

COUNCIL ASSESSMENT REPORT

Panel Reference	2016STH007
DA Number	DA0012/2016
LGA	Shellharbour City Council
Proposed Development	Retail Component of Shell Cove Boat Harbour Precinct Comprising of Supermarket, Liquor Tenancy, Specialty Stores, Retail Plaza, Carpark & Signage
Street Address	Lot 1279 DP 1175512 The Farm Way, Shell Cove Lot 8032 DP1072187 Boollwarroo Parade, Shell Cove Lot 1597 DP 1194294 Cove Boulevard, Shell Cove.
Applicant/Owner	Australand Corporation (NSW) Pty Ltd / Shellharbour City Council
Number of Submissions	Nil
Regional Development Criteria (Schedule 4A of the Act)	Clause 4 Council related development over \$5 million Development that has a capital investment value of more than \$5 million if (b) the council is the owner of any land on which the development is to be carried out. The CIV for the proposed development is \$15M.
List of all relevant s79C(1)(a) matters	<ul style="list-style-type: none"> • Part 3A Concept Approval - MP07_0027 • State Environmental Planning Policy (SEPP) No 55 – Remediation of Land • SEPP 64 –Advertising and Signage • SEPP 71 – Coastal Protection • SEPP (Infrastructure) 2007 • Shellharbour Local Environmental Plan (LEP) 2013 • Shellharbour Development Control Plan (DCP) 2013 • Shellharbour Section 94 Contributions Plan 2013 • Urban Design Guidelines – Precinct D • NSW Coastal Policy 1997
Clause 4.6 variation?	No
SIC (S94EF)?	No
List all documents submitted with this report for the Panel's consideration	ATTACHMENT 1 - Schedule of Conditions ATTACHMENT 2 – Concept Approval Compliance Table ATTACHMENT 3 – Premier Transport Group Letter ATTACHMENT 4 – Site Photos – 26 September 2016 ATTACHMENT 5 – Aerial Photos ATTACHMENT 6 – Harbour Boulevard Landscape Detail ATTACHMENT 7 – Urban Design Guidelines –Precinct D
Recommendation	Approve
Report prepared by	Anthony Randall - Team Leader Planning
Report endorsed by	Grant Meredith – Group Manager City Development
Report date	23 November 2016

EXECUTIVE SUMMARY

Joint Regional Planning Panel

The development application has been referred to the Joint Regional Planning Panel (JRPP) pursuant to Clause 4(b) of Schedule 4A of the *Environmental Planning & Assessment Act 1979* ("the Act"). Council is the owner of the land on which the proposed development is to be carried out, which has the capital investment value (CIV) of \$15M exceeding the \$5M threshold for Council projects to be determined by the JRPP.

The Site

The development site forms part of Precinct D – Commercial Precinct of the Shell Cove Concept Plan No. MP 07_0027 (Concept Plan) approved under Part 3A of the *Environmental Planning Assessment Act 1979*. The masterplan comprises of residential, commercial, retail, hotel, business park, dry boat storage facility, open space and wetlands. Precinct D is the new town centre and is located to the west of the boat harbour under construction.

The civil works and infrastructure construction associated with Stage B1 & C1 residential subdivision under Development Consent No. 411/2013 is underway at southern edge of the site constructing road MC01 along with Development Consent No. 12/2011 for the construction of Harbour Boulevard and its connection with Cove Boulevard at the western edge of the site.

The adjacent town centre Main Street has not been approved and is proposed within underdetermined Development Application No. 143/2016. It has a CIV of \$2,000,000 and is within the Council's jurisdiction to determine.

Proposal

The proposal is to construct a 4,623 m² of retail floor space comprising 3,670m² supermarket with adjoining liquor tenancy, and 9 specialty shops (including a kiosk), with on-grade and basement car parking for 256 vehicles, 7 motorcycles and 44 bicycles.

The town centre will be constructed in stages, with the proposal being a component of Stage 1 in Precinct D of the Concept Plan approval. Urban Design Guidelines prepared by an architect are submitted with the DA, as required by the Concept Plan. The main street of the new town centre is the proposed primary access to the site for customers entering the proposed car park. Services and a secondary customer access is proposed

Permissibility

The Concept Plan permits the development, notwithstanding the site is zoned B2 – Local Centre under Shellharbour Local Environmental Plan 2013 (SLEP 2013). Pursuant to SLEP 2013 clause 2.6, commercial development of land is permissible subject to development consent.

Consultation

The application was publicly notified for 21 days in accordance with statutory requirements. No submissions were made to Council. The Roads and Maritime Service (RMS) and NSW Department of Primary Industry – Water were consulted.

Recommendation

The proposal generally complies with the Concept Approval and relevant state and local statutory planning policies and controls, therefore it is recommended that DA No. 12/2016 be approved subject to conditions contained in Attachment 1.

ATTACHMENTS

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ATTACHMENT 2 – Concept Approval Compliance Table
ATTACHMENT 3 – Premier Transport Group Letter
ATTACHMENT 4 – Site Photos – 26 September 2016
ATTACHMENT 5 – Aerial Photos
ATTACHMENT 6 – Harbour Boulevard Landscape Detail
ATTACHMENT 7 – Urban Design Guidelines –Precinct D

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ASSESSMENT REPORT AND RECOMMENDATION

1 PURPOSE OF REPORT

This report is presented to the Joint Regional Planning Panel (JRPP) for determination of a development application (DA) for construction of a retail component of Shell Cove Commercial Precinct comprising of Supermarket, Liquor Tenancy, Specialty Stores, Retail Plaza, Carpark & Signage. The proposal is on land is legally described as Lot 1279 DP 1175512 The Farm Way, Lot 8032 DP1072187 Boolwarroo Parade, and Lot 1597 DP 1194294 Cove Boulevard, Shell Cove.

The application includes Precinct D – Urban Design Guidelines prepared for the town centre which are being considered for the first time. These guidelines form a suite of guidelines required to be prepared by the Boat Harbour Precinct Part 3A Concept Approval MP07_0027 (Concept Plan), adding to those prepared already for dwellings houses in Precinct B1 and C1, and subsequently medium density development on the super lots approved in those precincts.

The JRPP is the determining authority for this application as the development has a capital investment value of \$15M. Council has an interest in the application, as the landowner and Joint venture partner with Frasers Development Pty Ltd as the developer.

2 SUMMARY OF RECOMMENDATION

It is recommended that the JRPP grant approval to DA No. 12/2016 subject to the schedule of conditions contained within Attachment 1 of this report, to construct a Supermarket, Liquor Tenancy, Specialty Shops, Retail Mall, Carpark & Signage at Lot 1279 DP 1175512 The Farm Way, Lot 8032 DP1072187 Boolwarroo Parade, and Lot 1597 DP 1194294 Cove Boulevard, Shell Cove.

3 BACKGROUND

3.1 Determining Body

Pursuant to State Environmental Planning Policy (State and Regional Development) 2011, clause 20 the provisions of *Schedule 4A Development for which regional panels may be authorised to exercise consent authority functions of councils*, of the *Environmental Planning and Assessment Act 1979* (the Act), confers that the Panel is the determining authority for this DA as the development has a capital investment value of \$15,000,000.00.

Pursuant to Clause 4 of Schedule 4A, the Panel is the determining authority for Council related development over \$5M. In this case Council owns the land which the application relates. The applicant for the proposal is Frasers Pty Ltd (formerly Australand).

3.2 Planning History

The proposal is located within “The Waterfront” development. The “The Waterfront” brand was established by the proponent to market the total project.

The broad project comprises the construction of:

- a new boat harbour connected to the Pacific Ocean subject to a Ministerial consent; and
- surrounding urban development area which is subject to a State Government Part 3A concept plan approval.

Figure 1 below is an indicative layout of the concept plan area (outlined red) surrounding the new boat harbour.



Figure 1 - Boat Harbour Precinct Concept Plan Area

3.2.1 Boat Harbour Marina Consent (DA95/133)

Shellharbour City Council received Development Consent No. 95/133 from the then Minister for Urban Affairs and Planning on 26 November 1996 for the construction of the following:

- a 350 berth boat harbour/marina at South Shellharbour Beach
- enhancing and enlarging a wetland at Shadforth land
- the removal of land fill material from the boat harbour site and placement of treated contaminated landfill in a series of mounds used for acoustic mitigation adjacent to a realigned haul road to the Bass Point quarry operated by Pioneer Construction Materials Pty Ltd.

The boat harbour/marina proposal was the subject of a 1996 Commission of Inquiry. The Commission examined matters, including the environmental aspects of the proposal and the significance of a SEPP 14 wetland proposed to be removed, and the effectiveness of related compensatory measures. The then Minister for Urban Affairs and Planning subsequently approved the application.

3.2.1.1 Section 96 Modifications to DA 95/133

There have been a number of modifications to the Boat Harbour consent which are set out below:

Table 1- Modifications to Boat Harbour

Mod No.	Determined	Description
MOD 1	9 November 2001	To erect acoustic barriers along the haul road instead of engineered landfill cells
MOD 2	6 September 2004	To permit the placement of the old landfill material to be extracted from the Shellharbour Wetland during construction to a single landfill cell in the quarry buffer zone on the southern edge of the site
MOD 3	31 October 2006	To change the layout and design of the boat harbour and marina; delete the proposed flushing pipe system; and remove stop-work provisions for indigenous heritage management
MOD 4	25 November 2008	To extend the development's seaward boundary to incorporate the inter-tidal area
MOD 5	20 August 2010	To modify Condition 18 regarding acid sulfate soil management
MOD 6	08 July 2015	To alter a section of sea-wall and harbour edge treatment

3.2.2 Major Project Declaration

Surrounding the Boat Harbour and Marina is the Boat Harbour Precinct (BHP). On 2 April 2007 the Boat Harbour Precinct project was declared a major project under Part 3A of the Environmental Planning and Assessment Act 1979 'the Act' because it met Schedule 2 criteria of the (then) State Environmental Planning Policy (Major Projects) 2005 being:

- a development for marina facilities that stores more than 80 vessels, and
- a tourist, convention and entertainment facility with a CIV more than \$100M or that employs more than 100 people.

The opinion was formed by the Director-General, as the Minister for Planning's delegate.

3.2.3 Boat Harbour Precinct (BHP) Concept Approval (MP07_0027)

On the 15 February 2011 the Boat Harbour Precinct Concept Plan Approval No. MP07_0027 was approved by the Deputy Director General of the Department of Planning.

The Concept Plan approval is for a mixed development comprising residential, commercial, community, retail, hotel, business park, dry boat storage facility, open space and wetlands.

The project has a capital investment value of \$463.4 million and would employ about 1,075 people during construction and around 2,800 people once operational.

The terms of the approval are as follows:

Part A – Terms of Approval

1. Approval for the Boat Harbour Precinct

Except as modified by this approval, Concept Plan approval is granted only to the carrying out of development within the Concept Plan area as listed below and in more detail in Shell Cove Boat Harbour Precinct Concept Plan Application and Environmental Assessment, 26 February 2010, as amended by the Preferred Project Report:

- Up to 1,238 dwellings with a total gross floor area of approximately 150,000m² comprising single dwellings, medium density and apartments;
- a business park with a maximum gross floor area of 30,000m²;
- retail/commercial/hotel/community development with a maximum gross floor area of 22,000m²;
- public open space and wetlands; and
- associated drainage, stormwater infrastructure and roads.

2. Approved Plans and Documentation

The project shall be generally in accordance with the following plans and documentation:

- Shell Cove Boat Harbour Precinct Concept Plan Application and Environmental Assessment, dated 26 February 2010, prepared by LFA (Pacific) Pty Ltd, including Volumes 1 and 2 and Appendices A to P;
- Shell Cove Boat Harbour Precinct Preferred Project Report, dated November 2010 prepared by LFA (Pacific) Pty Ltd, including Appendices 1 and 2; and
- Statement of Commitments (Schedule 4).

except as otherwise provided by the terms of this approval.

Figure 2 - Concept Plan Terms of Approval

The BHP Concept Plan approval including plans and documents can be found at <http://majorprojects.planning.nsw.gov.au/>

The Concept Plan comprises the following key elements to guide future development:

- building height in terms of number of storeys

- indicative floor areas
- number of dwellings
- land uses
- indicative street alignments and pedestrian networks
- location of open space and wetlands.

The Concept Plan development standards relevant to the proposal are:

- Retail/Commercial floor space: 22,000 m²
- Number of storeys: 2-4 storeys

The BHP is the centre-piece of the wider master-planned Shell Cove project of which the suburban areas have been substantially developed. The BHP is the future retail and commercial hub of the wider Shell Cove residential development

The Boat Harbour Project is a joint venture between Frasers Development Pty Ltd (formerly Australand Corporation Pty Ltd) and Shellharbour City Council.

The Concept Plan is divided into 8 precincts/stages as shown in Figure 3.

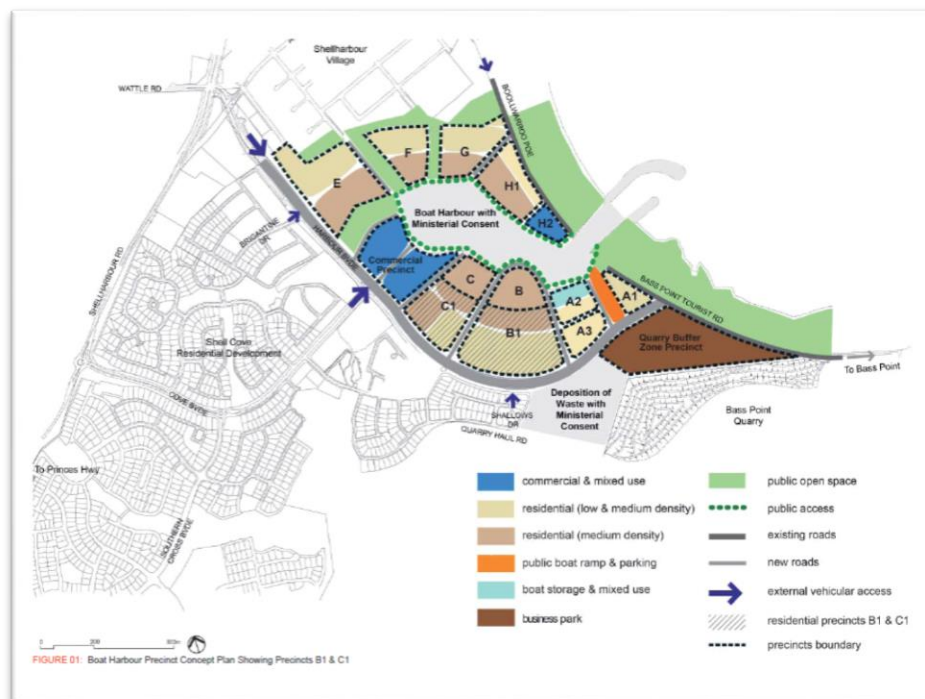


Figure 3 - Boat Harbour Precinct Staging Plan

The Environmental Assessment (EA) dated 26 February 2010 prepared by LFA (Pacific) Pty Ltd including Volumes 1 and 2 and Appendices A - P, and the Preferred Project Report (PPR) dated November 2010 prepared by LFA (Pacific) Pty Ltd including Appendices 1 and 2 inform the required design response at a concept level.

These Concept Plan documents indicate that a key feature of the project is the continuous public pedestrian access around the perimeter of the boat harbour as shown in Figure 4 below. The Concept Plan includes that the public walkway has clear and direct access to streets meeting the harbour edge, and that public access is well defined and integrated, giving wider public access and a greater sense of public ownership.

The BHP will have some relatively intensive traffic generating activities including the town centre, marina, hotel and commercial development. The Concept Plan for the BHP was considered in the context of planning for Shell Cove as a whole and its inter-relationship with existing adjoining development.

The existing and proposed road network within Shell Cove has been designed with sufficient capacity to safely and efficiently cater for additional traffic generated by the BHP. The Shellharbour Road key intersections servicing the development will have sufficient capacity to safely and efficiently cater for the full development of Shell Cove. The major access to Shell Cove is currently Cove Boulevard. Harbour Boulevard will form a second major access from Addison Street, linking Shellharbour Road to the BHP.

Public access will be provided around the boat harbour which will have edge conditions, including streets, boardwalk, pathways, and open space overlooked by housing, the town centre or hotel.

The Concept Plan precinct layout and design provides a high degree of permeability for pedestrians. Some of the harbour edges are reserved for pedestrians, not vehicles, to create areas of special character and water edge connectivity. Visual, pedestrian and cycle connectivity has been provided between the southern part of Shellharbour village and Shell Cove.

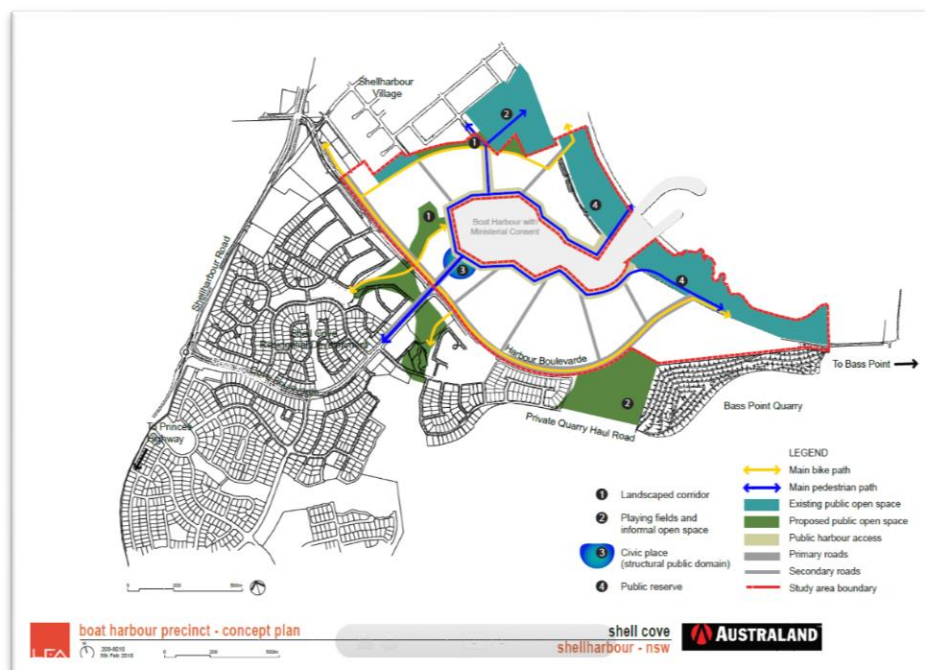


Figure 4 - Boat Harbour Precinct Concept Plan (see EA)

The development of the Concept Plan will provide significant benefits to the community, including:

- a range of housing types in a coastal environment complemented by commercial, retail and employment uses;
- employment opportunities for around 2,800 people;
- a commercial/retail hub to support the wider Shell Cove project;
- land-based service and facilities to support the approved marina; and
- public access around the marina with pedestrian links to the existing Shellharbour village.

The Boat Harbour Precinct masterplan adopts the following design principles:

- Locate the town centre at the eastern end of Cove Boulevard to create a prominent junction and entry vista.
- Provide a hotel site within the town centre.
- Provide two commercial precincts to accommodate different focuses - a main precinct comprising the town centre and a potential secondary precinct closer to the beachfront.
- Maintain view corridors to the ocean from the town centre and residential precincts.

- Provide public access to the boat harbour perimeter.
- Provide wetlands which take into consideration water movement across the site.
- Provide vehicular entry to the precinct from nearby Shellharbour via Harbour Boulevard.
- Maintain northern connection to Shellharbour Village.
- Reinforce Boolwarro Parade as a built edge.
- Restrict land use near to the Bass Point Quarry to non-residential and locate the Business Park here.

The Concept Plan requires there to be an emphasis on creating a highly pedestrianised space, a strong urban character and enhancement of views to the water and marine activity in the Boat Harbour.

The indicative town centre in the Concept Plan is shown in Figure 5 below. Main Street (see EA Fig. 4.12, pp 59) will be the main focus of commercial activity in the BHP town centre and within Shell Cove.

Main Street will have long views to the Boat Harbour and urban design guidelines will assist in establishing the framework for a vibrant public realm.



Figure 5 - Town Centre Concept Diagram (see EA Fig. 4.12, pp 59)

The Concept Plan designates that the Main Street character will be that of a pedestrian friendly space with narrowed road carriageway and generous footpaths to support pedestrian access, mature street tree planting and alfresco dining areas.

Restaurants and cafes within Main Street will be located on the southern side of the street with built form structured to permit solar access. Street furniture and planting will be suitable for creating sheltered outdoor eating/drinking spaces.

Main Street artist's impression (see Figure 6 below) illustrates the indicative design of Main Street, which gives primary emphasis to pedestrians and secondary emphasis to vehicle activity.

Main Street is planned to accommodate a target vehicle speed of 20kph (designated at 40kph) with one transit lane in each direction and parallel on-street parking. Integrated street furniture is utilised to emphasise the character of Main Street and support its role as the main public thoroughfare of the town centre.



The Concept Plan shows that the footpath on the southern side (where afternoon solar access is available) should be wider (approximately 5.0m) to support alfresco dining without compromising pedestrian accessibility and should enable 'spill out' spaces from cafes/restaurants.



It is intended that commercial and professional uses will be generally located on the first floor of Main Street buildings with potential for residential uses on the second and third floors of buildings.

The mixed use nature of the buildings will enhance activity levels, visual surveillance of the public realm as well as support the economic viability of town centre businesses.

The Concept Plan indicates that the proposed building heights on Main Street will be generally no higher than 3 storeys (with a third storey setback) on the northern side of the road and up to 4 storeys on the southern side (as shown in Figure 7 below).

3.3 Development Consent History

The following development consents have been granted and development applications lodged within the project area:

Table 2 - Consent History

JRPP No.	Consent No.	Determined	Description
N/A	DA95/133	26/11/1996	Boat Harbour and 350 Berth Marina
N/A	DA12/2011	02/12/2011	Shell Cove Stage 9 (40 lots) and extension of Cove Boulevard to Harbour Boulevard and construction of Harbour Boulevard between Brigantine Drive and Shallows Drive &
2013STH027	DA411/2013	3/11/2014	Precinct B1 & C1 - 88 residential lots, 14 super-lots, parkland, open space links, local streets and laneways, to be carried out in four stages
2015STH026	DA651/2015	12/01/2016	23 dwellings & 23 lot Torrens title subdivision on proposed lots 97 & 88 (Precinct B1)
2016STH009	DA0032/2016	10/10/2015	Construction of 40 Townhouses with Garages and Landscape Works and 40 Lot Torrens Subdivision (Precinct B1)
2016STH015	DA0100/2016	10/10/2015	Construction of 24 Townhouses with Garages and Landscape Works and 24 Lot Torrens Subdivision (Precinct C1)
2016STH007**	DA12/2016**	Under Assessment	Retail Component of Shell Cove Boat Harbour Precinct Comprising of Supermarket, Liquor Tenancy, Specialty Stores, Retail Plaza, Carpark & Signage
N/A	DA143/2016	Under Assessment	Subdivision to Create Three Lots (Lots 2,3 & 4), Three Residual Lots (Lots 5,6 & 7), Create Public Roads 10, 11 and 12 & Construction of Landscape and Public Square
N/A	DA444/2016	Under Assessment	Precinct E – Bulk Earthworks

N.B. ** - Denotes subject DA

3.4 Development Application Chronology

1. Development Application No. 0012/2016 lodged on 12/01/2016
2. DA advertising / notification period from 12 February to 14 March 2016 (21 days)
3. Request additional information letter sent 14 March 2016
4. JRPP site inspection and preliminary briefing on 17 March 2016
5. Applicant submitted additional information on 19 June 2016
6. Applicant submitted an updated Flood Study on 26 September 2016
7. Applicant submitted a Civil Design Statement on 4 October 2016

8. DPI-Water advice response received on 20 October 2016
9. Applicant submitted amended flood wall plans on 25 October 2016
10. Applicant submitted amended site plans on 4 November 2016
11. Applicant submitted amended landscape plans on 17 November 2016
12. RMS final response received on 22 November 2016

3.5 Development Application Documents

The application comprises the following documentation:

- Architectural Drawings – HDR Rice Daubney dated 15 December 2016
- Revised Architectural Drawings – HDR Rice Daubney dated 3 November 2016
- Architectural Statement – HDR Rice Daubney undated
- Statement of Environmental Effect – JBA dated December 2015
- Landscape Drawings – GSA – dated 17 November 2016
- Civil Design Statement by Henry & Hymas dated 30 September 2016
- Civil Engineering Works Plans – Henry & Hymas dated 29 July 2016
- Flood Assessment – Worley Parsons dated 27th October 2016
- Stormwater and Water Cycle Management Plan - Worley Parsons dated 8 July 2016
- Traffic Issues letter – Hallam & Associates dated 7 April 2016
- Traffic and Parking Assessment Report – Christopher Hallam– dated 21 December 2015
- Letter from Premier Transport Group - Bus Route dated 5 April 2016
- BCA Report prepared – McKenzie Group dated 17 December 2015
- Disability Access Review – McKenzie Group dated 30 November 2015
- Noise Assessment of Supermarket – Wilkinson Murray dated April 2016
- Crime Prevention Through Environmental Design Report – JBA dated December 2015
- Waste Management Plan – Wasteless Consulting dated 30 November 2015
- Targeted Site Investigation – Douglas Partners dated February 2016
- Pedestrian Network Plan – HDR Rice Daubney dated 15 April 2016
- Services Infrastructure Report – ADP Consulting Pty Ltd – dated 2 December 2015

4 SURROUNDING LAND AND SITE CONTEXT

4.1 Strategic Context

The BHP is identified as key employment land in the Illawarra Regional Strategy (IRS) with opportunities for conference, events and accommodation to strengthen growth in tourism. The Illawarra Urban Development Program (IUDP) underpins the IRS and provides a framework to manage and co-ordinate new housing.

In accordance with the IUDP, a total of 845 dwellings are expected around the future marina at Shell Cove. The development of the BHP is important in achieving the employment and housing targets for the Illawarra Region. The project also satisfies a key priority in the NSW Government State Plan (2010) by supporting business investment and jobs.

Since the Minister's 1996 approval, Council commissioned a range of further studies and investigations to support the detailed design of the boat harbour/marina complex. This resulted in a number of changes to the design of the complex. The consent has been acted upon with works on the boat harbour/marina well commenced, including the compensatory wetlands at Myanbar that were completed and opened by on 4 August 2006.

The construction of the boat harbour is expected to be connected to the ocean towards the end of 2018.

The larger development proposal by Council and Frasers (formerly Australand) for the wider Shell Cove area comprises a residential estate and golf course. The residential component comprises ten staged releases of residential lots. The last of these stages, known as Stage 10, was registered in February 2015.

4.2 The Locality

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

The Concept Plan site:

- has an area of 100ha and extends inland from Shellharbour South Beach which forms the eastern boundary.
- is generally low lying and partly swampy and is behind a coastal dune system which runs parallel to the ocean frontage.
- is generally below RL 5m Australian Height Datum (AHD) except for the southern elevated portion which is at RL 28m AHD.

The land slopes towards the approved boat harbour which has an elevation approximate to sea level.

The land to the west comprises the balance of the Shell Cove project, and is primarily residential.

To the south of the site is Bass Point Quarry which produces up to 6,000 tonnes of basalt daily. Basalt is shipped and trucked (along the private quarry haul road) to Blackwattle Bay, Sydney.

To the east of the quarry is Bass Point Reserve and the adjacent Bushrangers Bay Aquatic Reserve.

Further south is Killalea State Park, a Crown reserve covering an area of about 265 ha.

The eastern boundary of the site is formed by Shellharbour South Beach. To the north is the Shellharbour village and surrounding residential development.

The development site sits behind the approved boat harbour and marina where construction has commenced. The BHP will provide supporting land based facilities for the marina and a range of residential and employment uses as part of the wider Shell Cove project.



Figure 8 - Aerial Photograph – Construction of Boat Harbour Precinct



Figure 9 - Oblique Aerial Photograph (BHP) – View North



Figure 10 -Oblique Aerial Photograph (BHP) – View South – Precinct D

4.3 Existing Site Features

The site is vacant land. Photographs of the site are at Attachment 4 to the report.

4.4 Site Description

The development site is:

- Lot 1279 DP 1175512 The Farm Way,
- Lot 8032 DP1072187 Boolwarroo Parade, and
- Lot 1597 DP 1194294 Cove Boulevard, Shell Cove.

The site is located in the centre of the new master planned area as well as to the developing boat harbour precinct, with the existing estate of Shell Cove to the west.

The site in relation to the cadastral boundaries of the lots is shown below:

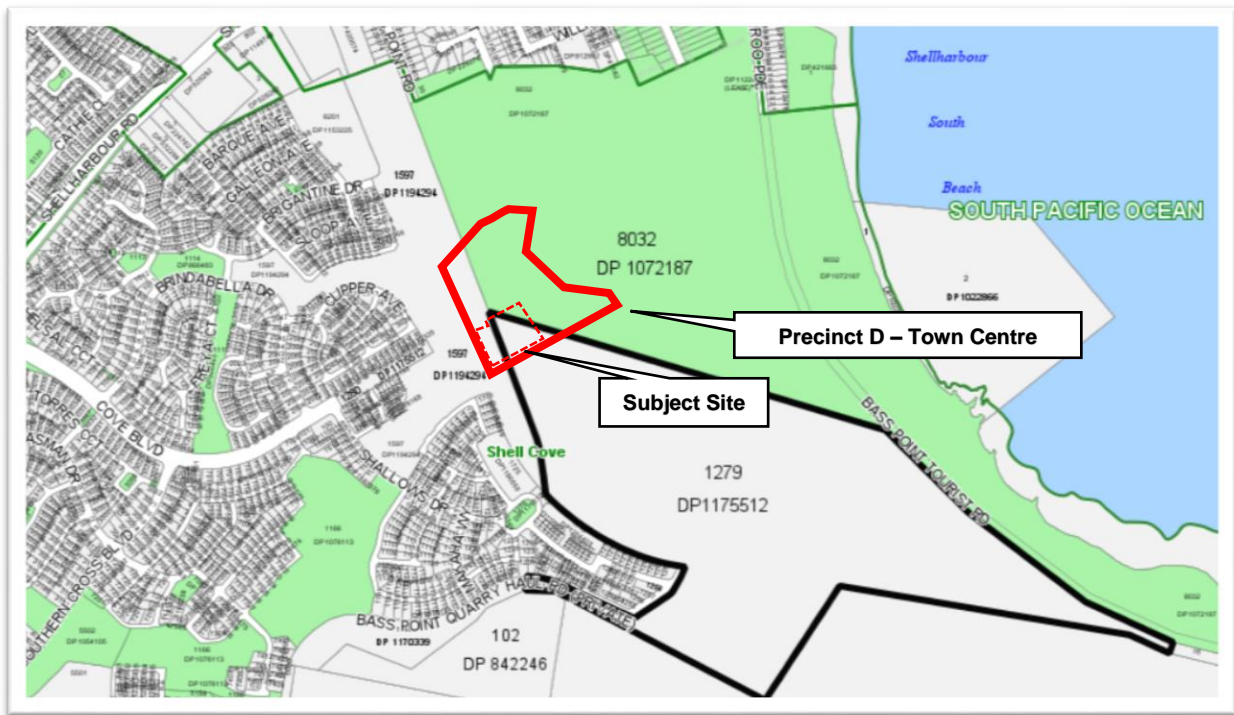


Figure 11 - GIS Cadastre Plan

The location of parent lot boundaries over-laid on the development site are shown below:

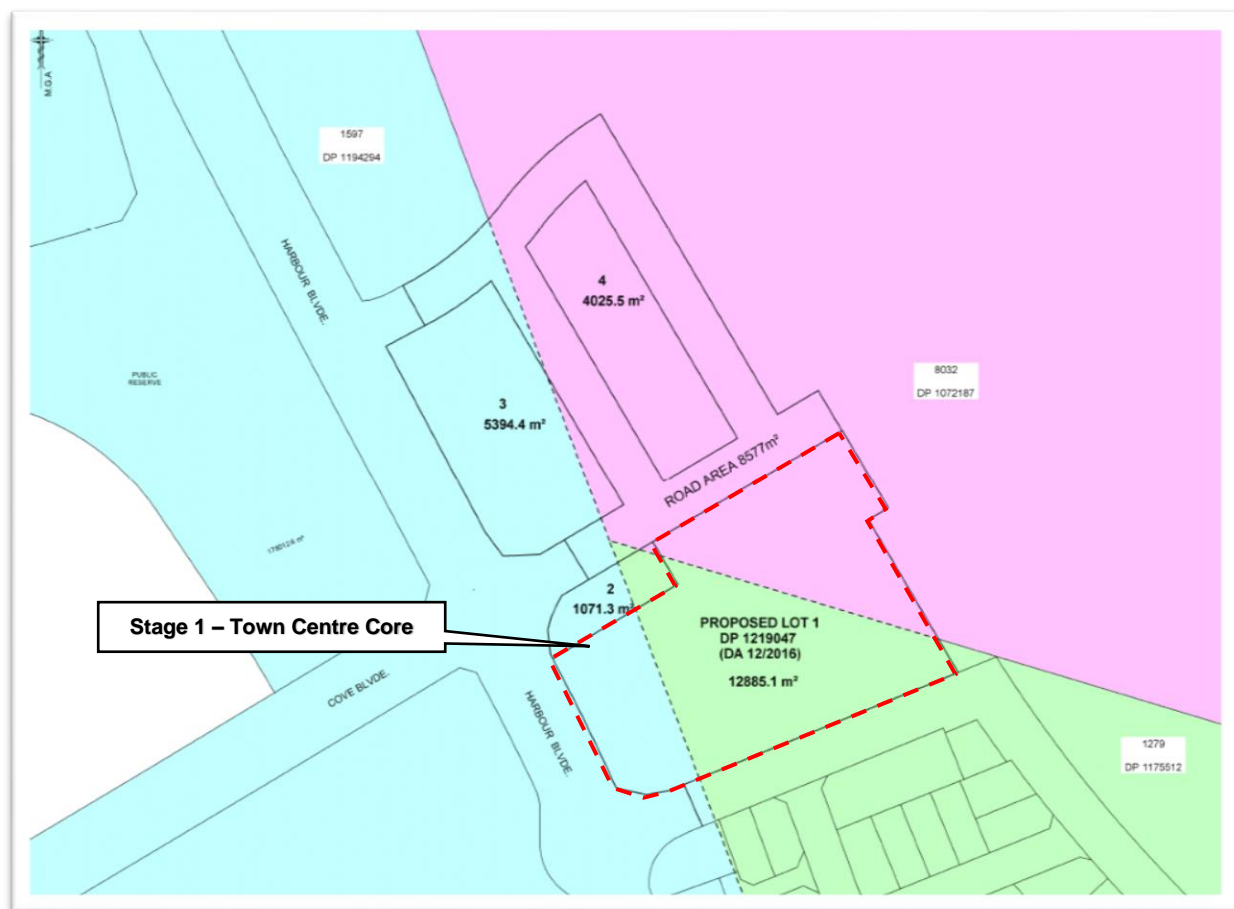


Figure 12 - Parent Lots overlaid on development site

The location of Precinct B1 and C1 and the development site is shown below:

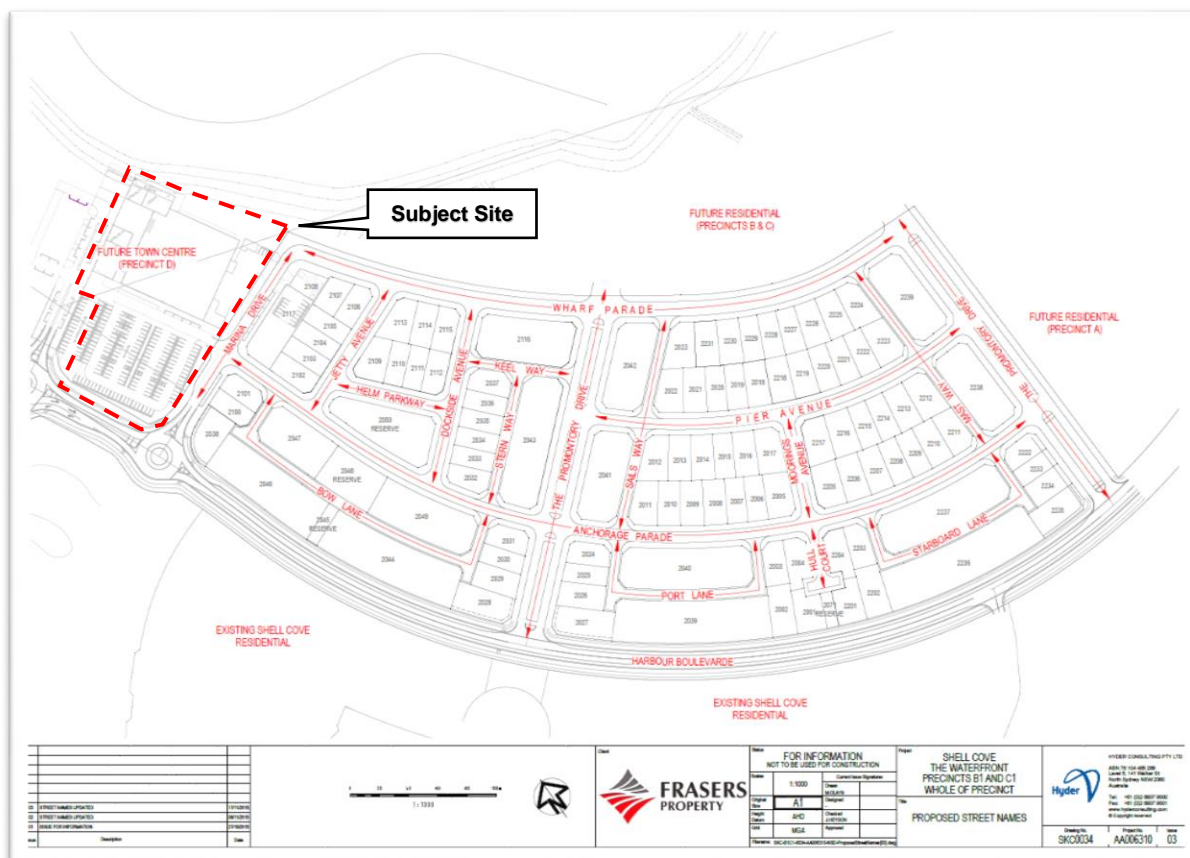


Figure 13 – Residential Subdivision Precinct B1 and C1

The location of boundaries of the future subdivision of the development site is shown below:

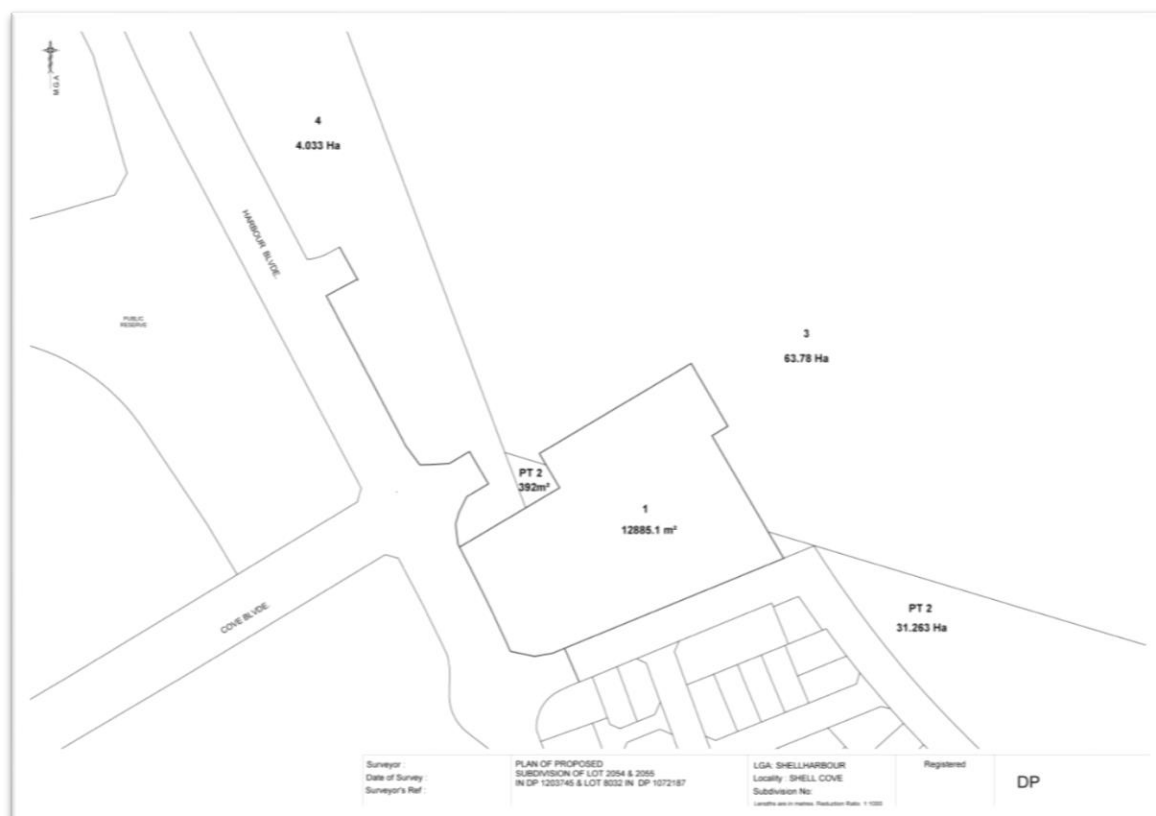


Figure 14 – Future Subdivision Layout (approved by DA411/2013)

The location of boundaries of Precinct D and the development site is shown below:

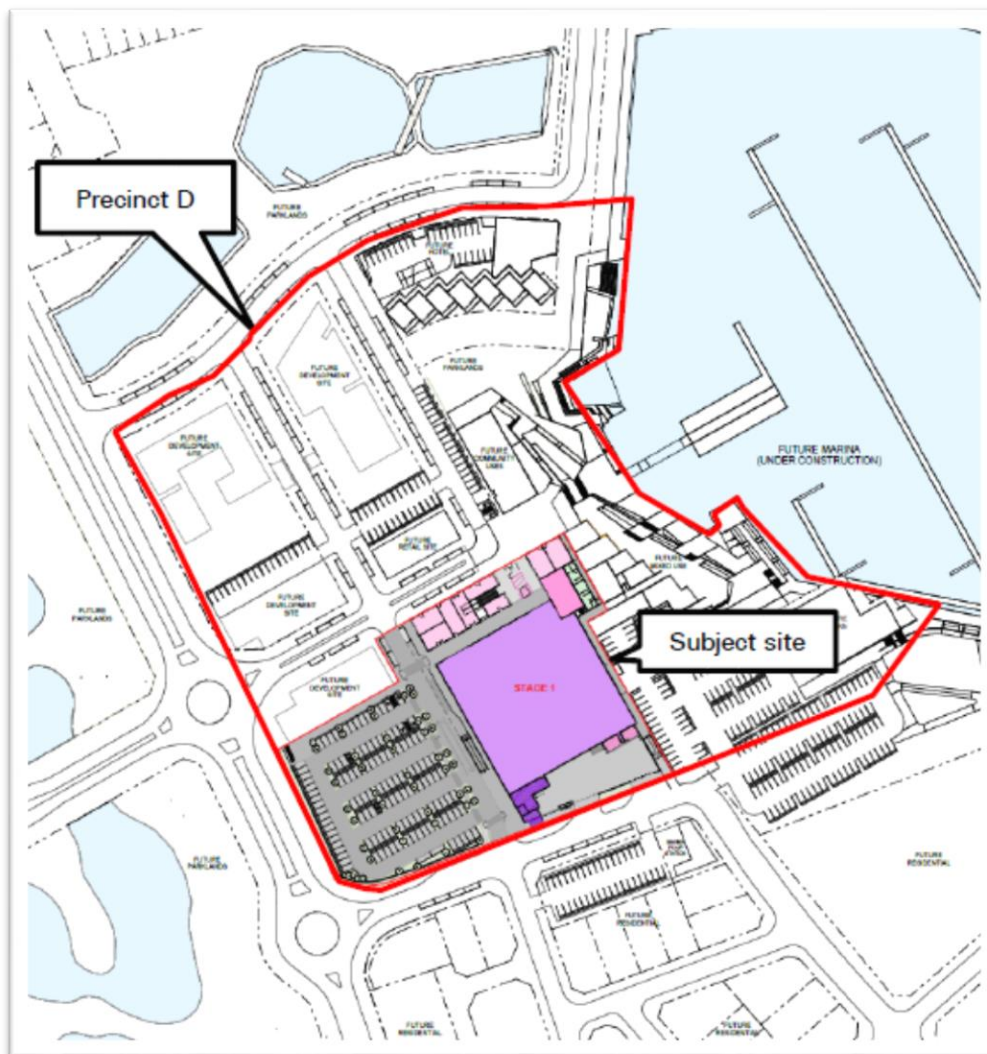


Figure 15 - Precinct D and Subject Site

5 THE PROPOSED DEVELOPMENT

The proposal is seeking consent for the fit out and use of the supermarket. The proposal will accommodate a large anchor supermarket which will support the functionality of the retail centre and serve the needs of the Shell Cove BHP and broader Shellharbour community.

The retail shops in front of the supermarket building will be separated from the supermarket with about a 6.3 metre wide covered pedestrian walkway (retail plaza).

A liquor tenant and 9 specialty tenancies ranging from 48m² to 96m² including one retail kiosk are proposed.

These tenancies will provide space for smaller retail and commercial premises, including cafés and a kiosk that will activate the retail plaza and the central pedestrian mall.

This DA seeks approval for construction of 4,623m² of retail floor space comprising:

- Supermarket: 3,670m²
- Liquor Tenancy: 200m²
- Specialty Tenancies: 753m² (8 tenancies and 1 kiosk)

The retail component of the development includes two groups of buildings set around a retail plaza.

The following table provides a numerical breakdown of the proposal in relation to lot size, gross floor area, number of storeys, parking, landscaped area, site coverage and parking.

Table 3 - Development Metrics

Component	Control	Proposal	Complies
Site area	-	13810 m ²	✓
GFA	22,000m ²	4,623 m ²	✓
Maximum Height	4 storeys	1 storey	✓
FSR	1.5:1 SLEP 2013	0.33:1	✓
Height of Building	15m SLEP 2013	12.5m	✓
Characterisation	MP07_0027 B2 Zone SLEP 2013	Retail	✓
Specially Tenancy Areas	-	753 m ²	✓
Liquor Tenancy	-	200 m ²	
Total Retail	7090 m ²	953 m ²	
Supermarket Tenancy	3,500 m ²	3670 m ²	Minor Variation
Car spaces – Retail	DCP 2013 1/20 m ² GFA requires 211 cars	Total cars 256 Basement 132 spaces Grade 124 spaces Surplus 45 cars	✓
Motorcycle Spaces	1/25 cars excl. 1 st 25 = 7	7	✓
Bicycle Spaces	1/25 cars excl. 1 st 25 = 7	42	✓
Landscape Area	-	#	✓
Site Coverage	-	#	✓

5.1 Subdivision

The development is sited on land that has not yet been subdivided in accordance with the concept approval.

The subdivision of the surrounding site is part of the Development Application No. 143/2015 to create the structure of the town centre proposing main street, and the connecting side streets known as Roads 11 and 12 is shown below:

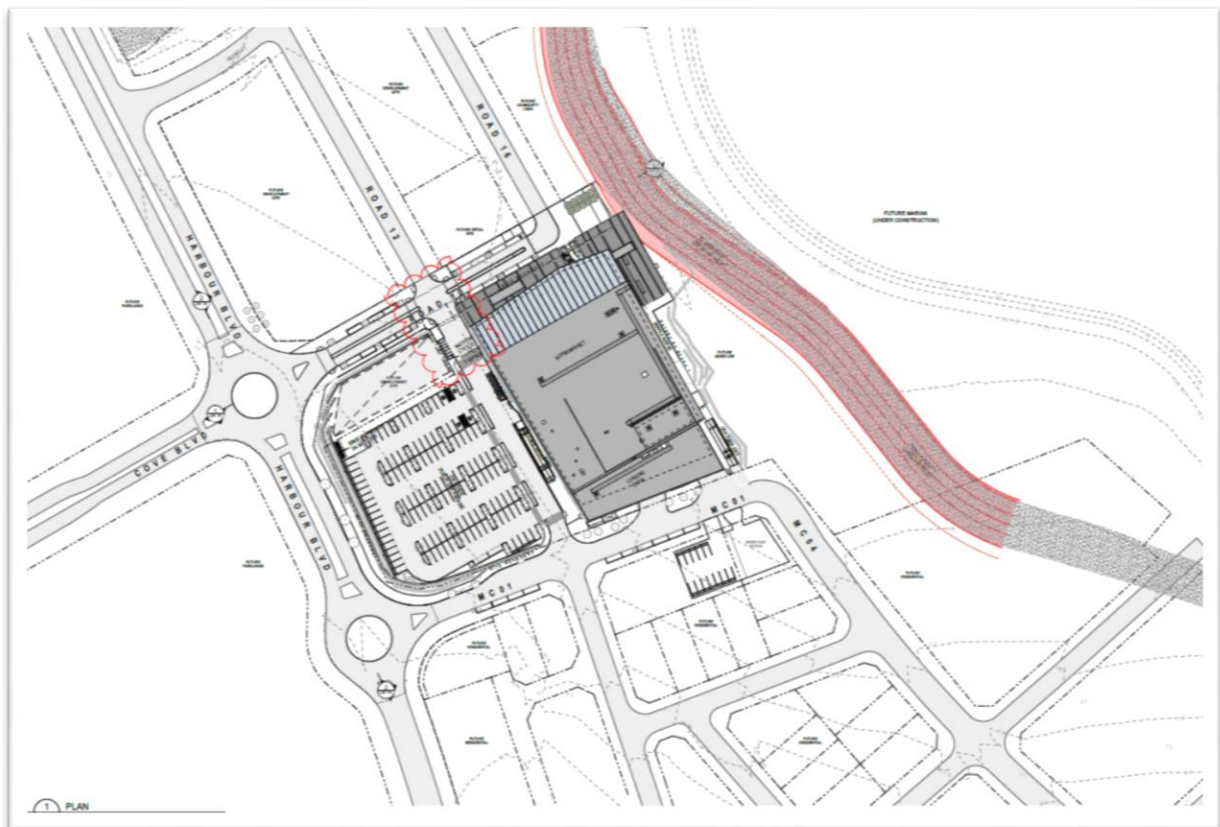


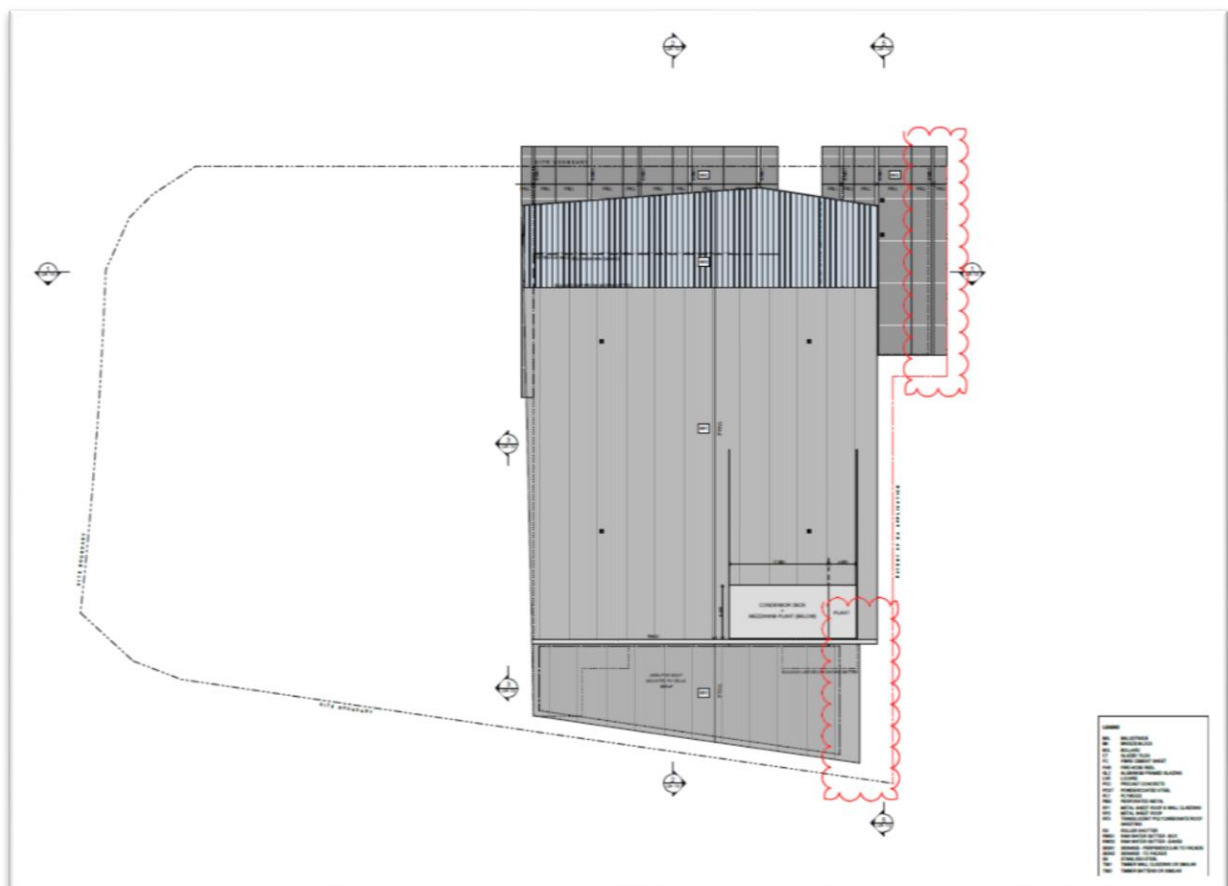
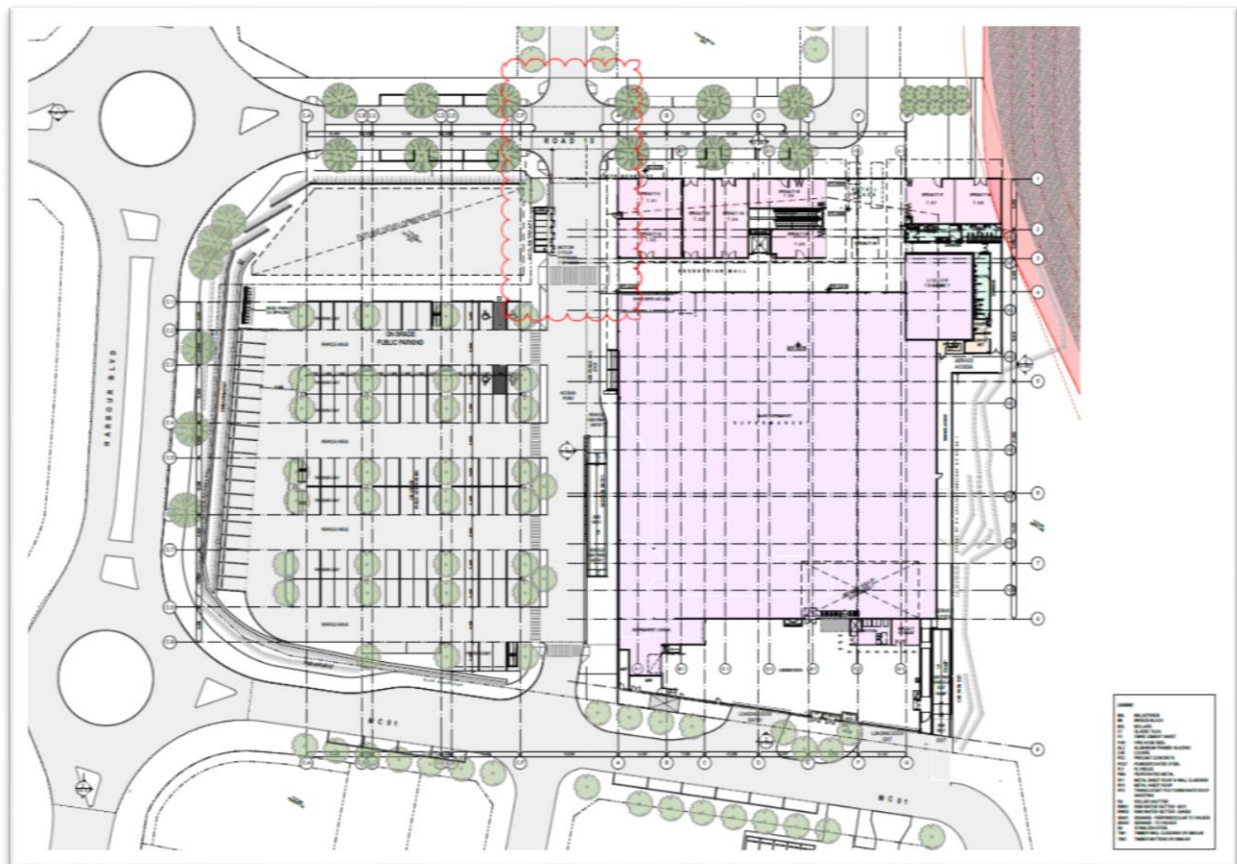
Figure 16 - Subdivision Layout

5.2 Tree Removal

There is no tree clearing proposed.

5.3 Siting

The project is sited as shown below in Figure 17.



5.4 Built Form

5.4.1 Design Theme

5.4.1.1 Built Form

Stage 1 is proposed to play a critical role in creating an inspiring and memorable heart for the Shell Cove community, setting a contemporary costal narrative for the whole of the town centre and Waterfront precinct.

The greenfield development of Shell Cove town centre means the development does not have a traditional front and back, it will be visible and accessible on all sides. As a result, a high quality of architectural design of each façades is proposed to ensure the form fulfils the necessary functional needs of a retail centre.

The primary tenant for Stage 1 will be a supermarket with loading and parking requirements.

The design 'wraps' the Supermarket box with a folded roof to wall to screen facade which allows the loading dock, bus stop and basement entry point to be integrated into the building fabric.

This folded technique has also been used to conceal roof top areas required for condenser deck & plant, incorporating this element into the overall architecture.

5.4.1.2 Public Domain

A weather protected mall links the on-grade carpark through to the main entry to the supermarket, providing safe and convenient access for pedestrians and a separation of scale between buildings, which will link pedestrians seamlessly onto the waterfront area of the town centre.

The retail plaza will be the main focal point of the Stage 1 development.

The space brings together visitors arriving by the traveller from the basement carpark, those entering via the pedestrian link and shoppers exiting the supermarket.

This pedestrian thoroughfare is proposed to be activated with café tenancies, fixed seating elements and a kiosk for casual dining.

This space will be light and open, but weather protected thanks to the translucent high level roof of the Supermarket above and will connect Stage 1 to the Waterfront Plaza (subject to separate DA) and future community uses to the north.

5.4.1.3 Material Palette

The material palette has been carefully considered to compliment the site's costal context in a contemporary manner. The contrast of cool metal sheeting with warm timber façades breaks down the mass of the larger building elements, blurring the line between roof and wall and screen.

The exposed structural frame to specialty tenancy shopfronts provides a silhouette to infill materials which further divides the façade into a finer and more engaging mix of glazing and solid components.

Smaller specialty tenancies and cafes front Main Street to the north, separated from the supermarket by a weather protected pedestrian mall.

The architecture of these specialty tenancies bring the height of the building back to a village scale, the folded roof form breaking up the length of tenancies to help articulate a finer grain.

This roof form extends out over the footpath to act as an awning and also allows any required plant area to be concealed in the higher spaces.

5.4.2 Building Typologies

There has been special consideration made to the western façade of the supermarket to ensure an element of shopfront glazing into the fresh food section of the tenancy to provide visual connection and interest for visitors approaching from Harbour Boulevard and pedestrians entering from the on-grade carpark.

5.4.2.1 Supermarket and Specialty Shops

The supermarket building has been designed to be visually uplifting through materials, roof forms, and building articulation. The application proposal a retail building that will have a distinct identity when viewed from the public domain.



Figure 19 - North Elevation



Figure 20 - West Elevation (detail)



Figure 21 - West Elevation

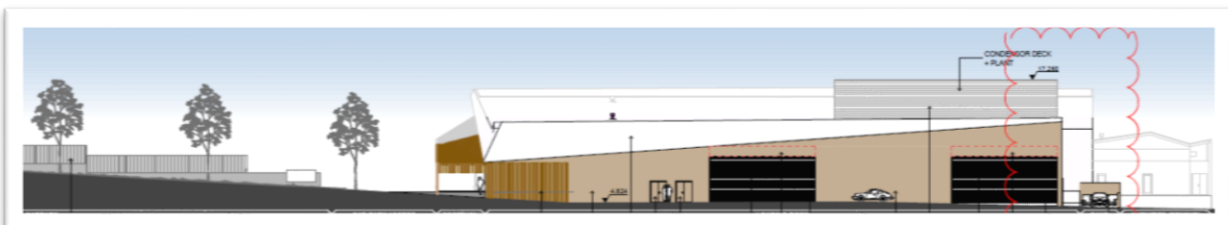


Figure 22 - South Elevation

5.4.3 Materials and Finishes

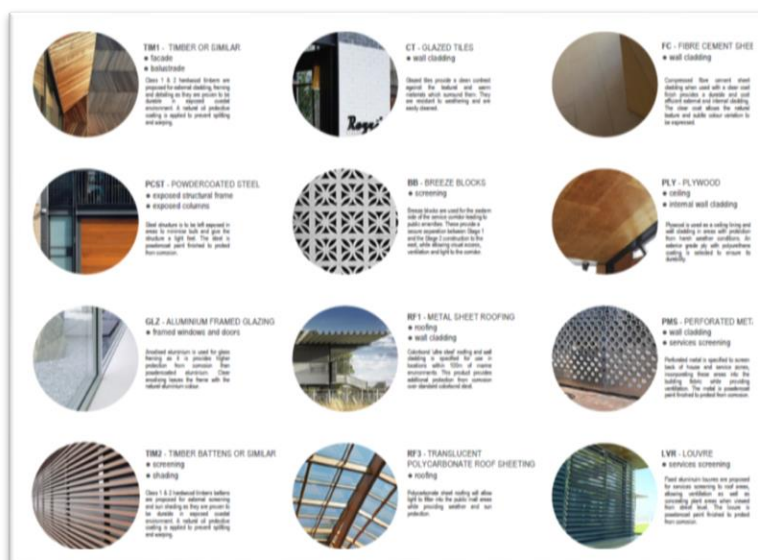


Figure 23 - Materials and Finishes Palette

In accordance with the Concept Plan and the Urban Design Guidelines – Commercial Precinct the proposed materials and finishes are of lightweight construction and reflect a coastal pallet, with muted and natural tones and natural finishes, to ensure the proposed development is sympathetic with its environment. Streetscape and External Colour details are shown in Figure 23.

5.5 Utility Services

Infrastructure and services including potable water, electricity, telecommunications and will be connected to the development.

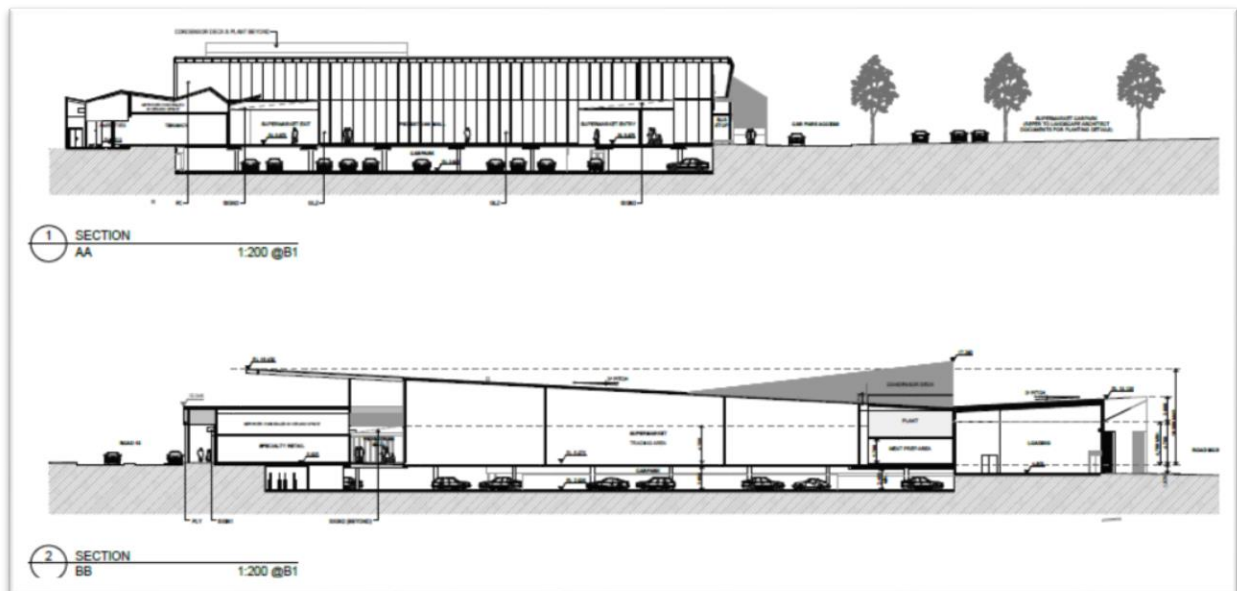


Figure 24 - Sections

5.6 Stormwater Management

The proposed commercial development has been designed in accordance with the adopted water cycle master plan for Shell Cove, and proposes that stormwater will either drain directly to the roads (existing and proposed) or via collective drainage easements. All stormwater will ultimately drain into the overall integrated stormwater management system.

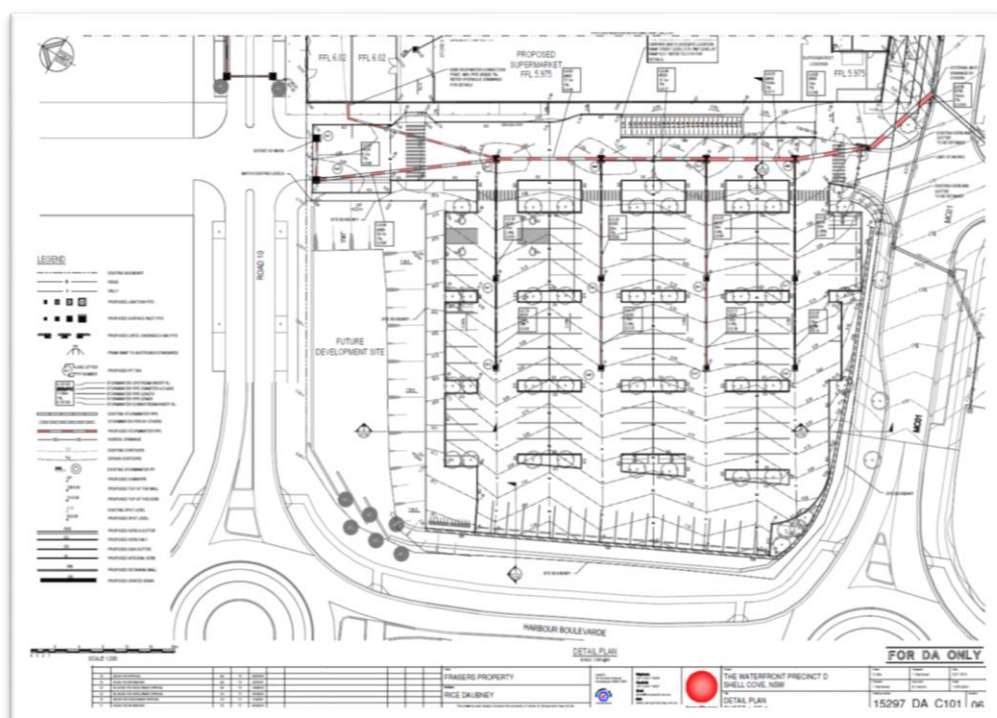


Figure 25 - Stormwater Concept Plan

As per the stormwater management plan approved in DA 411/2013 there will be a water sensitive urban design strategy to achieve stormwater quality targets of the overall Shell Cove development. These targets include reducing post development pollutant to equal to and below pre development loads, in addition to water quality targets identified in the Concept Plan.

Drainage is proposed to the newly constructed pits in the stormwater network on road MC01 which has capacity for the development.

5.7 Hours of Operation

The following hours of operation are sought for the retail component of the development:

- Retail Centre Hours (including Supermarket): 24 hours 7 days a week; and
- Loading Dock Hours: 7am to 10pm 7 days a week.

5.8 Waste Management

A Waste Management Plan was prepared to ensure the appropriate management of waste during the construction and operational phases of the proposed development in relation to DA 12/2016. The construction and waste management of the subject DA can be conditioned to ensure appropriate compliance with waste management standards.

5.9 Signage

This DA seeks approval for signage zones for the supermarket facades and the specialty retail tenancies as follows:

- One business identification wall sign (2m high x 2m long or 4m²) on the west elevation of the supermarket
- One directional wall sign (1.8m high x 4m long or 7.2m²) for the access to the basement on the west elevation of the supermarket
- Two walls signs (each 1m high x 10.6m long or 10.6m²) on the south elevation of the supermarket over the loading docks with a combined total area of 21.2m²
- Two community notice board signs (each 1.2m high x 1.8m long or 2.2m²) on the north elevation of the specialty shops with a combined total area of 4.4m²
- Six business identification projecting walls signs (each 0.5m high x 0.8m long or 0.4m²) with a combined total area of 2.4m²

The proposal does not specify whether the signage is illuminated, either internally or externally, and does not provide any detail of the advertising content of each sign.

5.10 Solar Access

The proposal does not cast shadow onto adjoining residential receivers to the south in Precinct B1, with all shadows falling onto the proposed on grade carpark and surrounding public road network.

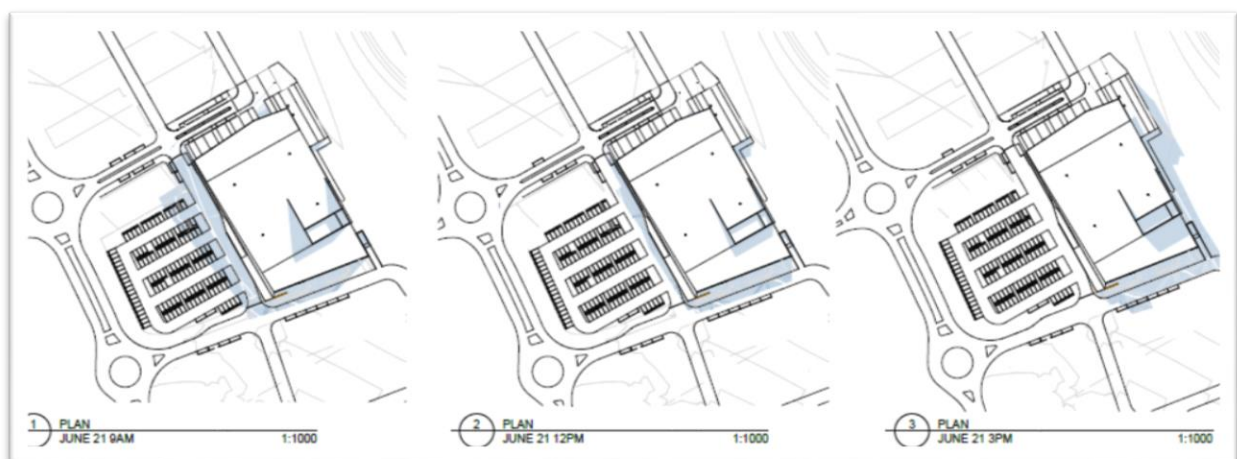


Figure 26 - Solar Access Performance Plan

5.11 Parking and Access

Road 10 (Main Street) provides access from the east and west and Road MC01 from the south to the ground level parking area as shown in Figure 27.

Vehicles accessing the basement carpark will ingress via a ramp from the on grade car park and egress via a ramp to Road MC01.

A fully enclosed loading dock is proposed at the southern end of the supermarket building and will provide two docks for the supermarket, plus a dock for smaller vehicles servicing the specialty shops. Adequate space has been provided for the manoeuvring of service vehicles.

5.11.1.1 Parking

The parking arrangements are proposed as shown in the table below:

Table 4 – Parking Table

Component	Control	Proposal	Complies
Car spaces – Retail	DCP 2013 1/20 m ² GFA requires 211 cars	Total cars 256 Basement 132 spaces Grade 124 spaces Surplus 45 cars	✓
Motorcycle Spaces	1/25 cars excl. 1 st 25 = 7	7	✓
Bicycle Spaces	1/25 cars excl. 1 st 25 = 7	42	✓

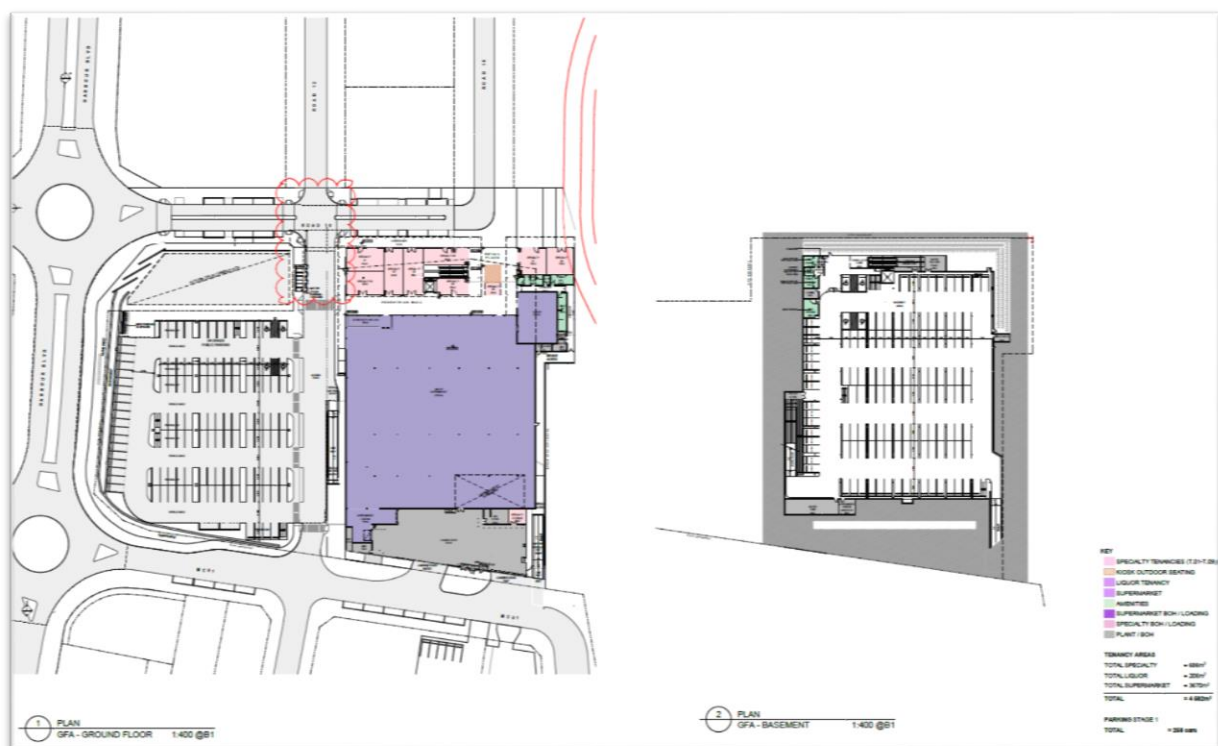


Figure 27 - Parking Layout

5.11.1.2 Basement Ramps

Locating the basement exit on the bend provides good visibility to the south along MC04 and to the west along MC01.

A scaled long section of the proposed basement driveway has been submitted under separate cover (Drawing DA13, Issue C). The driveways have transition sections of 1:12 and a centre ramp gradient of 1:8. The gradients meet the requirements of the Shellharbour DCP and provide a more gradual transition than is required by AS/NZS2890.1-2004.

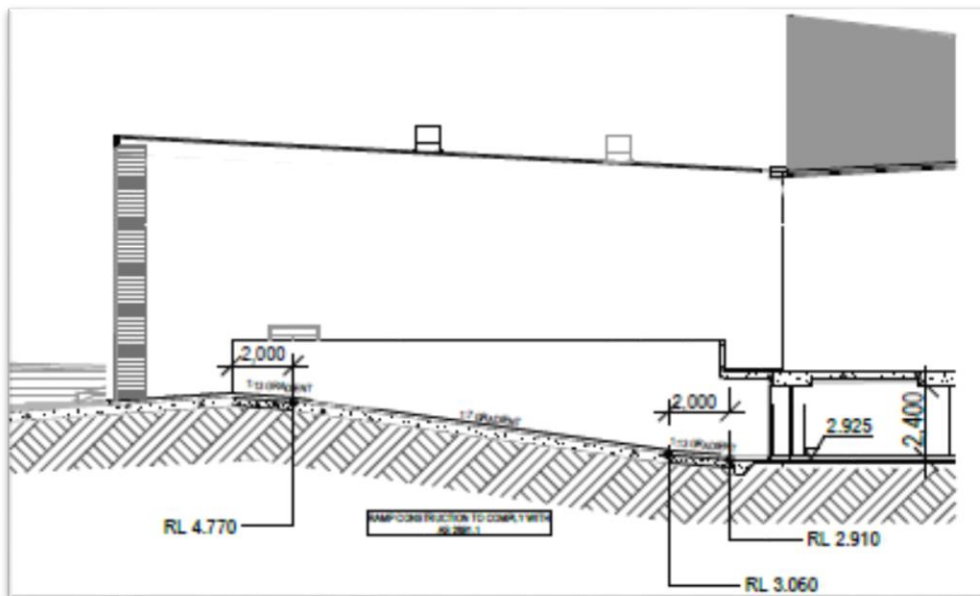


Figure 28 - Basement Ramp Section

A cross section of the proposed basement exist ramp is shown above.

5.11.1.3 Bus Route

The bus route is proposed to have a stop within the car park adjacent to the supermarket and within close proximity to the basement car park entry ramp.

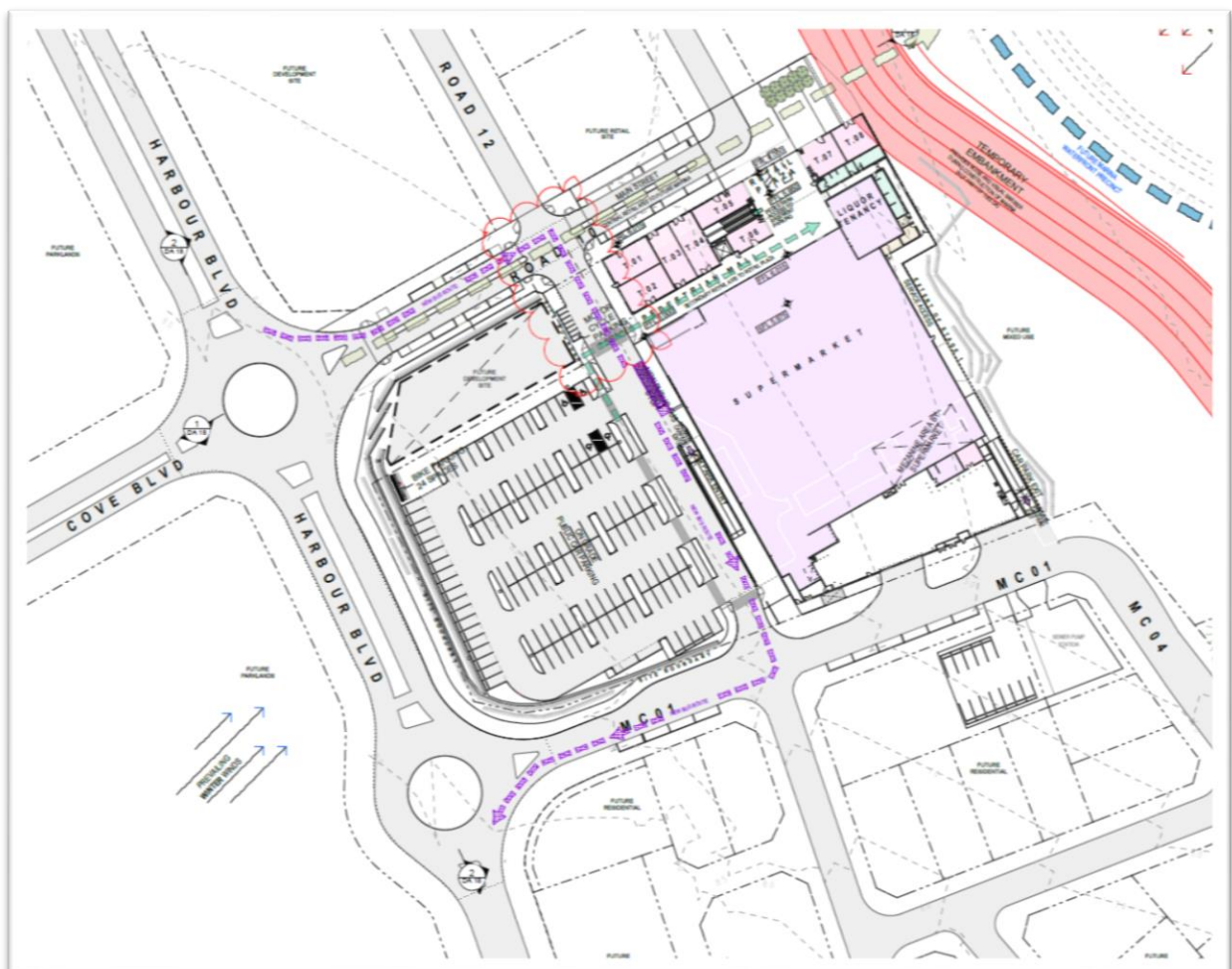


Figure 29 - New Bus Route

5.12 Landscape Treatment

Coastal themed private landscaping works are detailed in the landscape concept Harbour Boulevard section plan (see Figure 20).

Detailed plans prepared by the landscape architect are at Attachment 6. The plans outline the proposed vegetation design and structure to ensure a satisfactory landscape outcome is achieved.



Figure 30 - Landscape Concept Harbour Boulevard Section Plan

5.13 Amended Plans

Amended plans were submitted by the applicant to:

- realign the service corridors and public toilets to improve safety and amenity for users
- redesign of the horizontal geometry of the car park entry and Main Street profile to provide reasonable access for buses
- improve vehicle manoeuvring and road safety by removing three car spaces proposed on both sides of the car park entry from Main Street and providing motorcycle parking
- construct a flood barrier wall around the car park fronting Harbour Boulevard to reduce inundation during the Probable Maximum Flood

6 STATUTORY FRAMEWORK

This application has been assessed in accordance with Section 79C of the Act. The following comments are made with respect to the proposal:

6.1 Planning Controls

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

- Environmental Planning and Assessment Act Part 3 A Concept Approval No. MP07_0027
- State Environmental Planning Policy No 55 – Remediation of Land
- State Environmental Planning Policy 64 – Advertising Signage
- State Environmental Planning Policy 71 – Coastal Protection
- State Environmental Planning Policy (Infrastructure) 2007
- Shellharbour Local Environmental Plan 2013
- Shellharbour Development Control Plan 2013
- Shellharbour City Council Section 94 Contributions Plan 2013.
- Urban Design Guidelines – Precinct D

6.1.1 The Concept Plan Approval

The Environmental Planning and Assessment Act (the Act) includes provisions that apply to development for which a concept plan has been approved under Part 3A. Part 3A of the Act has since been repealed.

Clause 3B within Schedule 6A of the Act relates to the repeal of Part 3A, and includes the following relevant provisions that apply to the subject development:

- a. if Part 4 applies to the carrying out of the development, the development is taken to be development that may be carried out with development consent under Part 4 (despite anything to the contrary in an environmental planning instrument),*
- b. any development standard that is within the terms of the approval of the concept plan has effect*
- c. a consent authority must not grant consent under Part 4 for the development unless it is satisfied that the development is generally consistent with the terms of the approval of the concept plan*
- d. a consent authority may grant consent under Part 4 for the development without complying with any requirement under any environmental planning instrument relating to a master plan*
- e. the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the concept plan.*

In relation to these provisions the following considerations have been made:

- The retail land use is permissible in the B2 zone, and otherwise consistent with the Concept Plan.
- There are two development standards in the Concept Plan relevant to the development proposal (i.e. 2-4 storey building height, 22,000m² commercial gross floor area) which are not breached by the proposal.
- The assessment indicates that the proposal is generally consistent with the Terms of the Concept Approval. Refer to Section 6.1.2 and Attachment 2 for detailed comments and analysis regarding compliance.
- There are no requirements within SLEP 2013 that result in a non-compliance.

6.1.2 Terms of Approval (Schedule 2)

The *Terms of Approval* of the Concept Plan identified the following development standards:

- 22,000m² of retail space comprising specialty shops, food and drink premises, supermarket, hotel, and community development.
- 1238 dwellings with a total gross floor area of approximately 150,000m² comprising single dwellings, medium density and apartments
- 4 storey height of building standard

The *Terms of Approval* of the Concept Plan identified the following documents that must be generally complied with:

- The Environmental Assessment (EA) dated 26 February 2010 prepared by LFA (Pacific) Pty Ltd including Volumes 1 and 2 and Appendices A - P, and
- The Preferred Project Report (PPR) dated November 2010 prepared by LFA (Pacific) Pty Ltd including Appendices 1 and 2.

The Environmental Assessment contains the following plan showing the indicative dwelling and floor space yield on a precinct by precinct basis.

The following table is a summary of compliance with the development standards of the concept approval incorporating the developments proposed and approved:

Table 5 - Concept Plan Terms of Approval – Development Standards

Component	Concept Plan	Proposed	% Used
Commercial - GFA	22,000m ²	4,623m ²	21%
Business Park - GFA	30,000m ²	Nil	0%
Residential - GFA	150,000m ²	12,088m ²	8%
Dwellings	1238	176	14%

The following table is a summary of compliance with the indicative requirements of the concept approval, and on a precinct by precinct basis incorporating the approved developments and the proposal:

Table 6 - Concept Plan Terms of Approval – Indicative Requirements

Component	Concept Plan	Proposed	% Used
Precinct B – Residential	24,200m² GFA	6,301m² GFA	26%
Dwellings	Nil	27 dwelling lots + 40 units	93%
Medium Density Units	72 units		
No. of Apartments	148 units	Nil	0%
TOTAL	220 units	67	30%
Precinct C – Residential	32,280m² GFA	5787.7m² GFA	18%
Dwellings	62	62 dwelling lots	100%
Medium Density Units	80 units	47 units	59%
Apartments	112 units	Nil	0%
TOTAL	254	109	43%
Precinct D - Commercial	22,000 m² GFA	4,623m² GFA	21%
Retail/Commercial	7,930 m ²	4,623m ²	58%
Other (i.e. Hotel, Comm. Fac.)	7,020m ²	Nil	0%
TOTAL	14,950	4,623m²	31%
Residential (GFA)	17,710m ²	Nil	0%
Apartments	161	Nil	0%
TOTAL	161	Nil	0%

The following table is a summary of compliance with the indicative requirements of Precinct D and the proposal:

Table 7 - Concept Plan Terms of Approval - Precinct D

Precinct D	Concept Plan	Proposed	Consistency
Retail/Commercial	GFA	GFA	
Supermarket	3,500m ²	3670 m ²	Minor Variation
Retail	1,750m ²	953 m ²	✓
Professional	1,930m ²	Nil	✓
Commercial	750m ²	Nil	✓
Sub -Total	7930m²		
Other	GFA	GFA	
Community Facility.	650m ²	Nil	N/A
Tourist Retail (i.e. Tavern)	1,730m ²	Nil	N/A
Hotel	5,000m ²	Nil	N/A
Commercial	750m ²	Nil	N/A
Sub -Total	7020m²		
Apartments			
Apartments	161	Nil	N/A
GFA	17,710m²	Nil	N/A

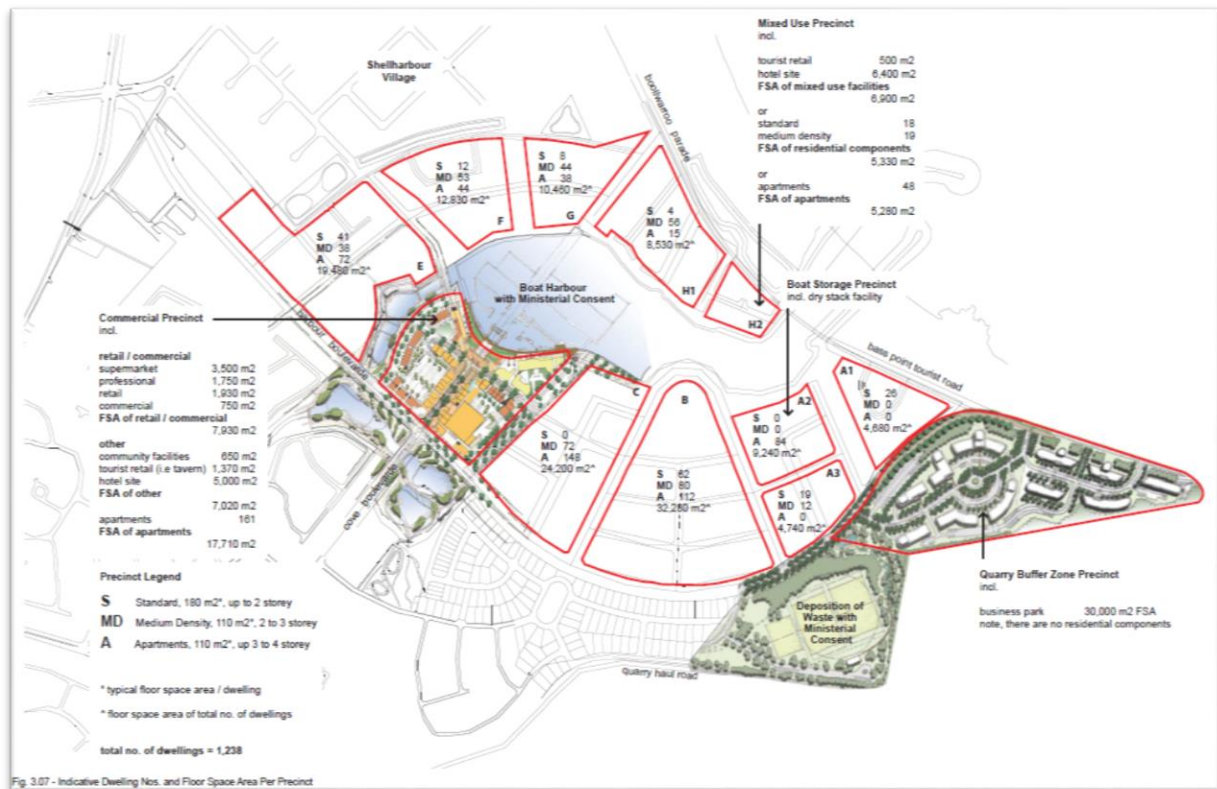


Figure 31 - Indicative Dwelling Numbers and Floor Space Per Precinct

Indicative commercial floor space and types were proposed in the Concept Plan documentation. In total 14,920 m² of commercial floor space is identified for Precinct D. The creation of 3670m² in the supermarket and 1930m² specialty shops is considered to be consistent with the Concept Plan in terms of establishing a commercial core at the centre of the precinct.

6.1.3 Further Environmental Assessment Requirements (Schedule 3)

The proposed development complies with the Further Environmental Assessment Requirements specific to the Commercial Precinct, including providing the Urban Design Guideline (UDG) - Commercial Precinct which outline the design of the town centre developments and establish the controls.

6.1.4 Urban Design Guidelines Commercial Precinct (UDGCP)

The Concept Approval requires the preparation of detailed urban design guidelines for each stage of the development. Guidelines have already been prepared for:

- the dwellings in precincts B1 and C1; and
- the medium density dwellings on the super-lots in precincts B1 and C1.

Urban Design Guidelines were lodged with DA No. 0012/2016 and form part of the current application (see Attachment 7).

The design guidelines include a staging plan as shown in Figure 32 below.

The stages are defined as follows:

1. Town Centre Core Stage
2. Residential Stage
3. Community Stage
4. Hotel Stage
5. Tavern Stage
6. Waterfront Stage.

The development proposal is located in Stage 1 of the development.

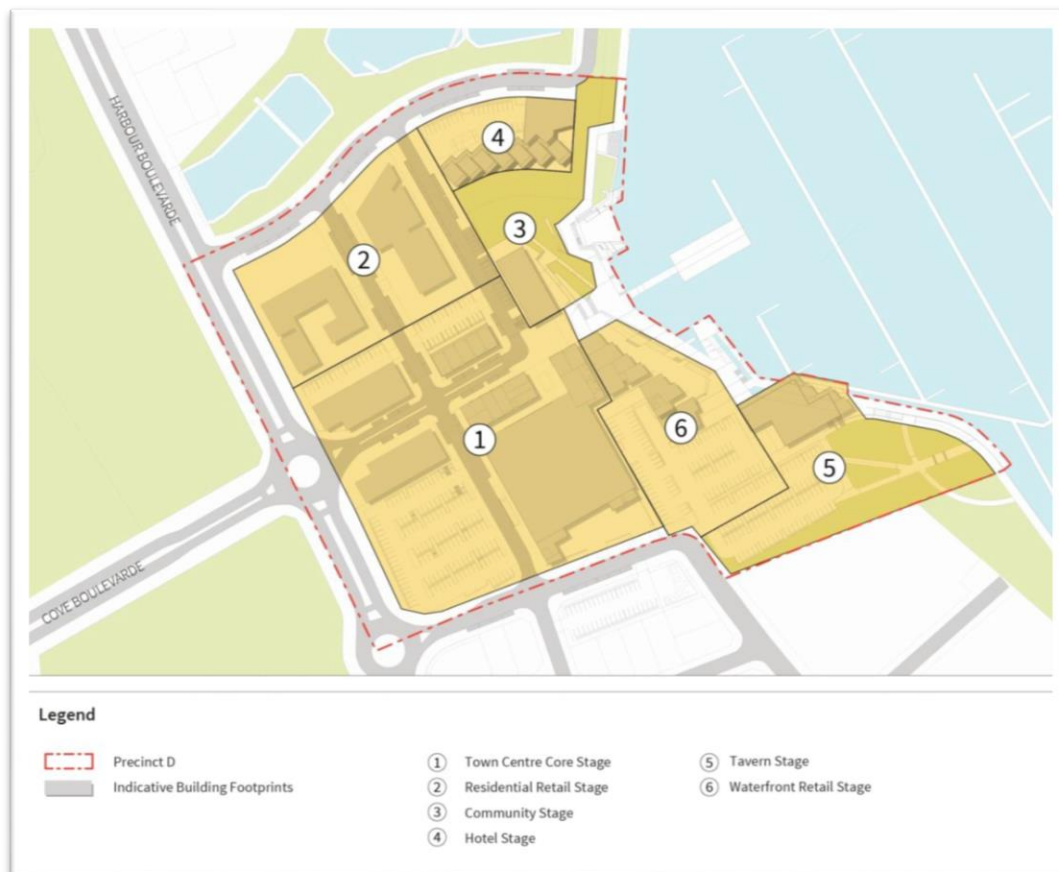


Figure 32 - Precinct D – Staging Plan

The UDG is compiled into 5 sections:

Part 1 – Introduction

Part 2 – Vision and Principles

Part 3 – Precincts

Part 4 – Key Elements and Urban Structure

Part 5 –Public Domain Guidelines

Part 6 – Built Form Guidelines

The intent of the UDG is to provide an overall assessment framework, similar to a Development Control Plan, but instead prepared to maintain consistency with the Concept Plan for the purpose of designing and assessing development proposals.

The applicant proposes to add the detailed provisions for each stage in Part 5 and 6 as detailed planning is completed.

To date, detailed planning has occurred for Stage 1 - Town Centre Core Stage, which includes the first retail stage and surrounding roads, infrastructure and public domain. Therefore, Part 5 and 6 of UDG has only been prepared for Stage 1.

The principle characteristics, key elements and structure (UDG Parts 2, 3 and 4) for the remaining Precinct D stages have been included to provide context.

The applicant proposes that as detailed planning is finalised for other stages within Precinct D, the guidelines will be updated accordingly.

The relevant design provisions required for subsequent stages must be developed, and a revised Urban Design Guideline will be required to be submitted with the first DA to be lodged in that stage in Precinct D.

6.1.4.1 Adequacy of the Precinct D - Urban Design Guidelines

The Concept Approval requires the preparation of urban design guidelines, prepared by a suitably qualified architect or urban designer, to establish design controls to achieve the following:

- architectural diversity within all stages which complements the site's coastal context,
- a variety of detailed designs which avoid monotones and repetition,
- demonstration of a mix of dwelling types and sizes for each residential precinct, including consideration of affordable and adaptable housing,
- building separation, setbacks, solar access, visual and acoustic privacy, view corridors and an adequate level of environmental amenity
- compliance with *Crime Prevention Through Environmental Design* (CPTED) principles,
- appropriate density, bulk, scale, textures and colours in relation to surrounding development, topography and streetscape,
- consistency with the *New South Wales Coastal Policy 1997* and *Coastal Design Guidelines New South Wales* in terms of visual impact, bulk, scale and amenity,
- buildings which address main avenues or boulevards and services by rear laneways/access ways to improve legibility and prevent gated communities.

Comment:

The design guidelines have been prepared JBA who employ appropriately qualified staff.

The authors of the UDG are considered to have reasonably considered the relevant design criteria as set out in the Concept Plan in establishing the fundamental principles and vision in Part 2 and basic structure plan in Part 3 showing the typical building footprints.

However, for Stage 1, urban design detail is lacking in relation to the distribution of density, bulk, scale, textures and colours for the development sites fronting east and west Main Street.

No information has been included in the UDG as to the way in which the two levels of residential apartments will be offset in the town centre that were envisaged by the Concept Plan to be sited where the shops and the retail plaza are proposed.

These apartments will need to be provided elsewhere in the precinct and still maintain compliance with the height controls.

The UDG is lacking in relation to identifying the target apartment and commercial floor space yields within the EA for the precinct. Further investigation of core land use target yields in the Concept Plan for Precinct D across of 6 stages should be carried out, with Part 3 of the UDG updated accordingly.

This work should be done to allow the DA consent authority and designers to ensure the development standards contained in the Concept Plan are not likely to be breached in the precinct, as well as allowing for informed consideration of matters such as the implications of the relocation of the 8 to 9 storey hotel from the south east corner of Precinct D to the north east corner as shown in Stage 4 within the UDG instead of Stage 5.

These changes may have implications for considerations such as the planned function of the road network, impacts on view corridors, solar access, streetscape context, servicing, waste management in a location master planned to be no more than 4 storeys.

In relation to surrounding development, topography and streetscape, sufficient information has been provided in the UDG to determine the subject DA, and considering the early stage of development in the precinct, it is highly unlikely that the project yields in the Concept Plan are thwarted by the proposal.

Further research and investigation must be done to update the UDG in relation to these matters before residential development is approved in Stage 1.

It should be noted that the UDG carries forward a number of design departures from the indicative layouts of town centre shown in the Concept Plan.

The design departures are proposed in the DA and require consideration to ensure the application remains generally consistent with the terms of approval of the Concept Plan.

This assessment therefore serves to address the significance of the refinements to the structure plan layout proposed in the both the UDG and subject application, along with the veracity of the UDG which has been submitted.

The assessment reveals the following inconsistencies with the indicative town centre plan layout:

- A. The removal of Road B and provision of a private access through the car park including the bus route
- B. The removal of the 5.0 metre wide verge in Main Street for the outdoor eating area with food and beverage focus at the marina waterfront
- C. The adjustment to the pedestrian focus from being in Main Street to the supermarket mall commencing from the retail DA car park
- D. The loss of street edge activation at Harbour Boulevard and replacement with on grade car parking
- E. The repositioning of the supermarket and its ground level car park and change to the building form and typology (2-4 storeys) along Main Street to in-part single storey at the core of the town centre

The applicant's justification for these departures and the requirements of the Concept Approval are addressed below:

Table 8 - Road B and access via supermarket car park

Variation	Concept Approval	Justification
A. Road B and access via supermarket car park		
<i>The Removal of Road B and provision of a private access through the car park for the bus route</i>	<p>The Concept Approval envisages Road B connecting Road A, Road C and Main Street.</p> <p>Regarding bus routes, the Environmental Assessment states that:</p> <p><i>In accordance with the Ministry for Transport Service Planning Guidelines, which set out the preferred coverage for public transport, 90% of households should be within 400metres of a bus route or rail station during commuter peaks and day times. During night time periods 90% of households should be within 800m of a bus route or rail station. To achieve these targets in Shell Cove provision will need to be made for future bus routes on Cove Boulevard, Southern Cross Boulevard, Harbour Boulevard and Brigantine Drive/Boollwarroo Parade... Refinement of the proposed public transport network will be undertaken in the next phases of design development.</i></p>	<p>The proposal predetermines the deletion of Road B and accommodates a bus stop adjacent to the entrance to the pedestrian mall in the supermarket car park.</p>

Comment:

The traffic model in the Concept Plan includes a relatively detailed representation of the Boat Harbour Precinct (based on the preliminary concept depicted in Figure 32).

It includes forecasts for all key streets in this precinct, including the eastern end of Cove Boulevard, Brigantine Drive, Road A, Road B and the extension of Shallows Drive east of Harbour Boulevard as follows:

- Most of the Boat Harbour Precinct streets will be lightly trafficked and can easily cater for on street parking and safe pedestrian movements. The structure plan encourages the predominant use of the Harbour Boulevard and Cove Boulevard to access developments

within the Boat Harbour Precinct, in preference to Road B. In addition, a planned shared pedestrian/vehicle area around the intersection of Road B with Cove Boulevard will further discourage use of Road B by through traffic. On-street parking can be incorporated into the design of all roads in this precinct.

- Road A will be the busiest street, directly servicing the main car park for the town centre. It is also likely to carry the majority of the traffic that will access the proposed hotel. Traffic forecasts for this road vary from about 3,000 vehicles/day at its eastern end to 5,700 vehicles/day near the Harbour Boulevard intersection.
- Road B is an important road, connecting Brigantine Drive in the north to Cove Boulevard in the town centre, Road A, the proposed hotel and the Harbour Boulevard near the Business Park in the south. Current traffic forecasts along Road B generally show less than 2,000 vehicles/day. The only exception may be some increased traffic in the vicinity of the hotel access, depending on final access arrangements. A direct connection to Road A is preferable, as shown in the current concept plan.
- Road C provides access to the northern part of the harbour precinct. Current plans indicate that this road would attract about 2,700 vehicles/day, which means it will be relatively lightly trafficked for the nature of the road.
- Other streets in the precinct would generally carry less than 2,000 vehicles/day.

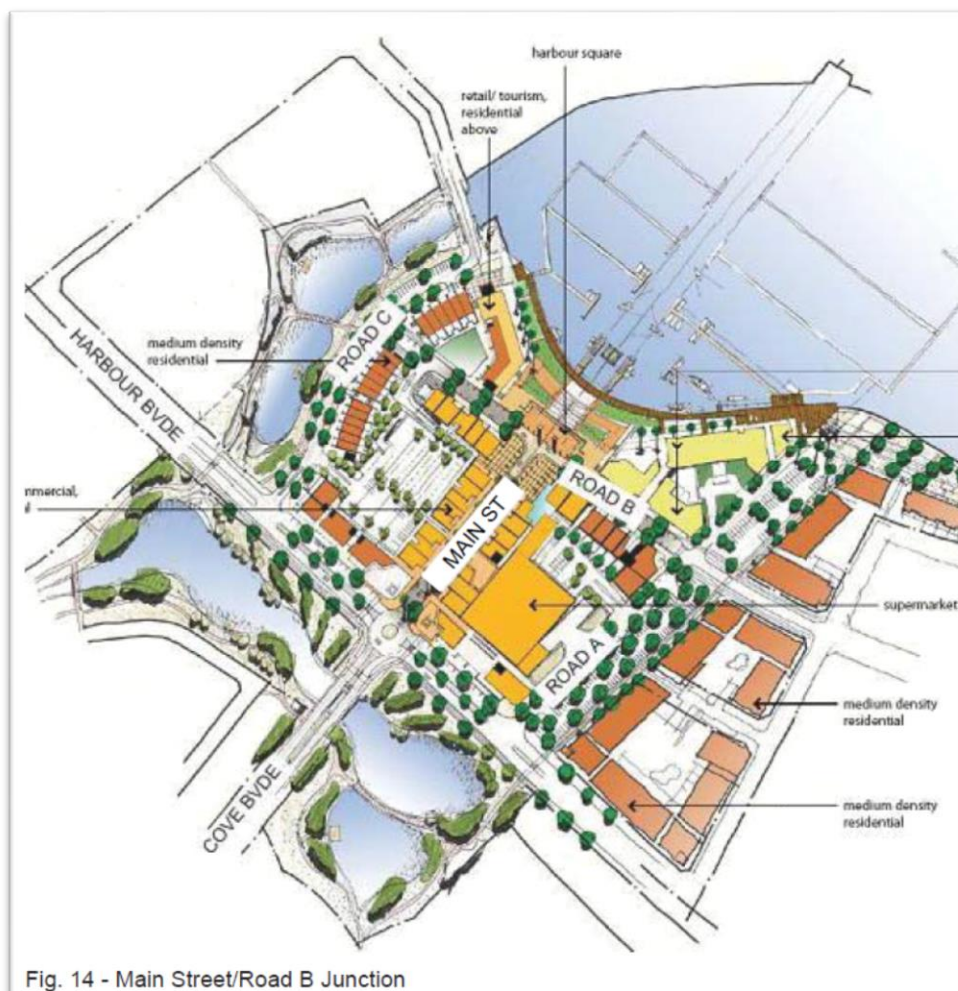


Figure 33 - EA Open Space Guidelines

The removal of Road B presents a number of positive outcomes and is not considered to result in an inconsistency with the Concept Plan because the urban design objectives for the town centre are maintained by:

- Improving the Main Street view corridor to the foreshore by removing Road B, its hardstand appearance, along with the appearance of vehicles that would have been viewed frequently travelling north and south at the eastern end of Main Street if Road B was constructed.

- Better encapsulating the coastal context in the Main Street eastern view corridor by focussing on public open space and the boat harbour (as shown in Figure 33) instead of a T-intersection.
- Further emphasising the future community building in Stage 3 on the edge of the harbour square as a people dominated space by reducing the amount of road in the middle of the town centre as a result of not constructing Road B.
- Strengthening the sense of place as a pedestrian dominated precinct with accessible active frontages by introducing the retail plaza and linking it to the foreshore and Harbour Square instead of Road B forming an active frontage with access for both people and vehicles.
- Reconfiguring the eastern terminus of Main Street as a pedestrian only public square and retail plaza, instead of a T- intersection with Road B at this location, creating a more cohesive non-car dominated community environment.



Figure 34 – Visualisation of Main Street eastern view corridor

- Improved equitable access from the town centre core to the BHP foreshore by eliminating the need to cross Road B and thereby removing changes in gradient and conflict opportunities between vehicles and the general public.
- Enhancing road safety by directly linking the proposed retail plaza in Stage 1 to the BHP foreshore instead of pedestrians having to cross Road B to approach the foreshore from the west.
- Centralising and consolidating public car parking as shown in the Precinct D Urban Design Guidelines (UDG) adjacent to the town centre core in Stage 1, 5 and 6 shown in Figure 33 below to reduce congestion in Main Street instead of vehicles seeking out parking along and adjacent to Road B.
- Replacing Road B with a ROW traversing the proposed car park between Main Street and Road MC01 allowing direct and ready access to 26% of the anticipated 996 car parking spaces to me made available for the use in Precinct D.

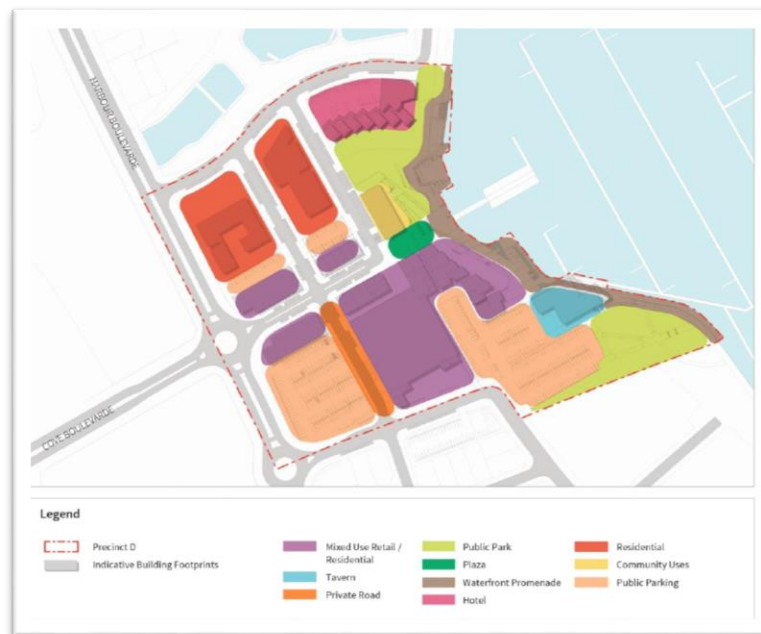


Figure 35 – UDG – Precinct D – Indicative Structure Plan

- Increasing the developable area of Precinct D by deleting Road B to provide improved design by reducing constraints for future projects in Stage 1 and 6, along with opportunities for more pedestrian dominated public open space.

Table 9 - Main Street Character

Variation	Concept Approval	Proponents Justification
B. Main Street Character		
<p><i>The Removal 5.0 metre wide verge in Main Street for the Outdoor eating area with Food and Beverage focus at the marina waterfront</i></p>	<p>The Environmental Assessment referenced as part of the Concept Approval states that:</p> <p>The sunny southern side of Main Street will include uses with external seating such as cafes whilst the northern side will be dedicated to internal uses such as Post Office, book shop real estate agent etc.</p> <p>Main street character will be that of a pedestrian friendly space with narrowed road carriageways and generous footpaths to support pedestrian access, mature street tree planting and alfresco dining areas. Restaurants and cafes within main street will be located on the southern side with built form structured to permit solar access.”</p> <p>PPR typical section illustrates a 23m road reserve comprising:</p> <ul style="list-style-type: none"> 6m carriageway; 2.5m car parking bays on both sides of the road; and Southern extended outdoor seating zone of 5m plus 3m footpath. <p>See Figure 35 below.</p>	<p>It is noted that the road reserve does not form part of DA 12/2016 and is the subject of another application. Nevertheless, the proposed Main Street –road reserve is 18.9m comprising:</p> <ul style="list-style-type: none"> 7m carriageway (2 x 3.5m) with an additional 1.3m median west of Road 12 6.8m carriageway (2x 3.2m) with an additional 1.3m median east of Road 12 2.5m car parking bays on both sides of the road 2.8m footpath on both sides west of Road 12 3.1m footpath on both sides east of Road 12 <p>The extended outdoor seating zone is proposed to be relocated to the waterfront and the public piazza as part of a subsequent DA. However, the design does not preclude the use of the southern side of Main Street for food and beverage tenancies that utilise outdoor seating. See Figure 36 below</p>

Comment:

The relocation of the focus of the outdoor eating area to the foreshore of the BHP and the Waterfront Promenade is a logical approach to the early evolution and development of Precinct D and is not considered to result in an inconsistency with the Concept Plan because the urban design objectives for the town centre are maintained providing for a human scale, pedestrian friendly coastal environment.

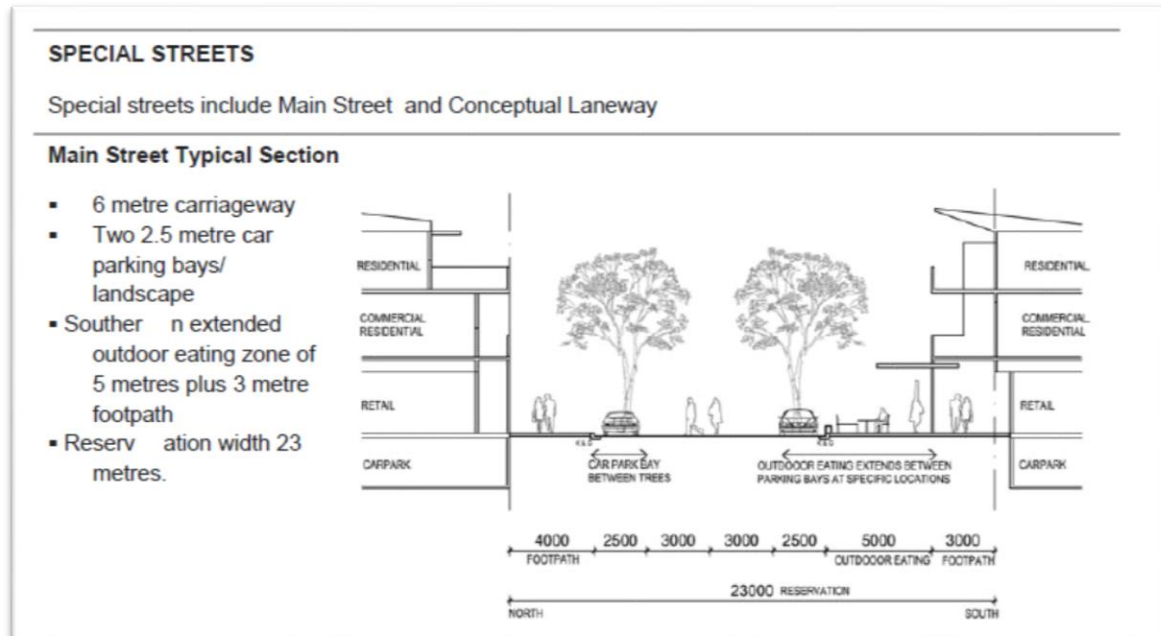


Figure 36 - PPR Main Street Typical Sections

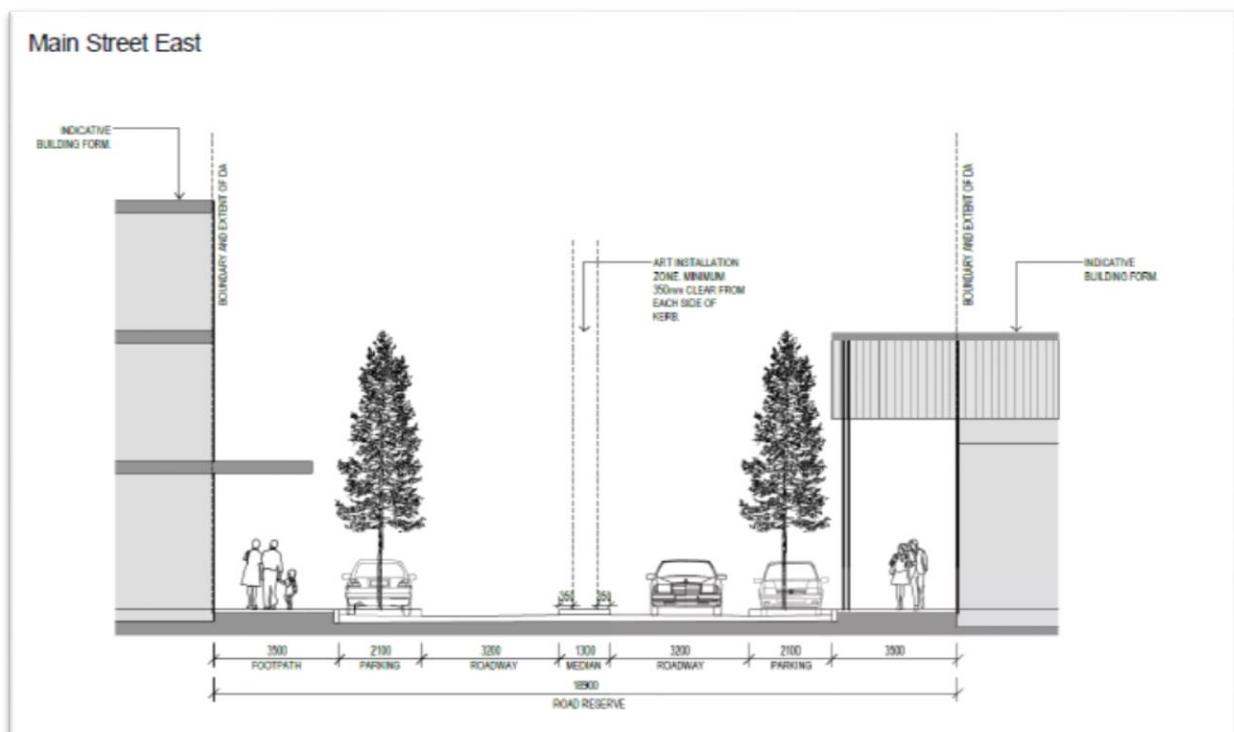


Figure 37 – UDG - Main Street Typical Sections

The main focus of interest and public activity in the early stage of the town centre development is expected to be the areas immediately adjacent to the marina. In the medium term opportunities for outdoor eating remain available with an 18.9 metre road reserve in Main Street.

The Main Street footpath within the Concept Plan is nominated as at least 3.0 metres wide, but not more than 4.0 metres wide excluding the outdoor dining area as shown in Figure 36.

The Main Street footpath section in the UDG is nominated as 3.5 metres wide as shown in Figure 36, which exceeds the 3.0 metre width shown in Figure 35.

The differences with the Concept Plan are not considered to result in an inconsistency with the Concept Plan because the human scale, pedestrian focused, active streetscape urban design objectives for the town centre are maintained

Table 10 - Supermarket location and Main Street building typology

Variation	Concept Approval	Proponents Justification
C. Supermarket location and Main Street building typology		
<p><i>The Repositioning of the Supermarket and its ground level car park; and</i></p> <p><i>Change to the building form and typology (2-4 storeys) along Main Street to in-part single storey at the core of the town centre</i></p>	<p>The Environmental Assessment referenced as part of the Concept Approval states that:</p> <p>“The maximum number of storeys in this precinct is 4 with the exception of the hotel...The setback of the built form from the street edge will be sufficient to allow for on street activities such as external seating...</p> <p>It is proposed that commercial and professional uses will be generally located on the first floor of Main Street buildings with potential for residential on the second and third floors of buildings. The mixed use nature of the buildings will enhance activity levels, visual surveillance of the public realm as well as support the economic viability of town centre businesses...</p> <p>A supermarket is located on the south side of Main Street, on the corner of Harbour Boulevard. The bland supermarket walls will be sleeved by other retail uses. Similarly parking is provided behind shopfronts and is located both north and south of Main Street.”</p>	<p>The supermarket has a cantilevered roof which is approximately 10.6m high at Main Street (i.e. equivalent to approx. 3 storeys).</p> <p>Commercial uses are located on the first floor of the building with direct frontage to Main Street.</p> <p>The supermarket is located on the south side of Main Street with the car parking located west adjacent to Harbour Boulevard.</p> <p>The supermarket is sleeved by retail uses to Main Street and the east (future Stage 2 Retail), and provides extensive glazing to the western façade of the building which transitions to a timber architectural design feature.</p> <p>The car parking is set below Main Street and the Harbour Boulevard street levels. Additionally, further parking is provided within a basement below the supermarket.</p> <p>The on-grade car parking will eventually be completely screened from Main Street by a future building.</p>

Comment:

The DA proposes single storey built forms up to 12.5 metres in height. The external design of the buildings utilises contemporary coastal village materials and colours, particularly through the use of roof forms that are architecturally expressive to reduce perceived bulk and establish a high quality aesthetic in the town centre.

No information has been included in the UDG as to the way in which the two levels of residential apartments that were envisaged by the Concept Plan to be sited where the shops and the retail plaza are proposed will be offset in the town centre.

These apartments will need to be provided elsewhere in the precinct and still maintain compliance with the height controls.

The UDG is particularly lacking in relation to identifying the target apartment and commercial floor space yields within the EA for the precinct. Further investigation of core land use target yields in the Concept Plan for Precinct D across of 6 stages should be carried out, with Part 3 of the UDG updated accordingly.

This work should be done to allow the DA consent authority and designers to ensure the development standards contained in the Concept Plan are not likely to be breached in the precinct, as well as allowing for informed consideration of matters such as the implications of

the relocation of the 8 to 9 storey hotel from the south east corner of Precinct D to the north east corner shown in the Staging Plan contained within the UDG.

These changes may have implications for considerations such as the planned function of the road network, impacts on view corridors, solar access, and streetscape context, but considering the early stage of development in the precinct, it is unlikely that the project yields in the Concept Plan are thwarted by the proposal to exclude shop-top housing at this location.

Further research and investigation must be done to update the UDG in relation to these matters before residential development is approved in Stage 1.

Table 11 - Main Street – Pedestrian Environment

Variation	Concept Approval	Proponents Justification
D. Main Street – Pedestrian Environment		
<i>Adjustment to the pedestrian focus from being in Main Street to also including Supermarket Mall commencing from the retail DA car park</i>	Refer to the Supermarket and Main Street character and building typology discussion above.	<p>The proposal includes the provision of a covered pedestrian mall accessed via the private road and a partially covered pedestrian retail plaza with access from Main Street.</p> <p>The Concept Approval doesn't contemplate a pedestrian shared zone along Main Street. It does contemplate a "pedestrian friendly space with narrowed road carriageways and generous footpaths"</p> <p>A pedestrian friendly zone will be achieved along Main Street by the provision of 2.8m to 3.1m footpaths, narrow traffic lanes and a 1.3m median strip.</p> <p>Further the future stages of the Town centre development will include the provision of a car free waterfront plaza connecting Main Street to the promenade. This will significantly enhance pedestrian amenity and connectivity between the retail centre and the harbour.</p> <p>The Concept Approval envisages a supermarket sleeved with retail uses. The proposal adopts this approach and is consistent with the Concept Approval by providing retail tenancies with direct access to Main Street.</p> <p>Access to the supermarket is via pedestrian walkways from the street and the at-grade car park which is consistent with the Concept Approval.</p> <p>The proposed pedestrian mall will activate the 'rear' of the Main Street retail premises; provide direct legible access from the at-grade car park, and increases pedestrian permeability in the town centre.</p> <p>Therefore, the provision of an activated pedestrian mall is not inconsistent with Concept Approval and will not detract from the pedestrian experience along Main Street.</p>

Comment:

The proposal involves the removal of a 5-metre-wide strip of outdoor eating area along Main Street and replacement with an equivalent length 6 metres wide covered pedestrian retail plaza with a outdoor kiosk dining and pedestrian area.

That is directly connected to the public amenities and travellers in the building. There is an overall net gain in pedestrian area and the variation is considered on this basis. The applications justification is satisfactory.

Table 12 - Harbour Boulevard – Streetscape Activation

Variation	Concept Approval	Proponents Justification
E. Harbour Boulevard – Streetscape Activation		
<i>The loss of street edge activation at Harbour Boulevard and replacement with car park</i>	<p>The Environmental Assessment referenced as part of the Concept Approval states that:</p> <p><i>“Harbour Boulevard adjacent to the Shell Cove town centre, is to have parallel parking to the kerbside.</i></p> <p><i>It is considered critical that mature street tree planting and landscape be provided to ensure that Harbour Boulevard presents an attractive entry...whilst maintaining its utilitarian functions.</i></p> <p>The “town centre Commercial Precinct Concept Diagram” is reproduced as Figure 33. The diagram indicates built form on the south side of the intersection of Main Street and Harbour Boulevard and at the intersection of Harbour Boulevard and with an opening to the supermarket location</p>	<p>The proposal locates the at grade car park to the west of the supermarket adjacent to Harbour Boulevard.</p> <p>The proposal remains generally consistent with the Concept Approval for the following reasons:</p> <ul style="list-style-type: none"> • The proposal does not preclude future development and activation of the corner of Harbour Boulevard and Main Street • The Harbour Boulevard ‘Road Section’ prepared by HDR Rice Daubney and the ‘Entry and Signage Concept’ prepared by Group GSA demonstrate that mature tree planting and street level landscaping will provide a high quality high amenity landscape treatment that will present as an attractive entry to the Shell Cove town centre • The EA (page 50) outlines a number of urban design objectives for the Shell Cove urban layout which have generally been met which demonstrates that the proposal will contribute to the achievement of these objectives

Comment:

The applications justification is satisfactory.

6.1.4.2 Consistency - Precinct D Urban Design Guidelines

The retail development has been designed in accordance with the guidelines.

Table 13 – Development Consistency with the Precinct D Urban Design Guidelines

Objectives	Comments
The creation of landmark spaces, views, built forms and landscape which will contribute to a sense of place.	<p>The proposal will not have any impact on the landmark view from Harbour Boulevard along Main Street towards the water.</p> <p>The proposal will not preclude the future development of a high quality gateway building on the southern side of the intersection of Harbour Boulevard and Main Street.</p> <p>The landscape plans submitted to Council propose the following:</p> <ul style="list-style-type: none"> • A grove of Cooks Pine trees to identify the town centre entry and intersection which will direct views towards the future town centre development. • Mature street tree planting along Main Street and Harbour Boulevard which will create a landmark street coastal environment and enhance the setting of the public domain.

Active ground floor uses that will generate a vibrant street environment.	<p>Main Street and the waterfront area will accommodate active ground floor uses that will generate a vibrant street environment.</p> <p>The pedestrian focus and heart of the town centre will be located at the eastern end of Main Street where the amenity and coastal setting will be very high quality.</p> <p>The proposal will not preclude the future development of a high quality gateway building with active ground floor uses on the southern side of the intersection of Harbour Boulevard and Main Street.</p> <p>The landscape plans submitted with the DA indicate that the proposed landscaping on site and the future landscaping of the Harbour Boulevard public domain will soften the street edge and result in a high quality and visually attractive streetscape.</p> <p>The car park is set approximately 1.2m below Harbour Boulevard at the boundary interface and will be further obscured by the proposed landscape treatment.</p>
Built forms and spaces that will contribute to a human scale of development.	The proposed landscaping on site and in the public domain will contribute to the human scale of development.
Amenities such as street furniture, lighting and landscaping which will enhance the public realm and encourage pedestrian activity and engender a slow speed traffic environment.	<p>As discussed above, the proposed landscaping treatment will result in a high quality coastal environment.</p> <p>The interface between the car park and the Harbour Boulevard public domain has been treated sensitively to create a pleasant pedestrian environment.</p>
Parking which will support activities and land uses without dominating the streetscape.	<p>The car park will not dominate the streetscape as it is set below the Harbour Boulevard street level and will be screened by high quality landscaping.</p> <p>The future development of the corner site will obscure the car park from Main Street.</p>
Pedestrian and cyclist movement systems which will encourage those modes of transport and reduce car dependency.	The car park provides bike racks and end of trip facilities in the basement. Bike racks are also provided at grade in the car park.
Streetscapes which are suitable for surrounding land uses and which will support a movement system appropriate to each street type.	The relationship between the Harbour Boulevard streetscape and the adjacent landscaped car park will sit comfortably and provide a suitably high quality landscaped interface that is appropriate for a primary collector road in a coastal setting

6.1.5 Statement of Commitments (Schedule 4)

The proposal satisfies relevant Statement of Commitments made in relation to the development as part of the proposed Concept Plan. The Statement of Commitments included design requirements around the proposed buildings and built form within the precinct.

In particular, the Urban Design Commitments require a maximum building height of 4 storeys, the adoption of a contemporary coastal village materials palette and the provision of parks and boardwalks to establish public access to the harbour. An assessment of the proposal's consistency with the approved Concept Plan Statement of Commitments is located at Attachment 2.

6.1.6 Concept Approval Compliance

The Concept Approval required further environmental studies to be prepared, submitted and approved by the relevant authority with the first DA. The Approval also required further environmental assessments to be carried out and these were also submitted with DA 411/2013. These matters are set out at Attachment 2.

The environmental matters considered in the DA 411/2013 have not been revisited as part of the proposed retail development.

The development has been designed to comply with design guidelines formulated in accordance with the urban design criteria of the Concept Approval, the proposal is considered to be consistent with the Concept Approval No. MP 07_0027.

6.2 Public Exhibition

The DA was publicly notified for a period of 21 days in accordance with Council's Development Control Plan between 12 February to 14 March 2016.

Nil submissions were received.

6.3 Consultation

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

6.3.1 Council Internal Referrals

In summary, internal referrals were made to the following officers:

- Property and Recreation Manager
- Section 94 Accountant
- Development and Subdivision Engineer
- Water Management Team Leader
- Environment Officer
- Landscape Technical Officer
- Community Safety Officer & Community Planner
- Waste Management Officer
- Building Assessment Officer

6.3.1.1 Property and Recreation Manager

The Property and Recreation manager has provided advice concerning the implications for Council as a party to the development of the land:

At the Ordinary Council meeting of 15 March 2016, the following Recommendations to Council from the Committee of the Whole Council (Confidential) were read to the Meeting by the General Manager.

Item 4.1 Sale of Shell Cove Retail Land Stage 1 to Australand

COMMITTEE RECOMMENDATION:

- a) That Council sells the Retail Stage 1 Land on the terms set out in the Heads of Agreement included in Attachment 1 of this Report.
- b) That the General Manager be delegated authority to negotiate the final terms of the Heads of Agreement and the formal Option Documents,
- c) That the Mayor and the General Manager, or his nominated delegate, be authorised to execute any document required to give effect to resolution 1.
- d) That the Heads of Agreement and formal option documentation specify that the car park be available for full public use and that the necessary legal instruments be used to permanently protect this right.

The Property and Recreation manager has recommended the following condition be imposed in accordance with Point 4 of the 'Committee Recommendation':

"Prior to the issue of an Occupation Certificate for the development, the Proponent must provide documentary evidence to the Principal Certifying

Authority of the registration of a positive covenant on the title of so much of the land to be used for carparking which has Shellharbour City Council as the benefiting authority and which obliges the owner of the land from time to time to ensure that those parts of the land subject to the covenant are available for use as a car park by the public."

These requirements form part of the recommended conditions; refer Attachment 1.

6.3.1.2 Section 94 Accountant

A monetary contribution for community infrastructure and services is to be paid in accordance with *Shellharbour Section 94 Contributions Plan 2013*.

The following condition has been recommended:

A contribution of \$1,817.42, subject to annual indexation, must be paid to Council towards the provision of community infrastructure and services prior to the issue of the Construction Certificate. This amount has been calculated in accordance with Shellharbour City Council's *Section 94 Contributions Plan 2013* dated 18 December 2013.

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

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

These requirements form part of the recommended conditions; refer Attachment 1.

6.3.1.3 Development and Subdivision Engineer

The civil works and management thereof to minimise any environmental impacts, road design, drainage and traffic have been assessed as acceptable subject to conditions being imposed on any development consent.

6.3.1.4 Water Engineering Team Leader

A detailed flood study report has been provided to the satisfaction of Council. The flood study report identifies pre and post development flood behaviour for the site. It has been demonstrated on the submitted plans and in the flood study report that the objectives and performance criteria of the DCP has been complied with.

- Flood Assessment by Worley Parsons dated 27th October 2016.
- Civil Design Statement by Henry & Hymas dated 30th September 2016.

It was noted that the basement car park is at risk of becoming inundated in the PMF however through use of a flood gate at the vehicle entry ramp, the risk of the basement becoming inundated can be mitigated.

In the event that the flood gate fails to open, it has also been demonstrated through the inclusion of a flood wall on the Northern, Western and Southern boundary of the open-air car park that there would be a reasonable amount of time available for occupants of the basement car park to evacuate the car park through the nominated flood evacuation routes.

It is noted that there may be the potential for cars to become moving objects in some parts of the open-air car park. This issue has been addressed with the inclusion of a condition that allows of the inclusion of vehicle bollards in key locations to restrict the ability for cars to float away in flood waters in all events up to the PMF. Refer to the conditions recommended at Attachment 1.

6.3.1.5 Environment Officer

The Environment Officer assessed the implications on ecology, preliminary site investigations, acoustic impacts, and natural drainage and raised no objection to the

development subject to the imposition of conditions. Refer to the conditions of Attachment 1.

6.3.1.6 Landscape Technical Officer (LTO)

The submitted landscape plans for the development have been reviewed by Council's LTO and approval recommended

However, the climbing plant proposed *Pyrostegia venusta* is an environmental weed within the Shellharbour LGA and the use of the plant species *Pyrostegia venusta* and replace with the plant species *Parthenocissus tricuspidata* 'Veitchii' or *Trachelospermum jasminoides* is required. Recommended conditions are included in the attached conditions; refer to Attachment 1.

6.3.1.7 Community Safety Officer & Community Planner

The social impact of the proposal and an assessment of the proposal against the principles of the Crime Prevention Through Environmental Design has been undertaken. Relevant conditions have been included in the recommended conditions; refer to Attachment 1.

6.3.1.8 Waste Management

The waste management officer has assessed the proposal and noted that waste services are to be managed by a private waste contractor.

No objection to the proposal is raised subject to conditions. Relevant conditions have been included in the recommended conditions; refer to Attachment 1.

6.3.1.9 Building Assessment Officer

The Building Assessment Officer reviewed the following design documentation

- the BCA Report prepared by McKenzie Group dated 17/12/2015 and
- the Disability Access Review also from the McKenzie Group dated 30/11/2015

The Building Assessment Officer found that the plan design documentation is preliminary in nature, however, there is enough detail to verify in general terms that the proposal can be built to comply with the BCA.

No objection to the proposal on BCA grounds subject to standard conditions.

6.3.2 Referrals to External Agencies

External referrals were made to external agencies for advice as follows:

- NSW RMS – Implications on the Road network
- NSW DPI – Water – Controlled Activity Approval.

6.3.2.1 NSW RMS – Implications on the Road network

NSW RMS were consulted pursuant to the requirements of cl. 104 SEPP(Infrastructure) 2007 because the proposed constitutes traffic generating development.

On 22 November 2016 RMS advised Council they had no objection to the development proceeding subject to the following condition being imposed:

- *Prior to the issue of an occupation certificate, the traffic signals at the intersection of Shellharbour Road, Wattle Street and Harbour Boulevard must be completed to RMS satisfaction.*

6.3.2.2 NSW DPI – Water – Controlled Activity Approval.

NSW DPI - Water were consulted on 20 October 2016 to clarify whether the proposal required the obtaining of General Terms of Approval (GTA) for the gaining of a Permit for a Controlled Activity Approval under the Water Management Act 2000.

A number of central drainage lines are in close proximity to the development site, and if not managed would likely be polluted by the proposed earthworks. The applicant did not elect to make the DA integrated for the purpose of obtaining the GTA.

NSW DPI – Water advised to impose of a condition (which is included at Attachment 1) requiring that a Controlled Activity Approval under the Water Management Act 2000 be obtained from NSW DPI-Water prior to commencement of work, which will mean the permit application will need to be exhibited by DPI-Water for 30 days prior to its issue, because the DA was not exhibited as Nominated Integrated Development.

6.3.3 Political Donations/Disclosures

None made.

7 ASSESSMENT

7.1 Environmental Planning Instruments [s.79C(1)(a)(i)]

The following environmental planning instruments are of relevance to the assessment of the proposal:

7.1.1 SEPP No 55 – Remediation of Land (SEPP 55)

The aim of SEPP 55 is to provide for the remediation of contaminated land for the purpose of reducing the risk of harm to human health or environment and requiring that any remediation work meet certain standards and notification requirements.

The proposal will not undermine the objectives of this Policy. A Phase 2 site contamination assessment of the BHP was submitted with the preferred planning report for the Concept Plan application and concluded that a remedial action plan was required for the former golf course and at the location of a former farm structure.

A Targeted site investigation has been undertaken for the proposed Boat Harbour Precinct (Precincts D and E, and Wetland 6), Shell Cove. The investigation incorporates a review of previous contamination assessment work completed in support of the Shell Cove Boat Harbour Concept Plan, 2010, conceptual modelling and targeted intrusive soil sampling.

The previous report prepared in 2010 concluded that former golf course areas across the Shell Cove site required further investigation to characterise the nature and extent of any soil contamination. This recommendation has been the focus of the recent investigation and report prepared in support of the proposed development.

The Targeted Site Investigation has been suitably prepared and satisfies the objectives of SEPP 55 – Remediation of Land. The report provides a clear overview of the investigation, modelling, soil sampling and assessment methodology.

The consultant's report outlines that whilst low levels of contaminants were detected for some parameters, no environmental or health assessment guidelines were breached with the proposed development site assessed as being compatible with its intended use.

Based on the above the development satisfies the objectives of SEPP 55 and subject to conditions being imposed to ensure all works cease in the event of unexpected findings during development phase.

7.1.2 SEPP 64 – Advertising Signage

SEPP 64 applies to the proposed signage and the application has been assessed in accordance with the relevant provisions of this SEPP.

This DA seeks approval for signage zones for the supermarket facades and the specialty retail tenancies as follows:

- One business identification wall sign (2m x 2m or 4m²) on the west elevation of the supermarket
- One directional wall sign (1.8m x 4m or 7.2m²) for the access to the basement on the west elevation of the supermarket
- Two walls signs (each 1m x 10.6m or 10.6m²) on the south elevation of the supermarket over the loading docks with a combined total area of 21.2m²
- Two community notice board signs (each 1.2m x 1.8m or 2.2m²) on the north elevation of the specialty shops with a combined total area of 4.4m²
- Six business identification projecting walls signs (each 0.5m x 0.8m or 0.4m²) with a combined total area of 2.4m²

The proposal does not specify whether the signage is illuminated, either internally or externally, and does not provide any detail of the advertising content.

In considering an application for signage the consent authority must be satisfied that the signage is consistent with the objectives of SEPP 64 and the assessment criteria specified in Schedule 1 of the SEPP.

Schedule 1 requires consideration of the following:

	Consideration	Complies
Character of the area	<i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i> <i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i>	The proposal is considered satisfactory.
Special areas	<i>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</i>	The proposed signage is considered satisfactory with the exception of the signage over the loading docks which are considered to be excessively large for their intended use. Conditions are recommended to reduce their size to a satisfactory size.
Views and vistas	<i>Does the proposal obscure or compromise important views?</i> <i>Does the proposal dominate the skyline and reduce the quality of vistas?</i> <i>Does the proposal respect the viewing rights of other advertisers?</i>	No views obscured by signage. No signage dominates the skyline or reduces vista quality No other advertisers relevant to the site
Streetscape, setting or landscape	<i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i> <i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i> <i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i> <i>Does the proposal screen unsightliness?</i> <i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i>	Each of the proposed loading dock signs at 10.6m ² is considered excessive in size and will detract from the proposed signage theme.

Consideration		Complies
Site and building	<p><i>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</i></p> <p><i>Does the proposal respect important features of the site or building, or both?</i></p> <p><i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i></p>	The proposed supermarket and tenancy signage is considered appropriate and does not unduly dominate.
Associated devices and logos with advertisements and advertising structures	<p><i>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</i></p>	No.
Illumination	<p><i>Would illumination result in unacceptable glare?</i></p> <p><i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i></p> <p><i>Would illumination detract from the amenity of any residence or other form of accommodation?</i></p> <p><i>Can the intensity of the illumination be adjusted, if necessary?</i></p> <p><i>Is the illumination subject to a curfew?</i></p>	No information has been provided regarding the illumination of the signage. Conditions are included in the recommendation requiring that approved signage comply with the illumination requirements of the SEPP (Exempt and Comply Codes) 2008.
Safety	<p><i>Would the proposal reduce the safety for any public road?</i></p> <p><i>Would the proposal reduce the safety for pedestrians or bicyclists?</i></p> <p><i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i></p>	The proposed signage will be fully contained within the boundaries of the site and represents no traffic or pedestrian safety hazards.

Pursuant to definitions contained within SEPP 64 the proposed signage is considered to be business identification signage and wall signage. The proposal is considered to comply with the objectives of the policy subject to the imposition of conditions contained at Attachment 1.

7.1.3 SEPP 71 – Coastal Protection

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

SEPP 71 applies to land and development within the coastal zone as defined by the *Coastal Protection Act 1979*. Precincts B1 and C1 are located within the coastal zone. SEPP 71 aims to protect the unique attributes of the NSW Coast by ensuring that flora and fauna are protected, heritage is conserved and that development is appropriate. In doing so it requires development to be assessed under a range of considerations (clause 8 and Part 4).

Part 5 is not relevant as the proposal relates to the subdivision and development of land which benefits from a Concept Plan approval under the then Part 3A of the Act.

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

The proposal is considered to be consistent with the provisions of SEPP 71 given the design and layout of the proposal is generally consistent with the Concept Plan approval.

7.1.4 SEPP (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 aims to ensure the effective delivery of infrastructure across the State and that appropriate agencies are made aware of and are given an opportunity to make representations in respect of certain development, including traffic generating developments.

Division 17 relates to road infrastructure while Schedule 3 of the SEPP outlines traffic generating development which requires referral to Roads and Maritime Services (RMS).

The proposed development contains more than 4000m² of commercial area and is therefore captured by the referral requirements of the SEPP, and the development contains parking for in excess of 200 cars and is therefore captured by Schedule 3 of the SEPP, which specifies that a referral is required for development which comprises any other purpose with parking for 200 or more vehicles and access to any road.

Accordingly, referral to the Roads and Maritime Services has been completed as part of the development application assessment process.

On 22 November 2016 the RMS advise that:

RMS has now received and reviewed that hardcopy file of the traffic assessment completed by the proponent.

RMS notes that traffic signals are in the process of being constructed at the intersection of Shellharbour Road/Wattle Street/Harbour Boulevard through the WAD process with RMS. RMS notes that the developer proposes to complete the construction of these traffic signals "prior to the opening of the proposed retail centre".

RMS will not object to the development application subject to the following condition being included in the conditions of development consent:

- Prior to the issue of an occupation certificate, the traffic signals at the intersection of Shellharbour Road, Wattle Street and Harbour Boulevard must be completed to RMS satisfaction.

RMS highlights that in determining the application under Part 4 of the Environmental Planning and Assessment Act, 1979, it is the consent authority's responsibility to consider the environmental impacts of any road works which are ancillary to the development. This includes any works which form part of the proposal and/or any works which are deemed necessary to include as requirements in the conditions of development consent. Depending on the level of environmental assessment undertaken to date and nature of the works, the consent authority may require the developer to undertake further environmental assessment for any ancillary road works.

Accordingly, a condition of consent in accordance with RMS advice has been included in the recommended Schedule of Conditions at Attachment 1.

7.1.5 Shellharbour Local Environmental Plan 2013 (SLEP 2013)

7.1.5.1 Zoning / Permissibility (Clause 2.3)

The land is zoned B2 Local Centre.

The B2 zone objectives as provided in the Land Use Table are:

- 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 a limited range of residential accommodation while maintaining retail, business or other non-residential active uses at street level.

Under clause 2.3(2) of SLEP 2013, the consent authority must have regard to the objectives for development in the zone. The proposed retail development is consistent with the objectives of the land use zone.

The proposal is permissible development in the land use zone subject to development consent (clause 2.6) and the proposal is not considered to undermine the objectives of the land use zone.

Relevant clauses of Part 5 and 6 of SLEP 2013 have been addressed with the Concept Plan approval, with exception of heritage.

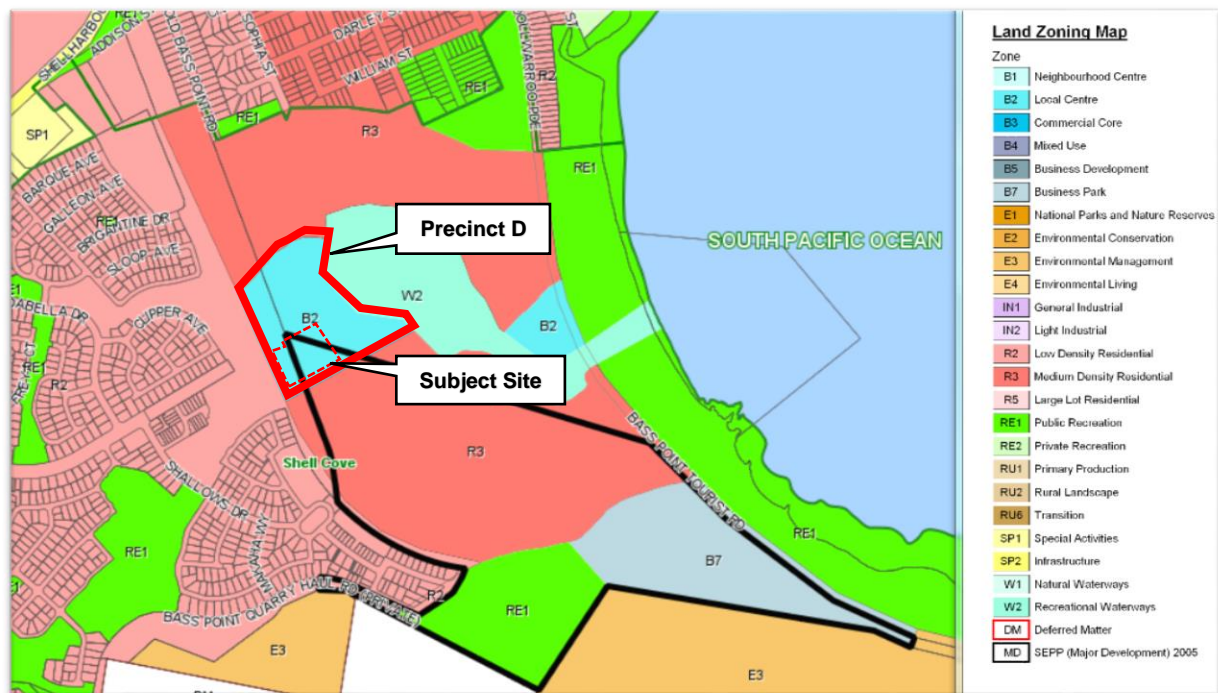


Figure 38 - SLEP 2013 Zoning Map

7.1.5.2 Building Height (Clause 4.3)

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

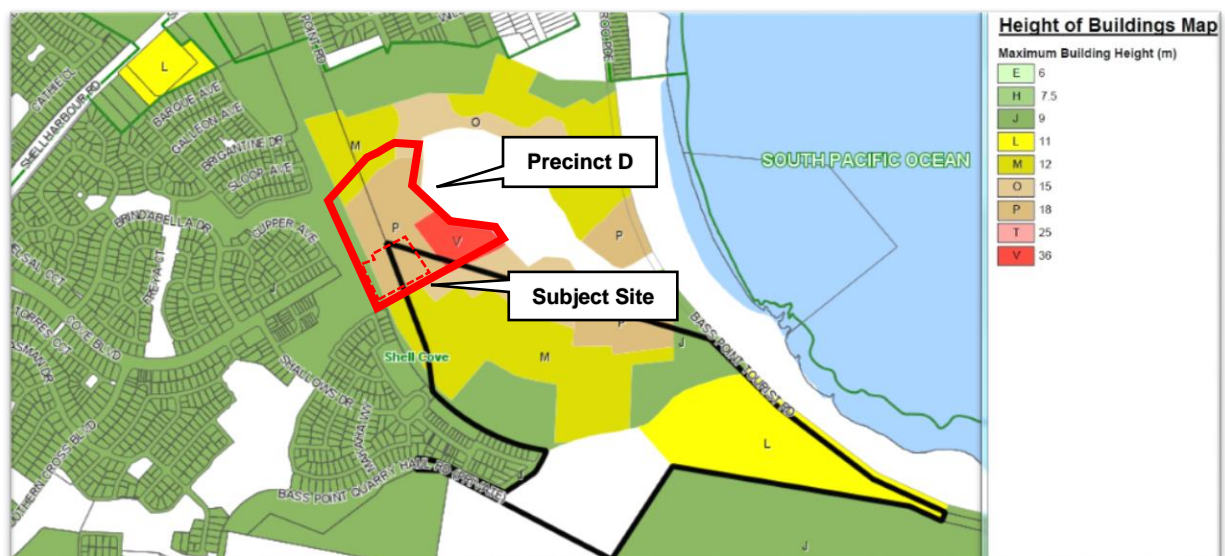


Figure 39 - LEP 2013 Height of Buildings Map

7.1.5.3 Floor Space Ratio (Clause 4.4)

Clause 4.4 of the SLEP 2013 provides a maximum floor space ratio (FSR) of 1.5:1 for the site. The proposed development has an overall gross floor area (GFA) of 4,523m² with a total site area of 13,810m².

This equates to an FSR of 0.33:1, which complies with the SLEP 2013 development standard.

Notwithstanding the Concept Plan approval takes precedence over the planning controls of SLEP 2013 in the event of any inconsistency pursuant to Clause 3B to Schedule 6A of the Act.

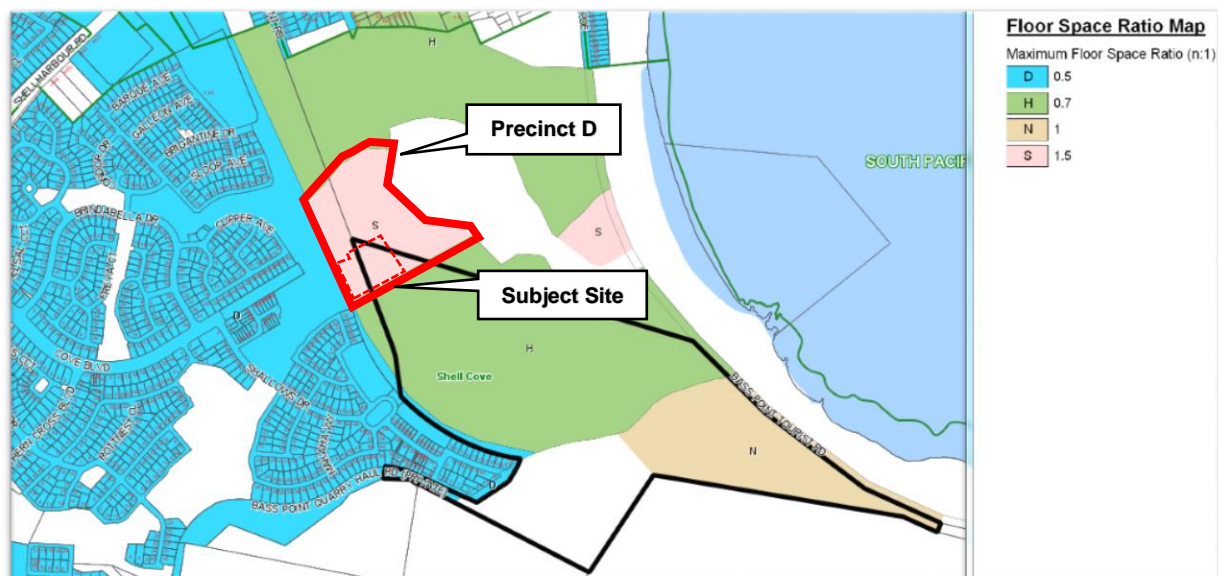


Figure 40 - LEP 2013 Floor Space Ratio Map

7.1.5.4 Development within Coastal Zones (Clause 5.5)

Clause 5.5 of the LEP details the provisions for assessing developments within the coastal zone. The requirements of this clause mirror those within SEPP 71. The proposal is consistent with the provisions of SEPP 71 and therefore complies with Clause 5.5 of SLEP 2013 because:

- the proposal does not adversely affect public access to the foreshore
- the proposal is suitable in its relationship with the surrounding area, and does not adversely impact the natural scenic quality due to the site proximity to the foreshore, and the low rise bulk, scale and character of the design
- the proposal does not overshadow the foreshore and does not cause an unreasonable loss of views from any public place to the foreshore
- the proposal does not cause any unreasonable impact on the visual amenity and sea view qualities of the coast
- bio-diversity and ecosystems are not affected by the proposal
- the proposal is acceptable having regard to the cumulative impact of the proposal in combination with other development on the coastal catchment
- the development proposal is sited in a manner that ensures it is not significantly affected by coastal hazards, such as foreshore erosion, or by the sea level rise, does not unreasonably impact on coastal hazards, or increase the risk of coastal hazards in relation to any other land.

7.1.5.5 Heritage Conservation (Clause 5.10)

The heritage studies have identified Aboriginal objects/sites within the study area however there is only one which has been assessed as having high heritage value and it is located within a foredune on the beachfront upon which the proposal will have minimal impact. The studies have not identified any relics, sites or places of European heritage.

The Director-General's Environmental Assessment Report of the BHP considers that the existing Aboriginal Heritage Impact Permit (AHIP), which includes the BHP site, and the Boat Harbour consent will provide appropriate management of Aboriginal objects during the excavation and construction of land surrounding the boat harbour.

The site does not contain any European heritage items, conservation areas or Indigenous places or objects. Aboriginal heritage significance was investigated as part of the Part 3A Concept Plan application and the archaeological sensitivity of the area was considered low.

Accordingly, clause 5.10(1) heritage conservation objectives, are unlikely to be undermined by the proposal.

7.1.5.6 Acid Sulfate Soils (Clause 6.1)

Acid sulphate soil (ASS) were investigated as part of the Concept Plan application and for most of the land to be developed, the risk of encountering ASS was low, however, the risk increased in the north-eastern corner of precinct B1 being lower lying.

The Acid Sulfate Soil Management Plan (ASSMP) considers it unlikely and low risk that following construction of the Boat Harbour land platform up to the bulk earthwork level that ASS materials will be encountered. Condition of consent has been recommendation requiring the preparation of the plan of management in the event that acid sulfate soils are encountered during excavation of the based.

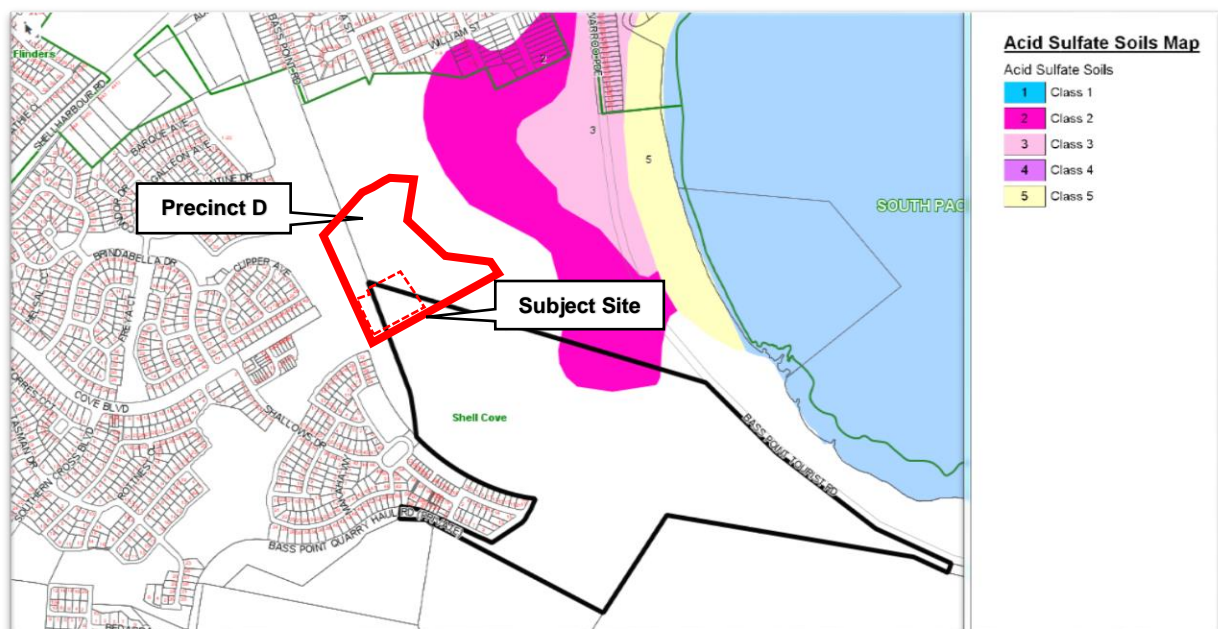


Figure 41 - LEP 2013 Acid Sulfate Soils Map

7.1.5.7 Earthworks (Clause 6.2)

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

The proposed development involves some earthworks to create the required levels for basement construction and on grade parking, vehicular access, retail floor space and pedestrian areas. Impacts to surrounding developments are manageable and will not detrimentally impact environmental functions and process.

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

7.1.5.8 Flood Planning (Clause 6.3)

A detailed flood study report has been provided to the satisfaction of Council.

The flood study report identifies pre and post development flood behaviour for the site.

It has been demonstrated on the submitted plans and in the flood study report that the objectives and performance criteria of the DCP has been complied with.

It was noted that the basement car park is at risk of becoming inundated in the PMF however through use of a flood gate at the vehicle entry ramp, the risk of the basement becoming inundated can be mitigated.

In the event that the flood gate fails to open, it has also been demonstrated through the inclusion of a flood wall on the northern, western and southern boundary of the open-air car park that there would be a reasonable amount of time available for occupants of the basement car park to evacuate the car park through the nominated flood evacuation routes.

It is noted that there may be the potential for cars to become moving objects in some parts of the open-air car park.

This issue has been addressed with the inclusion of a condition that allows of the inclusion of vehicle bollards in key locations to restrict the ability for cars to float away in flood waters in all events up to the PMF.

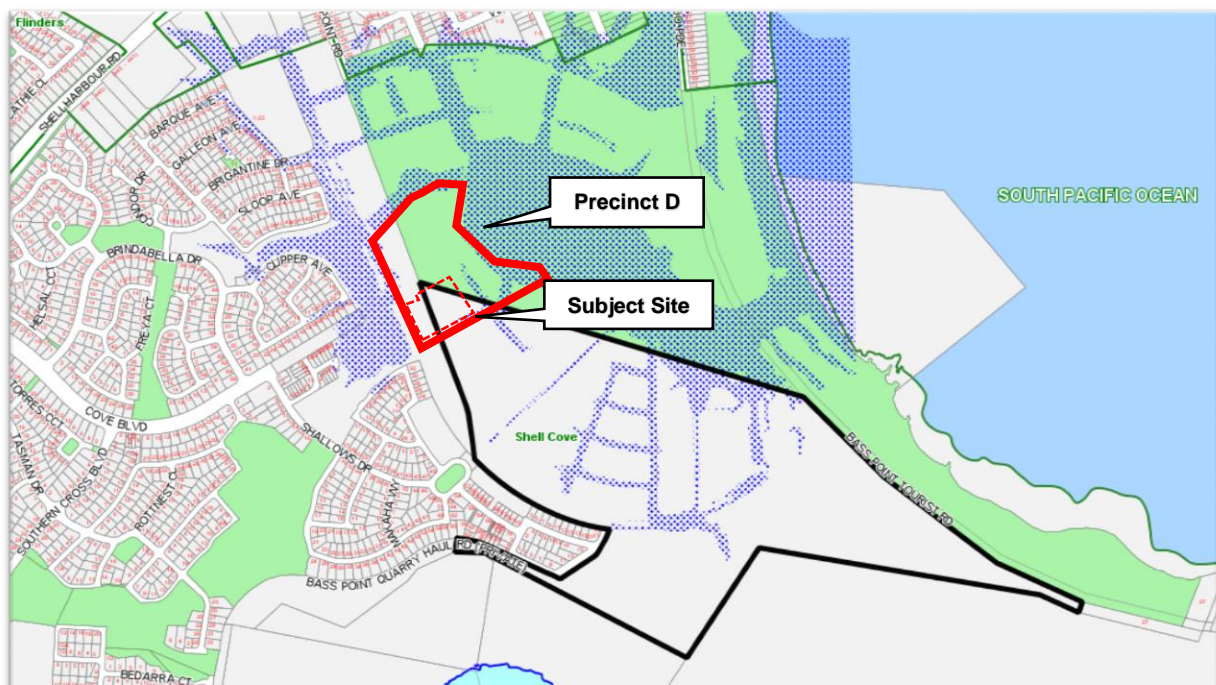


Figure 42 - Flood Prone Land Map

7.1.5.9 Stormwater Management (Clause 6.4)

The stormwater management plan includes a water sensitive urban design strategy for precincts D so as to achieve the stormwater quality targets of the overall Shell Cove development.

These targets include reducing post development pollutant to equal to and below pre-development loads, in addition to the water quality targets identified in the Boat Harbour Development Consent.

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

7.1.5.10 Essential services (Clause 6.9)

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

A condition of consent is included in the recommendation to ensure that the Occupation Certificate for the subject development cannot be released until main street and the Roads 10, MC01 and 11 have been fully constructed to ensure the road network is in place for safe function of the access arrangements required of the proposal.

7.2 Draft Environmental Planning Instruments (EPI) [s.79C(1)(a)(ii)]

There are no instruments applicable to this proposed modification.

7.3 Shellharbour Development Control Plan 2013 [s.79C(1)(a)(iii)]

A review of the controls concludes that the development complies with the following controls:

Commercial Development (Chapter 6)

The DCP includes objectives relating to building lines, basic design, entries and access as follows:

- a. *To improve the streetscape of the locality and general appearance of the development.*
- b. *To have functional, visually acceptable buildings.*
- c. *To encourage pedestrian access from major street frontage ensuring street vitality.*
- d. *To encourage servicing from laneways thereby reducing impact on street frontages and pedestrian activity.*
- e. *To enhance security and safety.*

The proposal is considered to comply with these requirements because it is designed to form the commercial core of the town centre with well designed retail floor space with active frontages.

Parking, Traffic and Transport (Chapter 13)

The following parking provisions are required and proposed:

Table 14 – Car Parking Compliance Table

CAR PARKING	GFA	DCP Rate	DCP Required	Proposed
Supermarket	3670m ²	1/20 m ²	184	229
Retail Shops	753 m ²	1/35 m ²	21	21
Liquor Shops	200 m ²	1/35 m ²	6	6
Total			211	256

The proposed parking supply is 256 spaces, exceeding the requirements of the DCP, and is therefore considered satisfactory. The extra spaces will support future retail development applications.

Table 15 – Bike Parking Compliance Table

BIKE PARKING	Control	Proposal	Complies
Motorcycle	1/25 cars excl. 1 st 25 = 7	7	✓
Bicycle	1/25 cars excl. 1 st 25 = 7	42	✓

Car Park Geometry

The car parking areas have been designed to comply with AS/NZS2890.1-2004, as a minimum, with spaces 5.5m x 2.6m, and 6.6m wide aisles.

The disabled car space dimensions comply with AS2890.

The basement car park has 17 "Small Car Spaces". The spaces are in compliance with AS2890 dimensions of 2.3m x 5m. In terms of the amount of spaces allowed, the Shellharbour DCP does not have a minimum/maximum "Small Car Space" requirement. Considering the "Small Car Spaces" are approximately 6% of the total car spaces, the arrangement is deemed acceptable.

The basement access ramps complies with AS2890.

The proposed parking layouts are satisfactory.

The three parking spaces near the entry of the site at Road 10 must be removed as they create a hazard and disruption to the flow of traffic through the development. These are shown below:



Figure 43 - Car Park Access - Main Street



Figure 44 - Amended Car Park Access - Main Street

Motorcycle Parking

Amended Plans submitted 4 November 2016 deleting these car spaces, and included 7 motor cycle spaces which complies with the requirements of the DCP.

Bicycle Parking

The basement also includes 20 bicycle parking spaces for visitors and staff, plus 24 bicycle parking spaces at grade level in the north-west corner of the car park which complies with the requirements of the DCP.

It is considered that the traffic and parking implications of the development of Shell Cove Boat Harbour Precinct will be satisfactory.

Waste Minimisation and Management (Chapter 15)

The development satisfies the objectives and advices set out in this chapter.

Crime Prevention through Environmental Design (Chapter 17)

The development satisfies the objectives set out in this chapter.

The Crime Prevention Through Environment Design Report, architectural plans and the Statement of Environmental Effects were reviewed. In reviewing the information submitted in the development application, some safety concerns within the development were identified relating to the design of the service corridor, lighting, and materials and finishes.

Amended plans have been submitted that resolve the concerns by redesigning the service corridor to exclude the public from servicing areas. Conditions of consent are included in the recommendation to manage vandalism and security arrangements.

Landscaping (Chapter 20)

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

Stormwater Management (Chapter 25)

The proposal is to mitigate the potential impact of the development on the environment through a Water Cycle Management Strategy which includes:

- Rainwater tanks.
- Grass swales.
- Vegetated drainage corridors.
- Bio-retention swales and basins.
- Gross pollutant traps.
- Wetlands.

A DRAINS model has been developed to allow preliminary sizing of the trunk stormwater drainage network for development.

The 5 year ARI flow will be conveyed within the piped drainage network and all flows during the 100 year ARI event will be conveyed within road reserves, according to the requirements of the *Development Design Specification (Shellharbour City Council, 2004)*.

A stormwater treatment strategy has been developed for the development which comprises the use of GPTs and a bioretention system for the development Roads area. These systems will assist in achieving the stormwater quality targets of the overall Shell Cove development, which include ensuring post-development pollutant loads do not exceed pre-development loads and pollutant percentage reduction targets are met.

No on-site detention systems are required for The development.

The existing groundwater is not expected to be significantly impacted as a result of the development.

The concentration of pollutants in the post-development runoff is expected to be higher than that in the pre-development scenario. However, given the significant reduction in expected infiltration across areas most likely to contribute to any increased pollutants, the existing groundwater is unlikely to be impacted significantly.

It is understood that in the pre-development scenario stormwater was not used to recharge the groundwater table and this same approach is planned for the proposed development.

Therefore the stormwater will not influence the groundwater conditions in this regard.

Conditions of consent are recommended to ensure implementation of the Water Cycle Management Strategy which adopts Water Sensitive Urban Design principles and identifies measures to ensure protection of water quality within the sensitive near-shore coastal environment.

The Proponent undertakes to provide multiple, connected freshwater wetlands to the north and west of the town centre in accordance with the Stormwater Quality Management Strategy.

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

Acoustic Protection (Chapter 31)

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

7.4 Planning Agreements [s.79C(1)(a)(iia)]

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

7.5 The Regulations [s.79C(1)(a)(iv)]

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

7.6 Coastal Zone Management Plan [s.79C(1)(a)(v)]

None relevant to the proposal or the subject site.

7.7 Environmental Impacts [s.79C(1)(b)]

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

7.7.1 Flooding

A detailed flood study report has been provided to the satisfaction of Council. The flood study report identifies pre and post development flood behaviour for the site. It has been demonstrated on the submitted plans and in the flood study report that the objectives and performance criteria of the DCP has been complied with.

- Flood Assessment by Worley Parsons dated 27th October 2016.
- Civil Design Statement by Henry & Hymas dated 30th September 2016.

It was noted that the basement car park is at risk of becoming inundated in the PMF however through use of a flood gate at the vehicle entry ramp, the risk of the basement becoming inundated can be mitigated.

In the event that the flood gate fails to open, it has also been demonstrated through the inclusion of a flood wall on the Northern, Western and Southern boundary of the open-air car park that there would be a reasonable amount of time available for occupants of the basement car park to evacuate the car park through the nominated flood evacuation routes.

It is noted that there may be the potential for cars to become moving objects in some parts of the open-air car park. This issue has been addressed with the inclusion of a condition that allows of the inclusion of vehicle bollards in key locations to restrict the ability for cars to float away in flood waters in all events up to the PMF.

Refer to the conditions of Attachment 1.

7.7.2 Traffic Impacts

The Shell Cove Boat Harbour Precinct Concept Plan was supported by a Traffic Study by Maunsell dated 24 March 2009.

This report sets out an analysis of the traffic generation and road and intersection design of the Boat Harbour precinct, which reviewed the road network.

Following this report, Christopher Hallam and Associates prepared a Shell Cove Boat Harbour Masterplan Traffic and Parking Assessment Report in May 2015. The report in the Statement of Environmental Effects - Appendix J is specifically for the development, dated 15th December 2015.

The report outlines that the projected weekday peak hour traffic generation of the development will be:

- Supermarket (3670 sq m) 278 veh/hr AM and 506 veh/hr PM
- Specialty shops (953sq m) 29 veh/hr AM and 53 veh/hr PM
- Total 307veh/hr AM and 559 veh/hr PM

The majority of traffic to the supermarket is likely to come from Cove Boulevard from origins from the north and west. The through traffic from the south will be off MC01 between residential precincts and the retail precincts. Occasional bus movements would be additional.

The level of traffic generation is considered to be a relatively low level and would not adversely impact on the pedestrian areas thought the junction with Road 10 and the proposed carpark.

This intersection would have low delay levels and a good level of service in peak periods.

The traffic flow levels are considered to be generally low levels and is consistent with the Concept Plan.

The report outlines that the overall Boat Harbour Precinct (The Waterfront) will be able to meet the traffic needs of both new and existing Cove residents as well as staff and visitors to the growing commercial area of Shell Cove, while containing impacts on surrounding communities.

The report indicates the existing road networks have sufficient capacity to cater for anticipated loads from the proposed development.

Councils Traffic Engineer has advised that:

A review of the proposed road layout against the Concept Plan and their intended hierarchical function identifies several anomalies.

Main Street (Road 10) is identified as having a reserve width of 23m however the proposal is for 18.9m.

The continuation of road 10 from Main Street to road 11 is identified as a "connection" street with a reserve width of 18.5m or 19.5m under the Concept Approval .

The preferred project report indicates that a 19.5m road reserve is applicable for bus routes and busy collector roads.

Given that the southern extension of road 10 (identified as Road B in initial plans) from Main Street has been deleted, the remaining section of road 10 by default plays a major role as a "connection" street with higher anticipated traffic volumes.

The Statement of Commitments includes the following comment.

The Proponent undertakes to implement a traffic management strategy - in relation to the capacity of the road network to cater for additional traffic generation including service vehicles, access to and within the site, and connectivity to existing developments –with particular emphasis on the following key intersections:

- Shellharbour Road/Harbour Boulevard/Wattle Road - revised layout.
- Addison Street/Harbour Boulevard - new traffic signals.
- Brigantine Drive/Harbour Boulevard - single lane roundabout.
- Cove Boulevard/Harbour Boulevard - single lane roundabout.
- Road A/Harbour Boulevard - single lane roundabout.

As such it is imperative that the entire length of road 10 (Main Street and road b) operate and function in accordance the intent of the Concept Plan and Statement of Commitments, in addition to road 11 and road 12.

In this regard all must cater for the movement of a 12.5 single without crossing the centre line.

The proposed design of road 10 with a median separating two 5.5m carriageways does not adequately provide for bus movements.

The proposal is consistent with Memorial Drive which Premier Illawarra refuses to use as a bus route.

A possible alternative layout is two 6m carriageways separated by a 1.3m median with two 3m footpaths, a total width of 19.3m.

Also the proposal to restrict parts of road 10 to vehicles less than 8m is not consistent with the Concept Plan and Statement of Commitments.

Consideration needs to be given to the creation of a short section of public road (stub) at the junction of the private road and Cove Boulevard. Generally a 30m minimum is required however consideration can be given to reducing this 10m if there are extenuating circumstances.

The following site specific traffic conditions must be applied.

- A section of public road extending 7m south from the prolongation of the boundary of Road 10 must be dedicated to Council. This is to include the carriageway and 3m wide section of footpath on each side of the road.
- A section of public road extending 10m north from of the prolongation of the boundary of Road MC01 must be dedicated to Council. This is to include the carriageway and 3m wide section of footpath on each side of the road. The proposed pedestrian crossing within the 10m section of road desiccated to Council must be relocated north to the next row of parking bays.
- A right of way must be registered over the private road which provide access to the public between Road 10 and Road MC01.
- Road 12 north of Road 10 must be designed to cater for a 12.5 single unit vehicle turning between both roads without crossing the centreline.
- 5.The two pedestrian crossings across the private road burdened by the right of way must be installed on raised thresholds and comply with RMS specifications (for raised thresholds).

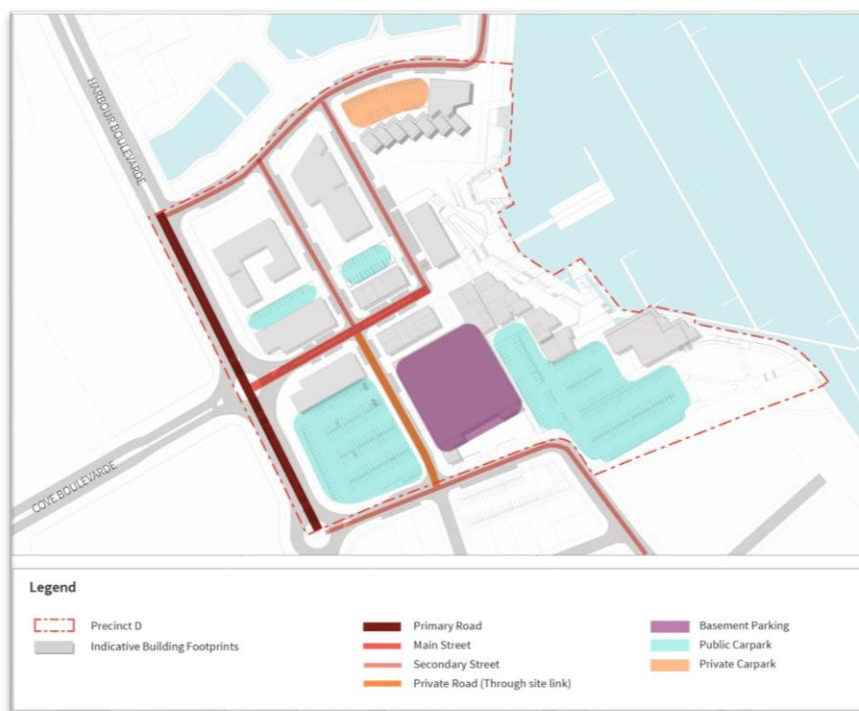


Figure 45 – UDG Street Network Plan

7.7.3 Streetscape

The streetscape of the development will be consistent with the emerging character as the site transitions into the marina precinct. The combination of human scale design and incorporation of architecturally expressive building design elements will positively contribute to the emerging streetscape.



Figure 46 - Main Street East

7.7.4 Noise

To define the noise environment, potential acoustic impacts and attenuation measures, two separate noise assessments have been prepared in support of this proposal.

The noise assessments independently assess road noise and noise specifically associated with commercial operations.

The *Shell Cove Precinct D – Road Noise Assessment* provides an analysis of predicted noise levels based on traffic volumes detailed in the traffic assessment supporting this proposal and is an extension of the noise assessment completed for the Shell Cove Boat Harbour Concept Plan. The assessment outlines compliance with relevant noise criteria, highlights areas of acoustic impact and identifies areas that will require acoustic treatments for dwellings to provide satisfactory indoor noise levels.

An assessment of the *Shell Cove, Precinct D Noise Assessment of Supermarket* report indicates that report has been suitably prepared in accordance with relevant industry guidelines with appropriate noise assessment criteria applied.

A range of operational scenarios have been assessed for future sensitive receivers to determine the predicted noise environment and potential impacts associated with the proposed commercial operation. The consultant's assessment has identified that all noise criteria including sleep disturbance will be met, with the exception being at one location. The proposed at grade carpark is predicted to cause minor exceedances of noise criteria at "Location 3". Location 3 is an area adjacent to future road 10 proposed for multi storey residential development. The report concludes that future development in this location will require acoustic attenuation treatment.

Both noise assessments indicate that acoustic attenuation will be required for developments at the identified locations within the reports.

7.7.5 Social Impacts

The creation of the new town centre core will provide additional employment opportunities within the LGA. The additional population will provide additional demands on urban infrastructure, services and facilities. Section 94 contributions will assist in supplying some services/facilities provided by Council, and appropriate conditions have been included in the draft conditions.

The development is considered to have a positive economic impact by providing employment in retail construction, as well as providing core services in the town center to support its economic viability.

7.7.6 Economic Impacts

The introduction of the supermarket and specialty shops, with a high level of retail amenity, is expected to have positive economic impacts as it adds to the economic diversity of commercial services offered within the region and also adds opportunity into the market for retail competition.

7.7.7 Impacts during Construction

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

The following strategies to reduce the impact during the construction phase are recommended. These strategies form part of the development consent conditions recommended in this report.

- a. *Use of silt fencing to ensure sediment laden runoff does not occur off site during earthworks,*
- b. *the hours of construction shall be in accordance with Council's standard construction hours unless prior arrangements are made,*
- c. *prior to works commencing advise adjoining landowners of the works program and provide the contractors details should any concerns need to be raised during works,*
- d. *building contractors are to implement the requirements of the Office of Environment "Interim Construction Noise Guideline (July 2009)" as far as practicable,*
- e. *all reasonable, practicable steps are to be undertaken to reduce noise and vibration from the site,*

- f. *construction noise is to be attenuated with the use of screening, acoustic enclosures, engine silencing and substitution by alternative processes to reduce noise emission levels from typical construction equipment, and*
- g. *plant and equipment is to be maintained, checked and calibrated in accordance with the appropriate design requirements and to ensure that maximum sound power levels are not exceeded.*

7.8 Site Suitability [s.79C(1)(c)]

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

The proposal will not cause for unreasonable overshadowing of existing residential subdivision to the south and will not thwart the development of 2 to 4 story shop top housing within the town centre precinct.

Hours of operation (including loading and unloading of goods) are proposed to be:

- Retail Centre (including Supermarket): 24 hours 7 days a week; and
- Loading Dock: 7am to 10pm 7 days a week.

The application was publicly exhibited with proposed trading hours till midnight, but since no objections were received, the need to re-exhibit the amendment to include 24 hour trading is considered unnecessary because the overnight impacts are not dissimilar to the likely impacts that are experienced from 10 pm till midnight trading anyway, but are more likely to be even less due to decreasing customer patronage through the night.

Twenty-four hour retail activity is considered appropriate in an emerging town centre because it can be managed to meet market demands without adversely impacting existing resident amenity due to the absence of residential developments in the town centre at this time. Acoustic impacts would be managed during the design and construction of the future residential accommodation to ameliorate night time acoustic impacts.

Existing residents in Stage 10 of Shell Cove (i.e. west of Harbour Boulevard) are considered to be located far enough away from the supermarket that they would not likely be unreasonably impacted during the night as the noisy activities (loading dock operations) are to cease at 10 pm.

The amended hours of operation are considered satisfactory.

7.9 Any Submissions [s.79C(1)(d)]

No submissions were received during the exhibition of the DA.

7.10 The public interest [s.79C(1)(e)]

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

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

- a. The development provides additional employment needs and retail services for the population within the Shellharbour community.
- b. The development will result in the levying of developer contributions towards community facilities and open space.
- c. The proposed development is in accordance with the overall Structure Plan and Masterplan developed for Shell Cove, the Illawarra Regional Strategy, the Illawarra Regional

Environmental Plan and the objectives of the appropriate State Environmental Planning Policies.

- d. The site development will establish land uses which meet the needs of the local and regional community including opportunities for diversification of recreational and housing choice.
- e. The site development will provide for the establishment of a mixed use environment which will contribute to the diversification of the economy of the Illawarra and its employment opportunities.
- f. The overall Shell Cove urban area (with specific provision for a Boat Harbour and Marina complex) is included in the Illawarra Urban Development Program and the land was rezoned in 1986 to urban use in anticipation of population growth pressures in the Illawarra.

7.10.1 Political Donations Disclosure

Under Section 147(4) of the Environmental Planning and Assessment Act 1979 (the Act) a person who makes a relevant planning application to Council is required to disclose any reportable political donations and gifts made by any person with a financial interest in the application within the period commencing two years before the application is made and ending when the application is determined, including:

- a. all reportable political donations made to any Councillor of this Council
- b. all gifts made to any Councillor or employee of this Council.

Under Section 147(5) of the Act, these disclosure requirements also apply to a person, or any associate of a person, who makes a relevant public submission to Council in relation to a relevant planning application.

Note: Section 147(1) of the Act states: 'political donations or gifts are not relevant to the determination of any such planning application, and the making of political donations or gifts does not provide grounds for challenging the determination on any such planning application'.

The Disclosure Statement received by Council in the Development Application indicate that no reportable donations or gifts have been made.

7.10.2 Section 94 Contributions Plan 2013 (7th Review)

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

Section 94 Contribution payable: \$1,817.42

A monetary contribution for community infrastructure and services is to be paid in accordance with *Shellharbour Section 94 Contributions Plan 2013*.

The following condition has been recommended:

A contribution of \$1,817.42, subject to annual indexation, must be paid to Council towards the provision of community infrastructure and services prior to the issue of the Construction Certificate. This amount has been calculated in accordance with Shellharbour City Council's *Section 94 Contributions Plan 2013* dated 18 December 2013.

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

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

These requirements form part of the recommended conditions; refer Attachment 1.

7.10.3 Council Decision Making During Merger Proposal Periods – Section 23A of the Local Government Act 1993

The Office of Local Government's (OLG) document *Council Decision Making During Merger Proposal Periods* includes general principles and a number of specific guidelines. The general principles and regulatory guidelines of relevance are:

Councils and council officials should not make decisions during a merger proposal period that seek to damage or impede the operational effectiveness of a new council including (but not limited to):

- *Make significant and/or ongoing financial commitments that will be binding on a new council*
- *Make other significant undertakings or commitments that will be binding on a new council*
- *Make decisions that are designed to limit the flexibility or discretion of a new council*
- *Would not otherwise withstand legal challenge on the basis that the new council and not the outgoing one would need to defend any such challenge.*

Having regard to the above, and in accordance with the OLG guidelines, it is considered that the operational effectiveness of the Council is not damaged or impeded as a result of the determination of the development application.

8 CONCLUSION

The application to to construct a 4,623 m² of retail floor space comprising 3,670m² supermarket with adjoining liquor tenancy, and 9 specialty shops (including a kiosk), with on-grade and basement car parking for 256 vehicles, 7 motorcycles and 44 bicycles and associated landscape works on Lot 1279 DP1175512 The Farm Way, Lot 8032 DP1072187 Boollwarroo Parade, and Lot 1597 DP 1194294 Cove Boulevard, Shell Cove has been assessed in accordance with the provisions of the Environmental Planning and Assessment Act, 1979 as amended with all matters specified under Section 79C (1) Clauses (a) to (e) having been taken into consideration.

The proposal is generally consistent with Concept Plan for the Boat Harbour Precinct, as envisaged in NSW State Government's and Council's strategic and statutory planning documents.

Furthermore, the proposal provides a responsive design in terms of its relationship with adjoining future development and establishes an appropriate human scale through the implementation of the retail plaza.

As such, the proposed development is considered to be both reasonable and appropriate in the context of the site. The development will have positive social and economic benefits in terms of the employment and servicing the surrounding housing in the new town centre.

Having regard to the merits of the proposal, it is considered that the development represents a well-conceived response to all the relevant planning controls and the constraints and opportunities presented by the site and is worthy of approval, subject to conditions.

It is recommended that the Panel approve the DA No. 0012/2016 to a supermarket, liquor tenancy, and nine retail shops (including a kiosk) at Lot 1279 DP 1175512 The Farm Way, Lot 8032 DP1072187 Boollwarroo Parade, and Lot 1597 DP 1194294 Cove Boulevard, Shell Cove, subject to the recommended development consent conditions at Attachment 1.

9 RECOMMENDATION

Pursuant to Section 80 of the Environmental Planning and Assessment Act, 1979 the following is recommended:

- a. That the Southern Region Joint Regional Planning Panel grant consent to Development Application No. 12/2016 to construct a supermarket, liquor tenancy, and nine retail shops (including a kiosk), at Lot 1279 DP 1175512 The Farm Way, Lot 8032 DP1072187 Boolwarroo Parade, and Lot 1597 DP 1194294 Cove Boulevard, Shell Cove subject to the conditions of consent in Attachment 1 of this report.

ATTACHMENT 1 - Schedule of Conditions

PART A – ADMINISTRATIVE CONDITIONS

1. Construction Certificate & PCA Notification Environmental Planning & Assessment Act 1979 Section 81A

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

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

2. Prescribed Conditions

This development consent is subject to the prescribed conditions made under the *Environmental Planning & Assessment Regulation 2000*.

3. Development in Accordance with Plans and Documents

The development must be in accordance with the approved Development Application plans as endorsed by Council's stamp except as modified by conditions of this consent.

Name of Plan/Document	Prepared By	Drawing/Document No./Revision	Date
Architectural Drawings	HDR Rice Daubney	12009 DA 01 to DA 03 Rev A	18/12/2016
Revised Site Analysis	HDR Rice Daubney	12009 DA 04 Rev B	3/11/2016
Revised Drawings	HDR Rice Daubney	12009 DA 05 Rev C	3/11/2016
Revised Parking, Basement, Ground Plans	HDR Rice Daubney	12009 DA 06, DA07, DA08 Rev E	3/11/2016
Revised Roof Plan	HDR Rice Daubney	12009 DA 09 Rev B	3/11/2016
Revised elevations	HDR Rice Daubney	12009 DA 10, 11 Rev B	3/8/2016
Revised elevations	HDR Rice Daubney	12009 DA 12	20/6/2016
Architectural Statement	HDR Rice Daubney		undated
Statement of Environmental Effect	JBA Urban Planning Consultants		Dec 2015
Flood Gate Plans	Worley Parsons	2013-ARP/SK1 2013-ARP/SK5	07/09/2012
Basement Evacuation Route Plan	HDR Rice Daubney	Basement Evacuation Route Plan	
Basement Evacuation Route Plan – Flood Gate	Worley Parsons	Flood Gate SK01 - Evacuation Route Plan	
Civil Plans	Henry & Hymas	15297_DA_C101 Rev6 15297_DA_C102 Rev 8 15297_DA_C103 Rev4 15297_DA_C115 Rev 1 15297_DA_C116 Rev 2	29/07/2016
Landscape Plans	GSA	ROAD SECTIONS - MAIN STREET & HARBOUR BOULEVARDE	21/10/2016 17/11/2016

Name of Plan/Document	Prepared By	Drawing/Document No./Revision	Date
		L-0D-2300-D L-01-2100-G L-01-2300-G L-01-3100-B L-01-6100-G	
Civil Design Statement	Henry & Hymas		30/9/2016
Flood Assessment	Worley Parsons	Letter	28/10/2016
Stormwater and Water Cycle Management Plan	Worley Parsons		8 July 2016
BCA Report	McKenzie Group	Rev 04	29.06.16
Disability Access Review	McKenzie Group		30/11/2015
Noise Assessment of Supermarket	Wilkinson Murray		April 2016
Crime Prevention Through Environmental Design Report	JBA Urban Planning Consultants		Dec 2015
Waste Management Plan	Wasteless Consulting		30/11/2015
Targeted Site Investigation	Douglas Partners		Feb2016
Services Infrastructure Report	ADP Consulting Pty Ltd		2/12/2015
Pedestrian Network Plan	HDR Rice Daubney		15/4/2016

4. Land Use - Operation as Liquor Shop

The operation of the tenancy No. 10 as a packaged liquor shop must at all times comply with the definition of *retail shop* as defined in *Shellharbour Local Environmental Plan 2013*, but does not include a *pub, hotel or food and drink premises*.

PART B - PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

5. Amendments to Approved Plans

The amendments described below must be incorporated into the development and must be shown on the plans prepared for the purpose of obtaining a Construction Certificate:

- a. The approved use of tenancy No. 10 is for packaged liquor sales. Unless otherwise stipulated within the Packaged Liquor Licence which must be issued by NSW Liquor and Gaming prior to commencement of the use of the premises, the hours of operation of the tenancy are:
 - 7am to 10pm Monday to Saturday; and
 - 10am to 10pm Sunday.
- b. The two pedestrian crossings traversing the private road burdened by the right of way must be installed on raised thresholds and comply with RMS specifications for raised thresholds.

Details demonstrating compliance with this condition are to be prepared by a

suitable qualified engineer and to be submitted to the Principal Certifying Authority for approval prior to the lodgement of any Construction Certificate with the Principal Certifying Authority.

- c. Prior to the issue of an Occupation Certificate for the development, the Proponent must provide documentary evidence to the Principal Certifying Authority of the registration of a positive covenant on the title of so much of the land to be used for car parking which has Shellharbour City Council as the benefiting authority and which obliges the owner of the land from time to time to ensure that those parts of the land subject to the covenant are available for use as a car park by the public. Council is the authority permitted to alter, modify, or remove the restriction.
- d. The development must include security measures. These can include the use of security personnel, lighting, CCTV, fencing, alarms and the like or a combination thereof. Full details concerning security arrangements for the site must be provided on plan and/or written submission with the Construction Certificate application.
- e. As far as practicable, graffiti resistant surfaces and paint must be used. Details of such surfaces and paint are to be shown on plan or included in building specifications and are to be submitted with the Construction Certificate application.
- f. All landscaping must be designed to avoid creating concealment opportunities. In this regard, trees must have a growth habitat that allows visibility in and around the trunk to a minimum height of 2m at maturity. Details are to be shown on the Landscape Plan and submitted with the Construction Certificate application.
- g. *Pyrostegia venusta* is an environmental weed within the Shellharbour LGA in this regard omit the use of the plant species *Pyrostegia venusta* and replace with the plant species *Parthenocissus tricuspidata* 'Veitchii' or *Trachelospermum jasminoides*.
- h. Street tree planting and landscaping in the road reserve of Harbour Boulevard, and Road MC01 as shown on the approved landscape plans is to be planted and shown on the construction drawing.
- i. Landscape planting and landscape works, described on the plans as *Planted Temporary Landscape, Entry Wall and Signage, Grove of Cook Pines* located on the corner of Harbour Boulevard and Road 10 as shown on the approved landscape plans is to be shown on the construction drawings and planted prior to the issue of any Occupation Certificate and maintained by the person acting on this consent until such time as the site is further developed with buildings fronting the road network.
- j. The signage over the loading dock entries shall be reduced to be not more than 0.6m high by 3.6 metres long with a maximum area of not more 2.5m².
- k. All signage approved by this consent shall be installed in accordance with the requirements of the State Environmental Planning Policy (Exempt and Comply Codes) 2008
- l. The proposed slanted timber batter screen structure shrouding the basement entry ramp shown on Dwg No. DA 12 Rev B by Rice Daubney dated 20.6.2016 shall be modified to be constructed of stainless steel cable or other visually permeable material selection for a length of not less than 12 metres from the pedestrian crossing nearest the access to Road MC01 back towards the basement entry ramp to ensure the line of sight between pedestrians and drivers is not obscured in a way that presents a traffic safety hazard. Details of the design are to be submitted to the Principal Certifying Authority for approval prior to the issue of any Construction Certificate by the Principal Certifying Authority.
- m. A section of public road extending at least 7m south from the prolongation of the boundary of Road 10 must be dedicated to Council. This is to include the carriageway and 3m wide section of footpath on each side of the road.
- n. A section of public road extending 10m north from of the prolongation of the boundary of Road MC01 must be dedicated to Council. This is to include the carriageway and 3m wide section of footpath on each side of the road.

- o. A right of way must be registered over the private road which provide access to the public between Road 10 and Road MC01. Council is the authority permitted to alter, modify, or remove the restriction.
- p. Road 12 located north of Road 10 must be designed to cater for a 12.5 single unit vehicle turning between both roads without crossing the centreline.
- q. The two pedestrian crossings across the private road burdened by the right of way must be installed on raised thresholds and comply with RMS specifications for raised thresholds.

6. Section 94 Contributions

A contribution of \$1,817.42, subject to annual indexation, must be paid to Council towards the provision of community infrastructure and services prior to the issue of the Construction Certificate. This amount has been calculated in accordance with Shellharbour City Council's *Section 94 Contributions Plan 2013* dated 18 December 2013.

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

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

7. Building Access for People with Disabilities

Access for people with disabilities must be provided to and within buildings in accordance with the *Building Code of Australia* and AS 1428. Detailed plans verifying compliance must be provided to the Certifying Authority prior to release of the Construction Certificate.

8. Street Tree Inspection Fee

The developer must lodge with Council an inspection fee of \$89 in accordance with Council's *Fees and Charges* for:

- street tree inspection prior to occupation of the development
- street tree inspection following completion of the maintenance period

prior to the issue of the Construction Certificate.

9. Landscape Inspection Fee (condition if Council is PCA)

The developer must lodge with Council an inspection fee of \$89 in accordance with Council's *Fees and Charges* for:

- landscape inspection prior to occupation of the development
- landscape inspection following completion of the maintenance period

prior to the issue of the Construction Certificate.

10. Landscape Plan

Prior to the final inspection by the Principal Certifying Authority, the unbuilt upon land with the exception of the paving, must be landscaped and planted with turf, trees and shrubs. In this regard, two copies of a landscape plan prepared by a Landscape Architect must be submitted to the Accredited Certifier or Council prior to the release of the Construction Certificate. The landscape plan must be prepared in accordance with the concept landscape package prepared by Group GSA and dated 2/6/2015 and with Council's Landscape DCP available from Customer Service or Council's website.

11. Utilities - Sydney Water

The approved plans must be submitted to a Sydney Water Tap in™ to determine whether the development will affect Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. The new Tap in™ online self-service replaces QuickCheck agents as of 30 November 2015.

Please refer to the web site www.sydneywater.com.au for:

- Sydney Water Tap in™ www.sydneywater.com.au/SA/plumbing-building-developing/building/sydney-water-tap-in/index.htm and
- Guidelines for Building Over/Adjacent to Sydney Water assets - see Building & Developing then Building & Renovating

or telephone 13 20 92.

The Certifier must ensure that Sydney Water Tap in™ has issued appropriate electronic approval.

12. Soil and Water Management Plan (SWMP)

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

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

- a. minimise the area of soils exposed at any one time,
- b. conserve topsoil for reuse on site,
- c. identify and protect proposed stockpile locations,
- d. preserve existing vegetation and identify revegetation techniques and materials.
- e. control surface water flows through the development construction site on a manner that:
 - i. diverts clean run-off around disturbed areas.
 - ii. minimises slope gradient and flow distance within disturbed areas.
 - iii. ensures surface run-off occurs at non-erodible velocities.
 - iv. ensures disturbed areas are promptly rehabilitated.
- f. trap sediment on site to prevent off site damage. Hay bales are not to be used as sediment control devices. To ensure regular monitoring and maintenance of erosion and sediment control measures and rehabilitation works until the site is stabilized (includes landscaping).
- g. specifies measures to control dust generated as a result of construction activities on site.
- h. temporary sediment ponds must be fenced where the batter slope exceeds 1 vertical to 5 horizontal,
- i. design scour protection for the 10 year ARI event at all inlet and outlet structures.
- J. including measures to prevent the tracking of sediment off the site.

13. Retaining Wall Structural Engineer

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

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

14. Initial Geotechnical Report

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

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

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

15. Flooding Commercial Development

The Probable Maximum Flood (PMF) Level for this site is RL 6.3 m AHD

The development shall comply with the following restrictions:

- a. **BUILDING COMPONENTS AND METHOD:** All structures and components within the basement car park to have flood compatible components in accordance with Appendix 9 of Shellharbour City Councils Development Control Plan,
- b. **STRUCTURAL SOUNDNESS & ENGINEERS CERTIFICATE:** An engineer's certificate certifying that structures are designed to withstand forces of floodwaters, debris and buoyancy up to and including the PMF is to be submitted with the Construction Certificate Application and,
- c. **STORAGE OF MATERIALS:** There shall be NO external storage of materials below the design floor level which may cause pollution or be potentially hazardous during PMF flood.

16. Open Car Parking

Vehicles must not cause a nuisance in the PMF event by being caught in flood waters and becoming moving objects. In this regard, vehicle bollards or similar method of containment are required in areas where the flood velocity and depth exceeds vehicle stability limits. Details of vehicle containment methods are to be certified by a professional engineer with experience hydraulic engineering and provided on plan to the satisfaction of the PCA.

17. Flood Wall Design

A detailed structural design of the proposed flood wall on the Northern, Western and Southern boundary of the proposed car park is to be provided to the satisfaction of the PCA. The flood wall must also to be certified by the hydraulic engineers Worley Parsons for its suitability in deflecting flood water as intended in the document titled "Shell Cove The development Roads DA Flood Assessment" by Worley Parsons dated 27th October 2016. The flood wall is to be generally designed in accordance with the concept design approved on plan No. 13294 L-0D-2300-D, L-01-2100-G, L-01-2300-G, L-01-3100-B and L-01-6100-G.

18. Detailed Drainage Design

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

- a. be generally in accordance with plan no. 15297_DA_C101 revision 5 Sheets 1-2 prepared by Henry & Hymas on October 2015,
- b. drain to the council pits on road MC01,
- c. indicate the method of disposal of all stormwater and must include rainwater tanks, existing ground levels, finished surface levels on all paved areas, estimated flow rates, invert levels and sizes of all pipelines,
- d. be to the satisfaction of the Certifying Authority,
- e. be designed to cater for a 1 in 20 year Average Recurrence Interval storm event,
- f. overflow drainage paths are to be provided and be designed to cater for 1 in 100 year Average Recurrence Interval storm event,
- g. comply with Council's *Shellharbour Development Control Plan (Chapter 25 & Appendix 12)* unless variation is specifically noted and approved on DA concept drainage plan.

19. Pit Grates

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

20. Engineer Designed Pavement

All car parking areas, manoeuvring areas and the access aisle must be paved, drained and marked. The pavement must be designed by a qualified civil engineer and certified to be satisfactory for the expected traffic loadings from a development of this size and type. *AUSTROADS Guide to Pavement Technology* can be used as the design guideline for the pavement design.

The laybacks and crossings must be designed to accommodate expected traffic loadings. In this regard they must be constructed to an commercial/industrial standard with the work carried out by Council or a Council approved contractor at the Developer's expense, including all alteration to public infrastructure where necessary.

21. Site Facilities - Australia Post

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

PART C - PRIOR TO COMMENCEMENT OF WORKS

22. Site Contamination

An unexpected finds protocol for contamination must be prepared and submitted to the Principal Certifying Authority prior to the commencement of works.

23. Soil and Water Management Plan Implementation (SWMP)

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

24. Dilapidation Report

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

25. Structural Details

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

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

26. Protection Fencing

The vegetation/street tree protection fencing must be installed prior to works commencing.

27. Site Management Plan

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

- a. what actions are proposed to ensure safe access to and from the site and what protection will be provided to the road and footpath area from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like
- b. the proposed method of loading and unloading excavation machines, building materials and formwork within the site
- c. the proposed areas within the site to be used for the storage of excavated material, construction materials and waste containers during the construction period
- d. sediment and erosion control measures as per Landcom's publication "Managing Urban Stormwater - Soils and Construction (2004)" also known as the 'Blue Book' or subsequent revisions

- e. how it is proposed to ensure that soil/excavated materials are not transported on wheels or tracks of vehicles or plant and deposited on the roadway
- f. the proposed method of support to any excavation adjacent to adjoining buildings or the road reserve. The proposed method of support is to be certified by an appropriately qualified and experienced engineer

28. Section 138 Roads Act 1993

For works within the road reserve, the requirements of the Section 138 of the *Roads Act 1993* apply. In this regard:

- If a driveway is proposed, a Driveway Application must be made, or
- If any other works are proposed and/or occupation of the road reserve proposed, a Road Opening Application must be made.

This application must be made prior to any works commencing within the road reserve and an application fee in accordance with Council's *Fees and Charges* will apply.

29. Public Liability

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

PART D - DURING CONSTRUCTION WORKS

30. Site Documentation

A full set of approved documents (Development Consent, Construction Certificate Drawings and associated documentation) must be maintained on site for the duration of the construction works.

31. Survey Certification

A SURVEY CERTIFICATE, signed by a Registered Surveyor, shall be SUBMITTED FOR APPROVAL to the Principal Certifying Authority when the formwork for the main floor area and basement entry ramp is completed. This certificate shall certify that any main floor area and basement entry will be constructed at the designed level.

32. Retaining Wall on Boundary

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

33. Earthworks Cut, Fill and Grading

The maximum grading of cut or fill shall be 45 degrees (1:1) where there is no retaining wall or no other method of stabilising cut or fill during construction. The maximum depth of fill on any portion of the allotment shall be 1.0 metres. The maximum depth of cut on any portion of the allotment shall be 1.0 metres. Cut areas may exceed 1.0 metre provided the retained sections are located within the confines of the external walls of the buildings.

34. Connection to Council Pit and/or Pipe

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

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

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

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

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

35. Open or Occupy a Roadway or Footpath (Section 138 Roads Act 1993)

Prior to any physical works within Council's road reserve such as (but not limited to) installing a driveway or connecting stormwater facilities you will need to apply for approval under Section 138 of the *Roads Act*. There is no additional cost as this is paid for at the time of development application.

To lodge your application you will need to submit the following information:

- a. detailed engineering drawings of the proposed works in the road and footpath area,
- b. traffic management plan,
- c. provision of public risk insurance and,
- d. details of timing and length of works.

36. Traffic Committee - Signposting and Line Marking Plan

Prior to the implementation of the Signposting and Line Marking Plan, the Plan must be lodged with the City of Shellharbour Traffic Committee for written approval. This plan must detail all facilities, signage and line-marking required within and surrounding the development.

37. Storage of Materials

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

38. Hours of Work During Building Work

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

- 7am to 5pm Mondays to Fridays
- 7am to 3pm Saturdays

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

public holidays

39. Maintenance of Soil and Water Management Plan (SWMP)

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

Maintenance must include but is not limited to ensuring:

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

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

40. Waste Management

The management of waste must comply with the approved Waste Management Plan. Any variations to the Waste Management Plan must have prior written approval of Council.

41. Protection Fencing

The vegetation/street tree protection fencing must be maintained intact at all times throughout the period of building work on the site. Machinery, structures, storage/disposal of any building materials and the like, must not be located within the fenced area at any time.

42. Approved External Materials & Colours

The external treatment/appearance of the development must be in accordance with the approved Finishes Palette.

PART E - PRIOR TO OCCUPATION

43. Occupation Certificate

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

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

44. Occupation

Occupation of the proposed development must not occur until all conditions in Parts A, C, D & E of this consent and the conditions relevant to the construction Main Street and associated intersections in Development Application No. 143/2016 have been satisfied unless otherwise agreed with Council writing. The Principal Certifying Authority must issue a certificate verifying that all conditions have been satisfied.

45. Development Completion

All conditions of consent must be complied with prior to the building being occupied.

46. Flood Risk Signage

Signage is to be provided in the basement carpark to warn people that the site may be subject to flooding and to follow the designated evacuation routes from the basement car park including vehicle exit ramp, fire stairs and travelator.

47. Flood Gate Operation and Maintenance Manual

An operation and maintenance manual for the proposed Flood Gate at the basement entry ramp is to be provided and kept onsite at all times. The operation and maintenance manual is to be written by the manufacturer and must detail a schedule of maintenance and periodic testing to be carried out on the Flood Gate over time.

48. Services & 88B Instrument

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

49. 88B Instrument

Prior to the issue of an Occupation Certificate for the development, the Proponent must provide documentary evidence to the Principal Certifying Authority of the registration of a positive covenant on the title of so much of the land to be used for car parking which has Shellharbour City Council as the benefiting authority and which obliges the owner of the land from time to time to ensure that those parts of the land subject to the covenant are available for use as a car park by the public.

Council is the authority permitted to alter, modify, or remove the restriction.

50. Vehicular Access

Prior to the issue of any Occupation Certificate by the Principal Certifying Authority the Main Street (Road 10), Road 11, Road 12, and Road MC01 as shown in Construction Certificate No. 11.2013.411.3, and must be constructed.

51. Sydney Water Section 73 Compliance Certificate

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

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

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

52. Electricity Supply

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

53. Works As Executed - Stormwater Drainage

Prior to the issue of an Occupation Certificate, Works As Executed Plans must be submitted to the Certifying Authority by a registered surveyor certifying compliance of all drainage works with the approved design plans. The Works As Executed dimensions and levels must be shown in red on a copy of the approved Construction Certificate plans. This plan must verify surface and invert levels on all pits, invert levels and sizes of all pipelines, and finished surface levels on all paved areas. All levels must relate to Australian Height Datum.

54. Completion of Landscape Works

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

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

55. Repairs to Public Infrastructure

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

PART F - PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

Nil

PART G - AFTER ISSUE OF OCCUPATION CERTIFICATE/DURING OCCUPATION

56. Signalised Intersection Works

Prior to the issue of an occupation certificate, the traffic signals at the intersection of Shellharbour Road, Wattle Street and Harbour Boulevard must be completed to RMS satisfaction.

57. Storage & Display

Goods or signs must not be stored or displayed outside the confines of the premises or within the car parking, landscaping or manoeuvring areas.

A-frame board signs located outside the premises are not permitted.

58. No Work Outside Building

Work, other than the loading or unloading of goods associated with the business, must not be carried out outside the confines of the building.

59. Hours of Operation

Hours of operation (including loading and unloading of goods) must be confined to the working hours:

- Retail Centre Hours (including Supermarket): 24 hours 7 days a week; and
- Loading Dock Hours: 7am to 10pm 7 days a week.

60. Operational Noise

The use of the premises must not cause offensive noise, as defined in the *Protection of the Environment Operations Act 1997*.

61. Operational Waste Management

Adequate receptacles must be used to store all landfill and recyclable waste streams pending disposal. Such receptacle must be regularly emptied and no waste must be allowed to lie or accumulate on the premises other than in the receptacle. Provision must be made for the separation and recycling of waste.

62. Location of Waste Receptacles

The landfill and recyclable waste bins must be stored in the waste storage area/s located in accordance with the approved plan. At no time shall the bins be located within the car parking, landscaping or manoeuvring areas.

63. Signage on Glazing

A maximum of 20% of the glass area of the shop may be covered by or occupied by signage. Signage on glazing includes paint, vinyl strips and the like.

64. Illegal signs

No bunting, inflatable or flashing signage or lights are permitted.

65. Signage Envelopes

Separate consent is not required where signage is restricted to the signage envelope/s as shown on the approved plans. Signage must be wholly contained within the approved signage envelope/s, unless otherwise approved in writing by Council.

66. Signage Illumination

The approved signs must only be illuminated during the approved hours of operation, unless otherwise approved in writing by Council.

The intensity of illumination of the signage must not cause objectionable glare, affect the safety for motorists or detract from the amenity of the neighbourhood.

PART H – OTHER APPROVALS

67. Controlled Activity Approval

Prior to the issue of any Construction Certificate a copy of a controlled activity approval under the Water Management Act 2000 is to be obtained from the NSW Office of Water must be submitted to the Principal Certifying Authority.

REASONS FOR THE IMPOSITION OF CONDITIONS

1. To minimise any possible adverse environmental impacts of the proposed development.
2. To ensure that the amenity and character of the surrounding area is protected.

3. To ensure that the design and siting of the development complies with the provisions of Environmental Planning Instruments and Council's Codes and Policies.
4. To ensure that the development does not conflict with the public interest.

END OF RECOMMENDED CONDITIONS

ATTACHMENT 2 – Concept Approval Compliance Table

REQUIREMENT	COMPLIANCE STATUS	COMMENT
PART A – Terms of Approval		
<p>1. Approval for the Boat Harbour Precinct</p> <p>Except as modified by this approval, Concept Plan approval is granted only to the carrying out of development within the Concept Plan area as listed below and in more detail in Shell Cove Boat Harbour Precinct Concept Plan Application and Environmental Assessment, 26 February 2010, as amended by the Preferred Project Report:</p> <ul style="list-style-type: none"> (a) Up to 1,238 dwellings with a total gross floor area of approximately 150,000m² comprising single dwellings, medium density and apartments; (b) a business park with a maximum gross floor area of 30,000m²; (c) retail/commercial/hotel/community development with a maximum gross floor area of 22,000m²; (d) public open space and wetlands; and (e) associated drainage, stormwater infrastructure and roads. 	YES	See 6.1.1 of the assessment report
<p>2. Approved Plans and Documentation</p> <p>The project shall be generally in accordance with the following plans and documentation:</p> <ul style="list-style-type: none"> (a) Shell Cove Boat Harbour Precinct Concept Plan Application and Environmental Assessment, dated 26 February 2010, prepared by LFA (Pacific) Pty Ltd, including Volumes 1 and 2 and Appendices A to P; (b) Shell Cove Boat Harbour Precinct Preferred Project Report, dated November 2010 prepared by LFA (Pacific) Pty Ltd, including Appendices 1 and 2; and (c) Statement of Commitments (Schedule 4). <p>except as otherwise provided by the terms of this approval.</p>	YES	See 6.1.1 of the assessment report
<p>3. Limits on Approval</p> <p>This approval does not allow any components of the Concept Plan to be carried out without further approvals or consents being obtained.</p>	YES	Nil
<p>4. Lapsing of Approval</p> <p>Approval of Major Project No. 07_0027 shall lapse 5 years after the date of determination unless works the subject of any related application have been physically commenced, on or before that lapse date. The Director-General may extend this lapse date if the proponent demonstrates to the satisfaction of the Director-General that the project remains current, appropriate and reflective of the best use of the site at the date the approval would otherwise lapse.</p>	N/A	Nil
<p>5. Inconsistencies</p> <p>(1) In the event of any inconsistency between:</p> <ul style="list-style-type: none"> a) the terms of this approval and the Statement of Commitments, the conditions of this approval prevail; and b) the terms of this approval and the documents referred to in Part A - condition 2, the conditions of this approval prevail. <p>(2) If there is any inconsistency between the terms of the approval of the concept plan and any project approval or development consent, this concept approval shall prevail to the extent of the inconsistency.</p>	N/A	See 6.1.1 of the assessment report
PART B - Modifications		
<p>Part B – Modifications to the Concept Plan</p> <p>There are no modifications required to the Concept Plan outlined in the Shell Cove Boat Harbour Precinct Preferred Project Report.</p>	N/A	Nil
PART C – Further Environmental Assessment Requirements		
<p>Part C – Further Environmental Assessment Requirements</p> <p>The following environmental assessment requirements apply to the entire project and the requirements specified below must be submitted and approved by the relevant approval authority with the first application made under Part 3A or Part 4 of the EP&A Act.</p>		

<p>1. Coastal Hazards Study</p> <p>A detailed Coastal Hazards Study, prepared by a suitably qualified person comprising a coastal hazard risk assessment for the project taking into consideration the requirements of the <i>Shellharbour Coastal Hazard Study</i> (April 2010), and complying with the NSW Government's coastal risk planning benchmarks. The study must include an assessment of adequacy of height of sea wall against the predicted impacts of sea level rise, inundation and more frequent and intense storms to the year 2100; and details of dunal stabilisation works to 4.5m AHD. It must also provide details of responsibility for implementation and funding of the operational phase of the Beach Nourishment/Rehabilitation Management Plan.</p>	Completed.	DA411/2013 Subdivision of Stage B1 and C1
<p>2. Fauna Assessment</p> <p>A contemporary fauna assessment and survey for the Green and Golden Bell Frog undertaken in accordance with <i>Threatened Species Survey and Assessment Guidelines: Field Survey Methods for Fauna – Amphibians</i>, Department of Environment and Climate Change (April 2009). If the assessment concludes that there will be an impact on the Green and Golden Bell Frog, appropriate mitigation measures and/or changes must be incorporated into the project as recommended by the assessment.</p>	Completed.	DA411/2013 Subdivision of Stage B1 and C1
<p>PART D – Further Environmental Assessment Requirements</p>		
<p>The following environmental assessment requirements apply, where relevant, to development of each stage/precinct of the project and must be submitted with any subsequent applications to the relevant approval authority made under Part 3A or Part 4 of the <i>EP&A Act</i>.</p>		
<p>1. Urban Design</p> <p>The proponent must submit detailed urban design guidelines for the project prepared by a suitably qualified architect or urban designer, for each stage. The guidelines must establish design controls which achieve the following where relevant to the particular stage:</p> <ul style="list-style-type: none"> • architectural diversity within all stages which complements the site's coastal context; and • a variety of detailed designs which avoid monotones and repetition; • design of the hotel building and public square in the commercial precinct which define street and water edges, and create visual interest; • a hotel building with tower angled to the east to maximise views to the coast to the north and south and reduce impacts on the boat harbour and which may comprise a 3-4 storey high podium; • demonstration of a mix of dwelling types and sizes for each residential precinct, including consideration of affordable and adaptable housing; • building separation, setbacks, solar access, visual and acoustic privacy, view corridors and an adequate level of environmental amenity; • compliance with <i>Crime Prevention Through Environmental Design</i> (CPTED) principles; • the location and distribution of public car parks; • where applicable, that <i>State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development</i> principles and the <i>Residential Flat Design Code Guidelines</i> can be achieved; • appropriate density, bulk, scale, textures and colours in relation to surrounding development, topography and streetscape; • consistency with the <i>New South Wales Coastal Policy 1997</i> and <i>Coastal Design Guidelines New South Wales</i> in terms of visual impact, bulk, scale and amenity; • layout and design which satisfies the design considerations in <i>Healthy by Design: A Planners Guide to Environment's for Active Living</i>, National Heart Foundation of Australia; • clear addresses for buildings fronting public walkways along the harbour and direct access from walkways where possible; • an indicative staging plan identifying the likely timing and sequence for each stage; • buildings which address main avenues or boulevards and serviced by rear laneways/access ways to improve legibility and prevent gated communities; and 	Completed.	See 6.1.1 of the assessment report
<p>2.</p> <ul style="list-style-type: none"> • design and layout to minimise noise impacts to sensitive residential areas near the quarry boundary. <p>A landscape plan prepared by a suitably qualified landscape architect detailing the locations, types and treatments for landscaping and public domain elements with consideration of Council's requirements.</p>	YES	Nil
<p>3. Noise Management Assessment</p> <p>A detailed Noise Management Assessment identifying:</p> <ul style="list-style-type: none"> • traffic noise mitigation measures for the road design; • areas which require acoustic treatments to dwelling facades to provide satisfactory indoor noise levels; and • appropriate mitigation measures (the use of mounds and landscape buffers, not acoustic walls) for the design and layout of stages affected by truck noise from the Quarry Haul Road, dry boat storage and marina activities. 	Completed.	See 3.5 of the assessment report
<p>4. Utilities</p> <p>Address and document the existing capacity and requirements of the project for utilities, including any necessary augmentation and staging of any infrastructure works, in consultation with relevant agencies.</p>	Completed.	See 3.5 of the assessment report

<p>5. Earthworks Strategy</p> <p>Provide a detailed Earthworks Strategy, prepared by a suitably qualified person which addresses erosion and sedimentation controls and includes measures to manage acid sulfate soils and stockpiling.</p>	Completed.	See 3.5 of the assessment report
<p>6. Remedial Action Plan</p> <p>A Remedial Action Plan is to be prepared for the former golf course area and the south-eastern area of the site at the location of the former farm structure by a suitably qualified person in accordance with <i>Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land</i> (DUAP/EPA, 1998), based on the recommendations and conclusions of the Phase 2 Contamination Assessment prepared by Douglas Partners dated October 2010 (Appendix 2D of the Preferred Project Report).</p>	Completed.	See 3.5 of the assessment report
<p>7. Flood Assessment</p> <p>A detailed Flood Assessment, prepared by a suitably qualified person identifying flood affected parts of the land and showing how the proposed project at each stage will comply with Shellharbour City Council <i>Floodplain Risk Management Development Control Plan</i> (April 2006), (except where it is inconsistent with NSW State Government policy and guidelines), and comply with and the government's sea level rise and climate change benchmarks, current at the time of preparation of the Flood Assessment. The findings of the Flood Assessment must inform the ultimate layout and design of each stage of the project.</p> <p>The assessment must include a flood planning levels map, details of flood planning levels adjacent to the boat harbour and for the major overland flow paths; and mitigation measures to reduce impacts on flood levels in vicinity of Ron Costello oval.</p>	Completed.	DA411/2013 Subdivision of Stage B1 and C1. DA0012/2016 – Retail DA
<p>8. Stormwater and Water Cycle Management Plan</p> <p>Identify drainage, stormwater and groundwater management issues, on-site stormwater detention (if required), and drainage infrastructure to ensure achievement of the water quality targets identified in the Boat Harbour Development Consent 95/133 for each stage of the project consistent with Council's requirements.</p>	Completed.	DA0012/2016 – Retail DA
<p>9. Environmental Management Plan</p> <p>An Environmental Management Plan (EMP), prepared by a suitably qualified person demonstrating measures to mitigate potential impacts on aquatic habitats and aquatic species during the construction and operation periods. The EMP must be prepared in consultation with the Department of Environment, Climate Change and Water.</p>	Completed.	DA411/2013 Subdivision of Stage B1 and C1
<p>10. Construction Management Plan</p> <p>A comprehensive Construction Management Plan, including a traffic management plan identifying truck routes, vehicular frequency, hours of operation, use of equipment, and measures to minimise dust, noise and vibration impacts on surrounding areas, and ensure vehicular and pedestrian safety.</p>	Completed.	See 3.5 of the assessment report
<p>11. Ecologically Sustainable Development</p> <p>Demonstrate that any future development will incorporate ESD principles in its design, construction and ongoing operation phases, including water sensitive urban design measures, water re-use/recycling, energy efficiency, recycling and waste disposal.</p>	Completed.	See 3.5 of the assessment report
<p>12. Acid Sulfate Soils</p> <p>An Acid Sulfate Soil Management Plan (ASSMP) for each stage of the project for actual and potential acid sulphate soils prepared by a suitably qualified person in accordance with the <i>NSW Acid Sulfate Soil Manual</i> (NSW Acid Sulfate Soil Management Advisory Committee, August 1998). The ASSMP must examine how the pre-loading process and treatment of ASS will be staged and managed throughout the life of each stage especially regarding the impacts of trenches (for service and drainage) on groundwater and acid leachate.</p>	Completed.	See 3.5 of the assessment report
<p>13. Social Infrastructure</p> <p>Social infrastructure shall be provided in accordance with Council's Section 94 Contributions Plan. The details of any playground, local library and multi-purpose community centre shall be provided with each stage of the project.</p>	Completed.	See 3.5 of the assessment report
<p>14. Local Infrastructure Contributions</p> <p>Contributions towards local infrastructure in accordance with the <i>EP&A Act 1979</i> must be provided.</p>	Completed.	See 3.5 of the assessment report
<p>15. Erosion and Sedimentation Control</p> <p>A detailed Erosion and Sedimentation Control Plan prepared in accordance with <i>Managing Urban Stormwater: Soils and Construction</i>, Landcom (March 2004) ('the Blue Book') detailing the design, construction and implementation of measures to manage stormwater, and erosion and sediment control during the construction phases of each stage of the project.</p>	Completed.	See 3.5 of the assessment report
<p>16. Traffic Assessment</p> <p>An updated traffic impact assessment prepared by a suitably qualified person for each stage/precinct of the project which includes a cumulative impact assessment having regard to the status of the future construction of the intersection of Harbour Boulevard and Shellharbour Road.</p>	Completed.	See 3.5 of the assessment report

<p>17. Public Access</p> <p>The detailed design and layout of the project must adopt the following principles:</p> <ul style="list-style-type: none"> (a) direct, legible and inviting public pedestrian access from adjoining residential development and pedestrian connections which follow existing and proposed well-connected streets; (b) clear and direct access from the public walkway around the harbour to streets that meet the harbour edge to ensure public access is well defined and integrated; and (c) clear, through-site pedestrian links with active street frontages, direct and legible access to key points of interest, including Shellharbour village, which are publicly accessible at all times. (d) consistency with the Shellharbour Shared Use Path Strategy (Shellharbour City Council, 10 August 2010) unless otherwise justified. 	Completed.	See 6.1.1 of the assessment report
SCHEDULE 4 – Statement of Commitments		
<p>4.1 GENERAL COMMITMENTS</p> <ul style="list-style-type: none"> ▪ The Proponent undertakes to pursue the development in accordance with the Concept Plan and Preferred Project Report, which reflects the Shell Cove Masterplan, the Illawarra Regional Strategy, the Illawarra Regional Environmental Plan, the Shellharbour Local Environmental Plan, the Environment Protection and Biodiversity Conservation Act and the appropriate State Environmental Planning Policies. ▪ The Proponent undertakes to obtain all necessary approvals required by State and Commonwealth legislation prior to undertaking subsequent stages of the development. 	YES	Nil
<p>4.2 STRATEGIC PLANNING</p> <ul style="list-style-type: none"> ▪ The Proponent undertakes to respond to relevant local, regional and State planning strategies. ▪ The Proponent undertakes to consider the recommendations of the <i>Shellharbour Local Government Area Retail/Commercial Study and Employment Study</i>, which includes: <ul style="list-style-type: none"> – Enhancing public domains in support of Shell Cove as a creative and cultural hub. – Establishing a retail centre and operating a supermarket. – Establishing a Business Park. ▪ The Proponent undertakes to demonstrate consistency with the Sustainability Criteria set out in Appendix 1 of the Illawarra Regional Strategy, which includes: <ul style="list-style-type: none"> – Providing infrastructure. – Enhancing access to and within the Boat Harbour Precinct. – Providing employment opportunities. – Encouraging both conservation and enjoyment of the natural resources and coastal environment of Shell Cove. 	YES	See 6.1.1 of the assessment report
<p>4.3 URBAN DESIGN, VISUAL IMPACT AND SUSTAINABILITY</p> <ul style="list-style-type: none"> ▪ The Proponent undertakes to respond to the surrounding area by addressing bulk, scale, amenity (including noise) and visual amenity, with regards to the NSW Coastal Policy (1997), which includes: <ul style="list-style-type: none"> – Implementing maximum building heights of 4 storeys (excluding the landmark hotel which is proposed to have a maximum height of 8 to 9 storeys). – Adopting a contemporary coastal village materials palette. – Providing parks and boardwalks which establish public access to the harbour perimeter. – Establishing visual connections between streets and open spaces and the harbour. ▪ The Proponent undertakes to respond to the surrounding area by addressing bulk, scale, amenity (including noise) and visual amenity, with regards to the Coastal Design Guidelines of NSW (2003), which includes: <ul style="list-style-type: none"> – Incorporating visual and physical links to the natural environment, such as integrating wetlands. – Providing an open space network. – Maintaining the Shell Cove Town Centre as a visual landmark. – Managing increased local population and visitor access to the foreshore. ▪ The Proponent undertakes to ensure that the relevant residential components of the development demonstrate compliance with SEPP 65 - Design Quality of Residential Flat Development, which includes providing: <ul style="list-style-type: none"> – Private open spaces. – Courtyards. – Useable balconies. – Decks. 	YES	See 6.1.1 of the assessment report

4.4 LANDSCAPE <ul style="list-style-type: none"> The Proponent undertakes to implement street tree planting in accordance with a landscape plan to be submitted as part of each Project Application. The Proponent undertakes to implement planting and other works in areas of public open space as designated in the landscape plan to be submitted as part of each Project Application. 	YES	See 6.1.1 of the assessment report
4.5 INFRASTRUCTURE PROVISION <ul style="list-style-type: none"> The Proponent undertakes to assess existing capacity and provide infrastructure requirements for sewerage, water, electricity, telecommunications and gas. The Proponent undertakes to adopt Water Sensitive Urban Design principles in the provision of infrastructure requirements. The Proponent undertakes to obtain and maintain all necessary licences, permits and approvals for the development prior to and during construction. 	YES	See 6.1.1 of the assessment report
4.6 TRAFFIC AND ACCESS <ul style="list-style-type: none"> The Proponent undertakes to implement a traffic management strategy - in relation to the capacity of the road network to cater for additional traffic generation including service vehicles, access to and within the site, and connectivity to existing developments - with particular emphasis on the following key intersections: <ul style="list-style-type: none"> Shellharbour Road/Harbour Boulevard/Wattle Road - revised layout. Addison Street/Harbour Boulevard - new traffic signals. Brigantine Drive/Harbour Boulevard - single lane roundabout. Cove Boulevard/Harbour Boulevard - single lane roundabout. Road A/Harbour Boulevard - single lane roundabout. The Proponent undertakes to consider the impact of the development on existing public transport provision, identify pedestrian movements and implement appropriate provisions for shared path/cycleway/public transport routes to the existing and proposed road network, including a Pedestrian Shared Zone in the Town Centre. The Proponent undertakes to incorporate parking in accordance with the requirements as part of subsequent Project Applications. The Proponent undertakes to protect existing public access to and along the beach and coastal foreshore and provide new opportunities for controlled public access including providing continuous public access to the perimeter of the harbour. The Proponent undertakes to maintain good access to the Bass Point Reserve. 	YES	See 7.7.2 of the assessment report
HAZARD MANAGEMENT AND MITIGATION		
4.7.1 Coastal Processes <ul style="list-style-type: none"> Under the separate Boat Harbour approval the Proponent undertook to implement a Beach Nourishment/Rehabilitation Management Plan which identifies measures to protect and rehabilitate the Shellharbour South Beach dunal system. The Proponent undertakes to ensure that beach behaviour is monitored to provide information which will facilitate effective management of natural coastal processes. The Proponent undertakes to respond to potential sea level rise as a result of climate change by ensuring that all habitable buildings within the Boat Harbour Precinct adopt a freeboard of 0.5m and providing a sea wall with a height of 2.00m AHD. 	Completed.	DA411/2013 Subdivision of Stage B1 and C1
4.7.2 Contamination <ul style="list-style-type: none"> The Proponent undertakes to identify any contamination on site and apply appropriate mitigation measures in accordance with the provisions of SEPP 55 - Remediation of Land. The Proponent undertakes to remove any residual landfill within the site associated with the Shellharbour Swamp. The Proponent undertakes to ensure that the development does not result in any significant increase in flood levels on adjacent properties. Flood impacts will not exceed those identified in Appendix F of the EA. The Proponent undertakes to ensure that flood risk will be assessed in each Project Application for consistency and compliance with the Concept Plan and compliance with the NSW Flood Plain Development Manual 2005 and Council's Flood Plain Risk Management DCP (except where inconsistent with NSW State Government Policies and Guidelines). 	Completed.	See 3.5 of the assessment report
4.7.3 Acid Sulfate Soils <ul style="list-style-type: none"> The Proponent undertakes to treat any disturbed ASS material in accordance with the ASS Management Advisory Committee Guidelines. 	Completed.	See 3.5 of the assessment report
4.7.4 Bushfire <ul style="list-style-type: none"> The Proponent undertakes to implement an Asset Protection Zone from the revegetated dunal zone located to the east of the study area to any residential, commercial or retail buildings within the Boat Harbour Precinct in accordance with the Planning for Bushfire Prevention guidelines. 	Completed.	See 3.5 of the assessment report

<p>4.7.5 Geotechnical</p> <ul style="list-style-type: none"> The Proponent undertakes to preload areas of soft soil prior to construction in accordance with the separate Boat Harbour approval. The Proponent undertakes to ensure that following satisfactory preloading, the compacted preload is removed and extra compacted fill is placed, as required, to match the final design level. 	Completed.	See 3.5 of the assessment report
<p>4.7.6 Flooding</p> <ul style="list-style-type: none"> The Proponent undertakes to provide waterway corridors to be used as floodways - using Water Sensitive Urban Design principles and incorporating wetlands, natural creeklines and open space areas - to manage and contain flood hazards. The Proponent undertakes to implement a Flood Emergency Response which includes remaining on site during PMF events and maintaining safe pedestrian and vehicular access routes out of the Boat Harbour Precinct for events up to the 100yr ARI flood. The Proponent undertakes to respond to sea level rise by adopting Flood Planning Levels based upon the 100 year ARI flood level plus 0.90 m sea level rise (for the year 2100) plus 0.50 m (to comply with Council's freeboard requirement). The Proponent undertakes to prepare a FPL map in accordance with Figure 5 of the NSW Coastal Planning Guideline Adapting to Sea Level Rise for each Project Application when more detailed definition of final design levels is available. This will include localised flood modelling for each stage of the Boat Harbour Precinct to demonstrate compliance with the NSW Coastal Planning Guideline Adapting to Sea Level Rise. The Proponent undertakes to prepare an assessment of the impact of 0.9m sea level rise on the 5 year and 100 year ARI and PMF storm events during detailed design phases of the Boat Harbour Precinct associated with each Project Application. The Proponent undertakes to ensure that the development does not result in any significant increase in flood levels on adjacent properties. Flood impacts will not exceed those identified in Appendix F of the EA. The Proponent undertakes to ensure that flood risk will be assessed in each Project Application for consistency and compliance with the Concept Plan and compliance with the NSW Flood Plain Development Manual 2005 and Council's Flood Plain Risk Management DCP (except where inconsistent with NSW State Government Policies and Guidelines). 	Completed.	See 3.5 of the assessment report
<p>4.8 WATER CYCLE MANAGEMENT</p> <ul style="list-style-type: none"> The Proponent undertakes to mitigate the potential impact of the development on the environment through a Water Cycle Management Strategy which includes: <ul style="list-style-type: none"> Rainwater tanks. Grass swales. Vegetated drainage corridors. Bio-retention swales and basins. Gross pollutant traps. Wetlands. The Proponent undertakes to implement a Water Cycle Management Strategy which adopts Water Sensitive Urban Design principles and identifies measures to ensure protection of water quality within the sensitive near-shore coastal environment. The Proponent undertakes to provide multiple, connected freshwater wetlands to the north and west of the Town Centre in accordance with the Stormwater Quality Management Strategy. 	Completed.	See 3.5 of the assessment report
<p>4.9 HERITAGE AND ARCHAEOLOGY</p> <ul style="list-style-type: none"> The Proponent undertakes to progress works in accordance with the approved Archaeological and Heritage Protection Plans and the ss87/90 consent and permit (No 2534) of the NP&W Act. The Proponent undertakes to protect the Shellharbour Aboriginal Objects (Sites) identified as being of relatively high archaeological value in accordance with the Archaeological and Heritage Protection Plan and the consent and permit granted by the Department of Environment and Climate Change. The Proponent undertakes to notify the National Parks and Wildlife Service immediately in the event that any previously unidentified Aboriginal relics (including human skeletal material) are discovered on the site. 	Completed.	DA411/2013 Subdivision of Stage B1 and C1

4.10 FLORA AND FAUNA <ul style="list-style-type: none"> In accordance with the Boat Harbour Ministerial Consent, the Proponent has undertaken to compensate for any impact of the development on aquatic and terrestrial flora and fauna and their habitats by the construction of the Myimbarr Wetlands. The Proponent undertakes to enhance the environment through the use of native flora in landscaped parklands and public spaces. The Proponent undertakes to mitigate the impact of construction on flora and fauna populations through erosion and sediment control measures including: <ul style="list-style-type: none"> Diversion drains. Rapid revegetation of cleared areas. Silt fences. Stabilising drains. Use of temporary and permanent sediment traps. 	Completed.	DA411/2013 Subdivision of Stage B1 and C1
4.11 NOISE, ODOUR AND AIR QUALITY <ul style="list-style-type: none"> The Proponent undertakes to mitigate any excessive noise impacts by implementing appropriate measures such as low noise pavements or incorporating noise reduction features on residential facades, which will be detailed in each Project Application. The Proponent undertakes to mitigate odour impacts by adopting odour control measures which comply with Sydney Water guidelines including the reduction in septicity levels. The Proponent undertakes to meet the objectives of the NSW Action for Air Plan by: <ul style="list-style-type: none"> Minimising internal traffic generation. Providing direct pedestrian and vehicle access to the harbour foreshore. Providing continuous pedestrian access to the harbour edge. Providing pedestrian and cycle paths that access key facilities. Minimising through traffic to Bass Point and the Business Park. Encouraging public transport. Providing direct access to the arterial road network. 	Completed.	See 3.5 of the assessment report
4.12 SOCIO-ECONOMIC IMPACTS <ul style="list-style-type: none"> The Proponent undertakes to respond to social and economic impacts through increased numbers of new jobs during construction, increased local job opportunities as a result of the Business Park, increased visitor expenditure, and new expenditure and employment in retail, conferencing, restaurants and tourism. 	YES	Nil
4.13 CONSULTATION <ul style="list-style-type: none"> The Proponent undertakes to continue consultation with the relevant agencies, authorities and the public as pertains to each Project Application. 	YES	Nil
4.14 CRIME RISK <ul style="list-style-type: none"> The Proponent undertakes to incorporate best practice Crime Prevention Through Environmental Design principles into all detailed design development. 	YES	Nil

Web links to Concept Approval MP07_0027

MP 07_0027 - Shell Cove Boat Harbour Precinct, Shell Cove
Application and Declaration(1)

- [Shell Cove Preliminary Assessment.pdf](#) (5.319 MB)

Director-General's Requirements(1)

- [Director-General Requirements \(updated version\).pdf](#) (119.3 KB)

Environmental Assessment(32)

- [Appendix A - Traffic.pdf](#) (1.786 MB)
- [Appendix B - Coastal Processes.pdf](#) (1.646 MB)
- [Appendix C - Contamination.pdf](#) (335.0 KB)
- [Appendix D - Geotechnical part 1.pdf](#) (1.440 MB)
- [Appendix D - Geotechnical Part 2.pdf](#) (4.721 MB)
- [Appendix D - Geotechnical Part 3.pdf](#) (2.891 MB)
- [Appendix E - Bushfire.pdf](#) (1.151 MB)
- [Appendix F - Flood Management Part 1.pdf](#) (4.844 MB)
- [Appendix F - Flood Management Part 2.pdf](#) (2.587 MB)
- [Appendix F - Flood Management Part 3.pdf](#) (4.318 MB)
- [Appendix F - Flood Management Part 4.pdf](#) (2.860 MB)
- [Appendix F - Flood Management Part 5.pdf](#) (4.750 MB)
- [Appendix F - Flood Management Part 6.pdf](#) (2.679 MB)
- [Appendix F - Flood Management Part 7.pdf](#) (2.877 MB)
- [Appendix F - Flood Management Part 8.pdf](#) (2.917 MB)
- [Appendix G - Cultural Heritage.pdf](#) (3.012 MB)

- [Appendix H - Flora and Fauna.pdf](#) (399.5 KB)
- [Appendix I - Aquatic Ecology.pdf](#) (436.7 KB)
- [Appendix J - Air Quality and Noise.pdf](#) (1.072 MB)
- [Appendix K - Odour Control.pdf](#) (1.035 MB)
- [Appendix L - Economic Impact.pdf](#) (414.0 KB)
- [Appendix M - Social Infrastructure.pdf](#) (530.7 KB)
- [Appendix N - Open Space Guidelines.pdf](#) (4.480 MB)
- [Appendix O - Street Guidelines.pdf](#) (2.885 MB)
- [Appendix P - Estimate of Cost.pdf](#) (557.6 KB)
- [Environmental Assessment Part 1.pdf](#) (923.0 KB)
- [Environmental Assessment Part 2.pdf](#) (3.848 MB)
- [Environmental Assessment Part 3A.pdf](#) (3.744 MB)
- [Environmental Assessment Part 3B.pdf](#) (3.535 MB)
- [Environmental Assessment Part 4.pdf](#) (4.712 MB)
- [Environmental Assessment part 4.pdf](#) (4.712 MB)
- [Environmental Assessment Part 5 and 6.pdf](#) (276.6 KB)

Response to Submissions(10)

- [Appendix 1 Schedule of Issues.pdf](#) (13.97 KB)
- [Appendix 2A.pdf](#) (81.08 KB)
- [Appendix 2B.pdf](#) (648.0 KB)
- [Appendix 2Ca.pdf](#) (9.540 MB)
- [Appendix 2Cb.pdf](#) (966.5 KB)
- [Appendix 2D.pdf](#) (58.84 MB)
- [Appendix 2E.pdf](#) (3.078 MB)
- [Appendix 2F.pdf](#) (196.1 KB)
- [Appendix 2G.pdf](#) (6.010 MB)
- [Preferred Project Report.pdf](#) (6.994 MB)

Determination(5)

- [Approved Concept Plan - Open space, pedestrian and bicycle network.pdf](#) (360.1 KB)
- [Approved Concept Plan.pdf](#) (584.4 KB)
- [Concept Approval.pdf](#) (659.4 KB)
- [Director-General's Report.pdf](#) (126.9 MB)
- [Statement of Commitments.pdf](#) (1.666 MB)

ATTACHMENT 3 – Premier Transport Group Letter



13-23 Investigator Drive Unanderra N.S.W. 2526
Phone: 0242 711322 Fax: 0242 721608
www.premierillawarra.com.au

Jim Murray

Principal Planner

JBA Urban Development Service

5th April 2016

Jim

Premier Motor Service provider of the local bus service for Shellharbour & Wollongong local government regions, agrees in principle with the bus route and the bus stops set identified on the plan "Proposed Bus Routes SK-1" submitted with this letter. Premier will do a physical test of the roads before adopting the bus route to ensure that our 12.5m buses can manoeuvre though the route in a forward direction without having to reverse.

Yours truly

A handwritten signature in black ink, appearing to read 'Sunny R. Brailey', with a large, stylized flourish at the end.

Sunny R. Brailey

Manager

Premier Motor Service

T/A Premier Illawarra.

ATTACHMENT 4 – Site Photos – 26 September 2016



Figure A4.1 – Harbour Boulevard Round-a-bout – Looking East at the site



Figure A4.2 – Harbour Boulevard (round-a-bout) – Looking North



Figure A4.3 – Harbour Boulevard (South side) – Looking South



Figure A4.4– The Site – Looking South -East



Figure A5.5 – Mail Street No.10 (18.9m wide) – Looking East



Figure A4.6 – The Site – Looking South

ATTACHMENT 5 – Aerial Photos



Figure A6.1– Boat Harbour – Looking North



Figure A6.2 – Boat Harbour – Looking South



Figure A6.3 – Boat Harbour Entrance – Looking West



Figure A6.4– Boat Harbour– Looking West

ATTACHMENT 6 –Harbour Boulevard Landscape Detail

ATTACHMENT 7 – Urban Design Guidelines - Precinct D

Shell Cove – Precinct D

Draft Urban Design Guidelines

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Part 1: Introduction

1.0 Introduction

Name of this document

This document is called the “Shell Cove Precinct D - Urban Design Guidelines” (the design guidelines).

Purpose of the design guidelines

The purpose of the design guidelines is to support the Shell Cove Concept Approval in guiding development of land within Precinct D, which will be the future Shell Cove town centre.

Land to which the design guidelines apply

The design guidelines apply to development on land known as Shell Cove Precinct D as shown at **Figure 1 – Land to which the design guidelines apply**.



Figure 1: Land to which the design guidelines apply

A living document

Due to its size and complexity, Precinct D, is being planned in stages. The intent of these guidelines is to provide an overall development framework, with detailed provisions for each stage being added as detailed planning is completed. To date, detailed planning has occurred for part of the Town Centre Core Stage, which includes the first retail stage and surrounding roads, infrastructure and public domain (Refer to **Figure 2 – Town Centre Core Stage**). On this basis, the balance of the document will only apply to this stage. The principle characteristics, key elements and structure for the remaining Precinct D stages have been included to provide context. As detailed planning is finalised for other stages within Precinct D, these guidelines will be updated accordingly.

Structure of the design guidelines

The structure of the design guidelines are shown in **Table 1**.

Table 1: Structure and application of the design guidelines

Part	Application
Part 1 – Introduction	Precinct D
Part 2 – Vision and Principles	
Part 3 – Precincts	
Part 4 – Key Elements and Urban Structure	
Part 5 –Public Domain Guidelines	
Part 6 – Built Form Guidelines	

Application of the design guidelines

The design guidelines provide a performance based framework in which to consider each development application on its merits. A key feature of this framework is to facilitate innovation through enabling alternative design solutions that can demonstrate achievement of the relevant performance criteria or vision and principles.

Vision and principles

The vision and principles represent the overall outcomes for the site.

Character statements

Precinct D has been planned and designed to comprise a series of interconnected stages that are intended to each develop their own distinct character. To achieve this character, development must be consistent with the statements included in this part.

Key elements and urban structure

The key elements provide an increased level of detail on the vision and principles, and the urban structure represents a spatial expression of the vision and principles. Variations to the urban structure are permitted where alternative layouts can demonstrate they achieve the vision and principles.

Performance criteria and design solutions

Performance criteria are consistent with and provide further detail on the vision and principles. They address matters that are considered important to achieving quality development outcomes on the site. The design solutions represent the preferred way of demonstrating achievement of the performance criteria. Should development adopt a design solution, it will be taken that it has achieved the relevant performance criteria.

Alternative design solutions

Should development not adopt a design solution, it may propose an alternative design solution. This alternative solution will be assessed against the relevant performance criteria. Should the relevant performance criteria not be satisfied, the applicant is to demonstrate that the proposal achieves the vision and principles. Facilitating innovation through alternative design solutions is a fundamental aim of this planning framework. Consequently, when assessing a development application, the consent authority is to apply a flexible approach that allows consideration of reasonable alternative design solutions.

Relationship to other planning documents

The design guidelines provide guidance for development in Precinct D. They are to be read and applied in conjunction with other relevant documents including the Shell Cove Concept Plan approval, which includes:

- Shell Cove Boat Harbour Precinct Concept Plan Application and Environmental Assessment (26 February 2010);
- Shell Cove Boat Harbour Precinct Preferred Project Report (November 2010); and
- Statement of Commitments (Concept Approval Schedule 4)

The Concept Approval documents listed above set out the land use, floor space, dwelling yield and building height controls for Precinct D. They also outline Precinct D's overall characteristics and provide indicative

conceptual plans and illustrations addressing land use, built form and street layouts. The intention of the plans and illustrations is to demonstrate that the Shell Cove master plan design principles and precinct characteristics can be achieved. The Environmental Assessment states that:

*“All illustrations are **indicative only** and the built form will be considered in further detail prior to the submission of subsequent [development] applications.”*

As such, the plans and illustrations in the Concept Plan have provided the basis for the Precinct D design guidelines. In this regard, the design guidelines provide an additional layer of guidance, while remaining flexible, to allow Precinct D to evolve and allow its design to be 'considered in further detail' while ensuring the overall structure, design principles and development objectives are achieved in a manner that remains consistent with the Concept Approval.

Figures

All figures in these guidelines are indicative only. Given that Precinct D is a greenfield site, the consent authority is to apply reasonable flexibility in the interpretation of boundaries and elements. The figures are also not to scale.

Part 2: Vision and Principles

2.0 Vision and Principles

Vision

The vision for Precinct D is:

An active and vibrant retail heart for the Shell Cove community, with an attractive public domain that seamlessly connects to Main Street and other key public places.

Principles

To achieve this vision, development should comply with the following principles:

Development will:

1. Respect and complement Shell Cove's coastal setting;
2. Maintain view corridors to the ocean and boat harbour and define key street and water edges;
3. Provide public access to the boat harbour;
4. Provide a range of uses including supermarket retail, tourist (i.e. tavern and hotel), commercial, community facilities and residential components in the form of apartments and serviced apartments;
5. Create landmark spaces, views, built forms and landscapes which will contribute to a sense of place in a manner consistent with the *New South Wales Coastal Policy 1997* and the *Coastal Design Guidelines New South Wales*;
6. Deliver high quality architecture and spaces that contribute to a human scale of development and provide active ground floor uses, where appropriate, to generate a vibrant street environment;
7. Include street furniture, lighting and landscaping which will enhance the public realm, encourage pedestrian activity and engender a slow speed traffic environment;
8. Have a density, bulk, scale, textures and colours that respects surrounding topography, development and streetscapes;
9. Provide a mix of apartment types and sizes designed in accordance with the principles of *State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development* and the Apartment Design Guide;
10. Promote the principles of Crime Prevention Through Environmental Design (CPTED);
11. Provide conveniently located car, motorbike and bicycle parking to cater for forecast demand; and
12. Provide a layout and design that fosters the development of a healthy community.

Part 3: Stages

3.0 Precinct D - Stages

Precinct D will accommodate a number of stages each with a particular function. The stages are illustrated in **Figure 2** with character statements below. The stages are defined as follows:

- Town Centre Core Stage;
- Residential Stage;
- Community Stage;
- Hotel Stage;
- Tavern Stage; and
- Waterfront Stage.

Note - The numbering in Figure 2 does not indicate the order in which the stages will be developed. The numbers are for identification purposes only.



Figure 2: Precinct D - Stage Plan

3.1 Town Centre Core Stage

The Town Centre Core Stage is the primary retail /commercial hub for Precinct D. It is anchored by a supermarket, and contains a number of supporting speciality shops (refer Figure 3). Mixed use commercial residential buildings along the western edge of Main Street will provide activation at and above street level.



Figure 3: Indicative visualisation of the Town Centre Core Stage character looking east

3.2 Residential Stage

The Residential Stage accommodates the residential apartment buildings for Precinct D. The residential buildings offer pleasant views to the harbour, over the wetlands, and to the escarpment. The residential buildings will ensure that Precinct D enjoys activation throughout the day and into the evening.

3.3 Community Stage

The Community Stage provides a focal point for the community and could include a branch library, tourist information centre and dedicated community spaces. It will provide the civic heart to Precinct D and accommodates extensive areas of public open space adjacent to the harbour and will draw people along Main Street and activate the boat harbour waterfront and promenade (refer Figure 4). The Community Stage will be complementary to the location and function of the hotel.



Figure 4: Indicative visualisation of the Community Stage character looking south east

3.4 Hotel Stage

The Hotel Stage is located on the water's edge to the north east of Main Street and will provide tourist accommodation which anchors the northern edge of Precinct D. The Hotel Stage will be complementary to the location and function of the Community Stage.

3.5 Tavern Stage

The Tavern Stage provides an iconic waterfront destination and adjacent area of public open space (refer Figure 5). The Tavern Stage provides a large food and beverage offering adjacent to the waterfront with a northerly aspect and includes substantial areas of high quality waterfront public domain for people to engage with and enjoy the relaxed outdoor lifestyle offered by the coastal location. Public car parking is provided close to the waterfront and the tavern.



Figure 5: Indicative visualisation of the Tavern Stage character looking west

3.6 Waterfront Stage

The Waterfront Stage provides an area of specialty retail (i.e. food and beverage) which enlivens the waterfront area with opportunities for apartments above maximising views north and south along the coastline (refer Figure 6). The Stage will be active throughout the day and into the evening. The Waterfront Stage includes substantial areas of high quality public domain along the waterfront for people to engage with and enjoy the relaxed outdoor lifestyle.



Figure 6: Indicative visualisation of the Waterfront Stage character looking south

Part 4: Key Elements and Urban Structure

4.0 Key elements and urban structure

Application

This part applies to all Precinct D as shown in **Figure 2 –Precinct D Stage Plan**.

The key elements that are to be provided as part of a development are identified within the tables in this Section.

The vision and principles for the Precinct D as identified in section 2.0 of these Guidelines are spatially expressed in the following Figures:

Figure 7 – Indicative Precinct D Structure Plan;

Figure 8 – Indicative Public Domain Network Plan;

Figure 9 - Indicative Street and Car Parking Network Plan

Figure 10 - Indicative Pedestrian Network Plan

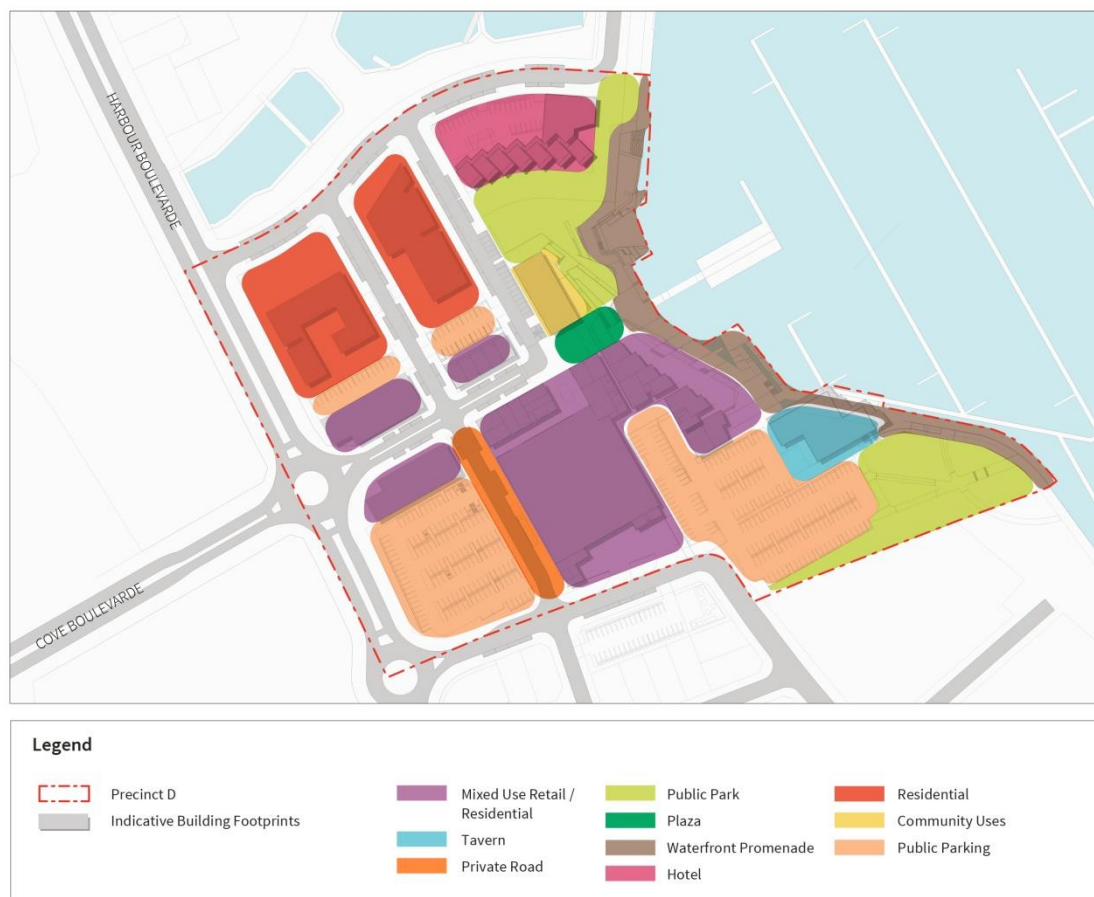


Figure 7: Indicative Precinct D Structure Plan

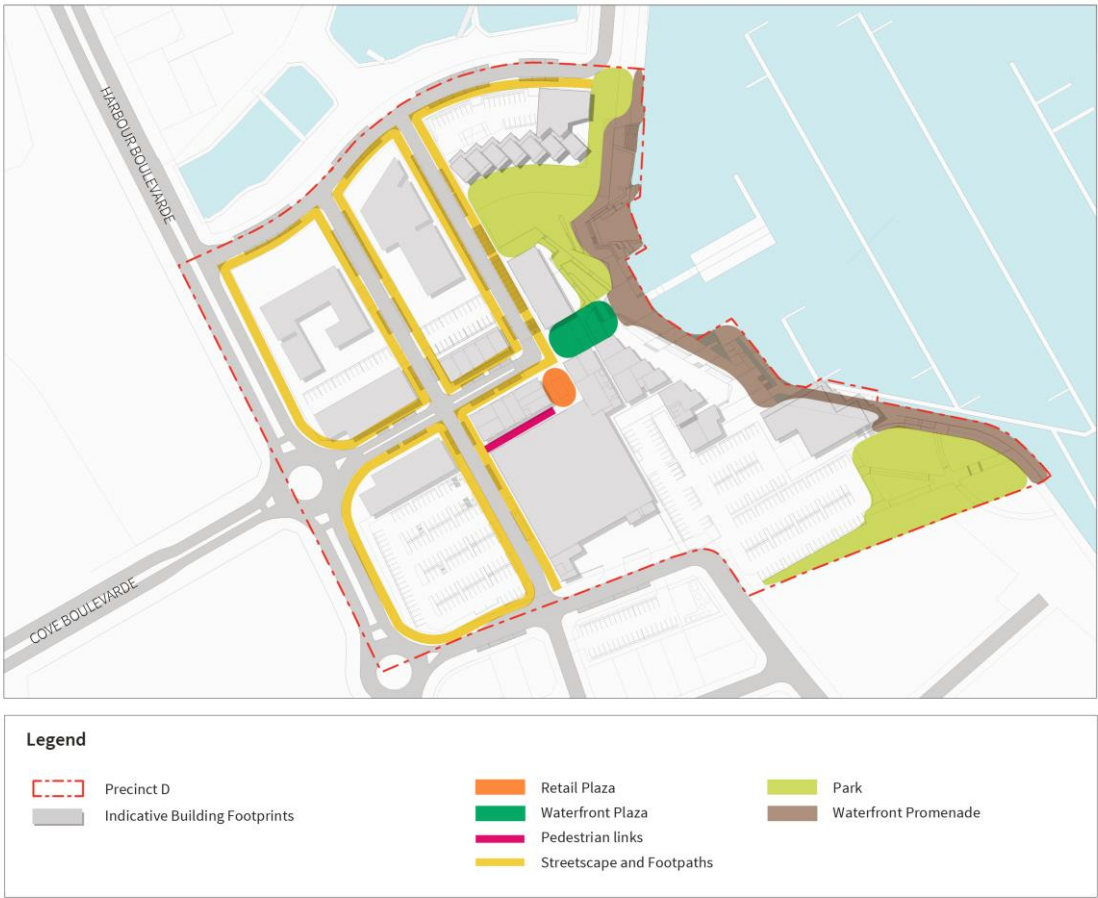


Figure 8: Indicative Public Domain Network Plan

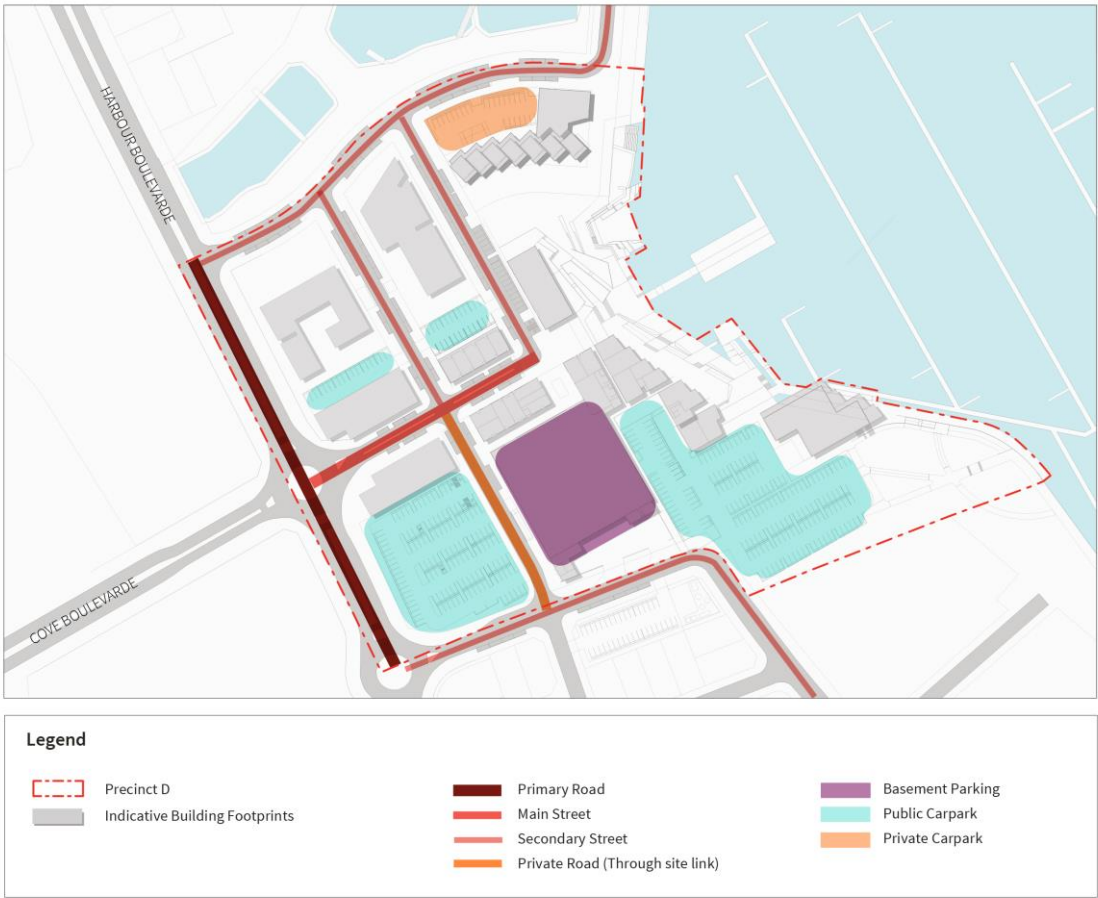


Figure 9: Indicative Street and Car Parking Network Plan

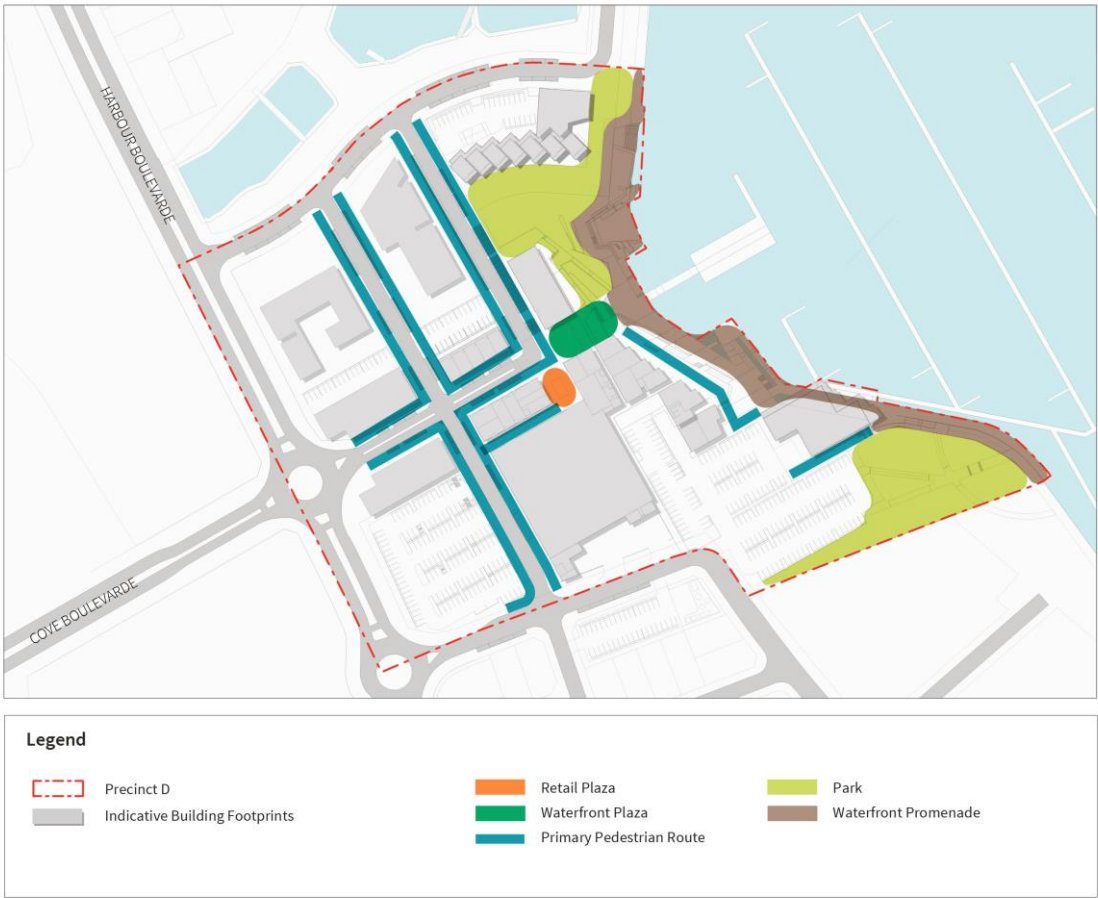


Figure 10: Indicative Pedestrian Network Plan

4.1 Town Centre Core Stage

Table 2: Town Centre Core – Performance Criteria

Performance criteria		Design solution	
PC1	To ensure that development provides key elements whilst providing flexibility in the location and arrangement of these elements	DS1	Development provides the key elements in Table 3 – Key elements and is generally consistent with the structure at Figure 3 – Indicative Town Centre Structure Plan . Where variations are proposed, development is to demonstrate how the vision and development principles are achieved

Table 3: Town Centre Core - Key elements

Key element	Characteristics
Land use	<ul style="list-style-type: none"> Primarily a retail destination, with a supermarket providing for day to day to weekly food shopping. The supermarket is supported by specialty shops
Built form	<ul style="list-style-type: none"> A general height pattern comprising low rise (less than 4 storeys), human scale buildings Buildings have a high quality, coastal influenced architecture Buildings create coherent streetscapes, however include diversity and variety of architectural expression to provide visual interest and reduce the appearance of bulk and scale Buildings fronting Main Street (Road 10) frame views towards the waterfront and define the boulevard entrance
Public Domain	<ul style="list-style-type: none"> Primary areas of public domain connect and integrate to enable seamless pedestrian movement Main Street (Road 10) is an eastward extension of Cove Boulevard, and has an orientation and design that maximises views to the boat harbour Tree planting along Main Street (Road 10) screens car parking and frames views towards the waterfront. Retail Plaza provides an entry to the full line supermarket
Movement	<ul style="list-style-type: none"> Choice and ease of movement is facilitated by a permeable, grid-like structure of streets Pedestrian movement is prioritised over vehicular movement to encourage active movement, with strong pedestrian connections established between the Town Centre Core Sub-precinct and adjoining areas East-west streets are aligned to provide views to the boat harbour
Community	<ul style="list-style-type: none"> Informal community interaction and gathering is facilitated by an attractive, comfortable public domain

Table 4: Town Centre Core - Public domain network characteristics

Public Domain	Characteristics
Retail Plaza	<ul style="list-style-type: none"> - A small scale, regular shaped space with an urban character - Its primary function is for seamless movement between the supermarket and Main Street. However, it also caters for informal community gathering and interaction, and may include a small pavilion used for retail purposes to activate and enliven the space - It is physically and visually connected to Main Street and Waterfront Square - It is defined by buildings on three sides
Main Street (Road 10)	<ul style="list-style-type: none"> - Provides a well-defined entrance to Shell Cove - High quality materials and tree planting frame views towards the waterfront
Laneway	<ul style="list-style-type: none"> - Provides a convenient, attractive and safe connections between key parts of the town centre - Is publicly accessible but held in private ownership
Parking	<ul style="list-style-type: none"> - Parking areas contain significant tree canopy cover to soften infrastructure - Parking is screened from adjacent active uses through built form or tree planting

Table 5: Town Centre Core - Movement network characteristics

Street	Characteristics
Main Street	<ul style="list-style-type: none"> - The Town Centre's primary street - Includes a shared zone at its eastern end - Includes parallel parking on both sides of the street, a central median planting zone, extensive, co-ordinated street tree planting and wide footpaths

4.2 Residential Stage

Table 6: Residential Stage – Performance Criteria

Performance criteria		Design solution	
PC1	To ensure that development provides key elements whilst providing flexibility in the location and arrangement of these elements	DS1	Development provides the key elements in Table 5 – Key elements and is generally consistent with the structure at Figure 3 – Indicative Town Centre Structure Plan . Where variations are proposed, development is to demonstrate how the vision and development principles are achieved

Table 7: Residential Stage - Key elements

Key element	Characteristics
Land use	<ul style="list-style-type: none"> - A mixed use precinct of residential and commercial uses
Built form	<ul style="list-style-type: none"> - Four storey apartments face open spaces to the north and west. - Buildings have a high quality, coastal influenced architecture - Buildings create coherent streetscapes, however include diversity and variety of architectural expression to provide visual interest and reduce the appearance of bulk and scale - Buildings frame views towards the waterfront and define the public domain
Public Domain	<ul style="list-style-type: none"> - Primary areas of public domain connect and integrate to enable seamless pedestrian movement - Tree planting along Main Street (Road 10) screens car parking and frames views towards the harbour - Tree planting along Road 12 provides a human scale to the street
Movement	<ul style="list-style-type: none"> - Pedestrian movement is prioritised over vehicular movement to encourage active movement, with strong pedestrian connections established between the Residential Sub-precinct and adjoining areas
Community	<ul style="list-style-type: none"> - Informal community interaction and gathering is facilitated by an attractive, comfortable public domain

Table 8: Residential Stage - Public domain characteristics

Public Domain	Characteristics
Residential interfaces	<ul style="list-style-type: none"> - Tree planting within the streets will provide a human scale - High quality and well located pedestrian crossing points ensure ease of movement between the residential buildings and adjacent public spaces and commercial areas - Residential building entry points are well located to ensure legibility and ease of pedestrian movement

Table 9: Residential Stage - Movement network characteristics

Street	Characteristics
Road 10	<ul style="list-style-type: none"> – Provide access between Road 11 and Main Street. – Include 90 degree parking on the eastern side of the street – Includes co-ordinated street tree planting and pedestrian footpaths to ensure an attractive pedestrian environment
Road 11	<ul style="list-style-type: none"> – Provide access from Harbour Boulevard to the Hotel Precinct – Includes co-ordinated street tree planting and pedestrian footpaths to ensure an attractive pedestrian environment
Road 12	<ul style="list-style-type: none"> – Provides access from Road 11 to the Main Street – Includes co-ordinated street tree planting and pedestrian footpaths to ensure an attractive pedestrian environment

4.3 Community Stage

Table 10: Community Stage – Performance Criteria

Performance criteria	Design solution
PC1 To ensure that development provides key elements whilst providing flexibility in the location and arrangement of these elements	DS1 Development provides the key elements in Table 11 – Key elements and is generally consistent with the structure at Figure 3 – Indicative Town Centre Structure Plan . Where variations are proposed, development is to demonstrate how the vision and development principles are achieved

Table 11: Community Stage - Key elements

Key element	Characteristics
Land use	<ul style="list-style-type: none"> – Civic core, including public library, community facilities, tourist facilities and public open space
Built form	<ul style="list-style-type: none"> – Community centre and library front the harbour and provide a transition from the commercial uses to the open space.
Public Domain	<ul style="list-style-type: none"> – Extensive area of public open space provides a forecourt to the community centre and library and the civic heart of Shell Cove – Main street becomes a pedestrian focussed shared zone to the south of the library building – Public open space provides visual and physical connection between the Residential Retail Precinct and the harbour, through the Community Precinct – Boardwalk design allows direct public access to the water – Ramp and step access creates a variety of movement options while creating fully accessible public spaces – A variety of seating options are provided – Tree planting provides shade and aids legibility
Movement	<ul style="list-style-type: none"> – A continuous public open space is created along the waterfront which prioritises pedestrian and cycle movement – Strong links are created between the Community Precinct and adjacent precincts
Community	<ul style="list-style-type: none"> – Informal community interaction and gathering is facilitated by an attractive, comfortable public domain – Space is provided for large scale community events and gatherings

- A variety of seating options are provided for incidental meeting and relaxation
- Public open space provides space for community recreation

Table 12: Community Stage - Public domain network characteristics

Public Domain	Characteristics
Main Street (Road 10)	<ul style="list-style-type: none"> - Provides strong visual connection to the waterfront - Prioritises pedestrian and cycle movement - Creates a direct pedestrian connection to the waterfront
Library forecourt	<ul style="list-style-type: none"> - Creates a well-defined frontage to the waterfront - Provides ramped and stepped between the waterfront and the library - Provides opportunity for a variety of planting
Public open space	<ul style="list-style-type: none"> - Provides the civic heart of Shell Cove and significant community asset - Creates a large area of flexible space for community activity - Creates connections between the Residential Retail Precinct and the harbour - Provides a public frontage to the Hotel Precinct
Waterfront	<ul style="list-style-type: none"> - Provides direct water access - Changes in level create a number of seating and gathering options - Open space adjacent to the water create smaller more intimate spaces - Waterfront boulevard provides active linkages to adjacent precincts - Public art will create a distinctive, coastal character - A water play feature will provide a focal point for the plaza - Informal seating areas will be provided

Table 13: Community Stage - Movement network characteristics

Street	Characteristics
Main Street	<ul style="list-style-type: none"> - The Town Centre's primary street - Shared zone within the Community Precinct
Road 16	<ul style="list-style-type: none"> - Provides 90 degree parking for users of the community facility and library which is mostly screened from the waterfront by the community/library building and tree planting - Provides parallel parking on the western edge - Tree planting creates a human scale
Waterfront	<ul style="list-style-type: none"> - Major north south axis with continuous harbour views

4.4 Hotel Stage

Table 14: Hotel Stage – Performance Criteria

Performance criteria		Design solution	
PC1	To ensure that development provides key elements whilst providing flexibility in the location and arrangement of these elements	DS1	Development provides the key elements in Table 15 – Key elements and is generally consistent with the structure at Figure 3 – Indicative Town Centre Structure Plan . Where variations are proposed, development is to demonstrate how the vision and development principles are achieved

Table 15: Hotel Stage - Key elements

Key element	Characteristics
Land use	<ul style="list-style-type: none"> – Hotel and car parking
Built form	<ul style="list-style-type: none"> – 8-9 storey building facing north south with an eastern frontage overlooking the waterfront without creating any unreasonable overshadowing of the public domain.
Public Domain	<ul style="list-style-type: none"> – The Hotel Precinct provides an interface with the public realm associated with the Community Precinct, and additional open space to the north – Tree planting screens car parking area along Road 11
Movement	<ul style="list-style-type: none"> – Vehicular access onto car parking area is provided from Road 16

Table 16: Hotel Stage - Public domain network characteristics

Public Domain	Characteristics
Road 10	<ul style="list-style-type: none"> – Provides access between the Hotel Precinct and Town Centre Core – Tree planting provides a human scale – Well placed and designed pedestrian crossings create strong connections between destinations
Road 11	<ul style="list-style-type: none"> – Tree planting screens hotel car parking area – Open views are provided over Road 11 between the Hotel and public space

4.5 Tavern Stage

Table 17: Tavern Stage – Performance Criteria

Performance criteria		Design solution	
PC1	To ensure that development provides key elements whilst providing flexibility in the location and arrangement of these elements	DS1	Development provides the key elements in Table 18 – Key elements and is generally consistent with the structure at Figure 3 – Indicative Town Centre Structure Plan . Where variations are proposed, development is to demonstrate how the vision and development principles are achieved

Table 18: Tavern Stage - Key elements

Key element	Characteristics
Land use	<ul style="list-style-type: none"> Tavern (food and beverage), car parking and public realm
Built form	<ul style="list-style-type: none"> Low rise tavern bookends Shell Cove to the south of the town centre with expansive harbour views
Public Domain	<ul style="list-style-type: none"> Extensive area of public open space provides continuous waterfront access and north south links A public plaza creates a forecourt to the tavern Public open space to the south of the precinct provides area for community recreation and open harbour views Public open space to the south of the precinct screens views from the waterfront towards the car parking area Tree planting within surface car parking areas soften infrastructure and create a green canopy
Movement	<ul style="list-style-type: none"> A continuous public open space is created along the waterfront which prioritises pedestrian and cycle movement Strong links are created between the Tavern Precinct and adjacent precincts
Community	<ul style="list-style-type: none"> Informal community interaction and gathering is facilitated by an attractive, comfortable public domain Space is provided for large scale community events and gatherings A variety of seating options are provided for incidental meeting and relaxation Public open space provides space for community recreation

Table 19: Tavern Stage - Public domain network characteristics

Public Domain	Characteristics
Waterfront	<ul style="list-style-type: none"> Waterfront promenade provides active linkages to adjacent precincts Public art will create a distinctive, coastal character A water play feature will provide a focal point for the plaza Informal seating areas will be provided
Tavern forecourt	<ul style="list-style-type: none"> Creates a well defined frontage to the tavern Provides opportunity for outdoor dining and trading Provides well designed linkages between the tavern and waterfront retail area Public realm to the west of the tavern is well lit and overlooked
Public open space	<ul style="list-style-type: none"> Creates a large area of flexible space for community activity

	<ul style="list-style-type: none"> - Creates connections between the Residential area to the south and Shell Cove Town Centre - Provides a public frontage to the Hotel Precinct - Tree planting screens views towards adjacent car parking areas
Car parking	<ul style="list-style-type: none"> - Car parking areas contain significant tree canopy cover to soften infrastructure - Car parking is screened from adjacent active uses through built form or tree planting

Table 20: Tavern Stage - Movement network characteristics

Street	Characteristics
MC01	<ul style="list-style-type: none"> - Tree planting screens views towards car parking
MC04	<ul style="list-style-type: none"> - Tree planting screens views towards car parking
Waterfront	<ul style="list-style-type: none"> - Major north south axis with continuous waterfront views

4.6 Waterfront Stage

Table 21: Waterfront Stage – Performance Criteria

Performance criteria	Design solution
PC1 To ensure that development provides key elements whilst providing flexibility in the location and arrangement of these elements	DS1 Development provides the key elements in Table 22 – Key elements and is generally consistent with the structure at Figure 3– Indicative Town Centre Structure Plan . Where variations are proposed, development is to demonstrate how the vision and development principles are achieved

Table 22: Waterfront Stage - Key elements

Key element	Characteristics
Land use	<ul style="list-style-type: none"> - Retail (i.e. food and beverage), shop top housing and public realm
Built form	<ul style="list-style-type: none"> - Up to 4 storey built form overlooking the water - Retail uses on the ground floor provide active frontages to the public realm - Residential upper floors provide passive surveillance
Public Domain	<ul style="list-style-type: none"> - Waterfront promenade creates a flexible area of public open space with expansive harbour views - Main street becomes a pedestrian focussed shared zone to the north of the precinct - A change in level defines the retail forecourt and provides a separation between north south movement along the waterfront edge
Movement	<ul style="list-style-type: none"> - A continuous public open space is created along the waterfront which prioritises pedestrian and cycle movement - Strong links are created between the Community Precinct and adjacent precincts
Community	<ul style="list-style-type: none"> - Informal community interaction and gathering is facilitated by an attractive, comfortable public domain - A variety of seating options are provided for incidental meeting and relaxation

Table 23: Waterfront Stage - Public domain network characteristics

Public Domain	Characteristics
Waterfront	<ul style="list-style-type: none"> – Wide pedestrian and cycle public realm adjacent to the waterfront – Level changes provides definition between the waterfront area and retail forecourt – Changes in level create a number of seating and gathering options – Waterfront promenade provides active linkages to adjacent precincts – Public art will create a distinctive, coastal character – A water play feature will provide a focal point for the plaza – Informal seating areas will be provided
Retail forecourt	<ul style="list-style-type: none"> – Creates a well-defined frontage to the retail area – Provides opportunity for outdoor dining and trading – Provides well designed linkages between the Tavern Precinct – Provides opportunity for a variety of seating and planting options
Main Street	<ul style="list-style-type: none"> – Provides strong visual connection to the waterfront – Prioritises pedestrian and cycle movement – Creates a direct pedestrian connection to the waterfront

Table 24: Waterfront Stage - Movement network characteristics

Street	Characteristics
Main Street	<ul style="list-style-type: none"> – The Town Centre's primary street – Shared zone within the Waterfront Retail Precinct
Waterfront	<ul style="list-style-type: none"> – Waterfront boulevard provides pedestrian priority linkages to adjacent precincts

Part 5: Design Guidelines

5.0 Design Guidelines

5.1 Public Domain Design Guidelines

Application

This part applies to the Town Centre Core Stage as shown in **Figure 2 – Precinct D Stage Plan**.

Table 25: Precinct D – Public Domain Guidelines

Performance criteria		Design solution	
General			
PC1	To create a public domain that is an integrated part of the proposal for the whole of Shell Cove. The public space and landscape design must provide for a richness of experience and a variety of spaces that are designed to have specific character and functions, not just dressing to the edges of buildings.	DS1.1	Public domain is provided generally in accordance with Figure 8 – Public domain network
		DS1.2	Materials, planting and design detail celebrate and represent the coastal character (refer to Schedule 1)
		DS1.3	Spaces are designed to be flexible to accommodate a variety of events and activities
		DS1.4	Create opportunities to involve the community (existing and new), in the design, maintenance and progressive enhancement of the public realm through consultation and participation.
Streets			
PC2	To create a street network that is legible, prioritises pedestrian and cycle movement and promotes a vibrant street life.	DS2.1	Streets and carparks are provided generally in accordance with Figure 9 – Street and carparking network
		DS2.2	Main Street is to be designed with reference to the Indicative Sections illustrated at Schedule 2 . Street design and layout is permitted to vary from the Indicative Sections provided the Town Centre will function in accordance with and remain generally consistent with the Concept Approval.
		DS2.3	Street layout, paving materials and signage create legibility for street users
		DS2.4	Choice and ease of movement is facilitated by a permeable, grid-like structure of streets
		DS2.5	Streets and spaces are designed to prioritise the movement of pedestrians and cyclists over cars

Performance criteria		Design solution	
		DS2.6	The street network is orientated to frame views towards the waterfront
		DS2.7	The overall street network design can adapt to changes in building design, form and density so as to maintain street level amenity.
Public Open Spaces			
PC3	To create a public open space network that provides a variety of types of spaces for different activities.	DS3.1	Streets and carparks are provided generally in accordance with Figure 5 – Street and carparking network
		DS3.2	Spaces are designed to be flexible and to provides a variety of recreational options to the local community
		DS3.3	A choice of seating and resting options are designed into each area of public open space
		DS3.4	Tree planting and structure provide shade and a comfortable environment
		DS3.5	Spaces are not unreasonably overshadowed
		DS3.6	‘Pause places’ are designed into the public realm to encourage casual interactions
		DS3.7	Public spaces are designed to be legible and enable people to readily perceive and understand the character of each space, its intended use and its relationship to other spaces within the network
Waterfront			
PC4	The waterfront promenade will be the civic focus of Shell Cove and will be a high quality public space accessible to a range of users.	DS4.1	Define a connected series of high quality public spaces along the waterfront that support a wide range of activities day and night.
		DS4.1	Include both formal and informal places, with hard and soft landscaping, that will support small to large-scale gatherings. It may include features such as artworks, entertainment spaces, commemorative works, landscape features, gardens, recreation spaces, play spaces and al fresco dining options.
Planting			

Performance criteria		Design solution	
PC5	To create a planting palette which complements the coastal character, softens the built form and provides amenity	DS5.1	Shade trees and feature trees are appropriate to the sites coastal location (refer to Schedule 1)
		DS5.2	Maximise landscaping in all streets by planting new trees and retaining existing trees wherever possible
		DS5.3	Use tree planting to frame important views and screen car parking areas
		DS5.4	Landscape treatment and street trees should be designed to provide physical and design connection to the surrounding precincts.
		DS5.5	Planter boxes may be used to complement spaces and movement networks, and be of human scale and proportion.
Design and materials			
PC6	Designs allow flexibility of use and materials are chosen to support the local character of the area, are robust and well detailed	DS6.1	Simple designs using high quality materials maintain the character of spaces when activity is absent
		DS6.2	Robust, unrestrictive designs ensure that the public realm can adapt and respond to the rhythms and patterns of use by time of day, day of week and season.
		DS6.3	Design detailing adds interest and builds on local character
		DS6.4	Streets and spaces are well lit and overlooked and designed using CPTED principles.
		DS6.5	Design spaces with clear lines of sight to enable visibility of hazards and to maintain safety of pedestrians and cyclists. Design out blind spot opportunities. ▫
		DS6.6	Maximise casual observation of public space from building and movement networks.
		DS6.7	Street furniture, signage, lighting and other streetscape infrastructure should be simple, elegant and robust and read as a unified design language throughout the precinct.

Performance criteria		Design solution	
		DS6.8	Street furniture is encouraged to have multiple functions – for example using planter walls as seats and to also incorporate signage.
Signage and Infrastructure			
PC7	To create an environment that is not dominated by signage and infrastructure	DS7.1	Consolidate areas of signage and advertising into the one location, as far as reasonably possible.
		DS7.2	Ensure signage complements the design of the building and does not obscure more than 25%of the window area along a street frontage.
		DS7.3	Signage and advertising elements such as A-frames, pole signs, internally illuminated signs and inflatables should be avoided.
Parking			
PC8	Parking areas are safe, legible, softened by vegetation and visually concealed when viewed from the street and other public areas, as far as reasonably possible	DS8.1	Parking areas well lit, visible, and avoid hidden and enclosed areas
		DS8.2	Trees with spreading canopies of sufficient size to provide for shade are planted at regular intervals throughout surface level carparks
		DS8.3	Car parking is located on site to the rear of buildings and behind the front buildings line where possible
Environmentally responsive design			
PC9	To use environmentally responsive design principles throughout the public realm	DS9.1	Retain and extend the existing natural values of the space wherever practical, including enhancement of biodiversity, flora and fauna habitat value, energy conservation, and microclimate.
		DS9.2	Collect rainwater for public space irrigation
		DS9.3	Use recycled materials in construction including materials salvaged from site and reused
		DS9.4	Use energy efficient lighting such as solar lighting and low voltage electrical facilities (eg. public barbeques etc).

5.2 Built Form Characteristics

This part outlines the built form characteristics for each precinct and should be read in conjunction with the built form guidelines at 5.2 below.

5.2.1 Town Centre Core Stage

Table 26: Town Centre Core - Built form characteristics

Built Form	Characteristics
Main Street buildings	<ul style="list-style-type: none"> - To be a maximum of 4 storeys - Frame views towards the harbour - To have 0m setback along Main Street (Road 10) - Provide awnings to Main Street where appropriate - Restrict the use of blank walls and reflective glazing - Provide active frontages and encourage on-street activity where appropriate - Design upper level residential levels to have a visual presence from the street to increase street safety through passive surveillance, including balconies and window openings.
Supermarket	<ul style="list-style-type: none"> - To provide active frontages/glazing along the majority of all facades - Provide clearly visible and legible pedestrian entrances that can be accessed directly from the street frontage.
Kiosk	<ul style="list-style-type: none"> - To encourage pedestrian flow through to the supermarket through inviting design and active edges

5.2.2 Residential Stage

Table 27: Residential Stage - Built form characteristics

Built Form	Characteristics
Residential buildings	<ul style="list-style-type: none"> - To be a maximum of 4 storeys - Design buildings to have a visual presence from the street to increase street safety through passive surveillance, including balconies and window openings. - Provide clearly visible and legible pedestrian entrances that can be accessed directly from the street frontage.

5.2.3 Community Stage

Table 28: Community Stage - Built form characteristics

Built Form	Characteristics
Community facilities	<ul style="list-style-type: none"> - To be a maximum of 4 storeys - Provide active frontages/clear glazing along all frontages - Provide the primary pedestrian access point along the eastern frontage - Provide operable windows and balconies on upper levels to encourage passive surveillance

5.2.4 Hotel Stage

Table 29: Hotel Precinct - Built form characteristics

Built Form	Characteristics
Hotel	<ul style="list-style-type: none"> - To be a maximum of 9 storeys - Provide an articulated façade with balconies and glazing to encourage passive surveillance and a visual interaction with adjacent open spaces to the north and south, and harbour to the east - To be of high quality design inspired by its coastal location

5.2.5 Tavern Stage

Table 30: Tavern Precinct - Built form characteristics

Built Form	Characteristics
Tavern	<ul style="list-style-type: none"> - To be a maximum of 2 storeys - To be of exceptional design, influenced by its coastal location - To provide active frontages and passive surveillance along the majority of the buildings perimeter - To provide al fresco dining options along the northern and eastern frontages

5.2.6 Waterfront Stage

Table 31: Waterfront Precinct - Built form characteristics

Built Form	Characteristics
Specialty retail / residential	<ul style="list-style-type: none"> - To be a maximum of 4 storeys - Provide continuous weather protection - Restrict the use of blank walls and reflective glazing - Provide active frontages and expansive outdoor seating areas to encourage on street activity including dining - Provide clearly articulated pedestrian entrances to the residential lobby - Design upper level residential levels to have a visual presence from the waterfront to increase street safety through passive surveillance, including balconies and window openings. - Design the speciality retail on the corner of the waterfront and Main Road to have an active dual frontage

5.3 Built Form Guidelines

Application

This part applies to all Precinct D as shown in **Figure 2 – Precinct D Stage Plan**.

Performance criteria		Design solution	
Building siting			
PC1	Buildings are sited to: a. activate and define town centre streets b. in residential precincts, enable on site landscaping to soften the visual impact of buildings in the landscape c. be setback from the boat harbour to provide for a wide, unobstructed publicly accessible pedestrian promenade d. provides a high level of on-site amenity and amenity for adjoining and nearby properties, including enabling adequate sunlight, daylight access and natural ventilation	DS1.1	The ground floor of buildings fronting Main Street are built to the street boundary.
		DS1.2	Buildings fronting Main Street are built to the side boundaries.
		DS1.3	Buildings on the northern side of Main Street are to be setback from the third storey.
		DS1.4	The main building face of residential flat buildings are setback a minimum of 3m from the street boundary
		DS1.5	Articulation zones for residential flat buildings are setback a minimum of 2m from the street boundary
Building scale			
PC2	Building scale and bulk creates a low-medium-rise, urban character and a high quality, comfortable public domain that has adequate solar access	DS2.1	Maximum GFA is in accordance with the Shell Cove Concept Approval
		DS2.2	Maximum building height is in accordance with the Shell Cove Concept Approval
Access and parking			
DS4	Parking and servicing: a. provides for an adequate amount of car, motorcycle and bicycle parking to service forecast demand b. is well distributed and provided in accessible locations	DS4.1	Car parking rates are provided in accordance with the Shellharbour DCP. <i>Note: alternative rates may be provided where justified</i>
		DS4.2	On-site parking areas comply with AS2890.1:2004

Performance criteria		Design solution	
<div>c. is safe, functional and convenient</div> <div>d. ensures buildings can be adequately serviced by service and delivery vehicles</div> <div>e. is located and designed to not visually dominate main street</div>		DS4.3	On-site carparking does not face the Main Street
		DS4.4	Building servicing and loading facilities are provided to adequately cater for forecast building demand
		DS4.5	Ensure service areas and facilities do not adversely impact on the visual amenity of the streetscape.
		DS4.6	Service and delivery areas accord with AS2890. 2:2002
		DS4.7	Motorcycle and bicycle parking rates are to be provided in accordance with the Shellharbour DCP. Where public motorcycle or bicycle parking cannot be provided immediately adjacent to the proposed use, it is to be provided at another parking location in the Precinct D. Therefore, motorcycle and bicycle parking is to be delivered on a Precinct wide basis, whereby the required total quantum of motorcycle and bicycle parking can be provided across multiple locations or can be consolidated dependent on constraints. <i>Note: alternative rates may be provided where justified</i>
Building Design			
PC5	Buildings are well-designed, reflect a distinct coastal character and contribute to the creation of an attractive, safe and comfortable public domain	DS5.1	Service structures, lift motor rooms and mechanical plant are designed as an architectural feature of the building or screened effectively
		DS5.2	The ground floor of non-residential buildings fronting primary areas of public domain are: <div>a. at the same level as the adjoining footpath</div> <div>b. incorporate substantial, operable windows or other devices to integrate the indoor and outdoor environments</div> <div>c. are designed to have active frontages onto streets and public places. This means no blank walls, and the use of windows, visually permeable materials and façade detailing so that public areas are either passively surveyed or have the impression of interaction between the inside and outside of buildings.</div>
		DS5.4	External parts of building, in particular street frontage facades, reflect coastal design, including the use of:

Performance criteria	Design solution
	<ul style="list-style-type: none"> a. lightweight elements such as timber b. eaves, overhands and other sun shading devices c. windows and doors that facilitate natural cross ventilation and passive casual surveillance of the public domain d. simple, contemporary design treatments e. coastal colours and materials f. high quality, durable and low maintenance materials g. variations in materials, colour and textures
	<p>DS5.5 Building entrances are direct, prominent, legible and well-sheltered:</p> <ul style="list-style-type: none"> a. New buildings are designed with the ground floor at street level to avoid the need for ramp or staircase access. b. Building design adheres to the established standards and guidelines regarding the safety and accessibility of all users. Good building design embodies planning for access for all people in accordance with the Disability Discrimination Act (DDA). c. Encourage secondary pedestrian access along service lanes where practical and appropriate, particularly where a laneway abuts a car parking area.
	<p>DS5.6 Buildings are designed to limit overshadowing of the waterfront promenade and areas of public space, and to limit negative microclimate impacts.</p>
	<p>DS5.7 Buildings are designed to incorporate best practice Environmentally Sustainable Design (ESD) and design buildings to a 'Green Star' rating of 5 or above (representing Australian excellence) on the Green Building Council of Australia rating system.</p>

SCHEDULE 1- MATERIALS AND PLANTING PALETTE

MATERIALS AND FURNITURE



P1: UNIT PAVEMENT TYPE 1
Granite paving bands within concrete paving to define Waterfront Plaza



TS: TIMBER SEATING AREA
Hardwood timber informal seating elements



P2: UNIT PAVEMENT TYPE 2
Granite paving bands within concrete paving to define Waterfront Plaza



S1: SEATING
Custom plaza seating with backrests



CP1: INSITU CONCRETE PAVEMENT TYPE 1
Shot Blast and/or honed concrete finish.



CP2: INSITU CONCRETE PAVEMENT TYPE 2
Broom finish concrete pavement



CP3: INSITU CONCRETE PAVEMENT TYPE 2
Concrete paving to parking bays and shared zone



CP4: INSITU CONCRETE PAVEMENT TYPE 4
High class textured concrete



ENTRY WALLING
Gabion wall to screen car park.

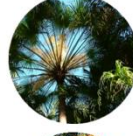


ENTRY WALLING
Steel frame growing trellis to screen car park.

PLANTING PALETTE



MAIN STREET TREE PLANTING, COVE BOULEVARDE
Araucaria columnaris - Cooks Pine



WATERFRONT PLAZA
Livistona australis - Cabbage Palm



TRELLIS PLANTING
Pyrostegia venusta - Flame vine



TRELLIS PLANTING
Pandorea pandorana - Wonga Wonga vine



STREET TREE PLANTING
Cupaniopsis anacardioides - Tuckeroo



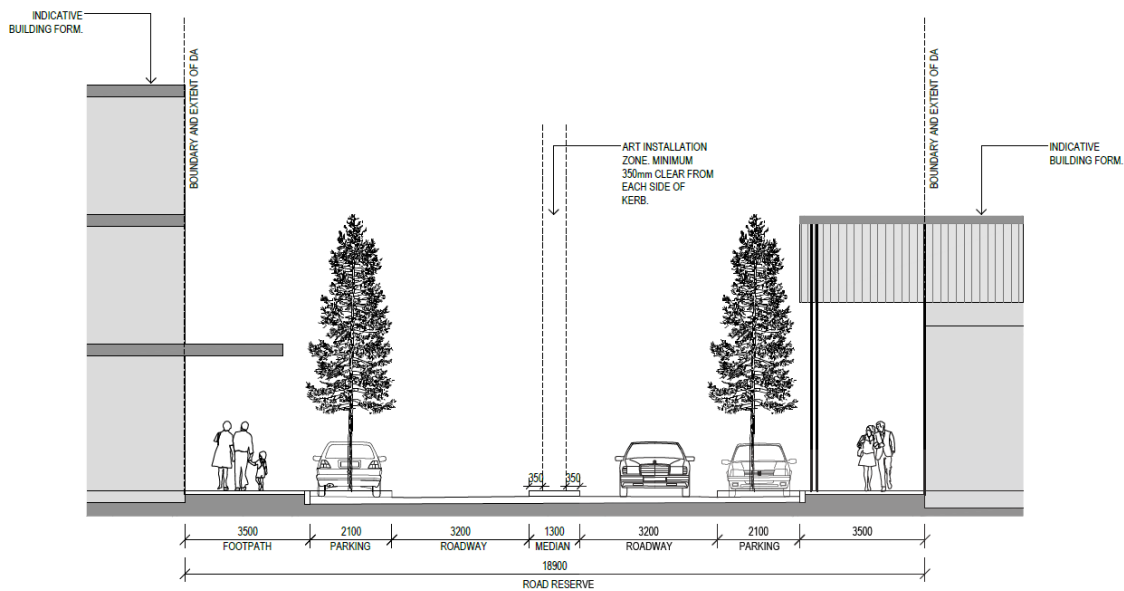
MASS PLANTING (MIX TYPE 1)
Low native planting up to 1M high for car park amenity areas



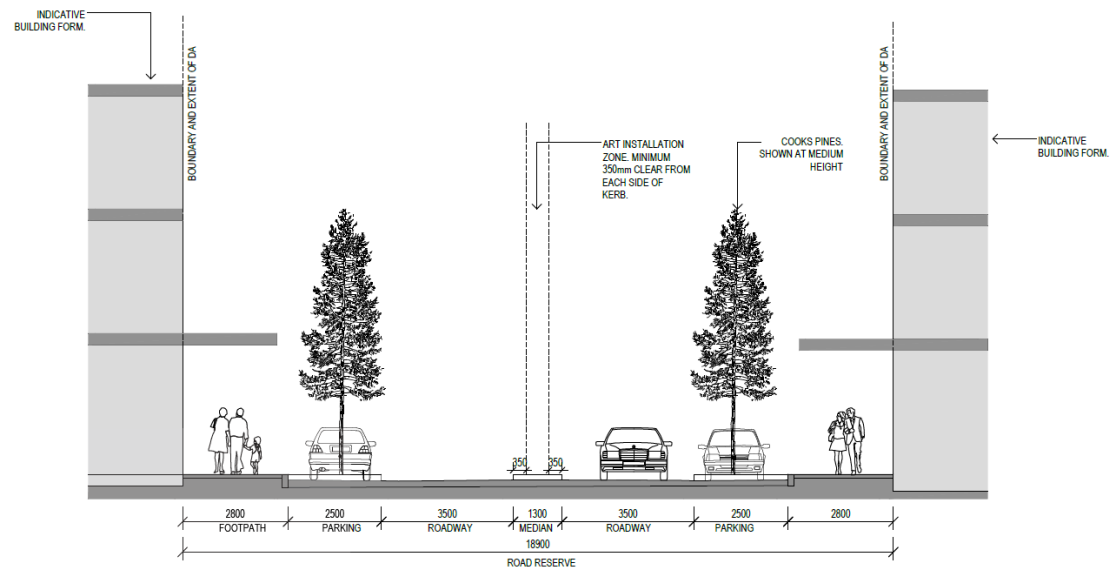
MASS PLANTING (MIX TYPE 2)
Mass planting to Entry Landscape area.

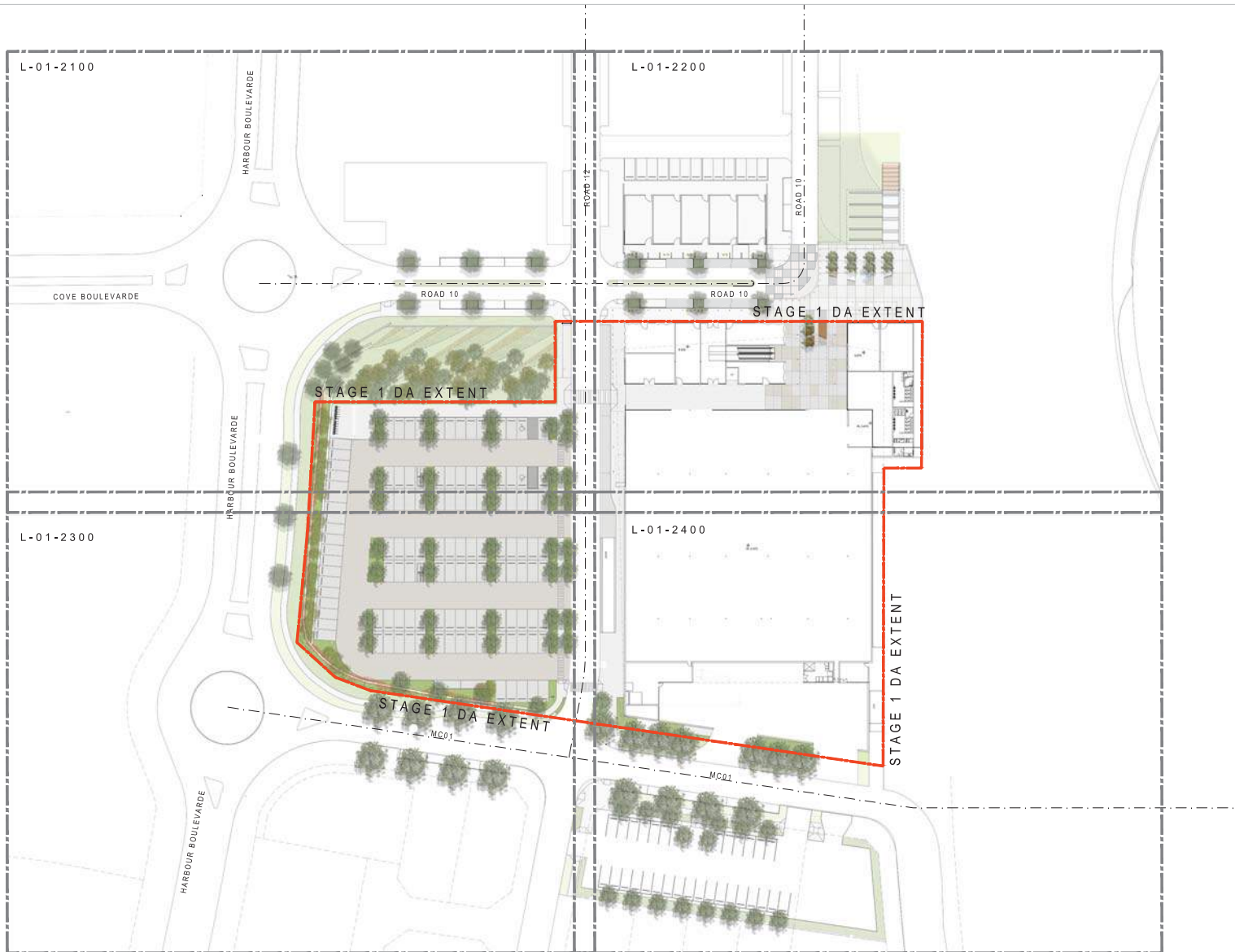
SCHEDULE 2- STREET TYPES – INDICATIVE SECTIONS

Main Street East



Main Street West





DRAWING SCHEDULE

L-01-0000	COVER SHEET	L-01-6100
L-01-2100	GENERAL ARRANGEMENTS PLAN (GA)	L-01-6200
L-01-2200	GENERAL ARRANGEMENTS PLAN (GA)	L-01-8000
L-01-2300	GENERAL ARRANGEMENTS PLAN (GA)	
L-01-2400	GENERAL ARRANGEMENTS PLAN (GA)	

SECTIONS
ELEVATIONS
LANDSCAPE MATERIALS PALETTE

LEGEND

--- EXTENT OF STAGE 1 DA

Amendments	Issue Description	Date
A	PRELIMINARY	19/06/2015
B	PRELIMINARY	08/07/2015
C	PRELIMINARY	04/11/2015
D	DA ISSUE	04/12/2015
E	DA ISSUE	18/12/2015
F	DA ISSUE	21/12/2015
G	REVISED DA ISSUE	17/11/2016

NOTE:
LANDSCAPE WORKS OUTSIDE THE
EXTENT OF WORKS ARE INDICATIVE
ONLY AND DO NOT FORM PART OF
THE STAGE 1 DA SUBMISSION

Urban Planners
JBA URBAN PLANNERS
Level 5, 79 Victoria Avenue, Chatswood NSW 2067.
T: 02 955 6962
E: jba@urbanplanners.com.au

Civil and Structural Engineer
H&H CONSULTING
Level 5, 79 Victoria Avenue, Chatswood NSW 2067.
T: 02 955 6962
E: email@hthconsult.com

Architect
HDR | RICE DAUBNEY
Level 1, 110 Walker Street, North Sydney 2060
T: 02 955 5266
E: info@hdrdaubney.com.au

Client
FRASERS PROPERTY
Level 3, Building C, 1 Hornsby Bay Drive, Rhodes, NSW 2138
T: +61 2 957 2000



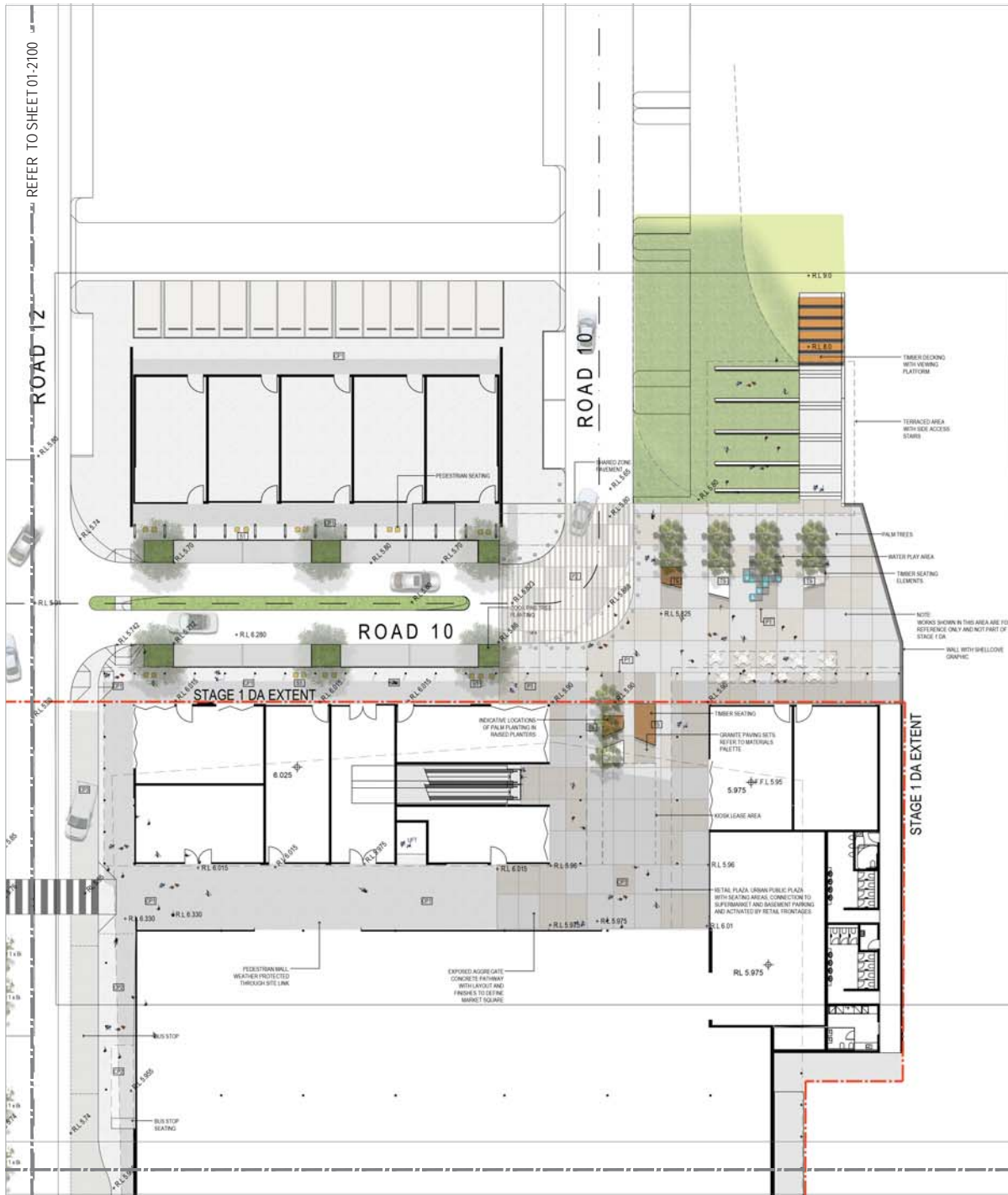
GROUP GSA
Group GSA Pty Ltd ABN 76 002 113 770
Level 7, 80 William St East, Sydney NSW
Australia 2011 www.groupgsa.com
P +61 2 9361 4144 F +61 2 9332 3458
Architecture interior design urban design landscape
nom architect M. Sheldon 3390

Project Title
**The Waterfront
Shell Cove**

Drawing Title
**STAGE 1 DA - LANDSCAPE
COVER SHEET**

Scale	1:500 @ A1
Drawing created (date)	02/06/2015
By	CB
Plotted and checked by	CB
Verified	SH
Approved	SH
Drawing No	Issue
13294 - 01-0000	G
File	Plot Date
P113294-Shell Cove	02/06/2015

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F	DA ISSUE	21/12/2015
G	REVISED DA ISSUE	17/11/2016

LEGEND
TOW - TOP OF WALL
TOS - TOP OF SCREEN
CP - CONCRETE PAVEMENT
P - UNIT PAVING
TS - TIMBER SEATING
ST - SEATING
MP - MASS PLANTING

NOTE:
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THE STAGE 1 DA SUBMISSION

Urban Planners
JBA URBAN PLANNERS
Level 5, 79 Victoria Avenue, Chatswood NSW 2067.
T: 02 955 6962
E: jba@jba.com.au

Civil and Structural Engineer
H&H CONSULTING
Level 5, 79 Victoria Avenue, Chatswood NSW 2067.
T: 02 955 6962
E: hhh@hconsult.com

Architect
HDR | RICE DAUBNEY
Level 1, 110 Walker Street, North Sydney 2060
T: 02 955 5566
E: hdr@hdr.com.au

Client
FRASERS PROPERTY
Level 3, Bunting C, 1 Hornsby Bay Drive, Rhodes, NSW 2138
T: +61 2 957 2001



Group GSA Pty Ltd ABN 76 002 113 770
Level 7, 80 William St East Sydney NSW
Australia 2011 www.groupgsa.com
T: +61 2 9361 4144 F: +61 2 9332 3458
architecture interior design urban design landscape
nom architect M. Sheldon 3390

Project Title
**The Waterfront
Shell Cove**

Drawing Title
**STAGE 1 DA - LANDSCAPE
GENERAL ARRANGEMENTS PLAN**

Scale 1:200 @ A1
Drawing created (date) 02/06/2015
By CB
Plotted and checked by CB
Verified SH
Approved SH
Drawing No 13294 - 01-2200 Issue G
File Plot Date
P13294-Shell Cove SHEETS

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REFER TO SHEET 01-2400

REFER TO SHEET 01-2100

HARBOUR

HARBOUR BOULEVARDE

STAGE 1 DA EXTENT

STAGE 1 DA EXTENT

MC01

REFER TO SHEET 01-2400

Amendments	Issue Description	Date
A	PRELIMINARY	25/06/2015
B	PRELIMINARY	08/07/2015
C	PRELIMINARY	03/11/2015
D	DA ISSUE	04/12/2015
E	DA ISSUE	18/12/2015
F	DA ISSUE	21/12/2015
G	ISSUED FOR COORDINATION	25/10/2016
H	REVISED DA ISSUE	17/11/2016

LEGEND
TOW - TOP OF WALL
TOS - TOP OF SCREEN
CP - CONCRETE PAVEMENT
P - UNIT PAVING
TS - TIMBER SEATING
ST - SEATING
MP - MASS PLANTING

NOTE:
LANDSCAPE WORKS OUTSIDE THE
EXTENT OF WORKS ARE INDICATIVE
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THE STAGE 1 DA SUBMISSION

Urban Planners
JBA URBAN PLANNERS
Level 5, 779 Victoria Avenue, Chatswood NSW 2067.
T: 02 955 6962
E: jba@urbanplanners.com.au

Civil and Structural Engineer
H&H CONSULTING
Level 5, 779 Victoria Avenue, Chatswood NSW 2067.
T: 02 955 6962
E: ura@h&hconsult.com

Architect
HDR | RICE DAUBNEY
Level 5, 110 Walker Street, North Sydney 2060
T: 02 955 6962
E: hdr@hdrdaubney.com.au

Client
FRASERS PROPERTY
Level 3, Building C, 1 Homebush Bay Drive, Rhodes, NSW 2138
T: +61 2 957 2000

FRASERS
PROPERTY

Shellharbour
CITY COUNCIL

GROUP GSA

Group GSA Pty Ltd ABN 76 002 113 770
Level 7, 80 William St East Sydney NSW
Australia 2011 www.grouppsa.com
T +61 2 9361 4144 F +61 2 9332 3458
architecture interior design urban design landscape
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Drawing created (date) 02/06/2015

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Approved SH

Drawing No Issue

13294 - 01-2300 H

File Plot Date

P101204 Shell Cove

02/06/2015

02/06/2015

02/06/2015

02/06/2015

02/06/2015

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02/06/2015

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REFER TO SHEET 01-2200

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Urban Planners
JBA URBAN PLANNERS
Level 6, 79 Victoria Avenue, Chatswood NSW 2067.
T: 02 955 6962
E: jba@jba.com.au

Civil and Structural Engineer
H&H CONSULTING
Level 5, 79 Victoria Avenue, Chatswood NSW 2067.
T: 02 955 6962
E: hhh@hconsult.com

Architect
HDR | RICE DAUBNEY
Level 1, 110 Walker Street, North Sydney 2060
T: 02 955 5566
E: hdr@hdr.com.au

Client
FRASERS PROPERTY
Level 3, Building C, 1 Hornsby Bay Drive, Rhodes, NSW 2138.
T: +61 2 957 7000



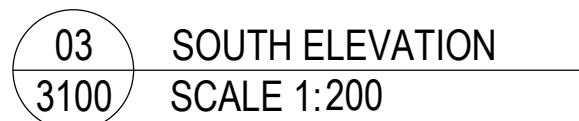
GROUP GSA
Group GSA Pty Ltd ABN 76 002 113 770
Level 7, 80 William St East Sydney NSW
Australia 2011 www.groupgsa.com
T +61 2 9361 4144 F +61 2 9332 3458
architecture interior design urban design landscape
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Project Title
**The Waterfront
Shell Cove**

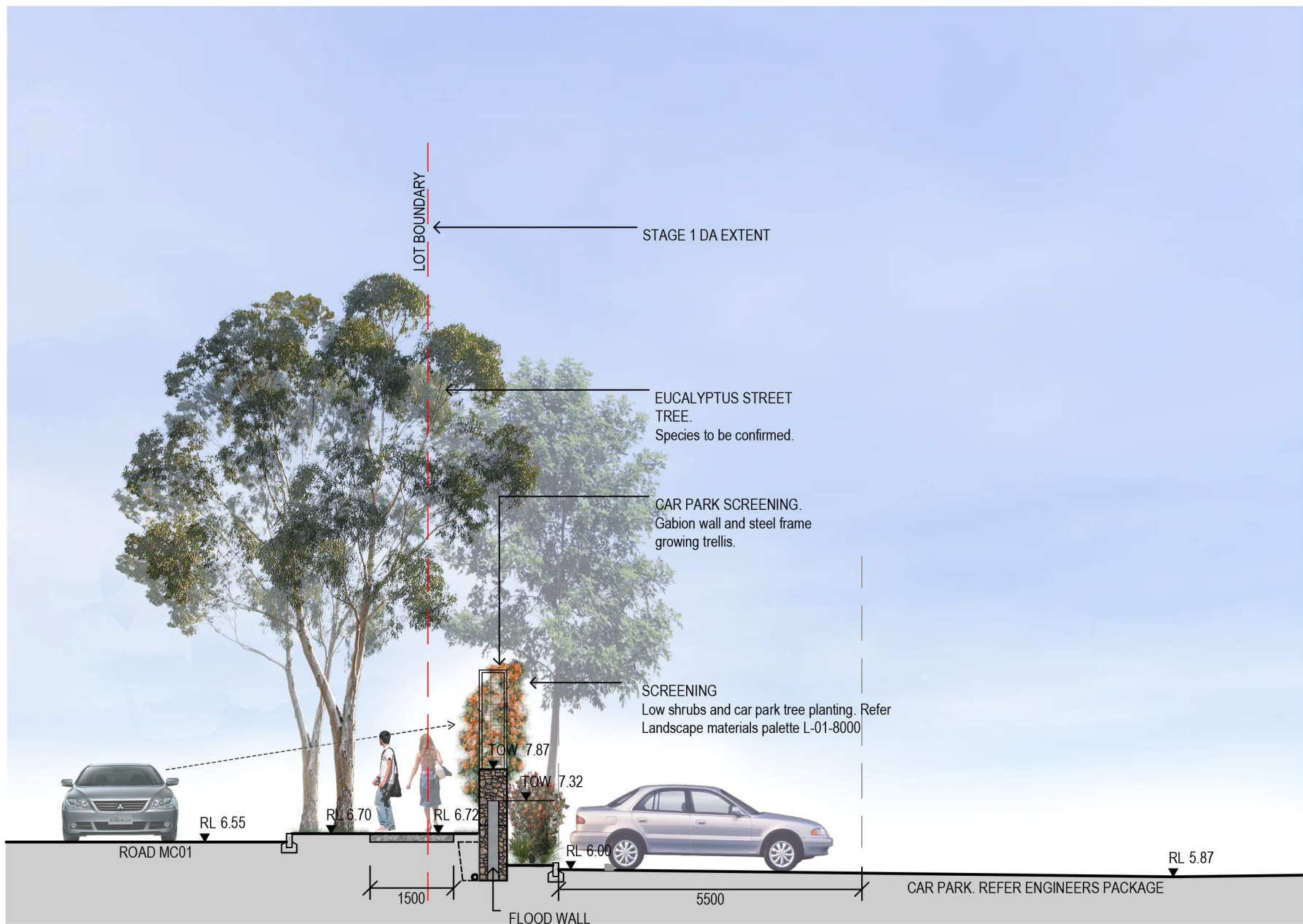
Drawing Title
**STAGE 1 DA - LANDSCAPE
GENERAL ARRANGEMENTS PLAN**

Scale	1:200 @ A1
Drawing created (date)	02/06/2015
By	CB
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Drawing No	Issue
13294 - 01-2400	G
File	Plot Date
P13294-Shell Cove	02/06/2015

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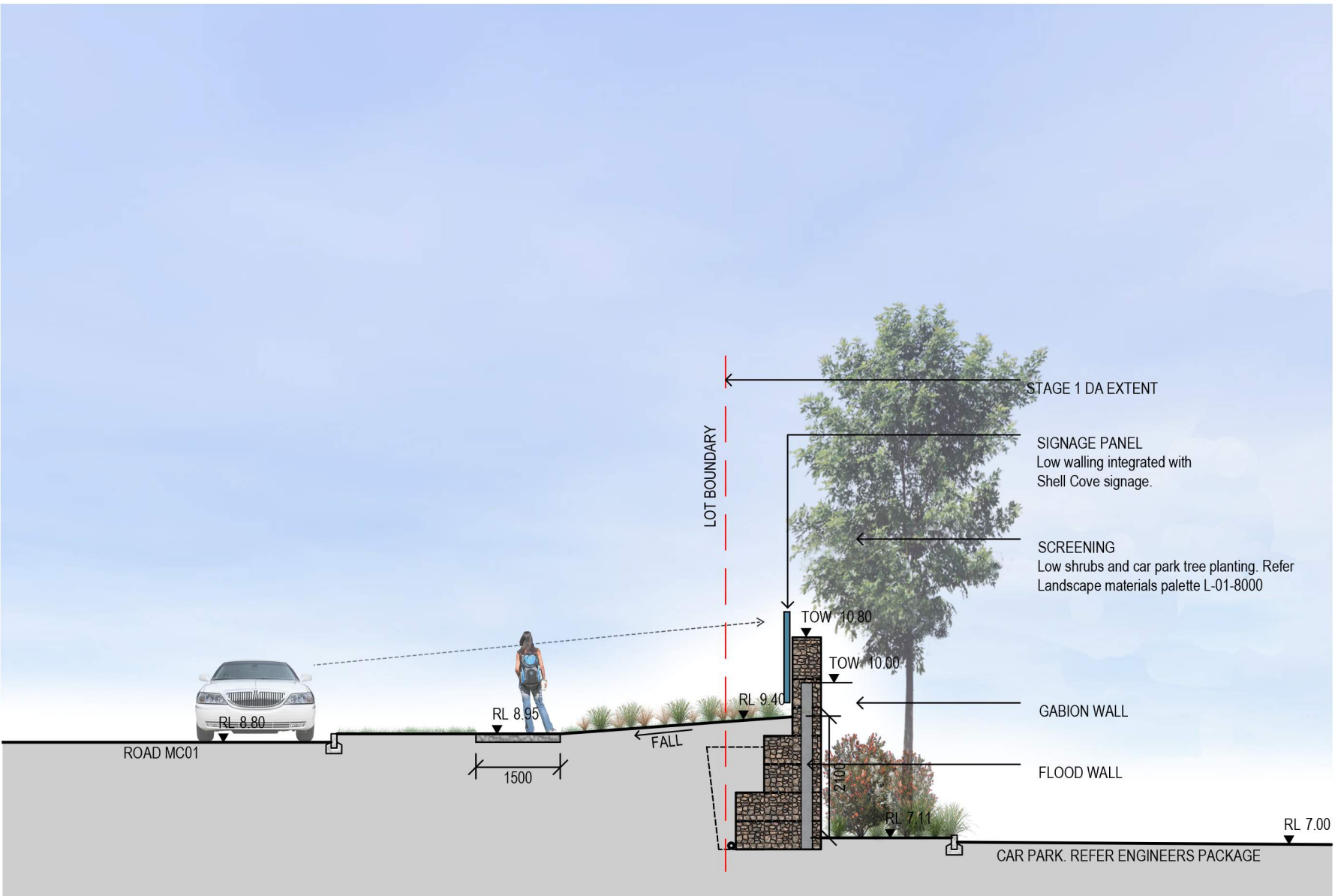
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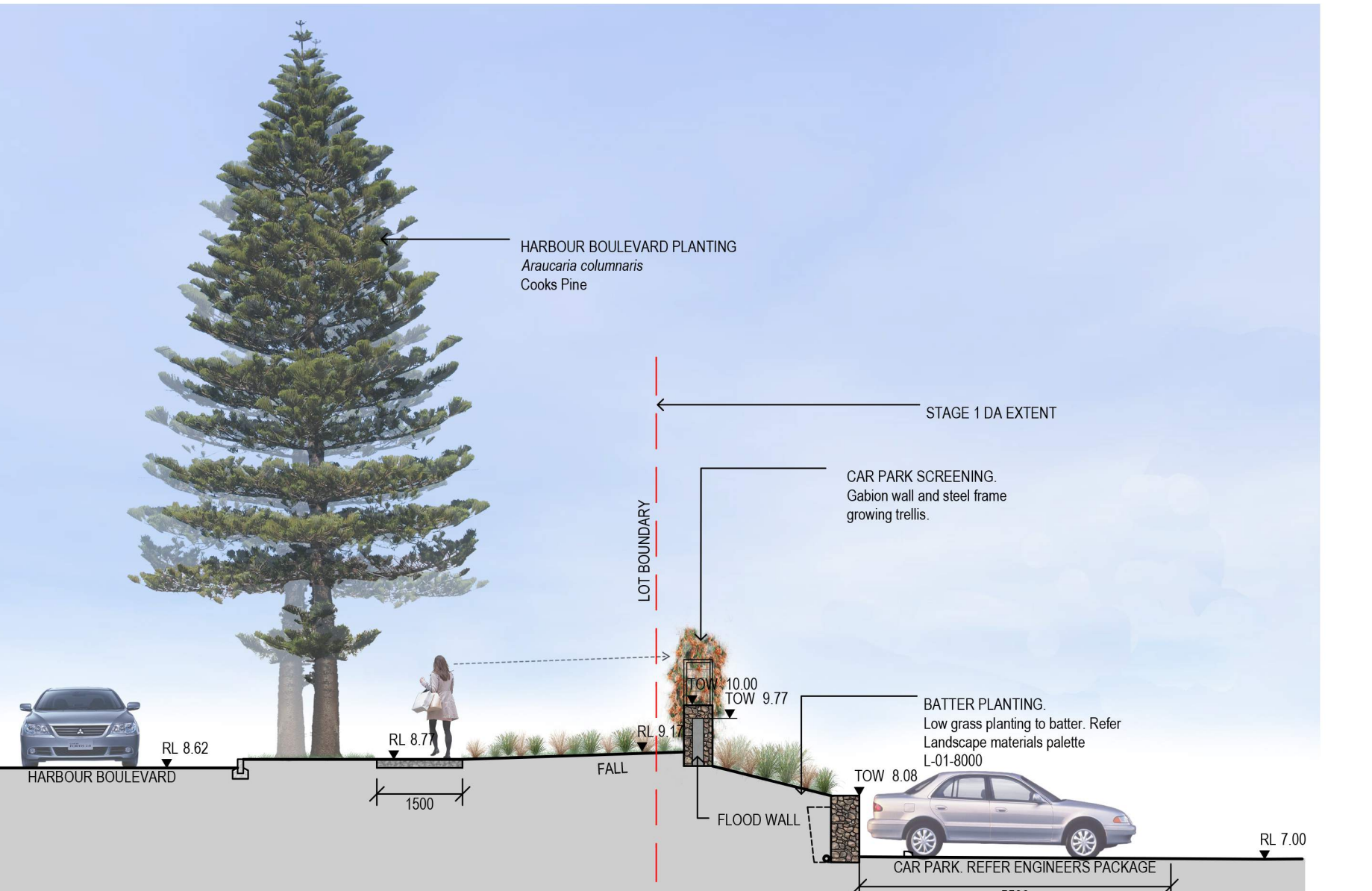
01 CAR PARK TO ROAD WAY
6100 ROAD MC01



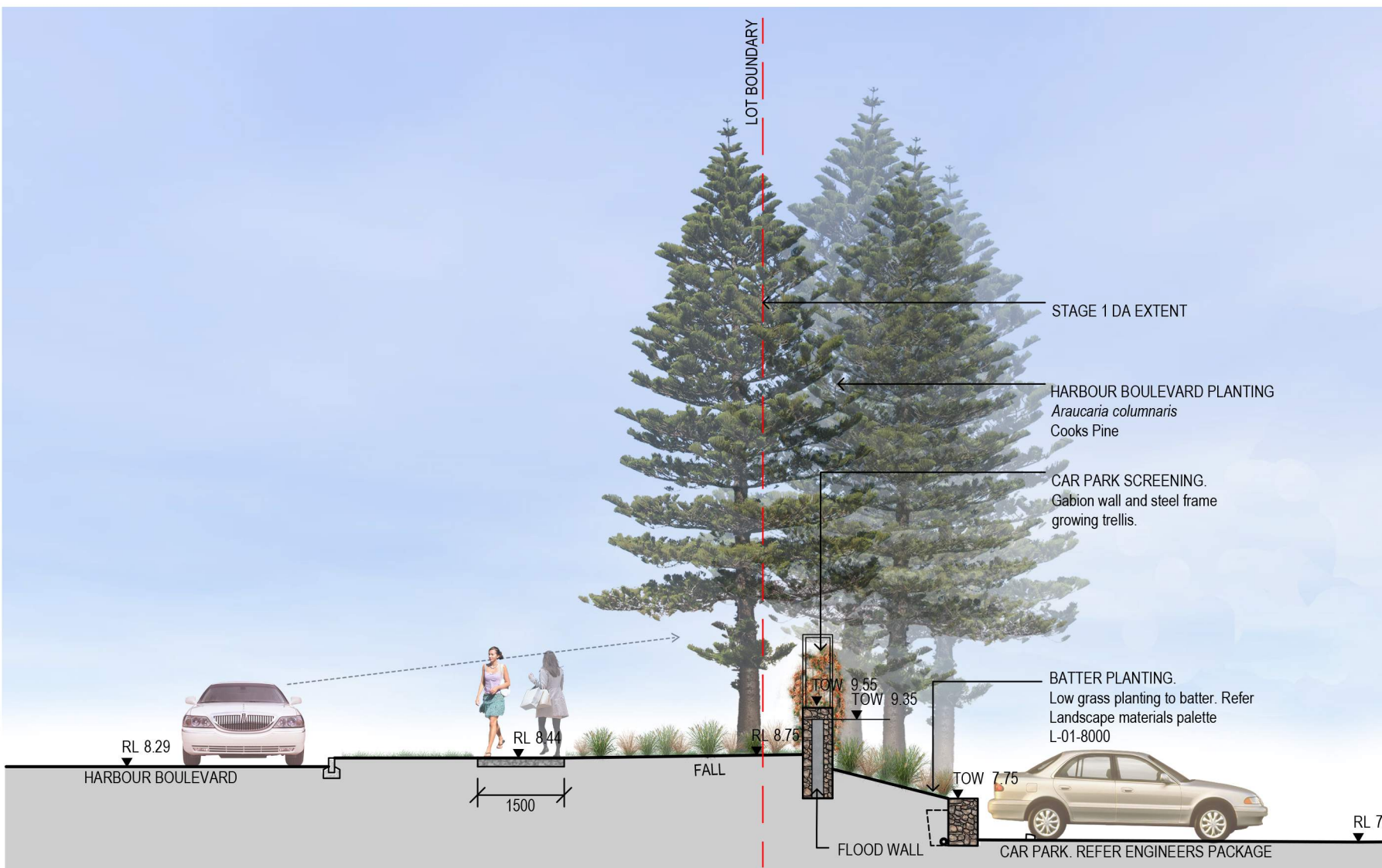
02 CAR PARK TO ROAD WAY
6100 ROAD MC01



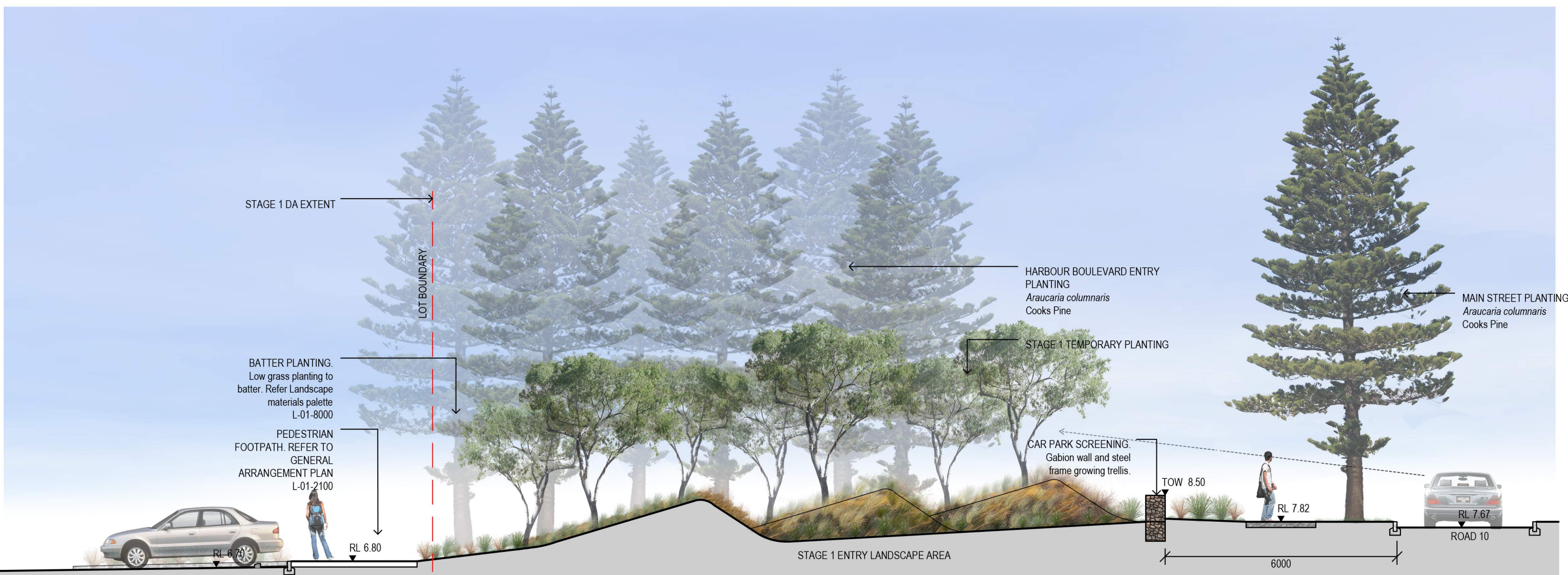
03 CAR PARK TO ROAD WAY
6100 ROAD MC01



04 CAR PARK TO ROAD WAY
6100 HARBOUR BOULEVARDE



05 CAR PARK TO ROAD WAY
6100 HARBOUR BOULEVARDE



06 CAR PARK TO ROAD WAY
6100 ROAD 10

Issue	Description	Date
A	PRELIMINARY	19/06/2015
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D	DA ISSUE	04/12/2015
E	DA ISSUE	18/12/2015
F	DA ISSUE	21/12/2015
G	ISSUE FOR COORDINATION	25/10/2016
H	REVISED DA ISSUE	17/11/2016

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THE STAGE 1 DA SUBMISSION

Urban Planners
JBA URBAN PLANNERS
Level 5, 79 Victoria Avenue, Chatswood, NSW, 2067.
T: 02 9556 6962
E: jba@jbaurban.com.au

Civil and Structural Engineer
H&H CONSULTING
Level 5, 79 Victoria Avenue, Chatswood, NSW, 2067.
T: 02 9417 8800
E: email@hhoconsult.com

Architect
HDR | RICE DAUBNEY
Level 1, 110 Walker Street, North Sydney 2060
T: 02 9556 2666
E: rd@hdriceaubney.com.au

Client
FRASERS PROPERTY
Level 3, Bulling C, 1 Homebush Bay Drive, Rhodes, NSW 2138.
T: +612 9767 2000



GROUP GSA

Group GSA Pty Ltd ABN 76 002 113 779
Level 7, 80 William St East Sydney NSW
Australia 2011 www.groupgsa.com
T +612 9361 4144 F +612 9332 3458
architecture interior design urban design landscape
nom architect M. Sheldon 3990

Project Title
**The Waterfront
Shell Cove**

Drawing Title
**STAGE 1 DA - LANDSCAPE
SECTIONS**

Scale	1:100 @ A1
Drawing created (date)	02/06/2015
By	CB-FZ
Plotted and checked by	CB
Verified	SH
Approved	SH
Drawing No	Issue
13294 -	01-6100 H
File	Plot Date
P113294 Shell Cove	\$DATES

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01 ENTRY AND SIGNAGE CONCEPT
6200 HARBOUR BOULEVARDE

NOTE: THIS ELEVATION IS INDICATIVE ONLY.
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STAGE 1 DA

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Urban Planners
JBA URBAN PLANNERS
Level 5, 79 Victoria Avenue, Chatswood, NSW, 2067.
T: 02 9556 6962
E: jba@jbaurban.com.au

Civil and Structural Engineer
H&H CONSULTING
Level 5, 79 Victoria Avenue, Chatswood, NSW, 2067.
T: 02 9517 8800
E: email@hhconsult.com

Architect
HDR | RICE DAUBNEY
Level 1, 110 Walker Street, North Sydney 2060
T: 02 9556 2666
E: rd@hdcdaubney.com.au

Client
FRASERS PROPERTY
Level 3, Bulging C, 1 Homebush Bay Drive, Rhodes, NSW 2138.
T: +612 9767 2000



GROUP GSA
Group GSA Pty Ltd ABN 76 002 113 779
Level 7, 80 William St East Sydney NSW
Australia 2011 www.groupgsa.com
T +612 9361 4144 F +612 9332 3458
architecture interior design urban design landscape
nom architect M. Sheldon 3990

Project Title	
The Waterfront Shell Cove	
Drawing Title	
STAGE 1 DA - LANDSCAPE ELEVATION	
Scale	1:100 @ A1
Drawing created (date)	02/06/2015
By	CB-FZ
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Drawing No	Issue
13294 - 01-6200	G
File	Plot Date
P13294 Shell Cove	SCATES
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MATERIALS AND FURNITURE



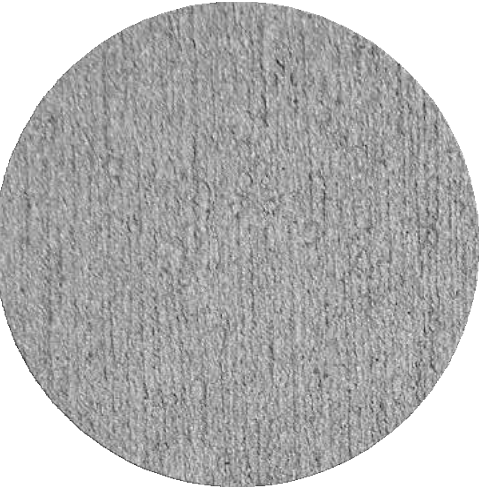
P1: UNIT PAVEMENT TYPE 1
Granite paving bands within concrete paving.



P2: UNIT PAVEMENT TYPE 2
Granite paving bands within concrete paving to define the shared zone in Market Square



CP1: INSITU CONCRETE PAVEMENT TYPE 1
Exposed aggregate concrete pavement



CP2: INSITU CONCRETE PAVEMENT TYPE 2
Broom finish concrete pavement



TS: TIMBER SEATING AREA
Hardwood timber informal seating elements



S1: SEATING
Custom plaza seating with backrests



ENTRY WALLING
Gabion wall to screen car park.



ENTRY WALLING
Steel frame growing trellis to screen carpark.

PLANTING PALETTE



MAIN STREET TREE PLANTING, COVE BOULEVARDE
Araucaria columnaris - Cooks Pine



MARKET SQUARE TREE PLANTING
Howea forsteriana - Kentia Palm



WATERFRONT PLAZA
Livistona australis - Cabbage Palm



STREET TREE PLANTING MC01
Eucalyptus amplifolia - Cabbage Gum



TRELLIS PLANTING
Pyrostegia venusta - Flame vine



TRELLIS PLANTING
Pandorea pandorana - Wonga Wonga vine



CAR PARK TREE PLANTING
Waterhousea floribunda - Weeping lily pily



Banksia integrifolia - Coastal Banksia



Tristaniopsis laurina - Water Gum



CAR PARK & ROAD 12 TREE PLANTING
Cupaniopsis anacardioides - Tuckeroo



MASS PLANTING (MIX TYPE 1)
Low native planting up to 1M high for car parks and amenity areas



MASS PLANTING (MIX TYPE 2)
Screen planting up to 1.5M high for surrounds to car parks

STAGE 1 PLANT SCHEDULE					
	BOTANIC NAME	COMMON NAME	MATURE SIZE (H x W) m	INSTALLATION SIZE	QUANTITY
CODE	TREES				
Bi	<i>Banksia integrifolia</i>	Coastal Banksia	1.5 x 7	200L+	10
Ca	<i>Cupaniopsis anacardioides</i>	Tuckeroo	1.5 x 6	200L+	7
Il	<i>Tristaniopsis laurina</i>	Water Gum	1.5 x 8	200L+	18
Wf	<i>Waterhousea floribunda</i>	Weeping Lilly Pilly	1.5 x 8	200L+	3
	SHRUBS				
	<i>Banksia ericifolia</i>	Heath-leaved banksia	6 x 6	140mm	40
	<i>Grevillea linearifolia</i>	Linear Leaf Grevillea	1.5 x 2	140mm	28
	MASS PLANTING (MIX TYPE 1)				
	<i>Dianella caerulea</i>	Blue Flax Lily	1 x 1	140mm	340
	<i>Dichelachne ciliata</i>	Longhair Plumegrass	0.3 x 0.3	140mm	340
	<i>Pelargonium australe</i>	Native Storksbill	0.5 x 0.5	140mm	340
	<i>Ficinia nodosa</i>	Knobby Club-rush	1 x 0.8	140mm	340
	<i>Lomandra longifolia "Tanika"</i>	Lomandra Tanika	0.6 x 0.6	140mm	340
	<i>Themeda australis</i>	Kangaroo Grass	1.5 x 0.5	140mm	340
	MASS PLANTING (MIX TYPE 2)				
	<i>Banksia oblongifolia</i>	Fern-leaved Banksia	1.5 x 1.5	140mm	430
	<i>Dianella caerulea</i>	Blue Flax Lily	1 x 1	140mm	430
	<i>Dodonaea triquetra</i>	Common Hop Bush	3 x 3	140mm	300
	<i>Eriostemon buxifolia</i>	Cascade of Stars	0.3 x 0.5	140mm	430
	<i>Lomandra longifolia</i>	Spiny-head Mat-rush	1 x 1	140mm	300
	<i>Themeda australis</i>	Kangaroo Grass	1.5 x 0.5	140mm	430
	<i>Westringia fruticosa</i>	Coastal Rosemary	2 x 3	140mm	300
	CLIMBERS				
	<i>Pandorea pandorana</i>	Wonga Wonga Vine	n/a	1.5L+	32
	<i>Pyrostegia venusta</i>	Flame Vine	n/a	1.5L+	32

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Urban Planners
JBA URBAN PLANNERS
Level 5, 79 Victoria Avenue, Chatswood, NSW, 2067.
T: 02 9556 6962
E: jba@jbaurban.com.au
Civil and Structural Engineer
H&H CONSULTING
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T: 02 9417 8800
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Level 1, 110 Walker Street, North Sydney 2060
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Client
FRASERS PROPERTY
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T: +612 9767 2000



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Group GSA Pty Ltd ABN 76 002 113 779
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Australia 2011 www.groupgsa.com
T +612 9361 4144 F +612 9332 3458
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STAGE 1 DA - LANDSCAPE	
LANDSCAPE MATERIALS PALETTE	
& PLANT SCHEDULE	
Scale	n/a
Drawing created (date)	02/06/2015
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