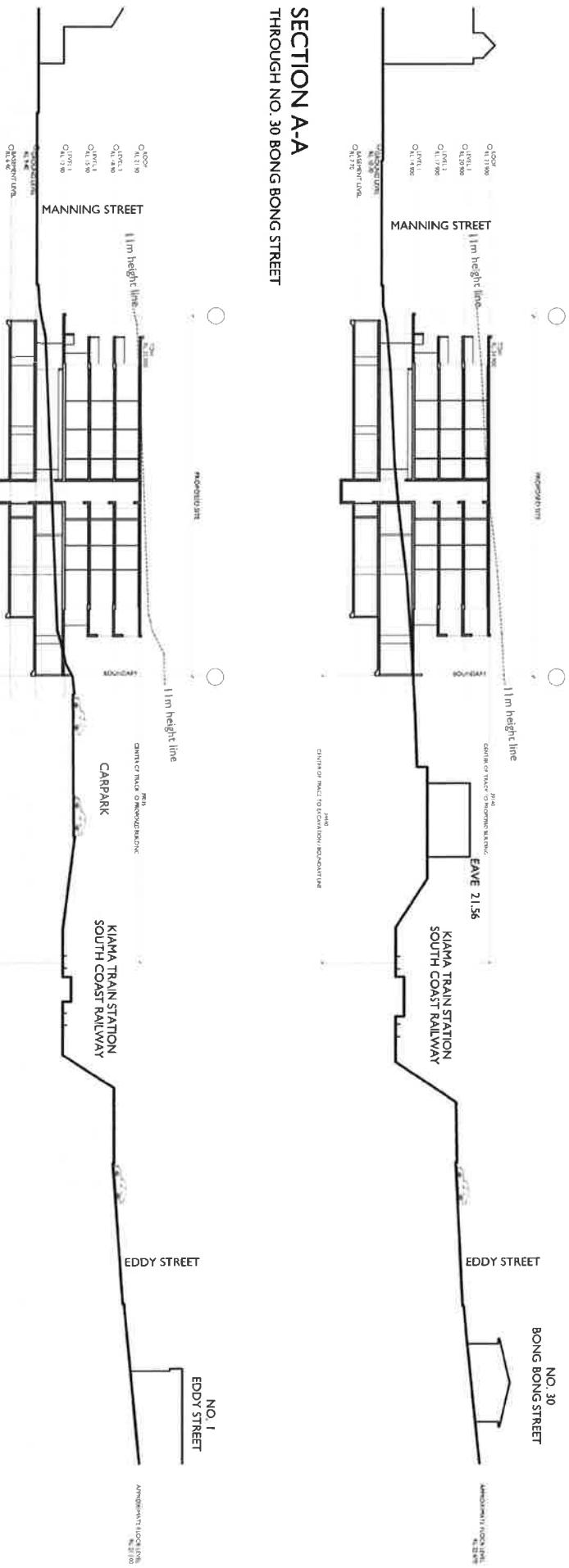
MAX HEIGHT ABOVE NO.
RL 19.000

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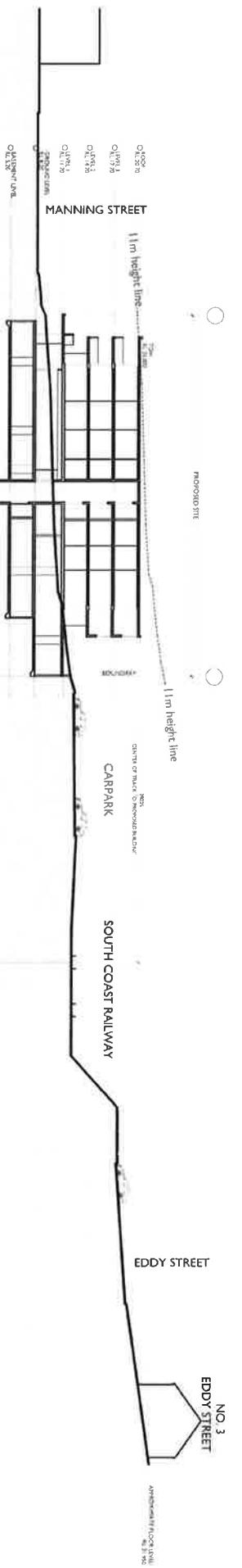
boundary line

NOT FOR CONSTRUCTION

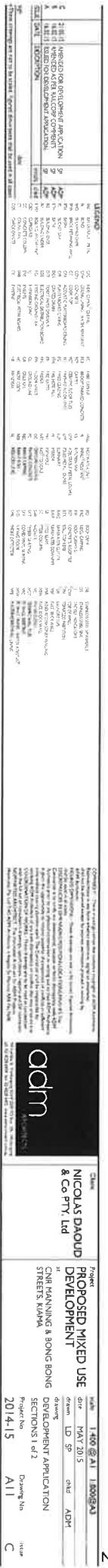
SECTION A-A
THROUGH NO. 30 BONG BONG STREET



SECTION B-B
THROUGH NO. 1 EDDY STREET



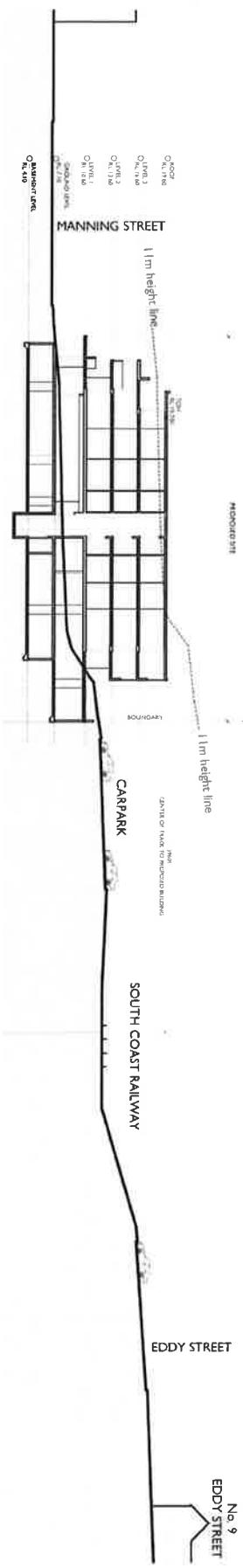
SECTION C-C
THROUGH NO. 3 EDDY STREET



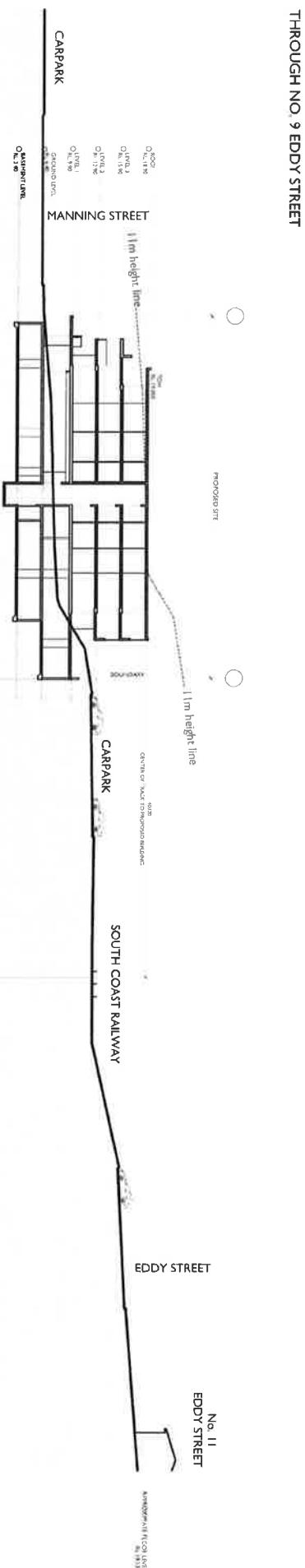
SECTION D-D
THROUGH NO. 5 EDDY STREET



SECTION E-E
THROUGH NO. 9 EDDY STREET

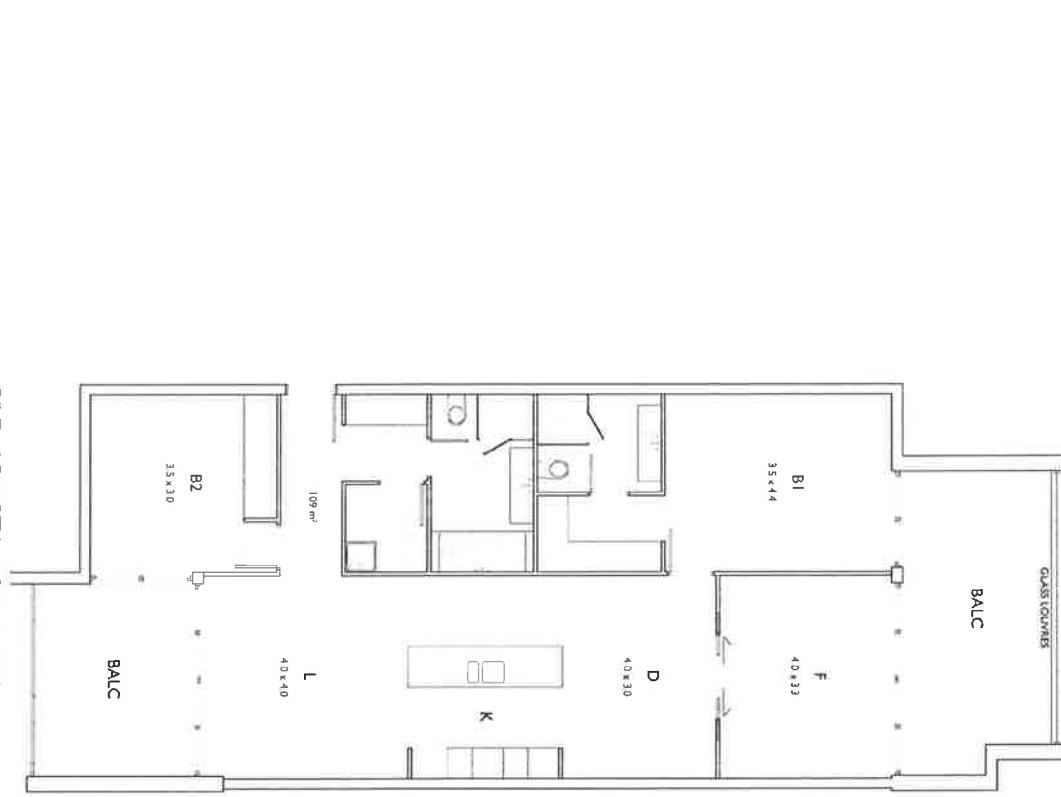


SECTION F-F
THROUGH NO. 11 EDDY STREET



NOT FOR CONSTRUCTION

PRE-ADAPTATION PLAN
UNIT C103, D104, E104, C004, D004, E004
UNITS B101, B102, B202, C202, D202, MIRRORED
CLASS C ADAPTABLE UNIT TO AS 4299



POST-ADAPTATION PLAN
UNIT C103, D104, E104, C004, D004, E004
UNITS B102, B202, C202, D202, MIRRORED
REFER TO ACCESES CONSULTANT REPORT



LEGEND	
1. B1	BEDROOM
2. B2	BEDROOM
3. C	CORRIDOR
4. D	DINING
5. E	ENTRANCE
6. F	LAUNDRY
7. G	LAUNDRY
8. H	LIVING
9. I	KITCHEN
10. J	KITCHEN
11. K	BATHROOM
12. L	BATHROOM
13. M	DOOR
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APPLIED FOR DOCUMENTATION TO BE USED FOR DEVELOPMENT APPLICATION	
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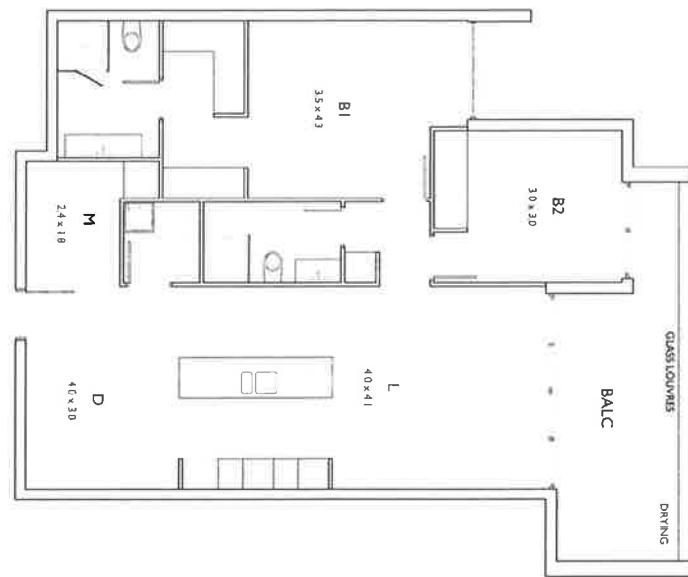
PRE-ADAPTION PLAN

UNITS B103, D103, E103, B203, C203, D203, E203

CLASS C ADAPTABLE UNIT TO AS 4299

AS 4299

UNITS B103, D103 E101, B203, C203, D203, E203
CLASS C ADAPTABLE UNIT TO AS 4299



ADM	
ADMICHAEL NICO LAUD & CO PTY Ltd	
PROPOSED MIXED USE DEVELOPMENT	
CIRI MANNING & BONG BONG STREETS, KAMPALA	
PRE & POST ADAPTION PLAN OF 2 PROJECT	
DRAFTING NO:	ADM4
DRAWING NO:	ADM4
DATE:	2015/03/03
PROJ. NO:	ADM4
VERSION:	1.0
PAGE NO:	A13
SHEET NO:	B

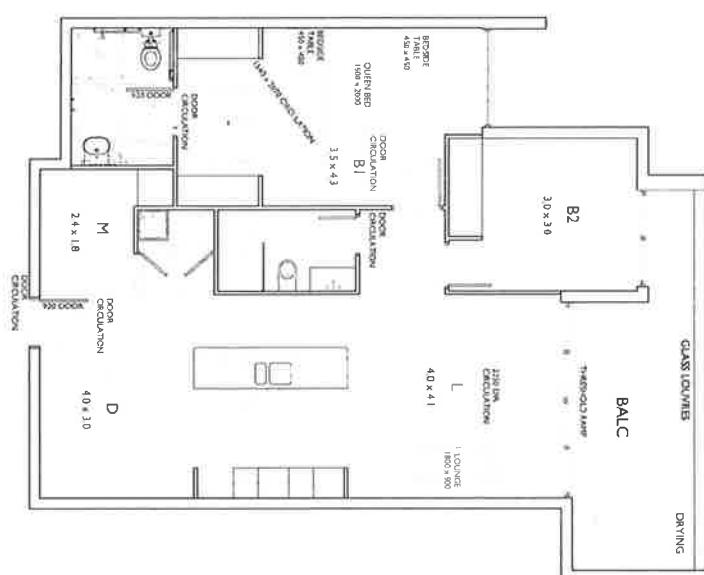
POST-ADAPTATION PLAN

UNITS B102, D103, E103, B203, C203, D203, E203

REFER TO ACCESS CONSULTANT REPORT

REFER TO ACCESS CONSULTANT

UNITS B102, D102, E103, B203, C203, D203, E203
REFER TO ACCESS CONSULTANT REPORT



NOT FOR CONSTRUCTION



SHADOW ANALYSIS

JUNE 21ST

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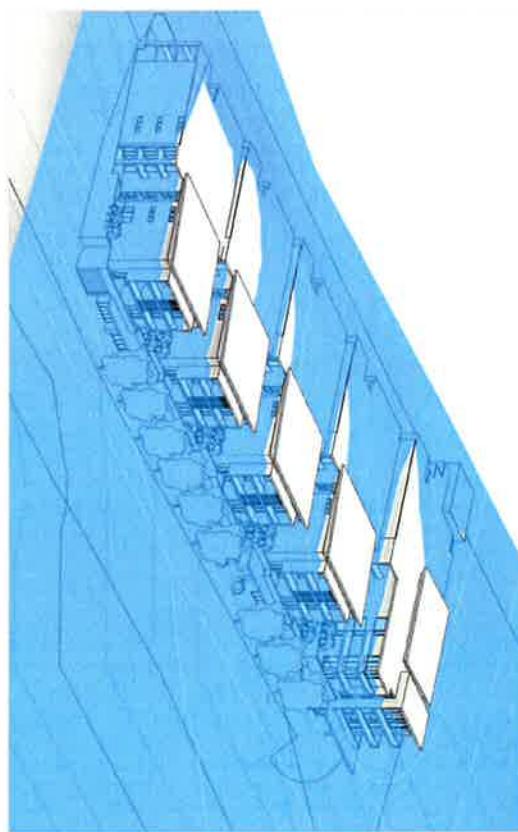
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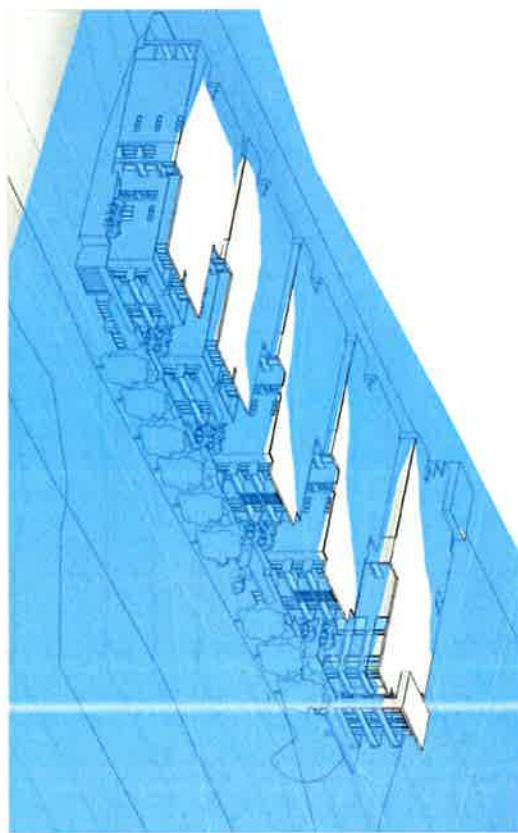
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HEIGHT PLANE DIAGRAM

PREVIOUS PROPOSAL

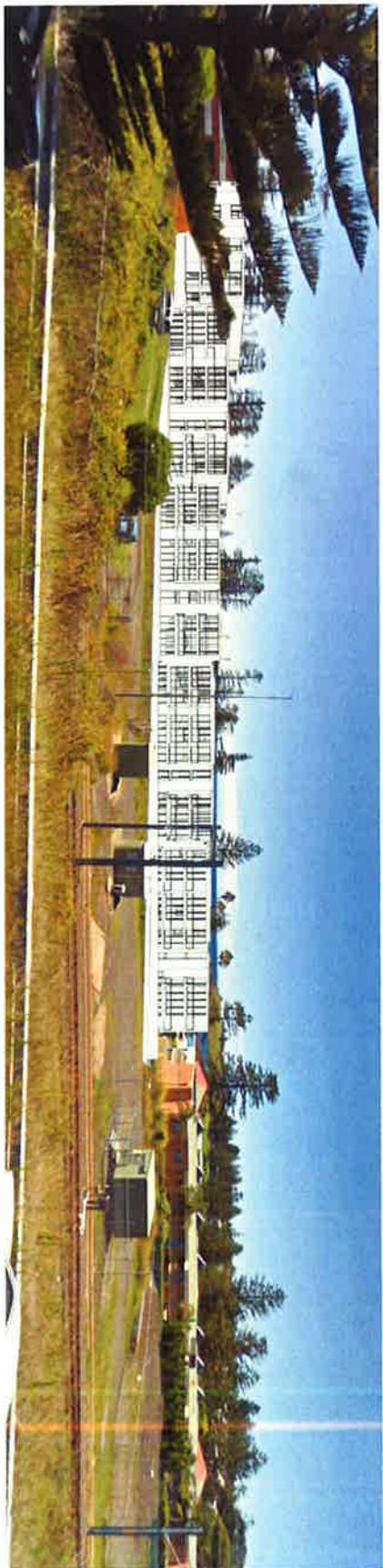


AMENDED PROPOSAL



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ARCHITECTS

KK Architects (Shanghai) Co., Ltd. Shanghai 200031
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VIEW IMPACT DIAGRAM (solid)



VIEW IMPACT DIAGRAM (translucent)

adm

ARCHITECTS

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ISSUE A - 21.05.2015

RAILCORP REQUIREMENTS RESTRICTS THE OPPORTUNITY FOR BUFFER PLANTING WITHIN EASEMENT

REF ID: A2514002 FOR RETAIL SHOWS
AT LEVEL ONE OWNERSHIP

Architectural site plan for a retail development on Bong Street and Manning Street. The plan shows building footprints, retail units (15 units labeled RETAIL 1 to RETAIL 15), a visitors carpark, a plant room, and a security office. It includes dimensions, property lines, and landscaping details like trees and shrubs. A legend on the right specifies 'PALM WITH LOW LEVEL UNDERSTOREY PLANTING TO CONFORM THEME OF SOUTHERN PROPERTY' and 'PROPOSED STREET TREE PLANTING PROGRAMME REQUIREMENTS'.

RECOMMENDED PLANT SPECIES

COMMON NAME	BOTANIC NAME	COMMON NAME	BOTANIC NAME
THREE AND HALF	<i>Litsea glauca</i>	Lily Flower	<i>Monnieria</i>
Archichloris, Camphor tree	<i>Bergamotia</i>	Bengal Jam	<i>Kenya Jam</i>
House tree-mate	<i>Homalanthus</i>	Kenda Pain	<i>Brush Cherry</i>
	<i>Syzygium paniculatum</i>		
SHRUBS			
		Lily Flower	<i>Monnieria</i>
		NEW YORK Brush	<i>Wesping</i> brush Cherry
		GROUND COVERS AND SMALL ACCENTS	

LEGEND

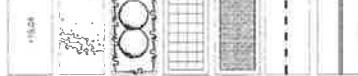
Nicholas Daoud & Co Pty Ltd
1580/1-2001B
SCALE: 1:200 @ A1, 1:400 @ A3
CHECKED: TW
DATE: 15/12/14

DENSE BUFFER PLANTING FOR PRIVACY, FAÇADE SOFTENING AND SUN SHADING FROM WESTERN SUN

This architectural site plan for BONG STREET illustrates the building footprint and landscaping. The plan includes building footprints for BONG 1, BONG 2, and BONG 3, with setbacks labeled A101 through A106. Landscaping features include a dense buffer planting along the western sun-shading fence, shade-tolerant palm and accent plants, and shrubs. The plan also shows internal room layouts and various plant species labeled with codes such as B101, B102, B103, B104, C101, C102, C103, C104, D101, D102, D103, D104, E101, E102, E103, and E104.

RECOMMENDED PLANT SPECIES

LEGEND



ochre landscape architecture
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Tel. 02 4232 6427 Fax. 02 4232 6376
Email: design@ochre.com.au

PROJECT | Proposed Mixed Use Development
Corner Manning Street & Bong Bong Street

KIJAMA

LEVEL ONE GRAMMAR PRACTICE

Digitized by srujanika@gmail.com

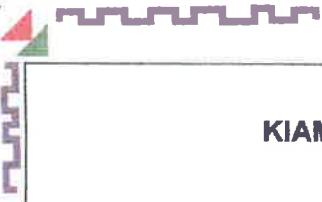
Nicholas Daoud & Co Pty Ltd

DR. DREW 15001 E. 80TH

SCALE 1:1000 000 1:1000000

CHECKED: TW

DATE 15.12.14



KIAMA MUNICIPAL COUNCIL – DA.10.2015.28.1

28 BONG BONG STREET, KIAMA

SITE SERVICING

MAY 2015

1.0 INTRODUCTION

Aztec Draft & Design has been commissioned by Nicholas Daoud Pty Ltd to investigation the servicing arrangements for a proposed mixed use development at the corner of Bong Bong Street & Manning Street, Kiama. The development consists of a basement car park, ground level car park and retail/commercial units and three (3) levels of residential apartments. The development application has been lodged with Kiama Municipal Council, Council requires additional information detailing the servicing arrangement proposed. This report details the arrangements proposed.

2.0 EXISTING STREETSCAPE

The site is currently vacant and is on the corner of Manning Street and Bong Bong Street, Kiama. The traffic impact statement prepared by K F Williams & Associates Pty Ltd details the existing traffic environment. In summary there are currently six (6) car parking spaces and a disused driveway in front of the development site in Bong Bong Street and 19 car parking spaces, two driveways and a school bus stop operating from 8am to 9am on school days in Manning Street. The intersection of Manning Street and Bong Bong Street is controlled by a roundabout.



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Site Photo from intersection Bong Bong Street/Manning Street

3.0 COUNCIL SERVICING REQUIREMENTS

Council servicing requirements are set out in Kiama Development Control Plan 2012, car parking requirements, Section 13, Paragraph C30. i.e.

C30 To ensure that adequate space is provided for the manoeuvring of vehicles, turning paths and heights for vehicle access and parking shall be based upon the largest vehicles likely to utilise the premises, as defined in AS2890. At a minimum these are:

- Residential/Medium density zoned development –B99 Vehicle
- Commercial Zoned Development (sites <600m²) – Small Rigid Vehicle (SRV)
- Commercial Zoned Development (sites 600 m²) – Medium Rigid Vehicle (MRV)
- Industrial Zoned Development – Heavy Rigid Vehicle (HRV)
- All sites – size of garbage collection vehicle to service the site

It is noted that the size of the service vehicle is dependent on the size of the commercial units/buildings.

Discussions were held with Council waste collection officers, however it should be noted that these parameters have been altered, the following is not required.

Recycling – 80L per unit per week = $76 \times 80L = 6,080L = 26 \times 240L$ bins serviced weekly

Garbage – 40L per unit per week = $76 \times 40L = 3,040L = 13 \times 240L$ bins serviced weekly

Organics (Food Only) – 20L per unit per week = $76 \times 20L = 1,520L = 7 \times 240L$ bins serviced weekly.

It is possible that a service day for each bin type can be arranged with Council's Waste Services to minimise the number of bins presented at the kerb. A service agreement arrangement would need to be entered into with Council's Waste Services to determine the days of servicing. The separate bin compound would need to house a minimum 46 x 240L bins.

4.0 DISCUSSION ON SERVICE VEHICLE REQUIREMENTS

As noted from Council's DCP the service vehicle requirements are based on the size of the proposed commercial/retail space.

The proposed development provides 15 separate retail/commercial spaces with maximum size of less than 200m² and average size of 133m². The Council DCP only requires a SRV to service this size unit although the total retail/commercial space is approx 2,000m².

A seven day survey was undertaken of a similar size commercial development (area 265m²) to record the type and number of services vehicles entering and leaving the site over a 7 day period (refer attached survey). The majority of vehicles were small to medium size vans with a small number of SRV's.

Small Business Traffic Survey conducted over 7 Days

Results

Area m ²	Vans	SRV	MRV
265	14	4	-



THIRTY DELIVERY
HEIGHT = 2.27m
LENGTH = 6.0m
NUMBER OF DELIVERIES = 6



WDOE DELIVERY
HEIGHT = 2.0m
LENGTH = 4.75m
NUMBER OF DELIVERIES = 1



TNT DELIVERY
HEIGHT = 3.2m
LENGTH = 8.0m
NUMBER OF DELIVERIES = 2



**LEISURE COAST
FRUIT MARKET DELIVERY**
HEIGHT = 2.7m
LENGTH = 6m
NUMBER OF DELIVERIES = 1



CFX DELIVERY
HEIGHT = 2.6m
LENGTH = 4.5m
NUMBER OF DELIVERIES = 2



OFFICE WORKS DELIVERY
HEIGHT = 1.85m
LENGTH = 5.6m
NUMBER OF DELIVERIES = 6



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Sales for the proposed retail/commercial units (currently eight (8) under contract) indicate all are proposed to be occupied by accountants/professional service providers.

Vehicles servicing small retail/commercial officers tend to park on the street rather than enter the site unless they are familiar with the on-site loading/service facilities.

The current bus bay adjacent to the site is in Manning Street adjacent to the roundabout and is only utilised between 8am to 9am, Kiama Coaches utilise 14.5m buses for this service.

The proposed waste collection if a staggered service day arrangement is organised will still result in 26-240L bins being on the street requiring a total length of 22m. The garbage truck is minimum MRV vehicle.

5.0 SITE SERVICE RECOMMENDATIONS

Kiama Councils DCP 2012, Chapter 9, Section 13, paragraph C31 allows for alternative arrangements to be made to service a development. The following service arrangements are proposed.

5.1 On-Site

A small loading/unloading area has been provided on site to cater for a large size van, the turning provided allows for a SRV however the head room is limited to approximately 3m. This will cater for all small deliveries by local providers.

5.2 On-Street

It is proposed to re-locate the bus stop adjacent to the retail/visitor car park entry, the bus stop will be lengthened to cater for a 14.5m bus.



Kiama Coaches 14.5m Bus

This bus stop will still operate 8am to 9am on school days, discussion with Kiama Coaches management indicate they agree with this arrangement.

This area will then cater for bin pick up and a HRV vehicle for the remainder of the day. This provides for multiple usages of the bus zone and a visual area available in front of the development for delivery drivers not familiar with the local environment to be able to load/unload goods. The provision for a HRV is greater than the standard required by Council. This arrangement still provides for the same number of car parking spaces in the street as currently exists.

Report by

D. Dowey

M.I.T.P.M

Aztec Draft & Design

Civil & Traffic Solutions



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Kiama Municipal Council
Administration Centre
11 Manning Street,
Kiama NSW 2533

21 May 2015

Attention: Mr Brett Elliott
Development Assessment Officer (Planning)

Dear Mr Elliott

**Addendum to Statement of Environmental Effects dated 10/2/2015
for Development Application DA-10.2015.28
Mixed Use Development Comprising Ground Floor Retail and Residential Apartments
at Lot 1 DP 1073158, 28 Bong Bong Street, Kiama**

We refer to Council's letter dated 29 November 2015 requesting the submission of additional information in relation to the above mentioned development application. This correspondence addresses items 1, 2 and 3 (planning matters relating to building height and architectural roof features). The other matters will be addressed by the applicant under separate cover. The following text is to replace the identified sections of the Statement of Environmental Effects prepared by TCG Planning dated 10 February 2015 and reflects the amended plans prepared by the applicant. Architect for submission to Council.

6 Kiama Local Environmental Plan 2011

6.3 Clause 4.3 Height of Buildings

A maximum height of buildings of 11 metres applies to the site in accordance with the Height of Buildings Map as shown in Figure 9. The LEP measures building height as "the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like".

The topography of the site slopes downward from the north (Bong Bong Street) to the south, and the design has responded to this by dividing the building into five distinct Blocks. Each Block differs in maximum building height as indicated in Table 4 below. The proposed development provides a maximum overall height of 12.9 metres from ground level (existing) to the highest point of the building (at the north-east corner). The proposed development therefore does not comply with the overall maximum building height permissible on the site. A Clause 4.6 Variation report has been prepared which is contained in Section 7 of this Statement justifying departure from this height of buildings to permit a maximum height of 12.9 metres.

Table 4: Building Height (refer also Sections by ADM Architects, Plan A11 and A12)						
Building RL Level/Height	Block A (corner)	Block A (south)	Block B	Block C	Block D	Block E
Ground level (RL)	12.0	11.5	10.0	9.0	7.0	7.0
RL to top of roof	24.9	24.0	22.0	20.8	19.7	19.0
Max height to roof	12.9	12.5	12.0	11.8	12.7	12.0

6.6 Clause 5.6 Architectural Roof Features

Clause 5.6 allows architectural roof features on a building, which exceeds the height limit (ie 11m) specified by clause 4.3 of Kiama LEP 2011. While TCG Planning does not concur with Council's interpretation of this clause (ie. that it can only comprise a decorative element that is not critical to the function of a building, as opposed to a roof), the revised design has removed the skillion architectural roof features and this clause no longer applies to the application.

7 KLEP 2011: Clause 4.6 'Exceptions to Development Standards' Statement

7.1 Introduction

Clause 4.6 'Exceptions to Development Standards' of Kiama Local Environmental Plan 2011 provides the opportunity to contravene a development standard with approval of the consent authority and concurrence by the Director-General. A development standard is defined by the Environmental Planning and Assessment Act, 1979 as:

"Provisions of an environmental planning instrument or the regulations in relation to the carrying out of development, being provisions by or under which requirements are specified or standards are fixed in respect of any aspect of that development".

The objectives of Clause 4.6 are as follows:

- a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and
- b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

This Section is therefore provided in order to justify why a variation is required for Clause 4.3 'Height of Buildings' in accordance with Clause 4.6 of that Plan, as the application of these requirements is considered unreasonable or unnecessary for this particular development:

7.2 Variation to Clause 4.3 Height of Buildings

The objectives of Clause 4.3 Height of Buildings pursuant to Kiama LEP 2011 is as follows:

- (a) to ensure future development is in keeping with the desired scale and character of the street and local area,
- (b) to allow reasonable daylight access to all developments and the public domain.

Sub clause 4.3 (2) Floor space ratio states that:

"(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map." The Height of Buildings Map stipulates a building height of 11m for the subject site.

"Building height (or height of building) means "the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices,

antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like."

Clause 4.3 - Height of Buildings - Extent of Variation Sought to Development Standard

As indicated in the north-east elevation and south-west elevation (ADM Architects Dwg A10 Rev B - excerpt below in **Figure 12**), the western (rear) half of the development complies with the 11m high, partly resulting from the site topography, need to achieve street level retail tenancies, and basement car park(s). The portion of the building that exceeds the 11 metre maximum building height is limited to the eastern (lower portion of the site) only - ie. that portion above the red dotted line.

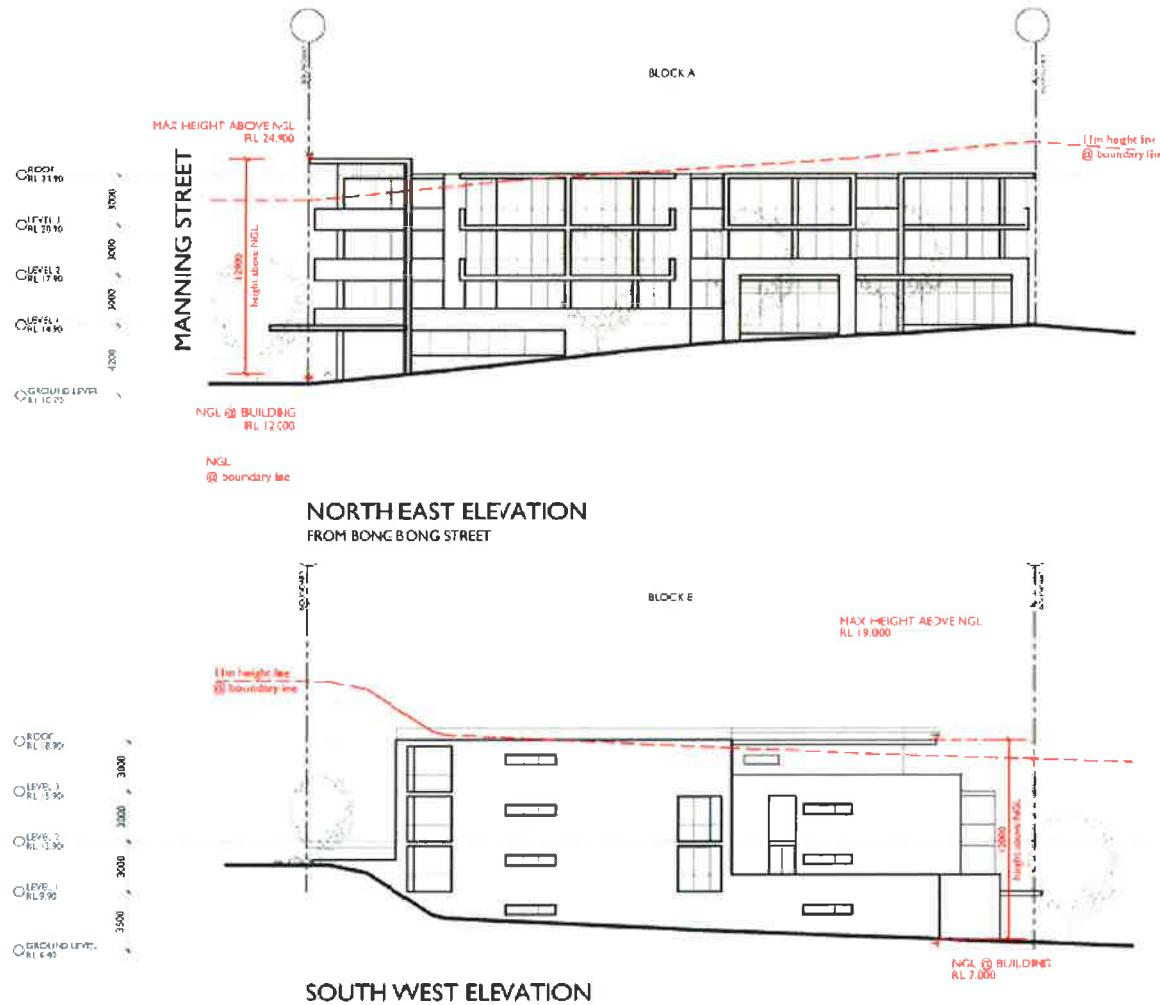


Figure 12 – Excerpt from ADM Architects Dwg A10 Rev B (Elevations) indicating portion of building exceeding 11m building height

Clause 4.6 - Exceptions to Development Standards

Clause 4.3(2) of KLEP 2011 contains a development standard in the form of a maximum building height. A written justification for the proposed variation to the overall building height is required in accordance with Clause 4.6. Table 5 below outlines how the proposal relates to the provisions of Clause 4.6 as it applies to the contravened development standards in Clause 4.3 of KLEP 2011:

Table 5: Compliance with KLEP 2011 - Contravention of Clause 4.3 Building Height

Clause 4.6 Exceptions to Development Standards	Response/Justification	Consistent/ Complies
<p>(1) Objectives</p> <p>a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and</p> <p>b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.</p>	<p>Flexibility is sought for the application of the height for the proposed development so that a better outcome is achieved for the site. The particular circumstances for this are as follows:</p> <ul style="list-style-type: none"> More than half of the building (the western part) of the building is compliant with the 11m height limit. The portion of the building that does not comply with the 11m height limit is limited to the eastern portion of the building (generally comprising the upper/roof of the five separated/articulated building forms fronting Manning Street). Refer to Table 4 indicating the <u>maximum</u> height to the top of the roof of Buildings A-E (being 12.9m, 12.5m, 12m, 11.8m, 12.7m, and 12m respectively). Refer also to the Height Plan Diagram prepared by ADM Architects indicating the limited area of non-compliance. The non-compliant portion, while at the front (Manning Street) elevation of the development, is set back from the front building line to reduce the impact of the varied height on the street frontage (except for the corner treatment which is emphasised for urban design purposes as addressed elsewhere in this Statement). Refer to the Height Plan Diagram prepared by ADM Architects indicating the limited area of non-compliance. The revised streetscape photomontage confirms that this corner treatment is satisfactory for the site and has a positive streetscape contribution. The topography of the long linear site (sloping from west to east) has been utilised favourably to achieve a dual level separate linear north/south commercial/visitor and residential basement car park, and lower (Manning Street) level commercial tenancies. The floor plan of the residential units is then configured in an east/west orientation for each Block, which achieves all required outcomes of the Residential Flat Design Code. If compliance with the height standard were achieved, this overall building design approach would be compromised. 	Justified
<p>(3) Consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:</p> <p>(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and</p>	<p>(3) This table comprises the written request seeking to justify the contravention of the height development standard.</p> <p>(a) Compliance with the applicable height standard is considered to be unreasonable and unnecessary in the circumstances of the case having regard to site and streetscape context, the limited extent of the non-compliance, and the minimal visual impact compared to if the height limit was met (refer to Visual Impact Assessment - and Height Plane Diagram prepared by ADM Architects).</p> <p>In respect of the streetscape impact, it is noted that the proposed development provides a similar context to that established by the existing mixed use development to the south and, while higher than this building, provides a transition (stepped with the topography in 5 distinct 'Blocks' as outlined earlier) to the much higher Grand Hotel building to the north at the opposite corner of Manning and Bong Bong Streets (approximately 13m high). Refer to ADM Architect Streetscape elevation (Dwg No. A09). The building height of the proposed development has taken into consideration the built form outcome of the streetscape in the site analysis and design by ADM Architects.</p>	<p>Provided</p> <p>Justified</p>
<p>(b) that there are sufficient environmental planning grounds to justify contravening the development standard.</p>	<p>As demonstrated in this Statement of Environmental Effects, the proposed development is satisfactory having regard to environmental planning grounds, including:</p> <ul style="list-style-type: none"> Other provisions of the KLEP 2011 (refer Section 6); The relevant Chapters of KDCP 2012 (refer Section 8); Section 79C of the Environmental Planning and Assessment Act 1979 (refer Section 10). 	Justified

Table 5: Compliance with KLEP 2011 - Contravention of Clause 4.3 Building Height

Clause 4.6 Exceptions to Development Standards	Response/Justification	Consistent/ Complies
	The proposed height, where it exceeds 11m will have minimal impact, when compared to the allowable building height in terms of visual impact, disruption of views, loss of privacy or any other impacts than if the maximum allowable height was met. Refer to Height Plane Diagram and revised photomontage prepared by ADM Architects accompanying the plans for the amended design.	
(4) Consent must not be granted for development that contravenes a development standard unless: (a) the consent authority is satisfied that:		
(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and	This Variation statement provides a discussion in support of the justification for varying the development standards as indicated in (3) above. In our opinion, there is sufficient justification provided to support a variation to the floor space ratio requirements.	Satisfied
(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and	<p>Despite the exceedence of the allowable height, the proposed development will be in the public interest as it meets the objectives of the height development standard as it:</p> <ul style="list-style-type: none"> ▪ Provides a suitable built form on this site, in context with the scale and character of the street and local area. The modified development will incorporate both retail uses, providing an active street level, and residential units with a building form appropriate for its setting, despite the exceedence of the height controls. ▪ The development will not result in an unreasonable loss of sunlight to the adjacent mixed use development, given the favourable orientation and short southern side boundary and associated required side setbacks provided. Being a corner site (adjoining a commuter car park), and public roads, there is no adverse impacts to other adjoining properties. The proposed development will substantially improve the public domain through paving, street planting, upgrading of on-street parking arrangements and provision of awnings. <p>The proposed height of the development will also not hinder the level of achievement of the development with the B2 Local Centre zone objectives as it will provide retail uses to visitors and tourists alike, and associated employment opportunities in an accessible location within close proximity to public transport and walkable facilities within the Kiama Town Centre.</p>	Justified
<p>Kiama LEP 2011:</p> <p><u>Objectives of the Standard</u></p> <p>(a) to ensure future development is in keeping with the desired scale and character of the street and local area, (b) to allow reasonable daylight access to all developments and the public domain.</p> <p>The <u>objectives</u> of the B2 Local Centre zone are:</p> <ul style="list-style-type: none"> ▪ To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area. ▪ To encourage employment opportunities in accessible locations. ▪ To maximise public transport patronage and encourage walking and cycling. 		
(c) the concurrence of the Director-General has been obtained.	Council will need to consult with the Department of Planning and Infrastructure as to whether the concurrence of the DG can be assumed in accordance with Planning Circular PS 08-003-Variations to Development Standards (Department of Planning, May 2008).	Addressed
(5) In deciding whether to grant concurrence, the Director-General must consider:		
(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and	The contravention of this development standard does not raise any matter of significance for state or regional environmental planning. Refer to further discussion below in this table.	Addressed
(b) the public benefit of maintaining the development standard, and	There is no public benefit by maintaining the development standard, as there are no identifiable adverse impacts to approval being granted to the submitted design. Having	Justified

Table 5: Compliance with KLEP 2011 - Contravention of Clause 4.3 Building Height

Clause 4.6 Exceptions to Development Standards	Response/Justification	Consistent/ Complies
	regard to the maximum allowable height were met (together with all of the other required development controls for the site), the building design would eventuate in a significantly reduced gross floor area which would render the development economically unfeasible. While this is not a planning consideration, it is an important one having regard to the prominence of the site's location as a gateway to the Kiama Township noting the site has been vacant for many years. In addition, as detailed throughout this Statement, the development provides a suitable urban form and land use outcome which warrant support.	
(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.	It is considered that there are no environmental planning considerations that would hinder the Director-General from providing concurrence.	Addressed

7.3 Conclusion

This Statement has addressed the provisions of Clause 4.6 of Kiama LEP 2011 and demonstrates that the variation sought to the development standards of the LEP (Building Height) is justifiable and should be given concurrence to, on the basis of the unique site context, topographical constraints, the limited extent of the non compliance and the suitability of the design. We therefore request that Council implement a reasonable approach to the proposed height for the site, to provide increased visual interest and articulation in the form of the building with no additional measurable impacts on adjacent properties and the public domain.

We appreciate Council's consideration of the above revised information to reflect the amended plans for the development that now addresses the matters raised by Council. Should clarification of this information be required, please contact the applicant in the first instance, or the undersigned.

Yours Faithfully,



Nadine Page
Senior Planner
TCG Planning

Friday, 22 May, 2015

Kiama Municipal Council
Attn: Mr B Elliott
PO Box 75
KIAMA NSW 2533



Dear Sir,

**RE: ADDITIONAL INFORMATION FOR PROPOSED MIXED USE
DEVELOPMENT COMPRISING OF GROUND FLOOR RETAIL
AND SEVENTY SIX (76) RESIDENTIAL UNITS
AT 28 BONG BONG STREET, KIAMA
LOT: 1 DP: 1073158
DA-10.2015.28.1**

OUR REF: 2014-15

Following your email dated Thursday 17 February 2015, we provide the following responses:

Planning

1. *The Proposed development involves a building height breach under your assertion that it is, partially, an "architectural roof feature" (KLEP 2011 Clause 5.6). Council's Development Assessment officers are of the view that an architectural roof feature is purely a decorative element that is not critical to the function of a building (as opposed to a roof) and, if not for that decorative feature, a building would otherwise comply with the height of buildings development standard as defined under KLEP 2011 and identified in Clause 4.3.*

Roofs are included in the calculation of building height. Whilst roof form contributes to the presentation of a building, as in this case; the roof in itself is not an "architectural roof feature" within the true intent of Clause 5.6 of the LEP.

The objectives of Clause 5.6 are:

- (a) *To ensure that architectural roof features to which this clause applies are decorative elements only,*
- (b) *To ensure that the majority of the roof features are contained within the prescribed building height".*

In this instance, in reference to objective (a), the roof elements are not only decorative elements (they are also roofs) and; in response to objective (b), almost all of the architectural roof features (as claimed) are outside of the prescribed building height. The proposal therefore does not satisfy the quoted objectives underpinning Clause 5.6, which reinforces Council's assertion above.

Consequently, it will be necessary to amend the plans to respond more accurately to Clause 5.6 of the LEP.

Response: The skillion roof elements have been deleted from the proposal, significantly reducing the overall height of the buildings.

2. *With reference to the proposed building height breach and the architectural roof features (as claimed), an objective underpinning Clause 4.3 (Height of buildings) is "to ensure future development is in keeping with the desired scale and character of the street and local area" (Clause 4.3(1)(a)).*

The current 11m building height limit results in a development taller than most surrounding development in Manning Street i.e. existing streetscape (as illustrated in the Drawing No. A10 & A11).

When it is furthermore considered that the proposed development seeks to exceed the building height limit by a margin of up to 1.9m (as illustrated on the south east elevation), coupled with the concerns raised in point 1 and the fact that almost all of the claimed architectural roof feature (which comprises a substantial expanse of the Manning Street frontage) is outside of the prescribed building height, it is construed that the proposal will not adequately conform to the desired scale and character of Manning Street, due to excessive overall building height. Please revise the overall building height to better achieve the desired scale and character of Manning Street, as well as better conform to the established streetscape in terms of building height.

Response: Further to the above point and subsequent deliberations with the assessing planner, the applicant has agreed to reduce the scale of the south most parts of the building elevation fronting Manning Street; in particular around Level 3 of Block D and Block E. In these areas the wall to level 3 has proposed an increased front setback of 7.775m, which is 3.5m greater than previous. The side setback has also increased by 1.25m. The resultant wall height relationship to natural ground is also significantly improved. Refer amended drawings and height plane diagrams.

3. *The submission objecting to the building height development standard pursuant to Clause 4.6 currently excludes the roof elements on the basis that they are architectural roof features (and thereby excluded from building height calculation). As outlined in point 1) above, Council's assessment officers do not accept that the roof elements proposed constitute architectural roof features under the objectives and intent of Clause 5.6. Pending your response to the matters raised in points 1 & 2, please amend the Clause 4.6 exception to the height of buildings development standard submission to acknowledge and address the overall building height proposed.*

Response: Refer attached addendum to the Statement of Environmental Effects prepared by TCG Planning.

4. *In conjunction with points 1 & 2 above, Council has received objections from residents in Eddy Street in relation to view loss toward Main Beach and, beyond the beach, the interface of the ocean with the headland. Please consider revising the height/design of the proposal to better accommodate view sharing from Eddy Street.*

Response: The removal of the roof turrets significantly reduces the overall height and perceived bulk of the building form, particularly from its Manning Street aspect by more than 1.4m. The applicant has prepared a height plane diagram appended to this proposal to illustrate the general reduction in bulk and the extent of building form against the 11m height plane.

5. *Comparison of the Site Analysis (Drawing No. A01) with Figure 15 of the View Impact Analysis suggests an inaccuracy in the positioning of the photomontage NB: a line of sight drawn on the Site Analysis sheet from the southern boundary of 5 Eddy Street indicates that the separation distance shown on the photomontage, between the proposal and the development at 83 Manning Street, would not be achieved. Please address this, as consideration of view loss is a particularly important aspect of this development. Additionally, please provide a photomontage with the building shown solid (i.e. as well as translucent).*

Response: The adjoining building at 83 Manning Street is now plotted on the site plan by survey. The determined separation dimension between the buildings is 4.92m, which the applicant believes is indicative of the view analysis montage. The montage is updated and supplied both solid and translucent as requested.

6. *Council's calculations of Floor Space Ratio (FSR) (using Trapeze software) indicate that the proposed FSR for the development exceeds the maximum 2:1 FSR permitted under Clause 4.4 of KLEP 2011. Please identify on the plans the areas that were excluded from the Gross Floor Area (GFA) calculations which were submitted with the Statement of Environmental Effects, so that Council can be satisfied the FSR development standard has been met.*

Response: ADM Architects has re-calculated the FSR based on the amended proposal. The total GFA is 10,927.27sqm or 48.7sqm under the maximum permissible. Diagrams appended to this submission clarify which areas have been included or excluded from the calculation. ADM Architects are willing to provide its CAD files to verify the area calculation if required.

7. *Please supply elevations of the proposed development that accurately depict the overall elevation of the development, not just the outer facade of the building e.g. the North West Elevation provided does not show the roof elements identified on the South East Elevation. Such detail is similarly missing from other elevations.*

Response: The elevations have been adjusted to include the above mentioned information.

8. *It is noted that the proposed roof colour is Colorbond 'Surfmist'. This is a light solar absorptance colour that is not favoured due to potential issues of reflected glare (dwellings on more elevated land overlook the development). Please amend the proposal to include a roof colour within the medium solar absorptance range (see DCP 2012 Chapter 2 control C45).*

Response: Because the roof skillions have been deleted, colorbond materials are no longer proposed on the roof. The entire roof top is now concrete.

9. *Please address DCP 2012 Chapter 5 Section 7 in greater detail, including identification of the storage area size and allocated storage area for each unit.*

Response: The total storage is 259m². Storage is located at the rear of each residential car space. Specific allocation will be determined at strata subdivision.

10. *Kiama DCP 2012 Chapter 5 control C34 states Communal Open Space (COS) "must be provided at a minimum rate of 5m² per dwelling"; however no COS is proposed at all in this instance. It is noted this has been justified on the basis that the site is adjacent Coronation Park. Council has recently assessed mixed use development proposals in Noble Street, Gerringong that are opposite Old School Park and in those instances COS was provided in accordance with the DCP requirements. Inadequate justification has been provided to support the absence of COS on-site. The development should be amended to incorporate COS.*

Response: The applicant has redesigned the proposal to include common space. The provision has been made for an internal common room central to the development as part of Block C at Level 1 with kitchen and accessible WC facilities. It also affords direct access to an outdoor landscaped terrace area. The total combined area of the common space is 187sqm.

11. *Similarly, no drying area has been proposed. DCP 2012 Chapter 5 control C52 states "drying areas must be provided at a rate of 5 lineal metres of line per unit". Councillors have specifically required the provision of drying areas for medium density residential development in the past and drying areas have been provided in the recent mixed use developments in Noble Street, Gerringong (as outlined above). Council is of the view that residential development should not have to rely upon mechanical dryers exclusively as this is contrary to the principles of sustainability. Inadequate justification has been provided to support the absence of drying area on-site. The development should be amended to incorporate drying area.*

Response: The provision of external drying lines has been added to all units orientated to the North West side (or rear) of the development. Additionally, the level 1 units on the podium have been provided with drying lines where they can be suitably screened from the street. In total 47 units are proposed to have drying lines, representing 63% of the development. An additional two drying lines are provided within the common outdoor space.

12. The following relatively minor plan related matters are raised for your attention:

- i. The residential car parking basement includes 132 car parking spaces, not 134 as identified (NB: car parking spaces 58 & 59 do not exist). Please correct this numbering discrepancy, to avoid future confusion.

Response: The above mentioned discrepancy has been amended. The basement carpark is confirmed at 132 spaces.

- ii. The alcove in the hall opposite the entrance to unit A104 appears to be an anomaly in the design and is potentially an ambush point in the corridor (not consistent with 'safer by design' principles). Please address this.

Response: The above mentioned discrepancy has been amended.

- iii. It is unclear from the floor plan how the Level 1 courts are divided e.g. between unit E101 & E102 and so on. Please clarify.

Response: There will be 1.8m high screens erected between each private courtyard. These have been shown on the amended architectural and landscape drawings.

Waste Services

13. In reference to p.41 of the SEE, the domestic waste service to be in place for the residential units (at the time that this development is likely to be constructed) is fortnightly garbage, weekly recycling and weekly organics (food only). To minimise the number of bins on site, the following number of bins (for 76 residential units) will be required to be provided, shared by residents and serviced weekly.

Recycling – 80L per unit per week = $76 \times 80L = 6080L = 26 \times 240L$ bins serviced weekly.

Garbage – 40L per unit per week = $76 \times 40L = 3040L = 13 \times 240L$ bins serviced weekly.

Organics (food only) – 20L per unit per week = $76 \times 20L = 1520L = 7 \times 240L$ bins serviced weekly.

It is possible that a service day for each bin type can be arranged with Council's Waste Services to minimise the number of bins presented at the kerb. A service agreement arrangement would need to be entered into with Council's Waste Services to determine the days of servicing. The separate bin compound would need to house a minimum 46 x 240L bins.

Response: The waste storage areas have been redesigned to allow for the required number of bins mentioned above. Refer amended plans.

Engineering

14. Vehicle Access, Car Parking and Manoeuvring

- i. In relation to residential car parking AS/NZS 2890.1 Table 1.1, user class 1A, permits car parking space dimensions of 2.4 x 5.4 metres and an aisle width of 5.8 metres. The architectural drawings and engineering drawings are required to provide the compliant dimensioning.

Response: The requested dimensions have been added to the architectural drawings.

- ii. In relation to retail and visitor parking spaces AS/NZS 2890.1 Table 1.1, user class 3, permits car parking space dimensions of 2.6 x 5.4 metres and an aisle width of 5.8 metres. The architectural drawings and engineering drawings are required to provide the compliant dimensioning.

Response: The requested dimensions have been added to the architectural drawings.

iii. Two (2) car parking spaces for people with a disability have been provided within the retail car parking level and 19 within the residential car parking level. Please provide dimensioning on the architectural and engineering drawings in compliance with the requirements of AS/NZS 2890.6.

Response: The requested dimensions have been added to the architectural drawings.

iv. A detailed longitudinal section has not been provided over the ramps leading to the residential and retail car parking levels from road level and kerb line in Manning Street. The proposed longitudinal sections are required to meet with the design requirements of AS/NZS 2890.1 subsection 2.5.3 Circulation roadway and ramp grades and Councils Driveway and Footpath Works Procedure Manual.

Response: The requested section is provided by the traffic engineer and appended to this submission.

v. AS/NZS 2890.6 requires minimum headroom of 2.2 metres for the vehicular travel path and 2.5 metre clearance height for the dedicated car parking spaces and shared area. Accordingly please nominate the headroom clearance for both basement and ground floor level parking, particularly where structural elements may impede minimum headroom.

Response: The requested information is added to the architectural drawings via a typical cross sectional diagram.

vi. Kiama DCP 2012 Chapter 9 - Car Parking Requirements, requires manoeuvring be available for the AS/NZS 2890.1 B99 design vehicle. Please provide design swept paths for, in particular, the proposed retail level turning bay and end bay.

Response: The requested turning diagrams have been added to the architectural drawings and the engineering documentation appended to this submission.

vii. The location of the proposed residential visitor car parking spaces is proposed to be located on the retail car parking level and protected with a security door. Please identify the proposed method of maintaining 24 hour access to the proposed visitor car parking spaces.

Response: The shutter security door will remain open during business hours. Outside hours, a security intercom system will be located at the door for ease of communication with the residential owners. All internal lobby doors will be opened via electronic magnetic strikes.

15. Site Servicing

i. A service or loading bay is proposed to be located within the retail car parking level adjacent to the ramp. Although the design swept paths for the proposed service vehicle has been modelled, the type of vehicle has not been nominated. Please nominate the maximum size vehicle that will be accessing the proposed loading area.

Response: The turning on site provides for a SRV but the height clearance provision remains at 3.2m instead of 3.5m. This will cater for the majority of service vehicles. Refer survey contained in traffic engineering report on servicing.

ii. *Kiama DCP 2012 Chapter 9 Section 13 – Manoeuvrability, requires commercial zoned development sites with an area greater than 600 square metres to provide access for the AS 2890.2 medium rigid vehicle (MRV 8.8 metres). Further to point i) above, should the desired service vehicle not be the MRV then justification of the "exceptional circumstances" (control C31) will be required for Council's consideration.*

Response: As all the proposed commercial/retail spaces are less than 200sqm, a loading zone has been provided to cater for a HRV on Manning Street in front of the development which is in excess of the council requirements. Refer separate report by traffic engineer appended to this submission for justification.

iii. *It is noted that it is proposed to utilise the area within Manning Street, adjacent to the proposed access to the retail car parking area, for a combined bus zone, loading zone and the point of collection for waste bins. There are a number of considerations necessary including bus passenger servicing, the timing of deliveries and the timing of waste servicing. Please provide justification for the use of on street public space for a combined bus zone, loading zone and refuse/recycle collection. A report is to be prepared for Kiama Local Traffic Committee where changes to the existing regulatory requirements are proposed.*

Response: Discussions have been held with Kiama Coaches who agree with moving the bus bay and have confirmed it is only utilised between 8am and 9am. Outside this time zone, the area can then be utilised for loading. The loss of the two (2) car spaces shown on the original proposal is in order to cater for the 14.5m bus, however there is NO NETT loss in existing car parking numbers along Manning Street as a result of the proposal. Refer report by traffic engineer appended to this submission.

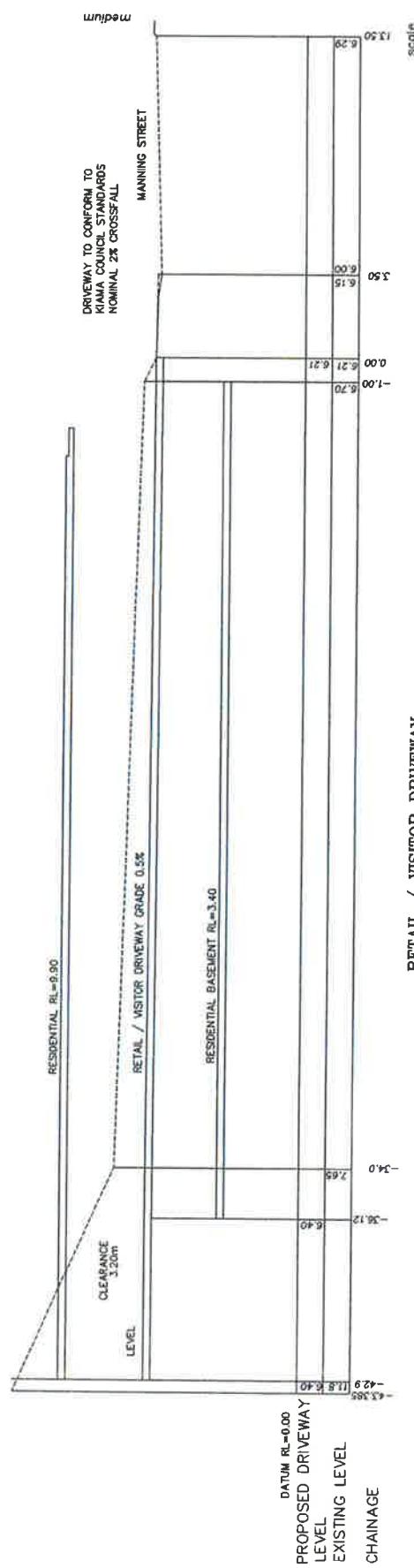
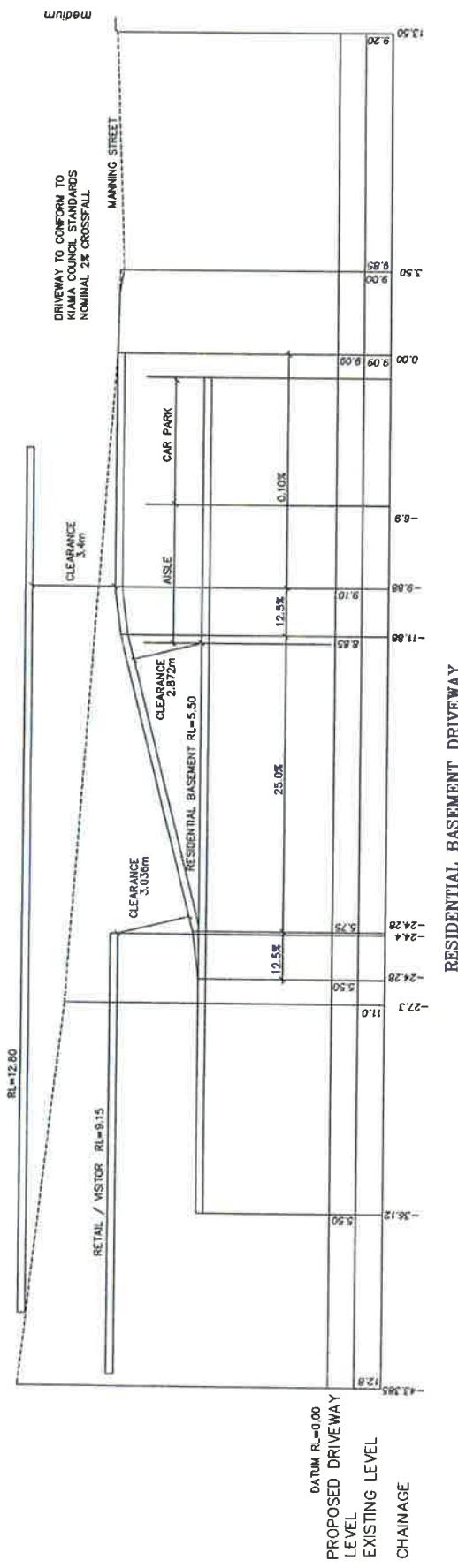
Should you have any queries, please do not hesitate to contact the undersigned.

Yours sincerely,



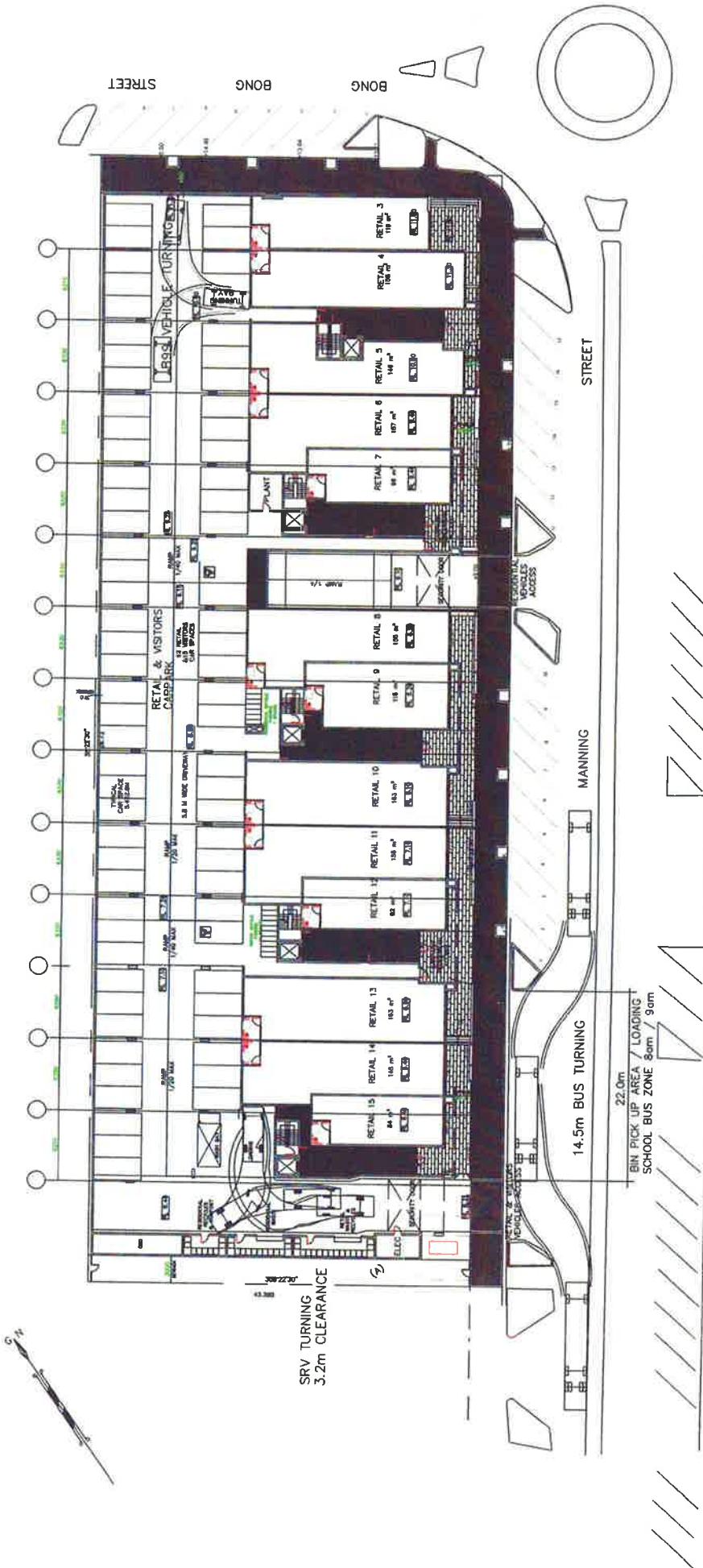
Angelo Di Martino
DIRECTOR B.Arch (Hon) RAIA
REGISTERED ARCHITECT No 7608

Enc



scale drawing
1:200 May, 2015 T.071
natural project sh.t. 1
Proposed Mixed Use Development
One Bong Bong Street /
Manning Street - Kiama
Driveway Sections

AZTEC Draft & Design.
P.O. Box 357
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Ph. 0428 685 573
Email aztecdraft@gmail.com



scale 1:500 date May 2015 drawing number T-071
 natural project sheet 2
 proposed Mixed Use Development
 Car Bong Bong Street - Kiama
 Manning Street - Kiama
 Vehicle Turning

AZTEC
 Draft & Design.

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