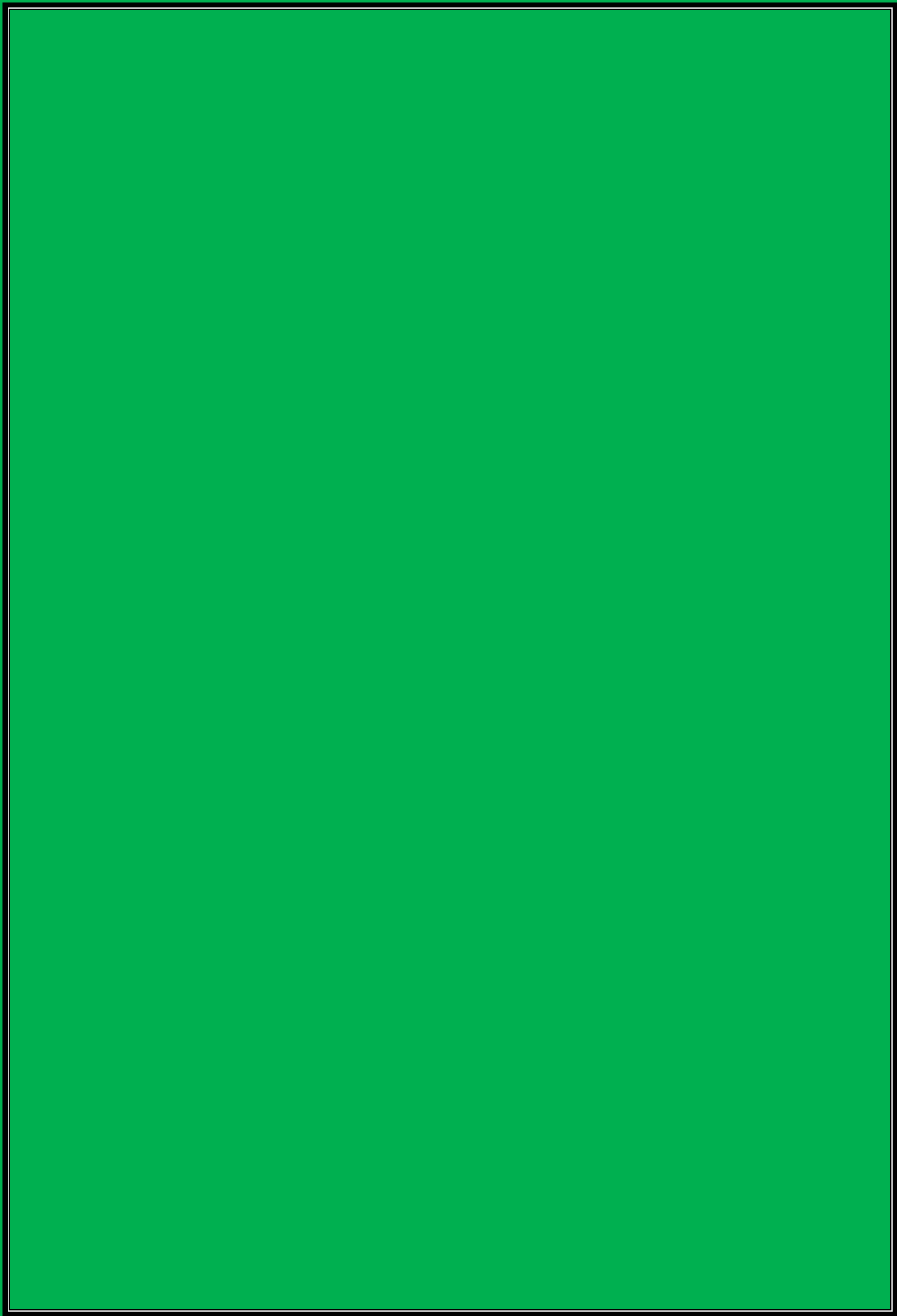


# **Council Assessment Report**

**2015STH021 (DA2015/789)**

**Medical Centre & Pharmacy**

**46-50 Underwood Street Corrimal**



<b>JRPP No.</b>	2015STH021
<b>DA No.</b>	DA-2015/789
<b>Proposal</b>	Medical Centre, Pharmacy and associated external works
<b>Property</b>	46-50 Underwood Street, CORRIMAL NSW 2518 Lots 1-6 (inclusive) DP 230081 Lots 13 and 14 DP 4286 Lots 3 and 4 DP 230192 Lot 3 DP 513865.
<b>Applicant</b>	Shellshear Young Pty Ltd – Matthew Young
<b>Responsible Team</b>	Development Assessment and Certification – City Wide Planning Team (JS)

## ASSESSMENT REPORT AND RECOMMENDATION

### 1. Executive Summary

#### Reason for consideration by Joint Regional Planning Panel

The proposal has been referred to Joint Regional Planning Panel pursuant to Schedule 4A (6) of the *Environmental Planning and Assessment Act 1979* as the Capital Investment Value (CIV) is greater than \$5 (five) Million for the purpose of private infrastructure and community facilities, being a 'medical centre' which falls within the definition of a 'health services facility'.

#### Proposal

The development will involve the construction of a medical centre and associated facilities including a pharmacy, waiting areas, car parking and landscaping. The works also include the reconstruction of a retaining wall along the north eastern property boundary which is partially within Bertram Lane at present and an east west pedestrian link through the site.

#### Permissibility

The subject development area is wholly zoned B2 – Local Centre. Medical centres are identified within the land use table as a use that is permitted with development consent. While the proposed pharmacy could be considered to be directly ancillary to the primary use, were it separately considered in isolation, it would also be identified within the land use table as a use that is permitted within the B2 zone within the definition of Commercial; Retail - Shop.

#### Consultation

##### Exhibition:

The proposal was exhibited in accordance with Appendix 1 - Public Notification and Advertising Procedures of Wollongong Development Control Plan (WDCP) 2009 and received three (3) submissions. The issues raised are discussed at section 3.9 of the report. Following the receipt of additional information including amended plans, the proposal was re-exhibited to adjoining and adjacent properties and the first round respondents. No further submissions were received.

##### External:

The proposal did not require any statutory external agency referrals.

##### Internal:

Details of the proposal were referred to Council's Stormwater, Property, Traffic, Environment, Community Services, SCAT, Landscape, Strategic and Health Officers for assessment. In each instance, satisfactory referral advice has been received.

#### Main Assessment Issues

- WDCP 2009 variation request to front landscape strip width and car parking waiver;
- Consistency with the Draft Corrimal Town Centre Plan;

- Displacement of public car parking;
- Traffic generation and queuing; and
- Flood hazard affectation and stormwater related matters.

Further discussion of the issues identified is included throughout the report.

## **Conclusion**

This application has been assessed in accordance with Section 79C (1) of the *Environmental Planning and Assessment Act 1979*, and the provisions of the Wollongong Local Environmental Plan 2009 and all relevant Council Development Control Plans, Codes and Policies. The proposal is not considered to be in conflict with the objectives sought by these provisions.

Medical Centres are permitted in the B2 Local Centre zone with development consent pursuant to the Wollongong Local Environmental Plan 2009.

The proposal does not result in exceptions to development standards. It is considered that the applicant has provided adequate justification for the variations sought to WDCP 2009 relating to landscape strip width and car parking waiver. The variations have been considered and are supported in this instance as discussed within section 3.3.1 of this report.

All relevant internal referrals are satisfactory. No external referrals were required and there are no outstanding issues.

The exhibition of the proposal has identified two main community concerns – the displacement of public car parking area and fencing of the site. It is considered the proposal is not out of context in the Corrimal Town Centre having considered design elements, likely future development potential in the immediate area and consistency with the Draft Corrimal Town Centre Plan.

Some of the issues raised in submissions though technically unresolved are considered to be adequately addressed either through design or by way of conditions of consent. Any remaining issues are not considered to be sufficient to refuse the application.

## **Recommendation**

It is recommended that development application DA-2015/789 be approved pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* subject to the draft conditions at Attachment 5.



## 2. APPLICATION OVERVIEW

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### 2.1 PLANNING CONTROLS

The following planning controls apply to the development:

State Environmental Planning Policies:

- SEPP No. 55 – Remediation of Land
- SEPP No. 64 – Advertising and Signage Structures
- SEPP (Infrastructure) 2007
- SEPP (State and Regional Development ) 2011

Local Environmental Planning Policies:

- Wollongong Local Environmental Plan (WLEP) 2009

Development Control Plans:

- Wollongong Development Control Plan (WDCP) 2009

Other policies

- Wollongong Section 94A Development Contributions Plan 2015

### 2.2 PROPOSAL

The proposal seeks consent for the construction of a medical centre comprising the following:

- 18 consulting rooms for general practitioners
- 6 specialist consulting rooms
- A small retail pharmacy
- Treatment rooms
- 4 dental surgery rooms
- A physiotherapy clinic
- Pathology clinic comprising 3 ultrasound rooms, 1 CT scan room and 1 X-Ray room
- Radiology clinic
- Administration areas, filing rooms and data storage rooms associated with the different uses
- Staff rooms and W/C
- Public W/C rooms (including accessible)
- Waiting areas.

Externally the following works are proposed:

- Removal of existing asphalt and concrete hardstand area car park and Category 1 Remediation works
- Removal of redundant crossovers and re-instatement of kerb and gutter
- Removal of existing sign
- Removal of 1x tree
- New vehicle entry/exit points
- Formalisation of the Right of Access and defining an east west pedestrian link though the site
- Construction of a 103 space car park comprising staff and visitor car parking areas
- Waste collection areas
- Installation of auto gates at both car park entries (visitor car park ticket operated, staff operated via swipe card or similar)
- Landscaping including an additional five (5) street trees
- Demolition of existing timber retaining wall adjacent to Bertram Lane and construction of a new concrete gravity retaining wall with a varying height.
- Site infrastructure works including a new electricity substation and easement

The applicant has advised that signage does not form part of the subject development application.

Hours of operation are proposed between 7.00am and 10.00pm 7 days a week, 365 days per year.

The following staffing numbers are expected for the various uses:

- General Practice: 12 GP's + specialists , 3 nurses/assistants
- Radiology: 1 Radiologist + 3 support staff
- Physiotherapy: 1x physiotherapist + 1 support staff

- Dentist: 2x Dentists + 2 dental nurses/hygienists
- Reception: 8 administration staff
- Pharmacy: 1x Pharmacist + 2x assistants
- Pathology: 2x staff members (no diagnostic work to be carried out on the site).

A maximum of 38 staff would be expected to be on site at any one time.

The proposed building has a GFA of 1450sqm and is single storey. The building has been designed to be completely accessible. Disabled and pram car parking spaces are proposed in close proximity to the main entrance. Pedestrian pathways are proposed throughout the car park area to the building entrances. Landscaping is proposed throughout the car park and surrounding the building. The site is proposed to be fenced, with the height of the fencing along the Underwood Street frontage being reduced to 1.2m to reflect that of residential properties to the West.

Access to the visitor car park will be via a crossover to Underwood Street and a ticketed boom-gate. A validation machine will be located at the entrances and allow customers to authorise the ticket prior to returning to their vehicles. The customer will then insert the validated ticket into the machines at the exit point to raise the boom gate. Access to the staff car parking area will be via the Right of Access which traverses the southern site boundary and a swipe gate system.

A pedestrian link between Underwood Street and Bertram Lane is also proposed as part of the development to assist in retaining and encouraging pedestrian movement through the site to the tenancies with frontage to the Princes Highway.



**Figure 1: Photomontage of proposal – Underwood Street frontage**

Architectural plans are provided at Attachment 1.

## 2.3 SITE DESCRIPTION

The proposed development is located on eleven (11) separate allotments and is known as 46-50 Underwood Street. See Figure 2 below.

The subject allotments were previously owned by Council and formed part of an informal public car parking area. On 7 April 2014, at its ordinary meeting, Council authorised the sale of the subject allotments. The site was subsequently sold at public auction on 5 November 2014 to the current owners.

The total land subject of this application has an area of 5286.8sqm by survey.

The site for the proposed development is currently vacant and is comprised of a mix of hardstand, concrete and grass surfaces. The land is relatively flat, falling by approximately 1.5m from the Underwood Street frontage to Bertram Lane. Bertram Lane is significantly lower than the subject site in the north eastern corner and rises to be approximately level with the subject site at the southern extent.

Residential land uses are located to the West, Bertram Lane and commercial tenancies fronting the Princes Highway to the East, commercial uses and a place of public worship to the South and a

vacant property comprising the former Mitre 10 site to the immediate North. A disused brick substation is located on the adjoining property, to the immediate north east of the subject site.

It should also be noted that Council is also currently assessing a development application lodged for the site to the immediate North for a mixed use development comprising the demolition of the existing building and carpark and construction of retail, commercial, Aldi Store, residential units and childcare centre above basement carparking.



**Figure 2: Aerial Photograph-** subject development site highlighted

#### Property constraints

Council records list the development site as being affected by the following constraints:

- Flood hazard

Lots 3 and 4 DP 230192 and Lot 3 DP 513895 are burdened by a Right of Access 9.145 wide which benefits Lot 2 DP 230192 and Lot 1 DP 513895. The benefited lots are known as 116 and 118 Railway Street Corrimall and have car parking areas which are accessed from the Right of Access. Provision has been made for maintenance to this Right of Access within the proposed design.

## **2.4 BACKGROUND**

The proposed development is located on eleven (11) separate allotments. The site is located between Bertram Lane and Underwood Street, Corrimall and is known as 46-50 Underwood Street.

The development history of the subject sites dates back to 1964 only, however more recent history is presented as follows:

Application Number	Affected Lots	Description	Decision	Date
DA-1998/63	46 Underwood Street, Lot 3 DP 230081, 36-44 Underwood Street, Lot 19	Multi-Storey Development Retail With Associated Parking	Approved	24/12/1999



	DP 4286 and Lot A DP 404184 48 Underwood Street, Lot 2 DP 230081			
DA-2001/1287	46, 48 and 50 Underwood Street, Lots 1, 2 and 3 DP 230081, 36-44 Underwood Street, Lot 19 DP 4286 and Lot A DP 404184 Lot 13 Underwood Street, Lots 13 and 14 DP 4286 and Lot 4 DP 230081 + 217, 219, 221-223 Princes Highway – various lots	Proposed Aldi Supermarket And Redevelopment Of Corrimal Shopping World Rec D Amended Concept Drainage Drawings	Approved	13/11/2002
DA-2003/318	46, 48 and 50 Underwood Street, Lots 1, 2 and 3 DP 230081.	Integrated Development Application - Constructon Of 4 X 2 Bedroom And 14 X 3 Bedroom Units With Parking For 38 Cars & Strata Subdivision - Permit Under Part 3A Of The Rivers And Foreshores Improvement Act, 1948 From DIPNR	Approved	15/3/2004
DA-2008/756	36-44 Underwood Street, Lot 19 DP 4286 and Lot A DP 404184 46, 48 and 50 Underwood Street, Lots 1, 2 and 3 DP 230081. Lots 4, 5 and 6 Underwood Street, Lots 4, 5 and 6 DP 230081 Lot 13 and 14 Underwood Street, Lots 13 and 14 DP 4286 Lot 3 and 4 Underwood Street, Lots 3 and 4 DP 230192 Lot 3 Underwood Street, Lot 3 DP 513895 Lot 101 Bertram Lane, Lot 101 DP 1139342 + 191-193, 195, 197 and 199 Princes Highway – various lots	Demolition of existing buildings and construction of a three (3) storey shopping centre with rooftop parking and associated stormwater works	Deferred Commencement	14/12/2010
DA-2009/942	Various locations throughout Corrimal including Memorial Park, Lots 46, 4, 5, 6, 14, 13, 3, 4, 1, 23, 22, 21, 24-29 (incl.) and 17-20 (incl.) Underwood Street	Spring Into Corrimal - 13th September 2009 and for four (4) consecutive years thereafter	Approved	9/9/2009
DA-2008/756/A	36-44 Underwood Street, Lot 19 DP 4286 and Lot A DP 404184 46, 48 and 50 Underwood Street, Lots 1, 2 and 3 DP 230081. Lots 4, 5 and 6 Underwood Street, Lots 4, 5 and 6 DP 230081 Lot 13 and 14 Underwood Street, Lots 13 and 14 DP 4286 Lot 3 and 4 Underwood Street, Lots 3 and 4 DP 230192 Lot 3 Underwood Street, Lot 3 DP 513895 Lot 101 Bertram Lane, Lot 101 DP 1139342	Demolition of existing buildings and construction of a three (3) storey shopping centre with rooftop parking and associated stormwater works Modification A - modification to deferred commencement condition (ii)	Deferred Commencement	11/5/2012

Prior to 2014, the subject allotments were owned by Council and formed part of an informal public car park.

Prior to Council ownership, available aerial photographs indicate that some of the subject lots were comprised of residential dwellings. These dwellings are expected to have been demolished following Council purchase in the early 2000's.

Despite redevelopment of the site being proposed and conditionally approved on a number of occasions, flooding, stormwater and drainage related matters relating to the piped watercourse which is located on adjoining Lot A DP 404184 appear to have restricted the viable development potential for the site as incorporated in a larger scheme.

The following extract from the Council Business Paper of 7 April 2014 provides details of the more recent history of the site.

*'This site including approximately 500m<sup>2</sup> of air space above the adjoining Bertram Lane was previously under contract for sale to the adjoining property owners Valad Property Group (Valad) with a view to having the site incorporated into a major retail development proposed by Valad. However, as a consequence of the company not being able to meet the conditions of the Development Consent and obtaining a Construction Certificate for that development, the contract was rescinded in 2010.*

*Consequently, Valad requested that Council market its Underwood Street Car Park site concurrently with the Valad land holdings with a view to seeking a new developer capable of proceeding with the retail development as per the Development Consent. Council called for Expressions of Interest in 2011 for the purchase of the site and, although a number of enquiries were received at that time, no further progress was made primarily due to the effect of the Global Financial Crisis. The site consequently remained in Council's ownership and used as a public car park.*

*Vehicular access to the rear of private properties fronting Railway Street is also obtained through this car park and a right of way has been created to ensure those access rights are protected in the event of Council proceeding with the sale of the car park.*

*Under the Draft Corrimal Town Centre Revitalisation Strategy, this site is identified as one that is most likely to be developed and not strategically required for car parking as there are two other public car parks within the Corrimal Town Centre.'*

On 7 April 2014, Council authorised the sale of the subject allotments, together with the option of the air space over the adjoining Bertram Lane. The site was subsequently sold at public auction on 5 November 2014 to the current owners. The air space over Bertram Lane did not form part of the sale and Bertram Lane remains in Council ownership.

Works are also required within the adjoining Bertram Lane Lot which includes the reconstruction of a timber retaining wall which is failing and drainage works. Owners consent has been granted for these works by the Property Services Manager. At time of preparing this report, the central portion of Bertram Lane (adjacent to the subject allotments) formed a Lot, rather than public road. The reclassification of this Lot to a public road has, however, been completed as published in the Government Gazette on 30 October 2015. See further discussion at section 2.5.1 below.

#### Customer service actions

The property does not have any outstanding customer service actions.

## **2.5 CONSULTATION**

### **2.5.1 INTERNAL CONSULTATION**

#### **Landscape Officer:**

Council's Landscape Officer has reviewed the application submission and provided a conditionally satisfactory referral response. Comments provided include the following:

*"Although proposed landscaping is in garden bed of less width than what is required in DCP, 2m rather than 3m, plans submitted meet objectives to provide screening and amenity. A row of street trees is proposed along Underwood Street and with absence of power lines these have the potential to reach mature height. These trees are to be *Elaeocarpus reticulatus* Blueberry Ash which is a commonly used street tree. Offset from the street trees in staggered pattern are additional tree planting of *Elaeocarpus Eumundi* a similar tree. Tree planting is also included in garden beds within parking area giving affectively three rows of threes. These trees have potential to be crown lifted to*

*ensure pedestrian movement is not restricted and passive surveillance can be achieved. Three rows of shrubs are proposed, A mini Murraya, A Callistemon and Lomandra which could present as an attractive informal hedge of low height which would lessen light spill from headlights to nearby properties.*

*Addition of palisade fencing will help define boundary and clarify public domain and property.”*

Recommended conditions include requiring that the westernmost row of car parking adjacent to Underwood Street be constructed using permeable paving to ensure that the tree root zones of the proposed plantings will have sufficient growth room, the submission of a final landscape concept plan and certification of consistency between the final landscape plan and stormwater plan for the site. Councils Stormwater and Traffic Officers have also been consulted with regard to the recommended conditions, particularly the requirement for permeable paving. No adverse stormwater or traffic impacts are envisaged as a result of the recommended landscape conditions.

**Stormwater Officer:**

Councils Stormwater Officer has reviewed the application submission with regard to the flood affectation of the site and stormwater matters. A conditionally satisfactory referral response has been received in this regard. The proposal has been designed with regard to the flood affectation considerations of the site and existing stormwater infrastructure.

**Traffic Officer:**

Councils Traffic Officer has reviewed the application submission with regard to traffic generation, impacts on the surrounding road network and internal design.

Concerns initially identified with regard to traffic generation, trip distribution, intersection analysis, boom gate queuing and manoeuvring have been satisfactorily addressed via the submission of additional information.

The Officer has provided a conditionally satisfactory referral response, advising that the proposed pedestrian link in particular is supported. Several draft conditions including the construction of the permeable paving, car parking layout, separation of the pedestrian link from the Right of Access and sightlines are recommended in this regard.

**Environment Officer:**

Councils Environment Officer has reviewed the application submission and provided a satisfactory referral response. The following comments were noted:

*“I have viewed the following reports*

- Statement of Environmental Effects Report prepared by Urbis Pty Ltd dated June 2015*
- Preliminary Site Investigation PSI report prepared by Aargus Env Consulting dated 12<sup>th</sup> April 2015.*
- Detail Site Investigation (DSI) prepared by Aargus Env Consulting dated 11 August 2015.*
- Remediation Action Plan (RAP) prepared by Aargus Env Consulting dated 18 August 2015.*
- Interim Site Auditor’s Advice as per Contaminated Land Management Act 1997 dated 28 August 2015.*
- WSUD Report prepared by Cardno dated 1 June 2015 Ref 820150509604 Ver 4*
- Waste Management Plan prepared Shellshear Young dated 24 April 2015 .*

*The DSI report is based on soil sampling and analysis and identified the soil are contained with hydrocarbon and other chemicals associated with high voltage transformer oils. In addition, asbestos contaminated soils were detected.*

*A Remediation Action Plan (RAP) has been prepared for site remediation. An EPA accreditator auditor has issued an Interim Advice which states that the RAP has been assessed and the auditor considers the DSI and RAP has met the NSW guidelines on reporting contaminated site.*

*The Auditor has also considered that the site is capable of being made suitable for the proposed development and at the completion of audit process a Site Auditor’s Statement (SAS) will be issued.”*

The applicant has confirmed that the required remediation works are to be carried out as Category 1 remediation works, with consent granted as part of the subject application. Several draft conditions recommended including the requirement for a Site Auditor Statement (SAS) pursuant to the provisions of Part 4 of the Contaminated Land Management Act 1997 confirming that the site has

been satisfactorily remediated and is suitable for the proposed development. The SAS is required to be issued prior to the issue of the Occupation Certificate and a copy forwarded to Council.

The submitted Water Cycle Management Strategy Report has also been assessed and found to be satisfactory. Draft condition 5 is recommended with regard to compliance with water quality treatment goals for gross pollutants, suspended solids, nitrogen and phosphorus.

#### **Safer Community Action Team:**

Councils Community Safety Officer has provided notes requesting that the recommendations of the submitted CPTED report be implemented in the design and operation of the facility, ensuring that the car park is accessible and meets CPTED principles, separation of the staff and customer car parking areas, graffiti prevention measures to be implemented into the design and CCTV cameras be provided within the building and car park areas, particularly at the building entrances.

Draft conditions are recommended requiring that the recommendations of the CPTED report be implemented as requested and the operation of CCTV cameras throughout the site. Further comment regarding CPTED matters are included at Chapter E2 below. Subtle design changes including the articulation of blank walls, the addition of further windows and plantings and building façade treatment with graffiti-guard to a height of 2.4m in height have been made to further meet CPTED principles and reduce the risk of vandalism. Matters identified by the Officer have therefore been addressed either by way of design or draft conditions of consent.

#### **Property Officer:**

Councils Property Officer has been consulted on a number of occasions during the assessment period relating to the existing Right of Access, Bertram Lane and matters regarding the sale of the land. Further narrative of each of these matters is included below:

##### Right of Access

Prior to the sale of the subject allotments in 2014, a Right of Access was created over existing Lots 3 and 4 DP 230192 and Lot 3 DP 513895, benefiting adjoining properties Lot 2 DP 230192 and Lot 1 DP 513895.

The benefited lots are known as 116 and 118 Railway Street Corrimal. The benefited lots are currently used as a 24 hour Medical Centre and furniture show room respectively. Both lots have frontage to Railway Street, but have been constructed with car parking to the rear with access via the created Right of Access.

A beauty salon is located at 114 Railway Street (Lot 2 DP 513895) with access off both part of Bertram Lane and via the Right of Access (not formalised).

120 Railway Street is occupied by a small church known as Wollongong Christadelphian Ecclesia. This site currently does not have any formalised car parking area and relies on public and on-street car parking in the locality. This site has frontage to both Underwood and Railway Streets and it is considered that if the Church was to provide on-site car parking in the future, that access could be gained from either the adjoining public roads, or the Right of Access to the rear.

Draft condition 122 is recommended requiring that the eleven allotments the subject of this DA are consolidated prior to the issue of the Occupation Certificate for the development. As part of this consolidation, all existing restrictions would need to be carried through to the new DP. The draft condition also requires that the Right of Access be extended to benefit Lot 2 DP 513895 (114 Railway Street) and Lot 1 DP 230192 (120 Railway Street) in order to formalise the existing car parking arrangement and provide the option should car parking be proposed which is accessible from the Right of Access.

##### Bertram Lane

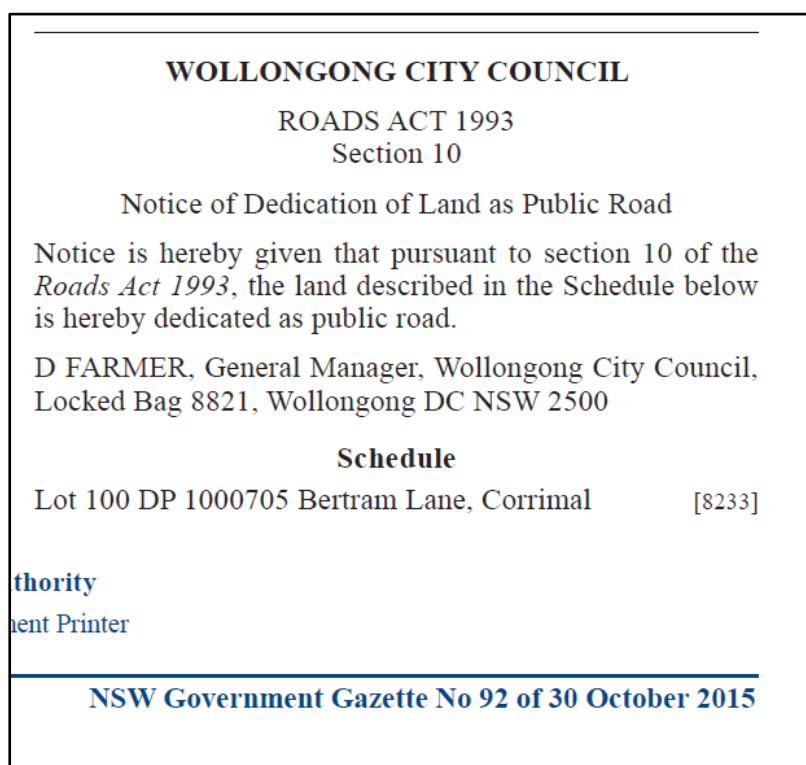
As indicated by Figure 2 above, at the time of preparing this report, the section of Bertram Lane adjacent to the subject site did not form part of a public road. In 1999, the middle section of Bertram Lane in addition to air space over the northern section of the lane, was closed and transferred from a public road to two allotments. The area of the lane adjacent to the subject site is known as Lot 100 DP 1000705.

DA-1998/63 was lodged on 10 February 1998 for 'Corrimal Shopping World' and related to the site the subject of DA-2015/789, Lot 100 Bertram Lane and several properties fronting the Princes Highway. Available information in this DA file indicates that the proposed shopping centre extended

across the subject properties fronting Underwood Street, across the section of Bertram Lane that now forms Lot 100 and to several properties fronting Princes Highway. Consent was granted for DA-1998/63 on 24 December 1999. It is assumed that Lot 100 was created to facilitate the development proposed and approved via DA-1998/63. As this development did not proceed, the Lot remained in Councils Ownership.

The section of lane that is known as Lot 100 operates as a public road. There does not appear to be any restrictions on the title. Notwithstanding this, at least four properties which front the Princes Highway gain access to their car parking area and rear entries via Lot 100. There does not appear to have been a legal Right of Access to these properties established when the Lot was created. Further, the subject application proposes to drain into and the Right of Access proposes to connect to the part of Bertram Lane that is a Lot. These factors would, in normal circumstances, be required to be formalised via the registration of an easement and Right of Access across Lot 100.

Given the existing issues with regard to legal access to surrounding properties and issues regarding drainage and access resulting from the subject and other active development applications in Councils register, Lot 100 has been re-instated as a public road as of the 30 October 2015 via a notice being published in the Government Gazette (Figure 3). Given the timing with regard to the determination meeting, Councils mapping was not able to be updated to reflect this reinstatement prior to submission of the assessment report for public exhibition.



**Figure 3: NSW Government Gazette, 30 October 2015:** notice that Lot 100 DP 1000705 has been dedicated as a public road.

#### **Strategic Project Officer:**

Councils Strategic Planning Officer has reviewed the application submission and provided a satisfactory referral response. The following comments were noted:

*"...The Land Use Planning Team is supportive of the proposal as it complies with relevant planning controls and is consistent with the provisions of the draft Corrimal Town Centre Plan. It is noted that the draft Corrimal Town Centre Plan is not yet endorsed by Council, but has been publicly exhibited and provides relevant guidance for development proposals in the Corrimal Town Centre. Detailed comments relating to the amended plans are provided below:*

- *The submitted revised fence details are a significant improvement from the previously proposed 2 metre high boundary fence.*



- The additional landscaping along the front boundary is an improvement as landscaping contributes to the provision of a pleasant visual frontage. The draft Plan for Corrimal Town Centre directs development along Underwood Street to provide a pleasant visual frontage. Pleasant visual frontages are those which contribute positively to the streetscape and encourage pedestrian activity and visual connections from the property to the street – refer to pages 20 and 33 of the draft Corrimal Town Centre Plan.
- The shared way/pedestrian and vehicle connection along the southern boundary, connecting Underwood Street and Bertram Lane is supported and consistent with the direction of the draft Corrimal Town Centre Plan. Maintaining an east-west pedestrian connection across the centre is an important feature of the draft Plan.”

#### **Social Planning Officer:**

Councils Social Planner has provided the following response:

*“Social Planning has reviewed the proposed DA and generally support the proposal in the sense that it will provide a centralized multi medical service facility. Furthermore the facility appears disable person friendly.*

*It is requested conditions to ensure the facility meets comments made in the SSE and Accessibility statement re satisfying DDA and BCA legislation and regulations are included.”*

Draft conditions are recommended as per the Officers request.

#### **Health Officer:**

Councils Health Officer has reviewed the application submission and provided a satisfactory referral response.

In each instance, satisfactory referral advice has been received. Further assessment considerations of internal groups as relates to relevant Chapters of the WDCP 2009 are presented at section 3.3.1 of the report.

## **2.5.2 EXTERNAL CONSULTATION**

The proposal did not require any statutory external agency referrals.

**\*note:** confirmation has been sought and provided from the NSW Office of Water that the watercourse indicated within Councils mapping system is not a ‘watercourse’ for the purposes of the Water Management Act 2000, and as such, the proposal is not ‘Integrated Development’ pursuant to clause 91 of the *EP & A Act 1979*.

## **3. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 SECTION 79C ASSESSMENT**

### **Section 79C – Evaluation**

#### **(1) Matters for consideration—general**

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

<i>(a) the provisions of:</i>	
<i>(i) any environmental planning instrument, and</i>	See section 3.1
<i>(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</i>	See section 3.2
<i>(iii) any development control plan, and</i>	See section 3.3
<i>(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter</i>	See section 3.4

<i>into under section 93F, and</i>	
<i>(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,</i>	See section 3.5
<i>(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),</i>	See section 3.6
<i>that apply to the land to which the development application relates,</i>	
<i>(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</i>	See section 3.7
<i>(c) the suitability of the site for the development,</i>	See section 3.8
<i>(d) any submissions made in accordance with this Act or the regulations,</i>	See section 3.9
<i>(e) the public interest.</i>	See section 3.10

### **3.1 SECTION 79C 1(A)(I) ANY ENVIRONMENTAL PLANNING INSTRUMENT**

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

SEPP 55 requires that, when assessing a development application, the consent authority must give consideration to whether the land to which the development application relates is contaminated. If so, consideration must be given to whether the land is suitable (in either its contaminated state or after remediation), for the purpose for which the development is proposed to be carried out.

The subject site was converted from rural to residential land in the 1920s. Between the 1920s and 1967, the land was used by private individuals. In 1967 seven of the eleven lots were acquired by Council. In 2004, the remaining four lots were transferred into Council ownership. The report to Council of 4 April 2014 indicates that Council acquired properties over time with the view of consolidating the site to accommodate future development. Since this time, the property has been used as an informal public car park.

A Preliminary Site Investigation and Detailed Site Investigation prepared by Argus formed part of the application submission. Soil sampling and laboratory testing was undertaken as part of the investigation.

The assessment found that the site could be considered suitable for the proposed use subject to remediation works. The applicant has advised that these remediation works are to be carried out as Category 1 works with consent granted as part of the subject DA.

The potential for contamination has also been considered by Council's Environment Officer who has advised that the report is satisfactory.

The site is therefore considered to be appropriate for the intended land use subject to the recommended conditions within Attachment 5 including a SAS.

#### **3.1.2 STATE ENVIRONMENTAL PLANNING POLICY NO. 64 – ADVERTISING AND SIGNAGE**

The applicant has advised that the signage shown on the submitted plans is indicative only and does not form part of the development application. As such, draft condition 9 is recommended as per the below.

##### ***Separate Consent Required for Advertising Signage***

*This consent does not authorise the erection of any advertising signage. Any such advertising signage will require separate Council approval, in the event that such signage is not exempt development, under Schedule 2 of Wollongong Local Environmental Plan 2009 or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

### 3.1.3 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

#### Division 10 Health Services Facilities

Division 10 of this SEPP relates to health services facilities.

In this Division:

**Health services facility** means a facility used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes the following:

- (a) day surgeries and medical centres,
- (b) community health service facilities,
- (c) health consulting rooms,
- (d) facilities for the transport of patients, including helipads and ambulance facilities,
- (e) hospitals.

The proposal relates to development for the purposes of a medical centre and therefore falls within the definition of a 'health services facility' pursuant to this SEPP.

This division allows for development for the purposes of a 'Health services facility' to be carried out by any person with consent on land in certain prescribed zones, regardless of whether that use is identified as a permitted use within the land use table within another Environmental Planning Instrument. As 'medical centres' are permissible in the B2 zone pursuant to WLEP 2009 as further discussed at 3.1.5 below, the applicant is not reliant on this SEPP to achieve permissibility for the proposal.

#### Clause 104 Traffic-generating development

Clause 104 of this SEPP applies to development specified in Column 1 of the Table within Schedule 3. 'Health Services Facilities' and 'medical centres' are not identified within Column 1 within the Table

The table does however state that 'areas used exclusively for parking or any other development having ancillary parking accommodation' and 'parking'. The development includes ancillary parking.

Column 2 of the Table requires a size or capacity with access to any road of more than 200 vehicles before referral to the RMS is required. The application proposes 103 car parking spaces and as such, does not meet the threshold within Column 2.

Column 3 of the Table relates to development of any size or capacity, where the site has access to a classified road or to a road that connects to a classified road where access to the classified road is available within 90m of the connection measured along the alignment of the connecting road. The Princes Highway is identified as a classified road within Councils Land Mapping system. Access from the property to the classified road would be available via the Right of Access to the south of the site, Bertram Lane and Railway Street. The distances of this connection has been measured to be over 100m. Access could also be gained to the Princes Highway via Underwood Street and Railway Street, which has been measured to be more than 160m. All other possible legal accesses to the classified road are at a greater distance. As such, the subject site does not meet the minimum distance where the proposal would be considered traffic generating development requiring concurrence from the NSW RMS in accordance with this clause.

### 3.1.4 STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011

State Environmental Planning Policy (State and Regional Development) 2011 applies to certain development that is considered to be of significance to the state. For the purpose of clause 89C of the *Environmental Planning and Assessment Act 1979* development is declared to be of state significance if:

8 (1)(a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and  
(b) the development is specified in Schedule 1 or 2.

Schedule 1 of SEPP (State and Regional Development) 2011 lists the types of development that are regarded as state significant development. Schedule 1, Clause 14 identifies that development for the purposes of a medical centre with a capital investment value of more than \$30 million requires that a regional panel exercise the consent authority functions of the Council.

As the proposal has a capital investment value of \$8.83 million, determination by the JRPP is not triggered by the SEPP. The proposal does however require determination by the JRPP pursuant to Schedule 4A (6)(b) of the *Environmental Planning and Assessment Act 1979* as the proposal relates to private infrastructure and community facilities for the purpose of a 'health services facility'.

### 3.1.5 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

#### Clause 1.4 Definitions

The proposal comprises GP, specialist, treatment, dental surgery, physiotherapy, pathology and radiology rooms and associated administration and storage areas. The primary use of the site is categorised as a **Medical Centre** as described below. A small pharmacy is proposed within the building which is also considered to be ancillary to the function of the centre, having no change in operating hours which could be categorised as a **Commercial Premises – Retail Premises – Shop** which is also permissible in the zone with development consent. See discussion at clause 2.3 below.

**Medical centre** means premises that are used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals. It may include the ancillary provision of other health services.

**Note.** Medical centres are a type of **health services facility**

**Health services facility** means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following:

- (a) a medical centre,
- (b) community health service facilities,
- (c) health consulting rooms,
- (d) patient transport facilities, including helipads and ambulance facilities,
- (e) hospital.

**Commercial premises** means any of the following:

- (a) business premises,
- (b) office premises,
- (c) retail premises.

**Retail premises** means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following;

- (a) bulky goods premises,
- (b) cellar door premises,
- (c) food and drink premises,
- (d) garden centres,
- (e) hardware and building supplies,
- (f) kiosks,
- (g) landscaping material supplies,
- (h) markets,
- (i) plant nurseries,
- (j) roadside stalls,
- (k) rural supplies,
- (l) shops,
- (m) timber yards,
- (n) vehicle sales or hire premises,

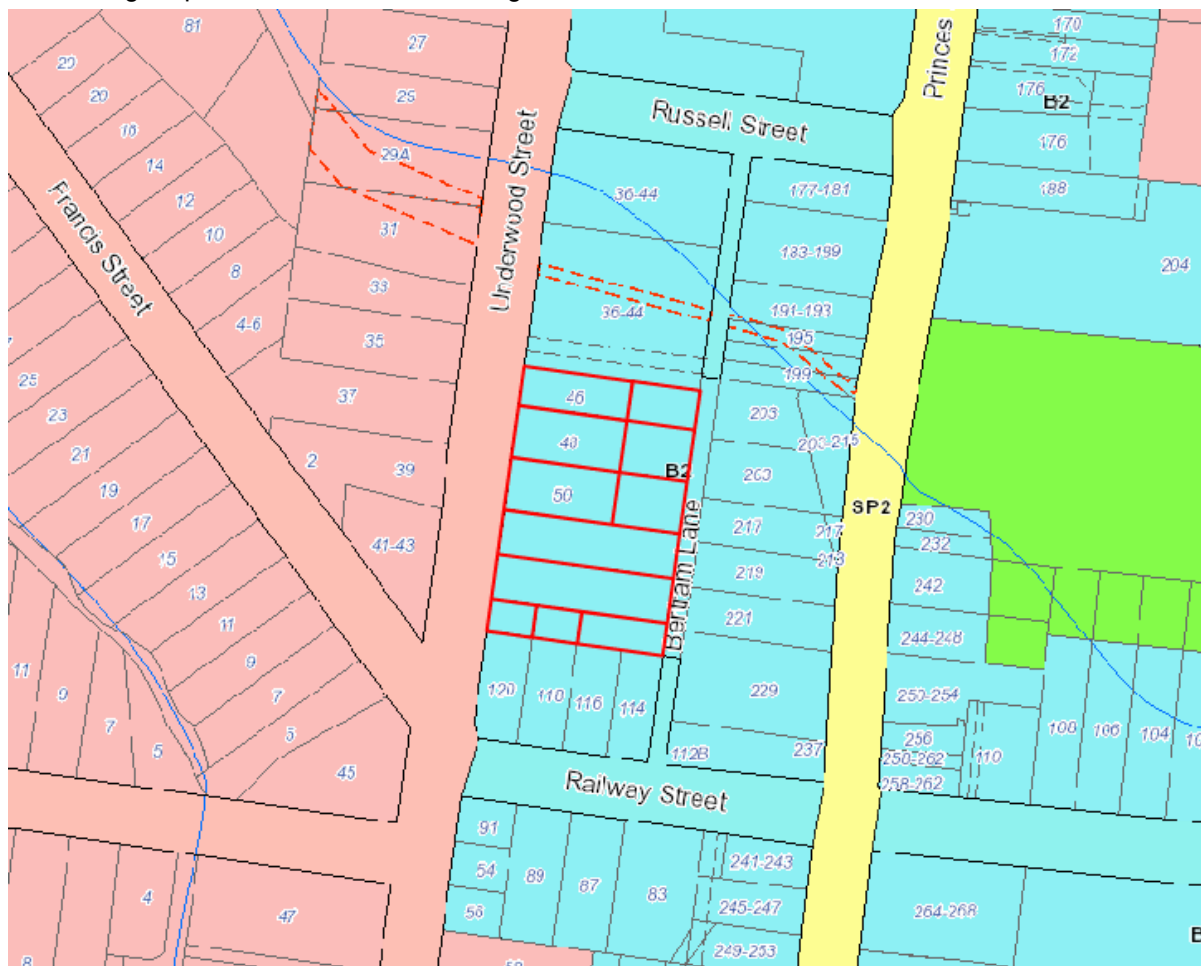
but does not include highway service centres, service stations, industrial retail outlets or restricted premises.

**Shop** means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop, but does not include food and drink premises or restricted premises.

## Part 2 Permitted or prohibited development

### Clause 2.2 – zoning of land to which Plan applies

The zoning map identifies the land as being zoned B2 Local Centre



**Figure 4: Development Site WLEP 2009 Zoning Map**

### Clause 2.3 – Zone objectives and land use table

The objectives of the zone are as follows:

- 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.
- To allow for residential accommodation and other uses while maintaining active retail, business or other non-residential uses at the street level.

The proposal is satisfactory with regard to the above objectives as the proposed medical centre will assist in providing services required to meet the needs of the residents in the area and provide an active, non-residential use at street level.

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

Advertising structures; Amusement centres; Boarding houses; Car parks; Child care centres; **Commercial premises**; Community facilities; Educational establishments; Entertainment facilities; Exhibition homes; Function centres; Hostels; Information and education facilities; **Medical centres**;

*Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Self-storage units; Seniors housing; Service stations; Sex services premises; Shop top housing; Tourist and visitor accommodation; Veterinary hospitals; Wholesale supplies*

The proposal is categorised as a **Medical Centre** as described above and is permissible in the zone with development consent. A small pharmacy is proposed within the building ancillary to the function of the centre which could be categorised as a **Commercial Premises – Retail Premises – Shop** which is also permissible in the zone with development consent. See definitions at 1.4 above.

#### **Part 4 Principal development standards**

##### Clause 4.3 Height of buildings

The proposed building height of 7.72m does not exceed the maximum of 15m permitted for the site.

##### Clause 4.4 Floor space ratio

Maximum FSR permitted for the zone:	<b>1.5:1</b>	
FSR provided:	Site Area=	5286.8 (by survey)
	GFA=	1450
	FSR=	1450/5286.8 0.2743:1 <b>0.27:1</b>

#### **Part 5 Miscellaneous provisions**

##### Clause 5.9 Preservation of trees or vegetation

The proposal does not require the removal of any significant trees or vegetation. 1x Murraya shrub is located within the site adjacent to Bertram Lane and, due to its size, could be removed without consent. Four (4) street trees are located in the vicinity of the site and the proposal has been designed such that they are able to be retained within the current design. Council's Landscape Officer has provided a conditionally satisfactory referral response in this regard.

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

##### Clause 7.1 Public utility infrastructure

The development is expected to be serviced by electricity, water and sewage services.

Draft conditions 28-30 are recommended requiring approval from the relevant authorities verifying the connection of utility services to the site.

##### Clause 7.3 Flood planning area

The land is identified as being flood affected. Council's Stormwater Officer has assessed the application submission in this regard and has not raised any objections subject to appropriate conditions of consent. The proposed building has been positioned and designed to ensure an appropriate finished floor level given the flood affectation of the site while ensuring that the building is accessible.

##### Clause 7.4 Riparian lands

The WLEP 2009 Riparian Land Map indicates that the site is located in the vicinity of a riparian corridor; however the WDCP 2009 does not identify a corridor in the vicinity of the site. There is a piped watercourse located on the adjoining property and this is considered likely to have comprised a riparian corridor prior to development of the adjoining site. Council's Environment Officer has reviewed the application in this regard and has not raised any objections in this regard. No further consideration in this regard is required. Confirmation has also been sought and provided from the NSW Office of Water that the watercourse indicated within Council's mapping system is not a 'watercourse' for the purposes of the Water Management Act 2000.

##### Clause 7.6 Earthworks

The proposal comprises minor earth reshaping works. The earthworks are not expected to have a detrimental impact on environmental functions and processes, neighbouring uses or features of the surrounding properties. Council's Stormwater Officer has considered the works with regard to the

potential impacts on the site drainage patterns and provided a conditionally satisfactory referral response.

#### Clause 7.13 Ground floor development on land within business zones

*(1) The objective of this clause is to ensure active uses are provided at the street level to encourage the presence and movement of people.*

The proposal is considered to be consistent with the objectives of the control. The medical centre is expected to encourage the presence and movement of people at street level.

*(2) This clause applies to land in Zone B1 Neighbourhood Centre, Zone B2 Local Centre, Zone B3 Commercial Core or Zone B4 Mixed Use.*

The subject site is zoned B2 Local Centre and as such, this clause applies to the land.

*(3) Development consent must not be granted for development for the purpose of a building on land to which this clause applies unless the consent authority is satisfied that the ground floor of the building:*

*(a) will not be used for the purpose of residential accommodation, and*

*(b) will have at least one entrance and at least one other door or window on the front of the building facing the street other than a service lane.*

The proposal provides a non-residential use at ground floor level with two entrances facing Underwood Street in accordance with this clause.

## **3.2 SECTION 79C 1(A)(II) ANY PROPOSED INSTRUMENT**

None applicable.

## **3.3 SECTION 79C 1(A)(III) ANY DEVELOPMENT CONTROL PLAN**

### **3.3.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009**

#### **CHAPTER B4 – DEVELOPMENT IN BUSINESS ZONES**

The subject site is located within a B2 Local Centre zone, and as such, this Chapter applies to the proposal.

The Chapter identifies Corrimal as a major town centre and advises that precinct planning controls for the area will be subject to a separate revitalisation strategy which is currently in progress. The Corrimal Town Centre Study is currently being undertaken by Councils Land Use Planning Team and is in a draft form. This study has been considered as part of the assessment.

Attachments 3 and 4 to this report provide further details as to the consistency of the proposal with the Draft Corrimal Town Centre study. A merit assessment against part 9 of this Chapter is also provided to assist in consideration of the potential impacts of the development. It should be noted however that part 9 relates to general design requirements for retail and business premises developments, and therefore is not strictly applicable to a medical centre development.

No variations are requested to the controls within this chapter.

#### **CHAPTER D1 – CHARACTER STATEMENTS**

##### **Corrimal**

##### **Existing Character:**

*Corrimal retail and business centre is classified as a major town centre (district level centre) and represents the highest order retail and business centre for the northern suburbs of Wollongong. The centre is a strong traditional retail and business strip situated along both sides of the Princes Highway. It contains two large enclosed shopping centres which feature a full line supermarket in each centre as well as a range of specialty retail outlets and service businesses.*

##### **Desired Future Character:**

*The Corrimal retail and business centre is proposed to be strengthened through the expansion of the existing centre, the encouragement of mixed use developments designed to foster a lively main street and improvements to pedestrian linkages throughout the centre. This will help to establish Corrimal as a major town centre to serve the northern suburbs of Wollongong LGA.*

*The desired future character for Corrimal is to retain the existing street and built form character of the Corrimal retail and business centre through maintaining an active street frontage with continuous retail uses on the ground floor level and a two storey façade. Continuous awnings will also be retained along footpath areas. Active retail frontages will be strongly encouraged for the facades of 'big box' retail centres to improve the streetscape appearance of each shopping centre and to improve the overall vitality of the Corrimal retail centre...*

*Clear pedestrian linkages should be provided from Underwood Street to the Princes Highway and the Corrimal Memorial Park and Ziems Park and key sites such as the Underwood Street carpark site and the proposed eastward expansion of the Stockland Mall shopping centre. Clear pedestrian routes are also necessary from parking areas to the retail and commercial centre. Through site links are also to be provided in accordance with the DCP.*

The proposal is not considered to be inconsistent with the future desired character for Corrimal. The proposal is located on the site which was previously known as the 'Underwood Street car park site'.

While the site will no longer form a public car park, pedestrian access via the site to the Princes Highway will be enabled by the proposed Right of Access along the southern boundary of the site. The reception area is proposed with a double height ceiling and glass façade which is consistent with the streetscape comments within the above.

In regard to the matter of context, the planning principle in Project Venture Developments v Pittwater Council [2005] NSWLEC 191 is relevant in that it provides guidance in the assessment of compatibility. The two major aspects of compatibility are physical impact and visual impact. In assessing each of these the following questions should be asked:

- Are the proposals physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.
- Is the proposals appearance in harmony with the buildings around it and the character of the street?

In response to the first question, matters such as overshadowing, privacy concerns, bulk scale and setbacks are relevant. The subject proposal relates to a single storey medical centre within a B2 Local Centre Business Zone. The proposal is not expected to result in adverse overshadowing of adjoining properties and the building is appropriately sited given the restrictions on the site. The proposal is well below the applicable height and FSR development standard for the site.

The design of the proposed development is not considered to be unsatisfactory in this instance. The proposal is not considered to be inconsistent with the Draft Corrimal Town Centre study as further demonstrated by discussion at section 2.5.1, 3.3.1 and Attachment 3. The site is identified within this plan as requiring redevelopment and is desired to have a pleasant visual frontage into the future. Pedestrian connection between Underwood Street and Bertram Lane will be maintained by the proposed pedestrian link adjoining the Right of Access. This is considered the most logical and safe location for this linkage given the grade difference further to the north. The grade of Bertram Lane is demonstrated within the site photographs provided at Attachment 2 to this report. The expected impacts of the development on surrounding development are therefore considered to be acceptable.

In response to the second regarding visual impact, the development is not considered to be out of context with the character of Underwood Street and the Corrimal Town Centre. The proposal is not considered to result in unreasonable impacts on views from surrounding properties, and importantly, will not reduce the view of the escarpment and Brokers Nose from the Corrimal Town Centre area including Memorial Park.

Senior Commissioner Roseth SC, within the NSWLEC 191 judgement provides the following with regard to consideration of a development with regard to compatibility with the surrounding area:

*"There are many dictionary definitions of compatible. The most apposite meaning in an urban design context is capable of existing together in harmony. Compatibility is thus different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale or appearance, though as the difference in these attributes increases, harmony is harder to achieve."*

...

*"For a new development to be visually compatible with its context, it should contain, or at least respond to, the essential elements that make up the character of the surrounding urban environment. In some areas, planning instruments or urban design studies have already described the urban*



*character. In others (the majority of cases), the character needs to be defined as part of a proposal's assessment. 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**. In special areas, such as conservation areas, **architectural style and materials** are also contributors to character."*

In this instance, the most appropriate planning study to be considered is the Draft Corrimal Town Centre Study. Within this document, the site is highlighted for redevelopment however it is noted that the site is partially affected by flooding constraints and this would impact on the development potential for the site. The Draft plan also highlights the importance of retaining the east west pedestrian link through the site which is proposed to be formalised by the subject proposal. Consideration of the impact on the view corridor of development is also noted and has been considered by the design presented.

In terms of building height, surrounding commercial development predominately consists of a mix of single and two storey developments, with one four storey shop top housing development with frontage to the Princes Highway to the south east of the site. Residential development to the west of the site consists of a mix of two and tree storey multidwelling housing and residential flat building developments. The property to the immediate north consists of a vacant single storey building. The proposed height of the development is not considered to be inconsistent with surrounding properties.

Front setbacks within the defined town centre are varied, ranging from 40m to partially within the road reserve. The primary commercial core of the centre is the Princes Highway where properties are generally built to the boundary and rear loaded. Surrounding commercial standalone uses with the exception of the Princes Highway have varying building separation. Setbacks enjoyed by the adjoining residential development are between 2 and 10m between the front property boundary and building line and between 1 and 5m for side setbacks.

Landscaping within the commercial core is limited. Commercial properties typically have little to no landscaping along the Primary Road frontage and minimal landscape relief within existing car parking areas. There are several uses within the outer precinct of the defined Town Centre that present a similar frontage to the road as the proposal; being the Stockland Shopping Centre and Community Centre car parks. Both car parks have frontage to local roads with car parking areas in front of the building and present minimal landscaping between the car parking areas and the road frontage. See figures 5-8.



**Figure 5: Stockland Shopping complex car parking area viewed from the Princes Highway**



**Figure 6: Community Centre car park viewed from the Princes Highway**



**Figure 7: Stockland Shopping complex car parking area viewed from the Short Street**





**Figure 8: Motor village car parking area viewed from the Princes Highway**

Within the NSWLEC 191 judgement Roseth SC indicates that landscaping is an important contributor to urban character stating, *“where canopy trees define the character, new developments must provide opportunities for planting canopy trees”*. The outer precinct of the Town Centre generally enjoys a high number of well-established canopy trees, both within the road reserve and within properties and car parking areas. As such, it was considered prudent to ensure that the proposal included a number of appropriately selected species to provide not only shade to car parking areas, but ensure that the development was not out of character with the surrounding town centre area, despite being void of any significant vegetation at present.

The architectural style and building materials proposed are considered to be of a high quality, with the building proposed to be comprised of a mix of sandstone cladding, concrete blockwork and aluco cladding. The subject site is not located within a heritage conservation area and is not located in the vicinity of any identified heritage items. The material selection is consistent with several newer builds in the Town Centre area and is considered to contribute to the improvement of the streetscape.

In this judgment, the Commissioner relied on a photomontage of the proposed development. Two photomontages (Figures 9 and 10) have been provided by the applicant demonstrating the expected visual outcome of the development from the northern and southern extents of the Underwood Street frontage.



**Figure 9: Photomontage of the proposed development viewed from Underwood Street (looking south east)**





**Figure 10: Photomontage of the proposed development viewed from Underwood Street (looking north east)**

In terms of consistency with the surrounding development, Figure 11 provides a view of the existing development immediately adjoining the development site from the street.



**Figure 11: adjoining development from Underwood Street (looking north east)**

The proposal is therefore not considered to be out of context or in conflict with the character of the surrounding area. The proposed landscaping and presentation to the street has been assessed and is considered appropriate by Councils Landscape and Strategic Project Officers as discussed throughout this report.

## **CHAPTER E1 - ACCESS FOR PEOPLE WITH A DISABILITY**

The proposal has been considered against the requirements of this Chapter and found to be acceptable. The entire facility has been designed to be accessible and three (3) disabled car parking spaces have been allocated on-site in close proximity to the main entrance. The application submission included an Accessibility Statement demonstrating that the proposal will provide accessible paths of travel, entrances and facilities.

The main parts of the BCA which relate to access, mobility and the provision of sanitary facilities for people with a disability are:

- Part D3 Access and Egress for People with Disabilities;
- Part E Lift Installations; and
- Part F Sanitary Facilities for People with Disabilities.

Draft conditions are recommended at Attachment 5 reinforcing compliance with the National Construction Code (NCC), BCA and relevant Australian Standards in regards to disabled access provisions.

## CHAPTER E2 - CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

A CPTED Report has been included with the application submission and reviewed by Council's Safe Community Action Team Officer with satisfactory referral advice received.

The following compliance table relates to the controls within this Chapter:

<i>Control/objective</i>	<i>Comment</i>	<i>Compliance</i>
<u>3.1 Lighting</u>	Draft conditions 39 and 40 require the car parking areas of the site and the entrance points to buildings to be adequately illuminated. The applicant has advised within the submitted SoEE that car park and perimeter lighting will be installed along all elevations in accordance with AS4282, AS1158.3.1 and Section J6 of the BCA. Draft condition 39 is recommended in this regard. External lighting is proposed to be controlled via a solar sensor which will have the ability to be switched off at a predetermined time. Supplementary bollard and building façade lighting will also be installed to provide higher lux levels around the immediate vicinity of the building, whilst ensuring that the resulting light spill does not result in unreasonable impacts to nearby residences.	Draft conditions proposed
<u>3.2 Natural surveillance and sightlines</u>	<p>The design of the site provides a clear pedestrian entry point to the site from Underwood Street for visitors and from the adjacent car parking area. The proposed entrance, treatment of the building and retention of several large street trees on the Underwood Street frontage create an active street frontage.</p> <p>Planting selection has been in consultation with Council's Landscape Officer and is considered satisfactory.</p> <p>A 2m high palisade fencing allowing 85% transparency is proposed to surround the site, with the exception of the Underwood Street frontage where a 1.2m fence is proposed. The lesser height is proposed to ensure that there is a clear delineation between public and private land while ensuring that the development is not out of character with residential properties to the west of the site, where several also enjoy a similar landscaped setback and approx. 1.2m front fencing. An automatic gate is proposed to the Underwood Street pedestrian entry to control entry after hours.</p>	Yes
<u>3.2 Signage</u>	The subject development application does not include signage. See comments at section 3.1.2 and Chapter C1 above.	N/A

<u>3.4 Building design</u>	<p>The design of the building is considered to be satisfactory. The entrance to the proposal is clearly defined. The at grade car parking area is accessible from Underwood Street. The design of the site provides a clear entry point to the building. Opportunities for entrapment are considered to be minimal.</p> <p>A staff entrance is proposed from the staff car park to the rear. The door to this exit is proposed to incorporate a glazed viewing panel and be monitored by CCTV cameras.</p> <p>The southern elevation of the building has been amended to incorporate additional windows and will be treated with a graffiti guard to a height of 2.4m.</p>	Yes
<u>3.5 Landscaping</u>	<p>The Landscape Concept Plan submitted with the application is considered to be appropriate for the site and does not propose landscaping which has the potential to screen entrances to the building. All surfaces are designed in a way that will allow access for disabled and mobility impaired people. Councils Landscape and SCAT Officers have reviewed the application submission and indicated that they do not object to the proposal. Opportunities for concealment are minimal. Several draft conditions are recommended in this regard. Further discussion regarding the site landscaping is provided at Chapter E6 below. A landscape maintenance schedule formed part of the application submission and draft condition 61 is recommended requiring the implementation of a landscape maintenance program in accordance with the approved landscape plan for a minimum period of 12 months.</p>	Yes
<u>3.8 Bus stops and taxi ranks</u>	<p>The site is located less than 200m from a major bus stop and less than 100m from a taxi rank.</p>	Yes

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

Council's Traffic Officer has assessed the proposal against the requirements of this Chapter and provided a conditionally satisfactory referral response.

#### Medical Centre

	<b>Rate</b>	<b>Calculation</b>	<b>Required</b>	<b>Provided</b>	<b>Compliance</b>
<i>Car parking</i>	<p>4 car parking spaces per consulting room</p> <p>plus 1 car parking space per 3 employees.</p>	<p>No more than 29 rooms expected to be in use at any one time</p> <p>38 staff on site at any one time</p>	<p>116</p> <p>12.6</p> <p>129 total</p>	103	<b>No</b> (see below)
<i>Bicycle parking</i>	1 bicycle space per medical centre	1	1	4	Yes
<i>Motorbike</i>	1 motorcycle space per 25 car parking spaces	103/25	4.12	6	Yes

The car parking rates above are based on the rates specified for Medical Centres. The proposal also includes a 75sqm pharmacy. The pharmacy is considered to be ancillary to the use of the site as a medical centre and is not expected to generate separate car parking demands.

Section 7.4 of this Chapter provides the following:

#### 7.4 Waiver or Reduction of Parking Spaces

1. Council has the discretion to waive or reduce the minimum number of car parking spaces required for a particular site if the reduced rate provision can be justified in the accompanying Car Parking and Traffic Impact Assessment Study, in terms of:

- a) the amount of public car spaces in the locality;
- b) Proximity to public transport nodes;
- c) Opportunity for cross utilisation with another use; and
- d) An empirical assessment of car parking.

*Note: the following car parking reductions can be applied in relation to public parking availability and public transport accessibility.*

- 10% reduction\* if bus stop within 400m of site (measured along an existing footpath)
- 20% reduction\* if railway station within 800m of site (measured along an existing footpath)
- 10% reduction\* if public car park with greater than 50 car spaces within 400m of site (measured along an existing footpath).

*\* Reductions are cumulative with a maximum final reduction of 30%*

The application submission included a Traffic Impact Assessment which demonstrates that the site is located within 400m of a bus stop and 400m of a public car park with more than 50 spaces. This has been confirmed by Council as part of the assessment and a site inspection.

As such, the proposal is eligible for a 20% reduction in required car parking spaces.

Required as per Schedule 1 (above table)	= 129
– 20% as permitted by Clause 7.4 above	- 26 (rounded)
Total required	= 103
Total provided	= 103

The proposal therefore meets the car parking requirements in accordance with this Chapter.

The car parking layout and design is considered to comply with the relevant Australian Standard AS2890.1. Draft condition 42 is recommended in this regard. Adequate manoeuvring area is proposed to allow all vehicles to enter and exit the site in a forward direction. Three disabled car parking spaces and two pram parking spaces are proposed in close proximity to the main pedestrian entrance to the building. Provision has been made for pedestrian movement within the car park to the building entrances.

Entry to the customer car park is proposed via a ticketed boom gate system. The queuing resulting from this system has been considered and is not envisaged to result in adverse impacts on the operation of Underwood Street. Modelling of the potential maximum queuing impacts has been undertaken and demonstrated to be within acceptable levels. Tickets will be issued by the machine prior to the vehicle entering the site and a machine will be available within the building to validate the ticket prior to leaving. The applicant has provided details of the management of the customer car park, advising that the first 2 hours are free to customers. Draft condition 129 is recommended in this regard and ensures that the free period will be retained for customers.

Entry to the staff car park is proposed via a remote control or RFID tag system which will trigger the automated gate. The time taken for the gate to open is not expected to result in queuing impacts on the Right of Access given the staffing numbers and low traffic environment expected.

The trip generation rates modelled for the development is based on surveys of the trip generation from similar sized sites across Australia. The average traffic generation per 100sqm of floor area was found to be between 4.81 and 4.37 movements per 100sqm. In terms of traffic management, the surrounding intersections have been modelled with SIDRA. All surrounding intersections are expected to retain operation at Level of Service A in both the morning and afternoon peak hours.

Sight distances from the entries/exits to the site have been considered and have been demonstrated to comply with AS 2890.1 requirements.

In accordance with this chapter, provision has been made for a small rigid vehicle for servicing requirements. The servicing vehicle will be required to enter the site via the Right of Access, travel through the staff car park and exit via the automated gate separating the staff and customer car park and exit via the customer exit to Underwood Street driveway. Swept paths have been provided demonstrating that a small rigid vehicle is able to carry out this journey without any conflict with parked vehicles or landscaped areas. Servicing will be required to be provided as per draft condition 136.

In accordance with Clause 12 of this Chapter, the provision of landscaping to car parking areas is required to provide visual relief to the development and to assist in the screening of the car parking area from adjoining properties and public road frontages. In this regard, Clause 12 of this Chapter requires a minimum 3m deep landscaped setback where car parking areas front a public road.

The applicant has requested a variation to this control, proposing a 2m landscape strip to the Underwood Street frontage and has submitted a variation request statement in this regard which outlines that the proposed species planting is appropriate and that the adjoining landscape planters contain larger trees which will assist in screening the proposal. The development also involves the construction of a new footpath for the length of the Underwood Street frontage and additional street trees.

It should be noted that there is some inconsistency between controls within the subject chapter in relation to landscaping surrounding car parking, and controls within Chapter E6 which is the primary DCP chapter relating to landscape matters as discussed below. Councils Landscape Officer has reviewed the proposal and has provided a conditionally satisfactory referral response. The Officer has advised that they are satisfied that the proposed 2m landscape strip will provide adequate screening to the development while maintaining a pleasant outlook from the street.

Taking into consideration the stated reasons for and potential resultant impacts of the variation request in conjunction with internal consultation, the request is considered to be reasonable in this instance.

A pedestrian link is proposed along the southern elevation of the building, adjacent to the Right of Access. This link is proposed to ensure that pedestrians can safely and freely pass through the site to access properties fronting the Princes Highway. The eastern elevation has been amended to include additional windows and articulation, low scale landscaping and surface treatments. Draft condition 50 requires that the final details of this link are finalised prior to the issue of the Construction Certificate and that the area be illuminated in accordance with the relevant AS at night.

Due to the height of the proposed reconstructed retaining wall adjoining Bertram Lane (north eastern corner of the site), Armco barriers or similar may be required along part of this boundary. Draft condition 52 is recommended in this regard.

## **CHAPTER E6: LANDSCAPING**

A Landscape Concept Plan has been submitted, considered and found to be conditionally satisfactory by Councils Landscape Officer.

Clause 7 within this chapter related to car parking areas and is considered relevant to the subject site.

### **7 Car Parking Area**

<b>Control</b>	<b>Comment</b>	<b>Compliance</b>
1. Development shall aim to provide car parking that does not dominate the development and to provide shade to a minimum of 50% of parked vehicles	The car parking proposed is at the minimum requirement in accordance with Chapter E3 above. Landscaping proposed and the finishes of the building are considered to assist in screening the car parking areas and minimising the visual impact of the development from Underwood Street. The applicant has demonstrated that shade will be provided to more than 50% of parked vehicles.	Yes
2. Large car park development should break up the extent of paving	Internal planting beds are provided throughout the car park area and surrounding the	Yes



areas with internal planting beds	building.	
3. Planting beds must have sufficient deep soil for the trees to grow	Councils Landscape Officer has recommended conditions requiring that the planting beds be provided with sufficient depth of soil to allow the trees to grow. This includes Draft condition 24 which requires that car parking bays adjacent to Underwood Street be constructed using permeable paving to ensure that the planted species will have sufficient tree root zone areas for future growth.	Yes/Condition
4. Landscaping is to be consistent with Chapter E2 Crime Prevention through Environmental Design	See Chapter E2 above.	Yes
5. Where the car park adjoins a side or rear boundaries development should provide a 1.5m wide planting bed	Sufficient landscaped areas are proposed along all side and rear property boundaries with the exception of the Right of Access.	Yes
6. Where car parking spaces do not front a planting bed 3 metres wide, every tenth car parking space requires a planting bed for tree planting. The minimum dimension of the bed is 2.5 metres by 5.5 metres (one car space).	In this case, the proposal does not provide a 3m wide landscape strip along the Underwood Street frontage. However, in accordance with this clause, planting beds including proposed tree plantings are provided throughout the car park, with a maximum separation of eight car parking spaces. The proposed planting beds comply with the minimum dimensions required by this clause.	Yes
7. Parking spaces fronting planting beds must have wheel stops to protect the planting from damage.	Draft condition 44 is recommended requiring that all car parking spaces be provided wheel stops.	Yes/Condition
8. Trees in car parks should be long-lived species that do not drop branches or soft fruit that may damage vehicles.	Councils Landscape Officer has reviewed the species plantings proposed and considers them satisfactory for the site. Trees selected for internal of the site are the Smooth Leaved Quandong and external being Blueberry Ash. The Quandong has been selected to provide maximum shade coverage and minimal potential for droppings while maintaining a minimal understorey. Blueberry Ash is a larger species typically selected for street tree plantings across the LGA. One bottlebrush is proposed to be retained along the street frontage which will retain a visual connection between the residential properties on the western side of Underwood Street which have bottlebrush street trees. Draft conditions are recommended in this regard.	Yes/Condition
9. Pedestrian and vehicular movement is to be clearly separated by use of design devices such as changes in paving, kerb, bollards, line marking.	Pedestrian pathways are provided within the development and are separated from vehicular movement areas by plantings. A pedestrian crossing is proposed from the Underwood Street pedestrian entrance. Draft condition 50 is recommended requiring that this pedestrian walkway be defined by a concrete median	Yes/Condition

Draft conditions 59 and 61 are also recommended to ensure the ongoing maintenance of the landscaping.

In this instance, whilst the proposal does not meet the 3m landscape strip width required by Clause 12 of Chapter E3, there is an inconsistency between the controls within Chapter E3 and the subject Chapter where allowance for an alternative to the 3m landscape strip width is provided, being the provision of a planting bed with minimum dimensions 2.5x5.5m every tenth car parking space. Considering the extent of proposed landscaping which includes planting beds in accordance with this chapter, the proposal is considered to be satisfactory and the variation request is supported.

Councils Landscape Officer has provided comments as included at Section 2.5.1 above. The Officer considered that the objective behind the control, despite not being explicit within the Chapter, is to provide screening of the car park from the street, softening the amount of hardstand within the front setback. This is considered to have been met by the provision of the 2m landscape strip with appropriate species selection and including low level planting, planting to assist in the screening of the fence and larger tree species, requirement for permeable paving, in connection with the street tree plantings, will result in the appropriate softening of the development whilst not compromising consistency with CPTED Principles.

It is considered the proposal has demonstrated reasonable observance with the objectives and controls within this Chapter.

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

A Waste Management Plan formed part of the application submission and identifies the process during the construction period and ongoing management of waste. Waste collection will be by a private contractor. The waste collection point is proposed within the staff car park and has been designed and located to be inaccessible to the public. Sharps and clinical waste will require collection by a specialist contractor.

Provision has been made for a small rigid vehicle for servicing requirements in accordance with Chapter E3. The servicing vehicle will enter the site via the Right of Access, travel through the staff car park and exit via the automated gate separating the staff and customer exit to Underwood Street. Swept paths have been provided demonstrating that a small rigid vehicle is able to carry out this journey without any conflict with parked vehicles or landscaped areas. Servicing will be required to be provided in accordance with draft condition 136.

Council's Traffic Officer has assessed the application submission and provided satisfactory referral advice subject to draft conditions for waste servicing arrangements.

#### **CHAPTER E13: FLOODPLAIN MANAGEMENT**

The site is identified within Councils land information record system as being located within a flood risk precinct. The application submission included a Flood Impact Assessment which demonstrates that the proposal will not result in an adverse impact on flood levels on the subject site or adjoining properties. Councils Stormwater Officer has assessed the proposal and provided a conditionally satisfactory referral response in this regard. The proposed building has been positioned and designed to ensure an appropriate finished floor level given the flood affectation of the site while ensuring that the building is accessible.

#### **CHAPTER E14: STORMWATER MANAGEMENT**

A Concept Drainage Plan incorporating On Site Detention (OSD) was provided with the application submission. Councils Stormwater Officer has assessed the proposal and provided a conditionally satisfactory referral response in this regard.

#### **CHAPTER E19: EARTHWORKS (LAND RESHAPING WORKS)**

The earthworks required for the proposal are considered to be minor in nature. Councils Environment and Stormwater Officers have reviewed the proposal which included a Site Management Plan. The development site is not identified by Councils land information records as being affected by Acid Sulphate Soils and potential for contamination has been discussed at section 3.1.1 of the report. Draft conditions are recommended with regard to soil erosion and sediment control.

#### **CHAPTER E20: CONTAMINATED LAND MANAGEMENT**

See SEPP 55 – Remediation Of Land comments in Section 3.1.1. Subject to the required remediation works, the land is considered to be capable of being made suitable for the proposed use.

## CHAPTER E22 SOIL EROSION AND SEDIMENT CONTROL

Council's Environment Officer has considered the application submission which included a Site Management Plan and provided a conditionally satisfactory response. Draft conditions are recommended with regard to soil erosion and sediment control during construction.

## CHAPTER E23 RIPARIAN LAND MANAGEMENT

The WLEP 2009 Riparian Land Map indicates that the site is located in the vicinity of a riparian corridor, however the WDCP 2009 does not identify a corridor in the vicinity of the site. There is a piped watercourse located on the adjoining property and this is considered likely to have comprised a riparian corridor prior to development of the adjoining site. Council's Environment Officer has reviewed the application in this regard and has not raised any objections in this regard. No further consideration in this regard is required. Confirmation has also been sought and provided from the NSW Office of Water that the watercourse indicated within Council's mapping system is not a 'watercourse' for the purposes of the Water Management Act 2000.

### 3.3.2 WOLLONGONG SECTION 94A DEVELOPMENT CONTRIBUTIONS PLAN (2015)

The estimated cost of works is \$8,830,831.00 and a Section 94A levy of 1% equating to \$88,308.31.00 is therefore applicable as the threshold figure is \$200,000. Draft condition 69 is recommended in this regard requiring the payment of the S94A levy prior to the issue of the Construction Certificate.

### 3.4 SECTION 79C 1(A)(IIIA) ANY PLANNING AGREEMENT THAT HAS BEEN ENTERED INTO UNDER SECTION 93F, OR ANY DRAFT PLANNING AGREEMENT THAT A DEVELOPER HAS OFFERED TO ENTER INTO UNDER SECTION 93F

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

### 3.5 SECTION 79C 1(A)(IV) THE REGULATIONS (TO THE EXTENT THAT THEY PRESCRIBE MATTERS FOR THE PURPOSES OF THIS PARAGRAPH)

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

The application does not involve demolition and is not located in the coastal zone.

93 Fire safety and other considerations

As the subject development application does not seek consent for a change of use, this clause does not apply.

94 Consent authority may require buildings to be upgraded

As the subject development application does not involve the rebuilding, alteration, enlargement or extension of an existing building, this clause does not apply.

### 3.6 SECTION 79C 1(A)(V) ANY COASTAL ZONE MANAGEMENT PLAN (WITHIN THE MEANING OF THE COASTAL PROTECTION ACT

There is no Coastal Zone Management Plan currently applicable to the land. The site is not located in the coastal zone.

### 3.7 SECTION 79C 1(B) THE LIKELY IMPACTS OF DEVELOPMENT

#### Context and Setting:

In regard to the matter of context, the planning principle in *Project Venture Developments v Pittwater Council* [2005] NSWLEC 191 is relevant in that it provides guidance in the assessment of compatibility. The two major aspects of compatibility are physical impact and visual impact. In

assessing each of these the following questions should be asked:

- Are the proposals physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.
- Is the proposals appearance in harmony with the buildings around it and the character of the street?

In response to the first question, matters such as overshadowing, privacy concerns, bulk scale and setbacks are relevant. The subject proposal relates to a single storey medical centre within a B2 Local Centre Business Zone. The proposal is not expected to result in overshadowing of any adjoining properties and the building is appropriately sited given the restrictions on the site. The proposal is well below the applicable height or FSR development standard for the site. The design of the proposed development is not considered to be unsatisfactory in this instance. The proposal is not considered to be inconsistent with the draft Corrimal Town Centre study as further demonstrated by discussion at section 2.5.1, 3.3.1 and Attachments 3 and 4. The site is identified within this plan as requiring redevelopment and is desired to have a pleasant visual frontage into the future. Pedestrian connection between Underwood Street and Bertram Lane will be maintained adjoining the Right of Access. This is considered the most logical and safe location for this linkage given the grade difference further to the north. These elements are considered to be achieved by the proposal.

With regard to the visual impact, the development is not considered to be out of context with the character of Underwood Street currently. The proposal is not considered to result in unreasonable impacts on views from surrounding properties and importantly will not reduce the view of the escarpment and Brokers Nose from the Corrimal Town Centre area. The setback of the proposed building is approximately 18m from Underwood Street, with a minimum 2m landscaped strip provided along the street frontage. A front fence at 1.2m high is also proposed and is consistent with that of residential properties on the western side of Underwood Street. This matter is

In summary, the proposal has been assessed with regard to visual amenity impacts, zoning, development standards for the land, the existing and future desired character of the area, and is not considered to be inconsistent with the character of the locality.

#### Access, Transport and Traffic:

See detailed discussion at Chapter E3. The car parking layout and design is considered to comply with the relevant Australian Standard AS2890.1. Draft condition 42 is recommended in this regard. Adequate maneuvering area is proposed to allow all vehicles to enter and exit the site in a forward direction. 103 car parking spaces are proposed in accordance with the requirements of Chapter E3. Three disabled car parking spaces and two pram parking spaces are proposed in close proximity to the main pedestrian entrance to the building. The development also involves the construction of a new footpath for the length of the Underwood Street frontage and the planting of six additional street trees. Council's Landscape Officer has reviewed the proposal with regard to the proposed landscaping within the car park and has provided a conditionally satisfactory referral response. Council's Traffic Officer has assessed the proposal and provided a conditionally satisfactory referral response.

#### Public Domain:

Upon completion, the proposal is expected to contribute positively to the public domain with the upgrading of pedestrian linkages, landscaping and a built form of high quality.

#### Utilities:

Existing utility services are expected to be available at the subject site and be adequate or able to be augmented to service the proposal. Draft conditions 28-30 are recommended in this regard.

#### Heritage:

The proposal does not relate to a heritage item and is not in the vicinity of any heritage items. No impacts are expected in this regard.

#### Other land resources:

The proposal is not envisaged to impact upon valuable land resources subject to appropriate management being employed during construction.

#### Water:

The site is presently serviced by Sydney Water. It is expected that services can be extended and/or augmented to meet the requirements of the proposed development.

#### Soils:

No acid sulfate soils are mapped in the location of the site. The proposal is not envisaged to result in adverse impacts on the soil characteristics of the site. See Section 3.1.1 with regard to site contamination matters.

Air and Microclimate:

The proposal is not expected to result in negative impacts on air or microclimate.

Flora and Fauna:

No trees are required to be removed as part of the proposal. Councils Landscape and Environment Officers have reviewed the proposal and identified no objections to the development. New landscaping works are proposed as part of the development application. Conditions are recommended with regard to landscaping and tree planting. No adverse impacts on fauna are expected.

Waste:

An appropriate receptacle is required to be in place for any waste generated during the construction for the proposal. An external waste collection area is proposed to the rear of the property with sufficient capacity and loading area. Waste collection arrangements have been reviewed by Councils Traffic Officer and found to be satisfactory. A Waste Management Plan formed part of the application submission and identifies the process for the ongoing management of waste generated by the proposed building and recommends waste audit and management strategies to provide support for the building design and promote sustainability. Draft condition 136 is recommended requiring that the recommendations of this report be carried out.

Energy:

The proposal is not expected to involve unreasonable energy consumption. The proposal has been reviewed by Council's Environment Officer with satisfactory referral advice and comments received.

Noise and vibration:

The proposal is not expected to generate unreasonable noise and vibration impacts during construction. These will be limited in duration and can be mitigated through compliance with regulatory standards via consent conditions.

Natural hazards:

The site is identified within Councils land information record system as being located within a flood risk precinct. The application submission included a Flood Impact Assessment which demonstrates that the proposal will not result in an adverse impact on flood levels on the subject site or adjoining properties. Councils Stormwater Officer has assessed the proposal and provided a conditionally satisfactory referral response in this regard.

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

Technological hazards:

See SEPP 55 – Remediation Of Land comments in Section 3.1.1. Subject to the required remediation works, the land is considered to be capable of being made suitable for the proposed use.

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

Safety, Security and Crime Prevention:

The submitted CPTED Report has been provided and assessed by Council's Safe Community Action Team Officer with conditionally satisfactory referral advice and comments received.

Social Impact:

The proposal is not expected to result in negative social impacts. An Operational Management Arrangement Plan has been submitted which identifies the day to day proceedings of the centre.

Economic Impact:

The proposal is not expected to result in negative economic impacts.

Site Design and Internal Design:

The application does not result in any exceptions to development standards of WLEP2009. Council has also considered the relevant Chapters of WDCP2009 as discussed at section 3.3.1 of this report. Satisfactory arrangements appear to have been made in relation to amenity, access/egress, car

parking, servicing and waste management for the proposal.

Construction:

A condition will be attached to any consent granted that all works are to be in compliance with the National Construction Code (NCC)/Building Code of Australia (BCA).

Cumulative Impacts:

The proposal is not expected to result in negative cumulative impacts by way of reasonable compliance with relevant controls as evidenced throughout the report. The provision of additional health services facilities in the northern suburbs within an area which has an aging population is considered to have positive social impacts. The proposed use is permissible in the B2 zone and has regard to the objectives of the zone. Opportunities to retain pedestrian permeability through the site have been retained within the design. The proposal has been demonstrated to be consistent with the Draft Corrimal Town Centre Plan.

Ecologically Sustainable Development Considerations

*Precautionary principle*

Means if there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

The environmental impacts associated with proposed development should be accounted for and quantified to an adequate degree of certainty.

*Intergenerational equity*

Proposed development should ensure that the local environment is maintained or enhanced for future generations in that:

- The proposed development should not produce significant negative impacts on the environment or the surrounding development.
- The proposal is an effective use of the site.

*Conservation of biological diversity and maintenance of ecological integrity*

Maintenance of biological diversity will ensure life support functions and can be considered a 'minimal' requirement for intergenerational equity.

*Improved valuation and pricing of environmental resources*

Establishes the need to determine economic values for ecosystem services provided by the natural environment such as the atmosphere's ability to receive emissions, cultural values and visual amenity.

The proposed development is not considered to be inconsistent with ESD principles as evidenced by the assessment commentary provided throughout the report.

### **3.8 SECTION 79C 1(C) THE SUITABILITY OF THE SITE FOR DEVELOPMENT**

Does the proposal fit in the locality?

The proposal is considered appropriate with regard to the zoning of the site and is not expected to result in negative impacts on the amenity of the locality or adjoining developments.

Are the site attributes conducive to development?

There are no site constraints that would prevent the proposal.

### **3.9 SECTION 79C 1(D) ANY SUBMISSIONS MADE IN ACCORDANCE WITH THIS ACT OR THE REGULATIONS**

The application was notified to adjacent/adjoining land owners and occupiers and in the Advertiser from 13 July 2015 to the 29 July 2015 in accordance with Appendix 1: Public Notification and Advertising of WDCP 2009. Three (3) submissions were received. Following the submission of amended plans and additional information, the proposal was re-notified from 12 October to the 26 October 2015. No further submissions were received.

**Table 1: Submissions**

Concern	Comment
<p><b>1. Design/Access</b></p> <p>The current pedestrian walkability patterns through the site are through Bertram Lane to the Princes Highway. If the site is completely fenced as is proposed, pedestrians will be forced to walk to the Princes Highway via Railway Street or Russell Street. There is currently no harmony between the proposed development and the Princes Highway.</p>	<p>The Right of Access includes an identified pedestrian link adjacent to the proposed building. Pedestrian movements through the site will be retained and formalised as part of the development. Draft condition 50 is recommended in this regard.</p>
<p><b>2. Parking</b></p> <p>Council should not allow for the displacement of approximately 130 public car parking spaces for 103 private spaces.</p> <p>The alternate parking area referred to within the application is a parking area that serves Corrimal Plaza from Wilga Street. This parking area is already at more than 50% capacity and will not be able to absorb the Underwood Street displacement.</p> <p>Concerns have been raised by properties fronting Railway Street which rely on the existing car park area situated on the subject site for their patrons/customers. It has been requested that a portion of the subject site remains public car park or that works be carried out as part of this application to provide alternate access to these properties from Railway Street.</p>	<p>The subject site is privately owned. The land was sold by Council to the current owners in 2014. See further discussion in this regard at section 2.4 above.</p> <p>The car park identified within the submitted TIA is Council owned and serves the Corrimal area generally. The identification of the car park meets the requirements of Clause 7 of Chapter E3 as discussed above.</p> <p>It should be noted that a second public car park is located within 800m of the site, to the south and accessed from Railway Street.</p> <p>Draft condition 122 is recommended requiring that prior to the issue of the Occupation Certificate for the development the subject lots be consolidated and the Right of Access be formalised via a restriction on title which benefits all adjoining properties fronting Railway Street.</p> <p>No public car parking is proposed as part of this development application. There is no requirement for the development to include a portion of public car parking in this instance. Draft condition 129 does however require that the first two hours of car parking be free to the medical centre customers.</p> <p>No works are proposed on Railway Street to benefit adjoining properties. It is considered that formalising a legal Right of Access via the Right of Access is sufficient to ensure legal access to these properties is retained or available should adjoining properties wish to construct and continue to access parking to the rear.</p>
<p><b>3. Gates</b></p> <p>The boom gates will only allow two vehicles to use the crossover at once – one exit and one entry. The centre is likely to have high morning peaks which could cause queuing on Underwood Street.</p> <p>Clarification is required as to how private patients would activate the boom gate.</p>	<p>The submitted TIA considers queuing resulting from the proposed boom gates. This has been reviewed by Councils Traffic Officer who has provided a conditionally satisfactory referral response.</p> <p>There is no distinction proposed between public and private patients. Staff are provided with a separate car park which will be accessed via a swipe car system. This is similar to other staff car park access arrangements across the LGA.</p>

Concern	Comment
<b>4. Notification</b>  Allowing only a two week notification period is not adequate.  Council should notify Neighbourhood Forums when a DA goes on exhibition.	Notification was carried out in accordance with Councils Notification Policy as outlined within Appendix 1 of the WDCP 2009 on two occasions.

Some of the issues raised in submissions though technically unresolved are considered to be adequately addressed either through design or by way of conditions of consent. Any remaining issues are not considered to be sufficient to refuse the application.

#### Submissions from public authorities

See section 2.5.2 within this report.

### **3.10 SECTION 79C 1(E) THE PUBLIC INTEREST**

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

## **4. CONCLUSION**

This application has been assessed in accordance with Section 79C (1) of the *Environmental Planning and Assessment Act 1979*, and the provisions of the Wollongong Local Environmental Plan 2009 and all relevant Council Development Control Plans, Codes and Policies. The proposal is not considered to be in conflict with the objectives sought by these provisions.

Medical Centres are permitted in the B2 Local Centre zone with development consent pursuant to the Wollongong Local Environmental Plan 2009.

The proposal does not result in exceptions to development standards. It is considered that the applicant has provided adequate justification for the variations sought to WDCP 2009 relating to landscape strip width and car parking waiver. The variations have been considered and are supported in this instance as discussed within section 3.3.1 of this report.

All relevant internal referrals are satisfactory. No external referrals were required and there are no outstanding issues.

The exhibition of the proposal has identified two main community concerns – the displacement of public car parking area and fencing of the site. It is considered the proposal is not out of context in the Corrimal Town Centre having considered design elements, likely future development potential in the immediate area and consistency with the Draft Corrimal Town Centre Plan.

Some of the issues raised in submissions though technically unresolved are considered to be adequately addressed either through design or by way of conditions of consent. Any remaining issues are not considered to be sufficient to refuse the application.

## **5. RECOMMENDATION**

It is recommended that development application DA-2015/789 be approved pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* subject to the draft conditions at Attachment 5.



## **ATTACHMENTS:**

- 1 Architectural Plans
- 2 Site Photographs
- 3 WDCP 2009 – Chapter B4 Development in Business Zones Assessment
- 4 Urbis response to concerns with streetscape presentation and WDCP 2009 Chapter E3 variation request statement.
- 5 Draft Conditions

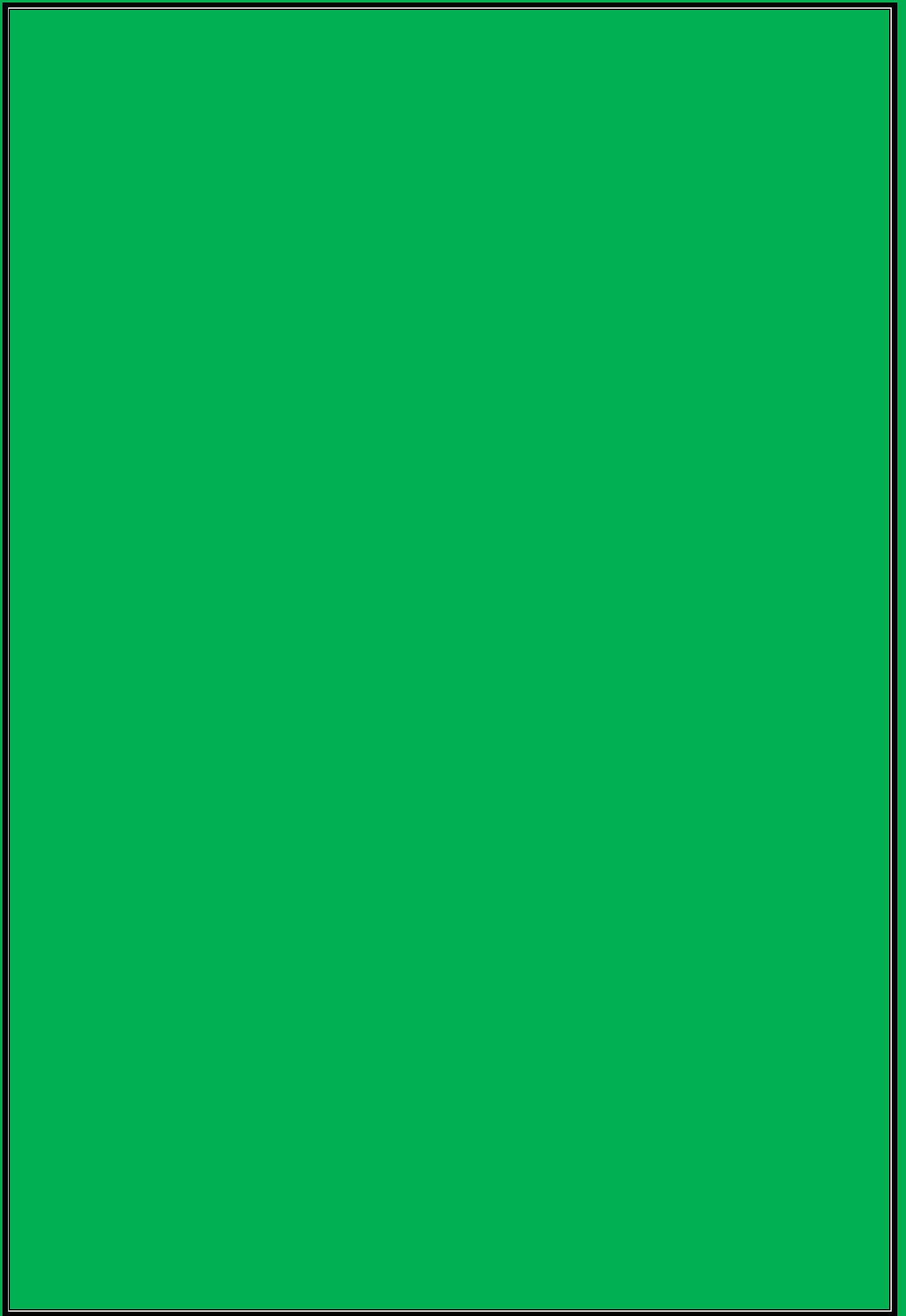
# **Attachment 1**

# **Architectural Plans**

**2015STH021 (DA2015/789)**

**Medical Centre & Pharmacy**

**46-50 Underwood Street Corrimal**



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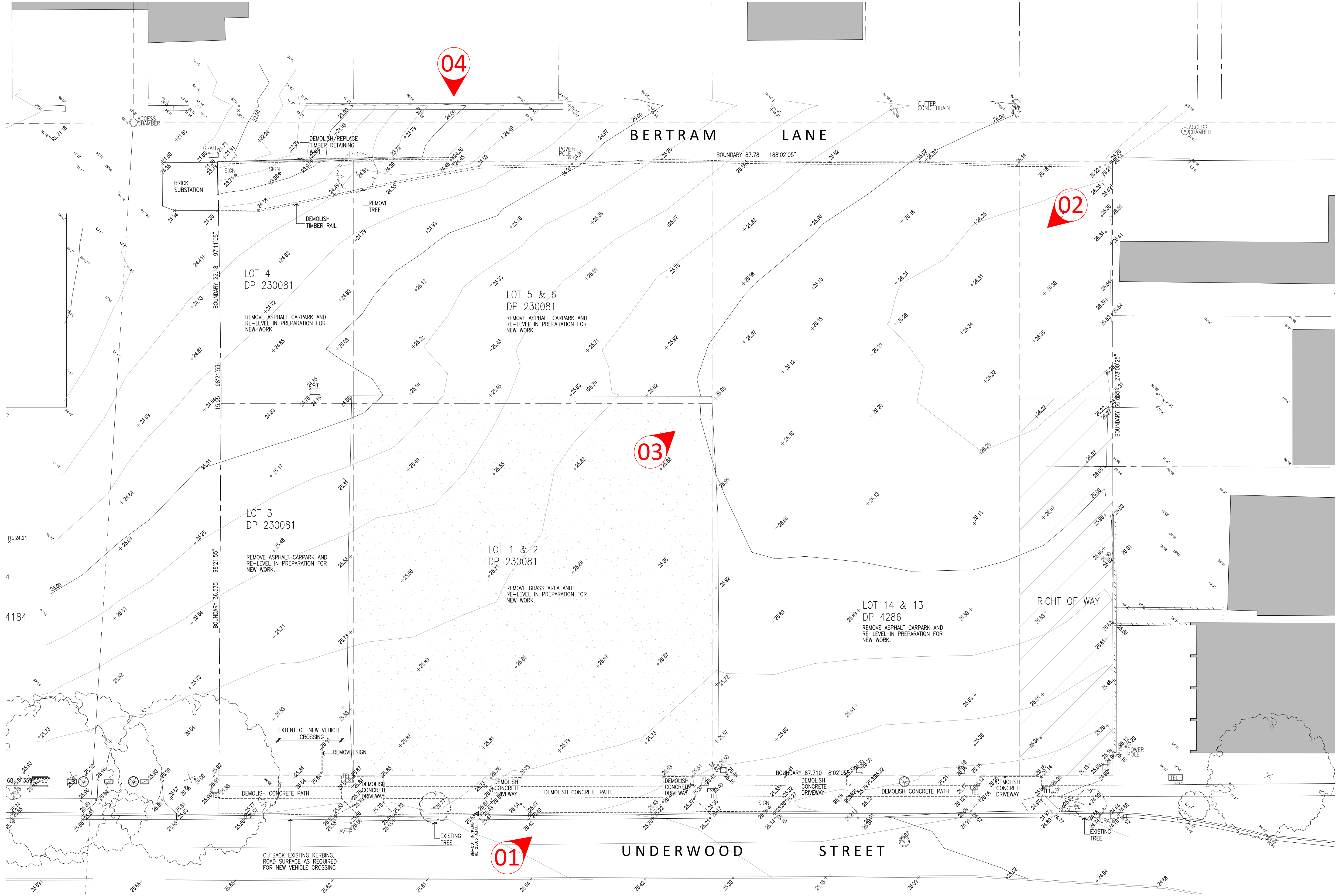


PHOTO 01



PHOTO 02



PHOTO 03



PHOTO 04

# SITE PLAN

Rev	Date	Amendment	Rev	Date	Amendment	Project	Date	Scale	Job No.
A	2015.04.28	DA SUBMISSION				PHC CORRIMAL	MARCH 2015	1:200 @ A1	615
B	2015.05.27	DA SUBMISSION				191-197 PRINCES HIGHWAY, CORRIMAL, NSW, 2518	Checked JR	MY	North
C	2015.06.23	DA SUBMISSION FINAL				Client	Title		
						PRIMARY HEALTH CARE	DEMOLITION SITE PLAN		
							Drawing No.	Issue No.	
							615-DA-00.11	C	

DO NOT SCALE  
IF IN DOUBT ASK FOR  
CLARIFICATION

THE CONTRACTOR SHALL  
CONFIRM ALL DIMENSIONS  
ON SITE PRIOR TO  
COMMENCEMENT OF WORKS

**SHELLSHEAR YOUNG** PTY LTD  
ARCHITECTS  
203 Darling Street  
Balmain, NSW 2041  
Tel +61 2 9810 9777  
Email admin@shellshearyoung.com.au  
ACN 168 406 095

Project

PHC CORRIMAL

191-197 PRINCES HIGHWAY,  
CORRIMAL, NSW, 2518

Client

PRIMARY HEALTH CARE

Date

MARCH 2015

Scale

1:200 @ A1

Job No.

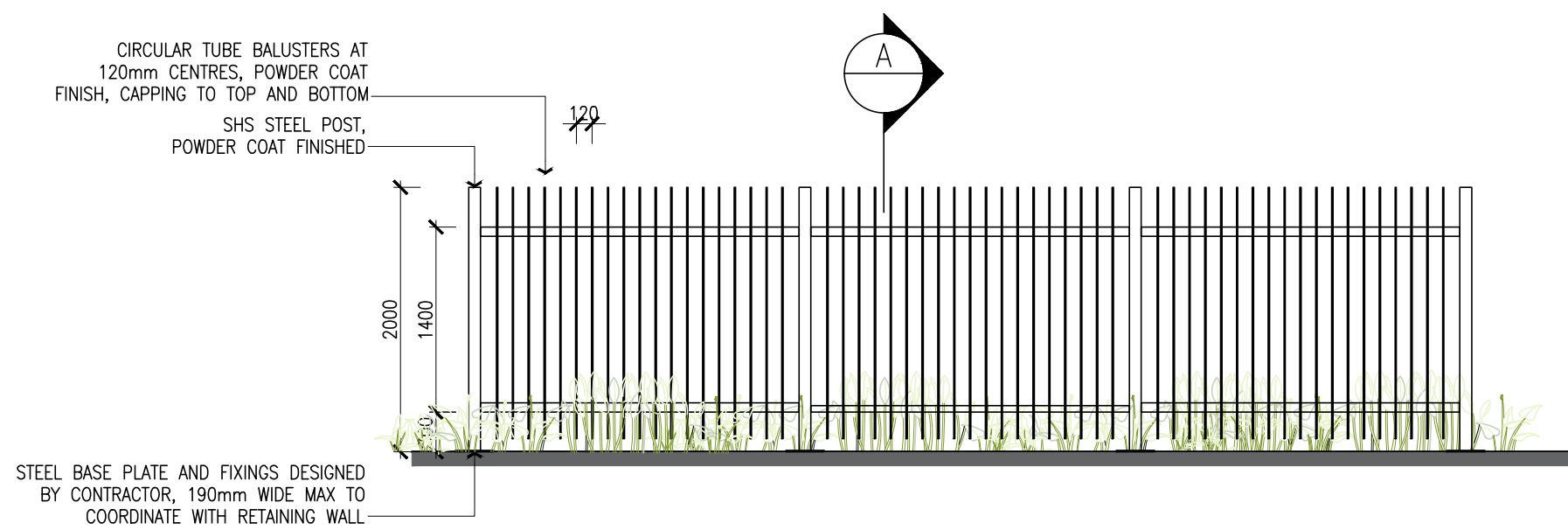
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North

50

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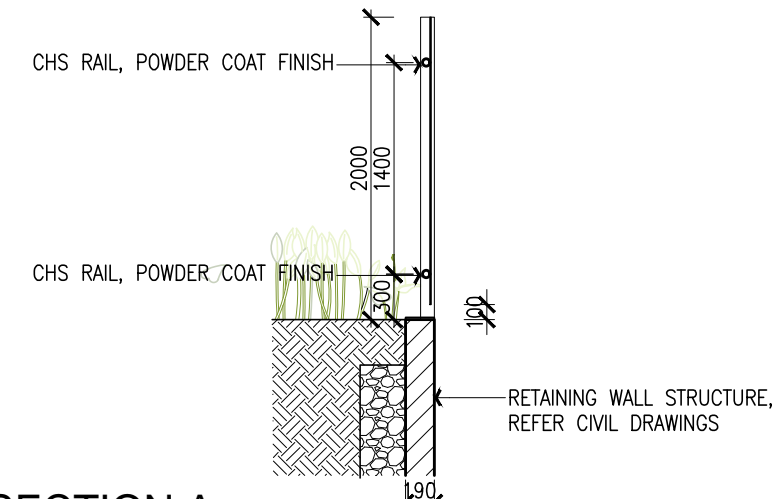




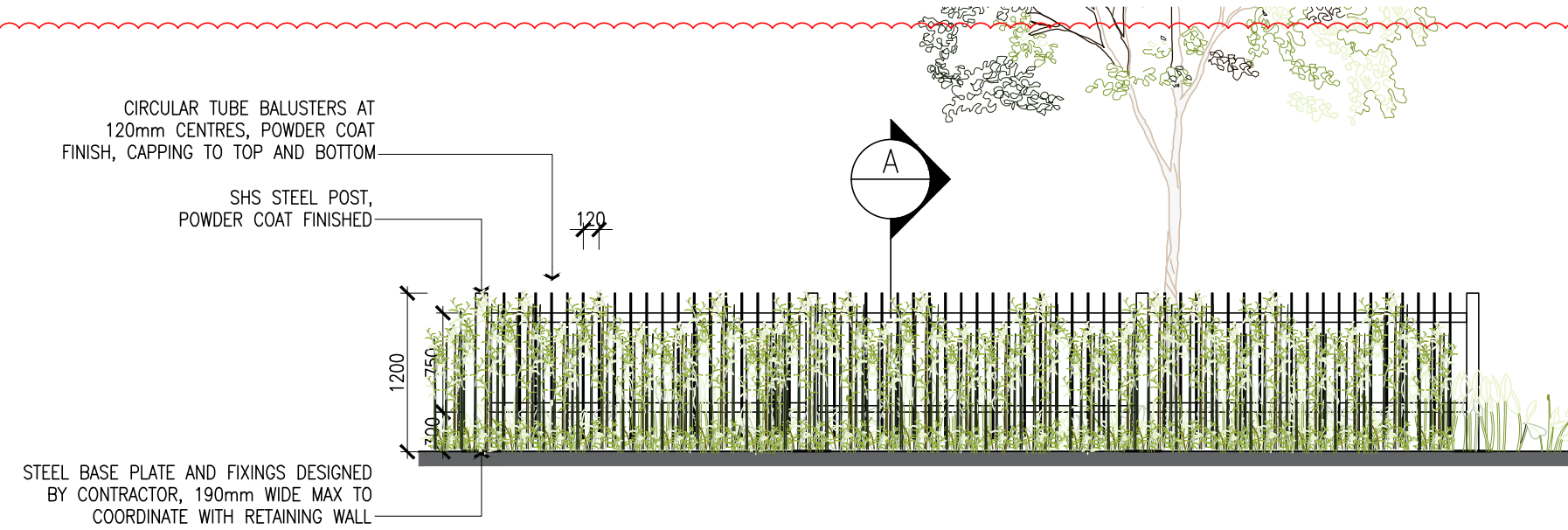
TYPICAL ELEVATION

## PALLISADE FENCING

NORTHERN, SOUTHERN AND EASTERN BOUNDARY  
SCALE 1:50



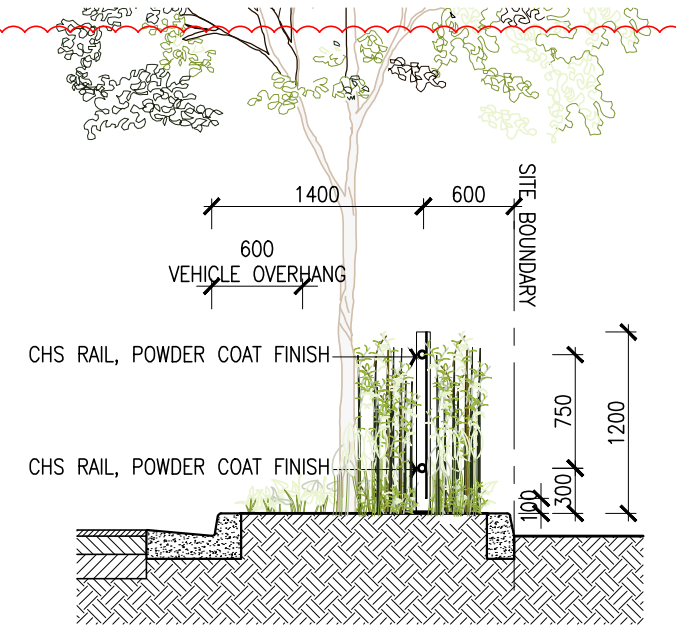
SECTION A  
COINCIDING WITH RETAINING WALL



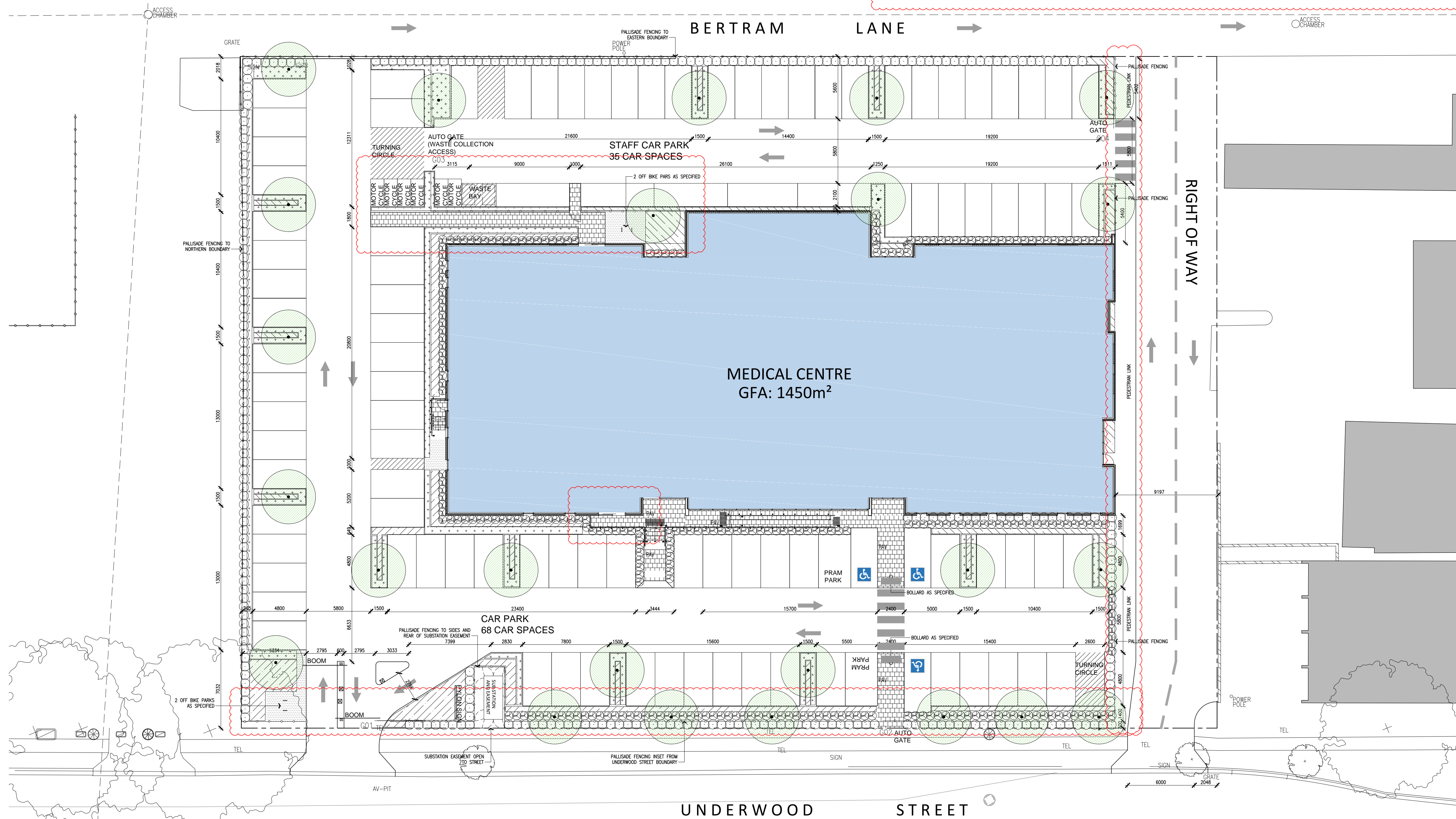
TYPICAL ELEVATION

## PALLISADE FENCING

WESTERN (UNDERWOOD STREET) BOUNDARY  
SCALE 1:50



SECTION A



NOTE:  
SIGNAGE DOES NOT FORM AS PART OF DA APPLICATION.

## SITE PLAN

Rev	Date	Amendment	Rev	Date	Amendment
A	2015.04.28	DA SUBMISSION			
B	2015.04.30	CAR PARK PROPOSAL			
C	2015.05.26	CAR PARK REFINED			
D	2015.05.27	DA SUBMISSION			
E	2015.05.29	PEDESTRIAN CROSSING MODIFIED			
F	2015.06.23	DA SUBMISSION FINAL			
G	2015.10.06	AMMENDMENTS			

DO NOT SCALE  
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CLARIFICATION

THE CONTRACTOR SHALL  
CONFIRM ALL DIMENSIONS  
ON SITE PRIOR TO  
COMMENCEMENT OF WORKS

**SHELLSHEAR YOUNG** PTY LTD  
ARCHITECTS

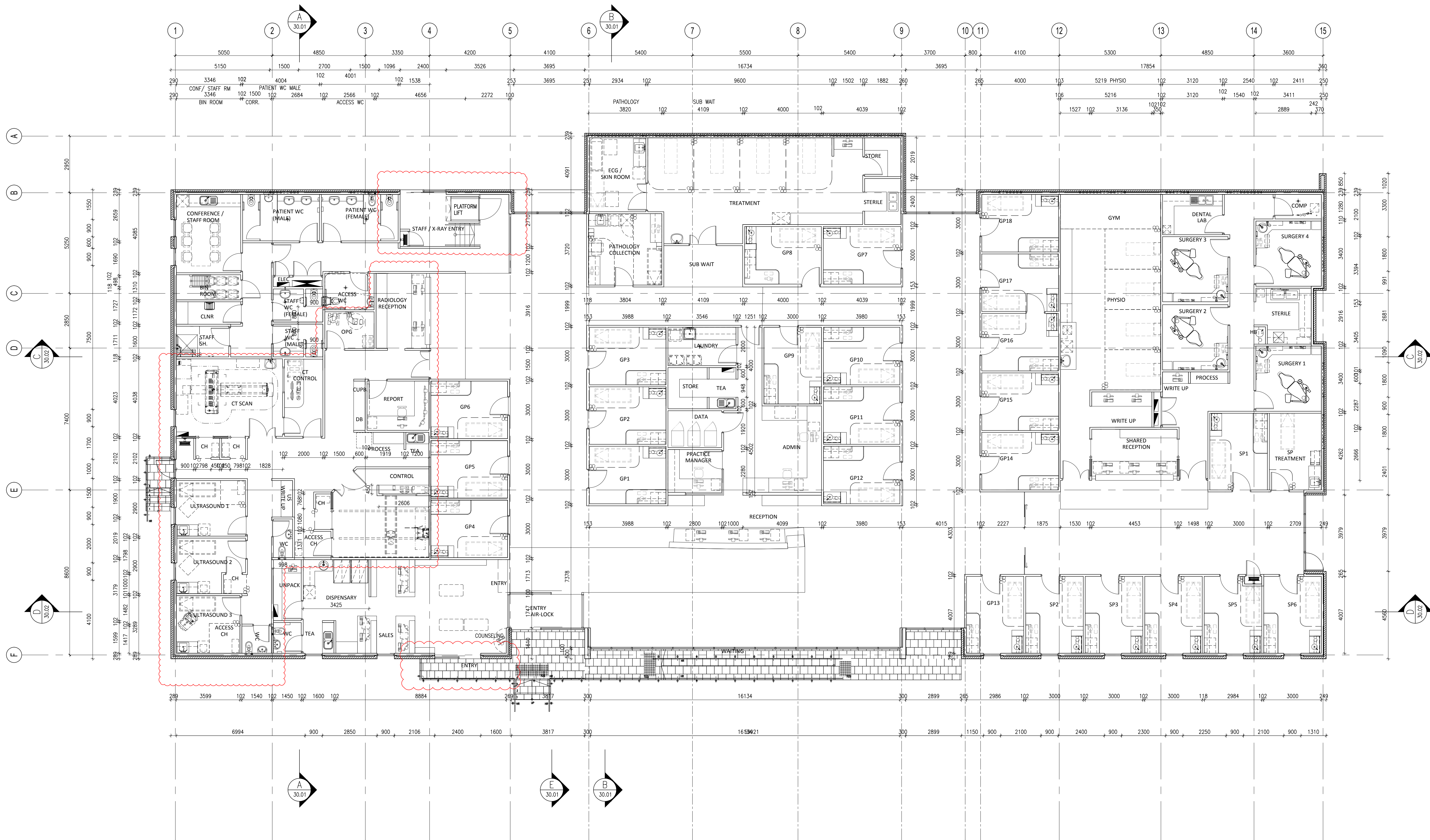
203 Darling Street  
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ACN 168 406 095

Project  
**PHC CORRIMAL**  
191-197 PRINCES HIGHWAY,  
CORRIMAL, NSW, 2518

Client  
**PRIMARY HEALTH CARE**

Date	MARCH 2015	Scale	1:200 @ A1	Job No.	615
Drawn	JR	Checked	MY	North	
Title	SITE PLAN				
Drawing No.	615-DA-00.51			Issue No.	G





Rev	Date	Amendment	Rev	Date	Amendment	<div>DO NOT SCALE IF IN DOUBT ASK FOR CLARIFICATION</div> <div>THE CONTRACTOR SHALL CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORKS</div>	<div>SHELLSHEAR YOUNG PTY LTD ARCHITECTS</div> <div>203 Darling Street Balmain, NSW 2041 Tel +61 2 9810 9777 Email admin@shellshearyoung.com.au ACN 168 406 095</div>	<div>Project PHC CORRIMAL 191-197 PRINCES HIGHWAY, CORRIMAL, NSW, 2518</div> <div>Client PRIMARY HEALTH CARE</div>	Date	Scale	Job No.
A	2015.04.28	DA SUBMISSION							MARCH 2015	1:100 @ A1	615
B	2015.05.04	EXTERNAL WALL REVISION							Drawn JR	Checked MY	
C	2015.05.27	DA SUBMISSION							Title FLOOR PLAN		
D	2015.06.23	DA SUBMISSION FINAL									
E	2015.08.25	DA ADDITIONAL INFORMATION REQUEST									
F	2015.10.06	AMMENDMENTS							Drawing No. 615-DA-10.10		Issue No. F





Rev	Date	Amendment	Rev	Date	Amendment
A	2015.04.28	DA SUBMISSION			
B	2015.05.04	EXTERNAL WALL REVISION			
C	2015.05.11	TEA STATION ADDED TO ADMIN			
D	2015.05.27	DA SUBMISSION			
E	2015.06.23	DA SUBMISSION FINAL			
F	2015.08.25	DA ADDITIONAL INFORMATION REQUEST			
G	2015.10.06	AMMENDMENTS			

50

100mm

DO NOT SCALE  
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CLARIFICATION

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ON SITE PRIOR TO  
COMMENCEMENT OF WORKS

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ARCHITECTS

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Balmain, NSW 2041  
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Email admin@shellshearyoung.com.au  
ACN 168 406 095

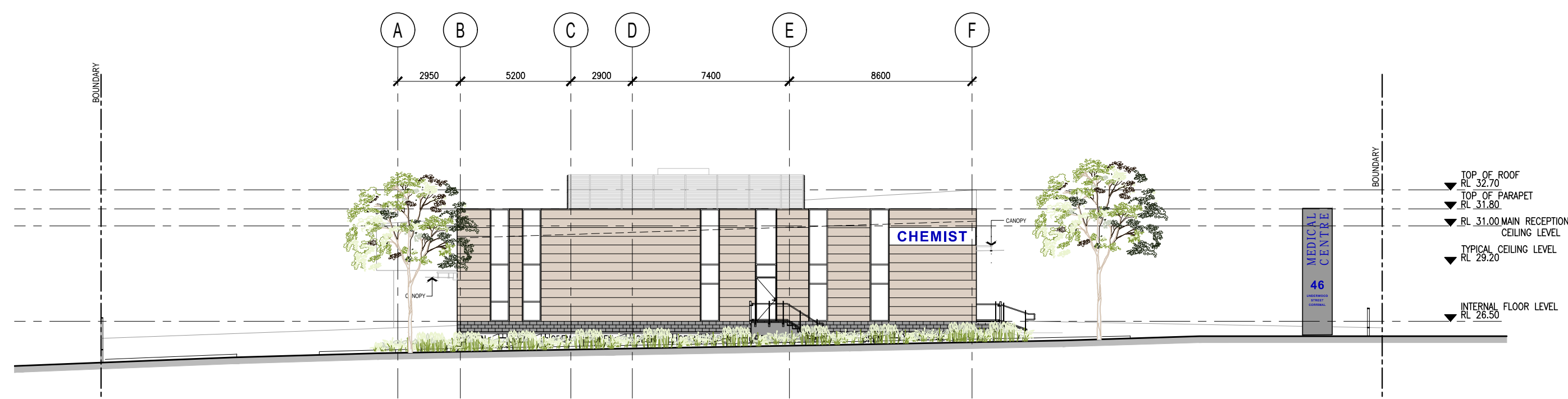
Project  
PHC CORRIMAL  
191-197 PRINCES HIGHWAY,  
CORRIMAL, NSW, 2518

Client  
PRIMARY HEALTH CARE

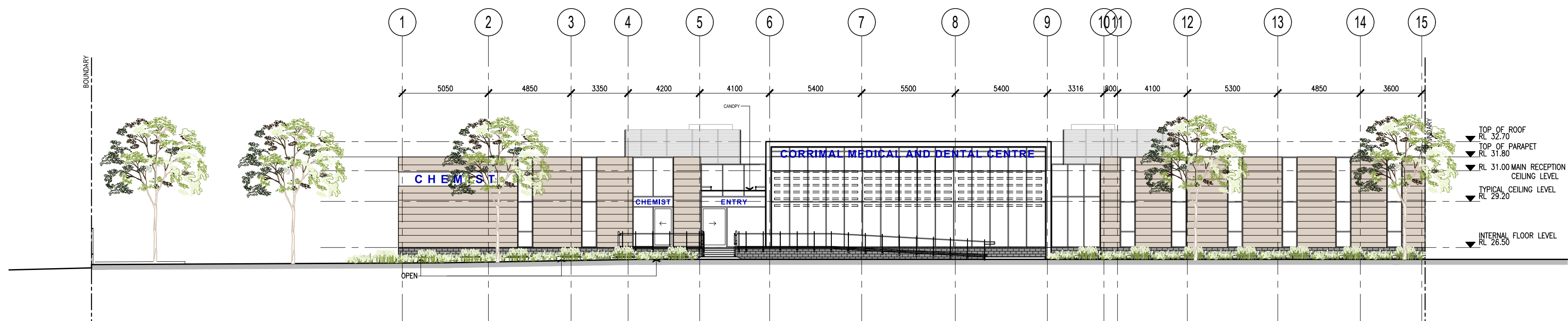
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Drawn JR	Checked MY	North
Title FLOOR PLAN DEPARTMENTAL LAYOUT		
Drawing No. 615-DA-10.11	Issue No. G	



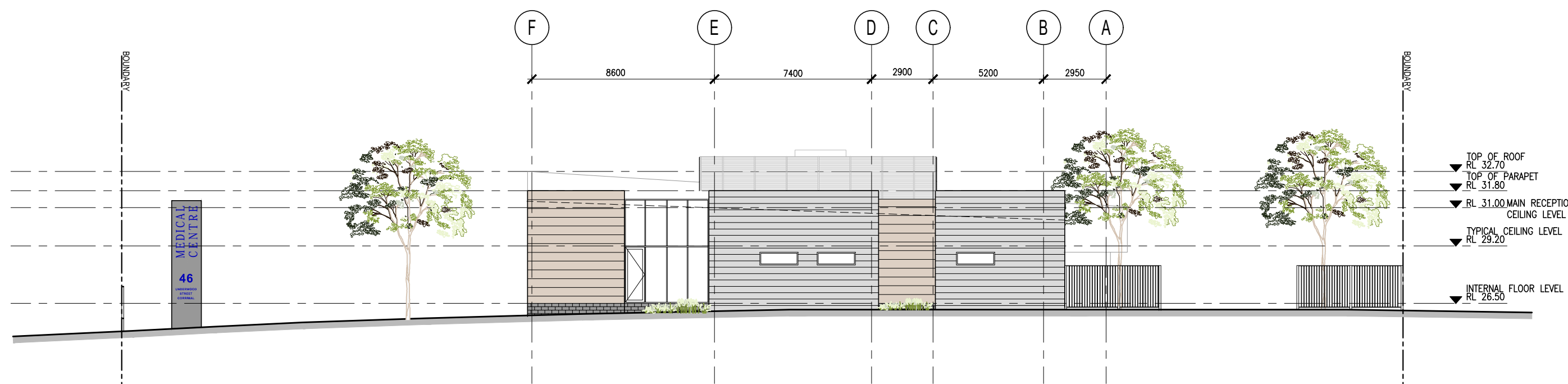




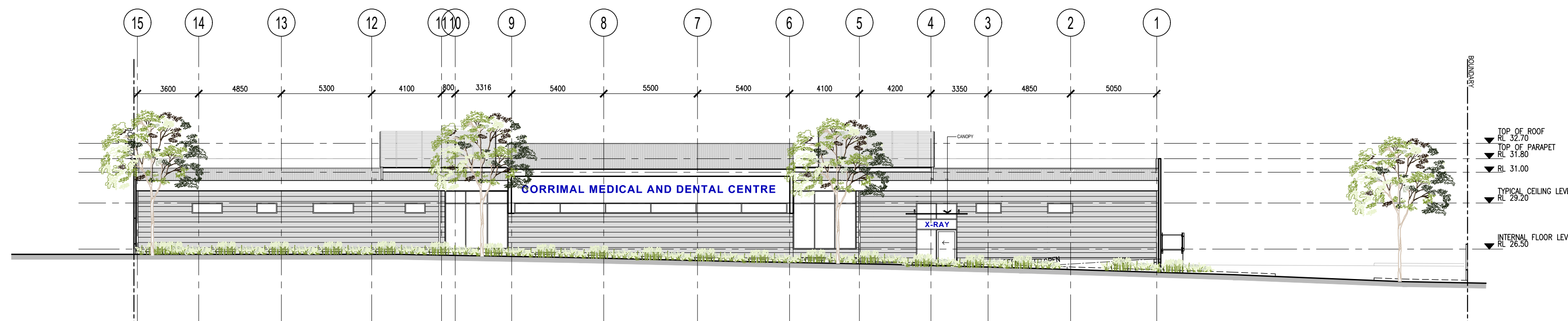
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

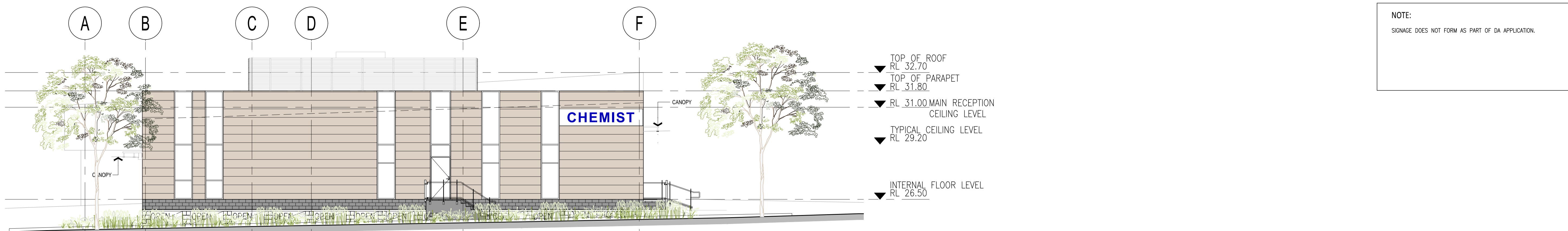
NOTE:  
SIGNAGE DOES NOT FORM AS PART OF DA APPLICATION.

## LEGEND

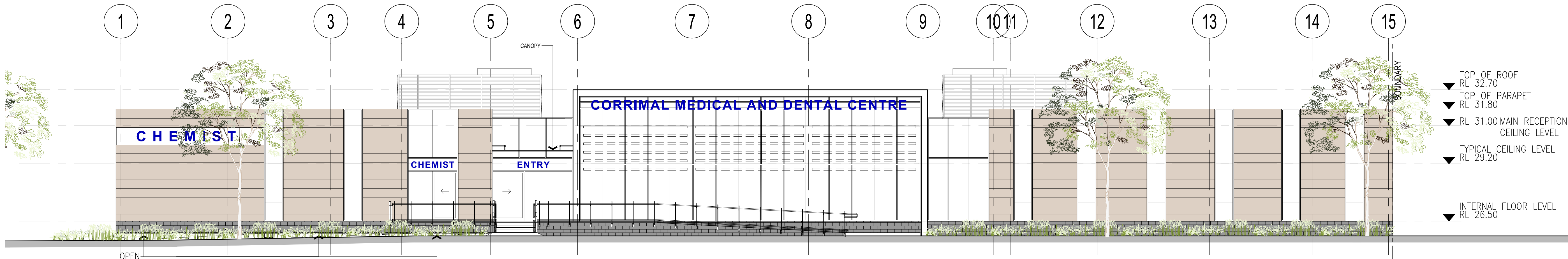
- Sandstone cladding on blockwork veneer wall
- Concrete block wall, type 1
- Alucobond Cladding
- Concrete block wall, type 2
- Solar control glazing in aluminium framing suite
- External automated louvre system

Rev			Date	Amendment		Rev			Date	Amendment		<p>DO NOT SCALE IF IN DOUBT ASK FOR CLARIFICATION</p> <p>THE CONTRACTOR SHALL CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORKS</p>	<p>SHELLSHEAR YOUNG PTY LTD ARCHITECTS</p> <p>203 Darling Street Balmain, NSW 2041 Tel +61 2 9810 9777 Email admin@shellshearyoung.com.au ACN 168 406 095</p>	Project		PHC CORRIMAL 191-197 PRINCES HIGHWAY, CORRIMAL, NSW, 2518		Client		PRIMARY HEALTH CARE		Date		FEB 2015		Scale		1:200 @ A1		Job No.		615		North
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B	05.05.2015		FACADE REVISION											Title										SITE ELEVATIONS										
C	2015.05.27		DA SUBMISSION																															
D	2015.06.05		ADJUST SITE LEVELS/ BALUSTRADING ADDED																															
E	2015.06.23		DA SUBMISSION FINAL																															
F	2015.08.25		DA ADDITIONAL INFORMATION REQUEST																															
G	2015.10.02		PRELIMINARY																															
H	2015.10.06		ELEVATIONS AMENDED																															

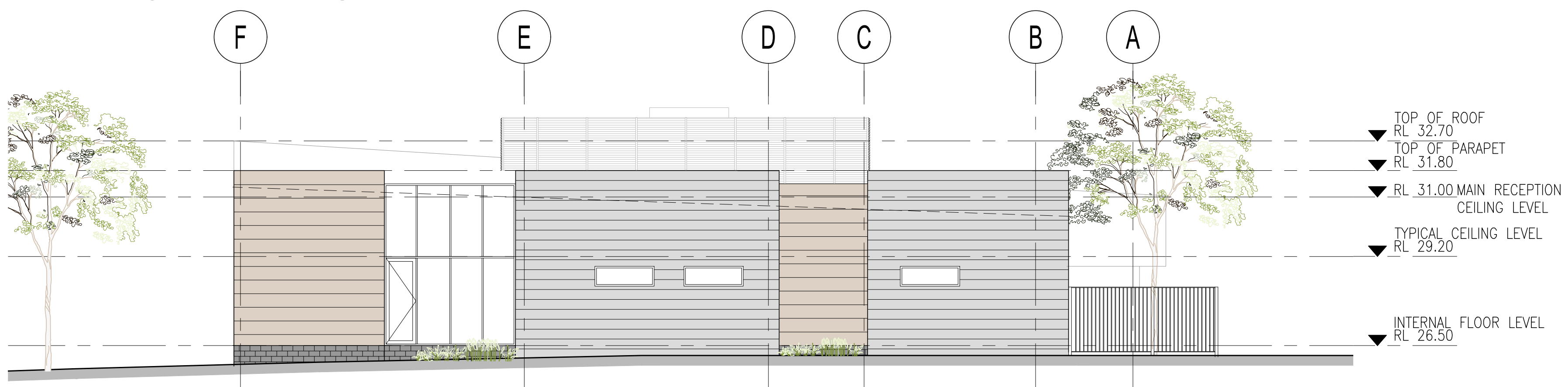




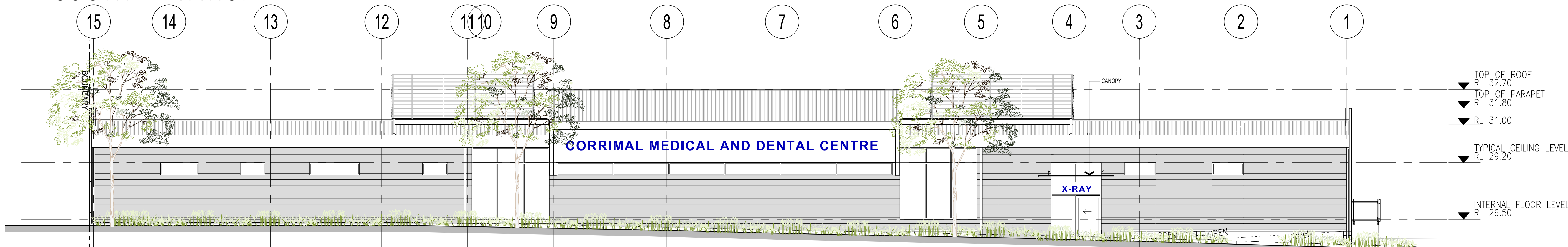
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

## LEGEND

- Sandstone cladding on blockwork veneer wall
- Concrete block wall, type 1
- Alucobond Cladding
- Concrete block wall, type 2
- Solar control glazing in aluminium framing suite
- External automated louvre system

Rev	Date	Amendment	Rev	Date	Amendment	Project	Date	Scale	Job No.
A	28.04.2015	DA SUBMISSION				PHC CORRIMAL	FEB 2015	1:100 @ A1	615
B	05.05.2015	FACADE REVISION				191-197 PRINCES HIGHWAY, CORRIMAL, NSW, 2518	JR	MY	North
C	2015.05.27	DA SUBMISSION				Client			
D	2015.06.05	ADJUST SITE LEVELS/ BALUSTADING ADDED				PRIMARY HEALTH CARE			
E	2015.06.23	DA SUBMISSION FINAL							
F	2015.08.25	DA ADDITIONAL INFORMATION REQUEST							
G	2015.10.02	PRELIMINARY							
H	2015.10.06	ELEVATIONS AMENDED							

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CLARIFICATION

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ON SITE PRIOR TO  
COMMENCEMENT OF WORKS

**SHELLSHEAR YOUNG** PTY LTD  
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Balmain, NSW 2041  
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ACN 168 406 095

Project  
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191-197 PRINCES HIGHWAY,  
CORRIMAL, NSW, 2518

Client  
PRIMARY HEALTH CARE

Date  
FEB 2015

Scale  
1:100 @ A1

Job No.  
615

North

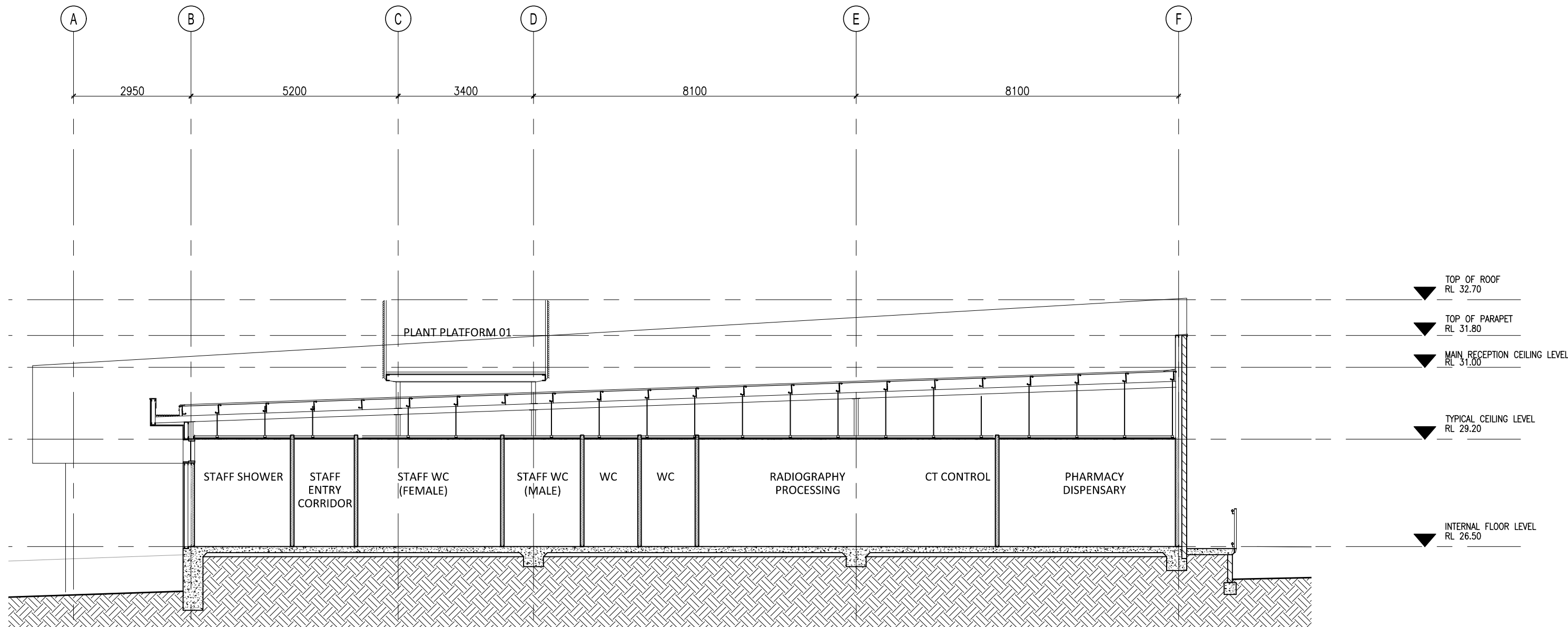
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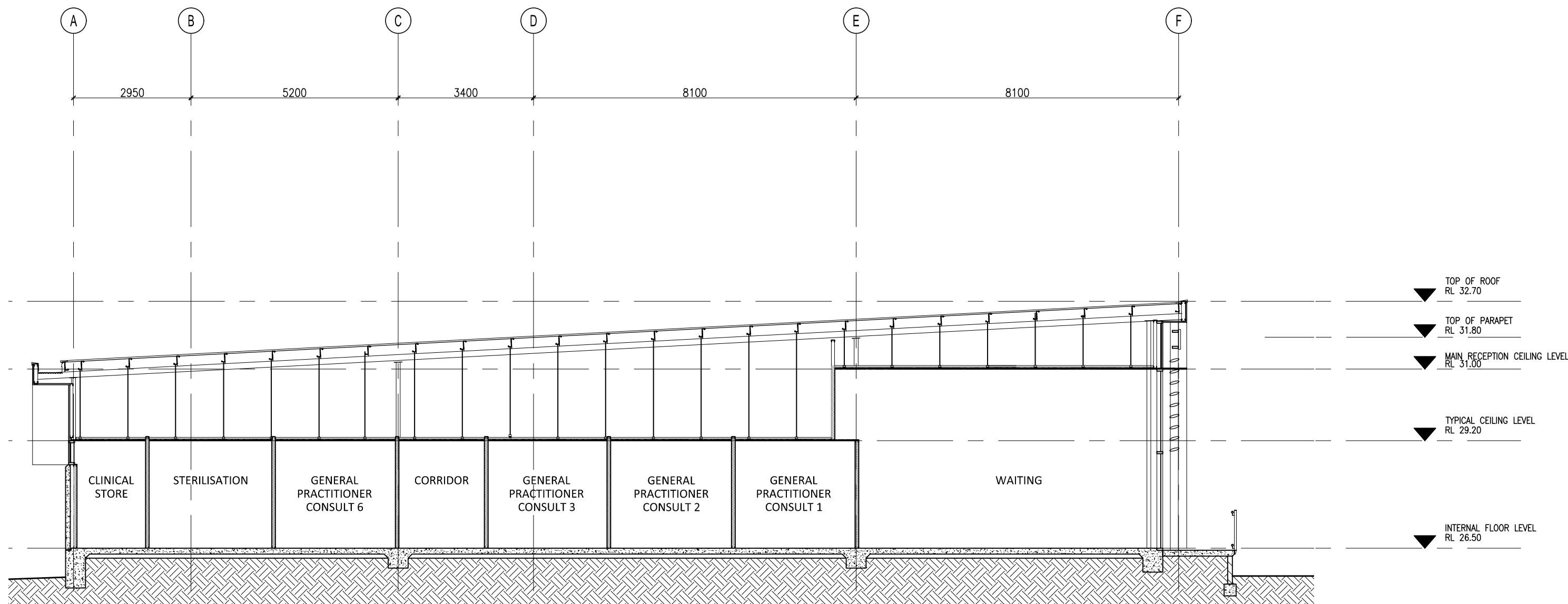
Issue No.  
H

100mm





A SECTION  
10.11



B SECTION  
10.11

Rev	Date	Amendment	Rev	Date	Amendment	<div>DO NOT SCALE IF IN DOUBT ASK FOR CLARIFICATION</div> <div>THE CONTRACTOR SHALL CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORKS</div>	<div>SHELLSHEAR YOUNG PTY LTD ARCHITECTS</div> <div>203 Darling Street Balmain, NSW 2041 Tel +61 2 9810 9777 Email admin@shellshearyoung.com.au ACN 168 406 095</div>	<div>Project PHC CORRIMAL 191-197 PRINCES HIGHWAY, CORRIMAL, NSW, 2518</div> <div>Client PRIMARY HEALTH CARE</div>	Date	Scale	Job No.	
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C	2015.05.27	DA SUBMISSION							Title			
D	2015.06.05	SITE LEVELS ADJUSTED							BUILDING SECTIONS			North
E	2015.06.23	DA SUBMISSION FINAL							Drawing No.			Issue No.
									615-DA-30.01			E



G	Architectural Coordination	JM	NM	08.10.2015
F	Architectural Coordination	JEF	NM	07.10.2015
E	Architectural Coordination	JM	NM	19.08.2015
D	Arbortist Coordination	JM	NM	17.08.2015
C	Architectural Coordination	JEF	NM	12.08.2015
B	Revised Landscape	JM	NM	05.05.2015
A	Development Application	JZ	NM	23.04.2015
Issue	Revision Description	Drawn	Check	Date

- LEGEND**
- Site Boundary
  - Trees to be Retained
  - Proposed Trees (refer to Planting Schedule)
  - Groundcovers & Grasses (refer to Planting Schedule)
  - Shrub/ Accent Planting (refer to Planting Schedule)
  - Turf
  - Gravel Paving
  - Steel Edge

Client:  
**PRIMARY HEALTH CARE**

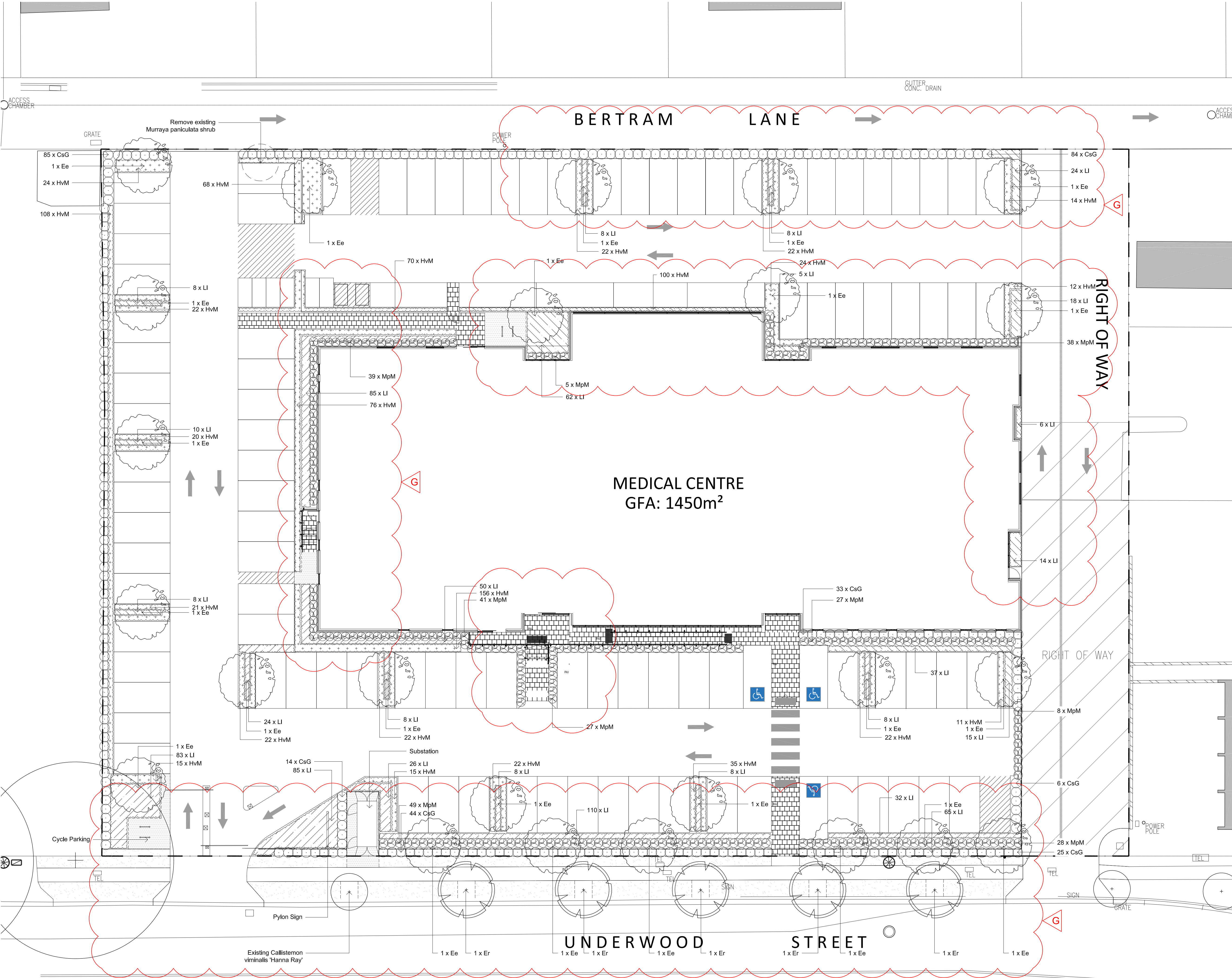
Project:  
**PHC CORRIMAL**  
**46-50 UNDERWOOD STREET**  
**CORRIMAL, NSW, 2518**

**SITE IMAGE**  
Level 1, 3-5 Baptist Street  
Redfern NSW 2016  
Australia  
Tel: (61 2) 8332 5600  
Fax: (61 2) 9598 2877  
www.siteimage.com.au  
Site Image (NSW) Pty Ltd  
ABN 44 801 262 380  
Landscape Architects

**FOR TENDER**

Drawing Name:  
**Landscape Plan**

Scale: 1:150 @ A1  
Job Number: SS15-3022  
Drawing Number: 101  
Issue: G



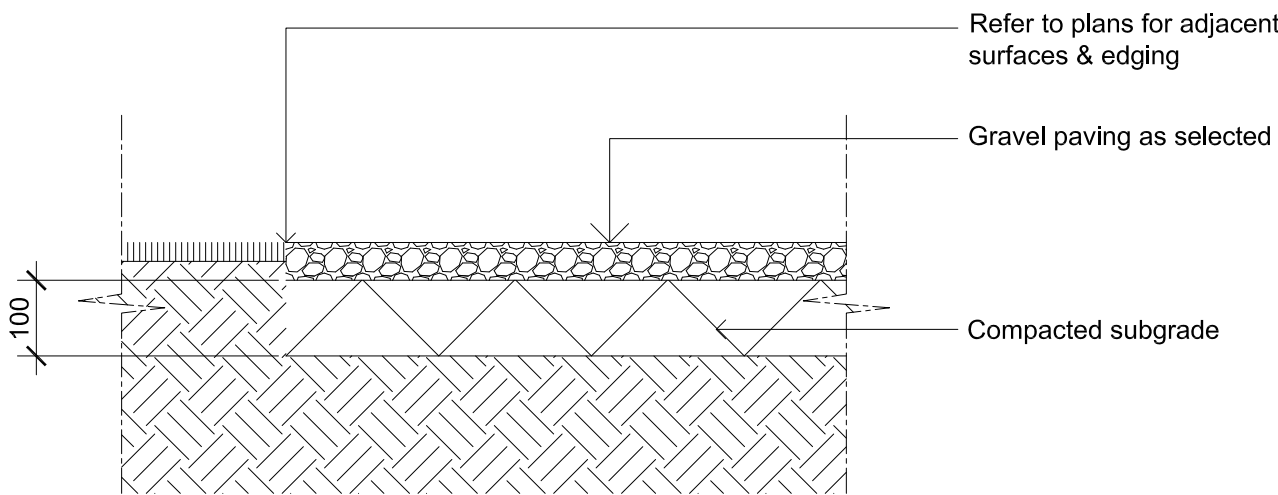
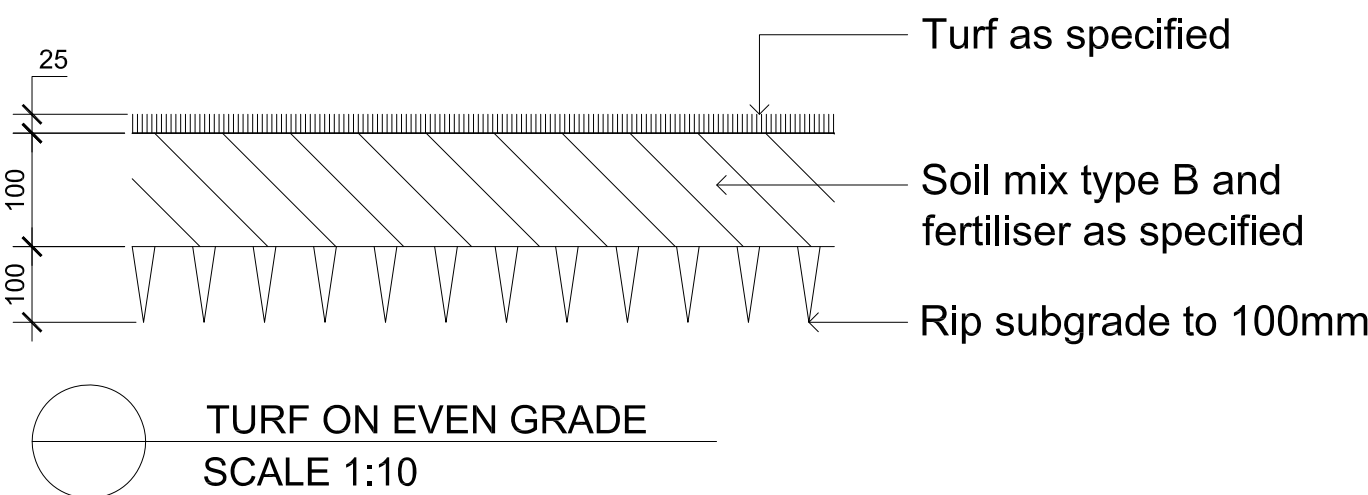
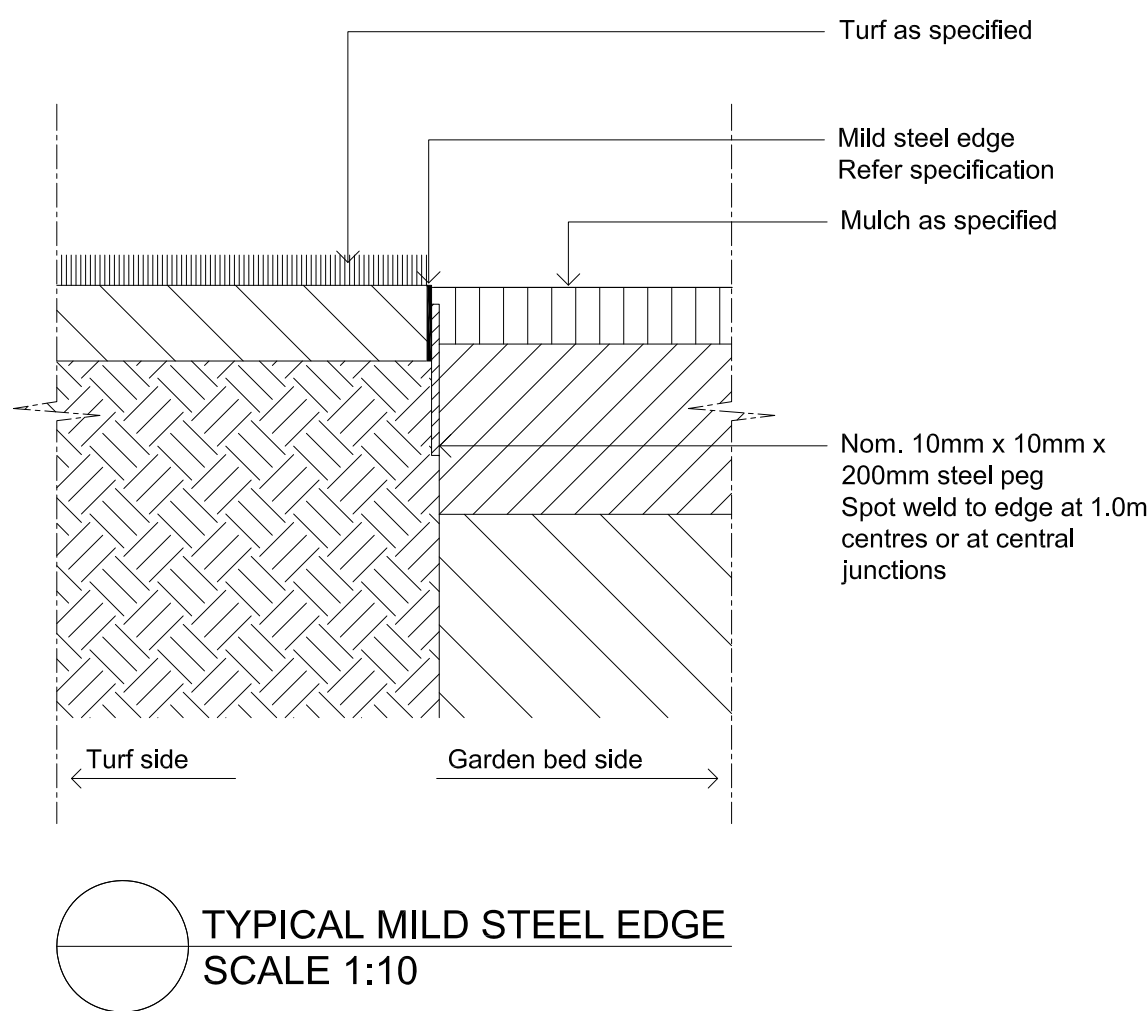
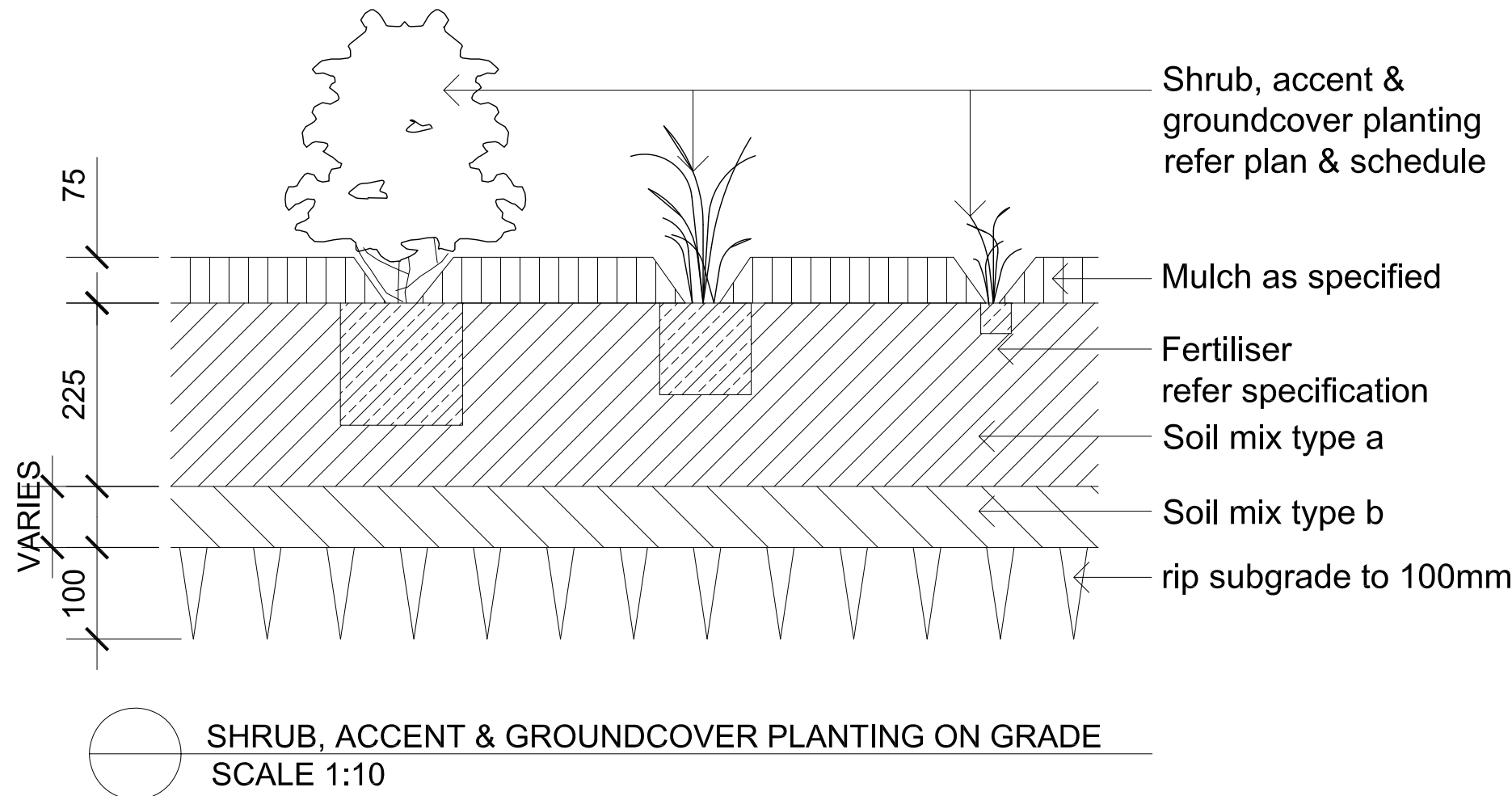
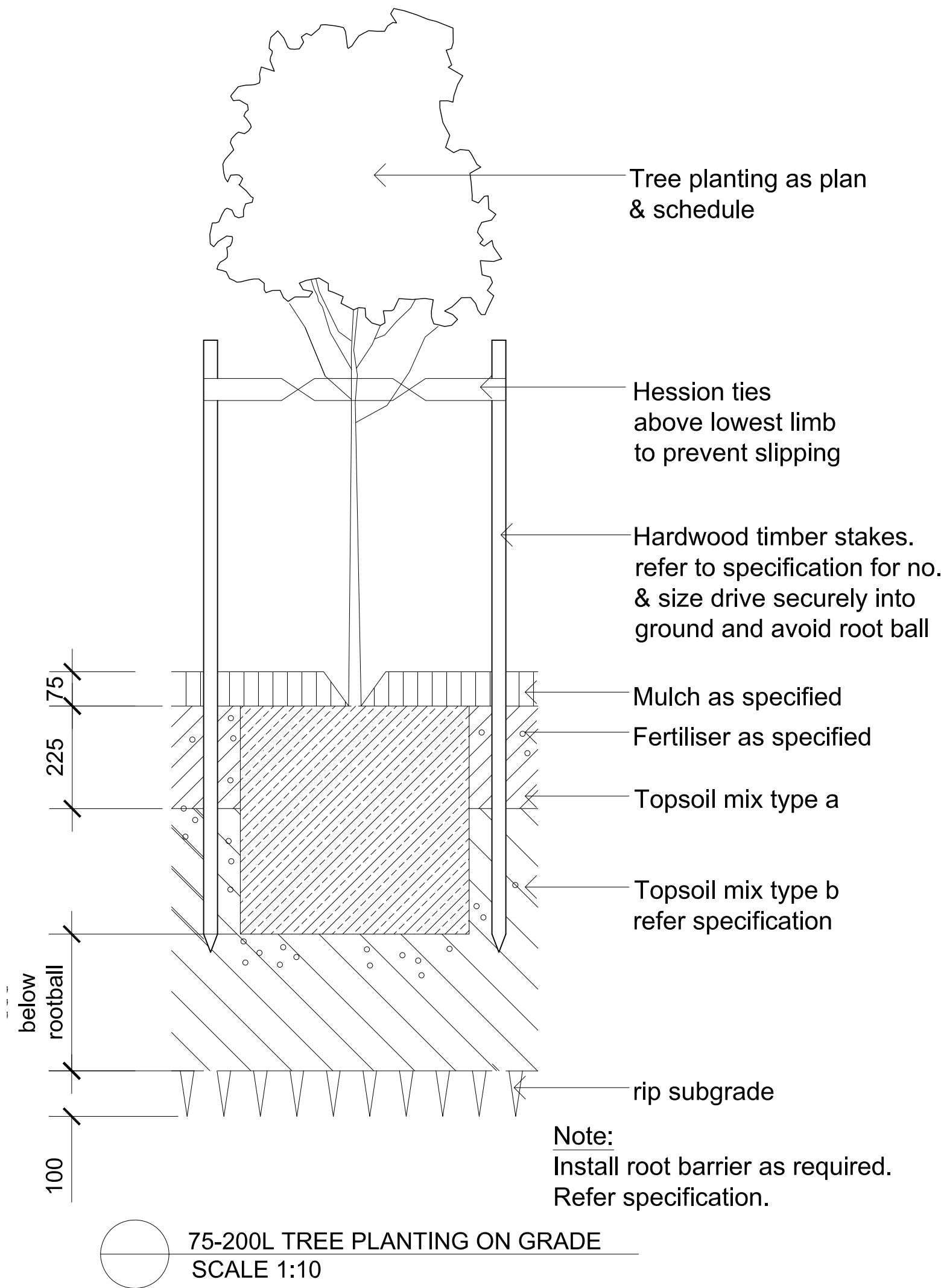
**NOT FOR CONSTRUCTION**



The contractor shall check and verify all work on site (including work by others) before commencing the landscape installation. Any discrepancies are to be reported to the Project Manager or Landscape Architect prior to commencing work. Do not scale this drawing. Any required dimensions not shown shall be referred to the Landscape Architect for confirmation.

F	Architectural Coordination	JM	NM	08.10.2015
E	Architectural Coordination	JEF	NM	07.10.2015
D	Architectural Coordination	JM	NM	19.08.2015
C	Architectural Coordination	JEF	NM	12.08.2015
B	Revised Landscape	JM	NM	05.05.2015
A	Development Application	JZ	NM	23.04.2015
Issue	Revision Description	Drawn	Check	Date

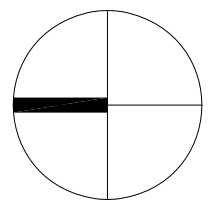
LEGEND



SS15-3022 Corimal Medical Centre

Symbol	Botanic Name	Common Name	Height x Width	Pot Size	Spacing	Qty
<b>Street Trees</b>						
Er	<i>Elaeocarpus reticulatus</i>	Blueberry Ash	9 x 4	100L	As Shown	5
<b>Trees</b>						
Ee	<i>Elaeocarpus eumundi</i>	Smooth Leaved Quandong	8 x 6	100L	As Shown	24
<b>Shrubs / Accents</b>						
CsG	<i>Callistemon salignus</i> 'Great Balls Of Fire'	Great Balls of Fire	1.2 X 0.5	300mm	As Shown	291
MpM	<i>Muraya paniculata</i> 'Min-a-min'	Dwarf Muraya	1 x 1	300mm	As Shown	262
<b>Groundcovers/ Grasses</b>						
HvM	<i>Hardenbergia violacea</i> 'Meema'	Native Sarsparilla	0.2 x 1.0	150mm	5/m2	923
LI	<i>Lomandra longifolia</i>	Spiny-head Mat-rush	1 x 0.6	150mm	5/m2	815

F



Client:  
PRIMARY HEALTH CARE

Project:  
PHC CORRIMAL  
46-50 UNDERWOOD STREET  
CORRIMAL, NSW, 2518

SITE IMAGE  
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Fax: (61 2) 9698 2877  
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FOR TENDER

Drawing Name:  
Landscape Details

Scale: As Shown  
Job Number: SS15-3022  
Drawing Number:  
Issue: 501 F

NOT FOR CONSTRUCTION





**SITE IMAGE**  
Landscape Architects

## PHC Corrimal | Artist's Impression

Client  
Architect  
Site Image Job Number

Primary Health Care  
Shellshear Young  
SS15-3022

Drawing Number  
Issue  
Date

001  
E  
14.10.2015

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SITE IMAGE  
Landscape Architects

## PHC Corrimal | Artist's Impression

Client  
Architect  
Site Image Job Number

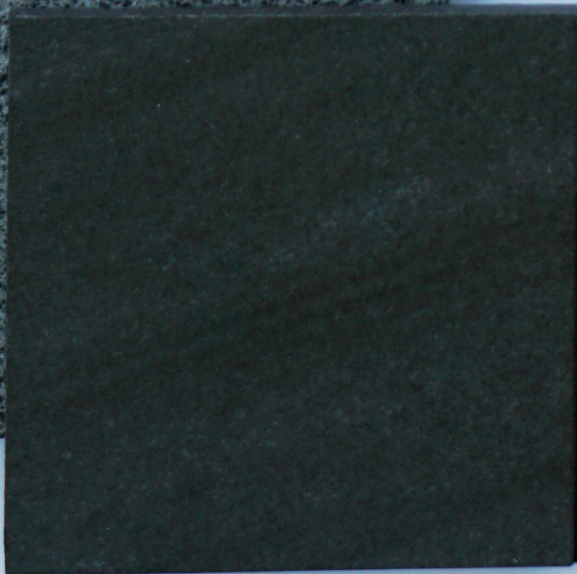
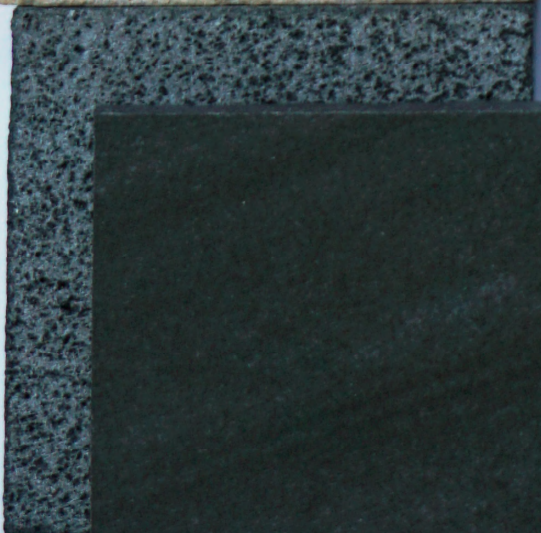
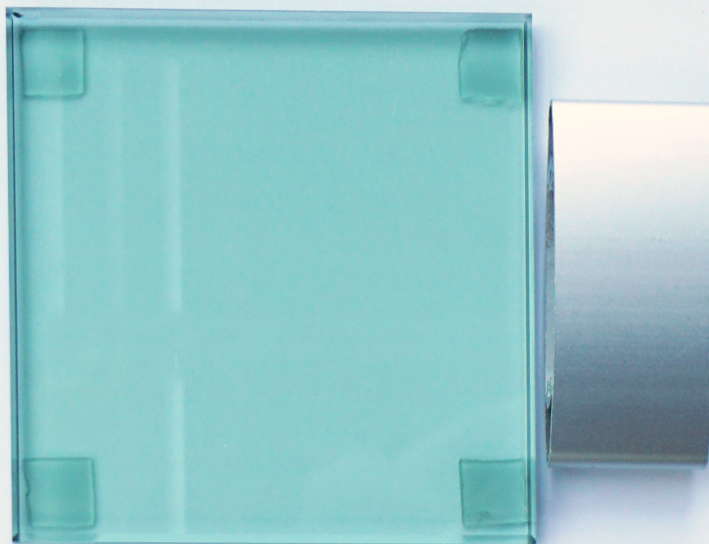
Primary Health Care  
Shellshear Young  
SS15-3022

Drawing Number  
Issue  
Date  
002  
D  
014.10.2015

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Precast concrete panels. Paint finish:  
 Colour: Dulux - 'Stowe White'.  
 Honed concrete blocks - 'Pewter'.  
 Alucobond cladding - 'Ultramarine Blue'.  
 Alucobond cladding - 'Blanc Crème'.  
 Alucobond cladding - 'Silver metallic'.  
 Sandstone cladding.  
 Aluminium window frames. Powdercoat.  
 Colour: Dulux - 'Precious Citi Pearl Matt'.  
 Automated aluminium blade louvres.  
 Natural anodised aluminium.  
 Solar control glazing.  
 External tiling. Colour: 'Pewter'.  
 Stainless steel bike racks.  
 Security fencing. Powdercoat: Black.



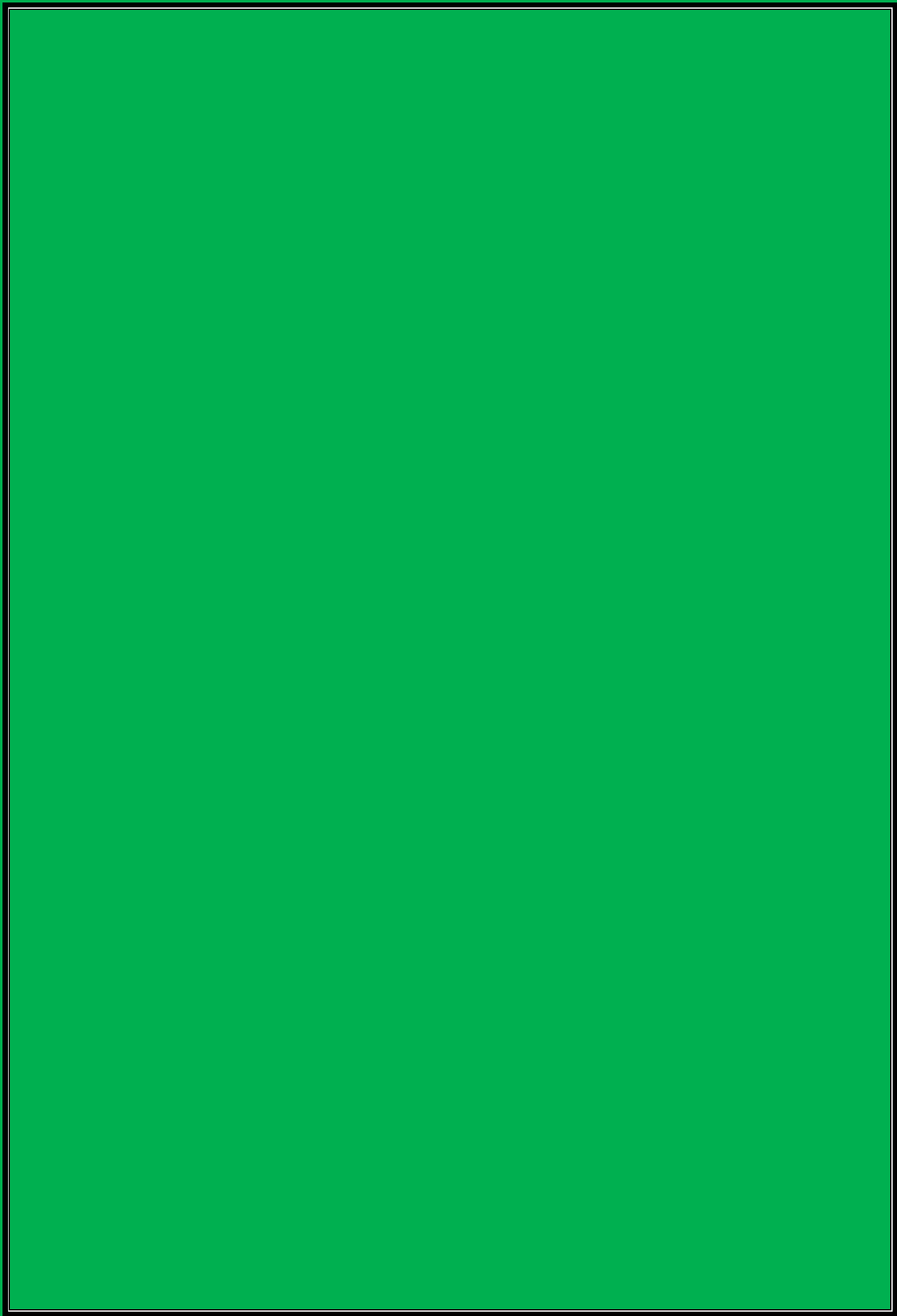
# **Attachment 2**

# **Site Photographs**

**2015STH021 (DA2015/789)**

**Medical Centre & Pharmacy**

**46-50 Underwood Street Corrimal**





## Attachment 2: Site Photographs



Photo 1: Site viewed from western side of Underwood Street



Photo 2: Site viewed from the corner of Francis and Underwood Streets.



Photo 3: Site viewed from the south east corner



Photo 4: Site viewed from the south east corner





Photo 5: Site viewed from the north east corner



Photo 6: Approximate location of the right of carriageway (looking west)



Photo 7: Existing footpath and sign to be removed (looking south)





Photo 8: Bertram Lane from the north east corner of the site looking north.



Photo 9: Bertram Lane from the north east corner of the site looking south.





Photo 10: Timber retaining wall along the north eastern side of the property to be reconstructed.



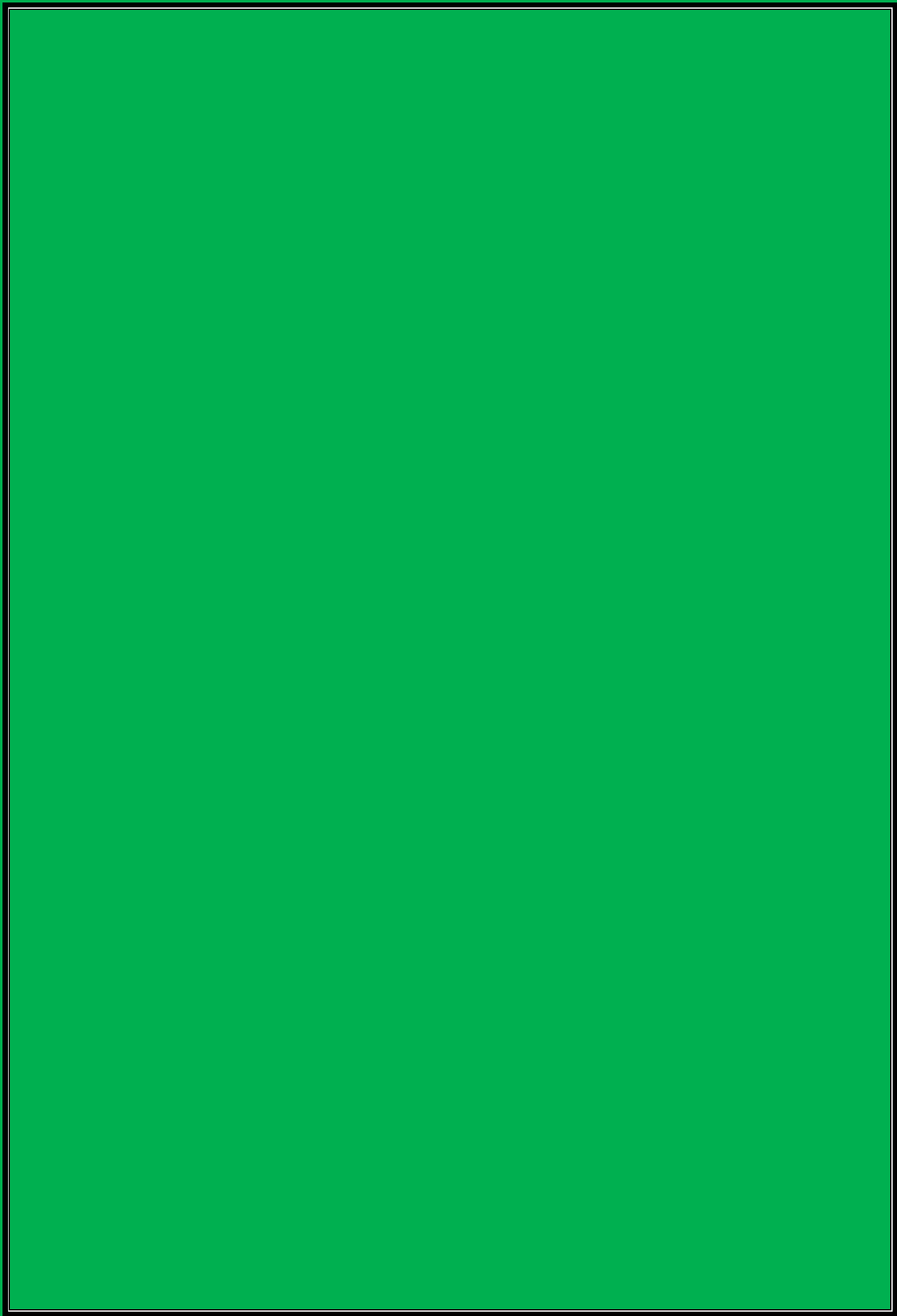
Photo 11: Laneways fronting the Princes Highway leading to the subject site (cars at end of lane)

# **Attachment 3 Chapter B4 & Draft Town Centre Plan Assessment**

**2015STH021 (DA2015/789)**

**Medical Centre & Pharmacy**

**46-50 Underwood Street Corrimal**



## **CHAPTER B4 – DEVELOPMENT IN BUSINESS ZONES**

The development is located in a business zone and as such this chapter is applicable to the development. An assessment against the relevant sections is outlined below.

### **2 Objectives**

*1. The objectives of this Chapter are to:*

- (a) Facilitate retail and business development in a manner that is consistent with Wollongong's retail and business centre hierarchy strategy;*
- (b) Ensure large retail and business development does not detrimentally affect existing or business zones or the range of services offered by existing retail shopping centres in existing business zones;*
- (c) Ensure that buildings for retail and business development are of high urban design standard and make a positive contribution to the streetscape and street activity;*
- (d) Establish building envelope controls for Wollongong's retail and business centres;*
- (e) Provide transitions in built form between retail and business centres and surrounding residential areas;*
- (f) Improve linkages and connections with retail and business centres;*
- (g) Facilitate the construction of development with efficient environmental performance over its lifecycle;*
- (h) Permit bulky goods retailing showrooms at locations that do not detrimentally affect existing or future business zones or the range of services offered by existing retail shopping centres;*
- (i) Ensure that buildings for bulky goods premises are of a high urban design standard;*
- (j) Provide detailed controls for the development of major shopping centres due to the significance of this form of development and the impacts it can potentially generate; and*
- (k) Ensure that there is adequate car parking, servicing areas and loading/unloading facilities to satisfactorily cater for retail and business development.*

The proposed development is not inconsistent with Wollongong's retail and business centre hierarchy strategy, being located within the Corrimal Town Centre which is identified as a Major Town. The proposed development is not envisaged to result in impacts on the existing services in the area. The proposed building, while not comprising a retail or business use, is considered to be of a high urban design standard and is expected to make a positive contribution to the streetscape. The development is also expected to, through landscaping, setback and fencing design, present as a transition between tenancies located on the Princes Highway and more recent larger scale developments in the area and residential land to the west. Linkages through the site will be retained and formalised within the current design. Sustainable design considerations are proposed to be incorporated into the design including the use of solar control glazing and automated aluminium blade louvres. Natural materials including sandstone have been incorporated into the design where possible. Adequate car parking, servicing and loading areas are proposed.

The development is therefore considered consistent with the objectives of development in business zones.

### **3. Retail and business centre hierarchy strategy**

The development site is located within Corrimal Town Centre which is considered to be a major town centre (district centre). The proposed development is located in the vicinity of the main retail/commercial area which is centred around the Princes Highway and is expected to contribute to strengthening the vibrancy and viability of the area. The proposal is located within the existing retail core area, defined by the B2 Local Centre land use zoning. Medical services are identified as a desired use within the district centres.

### **4 Economic impact assessment – retail hierarchy**

As the GFA of the proposal is less than the 3500sqm threshold, an economic impact assessment is not required in this instance.



## 6 Planning requirements for development in the major town centres

### 6.1 Corrimal Major Town Centre

This clause states that *'the precinct planning controls for the Corrimal retail and business centre will be the subject to the separate revitalisation study for the centre, currently in progress'*.

It is noted that the draft Corrimal Town Centre Plan is not yet endorsed by Council, but has been publicly exhibited and provides relevant guidance for development proposals in the Corrimal Town Centre. The Draft contains a range of recommendations for the area and provides five (5) visions for the area.

Council's Strategic Project Officers have also provided comments in relation to the consistency of the proposal with the Draft Plan as discussed at section 2.5.1 within the report.

An assessment of the proposal against the draft plan is provided below.

Clause 9 of this Chapter provides general design requirements for retail and business premises developments. While the proposal does not fall within a retail or business premise development, given the lack of directly applicable controls, a merit assessment against the provisions of that part of the Chapter has been undertaken to inform the assessment.

### 9 General design requirements for retail and business premises developments

Control	Comment	Compliance
9.1 Objectives Various	The proposal is considered to be generally consistent with the objectives of this part, providing ground level development of an appropriate scale and with glass façade where possible which is of a consistent bulk and scale of other developments in the area.	Yes
9.2 Development Controls		
9.2.1 Floor Configuration		
1. The ground floor of developments is to be set at a level determined with reference to existing/required footpath levels in order to provide for an even transition between the building and the footpath and provide cross fall grades on footpaths that meet Council's standards. Council's Infrastructure Division may be contacted with regard to existing/required footpath levels.	Compliant access is available to the site from the Underwood Street frontage and disabled car parks are provided in close proximity to the building entrance.	Yes
2. Any retail premises of less than 200m <sup>2</sup> in gross floor area should generally have a depth to width ratio ranging between 1:1 and a maximum 3:1.	The proposal is not for a retail premises.	N/A
3. The maximum building depth for any ground floor retail or commercial office development shall be 20 metres with openings on one side only. The maximum building depth for any retail or office building with openings on two or more side is 30 metres. Shopping centre developments may vary from this control.	Despite the proposal not comprising retail or commercial office development, the proposed building has openings on three sides and a maximum depth of 27m.	Yes

4. Any residential storeys in a building shall have a maximum building depth of 18 metres.	The proposal does not include a residential component.	N/A
5. The floor to ceiling height of the ground floor development in a B1 or B3 zone shall be a minimum 3.3 metres, in order to allow flexibility in retail and / or other business tenancies in the future.	The site is not located within B1 or B2 zoning.	N/A
6. In the B4 Mixed zone, the ground floor and first floor levels in a building shall incorporate a minimum 3.3 metre floor to ceiling height clearance, to maximise the flexibility in the future use of the building.	The site is not located within the B4 zoning.	N/A
7. The floor to ceiling height requirements for ground and first floor levels of a development situated upon land within the B3 Commercial Core zone of the Wollongong City Centre, are specified in clause 2.6.2 in Chapter D13 Wollongong City Centre to this DCP.	The site is not located within B3 zoning and is not located within the Wollongong City Centre	N/A
8. Large retail or commercial office floor space not requiring continuous and direct connection to the street (e.g. supermarkets) should be 'wrapped' by smaller retail shops or commercial offices to avoid blank walls and encourage active street frontages.	The proposal would not be considered a large retail or commercial development. Wrapping of the development in smaller retail tenancies is not required. The proposal does however propose a small retail pharmacy which has a separate entrance.	N/A
9. The retail frontage at street level for individual retail shops / units should match the existing traditional retail shop pattern for the specific retail and business centre.	There is no prevailing lot structure or existing retailing frontages in the Underwood street area.	N/A
10. Where sites are amalgamated, the design of any new building should express the existing or prevalent lot structure in the immediate locality.	The development currently relates to eleven separate allotments as discussed at section 2.3 of the report. Draft condition 122 requires consolidation of the sites. The amalgamated site will be more consistent with the existing lot to the immediate north and other larger sites in the town centre.	Yes
<b>9.2.2 Building Appearance</b>		
1. New retail or business development shall continue the predominant built form character of the locality, including parapets, floor to ceiling heights and roof pitches.	The proposal is not considered to be inconsistent with the predominate built form of the locality in terms of ceiling heights, parapets and roof form.	Yes
2. For large buildings including multi-storey mixed use buildings, the treatment of the facades should be designed to provide character, visual legibility and human scale	The development is not considered to be large scale, however the treatment of the facades is considered appropriate with regard to the character, visual legibility and human scale.	Yes

and to delineate the distinct uses.		
<p>3. Facades facing each street or lane should be composed as at least three distinct layers. In this respect:</p> <p>(a) The “base” of each building includes the ground floor, and may also include the second and third storey above street level.</p> <p>(b) The “middle” of each building should accommodate at least one level, but not the uppermost storey.</p> <p>(c) The “top” of each building should accommodate the upper-most storey and the roof.</p>	The eastern elevation comprises the front façade and can clearly be broken into three distinct layers. These layers are defined by the mix of building materials proposed.	Yes
4. New buildings should also maintain the balance of horizontal and vertical proportions of other existing buildings in the locality.	There are no buildings in the immediate vicinity which display desirable balances of horizontal and vertical proportions.	N/A
5. The street corners of any new corner building should be strengthened by massing and building articulation to both street frontages. In this regard, Council may permit a variation to the height limits contained in this DCP (but no greater than the building height limit in the LEP) by permitting an additional 1 – 2 storeys for the corner element of a building where in the opinion of Council a strong corner element is necessary for the building. Any such variation to the height limit will only be supported by Council in circumstances where in the opinion of Council, the proposed development will exhibit design excellence through the provision a strong corner element in the proposed building.	The development is not located on a street corner.	N/A
6. The profile of parapets and roof top elements should be integrated in the overall roof design of the building.	The proposed parapets have been integrated into the roof design.	Yes
7. The angle of any pitched roof shall be compatible with existing development.	The development does not propose a pitched roof.	N/A
8. Any development involving the re-use of existing buildings should reinstate any missing façade elements or other decorative details, wherever practicable.	The development does not relate to the reuse of a building.	N/A
9. The external building materials and finishes of any retail or business development should be sympathetic to the existing fabric	The external building materials are considered to be generally consistent with that of surrounding development in the B2	Yes

and character of buildings within that retail and business precinct.	zone.	
10. Highly reflective finishes, reflective glass and curtain wall glazing are not permitted above ground floor level.	Conditions are recommended with regard to reflexivity.	Yes
11. The reflectivity of glazing shall be restricted to less than 20%. A reflectivity diagram may be required where in the opinion of Council has the potential to pose future glare impacts upon pedestrians within public domain areas or motorists travelling past the site.	Conditions are recommended with regard to reflexivity.	Yes
12. All Development Applications for new buildings or external alterations and additions to existing premises in these centres must be accompanied by a schedule of proposed external building materials and finishes (colours) board which shows the proposed building materials and finishes (colours) to be used on the external facades of the building. An A4 sized photograph of the schedule of external building materials and finishes (colours) board is also required.	The proposal does not relate to alterations and additions.	N/A
<b>9.2.3 Building Alignment</b>		
1. The design of corner buildings should reflect the geometry of the road, topographical conditions of the immediate locality and sight lines.	The site is not located on a corner allotment.	N/A
2. Buildings should be aligned with footpaths to create spatial enclosure and a sense of place.	The proposed building is aligned with the proposed footpath as demonstrated on the submitted site plan.	Yes
3. Buildings shall be designed for retail or business uses only at the ground floor of a building. Residential uses are not permitted on the ground floor of any land within a retail or business centre with the exception of access areas for residential uses on upper levels of a building.	The proposed ground floor use is consistent with the requirements of Clause 7.14 of the WLEP 2009. The proposal provides an active commercial and health services use on the ground floor. The proposal does not include a residential development component.	Yes
<b>9.2.4 Active Street Frontages</b>		
1. All new retail, business or mixed use buildings are required to provide ground level active street frontages.	The proposed ground level is considered to provide an active street frontage.	Yes
2. Buildings should contain no more than 5 metres of ground floor wall without a door or window. Windows should make up at	No more than 5m of ground floor wall is proposed without a door or window. Windows comprise more than 50% of the ground floor front wall.	Yes

least 50% of the ground floor front wall.		
3. Buildings with frontages to retail streets are to contribute to the liveliness and vitality of those streets by: (a) Providing product retailing and / or food and drink premises within all enclosed shop fronts; (b) Minimising the extent and visual impact of building entrances, office lobbies, foyers, vehicle entrances and other entries not associated with retail, service areas and fire escapes; (c) Locating activities that may involve queuing (e.g. automatic teller machines) behind building frontages so that footpaths remain free for pedestrian movement; and (d) Providing a high standard of finish to retail shopfronts.	Underwood street is not considered to be a 'retail street'. Notwithstanding, the proposed use of the site as a medical centre and pharmacy are expected to contribute to the vitality of the street. The elevations demonstrate that the visual impact of the proposal to be positive. The materials and finishes proposed are of a high quality.	Yes
4. All street frontage windows at ground level are to have clear glazing.	Windows at ground level are proposed with clear, solar control glazing.	Yes
5. Display windows with clear glazing to ground floor retail and business premises are required with a maximum window sill height of 0.7 metres above finished ground level.	No display windows are proposed given the nature of the use. The proposal relates to a medical centre.	N/A
6. Security grilles are to be fitted only within the retail shopfront. Such grilles are to be transparent and not of any roller door type.	Security grilles are not proposed.	N/A
<b>9.2.5 Urban Design/Streetscape Appearance</b>		
1. The siting, form, height and external appearance of any retail or business premise development should be sympathetic with adjoining buildings in the surrounding retail and business precinct in addition to any abutting or nearby residential dwellings.	The streetscape appearance of the development is considered to be sympathetic with surrounding development as demonstrated throughout the report.	Yes
2. The parapet height of any retail or business premises building must be consistent with the parapet height of the surrounding streetscape of the locality.	The submitted plans demonstrate that the proposed parapet height is consistent with that of surrounding development.	Yes
3. Any retail or business premises (commercial office) building should feature highly articulated facades, particularly any facades facing road frontages and any abutting residential area, in order	The development is proposed with articulated facades.	Yes

to add visual interest to the building.		
4. The horizontal form of any building should also be broken up vertically, in order to provide visual relief and interest to the development. The horizontal and vertical emphasis is especially critical for the middle and upper levels of a building.	The horizontal form of the proposed building is broken up vertically.	Yes
5. Any retail or commercial office building must be designed to provide active street frontages on the ground floor level of the building to all street frontages and in some cases, Council may require appropriate pedestrian thoroughfare links.	No office space is proposed as part of the subject application, with the exception of administration areas to service the medical centre.	N/A
6. External walls should be constructed of high quality and durable materials and finishes with low maintenance costs.	External walls are considered to be of a high standard with relatively low maintenance requirements.	Yes
7. Highly reflective finishes are not permitted above ground floor level.	Conditions are recommended with regard to reflexivity.	Condition
8. An external materials and finishes board and accompanying A4 sized photograph of the external materials and finishes board must be submitted with the Development Application.	An external materials and finishes schedule is provided as part of the application submission.	Yes
<b>9.2.6 Pedestrian Access</b>		
1. Pedestrian through-site routes must be direct without any concealment opportunities and designed to provide clear sightlines from one end to the other.	Through site pedestrian access is proposed adjacent to the right of carriageway along the southern elevation in the building. The proposed link provides clear sightlines and is overlooked by windows from the adjacent development.	Yes
2. Pedestrian through-site links should be a minimum of 3 metres in width and activated by retail, civic and /or commercial office land uses, wherever possible.	The through site link itself is proposed to be 2.5m wide to allow sufficient room for a shared pathway. This space adjoins a wider right of carriageway which is in excess of 9m wide. Activation of the link is provided by the design and finishes of the building in the area.	Yes
3. The pedestrian through-site links should also be well lit at night-time and publicly accessible at least between 7.00 am to 7.00 pm daily with preference for 24 hour public access. Any such pedestrian link should be designed to provide satisfactory access for all patrons, including patrons using wheelchairs or patrons using strollers for young children.	Draft condition 39 is recommended with regard to lighting of the pedestrian link. The link is proposed adjacent to the medical centre which is proposed to operate between 7am and 10pm 365 days per year. The link will however be open to the public at all times. The link, for the length of the subject site has been designed to provide satisfactory access to all potential users.	Yes



4. Direct pedestrian access and visual inspection should be provided from the front of the building, to encourage active street frontage to retail shops and business premises.	Direct pedestrian access is proposed to the front entrance of the building.	Yes
<i>9.2.7 Awnings</i>		
	No awnings are proposed or required as part of the development application.	N/A
<i>9.2.8 Public Domain – Footpath Paving</i>		
1. Buildings, street furniture and landscaping are to contribute to the definition of the public/private interface and amenity of the locality.	Repaving of the footpath adjacent to the development is required via draft condition 25.	Condition
2. Any large retail centre development may necessitate improvements to the adjoining public domain, particularly footpath areas connecting to the centre.	The construction of the footpath will result in an improvement in the access to the Corrimal retail core along the Princes Highway.	Yes
3. Street furniture and paving shall take into account the needs of people with a disability or decreased mobility and persons with young children and / or with a stroller.	Repaving of the footpath adjacent to the development is required via draft condition 25.	Condition
4. Seating should be provided both internally within a shopping centre and externally within the public domain to provide patrons with places to rest or await other family or friends.	The proposal does not relate to a shopping centre. Repaving of the footpath adjacent to the development will be required via a condition of consent.	N/A
5. Pedestrian routes should be clear, safe and well lit to all pedestrians including people with a disability or decreased mobility and children.	The proposed pedestrian link is considered safe and is required to be illuminated via draft conditions 39 and 50.	Yes/condition
6. Footpath paving treatment should be consistent with the relevant Public Domain Technical Manual for the relevant business centre at either Appendix 2 or Appendix 3 to this DCP	Repaving of the footpath adjacent to the development will be required via draft condition 25.	Yes/condition
<i>9.2.9 Solar access and overshadowing</i>		
1. All retail and business developments are to be designed so as to minimise overshadowing impacts and maximise solar access opportunities to any adjoining residential properties and the public domain (public reserves and / or footpaths) in the locality.	The proposal will not result in overshadowing of any adjoining residential development.	Yes
2. Solar access shall be maintained for any north facing window of a habitable room of any adjoining	As above	“

residential dwelling and at least 50% of the private courtyard area for a minimum 3 hour continuous period between 9.00 am and 3.00 pm for the 21st June winter solstice period.		
3. The submission of shadow diagrams will be required for any new retail, business or mixed use building or any major alterations and additions to an existing retail or business building where in the opinion of Council, the development may pose potential overshadowing impacts upon any residential land use or public domain area. The shadow diagrams will be required for the 9.00 am, 12 noon and 3.00 pm 21 June winter solstice periods, as a minimum.	Given the location of the proposed building with respect to surrounding land uses, and that the building is single storey in nature, shadow diagrams were not required in this instance.	N/A
<b>9.2.10 Shower and Change Facilities &amp; Parenting Facilities in Large Business Premises / Commercial Office Buildings</b>		
The development would not be considered a large building and as such, shower and change and parenting facilities would not be required.		N/A
<b>9.2.11 Advertising Signage</b>		
Signage does not form part of the subject application. See Chapter C1 within the assessment report.		See Chapter C1
<b>9.2.12 Wind Impact Assessment</b>		
The proposal does not exceed 32m in overall height. As such, it is not considered that a wind impact assessment would be required in this instance.		N/A
<b>9.2.13 Access, Car parking and Servicing</b>		
See Chapter E3		See Chapter E3.
<b>9.2.14 Access for People with a Disability</b>		
See Chapter E1		See Chapter E1.
<b>9.2.15 Land Consolidation</b>		
The proposal currently relates to eleven (11) separate allotments as discussed at section 2.3 of the report. Consolidation is recommended via draft condition 122.		Yes
<b>10 General design requirements for retail shopping centres</b>		
The proposal does not relate to a retail shopping centre. As such, this part would not be considered to apply.		N/A
<b>11 General building design requirements for fast food restaurants</b>		
The proposal does not relate to a fast food restaurants. As such, this part would not be considered to apply.		N/A
<b>12 Peripheral Sales (Bulky Goods) Precincts</b>		

The subject site is not located within a bulky goods precinct. As such, this part would not be considered to apply.	N/A
<b>13 Works in the Public Domain</b>	
Any new works on the verge or public land will be conditioned for.	Condition

### Consistency with the Draft Corrimal Town Centre Plan

#### Vision and Objectives

The following visions and objectives are included within the Draft Town Centre Plan:

Vision	Objectives	Comment
A Distinct Identity	<ol style="list-style-type: none"> <li>1. Local Aboriginal culture and heritage is acknowledged and reflected in public spaces</li> <li>2. Public spaces display and communicate the multi-layered history of Corrimal (including Aboriginal, mining, sporting and industrial history)</li> <li>3. Links to the escarpment are reinforced through landscaping, materials, environmental initiatives and the preservation of important views of Brokers Nose from Memorial Park</li> <li>4. The Town Centre holds unique events</li> <li>5. The Town Centre supports small businesses and provides a mix of specialty and chain stores.</li> </ol>	<p>The subject site does not include public space.</p> <p>Links to the escarpment are reinforced through the landscaping and materials selection. The proposed building will not obstruct views of Brokers Nose from Memorial Park. It is not expected that the development will result in impacts on the holding of events. The proposal will add to the mix of uses within the Town Centre.</p>
A Thriving Community Heart	<ol style="list-style-type: none"> <li>6. Memorial Park is the community heart of Corrimal Town Centre</li> <li>7. Memorial Park is beautiful, well-maintained and lively, offering a variety of activities and opportunities for socialising, playing sport, relaxing and having fun</li> <li>8. Memorial Park is safe, accessible and inviting for all age groups and abilities</li> <li>9. The edges of Memorial Park are active and well-maintained, adding energy and surveillance to the park</li> </ol>	<p>The site is not located within, or in the vicinity of Memorial Park.</p>
Strong Connections	<ol style="list-style-type: none"> <li>10. The Princes Highway main street is pedestrian focused and provides opportunities to stay and spend time.</li> <li>11. The Town Centre is easy to move around and welcoming for everyone.</li> <li>12. Pedestrian and cycle links to and from key destinations (e.g. Memorial Park, shops, railway station, Ziems Park, community centre, library and pool) in the Town Centre are convenient and well-used.</li> <li>13. Laneway links are appreciated and are safe and inviting</li> <li>14. Public transport facilities and links are safe and attractive and people use public transport more</li> <li>15. A pedestrian-friendly environment reduces car trips within the Town Centre, and car parking areas are strategically situated close</li> </ol>	<p>Noted that the Princes Highway is the 'main street'. The proposal is expected to contribute to the ease of movement within the town centre. Pedestrian links through the site will be formalised as part of the proposed development.</p> <p>The pedestrian link through the site leads to several laneways located on the eastern side of Bertram Lane. The proposal has been designed with regard to the surrounding public transport opportunities.</p>

	to essential services and high-quality pedestrian links.	The proposed car parking is strategically located within the site to allow for ease of access to the facility and the wider Town Centre by customers.
Smart Growth	<p>16. The Centre is the urban goods and services hub for the northern suburbs and provides a wide variety of jobs, facilities and activities in a unique environment.</p> <p>17. The Centre embraces inexpensive, temporary projects that enhance public space</p> <p>18. Redevelopment in and around the Town Centre provides housing choice and supports the local economy</p> <p>19. Care for the environment is on display through sustainable building practices, in green streets and spaces and through community and business initiatives.</p>	<p>The proposal will contribute to the provision of health services facilities for the northern suburbs. The proposal will also contribute to additional employment opportunities in the area.</p> <p>The proposed development, while not incorporating a residential component will assist in supporting the local economy. Sustainable building methods and materials have been selected.</p>
Pride in Quality Spaces	<p>20. Buildings, furnishings and parks are renewed and looked after</p> <p>21. Shopfronts are attractive and address the street</p> <p>22. Developments are designed to bring people to the street and blank walls have been replaced by active and pleasant frontages.</p> <p>23. The Town Centre embraces quality, low maintenance landscaping, and street trees, garden beds and creek rehabilitation create a lovely atmosphere</p> <p>24. New development is designed to enhance the setting and streetscape, and to offer comfort to people inside and at street level</p>	<p>The proposed finishes are considered to be low maintenance and will contribute to the streetscape presentation. No blank walls form part of the application. All walls are proposed to be articulated, comprise a mix of materials and include windows were able.</p> <p>The proposed landscaping is considered to be low maintenance and include appropriate tree plantings. The proposal is expected to enhance the setting of Underwood Street.</p>

### **Key Actions**

There are several key actions relating to Memorial Park Square, the Princes Highway and recreation facilities which do not directly relate to the subject site. The following comments are made with regard to the applicable key actions identified.

### **Town Centre Connections**

#### **Action 8: Wayfinding**

*A wayfinding strategy will be developed to improve pedestrian awareness and define important links/destinations in the town centre.*

Comment: the proposed pedestrian link is considered to contribute to pedestrian wayfinding in the short term, proving a defined path of travel through the site to the Princes Highway.

### **Supporting Smart Growth**

#### **Action 12: Explore Options for Flood-Prone Land**

*Working with the Floodplain Management Committee on the Floodplain Risk Management Study and Plan, future desirable development scenarios and building forms will be investigated and modelled to understand the impact of flooding on development feasibility.*

Part of the subject land is identified as flood hazard affected and the subject application was supported by a Water Cycle Management Study and modelling of the flooding impacts on the proposed development. The building location and footprint have been designed with respect to the flood affectation of the site.

#### Action 14: Planning Controls

Planning controls such as zoning, height limits and density controls sit within the Wollongong Local Environmental Plan 2009, and any future changes to these will need to be informed by a built form review and the Floodplain Risk Management Study and Plan.

Changes to planning controls relating to building design in the Wollongong Development Control Plan 2009 will be progressed, informed by the vision and objectives of this plan.

Further discussion as to the planning controls is provided within the Draft Plan at pages 33 – 35 as per the extracts below.

#### **Planning Controls**

This part of the Draft Plan outlines the key policy considerations with regard to the potential changes to planning controls. The following are provided:

- The Underwood Street block is identified as a site where the planning controls are to be reviewed as part of the built form review.
- The site is located within the defined town centre. This area is not proposed to be altered as part of any future planning control review. The development within the Town Centre is to be of a high quality design.
- The subject site is identified as requiring a pleasant visual frontage. A pleasant visual frontage is required to establish a visual connection to the street.



#### **Desired frontages:**

Active frontage: Retail and business uses accessed from the street

Pleasant visual frontage: Establish visual connection to street/park.

- Pedestrian connections through the site are identified as important walking links.
- The site is not identified as requiring continuous awnings.



**Awnings:**

The provision of continuous and consistent awnings improves amenity for pedestrians with all weather comfort.

- The site is not identified as a site where vehicular access from the street frontage would be denied.
- The site is identified as being in the vicinity of a secondary town centre entry.
- Filtered view corridors to the escarpment are obtained over the subject site.
- The site is not identified as an area which will be required to have a zero front setback.



**Building setbacks:**

Buildings along Princes Highway, Railway Street and Russell Street address the street with no front setback.

The proposed development is not considered to be inconsistent with any above Visions, Objectives or Key Actions which are expected to be acted on over the medium to long term. Councils Strategic Project Officers who were involved in the preparation of the Draft Town Centre Plan have advised that they do not consider the development to be inconsistent with the provisions of the plan. Support for the project has been provided as outlined at section 2.5.1 of the report.



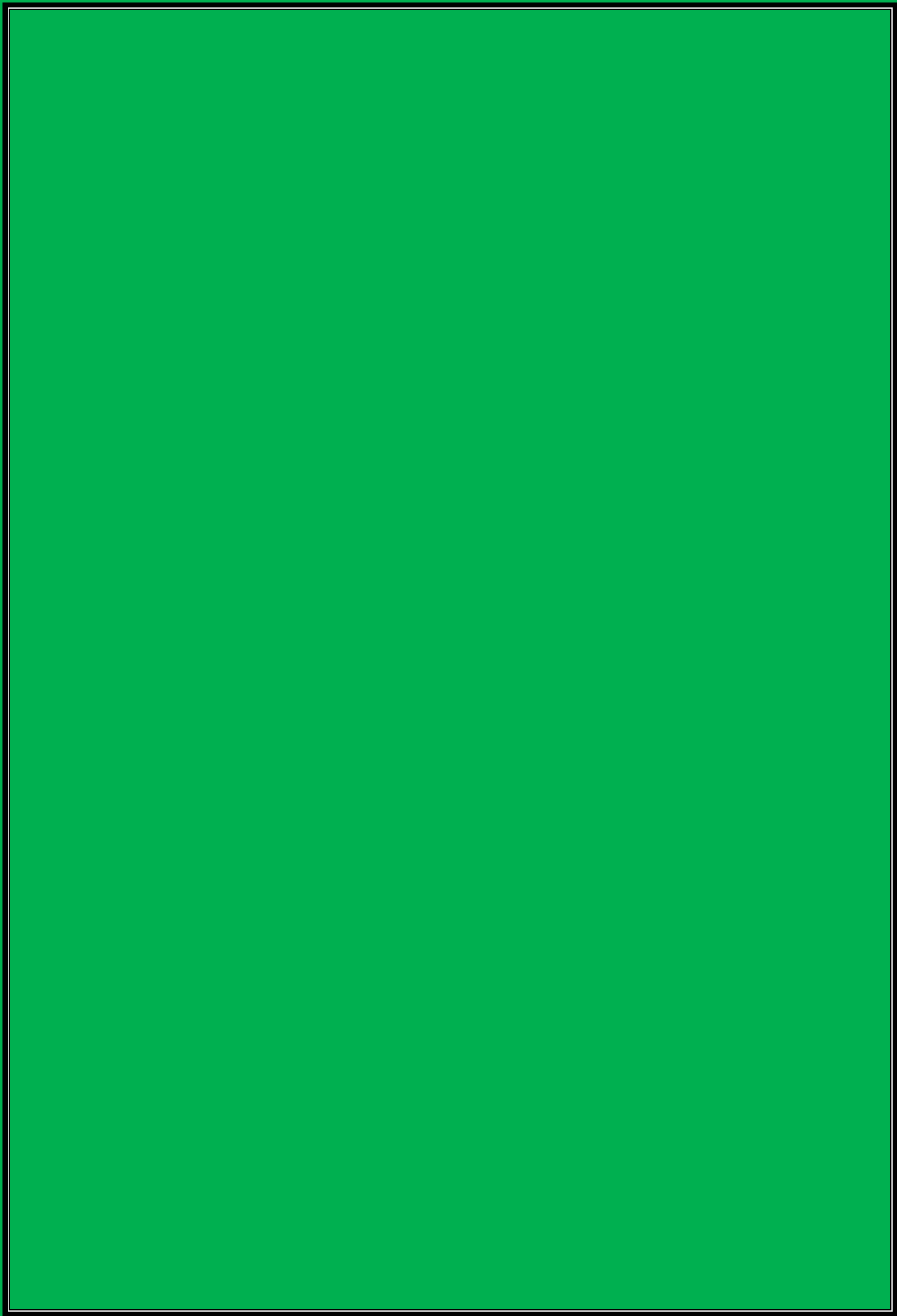
# **Attachment 4**

# **Urbis Letter**

**2015STH021 (DA2015/789)**

Medical Centre & Pharmacy

46-50 Underwood Street Corrimal





9 October 2015

Ms Jessica Saunders  
Development Project Officer  
Wollongong City Council

via email: [jsaunders@wollongong.nsw.gov.au](mailto:jsaunders@wollongong.nsw.gov.au)

Dear Jessica,

**DA - 2015/789, 46-50 Underwood Street, Corrimal, Primary Health Care Development Application**

We refer to the above Development Application for a new medical centre within the Corrimal Town Centre. This letter and accompanying supporting information responds to the matters requested by Council for the applicant to address following its briefing with the Joint Regional Planning Panel (JRPP).

**1 Summary of Additional Information**

This letter is to be read in conjunction with the following additional information:

AMENDED PLAN	REFERENCE	REVISION
<b>Architectural</b>		
Site Plan	Dwg no. 615-DA-00.51	revision G
Floor Plan	Dwg no. 615-DA-10.10	revision F
Floor Plan Department Layout	Dwg no. 615-DA-10.11	revision G
Site Elevations	Dwg no. 615-DA-20.01	revision H
Elevations	Dwg no. 615-DA-20.02	revision H
<b>Landscape</b>		
Cover Sheet	SS15-3022_000	revision F

AMENDED PLAN	REFERENCE	REVISION
Landscape Plan	SS15-3022_101	revision F
Landscape Details	SS15-3022_501	revision E
Artist's Impression	SS15-3022_001	revision D
Artist's Impression	SS15-3022_002	revision B

In summary, the changes to the revised Architectural Plans are as follows:

#### Site Plan

- Front setback increased from 1200mm to 2.0m
- Additional trees added within the front set-back
- Front fence reduced to 1.2m height
- Front fence moved 600mm within the property boundary to allow landscape screening in front of the fence as well as behind.
- Minor changes to the rear staff car park
- Direct external entrance provided into the chemist
- East-west pedestrian link indicated on the northern side of the R.O.W

#### Floor Plan

- Building depth reduced by 700mm, resulting in a GFA reduction from 1490sqm to 1450sqm
- Minor internal adjustments to the areas for; the front waiting area, treatment / ECG / Pathology and SP/ Dental / Physiotherapy reception

In addition, the corresponding changes to the revised Landscape plans are as follows:

- Depth of landscape set-back along Underwood Street increased to 2m
- Landscape proposed along the Underwood St frontage shall consist of 3 layers i.e. trees, shrubs and groundcovers. Combined with the car park tree planting and street trees, will create an effective 3 row installation of trees creating a highly 'greened' address to the street and quality visual amenity to residents.
- Additional tree planting within the front set-back.

- Minor revision of the location of car park shade trees to accommodate the site plan revisions and maintain shading to 50% of car spaces.
- Revised street tree plantings based on consultation with council's landscape officers.

## 2 Response to draft Corrimal Town Centre Plan

The draft Corrimal Town Centre Plan ("draft Centre Plan") was publically exhibited from 13 July to 28 August 2015. The subject Development Application (DA - 2015/789) was lodged on 30<sup>th</sup> June 2015 prior to the exhibition of the draft Centre Plan and thus was not considered in the development application. The draft Centre Plan is a strategic document that builds upon an earlier 2009 Revitalisation Strategy for the town centre. The plan aims to provide strategic direction for the town centre and will be accompanied in the future by an Implementation Strategy that will deliver on actions priorities in the Plan.

We have reviewed the draft Centre Plan and provide the following commentary demonstrating the proposal's consistency with vision and relevant objectives.

The draft Centre Plan identifies the subject site (referred to as "Underwood Street car park site") as a "key site". Specifically it notes the following existing characteristics and desired outcomes from redevelopment:

- *Currently undeveloped site, providing informal car parking, messy appearance.*
- *Limited flood affectation, some areas not affected by flooding.*
- *Retain east west pedestrian link across the site – connecting Underwood Street and Bertram lane*
- *Need to consider view corridors – retain view of Brokers Nose from Memorial Park.*

The draft Centre Plan also contains 24 objectives. Those of particular of relevance this this application are listed below:

11. *The Town Centre is easy to move around and welcoming for everyone*
13. *Laneway links are appreciated and are safe and inviting*
15. *A pedestrian-friendly environment reduces car trips within the Town Centre, and car parking areas are strategically situated close to essential services and high-quality pedestrian links.*
23. *The Town Centre embraces quality, low maintenance landscaping, and street trees, garden beds and creek rehabilitation to create a lovely atmosphere.*
24. *New development is designed to enhance the setting and streetscape, and to offer comfort to people inside and at street level.*

Furthermore, in accordance with Action 14 relating to future amended planning controls, the draft Centre Plan identifies that the Underwood Street, including the frontage to the subject site, is to achieve a "pleasant visual frontage: Establish visual connection to street/park".



Having regard to the above relevant extracts, in our opinion, the development application (as amended by the accompanying additional information) is consistent with the draft Centre Plan for the following reasons:

- The proposal will significantly improve the current unsightly visual appearance of the site through the establishment of an appropriately scaled building form set amongst interspersed tree planting and landscaping in the car park together with new landscape street plantings along Underwood Street.
- The building has been designed to ensure the finished floor is above the 100 year ARI floor level plus 500mm freeboard in accordance with Council's Development Control Plan provision. Furthermore the proposal will not impose any adverse effect on the local floodplain environment.
- The proposal satisfies a town centre objective to allow easy access to move around by retaining the east-west pedestrian connection across the site. The proposal also makes this link safer and more inviting by installing a smooth pavement surface and external lighting for night time safety. Furthermore, the waiting area window on the southern building façade will allow passive surveillance of the link. The southern elevation of the proposal is articulated in form and materials to address the urban scale and context of the link.
- The proposed building is a single storey structure that at 6.7metres high sits well below the 15 metre maximum height control under Wollongong LEP 2009. Views of Brokers Nose escarpment to the west are not visible from the site and thus the proposal does not undermine the objective to retain view corridors.
- The proposal includes the construction of a parking area in the immediate vicinity of the medical centre. This will help to reduce traffic and on-street parking congestion in the Town Centre, promoting the objective of creating a pedestrian-friendly environment.
- The amended landscaping proposal incorporates the following measures that will further improve the streetscape to create a lovely atmosphere:
  - The front landscape setback increased from 1.2 metres to 2 metres and the provision of additional low-maintenance plantings added within the front setback to create a substantial landscape frontage to the site. The plantings include shade trees plus middle tier plantings of 1.2m height that screen the car park from the street. A visual connection between the proposal and the street is afforded above the landscaped screening and between shade trees.
  - Street trees are proposed along the frontage of the site. This section of Underwood Street currently does not include street trees and the proposed planting extend the landscape proposal.
  - The front fence height has been reduced to 1.2 metres high to allow a visual connection between the site and street and to act as a transitional element between the residential properties along the western side of Underwood Street and commercial precinct to the east. Furthermore the fence has been repositioned 600mm within the property boundary to allow landscape screening in front of the fence as well as behind.
- Finally, with respect to Action 14, the proposal achieves the objective for a "pleasant visual frontage: Establish visual connection to street/park" through the combination of built and natural landscape elements. The proposal will replace the existing bitumen surfaced parking lot with a building of a size and scale that compliments the existing town centre character. The combination of glazed and solid façade elements will create visual interest and break-down the visual mass of

the building. Furthermore the integration of landscaping within the car park and dense street edge plantings to Underwood Street frontage will enhance the pedestrian and visual experience along this part of the town centre and positively contribute to an urban streetscape quality desired by Council in its draft Centre Plan.

For the reasons outlined above, the proposal is considered entirely consistent with the relevant objectives and actions of the draft Centre Plan.

### 3 Response to JRPP comments on Landscaping

You advise that the JRPP raised some concern about the level of street landscaping and the corresponding views of the development from the street.

We note that Wollongong DCP 2009 ("WDCP 2009") Chapter E3 section 12, contains a provision requiring a 3m wide landscape strip where a car park adjoins a public road. As outlined above, amending landscape plans now propose to increase to landscape strip from 1.2 metres to 2 metres.

In accordance with Clause 8 of Chapter A1 of WDCP 2009 variation is sought to the above DCP provision. Justification for the variation is outlined below.

- Full compliance with the provision cannot be achieved without a demonstrable impact on the functionality of the medical centre as the building area would need to be reduced as the parking and aisle widths are at the minimum requirement. A deeper landscape frontage would require a reduction in the number off street parking spaces or a further reduction of the building footprint that would impact on the circulation and functionality of medical rooms within the building. Since the medical centre is a specialised land use with certain spatial functioning requirements the implications of achieving full compliance would have a demonstrable adverse effect on the function and usability of the centre which would compromise the service that the medical centre will provide to the local community.
- The magnitude of the variation being 1 metre is not considered significant in this case and still meets relevant DCP objectives. Two objectives in Chapter E3 of WDCP 2009 of particular relevance are:
  - Objective (b) *Provide adequate and safe vehicular access to sites without compromising streetscape qualities.*
  - Objective (i) *Ensure that parking facilities are integrated into the design of developments and minimise visual impacts*

Having regard to the above two objectives, the intent is to ensure the parking facilities are well planned and safe but designed in a way to enable landscaping to reduce the visual impacts. The proposal creates a vegetated "buffer" along the public domain interface in order to improve the visual character and soften views of new development. The landscape plan illustrates that the provision of a 2 metres setback provides sufficient width will create a dense planting character of two types of shrub species (with height up to 1.2 metres) that will establish a green perimeter to the street to create the desired visual character. In addition, 6 street trees (up to 8 metres high) will be planted along the street verge to create another landscape layer along the street.

- The proposal is also consistent with the Streetscape Character provisions in Part E6 section 5.2 of WDCP 2009 as the proposed landscaping will soften the visual impact of the building and the car

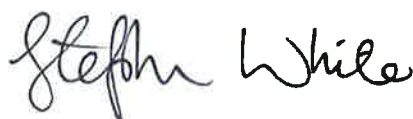
park areas when viewed from the public domain. By incorporating new street trees, dense street edge shrub planting and trees in the car park, the landscape plan will create a streetscape character with a multi layered landscape aesthetic in accordance with the aim of this provision.

- The variation to the DCP provision will not create any additional adverse impacts as a consequence. The proposal will dramatically improve the current streetscape presentation of the site in a manner that is consistent with WDCP 2009 and the draft Centre Plan. The proposal will still achieve the desired visual streetscape edge character given the dense planting strategy.
- Finally, it is worth noting that Section 79(C)(3A) of the *Environmental Planning and Assessment Act 1979* clarifies the purpose and status of development control plans, being; to "provide guidance" to proponents and Councils in achieving land use zone objectives and facilitating permissible development under an environmental planning instrument. The legislation states that where a proposal does not comply with DCP controls, the consent authority is to be '**flexible in applying those provisions**' and allow for '**reasonable alternative solutions**' that achieve the objectives of those standards for dealing with that aspect of the development. In this case, the proposal achieves an overall high level of compliance against the applicable WLEP and WDCP controls. The proposed non-compliance with the landscape setback is of a minor nature that creates no additional adverse impacts. Notwithstanding the numeric non-compliance, the proposal will still achieve the intent of the provision by providing a vegetated landscape strip along Underwood Street and thus satisfying the desired visual character.

For the reasons above, we consider that the proposed variation to the WDCP 2009 provision is justified.

We trust that the information provided satisfies your requirements in order to complete your assessment and make the next available JRPP agenda for determination. If you have any questions arising from the information submitted please don't hesitate to contact me on 02 8233 9955.

Yours sincerely,

A handwritten signature in black ink that reads "Stephen White".

Stephen White  
Director - Planning

*Encl. Amended Architectural and Landscape Plans*

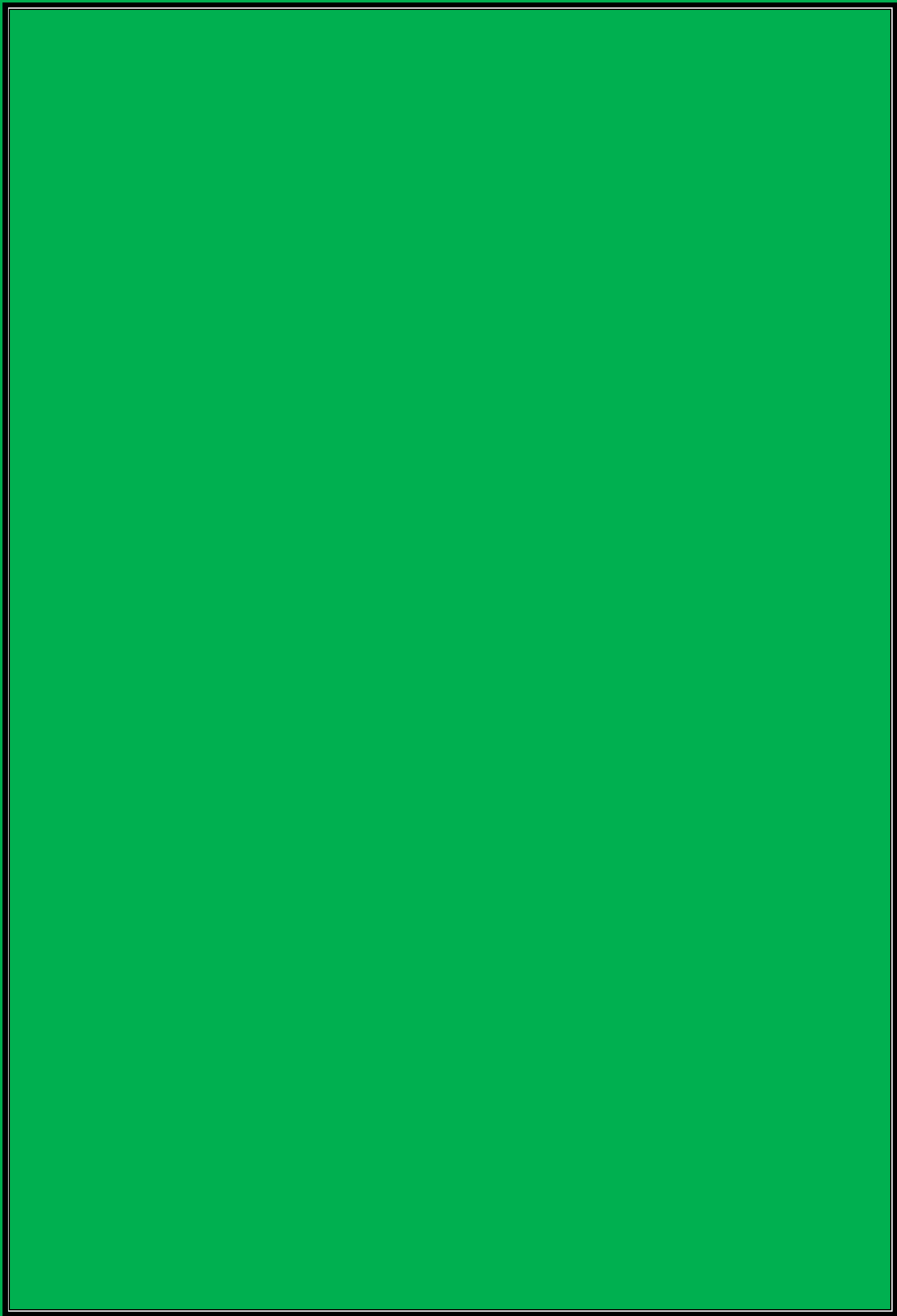
# **Attachment 5**

# **Draft Conditions**

**2015STH021 (DA2015/789)**

Medical Centre & Pharmacy

46-50 Underwood Street Corrimal





## Attachment 5: Draft Conditions

### Approved Plans and Specifications

- 1 To be inserted by Council.

### General Matters

#### 2 Tree Management

The developer shall retain existing trees indicated on Landscape Plan by Site Image Dwg. NoS515 3022 - 101 Issue E dated 19 August 2015 consisting of tree numbered 1, 2, 3 (monitor) and 4. Total number: four (4 No.)

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

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

Recommendations in Arborist's Report dated 15 Aug2015 by David Potts to be implemented including and not restricted to: siting substation, monitoring, remedial tree pruning, deadwooding, fencing and signage, sediment buffer, stem protection, establishing tree protection zones and watering and root hormone application if required.

#### 3 Street Trees

The developer must address the street frontage by installing street tree planting The number and species for this development are five(5 No.) *Elaeocarpus reticulatus* Blueberry Ash 100 litre pot 2.5 m minimum height, 1.2m wide and 40mm minimum caliper. Trees are to be installed in accordance with Wollongong Development Control Plan 2009 – Chapter E6: Landscaping. Dial before you Dig must be consulted prior to any excavation on site. Pot holing must be carried out to determine service location. Location of street tree plantings to be sited to ensure no conflict occurs with street light poles.

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

#### 4 DDA and BCA Requirements

The proposed Medical Centre will provide accessibility to both disabled staff members and disabled patients and carers. The following standards are to be adhered to:

- 4.1 Building Code of Australia 2015; D3.0 access for people with a disability
- 4.2 AS 1428.1-2009; design for access and mobility, general requirements
- 4.3 AS 1428.2-2009; design for access and mobility, enhanced and additional requirements
- 4.4 AS 1428.4-2009; means to assist the orientation of people with vision impairment
- 4.5 AS 2890.6-2009; parking facilities, off-street parking for people with disabilities
- 4.6 AS 4586-2002; slip resistance classification of new pedestrian surface materials

#### 5 Water Cycle/Stormwater Quality Management

The water cycling management treatment nodes shall be constructed as per the water cycle management study to achieve the treatment goals for removal of pollutants and nutrients which shall be: Gross Pollutants (GP) – minimum 90% removal, Total Suspended Solids (TSS) – 80% removal, Total Nitrogen (TN) – 45% removal and Total Phosphors (TP) – 60% removal.

#### 6 Construction Certificate

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

A Construction Certificate certifies that the provisions of Clauses 139-148 of the Environmental Planning and Assessment Amendment Regulations, 2000 have been satisfied, including

compliance with all relevant conditions of Development Consent and the Building Code of Australia.

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

7 **Disability Discrimination Act 1992**

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

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

8 **Mailboxes**

The developer must install mailboxes along street frontage of the property boundary in accordance with Australia Post Guidelines. Prominent house numbers are to be displayed, with a minimum number size of 150 mm in height for each number and letter in the alphabet.

9 **Separate Consent Required for Advertising Signage**

This consent does not authorise the erection of any advertising signage. Any such advertising signage will require separate Council approval, in the event that such signage is not exempt development, under Schedule 2 of Wollongong Local Environmental Plan 2009 or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Any new application for advertising signage must be submitted to Council in accordance with Chapter C1 – Advertising and Signage Structure of Wollongong Development Control Plan 2009.

10 **Maintenance of Access to Adjoining Properties**

Access to all properties not the subject of this approval must be maintained at all times and any alteration to access to such properties, temporary or permanent, must not be commenced until such time as written evidence is submitted to Council or the Principal Certifying Authority indicating agreement by the affected property owners.

11 **Protection of Public Infrastructure**

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

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

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

12 **Site Audit Statement (SAS)**

The submission of a site audit statement is required from an accredited independent auditor pursuant to the provisions of Part 4 of the Contaminated Land Management Act 1997 confirming that the site has been satisfactorily remediated and is suitable for the proposed development.

The SAS must be obtained prior to the issue of the Occupation Certificate and a copy must be submitted to Council.

13 **Occupation Certificate**

A final Occupation Certificate must be issued by the Principal Certifying Authority prior to occupation or use of the development. In issuing an Occupation Certificate, the Principal Certifying Authority must be satisfied that the requirements of Section 109H of the Environmental Planning and Assessment Act 1979, have been complied with as well as all of the conditions of the Development Consent.

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

### **14 Detailed Drainage Design**

A detailed drainage design for the proposed development shall be prepared by a suitably qualified civil engineer in accordance with Chapter E14 of the Wollongong DCP 2009 and conditions listed under this consent. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.

### **15 On-Site Detention - Design Criteria**

Each on-site stormwater detention facility must incorporate a square lockable grate for access and maintenance purposes, provision for step irons where required, provision for safety, debris control screen and a suitably graded invert to prevent ponding (i.e. no sump). Also, details of the orifice plate including diameter of orifice and method of fixing shall be provided. These requirements shall be reflected on the Construction Certificate plans.

### **16 On-Site Detention – Identification**

The construction certificate plans are to detail a corrosion resistant identification plaque for location on or close to the on-site stormwater detention (OSD) facility. The plaque shall include the following information and shall be installed prior to the issue of the occupation certificate:

16.1 The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.

16.2 Identification number – DA-2015/789.

16.3 Any specialist maintenance requirements.

### **17 On-Site Detention – Orifice and Weir Calculations**

Orifice and weir calculations for the on-site detention facility shall be provided on the Construction Certificate plans and supporting documentation prior to the release of the Construction Certificate.

### **18 Underwood Street Vehicular Entrance**

The southern-most vehicular entrance accessing the site from Underwood Street must not conflict with or impact upon Council's existing drainage pit and lintel located immediately south of the proposed vehicular entrance. Details showing the existing drainage pit, lintel, and proposed vehicular entrance (including wings) demonstrating compliance with this condition shall be provided on the Construction Certificate plans prior to the release of the Construction Certificate.

### **19 Drainage Works within Council Road Reserve**

A detailed design for the proposed drainage works within Council's road reserve (Bertram Lane) shall be prepared by a suitably qualified civil engineer in accordance with the relevant Council engineering standards. The design plans shall include levels and details of all existing and proposed infrastructure/services such as public utility, pits, poles, stormwater drainage, and road levels, extending a minimum of 5 metres beyond the limit of works. All new drainage pits shall be in accordance with the current version of Wollongong City Council's Engineering Standard Drawings. All construction must be in accordance with the requirements of Council's Subdivision Code. Where any adjustments to public utilities are proposed the applicant shall submit documentary evidence that they have the consent of the owner of the public utility authority. Evidence that this requirement has been met must be detailed on the engineering drawings. The detailed design and supporting documentation shall be submitted to and approved by Wollongong City Council's Development Engineering Manager prior to the issue of the Construction Certificate.

### **20 On Site Detention Structural Design**

The on-site detention tank facility located within the proposed driveway/carpark shall withstand the maximum loading and configuration imposed by the heaviest vehicle likely to use the driveway as specified in the RTA Heavy Vehicle Mass Loading and Access documentation, and applied in accordance with the current code: AS/NZS 1170 - Structural Design Actions. The

design loading adopted, and details of this detention facility shall be submitted prior to the release of the Construction Certificate.

21 **Roofwater Drainage**

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

22 **Water entering Road Reserve**

Paved areas and driveways falling towards Council's footpath must be provided with a full driveway width grated box drain at the property boundary, draining into the internal system and of minimal internal dimension of 200mm wide x 100mm deep. This requirement shall be reflected on the Construction Certificate plans prior to the release of the Construction Certificate.

23 **Site Remediation**

*Site assessment Remediation Action Plan*

The applicant is to undertake the site remediation work as per the Remediation Action Plan (RAP) prepared by Aargus Environmental Consulting dated 18 August 2015 Document No. ES6204/4.

24 **Permeable Paving**

Permeable paving shall be provided to the western-most row of car parking adjoining Underwood Street (17 car parking spaces), using product type Atlantis 'Gravel Cell', 'Turf Cell', 'Hydrapave' or equivalent. Installation of the nominated product shall be as per the manufacturer's recommendation.

All permeable paving is to be constructed in accordance with AS 2890.1, with line marking by either paint or a change in paving colour to delineate the area for each car space. All spaces are also required to be provided with wheel stops in accordance with AS 2890.1.

Details of the nominated product including construction method and ultimate stormwater disposal point shall be reflected on the Construction Certificate plans and supporting documentation.

25 **Footpath Paving**

The developer is responsible for the reconstruction of footpath paving along the Underwood Street frontage. The type of paving for this development is in accordance with Wollongong City Council Business Centres Public Domain Strategy and to match adjacent pavements. Paving to be:

- 25.1 Header course along the boundary line and kerb with six rows of stretcher bond perpendicular to the kerb at approximately 7m intervals. Pavement body in a stretcher bond pattern 45° to kerb. Pavers: 230x114x50mm, Amber Prestige 'Black and Tan' and Austral Bowral Silver Sand/ Selkirk Sovereign Cream headers or approved equivalent. A nominal two percent (2%) minimum 1%, maximum two and a half (2.5%) cross fall to be provided from property line to back of kerb.
- 25.2 Driveway entry threshold finish from property boundary line to face of kerb: Oxidised broom finished concrete to match footpath and be designed to withstand predicted traffic loadings.
- 25.3 Driveway threshold finish within property boundary line: To contrast with driveway entry.

The footpath must be installed to the satisfaction of Wollongong City Council Development Engineering Manager.

The Final Landscape Plan is to be submitted to Council prior to issue of Construction Certificate showing proposed paving and location of all services.

- 26     **Structural Engineering Details**  
The submission of structural engineering details by a suitably qualified and experienced structural engineer (with appropriate insurance coverage) to the Principal Certifying Authority, prior to the release of the Construction Certificate addressing the following matters:
- 26.1     Footings;
  - 26.2     Reinforced concrete slabs;
  - 26.3     Retaining walls;
  - 26.4     Structural steelwork; and
  - 26.5     Any wall bracing and tie-down requirements.
- 27     **Fire Safety Schedule**  
When issuing a Construction Certificate, a certifying authority must attach a Fire Safety Schedule specifying all of the fire safety measures required for the building to ensure the safety of persons in the building in the event of fire.
- 28     **Present Plans to Sydney Water**  
Approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped. For Quick Check agent details please refer to the web site [www.sydneywater.com.au](http://www.sydneywater.com.au), see Building Developing and Plumbing then Quick Check or telephone 13 20 92.
- The consent authority or a private certifier must ensure that a Quick Check agent/Sydney Water has appropriately stamped the plans prior to the issue of a Construction Certificate.
- 29     **Endeavour Energy Requirements**  
The submission of documentary evidence from Endeavour Energy to the Principal Certifying Authority is required confirming that satisfactory arrangements have been made with Endeavour Energy for the provision of electricity supplies to the development, prior to the release of the Construction Certificate.
- Note:** Applications should be made to Customer Connections – South Coast, Endeavour Energy PO Box 811 Seven Hills NSW 1730.
- 30     **Telecommunications**  
The submission of documentary evidence from an approved telecommunications carrier to the Principal Certifying Authority confirming that underground telecommunication services are available for this development is required prior to the issue of the Construction Certificate.
- 31     **Schedule of External Building Materials/Finishes**  
The final details of the proposed external treatment/appearance of the development, including a schedule of building materials and external finishes (including the type and colour of the finishes) together with a sample board and an A4 or A3 sized photograph of the sample board shall be submitted for the separate approval of the Principal Certifying Authority, prior to the release of the Construction Certificate.
- 32     **Glass Reflectivity Index**  
The reflectivity index of the glass used in the external façade of the building shall not exceed 20 per cent. The details and samples of the glass to be used are to be submitted with the Construction Certificate together with written evidence that the reflectivity of the glass is 20 per cent or less.
- 33     **Garbage, Green Waste and Recycling Bin Enclosure Structure**  
The garbage/recycling bin enclosure area shall be constructed of brick or other approved masonry material and shall be provided with sufficient screening of all bins contained therein. The storage area shall be constructed with a concrete floor, suitably graded to enable drainage of run-off into Council's stormwater drainage system and shall be at-grade with any proposed pedestrian accessway. The final design details of the proposed storage area shall be reflected on the Construction Certificate plans.



34 **Disabled Access and Facilities**

The provision of disabled access throughout the development is required and shall be in compliance with the Building Code of Australia Part D3 “Access for People with Disabilities” and Australian Standard AS1428.1 (2009) - Design for Access and Mobility – Part 1 General Requirements for Access – Buildings. This requirement shall be reflected on the Construction Certificate plans.

35 The disabled access ramp(s) shall comply with the current relevant Australian Standard AS1428.1 (2009) – Design for Access and Mobility – Part 1 General Requirements for Access – Buildings. This requirement shall be reflected on the Construction Certificate plans.

36 Toilet facilities shall be provided for disabled persons in accordance with the design criteria in AS1428.1 (2009) – Design for Access and Mobility – General Requirements for Access – New Building Work. This requirement shall be reflected on the Construction Certificate plans.

37 The gradient for all disabled access ramps shall not exceed a maximum of one (1) (vertical) in fourteen (14) (horizontal) as per the requirements of Australian Standard AS1428.1 (2009) – Design for Access and Mobility – General Requirements for Access – New Building Work. The final design of the proposed disabled access ramps shall be reflected on the Construction Certificate plans.

38 **Crime Prevention through Environmental Design (CPTED)**

The development shall incorporate appropriate design measures to minimise any crime risk to patrons or staff and motor vehicles within the car parking areas, including (but not limited to) the following:

- 38.1 Landscape treatment which allows visibility from the road way and other public areas;
- 38.2 Landscaping at ground level provided which is difficult or uncomfortable to hide in or traverse,
- 38.3 Provide clearly marked and sign posted car parking signs (including security/intercom system);
- 38.4 The southern elevation of the building is to be treated with a graffiti-guard to a minimum height of 2.4m above ground;
- 38.5 Ensure that fire rated doors in the car park have a clear glass panel located no more than 1.5 m from the floor. The panel shall have a minimum dimension of 300 mm x 300 mm to allow visual surveillance within the stairwell and/or next room/space.

In order to reduce the opportunities for “hiding places” the proposed landscaping must:

- 38.6 Use shrubs/plants which are no higher than 1 metre adjacent to pathways.
- 38.7 The type of trees proposed must have a sufficiently high canopy, when installed and fully grown, so that pedestrian vision is not impeded.
- 38.8 Shrub planting to be set back min. 1 metres from the edge of the pathway. Groundcover planting acceptable.

Further, the recommendations of the submitted Crime Prevention Through Environmental Design Report dated 22 April 2015 prepared by Shellshear Young are to be implemented including CCTV Camera installation internally and externally of the building, operation of the gates and storage of drugs of dependence.

This requirement shall be reflected on the Construction Certificate plans and documents.

39 The full design details of the proposed floodlighting system and associated light spillage measures/devices for the development are required to be submitted to the Principal Certifying Authority for endorsement, prior to the release of the Construction Certificate. Illumination of all elevations is required. The proposed floodlighting system and associated light spillage measures shall be in general accordance with the requirements of Australian Standard AS4282 - Control of Obtrusive Effects of Outdoor Lighting, AS1158.3.1 and Section J6 of the BCA. The approved light spillage measures shall be installed on the floodlighting system, prior to the use or operation of the floodlighting system. The approved light spillage measures shall be maintained at all times.

40. The car parking areas shall incorporate 'low impact' floodlighting to ameliorate any light spillage and/or glare impacts upon surrounding properties. The final design details of the proposed floodlighting system shall be reflected on the Construction Certificate plans. The erection of the floodlighting system shall be in accordance with the approved final design.
41. **Car parking and Access**  
The development shall make provision for a total of 103 car parking spaces (including 3 disabled car parking spaces), 6 motorbike parking spaces and 6 bicycle parking spaces. This requirement shall be reflected on the Construction Certificate plans. Any change in above parking numbers shown on the approved DA plans shall be dealt with via a section 96 modification to the development. The approved car parking spaces shall be maintained to the satisfaction of Council, at all times.
42. The parking dimensions, internal circulation, aisle widths, kerb splay corners, head clearance heights, ramp widths and grades of the car parking areas are to be in conformity with the current relevant Australian Standard AS2890.1, except where amended by other conditions of this consent. Details of such compliance are to be reflected on the Construction Certificate plans.
43. Each disabled person's parking space must comply with the current relevant Australian Standard AS2890.6 – Off-street parking for people with disabilities. This requirement shall be reflected on the Construction Certificate plans.
44. The provision of suitable barriers, line-marking and painted signage delineating vehicular flow movements within the car parking areas. All car parking spaces are to be provided with wheel stops. These details shall be reflected on the Construction Certificate plans.
45. **Site Management, Pedestrian and Traffic Management Plan (Where Works are Proposed in a Public Road Reserve)**  
The submission of a Site Management, Pedestrian and Traffic Management Plan to the Principal Certifying Authority and Council (in the event that Council is not the Principal Certifying Authority) for approval of both the Principal Certifying Authority and Council is required, prior to the issue of the Construction Certificate. This plan shall address what measures will be implemented for the protection of adjoining properties, pedestrian safety and traffic management and shall be in compliance with the requirements of the latest versions of Australian Standard AS1742 - Traffic Control Devices for Works on Roads and the RTA Traffic Control at Worksites Manual.
- This plan is required to maintain public safety, minimise disruption to pedestrian and vehicular traffic within this locality and to protect services, during demolition, excavation and construction phases of the development. This plan shall include the following aspects:
- 45.1 Proposed ingress and egress points for vehicles to/from the construction site;
  - 45.2 Proposed protection of pedestrians, adjacent to the construction site;
  - 45.3 Proposed pedestrian management whilst vehicles are entering/exiting the construction site;
  - 45.4 Proposed measures to be implemented for the protection of all roads and footpath areas surrounding the construction site from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like;
  - 45.5 Proposed method of loading and unloading excavation machines, building materials formwork and the erection of any part of the structure within the site;
  - 45.6 Proposed areas within the site to be used for the storage of excavated material, construction materials and waste containers during the construction period;
  - 45.7 Proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc are required to be displayed where works are in progress in any road reserve and shall be in accordance the latest versions of the NSW Roads and Traffic Authority's Specification - "Traffic Control at Work Sites Manual" and the Australian Standard AS1742. – "Manual of Uniform Traffic Control Devices" and accompanying field handbooks (SAA HB81);

- 45.8 Proposed method of support of any excavation, adjacent to adjoining buildings or the road reserve. The proposed method of support is to be certified by an accredited certifier in Civil Engineering; and
- 45.9 Proposed measures to be implemented, in order to ensure that no soil/excavated material is transported on wheels or tracks of vehicles or plant and deposited on the roadway.

The approved plan shall be implemented, prior to the commencement of any works upon the construction site.

**Note:** Any proposed works or placement of plant and equipment and/or materials within any road reserve will require the separate approval of Council, prior to the commencement of such works, pursuant to the provisions of the Roads Act 1993.

46. **Works in Road Reserve**

Prior to the issue of a Construction Certificate, the owner or contractor shall provide evidence to the Council of a Public Risk Insurance Policy with a minimum cover of \$10 million 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.

47. **Prior Approval for Occupation of Council's Footpath/Roadway or Entering and Exiting a Construction Site**

A section 138 Road Occupancy Approval under the Roads Act must be obtained from Council prior to the commencement of any works or road occupation, on the road reserve (NB: road reserve includes road, footpath and nature-strip). Examples of where this is required are:

- 47.1 Carrying out demolition works involving truck movements entering and leaving the site;
- 47.2 Loading or unloading machinery on the road reserve;
- 47.3 Materials or equipment deliveries to and from the site;
- 47.4 Installation of a fence or hoarding on road reserve;
- 47.5 Stand a mobile crane or concrete pump on the public road reserve;
- 47.6 Pump stormwater from the site to Council's stormwater drains;
- 47.7 Store waste containers, skip bins and/or building materials on part of Council's road reserve;
- 47.8 Installation of services to mains such as water, sewer, gas, electricity and stormwater drainage;
- 47.9 Construction of new vehicular crossings or footpaths;
- 47.10 Partial road closures;
- 47.11 Carrying out survey or investigation works on the road reserve;
- 47.12 Any activity which uses part of Council's road/footpath area or proposes an interruption to pedestrian and/or vehicular traffic;

(Note: Council considers the impact of any application and may not approve an application which will require the applicant to reconsider the proposed methodology).

48. **Driveways**

All driveways within the development shall be constructed with a maximum vertical alignment as shown in Council Drawing No. 5000-C33-A (Maximum Internal Grading – Domestic Dwellings or No. 5000-C34-A (Maximum Internal Grading – Units and Commercial Developments ). This requirement shall be reflected on the Construction Certificate plans and any supporting documentation.

49. **Driveways**

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

50. The proposed pedestrian link is to be line-marked, signposted and separated from vehicle paths of travel by a concrete median. Provision is to be made for lighting along the southern elevation of the building to illuminate this link in accordance with AS4282, AS1158.3.1 and Section J6 of the BCA. This requirement shall be reflected on the Construction Certificate plans.
51. Any proposed structures adjacent to the driveway shall comply with the requirements of the current relevant Australian Standard AS2890.1 to provide for adequate sight distance. This includes, but is not limited to, structures such as signs, letterboxes, retaining walls, dense planting etc. This requirement shall be reflected on the Construction Certificate plans.
52. Barriers shall be constructed to prevent vehicles from running over the edge of an elevated driveway or parking area. They are required wherever the drop from the edge of the platform exceeds 600mm. Barriers are to comply with Clause 2.4.5.3 of AS2890.1. This requirement shall be reflected on the Construction Certificate plans.
53. Habitable floor levels must be constructed at a minimum of RL 26.50 metres AHD. This requirement shall be reflected on the Construction Certificate plans, prior to the release of the Construction Certificate.
54. Any portion of the building or structure below RL 26.50 metres AHD should be built from flood compatible materials. Where materials are proposed and not listed in Appendix B of Chapter E13 of the Wollongong DCP2009, relevant documentation from the manufacturer shall be provided demonstrating that the materials satisfy the definition of 'flood compatible materials' as stated in Chapter E13 of the Wollongong DCP2009. These requirements shall be reflected on the Construction Certificate plans prior to the release of the Construction Certificate.
55. Overflow paths must be provided to allow for flows of water in excess of the capacity of the pipe/drainage system draining the land, as well as from any detention storage on the land. Blocked pipe situations with 1 in 100 year ARI events must be incorporated in the design. Overflow paths must also be provided in low points and depressions. Details of each overflow path shall be provided on the detailed drainage design. These requirements shall be reflected on the Construction Certificate plans prior to the release of the Construction Certificate.
56. Details of the proposed method of connection of each On-site Detention (OSD) facility to Council's drainage system must be provided with the detailed drainage design for the site. The details must be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.
57. The developer must provide on-site detention storage for stormwater runoff from the development. The Site Storage Requirement (SSR) and Permissible Site Discharge (PSD) values for the site must be designed in accordance with Chapter E14 of the Wollongong DCP2009. Details of each detention facility and SSR/PSD values must be submitted with the Construction Certificate application.
58. **Landscaping**

The submission of a final Landscape Plan to the Principal Certifying Authority, prior to the release of the Construction Certificate. The final Landscape Plan shall address the following requirements:

  - 58.1 Planting of indigenous plant species typical of the Illawarra Region such as: *Syzygium smithii* (formerly *Acmena smithii*) Lilly pilly, *Archontophoenix cunninghamiana* Bangalow palm, *Backhousia myrtifolia* Grey myrtle, *Elaeocarpus reticulatus* Blueberry ash, *Glochidion ferdinandii* Cheese tree, *Livistona australis* Cabbage palm tree, *Brachychiton acerifolius* Illawarra Flame Tree.; A further list of suitable suggested species may be found in Wollongong Development Control Plan 2009 – Chapter E6: Landscaping;
  - 58.2 A schedule of proposed planting, including botanic name, common name, expected mature height and staking requirements as well as number of plants and pot sizes;
  - 58.3 The location of all proposed and existing overhead and underground service lines. The location of such service lines shall be clear of the dripline of existing and proposed trees;

- 58.4 Any proposed hard surface under the canopy of an existing trees shall be permeable and must be laid such that the finished surface levels match the existing level. Permeable paving is to be installed in accordance with the manufacturer's recommendations; and;
- 58.5 The developer shall ensure that proposed planting is child friendly and must **not** include any of the types of plants listed below: **i)** plants known to produce toxins; **ii)** plant with high allergen properties; **vi)** any weed or potential weed species.
- 58.6 Planting to landscape garden bed fronting Underwood Street to be densely planted with low, custodial, screening native plants such as *Lomandra longifolia*, *Westringia fruticosa* or *Syzygium 'Resilience'*. 1200mm high palisade fencing to be incorporated.

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

59. **Irrigation**

The provision of common tap(s) and/or an irrigation system is required to guarantee that all landscape works are adequately watered. The location of common taps and/or irrigation system must be indicated on the Landscape Plan for the Construction Certificate. This requirement shall be reflected on the Landscape Plan, prior to the release of the Construction Certificate.

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

- 61. The implementation of a landscape maintenance program in accordance with the approved Landscape Plan for a minimum period of 12 months to ensure that all landscape work becomes well established by regular maintenance. Details of the program must be submitted with the Landscape Plan to the Principal Certifying Authority prior to release of the Construction Certificate.

62. **Tree Protection and Management**

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

- 62.1 Installation of Tree Protection Fencing - Protective fencing shall be 1.8 metre cyclone chainmesh fence, with posts and portable concrete footings. Details and location of protective fencing must be indicated on the architectural and engineering plans to be submitted to the Principal Certifying Authority prior to release of the Construction Certificate.
- 62.2 Mulch Tree Protection Zone: Areas within a Tree Protection Zone are to be mulched with minimum 75 mm thick 100% recycled hardwood chip/leaf litter mulch.
- 62.3 Irrigate: Areas within the Tree Protection Zone are to be regularly watered in accordance with the arborist's recommendations.

The submission of a final Site Plan to the Principal Certifying Authority indicating required tree protection fencing is required, prior to the release of the Construction Certificate.

63. **Provision of a Fire Hydrant**

The provision of a fire hydrant in accordance with AS2419 (1994) Fire Hydrant Installations and any requirements of the NSW Rural Fire Service and/or NSW Fire Brigades. The final details of the location of the fire hydrant shall be reflected on the Construction Certificate plans prior to the issue of the Construction Certificate.

64. **Engineering Plans and Specifications - Retaining Wall Structures**

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



- 64.1 A plan of the wall showing location and proximity to property boundaries;
  - 64.2 An elevation of the wall showing ground levels, maximum height of the wall, materials to be used and details of the footing design and longitudinal steps that may be required along the length of the wall;
  - 64.3 Details of fencing or handrails to be erected on top of the wall;
  - 64.4 Sections of the wall showing wall and footing design, property boundaries and backfill material. Sections shall be provided at sufficient intervals to determine the impact of the wall on existing ground levels. The developer shall note that the retaining wall and footing structure must be contained wholly within the subject property;
  - 64.5 The proposed method of subsurface and surface drainage, including water disposal;
  - 64.6 Reinforcing and joining details of the bends in the wall at the passing bay of the accessway;
  - 64.7 The assumed traffic loading used by the engineer for the wall design.
65. **Pier and Beam Footings Adjacent to any Drainage Infrastructure**  
Proposed structures (including retaining walls) adjacent to Council's drainage infrastructure within Bertram Lane shall be supported on pier and beam footings extending a minimum 900 mm below ground level and below the invert level of the adjacent drainage infrastructure. Structural engineers details are required detailing the size and levels of the existing drainage infrastructure and the design levels for the base of the piers adjacent to the drainage infrastructure. These requirements shall be reflected on the Construction Certificate plans prior to the release of the Construction Certificate.
66. **On-Site Detention – Structural Design**  
Each on-site detention facility must be designed to withstand loadings occurring from any combination of hydrostatic, earth, traffic and buoyancy forces. Details must be provided demonstrating these requirements have been achieved prior to the issue of the Construction Certificate.
67. **On-Site Detention - Maintenance Schedule**  
A maintenance schedule for the on-site stormwater detention system must be submitted with the Construction Certificate plans for the proposed development. The maintenance schedule must be in accordance with Chapter E14 of the Wollongong DCP2009.
68. Bicycle parking facilities must have adequate weather protection and provide the appropriate level of security as required by the current relevant Australian Standard AS2890.3 - Bicycle Parking Facilities and Austroads Guide to Traffic Management Part 11: Parking (Commentary 9: C9.2). This requirement shall be reflected on the Construction Certificate plans.
69. **Section 94A Levy Contribution**  
The following Section 94A Levy Contribution is required towards the provision of public amenities and services in accordance with the Wollongong City Council Section 94A Development Contributions Plan.
- Pursuant to Section 80A(1) of the Environmental Planning and Assessment Act 1979, and the Wollongong City Council Section 94A Development Contributions Plan, a contribution of 1% of the cost of development (Contribution may be increased to 2% within the City Centre in accordance with Clause 1 of the Plan) amounting to \$88,310.00 shall be paid to Council prior to the release of any associated Construction Certificate.
- The amount to be paid will be adjusted at the time of actual payment, in accordance with the provisions of the Wollongong City Council Section 94A Development Contributions Plan. The Consumer Price Index All Group Index Number for Sydney at the time of the development application determination is 108.3. The following formula for indexing contributions is to be used:
- Contribution at time of payment =  $\$C \times (CP2/CP1)$
- Where  
**\$C** is the original contribution as set out in the Consent

**CP1** is the Consumer Price Index (all groups index for Sydney) used in the proceeding indexation calculation

**CP2** is the Consumer Price Index (all groups index for Sydney) at the time of indexation

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

METHOD	HOW	PAYMENT TYPE
Online	<a href="http://www.wollongong.nsw.gov.au/applicationpayments">http://www.wollongong.nsw.gov.au/applicationpayments</a> Your Payment Reference: 663924	<ul style="list-style-type: none"> <li>• Credit Card</li> </ul>
In Person	Wollongong City Council Administration Building Customer Service Centre Ground Floor 41 Burelli Street WOLLONGONG	<ul style="list-style-type: none"> <li>• Cash</li> <li>• Credit Card</li> <li>• Bank Cheque</li> </ul>
PLEASE MAKE CHEQUES PAYABLE TO: Wollongong City Council (Personal Cheques not accepted)		

A copy of the Wollongong City Council Section 94A Development Contributions Plan and accompanying Fact Sheet may be inspected or obtained from the Wollongong City Council Administration Building, 41 Burelli Street, Wollongong during business hours or on Council's web site at [www.wollongong.nsw.gov.au](http://www.wollongong.nsw.gov.au)

The reason for Section 94A is to provide high quality and diverse public amenities and services to meet the expectations of the existing and new residents of Wollongong City Council.

## Prior to the Commencement of Works

### 70. Appointment of Principal Certifying Authority

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

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

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

### 71. Sign – Supervisor Contact Details

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

- 71.1 Stating that unauthorised entry to the work site is not permitted;
- 71.2 Showing the name, address and telephone number of the Principal Certifying Authority for the work; and
- 71.3 Showing the name and address of the principal contractor in charge of the work site and a telephone number at which that person can be contacted at any time for business purposes.

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

### 72. Temporary Toilet/Closet Facilities

Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided must be:

- 72.1 A standard flushing toilet; and
- 72.2 Connected to either:
  - 72.2.1 The Sydney Water Corporation Ltd sewerage system or
  - 72.2.2 An accredited sewage management facility or
  - 72.2.3 An approved chemical closet.

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

73. **Structural Engineer's Details**

Structural engineer's details for all structurally designed building works such as reinforced concrete footings, reinforced concrete slabs and structural steelwork must be submitted to the Principal Certifying Authority, prior to the commencement of any works on the site.

74. **Enclosure of the Site**

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

75. **Consultation with NSW WorkCover Authority**

Prior to any work commencing on the site it is the responsibility of the owner to contact NSW WorkCover Authority in writing in respect to any demolition or use of any crane, hoist, plant or scaffolding.

76. **Survey Report – Siting of Development within Property Boundaries**

A survey report prepared by a registered surveyor is required to be submitted to the Principal Certifying Authority to ensure that the proposed development is located on the correct allotment and at the approved distances from the boundary. This must be verified by pegging the site prior to commencement of works.

77. **Supervision of Works and Notification to Council of Works in Road Reserve**

The work shall be supervised by a suitably qualified and experienced Civil Engineer, Registered Surveyor or Civil Engineering Foreman. The supervisor's name, address and contact details (including telephone number) shall be submitted to the Principal Certifying Authority and Council prior to the commencement of any works.

The submission of a written construction program and anticipated duration of the construction to Council is required prior to the commencement of any works within any public road reserve.

78. **Public Liability Insurance**

All contractors working in Council's road reserve and/or public reserve areas shall take out public liability insurance for a minimum amount of \$10 Million. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Written evidence of this insurance shall be supplied to the Principal Certifying Authority and Council (in the event that Council is not the Principal Certifying Authority) prior to the commencement of any such works in any road reserve or public reserve area.

79. **Erosion and Sediment Control Measures**

Erosion and sediment control devices are to be installed prior to the commencement of any demolition, excavation or construction works upon the site. These devices are to be maintained throughout the entire demolition, excavation and construction phases of the development and for a minimum three (3) month period after the completion of the project, where necessary.

80. **Erosion Controls – Vehicular Entry/Exit Points**

The vehicular entry/exits to the site must be protected from erosion and laid with a surface material which will not wash into the street drainage system or watercourse.

81. **Sediment Control Measures**

The developer must ensure that sediment-laden runoff from the site is controlled at all times subsequent to commencement of construction works. Sediment control measures must be maintained at all times and checked for adequacy at the conclusion of each day's work.

82. **Tree Protection and Management**

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

- 82.1 Installation of Tree Protection Fencing - Protective fencing shall be 1.8 m cyclone chainmesh fence, with posts and portable concrete footings;
- 82.2 Installation of Tree Protection Fencing - A one (1) metre high exclusion fence must be installed around the extremity of the dripline of the tree/trees to be retained prior to any site works commencing. The minimum acceptable standard is a 3 strand wire fence with star pickets at 1.8 metre centres. This fence must be maintained throughout the period of construction to prevent any access within the tree protection area;
- 82.3 Mulch Tree Protection Zone: Areas within a Tree Protection Zone are to be mulched with minimum 75 mm thick 100% recycled hardwood chip/leaf litter mulch;
- 82.4 Irrigate: Areas within the Tree Protection Zone are to be regularly watered in accordance with the arborist's recommendations.

The tree protection fencing shall be installed prior to the commencement of any demolition, excavation or construction works and shall be maintained throughout the entire construction phases of the development.

83. **Certification from Arborist - Adequate Protection of Trees to be Retained**

A qualified arborist is required to be engaged for the supervision of all on-site excavation or land clearing works. The submission of appropriate certification from the appointed arborist to the Principal Certifying Authority is required which confirms that all trees and other vegetation to be retained are protected by fencing and other measures, prior to the commencement of any such excavation or land clearing works.

84. The depth and location of all services (ie stormwater, gas, water, sewer, electricity, telephone, etc) must be ascertained and reflected on the plans and supporting documentation issued for construction.

85. **Vehicular Crossing**

Prior to the works commencing on the construction of the vehicular crossing the applicant shall apply for and obtain the relevant approval for a Vehicular Crossing from Councils Works and Services Division for a "Recognised Concrete Contractor" to carry out the works.

A copy of the approval shall be submitted to the Principal Certifying Authority prior to works commencing. The entire length of any vehicular crossings must be constructed:

- 85.1 To Council's currently adopted standard drawings;
- 85.2 For the full width of the footpath; and
- 85.3 By Council's recognised concrete contractors at the developer's expense.

86. **Footpath Levels**

Footpath levels must be obtained from Council's Works and Services Division prior to works commencing. This can be achieved by filling out an application form and payment of the relevant fee.

All such structures and internal driveways shall be constructed to these approved levels.

The longitudinal grade of the footpath must be parallel to the top of kerb level and all building entrance adjustments for level access to building floor levels must be developed within the private property of the building in accordance with the requirements of the latest versions of AS1428.1 (2009), the Building Code of Australia and the Disability Discrimination Act. No adjustments to the uniform and even longitudinal grade of the footpath at the boundary line will be permitted for access points to buildings.

A copy of the approved levels shall be submitted to the Principal Certifying Authority prior to works commencing.

87. **Application for Occupation, Use, Disturbance or Work on Footpath/Roadway**  
Any occupation, use, disturbance or work on the footpath or road reserve for construction purposes, which is likely to cause an interruption to existing pedestrian and / or vehicular traffic flows requires Council consent under Section 138 of the Roads Act 1993. An application must be submitted and approved by Council prior to the works commencing where it is proposed to carry out activities such as, but not limited to, the following:
- 87.1 Digging or disruption to footpath/road reserve surface;
  - 87.2 Loading or unloading machinery/equipment/deliveries;
  - 87.3 Installation of a fence or hoarding;
  - 87.4 Stand mobile crane/plant/concrete pump/materials/waste storage containers;
  - 87.5 Pumping stormwater from the site to Council's stormwater drains;
  - 87.6 Installation of services, including water, sewer, gas, stormwater, telecommunications and power;
  - 87.7 Construction of new vehicular crossings or footpaths;
  - 87.8 Removal of street trees;
  - 87.9 Carrying out demolition works.
88. The arrangements and costs associated with any adjustment to a public utility service shall be borne by the applicant/developer. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the applicant/developer. The submission of documentary evidence to the Principal Certifying Authority which confirms that satisfactory arrangements have been put in place regarding any adjustment to such services is required prior to any works commencing on site.
89. **Section 73 Compliance Certificate**  
A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section of the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.
- Following application, a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.
- The Notice of Requirements must be submitted to the Principal Certifying Authority prior to the commencement of works.

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

90. **Stormwater Connections**  
All stormwaters connections to existing stormwater drainage systems shall be constructed in accordance with good engineering practice. The developer shall ensure that the condition of the existing stormwater drainage system is not compromised and that the service life of the existing stormwater drainage system is not reduced as a result of the connection.
91. **Flood Compatible Materials – Electrical**  
All power service (metering) equipment, wiring, power outlets, switches etc. shall be located above RL 26.50 metres AHD. All electrical wiring installed below this level should be suitable for continuous underwater immersion and should contain no fibrous components. Earth leakage circuit breakers shall also be installed. Any equipment installed below or partially below RL 26.50 metres AHD should be capable of disconnection by a single plug and socket assembly.
92. **Fences**  
Any new fences constructed on the site and located in the flood plain shall be of a type that will not obstruct the free flow of floodwaters and not cause damage to surrounding land in the event of a flood.



93. **Works within Council Road Reserve**  
All works within Council's road reserve undertaken as part of the subject development shall be carried out in accordance with good engineering practice and to the satisfaction of Council and at the developer's expense.
94. **Protection of Council Infrastructure**  
The developer shall provide adequate protection to all Council assets prior to work commencing and during construction. Wollongong City Council's Development Engineering Manager shall be notified immediately in the event of any damage to Council's assets. Any damage to Council's assets shall be restored to the satisfaction of Council, with all associated costs borne by the developer.
95. **Installation of WSUD treatment train**  
The developer shall install the WSUD infrastructure (gross pollutants traps) as stated in the report prepared by Cardno South Coast dated 16 June 2015 Ref 820150509604 Version 4.
96. **Survey Report for Floor Levels**  
A Survey Report must be submitted to the Principal Certifying Authority verifying that each floor level accords with the floor levels as approved under this consent. The survey shall be undertaken after the formwork has been completed and prior to the pouring of concrete for each respective floor level of the building. Where a timber/steel frame supports the floor, the survey shall be undertaken after the piers have been installed and prior to the laying of the bearers/joists and installation of the wall frames for each respective floor level of the building. All levels shall relate to Australian Height Datum.
97. **Supervision of Engineering Works**  
All engineering works associated with the development are to be carried out under the supervision of a practicing engineer.
98. **Piping of Stormwater to Existing Stormwater Drainage System**  
Stormwater for the land must be piped to Council's existing stormwater drainage system.
99. **No Adverse Run-off Impacts on Adjoining Properties**  
The design of the development shall ensure there are no adverse effects to adjoining properties or upon the land as a result of flood or stormwater run-off. Attention must be paid to ensure adequate protection for buildings against the ingress of surface run-off.
100. **Re-direction or Treatment of Stormwater Run-off**  
Allowance must be made for surface run-off from adjoining properties. Any redirection or treatment of that run-off must not adversely affect any other property.
101. **Notification to Adjoining Property Owners Prior to Commencement of Works**  
The contractor shall be mindful of maintaining access to existing properties fronting the drainage works. It would be prudent to provide some form of notification to the affected properties prior to commencement of works. This is particularly the case if any disruption to access will be required as a consequence of the works.
102. **Redundant Crossings**  
Any existing vehicular crossings rendered unnecessary by this development must be removed and the footpath and normal kerbing and guttering must be restored. This work shall be carried out by a Council recognized concrete contractor at the developer's expense.
103. **Prior approval from Council for any works in Road Reserve**  
Approval, under Section 138 of the Roads Act must be obtained from Wollongong City Council's Development Engineering Team prior to any works commencing or any proposed interruption to pedestrian and/or vehicular traffic within the road reserve caused by the construction of this development. A traffic control plan prepared and implemented by a suitably qualified person must be submitted for approval and the appropriate fees paid a minimum of five working days prior to the expected implementation. The traffic control plan shall satisfy the requirements of the latest versions of Australian Standard AS1742 – Traffic Control Devices for Works on Roads and the RTA Traffic Control at Worksites Manual.

**Note:** This includes temporary road closures for the delivery of materials, plant and equipment, concrete pours etc.

104. **Restricted Hours of Work (not domestic residential scale)**

The developer must not carry out any work other than emergency procedures to control dust or sediment laden runoff outside the hours of 7.00 am to 6.00 pm, Monday to Saturdays without the prior written consent of the Principal Certifying Authority and Council.

No work is permitted on public holidays, Sundays or the Saturday adjacent to public holidays on Mondays or Fridays.

Any request to vary these hours shall be submitted to the **Council** in writing detailing:

104.1 The variation in hours required;

104.2 The reason for that variation;

104.3 The type of work and machinery to be used.

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

105. The developer must carry out work at all times in a manner which will not cause a nuisance, by the generation of unreasonable noise, dust or other activity, to the owners and/or occupiers of adjoining and adjacent land.

106. **Site Management**

Stockpiles of sand, gravel, soil and the like must be located to ensure that the material:

106.1 Does not spill onto the road pavement and

106.2 Is not placed in drainage lines or watercourses and cannot be washed into these areas.

107. Should during construction any waste material or construction material be accidentally or otherwise spilled, tracked or placed on the road or footpath area without the prior approval of Council's Works Division this shall be removed immediately. Evidence that any approval to place material on the road or road reserve shall be available for inspection by Council officers on site at any time.

108. Soil or other substitute materials must not be placed in the street gutter to provide access to the allotment.

109. Drains, gutters, access ways and roadways must be maintained free of sediment and any other material. Gutters and roadways must be swept/scraped regularly to maintain them in a clean state.

110. Building operations such as brick cutting, the washing of tools or paint brushes, or other equipment and the mixing of mortar must not be carried out on the roadway or public footpath or any other locations which could lead to the discharge of materials into the stormwater drainage system or natural watercourse.

111. **Dust Suppression Measures**

Activities occurring during the construction phase of the development must be carried out in a manner that will minimise the generation of dust.

112. Trucks which are entering and leaving the premises and carrying loads must be sealed or covered at all times, except during loading and unloading.

113. **Provision of Waste Receptacle**

The developer must provide an adequate receptacle to store all waste generated by the development, pending disposal. The receptacle must be regularly emptied and waste must not be allowed to lie or accumulate on the property other than in the receptacle. Consideration should be given to the source separation of recyclable and re-usable materials.

114. The building site must be kept free of rubbish at all times. All refuse capable of being wind blown must be kept in a suitable waste container.

115. **External Plant and Equipment**  
External plant such as air conditioners, compressors and other machinery likely to emit noise shall be located so adjoining areas are not adversely affected.

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

116. **Structural Soundness Certification**  
The submission of a report from a suitably qualified and experienced structural engineer to the Principal Certifying Authority is required, prior to the issue of the final Occupation Certificate and commencement of use. This report is required to verify that the building can withstand the forces of floodwater, debris and buoyancy up to and including the Probable Maximum Flood (PMF) plus 0.5 metres freeboard being.
117. **Drainage within Council Road Reserve WAE**  
The developer shall obtain written verification from a suitably qualified civil engineer, stating that the construction of the drainage infrastructure works within Council's road reserve (Bertram Lane) has been undertaken in accordance with the detailed design approved by Council's Development Engineering Manager. In addition, a full works-as-executed plan, prepared and signed by a Registered Surveyor shall be submitted. This plan shall include the location and levels of the drainage lines, structures and finished surface levels. This information shall be approved by Wollongong City Council's Development Engineering Manager prior to the issue of the final Occupation Certificate and commencement of use.
118. **Fire Safety Certificate**  
A Fire Safety Certificate must be issued for the building prior to the issue of an Occupation Certificate. As soon as practicable after a Fire Safety Certificate is issued, the owner of the building to which it relates:
- 118.1 Must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of New South Wales Fire Brigades, and
- 118.2 Must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.
119. **Drainage**  
The developer must obtain a certificate of Hydraulic Compliance (using Council's M19 form) from a suitably qualified civil engineer, to confirm that all stormwater drainage and on-site detention works have been constructed in accordance with the approved plans. In addition, full works-as-executed plans, prepared and signed by a Registered Surveyor must be submitted. These plans and certification must satisfy all the stormwater requirements stated in Chapter E14 of the Wollongong DCP2009. This information must be submitted to the Principal Certifying Authority prior to the issue of the final Occupation Certificate.
120. **Restriction on use – On-site Detention System**  
The applicant must create a restriction on use under the Conveyancing Act 1919 over the on-site detention system. The following terms must be included in an appropriate instrument created under the Conveyancing Act 1919 for approval of Council:
- “The registered proprietor of the lot burdened must not make or permit or suffer the making of any alterations to any on-site stormwater detention system on the lot(s) burdened without the prior consent in writing of the authority benefited. The expression ‘on-site stormwater detention system’ shall include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to those structures.
- Name of the authority having the power to release, vary or modify the restriction referred to is Wollongong City Council.”
- The instrument, showing the restriction, must be submitted to the Principal Certifying Authority for endorsement prior to the issue of the final Occupation Certificate and the use of the development.

121. **Positive Covenant – On-Site Detention Maintenance Schedule**  
A positive covenant shall be created under the Conveyancing Act 1919, requiring the property owner(s) to undertake maintenance in accordance with the Construction Certificate approved On-Site Stormwater Detention System and Maintenance Schedule (application number to be referenced).
- The instrument, showing the positive covenant must be submitted to the Principal Certifying Authority for endorsement prior to the issue of the final Occupation Certificate and the use of the development.
122. **Allotment Consolidation**  
Prior to the issue of the Occupation Certificate, the subject allotments are to be consolidated. The allotments to be consolidated are as follows:
- Lots 1-6 (inclusive) DP 230081  
Lots 13 and 14 DP 4286  
Lots 3 and 4 DP 230192  
Lot 3 DP 513865.
- In this regard, all existing restrictions on title are to be identified and accounted for on the proposed consolidated lot.
- In conjunction with the above, the Right of Access that currently burdens Lots 3 and 4 DP 230192 and Lot 3 DP 513895 and benefits Lot 2 DP 230192 and Lot 1 DP 513895 is to benefit Lot 2 DP 513895 and Lot 1 DP 230192. This is to be reflected on the Final Subdivision Plan and documents.
123. **Access Certification**  
Prior to the occupation of the building, the Principal Certifying Authority must ensure that a certificate from an “accredited access consultant” has been issued certifying that the building complies with the requirements of AS 1428.1.
124. **Retaining Wall Certification**  
The submission of a certificate from a suitably qualified and experienced structural engineer or civil engineer to the Principal Certifying Authority is required, prior to the issue of the Occupation Certificate or commencement of the use. This certification is required to verify the structural adequacy of the retaining walls and that the retaining walls have been constructed in accordance with plans approved by the Principal Certifying Authority.
125. **Health Care Facilities**  
The Health Consulting Centre/rooms must be constructed and operated to comply with the NSW Health Department “Infection Control Policy”.
126. **Occupation Certificate**  
A final Occupation Certificate must be issued by the Principal Certifying Authority prior to occupation or use of the development. In issuing an Occupation Certificate, the Principal Certifying Authority must be satisfied that the requirements of Section 109H of the Environmental Planning and Assessment Act 1979, have been complied with as well as all of the conditions of the Development Consent.
127. **On-Site Detention – Structural Certification**  
The submission of a certificate from a suitably qualified practising civil and/or structural engineer to the Principal Certifying Authority is required prior to the issue of the final Occupation Certificate. This certification is required to verify the structural adequacy of the on-site detention facility and that the facility has been constructed in accordance with the approved Construction Certificate plans.

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

128. **Restricted Hours of Operation**  
The hours of operation for the development shall be restricted to 7.00 am - 10.00 pm, 7 days a week.



Any alteration to the approved hours of operation will require separate Council approval.

129. **Car Park Management**

A minimum period of two (2) hours free parking is to be made available to the medical centre patients. After the free period, parking rates are to be applied at the discretion of the operator. This is to be managed by centre management.

Clear signage is to be erected at the building entrance advising of the car parking payment schedule and free period. The ticket validation machine is to be located in a prominent position in the vicinity of the main building entrance.

130. **Storage of Goods and Materials**

All goods, materials and equipment shall be stored within the building and no part of the land shall be used for purposes of storage.

131. **No Display of Goods and Materials Outside Premises**

The placement of any cabinet, display stand, racks or any other means of displaying goods, whether or not for sale shall not be located on any property boundary, road reserve or outside the premises.

132. **Restriction on Placement of Storage Racks, Cabinets, Pallets etc**

The placement of storage racks, cabinets, floor stock, pallets or the like shall not obstruct any path of travel to an exit nor the efficient operation and effective coverage of any fire hose reel, fire hydrant, portable fire extinguisher or other essential fire safety measures.

133. **Fire Safety Measures**

All new and existing fire safety measures shall be maintained in working condition, at all times.

134. **Noise Restrictions on Medical Centre**

The noise ( $L_{Aeq}(15min)$ ) emanating from medical centre operations must not exceed 5 dB(A) above the background noise level ( $L_{A90}(15min)$ ) of the area at any boundary of the land.

135. **Loading/Unloading Operations/Activities**

All loading/unloading operations are to take place at all times wholly within the confines of the site.

136. **Waste Management and Collection**

Waste collection is to be undertaken between 7.00am and 8.00am on a designated weekday.

Medical centre operational waste management must be undertaken as per the submitted Waste Management Plan prepared by Shellhear Young dated 24 April 2015.

In addition an adequate number of waste receptacles for both general rubbish and recyclable materials shall be placed strategically around the site, and collected on the regular basis. Waste shall not be allowed to accumulate on the site surroundings.