PART A – ADMINISTRATIVE CONDITIONS

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

Before any site works, building, demolition 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
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*. The prescribed conditions include compliance with the *Building Code of Australia.*

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**
Site Plan	HDR	DA03	F	25.10.18
Site Analysis	HDR	DA04	F	25.10.18
Ground Floor Plan	HDR	DA08	F	25.10.18
Mezzanine Plan	HDR	DA09	F	25.10.18
Level 01	HDR	DA10	G	7.11.18
Level 02	HDR	DA11	G	7.11.18
Level 03	HDR	DA12	G	7.11.18
Lower Roof Plan	HDR	DA13	G	7.11.18
Roof Plan	HDR	DA14	F	25.10.18
Sections - Sheet 1	HDR	DA15	F	25.10.18

Elevations - Sheet 1	HDR	DA16	F	25.10.18
Elevations - Sheet 2	HDR	DA17	F	25.10.18
Elevations - Sheet 3	HDR	DA18	G	7.11.18
Visualisation - Sheet 1	HDR	DA19	F	25.10.18
Visualisation - Sheet 2	HDR	DA20	F	25.10.18
Proposed Finishes Palette	HDR	DA21	F	25.10.18
Basix and Thermal Comfort Inclusions	HDR	DA24	F`	25.10.18
Stage 2 DA - General Arrangement	Group GSA	LS2-1101-10	10	27.06.18
Stage 2 DA - General Arrangement	Group GSA	LS2-1102-09	09	11.05.18
MUD Podium - Plan	Group GSA	L-SK-0001	C	29.10.18
Stage 2 DA General Arrangement Section	Group GSA	LS2-3100	08	27.06.18
Stage 2 DA - Landscape Details	Group GSA	LS2-4000	2	11.05.18
Stage 2 DA - Landscape Details	Group GSA	LS2-4001	1	11.05.18
Stage 2 DA - Landscape Materials Palette	Group GSA	LS2-8000	6	11.05.18
Detail Plan - Sheet 1 of 2	Henry & Hymas	15D09_DA_C101	3	14.08.18
Detail Plan - Sheet 2 of 2	Henry & Hymas	15D09_DA_C102	2	14.08.18
Draft Stratum Subdivision - Shell Cove Town Centre - Stage 2 Mixed Use	Beveridge Williams	1601522_1_3_1	1	1.08.17
Thermal Comfort & Basix Assessment	Efficient Living	18-0204	B	26.02.18
Section J Report - Energy Efficient Analysis and Report	Efficient Living	-	01	29.06.17

Waste Management Report	Wasteless	-	-	-
Silver Level Apartment	HDR	DA_SK03	A	-
Carpark Storage	HDR	DA_SK04	C	-
Lobby Entry	HDR	DA_SK05	-	-
Typical Apartments - Sheet 1	HDR	DA_SK06	-	-
Typical Apartments - Sheet 2	HDR	DA_SK07	-	-
Typical Apartments - Sheet 3	HDR	DA_SK08	-	-
Typical Apartments - Sheet 4	HDR	DA_SK09	-	-
Residential Storage Areas	HDR	DA_SK10	D	-
Stage 2 Boundary Wall	HDR	DA_SK11	-	-
Future Signage	HDR	DA_SK12	-	-
Retail Signage	HDR	DA_SK16	A	-
Contaminated Land Comment	Douglas Partners	78599.28	1	14.08.18
Catchment Plan	Henry & Hymas	15D09_DA_C250	1	14.08.18
Seating Plan	HDR	SK249	A	-

PART B - PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

4. Amendments to Approved Plans

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

a. The development must provide at least four dwellings as Silver Level Apartment.

b. The surface of the material used for the paving at the cross over of the loading dock at the Tavern building must be treated with different surface materials both visually and in texture (i.e. blister paving). Any surface treatment must comply with *AS/NZS 4586:2004 (including amendments) Slip resistance classification of new pedestrian surface materials.*

5. Compliance with Cross Ventilation

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

The location and design of all skylights and ventilation ducts must facilitate natural cross ventilation in accordance with the Apartment Design Guide.

A statement endorsing the achievement of the above must be obtained from a suitably qualified and experienced consultant in natural ventilation design and assessment. The statement shall be provided to the Certifying Authority.

6. SEPP No. 65 - Design Quality Of Residential Apartment Development

In accordance with clause 143A of the *Environmental Planning & Assessment Regulation 2000*, a Certifying Authority must not issue a Construction Certificate for residential apartment development unless the Principal Certifying Authority has received a design verification from a qualified designer, being a statement in which the qualified designer verifies that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in Part 2 of *State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development*.

7. Section 94 Contributions

A contribution of $469,816.10, subject to annual indexation, must be paid to Council towards the provision of public amenities and public 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 2016 Amendment 1 dated 8 March 2017* in the following manner:

- Residential contribution - $503,749.10
- Credit for Passive Open Space Embellishment – ($35,186.02)
- Non-residential contribution – Tier 2 - $1,253.02

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

8. Long Service Levy

The Long Service Levy must be paid prior to the issue of the Construction Certificate.

9. Landscape Inspection Fee

The developer must lodge with Council an inspection fee of $655.00 in accordance with Council's *Fees and Charges* prior to the issue of the Construction Certificate for:

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

10. Landscape Plan

Two copies of a landscape plan prepared by a suitably qualified and experienced 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 plan drawing no. 13294 – LS2-1000 Issue 07 prepared by Group GSA Pty Ltd and dated 2/12/2016 or as required by amendments by conditions of consent and/or the below:

a. the use of the plant species Gazania tomentosum, Rhaphiolepsis indica & cultivars, Pennisetum spp & cultivars and the tree species Cupaniopsis anacardioides and any other plant species that are considered Noxious or an Environmental Weed within the Shellharbour local government area must not be used,

b. tree species selected throughout the carpark area and adjacent to a designated person with disabilities must not be hazardous to vehicles and pedestrians. The tree species Banksia integrifolia must not be used throughout the proposed carpark area or adjacent to any pedestrian pathway,

c. all plant species adjacent to any carparking space must not exceed the maximum mature height of 300mm excluding clear trunk trees, and

d. all tree and plant species must be tolerant to the environmental site conditions and all tree and plant locations must be shown on the landscape plan, and

e. indicating the proposed method of water-proofing and drainage of the concrete slabs over which landscaping is proposed.

11. Vehicle Parking Spaces - Number & Allocation

Onsite parking spaces must be provided, as a minimum, as follows:

a. 66 residential parking spaces.

12. Car Parking Spaces - Dimensions

All car parking spaces must be designed in accordance with the Australian Standards.

13. Car Parking Spaces

All car parking facilities and spaces must be in accordance with the following Australian Standards:

a. AS2890.1 - 2004 for Off-street Car Parking Facilities

b. AS2890.2 - 2002 for Off-street Commercial Vehicle Parking Facilities

c. AS2890.6 - 2009 for Off-street Parking Facilities for People with a Disability

An Australian Standards compliance assessment of the proposed parking facilities is to be undertaken to the satisfaction of the Principal Certifying Authority prior to the approval of the Construction Certificate.

14. Acoustic Attenuation

Prior to the issue of the Construction Certificate, a Noise Impact Assessment Report is to be prepared by a suitably qualified acoustic engineer and submitted to the Principal Certifying Authority for approval. The report must provide noise mitigation strategies that reflect the following requirements:

a. the building treatments achieve the noise criteria detailed in Table 1 of the *Frasers Property Australia Shell Cove Waterfront Precinct – Precinct Acoustic Management Plan, Issue 1, Ref AC08, dated 29 November 2018* prepared by *ARUP,* and

b. specifications for the treatments required to mitigate building services equipment which adopt the recommendations listed in *Section 5.3* of the *Shell Cove Waterfront – Stage 2 DA – Supplementary Acoustic Report, Issue 2, Ref AC09, Issue 2, dated 8 May 2018,* prepared by *ARUP.*

The above design and construction requirements must be detailed on the Construction Certificate drawings and/or specifications accompanying the construction drawings and approved by the Principal Certifying Authority prior to the release of the Construction Certificate.

15. Noise Management Plan – Ground floor food and drink premises / business premises

A Noise Management Plan for all ground floor business premises that ensures compliance with the noise criteria detailed in *Table 7* of the *Shell Cove Waterfront – Stage 2 DA – Supplementary Acoustic Report, Issue 2, Ref AC09, Issue 2, dated 8 May 2018, prepared by ARUP,* must be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate.

The Noise Management Plan must consider recommendations from the report including:

a. background music shall generally be limited to internal areas and speakers not directed out to external areas to reduce subsequent need for patrons to further raise voices in conversation;

b. noise limiters should be installed on all sound systems;

c. speakers shall be mounted to limit potential structure borne noise and vibration transfer to residential apartments;

d. close operable façade at the primary building alignment, with exception of primary entry doors, at 10 pm.

16. Shoring and Adequacy of Adjoining Property EP & A Act s80A(11)/EP & A Regulation cl98E

Where the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

a. protect and support the adjoining premises from possible damage from the excavation

b. where necessary, underpin the adjoining premises to prevent any such damage.

The condition referred to above does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

Details, where relevant, must be submitted to the Certifying Authority prior to the issue of a Construction Certificate.

17. Soil and Water Management Plan (SWMP)

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

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

a. minimise the area of soils exposed at any one time,

b. conserve topsoil for reuse on site,

c. identify and protect proposed stockpile locations,

d. preserve existing vegetation and identify revegetation techniques and materials,

e. control surface water flows through the development construction site on a manner that:

    i. diverts clean run-off around disturbed areas

    ii. minimises slope gradient and flow distance within disturbed areas

    iii. ensures surface run-off occurs at non-erodible velocities

    iv. ensures disturbed areas are promptly rehabilitated.

f. trap sediment on site to prevent off site damage. Hay bales are not to be used as sediment control devices. To ensure regular monitoring and maintenance of erosion and sediment control measures and rehabilitation works until the site is stabilized (includes landscaping),

g. specifies measures to control dust generated as a result of construction activities on site,

h. temporary sediment ponds must be fenced where the batter slope exceeds 1 vertical to 5 horizontal,

i. design scour protection for the 10 year ARI event at all inlet and outlet structures, and

j. including measures to prevent the tracking of sediment off the site.

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 Concept Stormwater Plan Ref. No: 15D09_DA_101 Rev. 2 prepared by Henry & Hymas,

b. drain to the existing stormwater network pits,

c. indicate the method of disposal of all stormwater, 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* 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. Structural Design of Deep Pits

All pits deeper than 0.9 metres must be designed by a certified structural engineer and be in accordance with AS 3600-2009.

Pits deeper than 1.2 metres must have galvanised steel step irons (plastic coated black steel step irons will not be accepted) and pits deeper than 1.8 metres are to be reinforced concrete. Step irons at 300mm interval spacing from bottom of pit. Top step minimum 500mm below top surface level. Details to this effect shall be incorporated on the detailed drainage design that is submitted to the certifying authority for the Construction Certificate.

21. Structural Capacity of Stormwater Pipes

Pipes under buildings shall be structurally designed to withstand all applied forces. Details to this effect shall be incorporated on the detailed drainage design that is submitted to the certifying authority for the Construction Certificate.

22. Grading Levels Around Specialty Unit 1

The pavement area outside specialty unit 1 (located in the north eastern corner of the building near Road 10) must be properly graded as to ensure all overland flows and ponding water are directed away from the entry to the building.

23. Open Car Parking

Vehicles must not cause a nuisance in the Probable Maximum Flood 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 Certifying Authority.

24. Road and Drainage Plans (future public carpark)

The road and drainage plans for the public carpark must be prepared by a suitably qualified Engineer, in accordance with Council's *Subdivision Design Code*. The plans must be submitted to the Certifying Authority for approval prior to the release of the Construction Certificate. All road and drainage work must then be constructed in accordance with Council's construction standards and approval at no cost to Council.

All stormwater pipes within the road reserve, carparks and within drainage easements intended to be dedicated to Council must be installed generally to the HS3 standard in accordance with the current edition of *AS 3725 - Design for Installation of Buried Concrete Pipe*.

25. 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 (future) public carpark pavement must be designed with one layer of asphalt having a minimum thickness of 40mm AC10.

The laybacks and crossings must be designed to accommodate expected traffic loadings. In this regard they must be constructed to a 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.

26. Pavement Grade

All paved areas must have a minimum grade of 1%.

27. Garbage Storage Room

Prior to the issue of the relevant Construction Certificate, the applicant must demonstrate how the following has been achieved within the development together with the requirements of the outcomes listed with the report prepared by *Wasteless Consulting, Shell Cove Stage 2 Mixed Use Waste Management Report* (as amended)*:*

a. A garbage storage room is to be identified on the construction plans and shall be fully enclosed and be provided with a concrete floor, with concrete or cement rendered walls coved to the floor. The floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket. A hose cock shall be provided within the room. Garbage rooms shall be suitably vented in accordance with AS 1668.2 Mechanical Ventilation of Buildings,

b. The waste/recycling storage area or room/s have been sized to meet the waste and recycling needs of all future tenants and designed so that the size and layout is capable of accommodating reasonable future changes in use of the development,

c. The waste/recycling storage area for the residential apartments must be separate to that provided for the commercial tenancies,

d. The waste/recycling storage area or room/s have been sized to meet the waste and recycling needs of all future tenants and designed so that the size and layout is capable of accommodating reasonable future changes in use of the development,

e. The proposed central floor waste located in the "Waste Room" is provided in accordance with the requirements of Sydney Water,

f. Between collection periods, all waste/recycling materials generated onsite will be securely enclosed in bins and stored in the designated storage rooms/area,

g. The development must incorporate separate waste/recycling storage bins. Commercial tenants must be prevented (via signage and/or physical) barriers from using the residential waste/food organics/recycling bins and vice versa to prevent conflict.

Note: the *Wasteless Consulting, Shell Cove Stage 2 Mixed Use Waste Management Report* notes that there are only 5 food and drink premises. This report must be updated to 8 food and drink premises and appropriate apportionments to be estimated in the waste to be generated

and collected.

28. Waste Management Plan – Operational

a. Prior to the Construction Certificate being issued, a waste management plan – operational must be developed demonstrating how the site will manage its operational waste. The plan must include:

   i. how waste will be managed by the operator of the facility

   ii. how waste will be disposed and appropriately collected by a private contractor, and

   iii. detail arrangements for ensuring bins are stickered and ensuring staff/relevant persons are aware of how to use the waste management system correctly, and

   iv. identify potential barriers to maximising resource recovery and minimising landfill disposal and develop possible workable solutions to overcome identified barriers.

   The Waste Removal strategy for the site relies on the collection of waste by a private contactor. No responsibility of waste removal is borne on Council.

29. 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 Occupation Certificate. The allocated street numbers must be clearly shown on the Construction Certificate drawing.

30. 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.
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.

31. Electricity Substation & Visual Impact

Any substation installed must be screened from all street frontages and public places by the use of screen enclosures and/or landscaping. Screening measures must not compromise the requirements of the electricity supplier. Details must be submitted with the Construction Certificate Application.

32. Reflectivity of Materials

The visible light reflectivity (reflectivity index) of the roof and other external building materials/colours (including exposed windows) must not exceed 20%. Written evidence that

this requirement is not exceeded must be submitted to the Certifying Authority prior to issue of the Construction Certificate.

33. External Street Lighting of Carpark

The developer must submit a Public Lighting Design Brief to the Principal Certifying Authority for approval for the provision of street lighting on all new public roads and carparks dedicated to Council. A street lighting design plan must be prepared for the external carpark and submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate. All costs associated with the installation of street lighting must be borne by the developer.

In respect to the car parking lighting, energy efficient LED or equivalent luminaires is encouraged.

34. External Lighting of Building

Documentary evidence must be provided to the Principal Certifying Authority demonstrating that the external lighting strategy of the building does not exceed the limits of the Australian Standard 4282-1997 Control of the Obtrusive effects of outdoor lighting. The lighting strategy must be prepared by a suitably qualified, practicing lighting engineer or lighting designer.

35. Crime Prevention Through Environmental Design

a. The development must include security measures. Such measures are to include the following:

   i. use sensor lights to encourage user safety and illuminate potential offenders after dark,

   ii. incorporate additional lighting below awnings to adequately illuminate footpath areas,

   iii. illuminate possible concealment and entrapment areas particularly in car parks,

   iv. lighting strategies that enable users to identify a face from within 15 metres to assist with personal safety,

   v. light access routes for user safety and to encourage surveillance,

   vi. the development is to ensure appropriate security and locking mechanisms on all entry/exit points including main doors, roller doors and fire escapes,

   vii. Access control shall be installed to the car parking area, residential forecourt areas and foyers to permit admission of authorised persons only (including employees of the commercial premises and residents). An intercom system shall be installed to enable controlled access for visitors.

   viii. the car park roller door to be a security grille to allow for passive surveillance,

   ix. mail boxes must be lockable by separate keys, using locks that cannot be opened by common master keys. The mail box area is to be well lit and secured by the main entry door and not accessible to external patrons.

b. Graffiti resistant surfaces and paint must be used at the ground level of the development. 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 to the satisfaction of the Principal Certifying Authority.

c. 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. Details are to be shown on the Landscape Plan and

submitted with the Construction Certificate application.

Full details concerning the above security arrangements for the site must be provided on plan and/or written submission with the Construction Certificate application.

36. Kitchen Exhaust Design

The kitchen exhaust and any mechanical ventilation must discharge through the roof of the building and must comply with AS 1668.2 - Part 2 (Ventilation Design for Indoor Air Contaminant Control). The kitchen exhaust and any mechanical ventilation and associated ductwork must not discharge through, or be attached to, the outside wall or outside face of the building. This information must be provided to the Principal Certifying Authority prior to the issue of the Construction Certificate.

37. Sydney Water Trade Waste Agreement

Provide written approval from Sydney Water that indicates that a trade waste agreement has been entered into for the grease trap that will be utilised for the individual food business operations. This information must be provided to the Principal Certifying Authority prior to issue of the Construction Certificate.

PART C - PRIOR TO COMMENCEMENT OF WORKS

38. 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.

39. 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 engineer's design for all structural steel beams, framing and connections

c. roof truss and bracing details

d. manufacturer's specifications for any patented construction systems.

40. Site Management Plan and

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 and,

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.

g. all haulage routes for trucks transporting soil, materials, equipment or machinery to and from the site must be selected to provide the shortest travel distance (or most appropriate) from the site to a state road. All works shall ensure that:

   i. All soil, materials, equipment or machinery are delivered to or removed from the site shall be transported within the hours of operation specified in the development consent. All loads entering or leaving the site are securely covered.

   ii. All vehicles exiting the site are securely covered.

   iii. All vehicles exiting the site do so in a forward direction.

   iv. All vehicles exiting the site shall not track soil, mud or sediment onto the road.

41. 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.

42. Construction Traffic Management Plan (CTMP)

Prior to the commencement of works, a CTMP detailing vehicle routes, number of trucks, hours of operation, access arrangements, impact on pedestrians and traffic control must be submitted to and approved by the Certifying Authority.

It is the developer's responsibility to adequately inform/brief for construction workers, sub-contractors and supervisors to ensure that the Construction Traffic Management Procedures are adhered to at all times.

43. Protection of Public Places

a. Where the work involves the erection or demolition of a building and the work is likely to or will cause pedestrian or vehicular traffic in public places (eg a footpath) to be obstructed, diverted, rendered inconvenient and enclosed, or similar, a Class B hoarding must be erected between the work site and/or over the public place.

If a hoarding is not necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. Any hoarding, fence or awning must be removed when the work has been completed.

Any proposed hoarding, fence or awning proposed within the road reserve will require a specific approval under section 138 of the *Roads Act 1993*. An application fee will apply in accordance with Council's *Fees and Charges*.

b. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

44. 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*.

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.

45. 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

46. 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
- 8am to 3pm Saturdays

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

47. Site Management Plan and Construction Traffic management Plan

The Site Management Plan and Construction Traffic management Plan must be implemented and adhered to at all times during construction works.

48. Road Construction and Road Drainage Construction for Future Public Carpark

The Contractor must arrange for a satisfactory inspection by Shellharbour City Council of the following works:

a. all road drainage works prior to backfilling of the work and,

b. all road construction inspections as per Council's *Subdivision Design Code*.

49. Car Parking Wheel Stops

All car parking spaces within the future public car park must be fitted with wheel stops.

50. Subdivision Design Code Compliance

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

51. 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.

52. Building Height - Survey Certification

The building must not exceed the height shown on the approved plans.

A report from a registered surveyor must be provided to the Certifying Authority on completion of the setting out of the basement levels, and again prior to covering the roof, certifying that the height of the building is in accordance with the approved plans.

53. Works In, On or Over a Public Road

In accordance with section 142(i)(a) of the *Roads Act 1993* the person who has a right to the control, use or benefit of a structure or work in, on or over a public road (namely a footpath crossing), must maintain the structure or work in a satisfactory state of repair.

54. Site Waste Minimisation and Management Plan

The Site Waste Minimisation and Management Plan submitted must be adhered to throughout all stages of the construction process.

55. Records of Disposal

All records demonstrating the lawful disposal of construction waste and recycling must be retained and kept readily available for inspection by regulatory authorities such as Council, Department of Environment and Heritage or WorkCover NSW.

56. Geotechnical Testing - Drainage

Geotechnical testing must be carried out and results submitted to the Certifying Authority to verify that the pipe trench bedding and backfill complies with the requirements outlined in Australian Standard *AS 3725 - Design for Installation of Buried Concrete Pipe* . Geotechnical testing must verify that the pipe trench bedding and backfill complies with the requirements for HS3 bedding/backfill must be performed at the rate of one test per 50m of pipeline with not less than two tests in any section of pipe exceeding 25m in length.

57. Protection of Property

The structural integrity of adjoining properties and structures must be protected at all times during construction. All costs associated to any ramification works are strictly borne on the developer.

58. Maintenance of Erosion & Runoff Controls

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

Maintenance must include but is not limited to ensuring:

a. all sediment fences, sediment traps and socks are properly placed and are working effectively

b. drains, gutters and roads must be maintained clear of sediment at all times.

59. Air Quality (Dust and Odours)

Dust emissions shall be confined within the site boundary. The following dust control

procedures may be employed to achieve this objective:

a. Dust screens may be erected around the perimeter of the site.

b. All loads entering or leaving the site must be securely covered.

c. Water sprays may be used across the site to suppress dust.

d. All stockpiles of contaminated soil shall be covered if remaining more than 24 hours.

e. When excavating, the surface should be kept moist to minimise dust.

60. Provide A Truck Shaker

An approved truck shaker must be provided at the construction entry point, in accordance with Council's standards prior to the commencement of work to prevent dust, dirt and mud falling on roadways. Ingress and egress from the site must be limited to this single access point only.

61. Contingency for unexpected findings of contaminated or hazardous materials

Should any contamination or suspect material be encountered during site preparation, earth works, construction or any other stage of the development, works must cease immediately, and a suitably qualified consultant engaged to conduct a thorough contamination assessment and provide recommended management actions to guide the management of any contamination onsite. Council must be notified if this protocol is required to be enacted.

PART E - PRIOR TO OCCUPATION

62. Inspection of Stormwater Pipes within the Future Public Carpark

All stormwater pipes within future public carpark and within drainage easements intended to be dedicated to Council must be inspected by CCTV. The CCTV must be carried out after all earthworks and road pavement works within the locality of the pipelines has been completed. A copy of the CCTV inspection must be recorded and submitted to the Principal Certifying Authority prior to the release of the Occupation Certificate. Damaged pipes must either be replaced or repaired to the Principal Certifying Authority's satisfaction prior to the issuing of an Subdivision Certificate.

63. SEPP No. 65 - Design Quality Of Residential Apartment Development

In accordance with clause 154A of the *Environmental Planning & Assessment Regulation 2000*, a Certifying Authority must not issue an Occupation Certificate to authorise a person to commence occupation or use of residential flat development unless the Principal Certifying Authority has received a design verification statement from a qualified designer. The statement from the qualified designer must verify that the residential apartment development achieves the design quality of the development as shown in the plans and specifications in respect of which the Construction Certificate was issued, having regard to the design quality principles set out in Part 2 of *State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development*.

64. Sydney Water Grease Tap Installation

The proposed food and drink / business premise must have appropriately designed grease taps install prior to the Occupation Certificate to avoid unnecessary retro-fitting upon final occupation of individual tenancies.

65. Repairs to Public Infrastructure

Any damage to public infrastructure, other than that previously noted in the Dilapidation Report

(refer Part C), shall be the responsibility of the owner of the property and 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.

66. BASIX

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

67. Occupation Certificate

All conditions in Parts A, B, C, D & E of this consent are preconditions for the purpose of section 109H of the *Environmental Planning & Assessment Act 1979*. Compliance with all preconditions must be verified by the Principal Certifying Authority prior to issue of a final Occupation Certificate. The building must not be used until the Principal Certifying Authority issues an Occupation Certificate.

68. 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 authorized 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.

69. 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.

70. Works As Executed Plans - Storm water Drainage Building

Works As Executed plans (for the relevant stage) must be submitted to the Certifying Authority by a registered surveyor certifying compliance with the approved design plans in relation to all drainage works.

The Works As Executed dimensions and levels must be shown in red on a copy of the approved Construction Certificate plans.

71. Works As Executed Plans – Future Public Carpark

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

a. compliance with the approved design plans of all drainage works within council land, road reserve and drainage easements including connection into the subject lot/s, surface and invert levels of all pits, invert levels and sizes of all pipelines,

b. certification from a registered surveyor that all storm water pipes and other services are wholly within an appropriate easement,

c. compliance with the approved design plans of paved areas within rights of carriageway and road reserve,

d. the extent, depth and final levels of filling,

e. the location of all underground service conduits and

f. all deviations from the approved Civil Engineering Plans.

All levels must relate to Australian Height Datum.

72. Waste Management Signage

Directional signage is to be provided to clearly identify garbage, recycling and organics bins/storage area and the materials accepted.

73. Acoustic Verification Report

Prior to the issue of an Occupation Certificate, a suitable qualified acoustic engineer is to provide a written Acoustic Verification Report validating that the development complies with the requirements set out condition 13 Acoustic Attenuation.

74. 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 surface. 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

75. Relevant Leases, Licences and Easements

Prior to issue of the Occupation Certificate the necessary leases, licences or easements as relevant need to be obtained from the appropriate authorities including Shellharbour City Council.

STRATUMSUBDIVISION

76. Stratum Subdivision

Development consent for the stratrum subdivision has been approved under the *Environmental Planning & Assessment Act 1979*. It will now be necessary to obtain a Stratrum Certificate under the *Strata Schemes (Freehold Development) Act 1973.* In this regard, it will be necessary to submit:

a. a Stratum Certificate application form,

b. three paper prints or copies of the subdivision plan and the Stratum Plan Administration sheet. Plans are not to be creased,

c. fees appropriate at the time of submission of the application, and

d. information as detailed on the Stratum Certificate application form.

77. Stratum By Laws Plan

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

Restrictions must also be placed on title with respect to:

a. access and maintenance for structures on the boundary or immediately adjacent to the boundary,

b. each residential apartment must be allocated 1 space per 1 bedroom unit, 2 spaces for 3 bedroom units and a combination of 1-2 spaces for 2 bedroom units.

c. each strata unit and storage area as shown on the car park storage plan,

d. the Plan of Management required by condition 78 Plan of Management for the Building,

e. the Noise Management Plan required by condition 14,

f. the communal open space must be available for the use all residents of the building, and must be designated as common property on any strata subdivision of the site, with no exclusive use rights,

g. the provision of legal and practical access (eg. reciprocal rights of carriageway),

h. drainage structures.

78. Release of Certificate

The Strata Certificate must not be released until the Final Occupation Certificate for the development has been issued by the Principal Certifying Authority.

PART G - AFTER ISSUE OF OCCUPATION CERTIFICATE/DURING OCCUPATION

79. Plan of Management for the Building

Notwithstanding any other condition of this development consent, a Plan of Management must be produced and implemented by the operator of the building. The plan shall include the following minimum operating requirements:

a. *General building requirements*

   i. condition of use of Ground Floor Tenancies as prescribed in condition 80 and 81 below,

   ii. requirement that the operator is responsible for the removal of any graffiti that may appear on any part of the external walls of the building and that it shall be removed within 48 hours of it appearing,

   iii. all loading and unloading operations associated with servicing the site must be carried out within the confines of the site, at all times and must not obstruct other properties/units or the public way,

   iv. the loading dock must not operate between 10:00pm and 7:00am,

   v. at all times the service vehicle docks, car parking spaces and access driveways must be kept clear of goods and must not be used for storage purposes, including garbage storage,

b. *Waste removal requirements*

i. the collection of waste and recycling must only occur between 7.00am and 8.00pm weekdays, to avoid noise disruption to the surrounding area,

ii. garbage and recycling must be collected wholly within the site. At no time pay garbage bins be presented on the future public carpark,

iii. the bins must be presented within the designated commercial waste removal pick up zone as illustrated on the approved plans,

iv. the bin storage area must be in compliance with conditions of consent.

v. requirement that all bins must be cleaned on a regular basis by building management,

vi. practical measures are also to be taken to ensure that odour emission from the garbage storage area does not cause offensive odour as defined under the provision of the *Protection of the Environment Operations Act, 1997* (as amended),

vii. for the food and drink premises, used oil shall be contained in a leak proof container and stored in a covered and bunded area prior to off-site disposal. Copies of receipts for the disposal of used cooking oil shall be kept on-site and made available to Council Officers upon request,

viii. the Waste Management Plan - Operational must be available to all residents and tenancies, and

ix. all waste removal to be undertaken by a private contractor.

c. *Acoustic mitigation requirements as required by this development consent (as amended)*

80. Acoustic Noise Testing

The operator of the premises is required to undertake relevant acoustic testing to demonstrate that the noise criteria is being achieved as required by Table 7: Predicted noise levels in report Frasers Property Australia Shell Cove Waterfront – Stage 2 DA – Supplementary acoustic report, Issue 2, Ref AC09, dated 8 May 2018 prepared by ARUP. The testing must occur during the first 12 months of the operation of the premises and based on the following:

a. at least 5 times during the 12 month period, with two samples taken during the summer period, and,

b. at peak times, including Saturday mid-afternoon and evening.

Where the testing has shown non-compliances with noise criteria detailed in *Table 7: Predicted noise levels in report Frasers Property Australia Shell Cove Waterfront – Stage 2 DA – Supplementary acoustic report, Issue 2, Ref AC09,* dated *8 May 2018* prepared by *ARUP* , appropriate operational mitigation measures must be implemented in the plan of management and noise management plan for the site. Such mitigation strategies must be implemented immediately.

Documentary evidence must be provided to Shellharbour City Council. The evidence must demonstrate the above and lodged with Council not more than 3 months after the testing period. This must include any revised operational and noise management plans.

81. Use of Ground Floor Tenancies

This approval grants consent for the use of the ground floor tenancies and only as food and drinks premises or business premises as defined in *Shellharbour Local Environmental Plan 2013*. The definition of each use is as follows:

Food and drink premises: means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following:

a) a restaurant or cafe,
b) take away food and drink premises,
c) a pub,
d) a small bar.

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

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

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

Business premises: means a building or place at or on which:

a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or
b) a service is provided directly to members of the public on a regular basis,

and includes a funeral home and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.

The total maximum number of seats to service the food and drink premises cannot exceed 500 seats.

82. Conditions of Use for Ground Floor Tenancies

The following conditions must be complied with during occupation of the ground floor tenancies.

a. Hours for Operation 7am – 11pm

b. Signage – the signage for each tenancy unit must be restricted to the signage envelopes as approved by plan *Future Signage*, drawn by *HDR*, drawing number *DA_SK12*. No other signage is permitted to be erected, including the use of A-Frame signs.

c. Design of the final fit out for ground floor tenancies must ensure they achieve the attenuation measures listed in *Section 5.3* of the *Shell Cove Waterfront – Stage 2 DA – Supplementary Acoustic Report, Issue 2, Ref AC09, Issue 2, dated 8 May 2018,* prepared by *ARUP.*

83. Health - Food Premises - Plans & Specifications

Details of the construction and fit out of food premises (including store rooms) must be submitted to Principal Certifying Authority. The plans and specifications must demonstrate compliance with the:

a. *Food Act 2003* (as amended),
b. Food Regulation 2010 (as amended),
c. *Food Standards Code* as published by Food Standards Australia,
d. New Zealand and Australian Standard AS4674:2004 Design, Construction and fit out of food premises (as amended), and
e. Sydney Water - trade Waste Section

84. Health - Food Premises - Inspection & Registration

Prior to the occupation or use of any food premises:

a. a satisfactory final inspection must have been undertaken by the Principal Certifying Authority certifying that the food premises including any food storage and cleaning areas complies with the following:

   - *Food Act 2003*, Food Regulation 2010, *Food Standards Code* as published by Food Standards Australia (as amended);
   - New Zealand and Australian Standard AS4674:2004 Design, Construction and fit out of food premises (as amended);
   - Sydney Water - trade Waste Section.

b. the food proprietor must submit to Shellharbour City Council a *'Food Business Registration Form'*. The form can be found on Council's website by visiting: http://www.shellharbour.nsw.gov.au/Documents/Forms-and-Application/Compliance/Food-business-registration-form.aspx

85. Enclosure of Balconies

At no time shall any of the Balcony's within the development site be enclosed.

86. BASIX Commitments

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

87. Protection of the Environment Operations Act 1997

Any activity including waste generation being carried out with this approval shall not give rise

to offensive odour or pollution of land and/or water as defined under the *Protection of the Environment Operations Act 1997*.

88. Air Conditioning Units to Façade or Balconies of Buildings to Be Enclosed

Approval is not granted for the installation of individual air conditioning units to the facade or balconies of the building without screening or an enclosure.

89. Parking – Signage (Loading dock)

Proposed parking areas, service bays, truck docks, driveways and turning areas shall be maintained clear of obstructions and be used exclusively for purposes of car parking, loading/unloading, and vehicle access respectively for the life of the development. Under no circumstances are such areas to be used for the storage of goods or waste materials.

90. Maintenance Period – Future Public Car Park

All carpark and drainage works, must be maintained for a minimum period of 12 months commencing from the date of the issue of the final Occupation Certificate, unless otherwise agreed to in writing by Council. The developer must ensure that any defective works shall be rectified and/or replaced during the maintenance period in accordance with the approved construction certificate plans. All costs arising during the maintenance period must be borne by the developer. All carpark and drainage works must be maintained in its original construction condition for this liability period. The developer must notify Council for a re-inspection at the end of the maintenance period.

91. Flooding Storage of Materials

The future public carpark areas is identified as flood prone. During Occupation at no time shall materials be stored which may cause pollution or be potentially hazardous during a PMF event.

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.

Advisory Notes – General

Critical Stage Mandatory Inspections

Mandatory inspections of the building work must be carried out by the Principal Certifying Authority at various stages of construction in accordance with clause 162A of the *Environmental Planning & Assessment Regulation 2000*.

It is recommended that you discuss with your Principal Certifying Authority the occasions when the building work is to be inspected prior to work commencing.

Erection of Signs

The principal contractor and the Principal Certifying Authority will need to have a sign (or signs) erected

and maintained on the development site that provides their name and contact telephone number (during and outside work hours for the principal contractor), and stating that unauthorised entry to the site is prohibited. The principal contractor and Principal Certifying Authority can have separate signs or they can both use one sign if they choose.

A maximum penalty of 10 penalty units applies for failure to erect and maintain sign(s) detailing principal contractor and Principal Certifying Authority identification.

Disability Discrimination

The *Disability (Access to Premises-Buildings) Standards 2010* impose obligations on persons relating to disability discrimination. This consent does not relieve the applicant, Principal or other Principal Certifying Authority, or any other person with regard to their obligations to ensure compliance with this legislation.

WorkCover Authority

The requirements of WorkCover Authority must be satisfied at all times.

Obstacle Height Limitation – Airport

There are height limitations relating to the operation of the airport for developments/activities/construction that may involve cranes, plant or machinery in the Shellharbour Local Government Area. Further details can be obtained from Council concerning the obstacle height limitations.

Failure to Comply with Consent

Failure to comply with any of the conditions of consent may result in a Penalty Infringement Notice being issued against the owner/applicant/builder. Substantially greater penalties may be imposed by the Court for non compliance.

Lapsing of Development Consent

In accordance with section 95 of *the Environmental Planning & Assessment Act 1979*, the development approval lapses five years after the approval date unless building, engineering or construction work relating to the building has physically commenced.

Right to Appeal

If you are dissatisfied with this decision, section 97 of the *Environmental Planning & Assessment Act 1979* gives you the right to appeal to the Land & Environment Court within six months after the date on which you receive this notice.

Review of Determination

If you are dissatisfied with this decision, section 82A of the *Environmental Planning & Assessment Act 1979* provides that you may request Council to review its determination. The request cannot be made after the time limit for making of an appeal under section 97 expires.

To Vary Development Consent

The plans and/or conditions of this consent are binding and may only be varied upon **application** to Council under section 96 of the *Environmental Planning & Assessment Act 1979.* The appropriate fee shall accompany the application and no action shall be taken on the requested variation **unless and until** the **written** authorisation of Council is received by way of an amended consent.

BASIX

Please note that the requirement for lodging a modification of development consent under section 96 of the *Environmental Planning & Assessment Act 1979* may result in the requirement for a revised BASIX certificate to be submitted for assessment.

Prescribed Payment System Tax Obligations

You may have a taxation obligation under the Prescribed Payment System. For more information, contact the Australian Taxation Office on telephone 132866.

Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets, please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in New South Wales). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995 (Cth)* and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact Telstra's Network Integrity Team on 1800810443.

Development within Vicinity of a High Pressure Gas Main

Contact Dial Before You Dig on 1100 or www.dialbeforeyoudig.com.au. Proposed works in the vicinity of any high pressure gas main must be directed to:

Jemena Asset Management Pty Ltd
PO Box 6507
SILVERWATER NSW 2128

Attention: Land Services Department

END OF CONDITIONS

Attachment 2 – Assessment of Compliance – Boat Harbour Precinct Concept Approval MP07_0027MOD 1 and Statement of Commitments

A modification application (under s75W) was lodged with the Department of Planning and Environment in August 2017. The proposed modification includes:

i. An increase to the maximum number of dwellings from 1,238 to 1,566;
ii. Revised housing densities, typologies and building heights in certain areas of the Boat Harbour Precinct;
iii. Amendments to the hotel building, including relocation to the northern edge of the Town Centre and an increase to the maximum building height; and
iv. A revised road pattern and layout.

The 75W was approved under the Major Project Approval *Shell Cove Boat Harbour Precinct Concept Plan*, Concept Approval No. 07_0027 MOD 1 on 18 March 2019.

Assessment of Compliance - Concept Approval No. 07_0027 MOD 1

Condition	Requirement	Comments and Response
Schedule 2 **Part A – Terms of Approval**	This establishes the development parameters and the approved documentation.	
1. Approval for the Boat Harbour Precinct	a. Up to 1,566 comprising single dwellings, medium density and apartments; b. a business park with a maximum gross floor area of 30,000m^2; c. retail / commercial / development and community facilities with a maximum gross floor area of 14,830m^2; d. a mixed-use landmark (hotel) building of up to 11 storeys; e. public open space and wetlands; and f. associated drainage, stormwater infrastructure and roads.	The Stage 2 Mixed Use Development Application (DA) takes up dwelling yield and retail floor area. At the time of writing this consent the limits of yield and floor area have not been exhausted.
2. Approved Plans & Documentation	The project shall be generally in accordance with the following plans and documentation: a) Shell Cove Boat Harbour Precinct Concept Plan Application and Environmental Assessment, dated 26 February 2010, prepared by LFA (Pacific) Pty Ltd, Including	It is considered that the proposal is consistent with the approved documents and plans. This is demonstrated through the documentation provided including the SEE and Compliance with the Urban Design Guidelines for Precinct D.

	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); as amended by the updated Statement of Commitments provided in Appendix C of the Section 75W Modification, dated 8 August 2017, prepared by Ethos Urban; and (d) Section 75W Modification, dated 8 August 2017, prepared by Ethos Urban, and Response to Submissions, prepared by Ethos Urban, dated 7 February 2018, 31 May 2018 and 31 July 2018 d) Except as otherwise provided by the terms of this approval.	
3. Limits on Approval	This approval does not allow any components of the Concept Plan to be carried out without further approvals or consents being obtained.	This DA seeks consent to carry out further works in accordance with this condition.
4. Lapsing of Approval	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.	A number of applications within the concept plan have been approved since the Concept Plan Approval, with works ongoing on site. The development is considered to have physically commenced.
Condition	**Requirement**	**Comments and Response**
5. Inconsistencies	(1) In the event of any Inconsistency between: 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. (2) If there is any inconsistency between the terms of the	The development application can be demonstrated as consistent with the terms of approval and the Statement of Commitments.

	approval of the concept plan and any project approval or development consent, this concept approval shall prevail to the extent of the inconsistency.	
6. Maximum number of dwellings	The maximum number of dwellings permitted on the site is limited to 1420 dwellings, unless the developer submits, written confirmation from Sydney Water that adequate water and wastewater servicing is available to accommodate a maximum of 1566 dwellings, to the satisfaction of the Secretary.	
7. Parking	The parking requirements set out in the approved plans and documentation submitted as part of MOD 1 are not approved as part of the Concept Plan. Parking requirements shall be assessed and determined by Council as part of any future development applications and as a part of the precinct Urban Design Guidelines, where relevant.	
8. Urban Design Guidelines	The Urban Design Guidelines submitted as part of MOD 1 are not approved as part of the Concept Plan. The Urban Design Guidelines are to be assessed and determined by Council, as set out in Part D of this approval.	
9. Indicative design	The indicative design / layouts for open space, foreshore areas, works within the water, the boat maintenance/storage facility and buildings as shown in the approved plans and documentation submitted with MOD 1 are not approved as part of the Concept Approval. These matters shall be assessed and determined by Council as part of any future development applications and as part of precinct Urban	

	Design Guidelines, where relevant.	
Part B- Modifications to the Concept Plan	No condition are relevant within this Part	Not Applicable to this DA.
Schedule 3 Part C- Further Environmental Assessment Requirements	All of these reports are to be submitted and approved prior to or with the first DA.	
1. Coastal Hazards Study	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 Shellharbour Coastal Hazard Study (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 dune 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.	To address Consent Condition C1, a Coastal Hazards Report by Greg Britton of Royal Haskoning DHV was submitted in DA 411/2013. It was approved on 11th November 2014. The Commercial Precinct is located well landward of the combined beach erosion and shoreline hazard and as such these hazards are not considered to be an issue for the proposed development.
2. Fauna Assessment	A contemporary fauna assessment and survey for the Green and Golden Bell Frog (GGBF) undertaken in accordance with 'Threatened Species Survey and Assessment Guidelines: Field Survey Methods for Fauna - Amphibians, Department of Environment and Climate Change' (April2009). If the assessment concludes that there will be an impact on the GGBF, appropriate mitigation measures and/or changes	A Fauna assessment for the GGBF was submitted in DA 411/2013 to meet Condition 2. The habitat survey concluded that the GGBF was not found in the study area. Earthworks have since commenced under the above consent.

	must be incorporated into the project as recommended by the assessment.	
Part D- Further Environmental Assessment Requirements	These apply to the development of each stage/precinct (where relevant) and must be submitted with any subsequent applications.	
1. Urban Design	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.	The Waterfront, Shell Cove, Town Centre Urban Design Guidelines have been prepared by JBA (now known as Ethos Urban) to comply with Condition 1. These were formally endorsed by Shellharbour City Council on the 19th June 2017 and subsequently amended as described within the Planning Report.
	Architectural diversity within all stages which complements the site's coastal context.	The proposed Stage 2 demonstrates architectural diversity when compared with the Stage 1 retail development within the Shell Cove Town Centre.
	A variety of detailed designs which avoid monotones and repetition.	The guidelines contains provisions to create coherent streetscapes, and interesting areas of public domain. This is proposed to be achieved through diversity and a variety of architectural expression to provide visual interest. This reduces the appearance of bulk and scale and avoids monotones and repetition designs. The proposed mixed use building has a unique design that orients the building towards the primary views whilst framing the key areas of public domain and providing a suitable level of activation of these spaces.
	Design of the mixed use landmark (hotel) and public square in the commercial precinct which defines street and water edges, and create visual interest.	The hotel is not included in this application.
	A mixed use landmark (hotel) building with slender tower angled to the east to maximise	The hotel is not included in this application.

views to the coast 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.	An appropriate unit mix has been developed in accordance with the most likely market in this region. Two and three bedroom apartments have been preferenced over one-bedroom apartments.
Building separation, setbacks, solar access, visual and acoustic privacy, view corridors and an adequate level of environmentally amenity.	The built form has been developed in accordance with the footprint identified in the endorsed Urban Design Guidelines for Precinct D.
Compliance with Crime Prevention Through Environmental Design (CPTED) Principle.	Consideration of Crime Prevention Through Environmental Design (CPTED) principles have been made during the assessment process. Such requirements have informed subsequent design changes and are considered acceptable.
The location and distribution of public car parks.	The proposed car park is publicly accessible from Road MC01 (Marina Drive). This will provide 146 car spaces for the public accessing the marina and retail precinct. This car park has been designed to provide car parking in a location close the commercial centre whilst not visually dominating the site.
Where applicable, that State Environmental Planning Policy No. 65 -Design Quality of Residential Flat Development (SEPP 65) principles and the Residential Flat Design Code Guidelines (ADG) can be achieved.	An assessment of the proposal against the provision of SEPP 65 and the ADG has been provided within this planning report.
Appropriate density, bulk, scale, textures and colours in relation to the surrounding development, topography and streetscape.	The Urban Design Guidelines envisage a built form up to 4 storeys in height in this location, overlooking the water and the development is compliant with this.

	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.	The proposed buildings will be four storeys in height and will not adversely impact on surrounding amenity and will be consistent with the New South Wales Coastal Policy 1997 and the Coastal Design Guidelines New South Wales.
	Layout and design which satisfies the design considerations in Healthy by Design: A Planners Guide to Environment's for Active Living, National Heart Foundation of Australia.	The DA and Design Guidelines incorporate a range of design considerations that make a positive impact on the health of the new Shell Cove community including a high quality public square and waterfront promenade and walkable catchment, which encourages activity.
	Clear addresses for buildings fronting public walkways along the harbour and direct access from walkways where possible.	The proposed building has direct shopfront access from the retail forecourt. The residential lobby is setback slightly to differentiate the public domain from the private residences. Signage and design will ensure clear understanding of the residential entry.
	An indicative staging plan identifying the likely timing and sequence for each Stage.	This application forms the second stage of the commercial precinct, being Shell Cove Town Centre. Stage 1, being the supermarket, liquor tenancy and 9 specialty tenancies, was approved by the Southern JRPP on the 10th July 2017. Future stages will continue to be designed and developed over the next few years.
	Buildings which address main avenues or boulevards and serviced by rear laneways / access ways to improve legibility and prevent gated communities.	The building does not address a street frontage, however pedestrian access through the site is encouraged.
	Design and layout to minimise noise impacts to sensitive residential areas near quarry boundary.	The subject site is not within the Quarry Buffer Zone Boundary.
	Demonstrate adequate on-site parking is provided for the mixed-use landmark (hotel) building, to not adversely impact on-street parking in the	Not Applicable

	town centre and surrounding precincts.	
2. Landscaping	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.	A landscape plan has been prepared with the DA. The landscape plan outlines the locations, types and treatments for landscaping and integration with the wider public domain scheme subject to a separate DA. The proposal is consistent with the concept plan and approved documentation in this regard.
3. Noise Management	A detailed Noise Management Assessment Identifying: 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 and details of mitigation measures (the use of acoustic walls and landscape buffers) to ensure surrounding residential land uses are not affected by noise from the marina / commercial land use..	An Acoustic Strategy for Mixed Uses has been prepared by Arup. It designates acoustic treatments to dwelling facades to ensure satisfactory indoor noise levels within the mixed use precinct. A detailed discussed on acoustic matters are found at section X^ of this report.
4. Utilities	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.	A utilities report has been prepared by ADP Consulting. This report outlines the existing capacity and requirements for utilities for the Stage 2 Mixed Use Development.
5. Earthworks Strategy	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.	An earthworks strategy has been prepared Henry & Hymas and considered as part of the DA.

6. Remedial Action Plan	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 Managing Land Contamination: Planning Guidelines SEPP 55 - Remediation of Land (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).	A Phase 2 site contamination assessment of the boat harbour precinct 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.
7. Flood Assessment	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 Floodplain Risk Management Development Control Plan (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. 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.	A Flood Assessment for the Stage 2 Retail DA has been prepared by Advisian to address Consent Condition 7 Flood Assessment.

8. Stormwater and Water Cycle Management	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.	A Stormwater Management Report for the Stage 2 Retail DA has been prepared by Advisian to address Consent Condition 8.
9. Environmental Management Plan	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.	The extent and nature of construction traffic management, truck routes, vehicular frequency, and hours of operation, use of equipment, dust, noise, vibration and safety cannot be determined at this stage. Accordingly, it is anticipated that an EMP would form part of future detailed design and Construction Certification. The EMP will include a review of water quality impacts and develop strategies to address water quality issues during construction where appropriate.
10. Construction Management Plan	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.	The extent and nature of construction traffic management, truck routes, vehicular frequency, and hours of operation, use of equipment, dust, noise, vibration and safety cannot be determined at this stage. Accordingly, it is anticipated that a CMP would form part of future detailed design and Construction Certification for the subdivision. The CMP will include a review of water quality impacts and develop strategies to address water quality issues during construction where appropriate. The CMP will also include the preparation and implementation of a Traffic Management Plan.
11. Ecologically Sustainable Development	Demonstrate that any future development will incorporate ESD principles in its design, construction and ongoing operation phases, including water sensitive urban design measures, water	The development outlines ESD design principles, controls and recommendations for the proposal. A BASIX Certificate and Section J report have been included as part of the development application.

	reuse/recycling, energy efficiency, recycling and waste disposal.	
12. Acid Sulfate Soils	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 NSW Acid Sulfate Soil Manual (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.	Acid sulphate soil (ASS) were investigated as part of the Part 3A Concept Plan application and for most of the land to be developed, the risk of encountering ASS was low. The town centre site is outside of the identified Acid Sulphate Soils mapped zone. Accordingly, the ASS condition does not apply as the area is external to the mapped zone identified in Part 3A approval.
13. Social Infrastructure	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.	Section 94 Contributions to be conditioned.
14. Local Infrastructure Contributions	Contributions towards local infrastructure in accordance with the EP & A Act 1979 must be provided.	Section 94 Contributions to be conditioned.
15. Erosion and Sediment Control	A detailed Erosion and Sedimentation Control Plan prepared in accordance with Managing Urban Stormwater: Soils and construction, 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.	Appropriate erosion and sedimentation control can be installed prior to construction and detailed on the Construction Certificate Plans.

16. Traffic Assessment	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.	A Traffic and Parking Assessment for the Stage 2 Mixed Use Development has been prepared by CBRK to address Condition 16.
17. Public Access	The detailed design and layout of the project must adopt the following principles: (a) direct, legible and inviting pubic 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; (c) clear, through site pedestrian links with active street frontages, direct and legible access to key points of interest, including Shell Harbour village, which are publicly accessible at all times; and (d) consistency with the Shellharbour Shared Use Path Strategy (Shellharbour City Council, 10 August 2010) unless otherwise justified.	A pedestrian network plan has been established based on the public access principles in the concept plan. The proposal strengthens a primary pedestrian link along Road 10 to the foreshore and allows for a secondary pedestrian link to the rear of the car park as part of a future DA. Both of these links are consistent with the Pedestrian Network and with Condition 17.
18. Surface and Ground Water	The proponent must submit a surface and groundwater report, prepared by a suitability qualified person, which includes: (a) an assessment of impacts to surface and groundwater sources including water use, water licensing arrangements, impacts on water users, waterfront land and aquifers, as well as compliance with relevant policies; and (b) details of any groundwater dewatering which	

	may be required during the construction phase of the precinct, including: i. information on the site's hydrogeology; ii. a description of the current groundwater situation, such as groundwater quality and groundwater level; iii. predicted groundwater take, inclusive of the calculations supporting this estimate; and iv. a discussion on impacts in line with the Aquifer Interference Policy (2012)	
19. Surface and Ground Water	The proponent must submit a surface and groundwater report, prepared by a suitability qualified person, which includes: (a) an assessment of impacts to surface and groundwater sources including water use, water licensing arrangements, impacts on water users, waterfront land and aquifers, as well as compliance with relevant policies; and (b) details of any groundwater dewatering which may be required during the construction phase of the precinct, including: i. information on the site's hydrogeology; ii. a description of the current groundwater situation, such as groundwater quality and groundwater level; iii. predicted groundwater take, inclusive of the calculations supporting this estimate; and iv. a discussion on impacts in line with the Aquifer Interference Policy (2012)	A flood study was submitted with the DA and the geo-technical reports note that no free groundwater was encountered in any of the test pits during excavation.
20. Visual Impact	All future stages of development are to include a Visual Impact Assessment (VIA) as part of the application, prepared by a suitably qualified person. The VIA is required to provide representative 3-dimensional computer models of any built form structures, and prepared based on the approved Reduced Levels	This is a new condition subsequent to the approval of MOD 1. The condition states 'all future stages'. In this regard, this is not relevant to this application. The DA was lodged in 2017 and the 75W was approved in March 2019.

	(RLs) of the land subject to the application.	

Assessment against the Statement of Commitments

The Statement of Commitments outlines the management, mitigation and monitoring measures that will be implemented to minimise any potential environmental impacts during the detailed design, construction and operational phases of the Shell Cove Boat Harbour Precinct. The Commitments respond to the key issues addressed by the Environmental Assessment and issues raised during the public exhibition process.

The below table details the issues raised and provides comments relevant to the subject DA.

Commitment	Comment
General Commitment	
The Proponent undertakes to pursue the development in accordance with the Concept Plan and Preferred Project Report, which reflects the Shell Cove Masterplan, the Shellharbour Local Environmental Plan and the appropriate State Environmental Planning Policies.	Compliance with the Concept Plan has been discussed above. Compliance with the Preferred Project Report is not considered relevant to this development. The relevant State Environmental Planning Policies are discussed within the planning report.
Strategic Planning	
The Proponent undertakes to consider the recommendations of the Shellharbour Local Government Area Retail/Commercial Study and Employment Study, which includes: • Enhancing public domains in support of Shell Cove as a creative and cultural hub, and • Establishing a retail centre and operating a supermarket.	The mixed use development will contribute to the activation of the public domain through the provision of a food and drink establishments together with residential accommodation within Shell Cove Town Centre.
The Proponent undertakes to demonstrate consistency with the Sustainability Criteria set out in Appendix 1 of the Illawarra Shoalhaven Regional Plan, which includes: • Marina-based tourism, • Growing Economic competitiveness • Delivering housing • Quarry considerations	The development will provide additional employment opportunities in the Shell Cove Town Centre. The location and design of the development will enhance access to the Town Centre and the waterfront promenade and boardwalk. The design of the building will encourage enjoyment of the coastal environment of Shell Cove.
Urban Design, Visual Impact and Sustainability	

Commitment	Comment
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: − Implementing maximum building heights of six (6) storeys (excluding the mixed use landmark (hotel) building which is proposed to have a maximum height of eleven (11) storeys, − Adopting a contemporary coastal village materials palette, − Providing parks and boardwalks which establish public access to the harbour perimeter, and − 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: − 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, and − Managing increased local population and visitor access to the foreshore.	The development is complaint with the four (4) storey provision contained with the Urban Design Guidelines. The materials palette has been designed in accordance with the Precinct D Urban Design Guidelines and is sympathetic to the coastal setting.
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: □ Private open spaces. □ Courtyards. □ Useable balconies. □ Decks. □ Designing 10% of all residential apartments in	The proposed mixed use complies with this requirement.

Commitment	Comment
accordance with AS4299-1955 Adaptable Housing and that an additional 10% of all residential apartments incorporate the Liveable Housing Guideline's silver level universal design features.	
Traffic and Access	
The Proponent undertakes to incorporate parking in accordance with the requirements as part of subsequent Development Applications.	This has been satisfied by the precinct wide car parking assessment discussed else where in this report
Noise, Odour and Air Quality	
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.	Noise mitigation measures have been included in the proposed DA and secured by condition. Also recommendations have been made for adjoining Tavern development. A discussion on this matter is contained within the planning report.
Socio-Economic Impacts	
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.	The development is expected to result in an increase in number of jobs and is expected to bring people to the area to use the food and drink premises.

Attachment 3 – Assessment of Compliance – Urban Design Guidelines, Precinct D

The Shell Cove – Precinct D - Urban Design Guidelines, have been prepared as required under *Schedule 3, Part D Further Environmental Assessment Requirements No. 1* under the CA which states that:

"*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 were endorsed by Shellharbour City Council (SCC) as part of the assessment of DA0012/2016 (2016STH007) retail component of Shell Cove Boat Harbour Precinct comprising of supermarket, liquor tenancy, speciality stores, retail plaza, carpark and signage., endorsement date 19/06/2017.

A modification application (under s75W) was lodged with the Department of Planning and Environment in August 2017. The proposed modification includes:

- An increase to the maximum number of dwellings from 1,238 to 1,566;
- Revised housing densities, typologies and building heights in certain areas of the Boat Harbour Precinct;
- Amendments to the hotel building, including relocation to the northern edge of the Town Centre and an increase to the maximum building height; and
- A revised road pattern and layout.

The 75W was approved under the Major Project Approval *Shell Cove Boat Harbour Precinct Concept Plan*, Concept Approval No. 07_0027 MOD 1 on 18 March 2019. The UDG's have be subsequently amended to reflect the changes and were endorsed by Council on 29 March 2019.

Section 3.6 Waterfront Mixed Use Area

Waterfront Mixed Use Area – Overarching Characteristics

Key Elements	Characteristics	Consistency
Land Use	• Retail (i.e. food and beverage) and outdoor dining, shop top housing, carparking and public realm.	• The proposal is for shop top housing with retail premises on ground level and facing the promenade and marina boardwalk. • Car parking is proposed behind the building line, with minimal visual impact when viewed from the public domain.
Built Form	• Up to 5 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 while maintaining privacy to apartments.	• A four storey built form is proposed overlooking the water. The matter of height and number of storey is discussed within the planning assessment report. • The specialty tenancies on the ground floor will activate the retail forecourt and marina boardwalk. The interaction between the public domain and subject building provides for continuous activation in the area.

		• The above ground floor apartments are predominantly oriented to the east and south and will provide a suitable level of passive surveillance over the pedestrian forecourt, the carpark and to other parts of the commercial precinct.
Public Domain	• Provides access to the waterfront promenade – a flexible area of public open space with expansive harbour views • A change in level defines the retail forecourt and provides a separation between north south movement along the waterfront promenade	• The development will provide direct access to the waterfront promenade. Council is currently assessing a DA for the primary boardwalk area which illustrates the interaction between the building and waterfront area. • There is a distinct level change between the retail forecourt and boardwalk.
Movement	• A continuous public open space is created along the waterfront which prioritises pedestrian movement. • Strong links are created between the Waterfront Mixed Use Area and adjacent areas.	• The built form is setback from the waterfront to create two pedestrian links, in the form of the retail forecourt and marina boardwalk. These provide a clear north-south pedestrian link from the residential area to the south through to the commercial precinct.
Community	• Informal community interaction and gathering is facilitated by an attractive, comfortable public domain. • Provides attractive to seating along the waterfront promenade.	• The proposal enhances the public domain through the provision of tables and seating as well as an awning to create a comfortable area of public domain which users of the retail precinct can use.

Waterfront Mixed Use Area Public Domain Characteristics

Key Elements	Characteristics	Consistency
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. • A water feature will provide a focal point for the civic plaza. Note: the exact location of the water play area in the civic plaza will be confirmed as part of the relevant development application. It may be located across both the Town Centre Core and the Waterfront Mixed Use Area. • Informal seating areas will be provided in the civic plaza.	• A clear level change is provided between the waterfront boardwalk and retail forecourt and can be shown • A number of seating areas have been provided within the retail forecourt area.
Retail Forecourt	• Creates a well-defined frontage to the retail area. • Provides opportunity for outdoor dining and trading. • Provides well designed linkages to the Tavern. • Provides opportunity for a variety of seating and plating options.	• The built form maintains a consistent well-defined frontage to the retail area. • Provides a clear linkage to the Tavern.

Waterfront Mixed Use Area Movement Network Characteristics

Key Elements	Characteristics	Consistency
Waterfront	• Provides access to the waterfront promenade.	• Provides direct access to the waterfront promenade from the retail forecourt and from the north and south. This is shown in the illustrations of the development plans.

Section 4.1 Street Network and Public Domain

4.1.1 Street & Pedestrian Network

	Performance Criteria/ Design Guidelines	Consistency
PC1	• To create a legible street network.	• Not applicable, proposal does not impact on the street network.
PC2	• 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.	• The car park to the south of the mixed use building has been designed to be largely inconspicuous when viewed from the primary public domain adjoining the marina. • Landscaping has been designed in a manner that will suitably soften the hard surface car park.
PC3	• Road 10 (Main Street) is a vibrant street.	• The proposal will not significantly impact on the vibrancy of Road 10 other than to provide a suitable population density in close proximity to the Main Street.
DG1	• Streets and carparks are to be provided generally in accordance with **Figure15** – Indicative Street Network and Parking Plan	• The car parks have been designed in accordance with Figure 15 in the UDG for Precinct D.
DG3	• Street design and layout is permitted to vary from the Indicative Sections provided Precinct D will function in accordance with and remain generally consistent with the Concept Approval.	• Not applicable
DG4	• Streets and spaces are to prioritise the movement of pedestrians over cars and should be designed to reflect the pedestrian network illustrated in **Figure 16** – Indicative Pedestrian Network.	• All spaces within this proposal prioritises pedestrians. Suitable pathways have been proposed through the car park. The DA proposes to construct provision for the future Tavern loading bay. A discussion on this is found within the planning assessment report.
DG5	• Road 10 (Main Street) is orientated to frame views towards the waterfront.	• The proposal has been sited to respect the east to west view corridor along Road 10.
DG6	• Development Applications should include details of pavement treatments, raised thresholds and pedestrian crossings where relevant.	• Not applicable
DG7	• The shared zone at the eastern end of Road 10 (Main Street) is to be designed to reduce traffic speed and create a pedestrian friendly space in	• Not applicable

	accordance with the requirements of NSW Roads and Maritime Services.	
DG8	• Public bus circulation routes are to be consistent with **Figure 17** - Precinct D – Indicative Bus Route	• Not applicable
DG9	• Parking areas are well lit and avoid hidden and enclosed areas	• The public car park is open and will be suitably lit throughout. Public surveillance will be provided from the residences with balconies facing south and the retail and tavern spaces nearby. Conditions will be imposed to require a lighting strategy for the car parking area proposed as part of this DA to ensure matters of lux impact to the residents are considered while ensuring the carpark is well lit and based on Safer by Design principals

4.1.2 Public Domain- General

	Performance Criteria/ Design Guidelines	**Consistency**
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.	• The proposal provides public domain that creates a clear north-south link and an interesting space adjoining the marina that is activated by the adjoining retail premises.
PC2	• To create a public open space network that provides a variety of usable spaces for different activities.	• As per the above.
PC3	• The waterfront promenade will be the civic focus of Shell Cove and will consist of high quality public space accessible to a range of users.	• The proposal provides for a waterfront promenade of additional width that connects with the retail forecourt. Both of these will allow for high quality public space accessible to all potential users.
PC4	• 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.	• Public domain is designed in a manner that enables users to understand the character of the retail forecourt, marina boardwalk and the lead in to these spaces.
PC5	• Create a connected series of high quality public spaces along the waterfront that support a wide range of activities day and night.	• Proposal achieves the criteria through the provision of a boardwalk and retail forecourt.
DG2	• A choice of seating and resting options are designed into each area of public open space.	• A range of tables and seats have been located within and around the retail forecourt. This also forms part of another application for the embellishment of the boardwalk currently under assessment with Council.
DG4	• 50% of the key public spaces identified in **Figure 18** is to achieve 3 hours direct solar access on 21 June between 9am and 4pm.	• Satisfactory. The overshadowing on 21 June is nearly entirely over the

		supermarket building to the west and proposed car park to the south.
DG5	• The public domain along Road 10 (Main Street) and the Waterfront Mixed Use Area include 'pause places' and are designed into the public realm to encourage casual interactions.	• Satisfactory. The proposed shopfronts complement the public domain design and street design proposed separately.
DG6	• Precinct D should 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, water features and outdoor dining areas.	• As per above.
DG7	• Streets and spaces are well lit and overlooked. They are designed using CPTED principles.	• Satisfactory. The public domain and car park will be well lit and be provided with passive surveillance from the above ground apartments.
DG8	• Design spaces with clear lines of sight to enable visibility of hazards and to maintain safety of pedestrians. Design out blind spot opportunities.	• Satisfactory. As per above.

4.1.3 Materials and Landscaping

	Performance Criteria/ Design Guidelines	**Consistency**
PC1	• Materials and landscaping are robust, well detailed and support the local character of the area whilst contributing to architectural diversity.	• Satisfactory. A variety of landscaping types have been incorporated into the landscape plan to soften the built form and car park.
DG1	• Materials, planting and design detail celebrate and represent the coastal character.	• Satisfactory. Building materials and design detail is contemporary and open and gives a lightweight feel, consistent with the surrounding coastal environment.
DG2	• Provide shade trees and feature trees that are appropriate to the sites coastal location (indicative street tree planting is illustrated at Schedule A).	• Satisfactory. A number of shade trees are provided within the public car park.
DG3	• Landscaping is to be provided generally accordance with **Figure 19** - Precinct D Indicative Landscape Plan.	• Satisfactory. The landscape plan is generally in accordance with the indicative landscape planting identified for the car park boardwalk and marina.
DG4	• Use tree planting to frame important views and screen car parking areas.	• Satisfactory. Landscaping has been employed to soften and screen the car parking area when viewed from the marina and the road.
DG5	• Landscape treatment and street trees should be designed to provide physical and design connection to the surrounding precincts.	• Satisfactory. The landscaping surrounds the car park and provides a designed connection through to the waterfront.

DG6	• Planter boxes may be used to complement spaces and movement networks, and be of human scale and proportion.	• No planter boxes are proposed.
DG7	• Simple designs using high quality materials maintain the character of spaces when activity is absent. Indicative materials are illustrated at Schedule A.	• Satisfactory. Refer to Materials schedule included as part of the suite of plans.
DG8	• 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.	• Satisfactory. The proposal offers blank tenancies to respond to the needs to residents and visitors over time.
DG9	• Street furniture is encouraged to have multiple functions – for example using planter walls as seats and to also incorporate signage. Indicative examples are provided at Schedule A.	• A seating deck is proposed in between the connection ramp and lower promenade (marina boardwalk). This will encourage the multiple function of this space.
DG10	• Street furniture, signage, lighting and other streetscape infrastructure should be simple, elegant and robust and read as a unified design language throughout the precinct. Indicative examples are provided at Schedule A.	• Satisfactory.

4.1.4 View Corridors

	Performance Criteria/ Design Guidelines	**Consistency**
PC1	• To provide a visual link to the boat harbour from within the Town Centre.	• Satisfactory. The proposal incorporates a gap that will allow a view corridor from Road 10 through to the marina.
DG1	• New development along Road 10 (Main Street) frames the view to the boat harbour from the intersection of Cove Boulevard and Harbour Boulevard.	• Satisfactory. The development frames Road 10 and the pedestrianised section leading towards the marina.

Section 4.2 Land Use Mix

	Performance Criteria/ Design Guidelines	**Consistency**
PC1	• Provide the range of land uses envisaged under the Concept Approval	• Satisfactory. Specialty tenancies and a range of apartment types have been provided as envisaged by the Concept Approval.
PC2	• Land uses should serve to activate the public domain at appropriate locations throughout Precinct D.	• Satisfactory. The specialty tenancies will ensure activation along the marina boardwalk and retail forecourt, whilst connecting activated areas to the south and north. The above ground floor apartments will provide a suitable level of density within the precinct to ensure increased activation.
PC3	• Buildings fronting the waterfront promenade should have clear addresses and direct access from the public walkway	• Satisfactory. All specialty tenancies and the residential lobby have direct access from the retail forecourt.

DG1	• Land uses should be located generally in accordance with Figure 20 – Precinct D – Indicative Land Use and Active Frontages.	• Satisfactory. The subject site is identified for mixed use development in accordance with what is proposed.
DG2	• Development should provide active ground floor uses in accordance with **Figure 20 –** Precinct D – Indicative Land Use and Active Frontages.	• Active frontages have been provided along the retail forecourt frontage of the mixed use development in accordance with Figure 20.

Section 4.3 Built form and design

Section 4.3.1 Floor space and dwelling numbers - The proposed floorspace is consistent with the Concept Approval (07_0027).

Section 4.3.2 Floor space and dwelling numbers - The proposed building heights do not to exceed the maximum height approved under the Concept Approval (07_0027), see assessment report.

4.3.3 Architectural Design

	Performance Criteria/ Design Guidelines	**Consistency**
PC1	• Provide architectural diversity complementary to the coastal setting.	• Satisfactory. The proposed building is unique in the precinct and is designed to complement its coastal setting.
PC2	• Precinct D is to be composed of a variety of building types and forms which will together form a coherent town centre.	• Satisfactory. The mixed use building will form one of the landmark buildings in the Shell Cove Town Centre whilst still maintaining a human scale when viewed from the public domain.
DG1	• Buildings should be designed using the materials suggested under 4.3.7 below.	• Satisfactory. Complies.
DG2	• Buildings should provide a diversity and variety of form.	• Satisfactory. Building is unique in its form within Precinct D and is differing in its design to that proposed under Stage 1.
DG3	• Building frontages are to be articulated into separate building frontages and bays, using shop front separations, attached columns and steps in the façade.	• Satisfactory. The proposal offers consistent and legible glazed shopfront with a consistent setback from the retail forecourt. The residential lobby entry has been setback to differentiate its space.
DG4	• Excessive lengths or heights of blank walls which are highly visible to any area of public domain (including streets, lanes and car courts) should be avoided	• Satisfactory. The eastern and northern facades are broken up to provide alternative design when viewed from the public domain.
DG6	• Lift tower, stair towers, air conditioning plants etc. are to be integrated into the design of the buildings.	• Satisfactory. Services have been integrated into the roof space or are concealed at the rear by way of screening.

4.3.4 Setbacks

	Performance Criteria/ Design Guidelines	Consistency
PC1	• Buildings are sited to: – activate and define the town centre streets, – enable on-site landscaping to soften the visual impact of buildings; – be setback from the boat harbour to provide for a wide, unobstructed publicly accessible pedestrian promenade; and – Provide a high level of amenity on-site and for adjoining properties, including enabling adequate sunlight, daylight access and natural ventilation.	• Satisfactory. The mixed use building will define the southern portion of the Shell Cove Town Centre and activate the marina boardwalk and retail forecourt. It has been setback from the marina to allow for two wide publicly accessible promenades that will encourage the use of this space.
DG1-DG10	• Various Controls	• Not applicable

4.3.6 Parking and Access

	Performance Criteria/ Design Guidelines	Consistency
PC1	• Parking and access: – Provides for an adequate amount of car, motorcycle and bicycle parking to service forecast demand. – Is provided in suitable locations. – Is safe, functional and convenient. – Ensures buildings can be adequately serviced. – Provides loading areas in locations that do not visually dominate Road 10 (Main Street).	• Parking is located within two sections with private residential parking located to the rear of the built form across two levels. The publicly accessible car parking is located off Road MC01 (Marina Drive). A more detailed discussion of the car parking strategy is found at **Attachment 3** of the planning report.
PC2	• Waterfront buildings address the promenade.	• Not applicable.
PC3	• Buildings fronting Road 10 (Main Street) address the street.	• Satisfactory. Proposal addresses the street.
DG1	• Car parking is to be provided with consideration of the following rate:	• Satisfactory. Refer to discussion on car parking strategy found within **Attachment 3** of planning assessment report.
DG2	• On-site parking areas comply with the current version of AS2890.1.	• Satisfactory. Refer to discussion on car parking strategy found within **Attachment 3** of the planning assessment report.
DG3	• Where possible, car parking is located on site to the rear of buildings and behind the front building line.	• Satisfactory. Car parking is located behind the building and does not front the public domain.
DG4	• Entries to basement car parks are to be located above the Probable Maximum Flood (PMF)	• Not applicable

	level and generally in accordance with the locations shown on **Figure 22**, unless an alternative solution has been agreed with Shellharbour City Council. • The proposed basement entries identified in **Figure 22** have been informed by flood modelling and analysis undertaken by Advisian which has been outlined in "Updated Assessment for Probable Maximum Flood" dated 13 January 2017 and submitted to Shellharbour City Council.	
DG5	• On-site carparking does not directly face the Road 10 (Main Street).	• Satisfactory. Car parking is located behind the building line with access off Road MC01 (Marina Drive).
DG6	• Building servicing and loading facilities adequately cater for forecast building demand and are provided in accordance with AS2890. 2:2002.	• Compliant by condition
DG7	• Ensure service areas and facilities do not adversely impact on the visual amenity of the streetscape.	• Services and facilities have largely been concealed within the built form.
DG8	• Motorcycle and bicycle parking rates are to be provided in accordance with the Shellharbour DCP. (**Note:** alternative rates may be provided where justified). • 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. 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 Precinct D.	• Refer to discussion on car parking strategy found within **Attachment 3** of the planning assessment report.
DG9	• A right of carriageway for future access must be created over the land identified in **Figure 22** – Precinct D – Indicative Basement Entry Locations and Access Easement prior to the at-grade supermarket car park commencing operation.	• Not applicable.
DG10	• Buildings along the waterfront are to provide direct pedestrian access to the waterfront public domain where appropriate.	• The residential building lobby provides direct pedestrian access to the waterfront public domain.

4.3.7 Materials

	Performance Criteria/ Design Guidelines	**Consistency**
PC1	• Buildings are to be constructed with materials that reflect the coastal vernacular.	• Satisfactory.
	• Buildings are to be generally constructed using primarily timber, ply, steel and glazing on the external facades. This does not preclude the use of other materials that reflect the coastal vernacular where	• Satisfactory.

	appropriate. Indicative building materials are illustrated in Figures 23 and 24 below	

Section 4.4 Crime Prevention through Environmental Design

	Performance Criteria/ design Guidelines	Consistency
PC1	• Precinct D provides a safe and welcoming environment that discourages antisocial behaviour.	A detailed assessment has been made and conditions imposed.
DG1	• Development Applications are to demonstrate that CPTED principles have been achieved	A detailed assessment has been made and conditions imposed.

4.5 Environmentally Responsive Design

	Performance Criteria/ Design Guidelines	Consistency
DG1	• Orientate residential buildings to maximise solar access and cross ventilation.	• Satisfactory. The building has been oriented to maximise views towards the marina and coastline as recommended within the ADG.
DG2	• Enhance biodiversity, flora and fauna habitat value, energy conservation, and microclimate wherever practical and possible.	• Satisfactory. A BASIX Certificate and Section J Report have been provided as part of this proposal – ensuring future compliance with energy efficiency provisions.
DG4	• Recycle building materials are used wherever practical.	• A Construction Waste Management Plan will be required for the development and in accordance the relevant conditions of consent.
DG5	• Use energy efficient lighting such as solar lighting and low voltage electrical facilities (e.g. public barbeques etc.).	• Such requirements will form part of the requirements for a Construction Certificate.

Attachment 4 – Precinct D – Car Parking Assessment Strategy

Introduction

This report is presented to the Southern Regional Planning Panel (SRPP) to demonstrate the assessment undertaken of the parking to be delivered within the Waterfront area of Shell Cove Town Centre.

The report is to respond to (matters raised at determination meeting 17 December 2018 relating to DA0005/2018 2018SRPP0006) and specifically for the development applications presented to the SRPP (2017STH025 and 2018STH006) at its meeting of 16 April 2019.

The report makes recommendations on the provisions of car parking that aims to ensure the usability and functionality of the Waterfront developments and is capable of serving the current and future uses planned for within the centre.

Background

The assessment pulls together a demand and needs analysis for the carparking areas which will include land uses of a mixed use development, tavern, community and library facility, shops, supermarket and the boat harbour marina.

The catchment of the area (known as Precinct D) is also illustrated in Figure 1 and shows the different land uses within Precinct D.

Figure 1 - Character Areas within Precinct D

The car parking assessment is justified by a multi-trip and shared use logic that will be shared within the Precinct D catchment area. This is supported by the Urban Design Guidelines at 4.3.6 Parking and Access, Design Guidelines DG1 which states *'alternative rates may be provided where justified. Considerations shall be applied to peak demand analysis where shared trips may occur and where uses have different peak demands'.*

Except for the requirement of the residential portion of the mixed use development proposed within DA 385/2017 (2017STH025), all parking will be delivered as public car parking within the Precinct and are shown in the below map.

The parking within the basement of Woolworths (shown as Area A in Figure 1 above) are also included within the public car parking spaces calculations and is discussed in more detail below. (This parking was approved as part of the retail component of Shell Cove Boat Harbour Precinct DA0012/2016 2016STH007 on 12/01/2016)

This report provides an assessment on the shared trip parking allocation and strategies to support the future of car parking within the precinct. This forms part of the reasons for recommendation to approve development applications (2017STH025 and 2018STH006) being considered by the SRPP.

Context

Precinct D will accommodate a number of land uses with a particular function and are supported by specific character statements. A more detailed explanation of the desired character statements are found with the Urban Design Guidelines for Precinct D.

The different areas are defined as:

A – Town Centre Core
B – Residential Area
C – Community Area
D – Hotel Area
E – Tavern Area
F – Waterfront Mixed Use Area

Area A consists of a retail core of 4,623sqm of floor space and includes a supermarkets, liquor tenancy and specialty shops. There is a total of 256 car spaces with 132 spaces located within the basement and 122 spaces at grade. This development, together with the car parking spaces have been constructed and is in operation. As part of the development consent conditions, all car parking spaces will remain available for public use to service the precinct. The below conditions was imposed for the retail component DA0012/2016 2016STH007:

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.

Area A also consists mixed use developments that will be subject to future DA's. The area also includes a specific single storey retail outlet that provides 23 parking spaces that are publicly available. This building has been approved under Council delegation in 2018.

Area B provides for residential flat buildings and will be subject to future DA's. The car parking spaces for these developments must ensure full compliance with the car parking requirements to be provided on the site.

Area C will see a community centre and library facility with public open space. The car parking for the community facility and library will be absorbed within the public car parking spaces around the Waterfront precinct.

Area D aims to deliver a mixed-used hotel. There is no current development application for this land use however this parking strategy assumes all vehicle spaces to service the development will be contained wholly within the site.

Area E is designated for the Tavern area and details are contained with the report subject to SRPP considerations at its meeting of 16 April 2019. The car parking for this use is proposed to be absorbed within the public car parking areas.

Area F contains the mixed use development and details contained within the report subject to the SRPP consideration at its meeting of 16 April 2019. As noted above, the retail, food and drink premises of this development relies on the public car parking area. The requirements for the visitor spaces to the residential portion of the development is proposed to also be absorbed within the public domain.

The car parking requirements for the residential portion of the development will be delivered within the building and in the private domain. The DA's subject to this mixed use also proposes to deliver 146 public spaces required for the totality of the public car parking.

Other uses relying on this car parking area include the actual boat marina precinct.

At the time of writing this report the status of the supply of car parking is as follows:

- 21 spaces have been constructed and are operational under the Harbour Boulevard (Road) DA consent,
- 14 spaces have been constructed and are operational under the Precinct D Roads DA consent, with another 81 to be constructed in the coming weeks,
- 254 spaces have been constructed and are operational under the Stage 1 Retail DA consent,
- 23 spaces will commence construction under the Stage 3 Retail DA consent,
- A further 146 spaces will be provided with the approval and construction of the open air public car park delivered with the mixed use DA and well in advance of the following uses being completed;
    - Community Centre & Library
    - Marina Berths Stages 2 and 3
    - Tavern
- A further 75 public spaces are to be constructed with the remaining DA's to be submitted in precinct D.

Statutory Assessment – Parking Assessment

The parking requirements have been refined through the various stages of the planning process (from the broad identification of parking requirements set out in the Concept Approval where a framework for future development has been established to a more detailed assessment at the DA stage when the scale of development has been determined) and why the current parking rates for the DA's have been adopted.

The key documents reviewed are:

a. Shell Cove Boat Harbour Traffic Study (Maunsell – March 2009),
b. Preferred Project Report for the Approved Concept Plan (LFA - 2010),
c. Shell Cove Boat Harbour Masterplan Traffic and Parking Assessment (CHA May 2015),
d. Shell Cove Precinct D – Urban Design Guidelines (JBA – June 2017),
e. Shell Cove Stage 2 DA – Response to Traffic Matters (CBRK – July 2018), and
f. Proposed Tavern, Shell Cove – Response to Council RFI (CBRK – August 2018).
g. *Colston Budd Rogers & Kafes Pty Ltd*, dated 17 December 2018.
h. Bitzios Consulting Review Feedback, dated 2 November 2018 (commissioned by Council).

This report also outlines how the outcome to car parking is not inconsistent with the Preferred Project Report for the Approved Concept Plan.

The assessment shows that the peak parking demand will be at Saturday midday for the land uses within precinct D. Table 1 shows the rate required by statutory documentation together with the adjusted rate based on the shared trips ratios' that will occur for people visiting the town center.

	Calculation of Peak Parking Requirements – Saturday Midday					
Land Use	**Size**	**Rate**	**Source**	**Policy requirement**	**Adjustment based on shared use**	**Shared Use Parking outcome**
Supermarket	3,577sqm	1/20sqm	UDG's	179	Nil adjustment	179
Shops	1,280	1/35	UDG's	37	Nil adjustment	37
Tavern	870sqm	15/100sqm	UDG's	130	90% (13 spaces less)	117
Tavern staff	30 staff	1 / 2 staff	Merit *	15	Nil adjustment	15
Restaurant	500 seats	1 / 3 seats	Merit **	166	90% (17 spaces less)	149
Community	500sqm	1/40sqm	SDCP ***	13	70% (4 spaces less)	9
Library	600sqm	1/50sqm		12	70% (4 spaces less)	8
Marina	268 berths	0.4 per berth	AS3962-2001****	107	Nil adjustment	107
MUD visitor spaces	45 units	0.25/1 bedroom & 0.5/2+ bedrooms	UDG 's	21 (6 x 1 bed units, 18 x 2 bed units,	50% shared	11

				21 x 3 bed units)		
Policy requirements				**668**	**Adjusted requirements**	**632**

Table 1 Car parking calculation

* The UDG's do not provide staff parking rates for food and drink premises. The rate was taken from *Shellharbour Development Control Plan 2013*.
** The rates within the UDGs (15 spaces / 100sqm = 122.55 spaces). A more conservative approach was taken. See later notes.
*** The UDG's do not provide rates for a Community Facility. The rate was taken from *Shellharbour Development Control Plan 2013.*
****AS3962-2001 Guidelines for design of marinas (berth rate only).

Figure 1 below illustrates the Town Centre Masterplan Parking Allocation which shows a total of 614 spaces to service the precinct. Based on the figures above, there would be 18 spaces under the requirement of the total shared use figure. However it is important to note that a more conservative rate was used for the restaurant (food and drink) use. The UDG's require 15 spaces per 100sqm (GFA) and using this policy requirement only 123 spaces would be required compared to 166 spaces with the adopted formula.

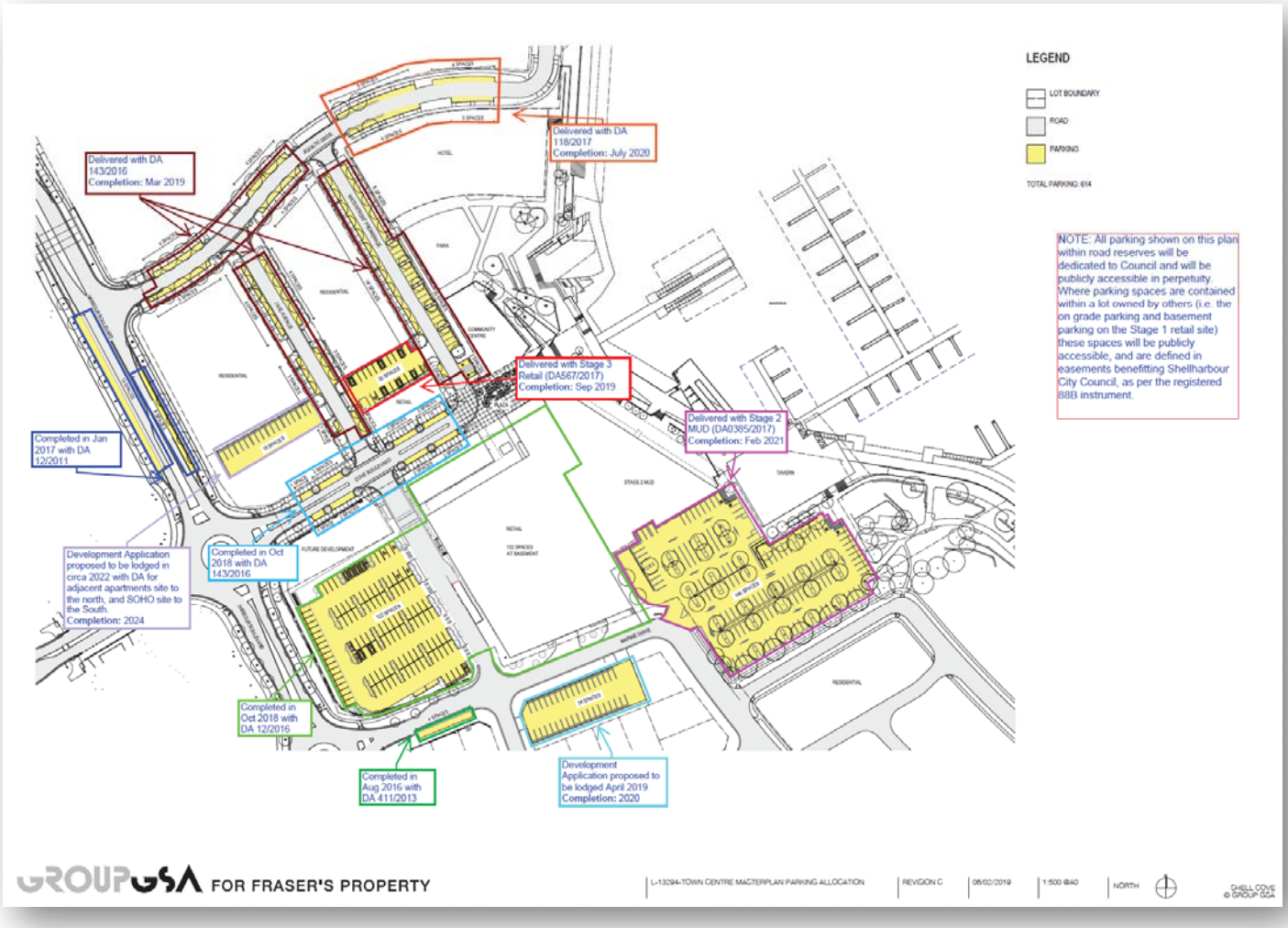


Figure 1 - Town Centre Masterplan Parking Allocation

In addition, during the assessment the proponent (Fraser's Property Australia) also provided adjustment rates for the marina use to equal 0.3 spaces per berth. It is understood that this comparison data is similar to the provisions of Sanctuary Cove and Toondah Harbour however a full compliance rate was required to ensure the robustness of the parking provisions and future use of the Marina in the context of the Shellharbour area.

In any instance, Fraser's Property Australia has noted that the *current approved layout for the Marina includes for 258 berths for vessels ranging from 10m to 30m in length with potential to increase to 268 berths provided within the consent. It is understood that installation of the berths will be staged in accordance with market demand to ensure that the marina is scaled appropriately as the marine business develops and to ensure that the number of vacant berths are limited.*

The attached plan details the staging sequence (Figure 2) *of the marina with stage 1 comprising 115 berths, stage 2 comprising 52 berths and stage 3 comprising 94 berths. The scale of the first stage has been based on recent marina demand analysis which suggests that this quantum of*

berths will likely be fully leased within 2 years. Stages 2 and 3 are programmed for delivery 2 years and 4 years respectively after the completion of the first stage to permit demand to build for the additional stages.

The full allocation of parking provided for the marina will therefore not be required until the marina is fully completed, possibly 5 years after opening of the first stage.

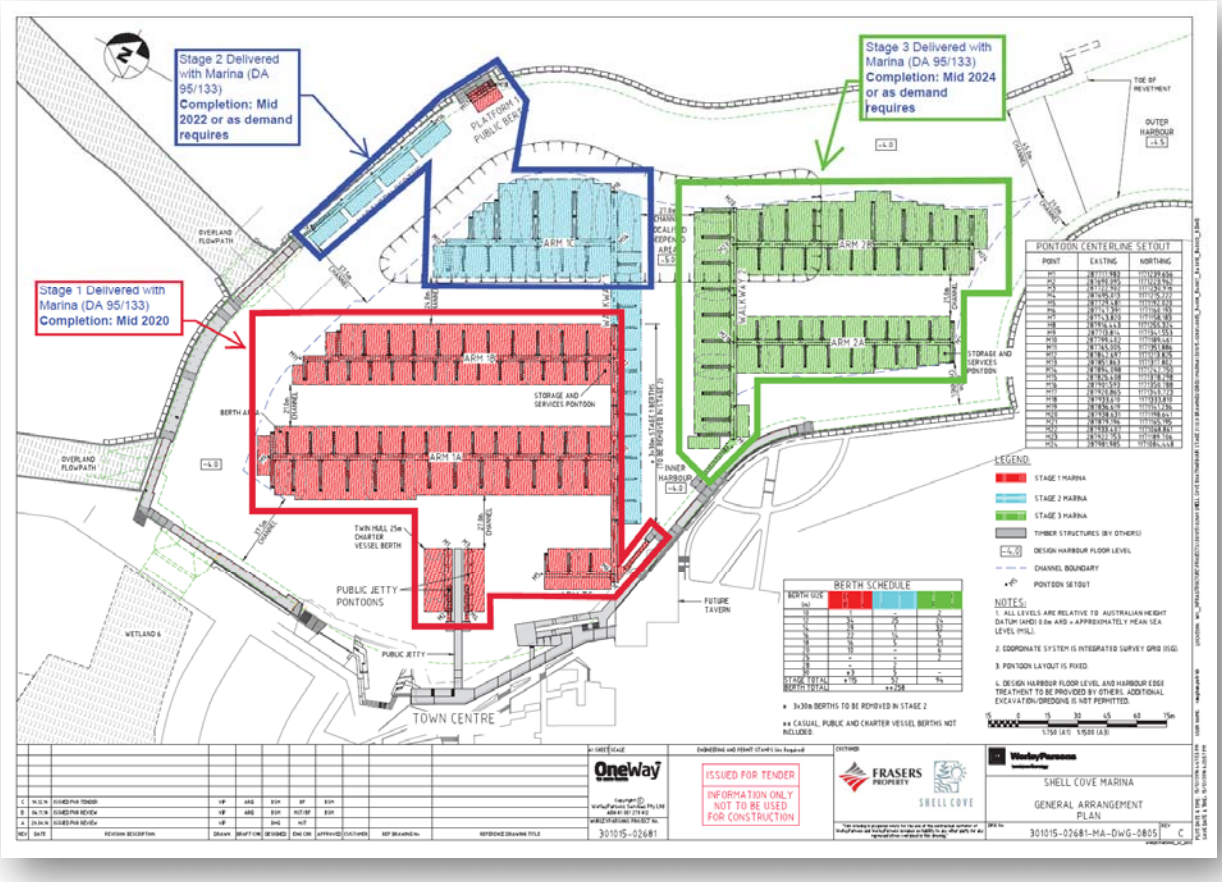


Figure 2 - Marina Staging Sequence Plan

Therefore the immediate demand for the full complement of parking requirements for the Marina is not necessary, due to the staging approach planned over a 5 year period. The short fall of the 36 spaces could be addressed during the delivery of the final stage of the Marina if necessary. Opportunities exists to deliver these spaces by way of a transfer service between the precinct and the future technology park. A monitoring program could be proposed and developed between Fraser's Property Australia and Council who will be the ultimate land managers of the marina. At the time stage 3 is being delivered, options to cater for the shortfall in parking will be explored. Importantly, this offsite parking provides a more attractive service to the marina uses in that parking will be away from any main pedestrian activity of the core retail area. This could be supported by a shuttle service operated by the marina management and as demand requires it.

In addition, the proponent has also agreed to provide a shuttle bus service within the Shell Cove area which would operate during the weekend peak periods (midday and evening Saturday and Sunday) and would typically operate on a 30 minute shuttle. It would follow a designated route and operate on a hail and ride basis (that is no designated bus stops). The bus would drop passengers off at the tavern location. This will provide further alternative transport solutions for visitors to the area and staff for the proposed commercial tenancies that will ease parking demand within the precincts. This service has been incorporated within the plan of management for the Tavern.

Recommendations

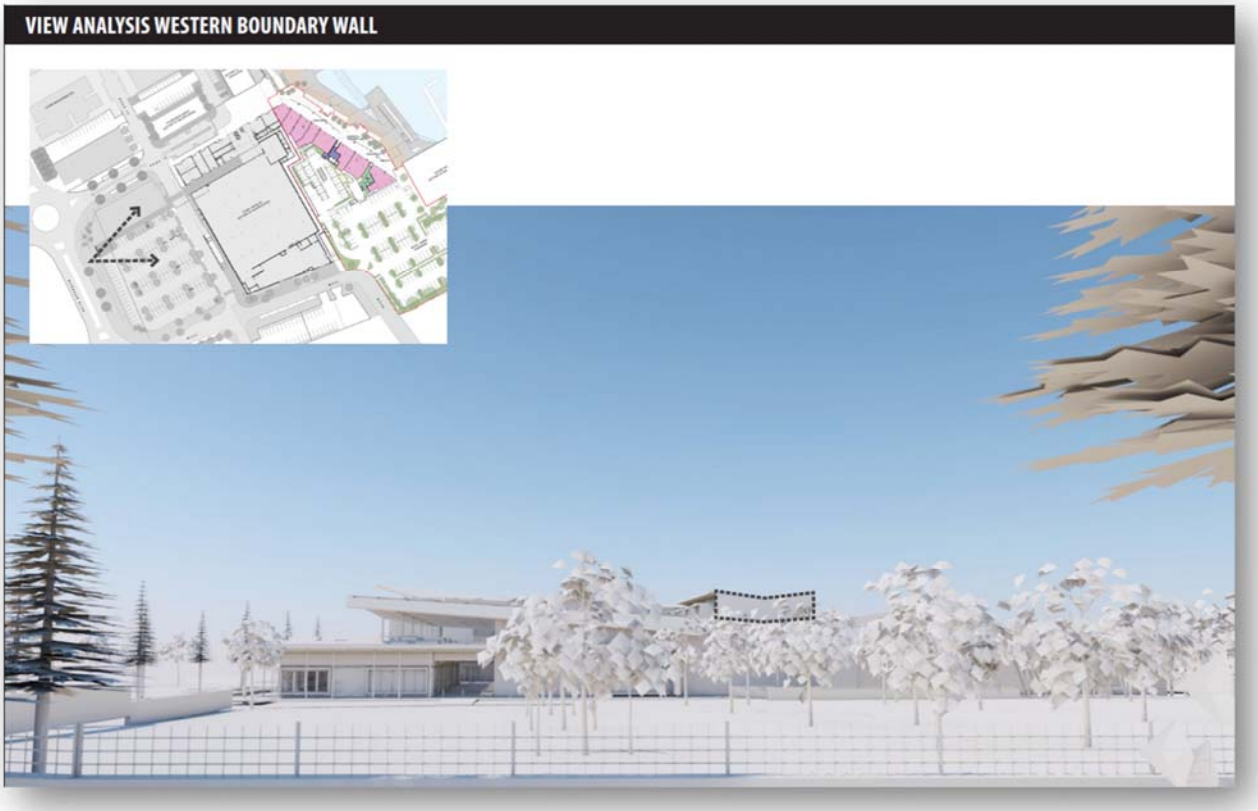
Based on the above, the assessment demonstrates that the parking provision for the Shell Cove Town Center precinct is capable of servicing the intended uses outlined in the Urban Design Guidelines for Precinct D.

To ensure the robustness of this strategy the following is recommended:

- All car parking spaces not in public ownership to ensure there are easements to allow use to all patrons to the centre.
- All future developments for residential purposes within Precinct D to be fully compliant for the purpose of residential and visitor spaces to be provided on site.
- Details for the bus service for Tavern site to be included in the required Plan of Management for the premises.
- Establish a Memorandum of Understanding between Council and Fraser's for monitoring for stage 3 of the Marina parking demands.

Attachment 5 – Design Review Panel response

1. **Articulation of south western edge of building. To improve natural lighting and cross ventilation and articulate the building façade.**
   Design to remain as is as is as perspectives completed denote minimal visibility of façade in question. Refer to below snippets denoting minimal visual impact of the area in question.



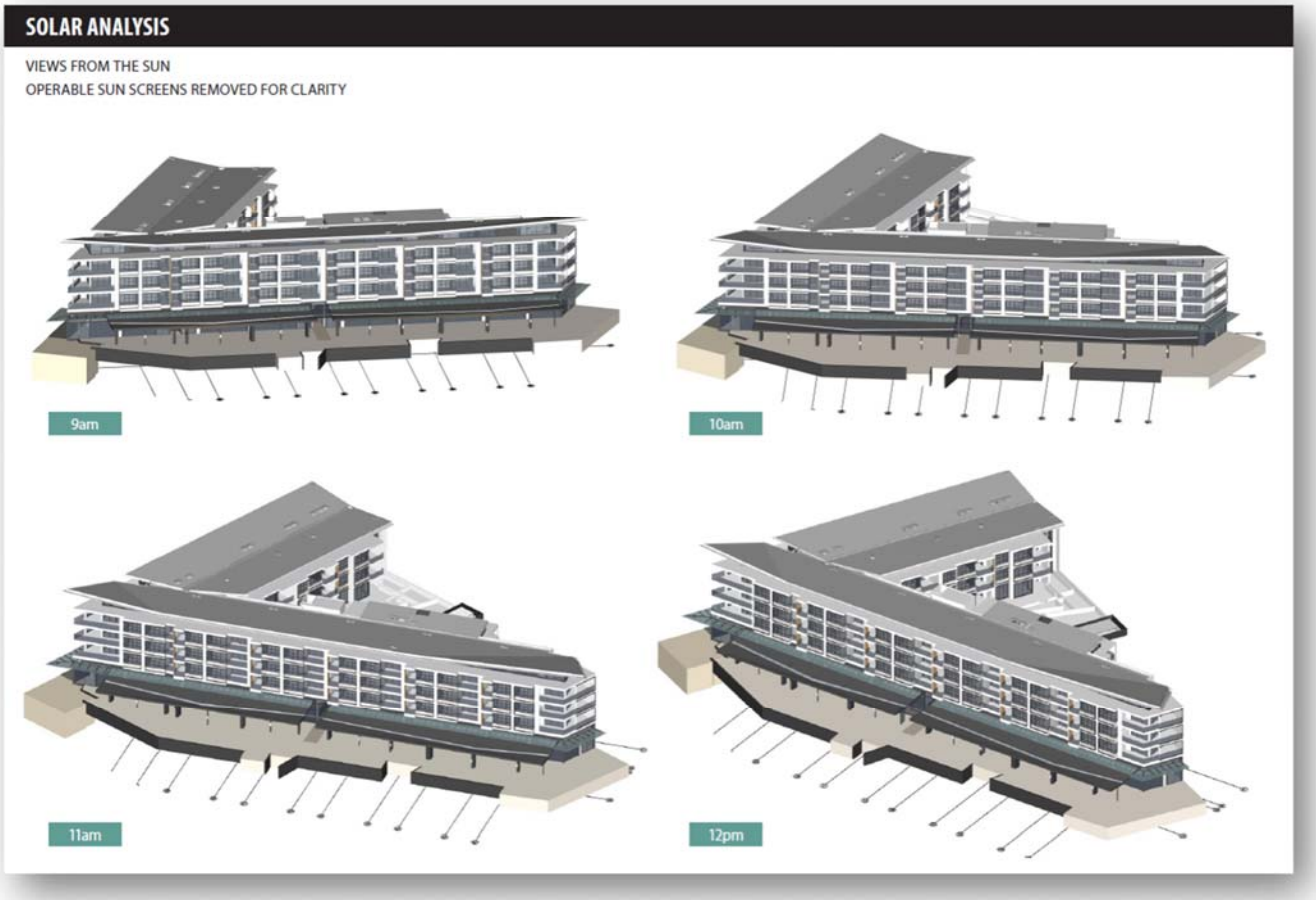
2. Further development to provide cross ventilation compliant with ADG requirements

Desktop study of natural ventilation completed and attached that suggests the operational skylights may increase natural ventilation compliance to 60% as per the ADG requirements. Excerpt from report below.

> It was confirmed by Frasers Property the skylights within the top-level apartments are operable. Having the opportunity to open the skylights would potentially increase the ADG compliancy percentage to 60% (27), although it is likely that modelling would be conditioned to demonstrate that the apartments meet the intent of the ADG's cross-ventilation definition.

3. Demonstration of compliance with ADG Solar Access requirements

Further solar analysis provided to demonstrate sufficient compliance with ADG requirements.



4. Poor amenity of internal corner unit, unit type D

Design of the apartment remains unchanged. From a privacy perspective the windows in the corridor spaces are visually screened by way of louvres at an angle facing away from this unit. From a design perspective the apartment's primary balcony has been located to face level 1 podium which will have landscaped gardens - thus providing a good outlook.

5. Excessive corridor length, more vertical circulation core / residential entries are required.

Original design with one lift core providing two lifts in a central location changed to two separate lift locations throughout the corridor. Refer below plan denoting two separate lift locations to minimise corridor distnaces to nearest lift.

6. Further refinement of building façade.

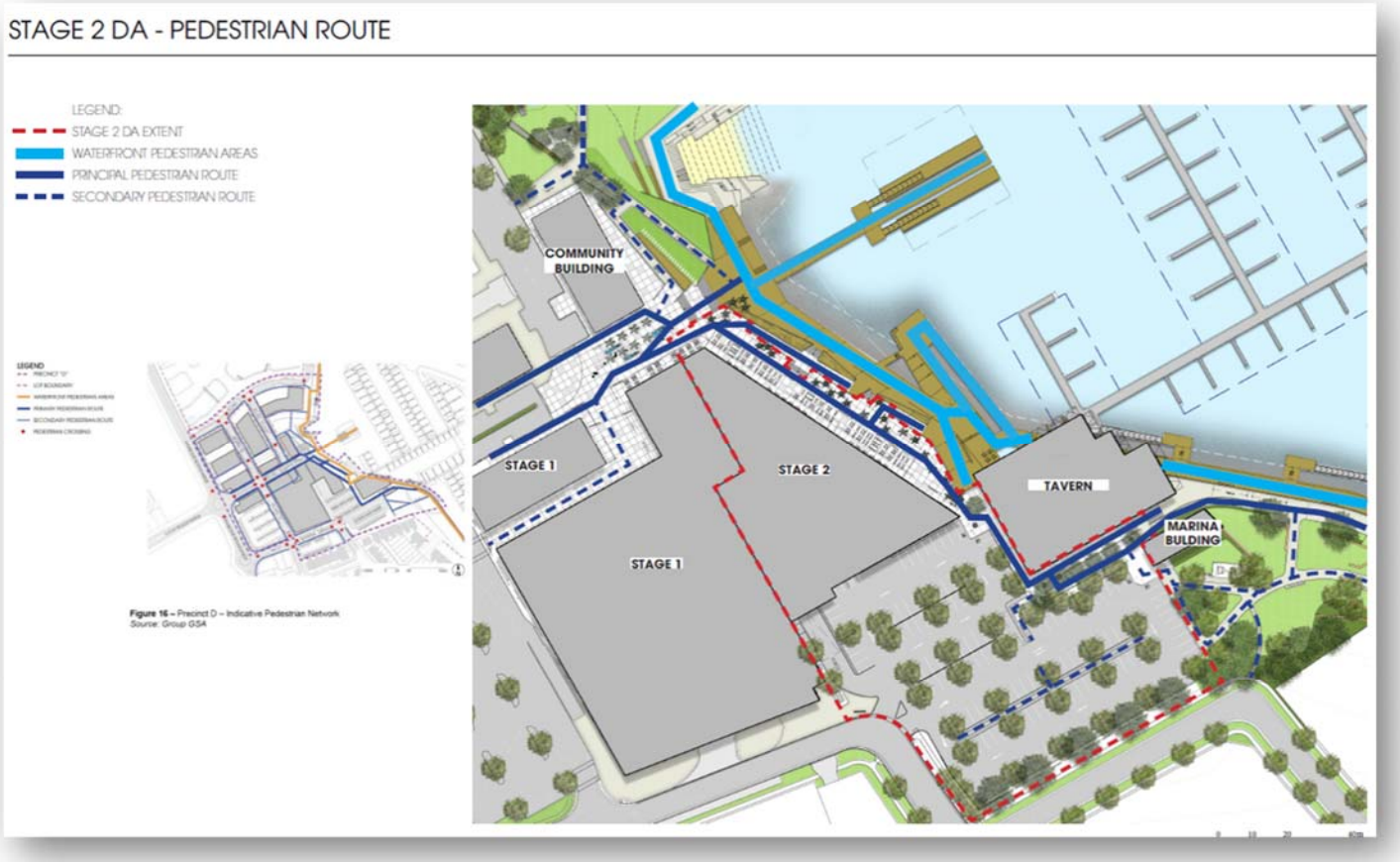
No changes were made to the façade as it was demonstrated through CGIs that it is in fact articulated well. The DRP notes this in their minutes under “Aesthetics”. Refer CGIs below.

7. **Clear delineation of residential entries**
   The retail components are delineated from the residential entry via materiality to the ground pavers and awning materiality. The awning is to be glazed over the residential entry area while the retail zones will have a combination of both glass and timber look material. See below.

8. **Clarification buildings interface with the public domain, the interface between outdoor seating areas, circulation paths, public domain.**

See below snippets to clarify the above.

Interface with public domain:



Outdoor seating:

9. Provision of communal open space.

Level podium was previously only accessible by maintenance crew. The design has been refined to allow for residents to access this area and use it as communal open space. See below landscape sketch.

PRIVATE COURTYARD
PRIVATE COURTYARD
PRIVATE COURTYARD
PRIVATE COURTYARD
PRIVATE COURTYARD
PRIVATE COURTYARD
PRIVATE COURTYARD
PRIVATE COURTYARD
SCREENING TO CONDENSER
STEPS TO SECRET GARDEN
RAISED PLANTERS
CLIMBERS ON SCREENING

Attachment 6 – SEPP 71 Compliance Table	
SEPP 71 Matters for Consideration	**Comments**
Clause 2 – Aims of Policy	
(a) to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast, and (b) to protect and improve existing public access to and along coastal foreshores to the extent that this is compatible with the natural attributes of the coastal foreshore, and (c) to ensure that new opportunities for public access to and along coastal foreshores are identified and realised to the extent that this is compatible with the natural attributes of the coastal foreshore, and (d) to protect and preserve Aboriginal cultural heritage, and Aboriginal places, values, customs, beliefs and traditional knowledge, and (e) to ensure that the visual amenity of the coast is protected, and (f) to protect and preserve beach environments and beach amenity, and (g) to protect and preserve native coastal vegetation, and (h) to protect and preserve the marine environment of New South Wales, and (i) to protect and preserve rock platforms, and (j) to manage the coastal zone in accordance with the principles of ecologically sustainable development (within the meaning of section 6 (2) of the Protection of the Environment Administration Act 1991), and (k) to ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area, and (l) to encourage a strategic approach to coastal management.	The proposal will not compromise the Policy aims. The proposed development will protect and enhance the recreational and economic attributes of the NSW coast and the design and location improves the existing public access to the marina development as a hole. The site is not located on the coastal foreshore. The attributes of the coastal foreshore will therefore not be negatively impacted by the proposal. The proposed building will comply with the approved concept plan and which outlines the bulk and scale of the proposed building which is considered appropriate for the location.

Attachment 6 – SEPP 71 Compliance Table	
SEPP 71 Matters for Consideration	**Comments**
(2) This Policy: (a) (Repealed) (b) requires certain development applications to carry out development in sensitive coastal locations to be referred to the Director-General for comment, and (c) identifies master plan requirements for certain development in the coastal zone. (3) This Policy aims to further the implementation of the Government's coastal policy.	The subject site is located within the coastal zone, however it is not within 100m above a mean high water mark of the sea, a bay or an estuary. It is not within 100m of SEPP 14 wetland or land reserved and dedicated under the National Parks and Wildlife Act 1974. Therefore, the site is not a *sensitive location* for the purposes of SEPP 71. Therefore there are no master plan requirements for this development. Clauses 18 (1), (b) and (c) are not relevant to this proposal.
(b) existing public access to and along the coastal foreshore for pedestrians or persons with a disability should be retained and, where possible, public access to and along the coastal foreshore for pedestrians or persons with a disability should be improved.	Public access to the coastal foreshore remains unaffected by the proposal.
(c) opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability.	Public access to the coastal foreshore remains unaffected by the proposal.
(d) the suitability of development given its type, location and design and its relationship with the surrounding area.	The proposed development is considered suitable based upon the proposed use is in compliance with the approved concept plan and the zoning permitting the proposed land use.
(e) any detrimental impact that development may have on the amenity of the coastal foreshore, including any significant overshadowing of the coastal foreshore and any significant loss of views from a public place to the coastal foreshore.	The proposed development is located on the coastal foreshore and does not impede views from a public place to the foreshore. Therefore there is no detrimental impact on the amenity of the coastal foreshore.
(f) the scenic qualities of the New South Wales coast, and means to protect and improve these qualities.	By virtue of the distance of the proposed building from the coast (approximately 700 metres).The scenic qualities of the NSW coast are not compromised by the proposal.
(g) measures to conserve animals (within the meaning of the Threatened Species Conservation Act 1995 (TSC Act)) and plants (within the meaning of that Act), and their habitats.	No species listed under the TSC Act (or their habitat) will be disturbed by the proposal. There is no record of any species listed under the TSC Act (or their habitat) being located on the disturbed site and therefore no native vegetation is proposed to be removed.

Attachment 6 – SEPP 71 Compliance Table	
SEPP 71 Matters for Consideration	**Comments**
(h) measures to conserve fish (within the meaning of Part 7A of the Fisheries Management Act 1994) and marine vegetation (within the meaning of that Part), and their habitats.	The proposal is located approximately 700m from the coastal foreshore and therefore any waterbodies, fish or marine vegetation will not be impacted by the proposal.
(i) existing wildlife corridors and the impact of development on these corridors.	There are no existing wildlife corridors in the vicinity of the subject site.
(j) the likely impact of coastal processes and coastal hazards on development and any likely impacts of development on coastal processes and coastal hazards.	The proposal will not compromise coastal processes or impact coastal hazards.
(k) measures to reduce the potential for conflict between land-based and water-based coastal activities.	The proposal will reduce the potential for conflict between land-based and water-based coastal activities in terms of the location and design of the building, The use as a food and drinks premises will act as a draw for people to visit and utilise the Shell Cove marina.
(l) measures to protect the cultural places, values, customs, beliefs and traditional knowledge of Aboriginals.	The proposal does not impact any known cultural places, values, customs, beliefs and traditional knowledge of Aborigines.
(m) likely impacts of development on the water quality of coastal waterbodies.	The proposal does not impact the water quality of coastal waterbodies due to existing and proposed drainage/ run off design measures. Part 4, Clauses 15 & 16 of SEPP 71 are also addressed by the drainage/ run off design measures and are the subject of relevant conditions of consent.
(n) the conservation and preservation of items of heritage, archaeological or historic significance.	The proposal does not impact any known items of heritage, archaeological or historic significance.
(o) only in cases in which a council prepares a draft local environmental plan that applies to land to which this Policy applies, the means to encourage compact towns and cities.	The proposal increases site density in a location where it is supported by both the Approved Concept Plan and SLEP 2013, the provision of facilities and services in the local area.
(p) only in cases in which a development application in relation to proposed development is determined: (i) the cumulative impacts of the proposed development on the environment; and (ii) measures to ensure that water and energy usage by the proposed development is efficient.	Energy efficiency has been addressed in the submitted Building Code of Australia (BCS) Assessment Report as reviewed by Council Building Officers. It is stated that the Building shall comply with Part J of the BCA. The report gives two options for compliance which will be documented and detailed as part of the Construction Certificate application. This has been suitably conditioned.
Part 4 – clause 15 – Effluent Disposal	The development will connect into the reticulated system and in compliance with the relevant requirements.

Attachment 6 – SEPP 71 Compliance Table	
SEPP 71 Matters for Consideration	**Comments**
Part 4 – clause 16 - Stormwater	Concept stormwater plan provided. The proposed development drains to a council pit, it will drain into the pit network of the nearby carpark. Part of the stormwater line will run under the proposed building. The depth of the drainage pits in the concept plan are not given. Deep pits are possible since the pipe leading out are 300mm & 525mm wide. Suitable conditions applied to ensure compliance with this clause. .

• **Attachment 7 – Assessment of Compliance Apartment Design Guidelines**		
Control	**Compliance**	**Comment**
2A Primary Controls		
Concept Approval – MP 07_0027	Satisfactory	The primary controls pertaining to this development are enshrined in the Concept approval. The proposal is found be compliant with the Concept Approval.
2B Building Envelopes		
Concept Approval – MP 07_0027	Satisfactory	The envelopes for this development have previously effectively been set under the Concept approval.
2C Building Height		
Concept Approval – MP 07_0027	Satisfactory	The maximum potential height for this development has previously effectively been set under the Concept approval. Max. HOB – 18.62m
2F Building Separation		
Up to four storeys (approximately 12 metres): • 12m between habitable rooms / balconies • 9m between habitable and non-habitable rooms • 6m between non-habitable rooms	Satisfactory	**Level 01:** 5.1m between balconies at Level 01- inadequate separation for visual and acoustic separation (Unit 114) – Bedroom also close to balcony with window leading to balcony. Apartments 111 & 112 & 113 balconies adjoining – condition acoustic screening or full length nib walls between to protect privacy. **Level 02:** Built form and internal layout is repeated. **Level 03:** Built form and internal layout is repeated. Proposal is Non-compliant with separation requirements. However, the building is required to meet BCA requirements and provide for acoustic separation – this is evidenced throughout the application documentation.

• **Attachment 7 – Assessment of Compliance Apartment Design Guidelines**		
Control	**Compliance**	**Comment**
Five to eight storeys (approximately 25 metres): • 18m between habitable rooms / balconies • 12m between habitable and non-habitable rooms • 9m between non-habitable Rooms	N/A	N/A – voids only shown to apparent 5th storey level. High ceilings to retail level giving five storey appearance. Not true five storey design.
At the boundary between a change in zone from apartment buildings to a lower density area, increase the building setback from the boundary by 3m.	N/A	N/A
3B Orientation		
Where the street frontage is to the north or south, overshadowing to the south should be minimised and buildings behind the street frontage should be orientated to the east and west.	Satisfactory	The proposal maximises solar access to apartments including 80% compliance for the north facing apartments. Despite the shadowing to the southern side, the solar access to the waterfront and solar access to the adjoining public domain areas is considered to outweigh the shadow impacts to the rear COS area.

• **Attachment 7 – Assessment of Compliance Apartment Design Guidelines**		
Control	**Compliance**	**Comment**
3D Communal and Public Open Space		
Communal open space has a minimum area equal to 25% of the site.	Satisfactory	Site area = 10,220sqm Site area (MUD only) – 3,413.31sqm (area shown at end of this compliance table – extracted from total site area to avoid skewed statistical result due to inclusion of external car park areas). 25% of total site area = 2,555sqm 25% of MUD site area = 853.33sqm Provided = 295.36sqm COS. Non-compliant when considered against either the mixed use site area only (smaller) of site area as nominated (includes car parking areas). Compensatory spaces have been subsequently provided within the podium level and can be seen in Figure X^. In any instance, the building sits within the context of a precinct which offers useable and functional public open space which aims to provide an exceptional public domain environment. This includes a variety of waterfront recreational uses and brings together a supply of land uses that allow this non-compliance to be supported.
Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of two (2) hours between 9am and 3pm on 21 June (midwinter).	Satisfactory	9am – No solar access – Non-compliant; 12pm - <50% of COS – Non-compliant; 3pm - <50% of COS – Non-complaint. The scheme is non-compliant with COS solar access requirement under ADG. However, the surrounding public domain including parkland areas and waterfront areas will provide for full solar access throughout the day and a high level of residential amenity.

- **Attachment 7 – Assessment of Compliance Apartment Design Guidelines**

<table>
<tr><th>Control</th><th>Compliance</th><th>Comment</th></tr>
<tr><td colspan="3">3E Deep Soil Zones</td></tr>
<tr><td>Deep soil zones are to meet the following minimum requirements:
<table>
<tr><th>Site area</th><th>Minimum Dimensions</th><th>% of site area</th></tr>
<tr><td><650m^2</td><td>-</td><td rowspan="4">7%</td></tr>
<tr><td>650m^2 – 1,500m^2</td><td>3m</td></tr>
<tr><td>>1,500m^2</td><td>6m</td></tr>
<tr><td>>1,500m^2 with significant existing tree cover</td><td>6m</td></tr>
</table></td><td>Satisfactory</td><td>The proposal includes the following deep soil areas within the common open space area:
There are no deep soil areas that meet the required minimum 6m x 6m dimensions required for deep soil areas to a site area >1,500sqm.

This is from the landscape plan as the architectural plan for Level 01 is inconsistent with the landscape plan which would prevail.
7% of site area required =
• 715.4sqm (Total site area);
• 238.93sqm (MUD site area).
Neither potential requirements are met however extensive deep soil areas are provided with mature tree planting within and surrounding the marina promenade.</td></tr>
<tr><td colspan="3">3F Visual Privacy</td></tr>
<tr><td colspan="3">Separation between windows and balconies should be provided to ensure visual privacy is achieved. Minimum separation distances from buildings to the side and rear boundaries are outlined below.
Note: Gallery circulation is treated as habitable space.</td></tr>
<tr><td>Up to five - eight storeys (25 metres):
• 9m between habitable rooms / balconies
• 4.5m between non-habitable rooms</td><td>Satisfactory with conditions</td><td>Interface between apartments located at 114/214/314 do not allow for adequate separation to ensure adequate visual and acoustic privacy and separation. To be conditioned for additional privacy screening when sightlines are considered.</td></tr>
<tr><td colspan="3">3G Pedestrian Access and Entries</td></tr>
</table>

• **Attachment 7 – Assessment of Compliance Apartment Design Guidelines**		
Control	**Compliance**	**Comment**
Where street frontage is limited and multiple buildings are located on the site, a primary street address should be provided with clear sight lines and pathways to secondary building entries. Building access areas including lift lobbies, stairwells and hallways should be clearly visible from the public domain and communal spaces.	Satisfactory	Boardwalk retail spaces incorporate a pedestrian pathway between outdoor seating and internal retail tenancies have been employed to activate street frontage. Having the private entry along these retail frontages helps activate these spaces even further by promoting foot traffic on site.
3H Vehicle Access		

Car park access should be integrated with the building's overall facade. Design solutions may include: • the materials and colour palette to minimise visibility from the street, • security doors or gates at entries that minimise voids in the façade, • where doors are not provided, the visible interior reflects the facade design and the building services, pipes and ducts are concealed, • Car park entries should be located behind the building line, • Vehicle entries should be located at the lowest point of the site minimising ramp lengths, excavation and impacts on the building form and layout, • Car park entry and access should be located on secondary streets or lanes where available, • Vehicle standing areas that increase driveway width and encroach into setbacks should be avoided, • Access point locations should avoid headlight glare to habitable rooms, • Adequate separation distances should be provided between vehicle entries and street intersections, • The width and number of vehicle access points should be limited to the minimum, • Visual impact of long driveways should be minimised through changing alignments and screen planting, • The need for large vehicles to enter or turn around within the site should be avoided, • Garbage collection, loading and servicing areas are screened, • Clear sight lines should be provided at pedestrian and vehicle crossings, • Traffic calming devices such as changes in paving	Satisfactory	Design considered in detail during car parking assessment found within Attachment X^.

• **Attachment 7 – Assessment of Compliance Apartment Design Guidelines**		
Control	**Compliance**	**Comment**
material or textures should be used where appropriate, • Pedestrian and vehicle access should be separated and distinguishable. Design solutions may include: - changes in surface materials - level changes - the use of landscaping for separation		
3J Bicycle and Car Parking		
Supporting facilities within car parks, including garbage, plant and switch rooms, storage areas and car wash bays can be accessed without crossing car parking spaces. Direct, clearly visible and well lit access should be provided into common circulation areas. A clearly defined and visible lobby or waiting area should be provided to lifts and stairs. For larger car parks, safe pedestrian access should be clearly defined and circulation areas have good lighting, colour, line marking and/or bollards.	Satisfactory with condition	Recommend that signage and line marking plans be prepared for approval as condition of consent and lift access improved on plans prior to issue of Construction Certificate.
4A Solar and Daylight Access		
70% of units to receive a minimum of 3 hours of direct sunlight in midwinter between 9am and 3pm to living rooms and private open spaces.	Satisfactory	70% x 45 = 32 apartments (rounded –up) require 3 hrs solar access between 9am and 3pm. 24 apartments in the north facing apartments include living areas and private open space that will comply. 12 apartments facing outward (east) also include living and private open space areas that will comply. Total of 36 apartments – 80% comply with solar access requirement.

• **Attachment 7 – Assessment of Compliance Apartment Design Guidelines**		
Control	**Compliance**	**Comment**
Maximum of 15% (7) of apartments in a building receive no direct sunlight between 9am and 3pm at midwinter.	No. Justified.	The shadow diagrams provided evidence that the 9 inward facing apartments will not comply and be in shadow throughout the day. This equates to 20% of the total number of apartments. Given the high level of solar access provided to 80% of apartments, this level of non-compliance is not found to be unreasonable in the context of public domain with high solar access.
4B Natural Ventilation		
Minimum 60% of apartments in the first nine (9) storeys of the building are naturally cross ventilated.	Satisfactory with conditions	60% x 45 = 27 apartments should include natural cross ventilation within this project. 12 apartments are found to benefit from natural cross-ventilation. This represents 27% and is highly non-compliant with the requirement for natural cross-ventilation. Frasers commissioned CPP, Wind Engineering and Air Quality Consultants to undertake a Qualitative Natural Ventilation Study for the subject DA. See Attachment X^. Recommendation for operable skylight to be installed.
Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	Satisfactory.	Complies - 6m max.
4C Ceiling Heights		
Measured from finished floor level to finished ceiling level, minimum ceiling heights are as follows:		
Habitable rooms: 2.7m	Yes	Compliant
Non-habitable rooms: 2.4m	Yes with conditions	Retail tenancy areas and main car parking areas – Compliant.

• **Attachment 7 – Assessment of Compliance Apartment Design Guidelines**		
Control	**Compliance**	**Comment**
If located in mixed use areas – 3.3m for ground and first floor to promote future flexibility of use.	Satisfactory	Ground floor maximum retail level ceiling height = 5m (appx); Level 01= 2.7m. Non-compliant however, the high ceiling feature of the lower retail tenancies adds to its design value and could promote natural cooling of these areas.

• **Attachment 7 – Assessment of Compliance Apartment Design Guidelines**		
Control	**Compliance**	**Comment**
D Apartment Size and Layout		
Minimum unit sizes: • Studio: 35m^2 • 1 bed: 50m^2 • 2 bed: 70m^2 • 3 bed: 90m^2 The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m^2 each. A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m^2 each.	Satisfactory	**Level 01:** 3 x Bedroom apartments – Minimum required area (by type proposed) = **Type A-** 90sqm per apartment plus 17sqm (additional bathrooms) = **107sqm Min.** **Type B -** 90sqm per apartment plus 5sqm (extra bathroom) = **95sqm** **Type C** – 90sqm plus 17sqm (3 bathrooms) = **107sqm** Type / No./ Area A-101 – 130sqm – Complies A-102 – 108sqm – Complies A-103 - 108sqm - Complies A-104 – 108sqm – Complies A- 105 - 108sqm – Complies C- 106 - 108sqm – Complies B - 107 -104sqm – Complies 2 x Bedroom apartments – Minimum required area (by type proposed) = **Types A - F** -70sqm plus 5sqm = **75sqm** Type / No./ Area F - 108 - 83sqm – Complies A -109 - 83sqm – Complies B - 110 - 90sqm – Complies E- 111 - 83sqm – Complies C - 112 - 85sqm – Complies D -113 - 81sqm – Complies 1 X Bedroom apartments - Minimum areas required = **Types A – B** = **50sqm** Type / No./ Area A -114 - 58sqm – Complies B - 115 – 55sqm – Complies

• **Attachment 7 – Assessment of Compliance Apartment Design Guidelines**		
Control	**Compliance**	**Comment**
		Level 02: 3 x Bedroom apartments – Minimum required area (by type proposed) = **Type A-** 90sqm per apartment plus 17sqm (additional bathrooms) = **107sqm Min.** **Type B -** 90sqm per apartment plus 5sqm (extra bathroom) = **95sqm** **Type C** – 90sqm plus 17sqm (3 bathrooms) = **107sqm** Type / No./ Area A-201 – 130sqm – Complies A-202 – 108sqm – Complies A-203 - 108sqm - Complies A-204 – 108sqm – Complies A- 205 - 108sqm – Complies C- 206 - 108sqm – Complies B - 207 -104sqm – Complies 2 x Bedroom apartments – Minimum required area (by type proposed) = **Types A - F** -70sqm plus 5sqm = **75sqm** Type / No./ Area F - 208 - 83sqm – Complies A -209 - 83sqm – Complies B - 210 - 90sqm – Complies E- 211 - 83sqm – Complies C - 212 - 85sqm – Complies D -213 - 81sqm – Complies 1 x Bedroom apartments - Minimum areas required = **Types A – B** = **50sqm** Type / No./ Area A -214 - 58sqm – Complies B - 215 – 55sqm – Complies

• **Attachment 7 – Assessment of Compliance Apartment Design Guidelines**		
Control	**Compliance**	**Comment**
		Level 03: 3 x Bedroom apartments – Minimum required area (by type proposed) = **Type A-** 90sqm per apartment plus 17sqm (additional bathrooms) = **107sqm Min.** **Type B -** 90sqm per apartment plus 5sqm (extra bathroom) = **95sqm** **Type C** – 90sqm plus 17sqm (3 bathrooms) = **107sqm** Type / No./ Area A-301 – 130sqm – Complies A-302 – 108sqm – Complies A-303 - 108sqm - Complies A-304 – 108sqm – Complies A- 305 - 108sqm – Complies C- 306 - 108sqm – Complies B -307 -104sqm – Complies 2 x Bedroom apartments – Minimum required area (by type proposed) = **Types A - F** -70sqm plus 5sqm = **75sqm** Type / No./ Area F - 308 - 83sqm – Complies A -309 - 83sqm – Complies B - 310 - 90sqm – Complies E- 311 - 83sqm – Complies C - 312 - 85sqm – Complies D -313 - 81sqm – Complies 1 x Bedroom apartments - Minimum areas required = **Types A – B** = **50sqm** Type / No./ Area A -314 - 58sqm – Complies B - 315 – 55sqm – Complies Level 04: Voids only no habitable space.
Every habitable room is to have a window in an external wall with a minimum glass area of 10% of the floor area of the room.	Satisfactory	Windows comply.
Habitable room depths are to be no more than 2.5 x the ceiling height.	Satisfactory	These areas are acceptable.

- **Attachment 7 – Assessment of Compliance Apartment Design Guidelines**

<table>
<tr><th>Control</th><th>Compliance</th><th>Comment</th></tr>
<tr><td>8m maximum depth for open plan layouts.</td><td>No</td><td>Some apartments exceed this depth.</td></tr>
<tr><td>Minimum area for bedrooms (excluding wardrobes):
• master bedroom: 10m^2
• all other bedrooms: 9m^2
Minimum dimension of any bedroom is 3m (excluding wardrobes).</td><td>Satisfactory</td><td>It is noted that the 1 bed apartments include bedrooms that are slightly undersized, however, these apartments also include a study area and wardrobes.</td></tr>
<tr><td>Living and living/dining rooms minimum widths:
• Studio and one-bedroom: 3.6m
• Two-bedroom or more: 4m</td><td>Satisfactory</td><td>In these apartments the kitchens form part of open-plan design.
The two-bedroom+ apartments comply.</td></tr>
<tr><td colspan="3">4E Private Open Space and Balconies</td></tr>
<tr><td>All apartments required to have primary balconies as follows:
<table>
<tr><th>Dwelling Type:</th><th>Min. Area</th><th>Min. Depth</th></tr>
<tr><td>Studio</td><td>4m^2</td><td>-</td></tr>
<tr><td>One bed</td><td>8m^2</td><td>2m</td></tr>
<tr><td>Two bed</td><td>10m^2</td><td>2m</td></tr>
<tr><td>Three+ bed</td><td>12m^2</td><td>2.4m</td></tr>
</table>
The minimum depth counting to balcony area is 1m.</td><td>Satisfactory</td><td>Compliance achieved.
One minor depth variation to wrap around balcony to apartments 101/201/301 due to corner but size is compliant despite 0m separation.</td></tr>
<tr><td>Private open space for apartments on ground level, on a podium, or similar, must have a minimum area of 15m^2 and a minimum depth of 3m.</td><td>Satisfactory</td><td>Compliant areas included. Some non-complaint dimensions due to corner design but compliant total areas included.</td></tr>
<tr><td colspan="3">4F Common Circulation and Spaces</td></tr>
<tr><td>The maximum number of apartments off a circulation core on a single level is eight (8).Max</td><td>Satisfactory</td><td>Acceptable.</td></tr>
<tr><td>For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.</td><td>N/A</td><td>N/A</td></tr>
</table>

• **Attachment 7 – Assessment of Compliance Apartment Design Guidelines**		
Control	**Compliance**	**Comment**
4G Storage		
Minimum storage provision facilities: • Studio: 4m^3 • 1 bed: 6m^3 • 2 bed: 8m^3 • 3 bed: 10m^3 (Minimum 50% storage area located within unit)	Satisfactory	Storage provided both internally to apartments and within basement parking areas.
4H Acoustic Privacy		
Where physical separation cannot be achieved noise conflicts are resolved using the following design solutions: - double or acoustic glazing, - acoustic seals, - use of materials with low noise penetration properties, - continuous walls to ground level courtyards where they do not conflict.	Satisfactory – by condition	This can be achieved through the imposition of recommendations of the acoustic report which requires further detailing of the design.
4K Apartment Mix		
The apartment mix is appropriate, taking into consideration: -the distance to public transport, employment and education centres, - the current market demands and projected future demographic trends, - the demand for social and affordable housing for different cultural and socioeconomic groups.	Satisfactory	A mix is provided and one bedroom apartments (often lacking) are also included. Parking is provided and bus services will be provided to and from local centres to service this development. Boat access also available via marina.
4M Facades		

• **Attachment 7 – Assessment of Compliance Apartment Design Guidelines**		
Control	**Compliance**	**Comment**
Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale. Design solutions may include: - well composed horizontal and vertical elements, - variation in floor heights to enhance the human scale, - elements that are proportional and arranged in patterns, - public artwork or treatments to exterior blank walls, - grouping of floors or elements such as balconies and windows on taller buildings.	Satisfactory	The proposal includes a well-articulated design including detailing and features consistent with the coastal setting.
4N Roof Design		
Roof design relates to the street. Design solutions may include: - special roof features and strong corners, - use of skillion or very low pitch hipped roofs, - breaking down the massing of the roof by using smaller elements to avoid bulk, - using materials or a pitched form complementary to adjacent buildings.	Satisfactory	The roof design includes use of strong corners and 'folded' roof design. Low pitching has also been included. The materials will match the coastal theme of the area.
4O Landscape Design		
Recommended Tree planting:- Up to 850m^2 — 1 medium tree per 50m^2 of deep soil zone Between 850 - 1,500m^2 — 1 large tree or 2 medium trees per 90m^2 of deep soil zone Greater than 1,500m^2 — 1 large tree or 2 medium trees per 80m^2 of deep soil zone.	Satisfactory	Design includes no deep soil zone area. Trees cannot be planted in compliance with requirements. Reliance on public domain and parkland areas throughout the Shell Cove development is found to be acceptable.

• **Attachment 7 – Assessment of Compliance Apartment Design Guidelines**		
Control	**Compliance**	**Comment**
4Q Universal Design		
Incorporating universal design principles in apartment design is a step towards producing a robust, flexible housing stock. It ensures that simple and practical design features are incorporated into new buildings that would be difficult and costly to retrofit at a later date. Universal design is different to adaptable housing which is governed by Australian Standard AS 4299-1995 Adaptable Housing and is specifically designed to allow for the future adaptation of a dwelling to accommodate the occupant's needs.	Satisfactory	Designed to Silver Level Liveable Housing Design.
4S Mixed Use		
Mixed use developments positively contribute to the public domain. Design solutions may include: - development addresses the street, - active frontages are provided, - diverse activities and uses avoiding blank walls at the ground level, - live/work apartments on the ground floor level, rather than commercial.	Satisfactory	Active street frontage provided with double-height frontage addressing street, entrances clearly defined to all, no blank walls due to wrap-around design (form), shop-top housing form.
4U Energy Efficiency		
A number of the following design solutions are used: - rooms with similar usage are grouped together, - natural cross ventilation for apartments is optimised, - natural ventilation is provided to all habitable rooms and as many non-habitable rooms, common areas and circulation spaces as possible.	Satisfactory	The issue of non-compliant cross-ventilation and reliance upon lighting due to land-locked design has been addressed by the applicant through the submission of a report detailing design solutions to be included on plans prior to the issue of any construction certificate. Areas for solar paneling in future supported but overall scheme requires more consideration in regard to sustainable credentials.
4V Water Management and Conservation		

• **Attachment 7 – Assessment of Compliance Apartment Design Guidelines**		
Control	**Compliance**	**Comment**
Water sensitive urban design is the integrated management of water in urban areas. It takes into account all of the elements of the urban water cycle including potable (drinking quality) water, rainwater, wastewater, stormwater and groundwater. Best practice water management considers water measures at all stages of the project. This ranges from initial site planning measures that maximise deep soil areas for water infiltration to detailed building design that captures and recycles stormwater and wastewater for building services. The Building Sustainability Index (BASIX) ensures that all new dwellings are designed to minimise potable water use and reduce greenhouse gas emissions. To support the requirements of BASIX there are a number of planning and design considerations that are relevant to apartment developments.	Satisfactory	See BASIX and design solutions for water sensitive urban design systems.
4W Waste Management		
For mixed use developments, residential waste and recycling storage areas and access should be separate and secure from other uses.	Satisfactory	Waste chute noted, separate areas for waste management and bin cleaning area.

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Drawing List

Sheet No:	Sheet Name
DA01	LOCATION PLAN
DA02	STAGING PLAN
DA03	SITE PLAN
DA04	SITE ANALYSIS
DA05	SHADOW DIAGRAMS - WINTER SOLSTICE
DA06	SHADOW DIAGRAMS - SUMMER SOLSTICE
DA07	CONTEXT PLAN
DA08	GROUND FLOOR PLAN
DA09	MEZZANINE PLAN
DA10	LEVEL 01
DA11	LEVEL 02
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DA13	LOWER ROOF PLAN
DA14	ROOF PLAN
DA15	SECTIONS - SHEET 1
DA16	ELEVATIONS - SHEET 1
DA17	ELEVATIONS - SHEET 2
DA18	ELEVATIONS - SHEET 3
DA19	VISUALISATION - SHEET 1
DA20	VISUALISATION - SHEET 2
DA21	PROPOSED FINISHES PALETTE
DA22	NLA & GFA
DA23	SOLAR ACCESS AND VENTILATION PLANS
DA24	BASIX AND THERMAL COMFORT INCLUSIONS

'THE WATERFRONT'

STAGE 2, SHELL COVE, NSW

DEVELOPMENT APPLICATION

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ABN 56 880 304 993

1 PLAN
SHELL COVE LOCATION NTS

2 PLAN
SHELL COVE NTS

ALL DRAWINGS TO BE READ IN CONJUNCTION WITH **DRAWING DA24** BASIX AND THERMAL COMFORT INCLUSIONS

REV	DESCRIPTION OF CHANGE	DRAWN	CHECK	DATE
A	ISSUE FOR DA	JR	SS	01.08.17
B	ISSUE FOR DA	JR	SS	25.08.17
C	INTERNAL ISSUE FOR REVIEW	EC	EC	08.05.18
D	ISSUE FOR DA	EC	EC	31.05.18
E	ISSUE FOR DA	JR	EC	15.08.18
F	CORE AMENDMENTS	JR	SS	25.10.18

NORTH POINT

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PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
LOCATION PLAN

SCALE: AS SHOWN
CHECKED: EC
PROJECT NUMBER: 12009
DRAWING NUMBER: DA01
ISSUE: F

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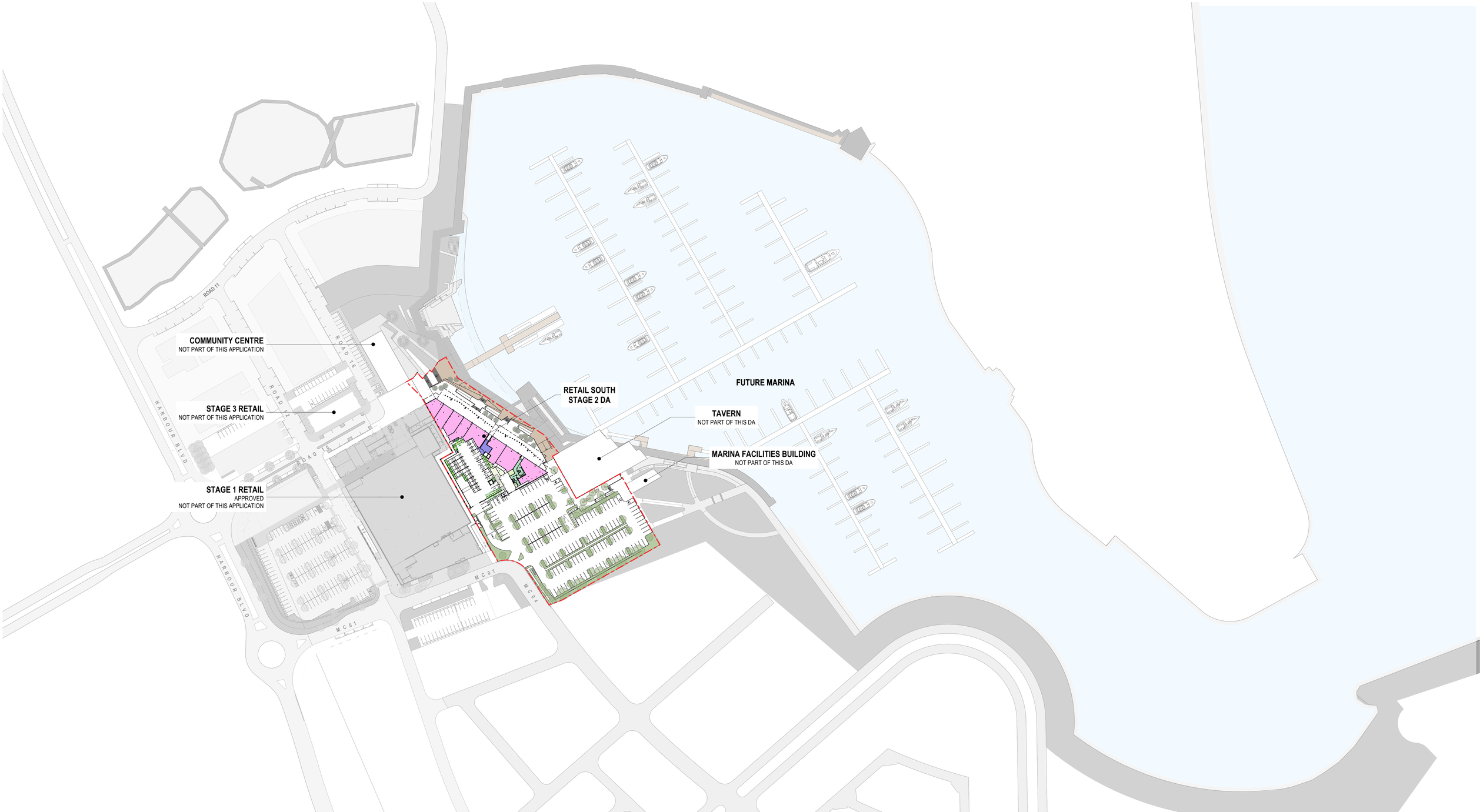

1 PLAN
STAGING PLAN 1:1000 @B1

LEGEND

- SPECIALTY TENANCIES
- NEW LANDSCAPING
- AMENITIES
- NOT PART OF THIS APPLICATION
- RESIDENTIAL LOBBY
- EXTENT OF APPLICATION

ALL DRAWINGS TO BE READ IN CONJUNCTION WITH **DRAWING DA24** BASIX AND THERMAL COMFORT INCLUSIONS

REV	DESCRIPTION OF CHANGE	DRAWN	CHECK	DATE
A	ISSUE FOR DA	JR	SS	01.08.17
B	ISSUE FOR DA	JR	SS	25.08.17
C	INTERNAL ISSUE FOR REVIEW	EC	EC	08.05.18
D	ISSUE FOR DA	EC	EC	31.05.18
E	ISSUE FOR DA	JR	EC	15.08.18
F	CORE AMENDMENTS	JR	SS	25.10.18

NORTH POINT

SCALE BAR
0m 10m 20m 30m 40m 50m 100m

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PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
STAGING PLAN

SCALE: AS SHOWN
CHECKED: EC
PROJECT NUMBER: 12009
DRAWING NUMBER: DA02
ISSUE: F

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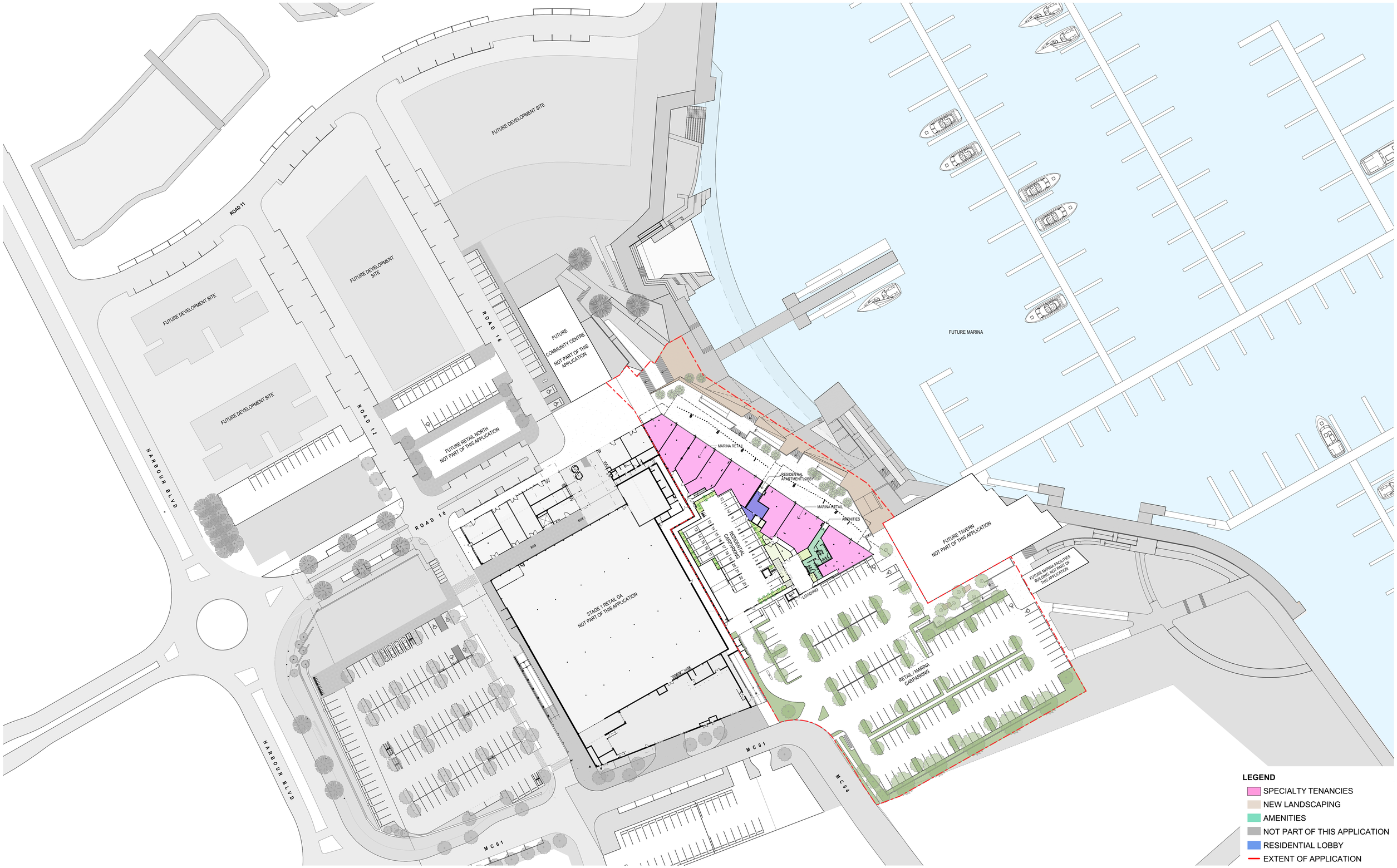

1 PLAN
SITE PLAN 1:500 @B1

ALL DRAWINGS TO BE READ IN CONJUNCTION WITH **DRAWING DA24** BASIX AND THERMAL COMFORT INCLUSIONS

REV	DESCRIPTION OF CHANGE	DRAWN	CHECK	DATE
A	ISSUE FOR DA	JR	SS	01.08.17
B	ISSUE FOR DA	JR	SS	29.08.17
C	INTERNAL ISSUE FOR REVIEW	EC	EC	08.05.18
D	ISSUE FOR DA	EC	EC	31.05.18
E	ISSUE FOR DA	JR	EC	15.08.18
F	CORE AMENDMENTS	JR	SS	25.10.18

NORTH POINT

SCALE BAR

0m 5m 10m 15m 20m 25m 50m

JOINT VENTURE PARTNERS

FRASERS PROPERTY PTY LTD
FRASERS PROPERTY
1 HOMEBUSH BAY DRIVE
BUILDING C, LEVEL 3
RHODES NSW, 2138
P: 02 9767 2000
F: 02 9767 2900

SHELLHARBOUR CITY COUNCIL
Shellharbour CITY COUNCIL
1 LAMERTON CRESCENT
SHELLHARBOUR CITY CENTRE
NSW, 2529
P: 02 4221 6111
F: 02 4221 6061

ARCHITECTS

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+61 2 9956 2666 | hdricedaubney.com | hdrinc.com
The Rice Daubney Group (NSW) P/L as trustee for The Rice Daubney Trading Trust
ABN 56 880 304 993

PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
SITE PLAN

SCALE: AS SHOWN
CHECKED: EC
PROJECT NUMBER: 12009
DRAWING NUMBER: DA03
ISSUE: F

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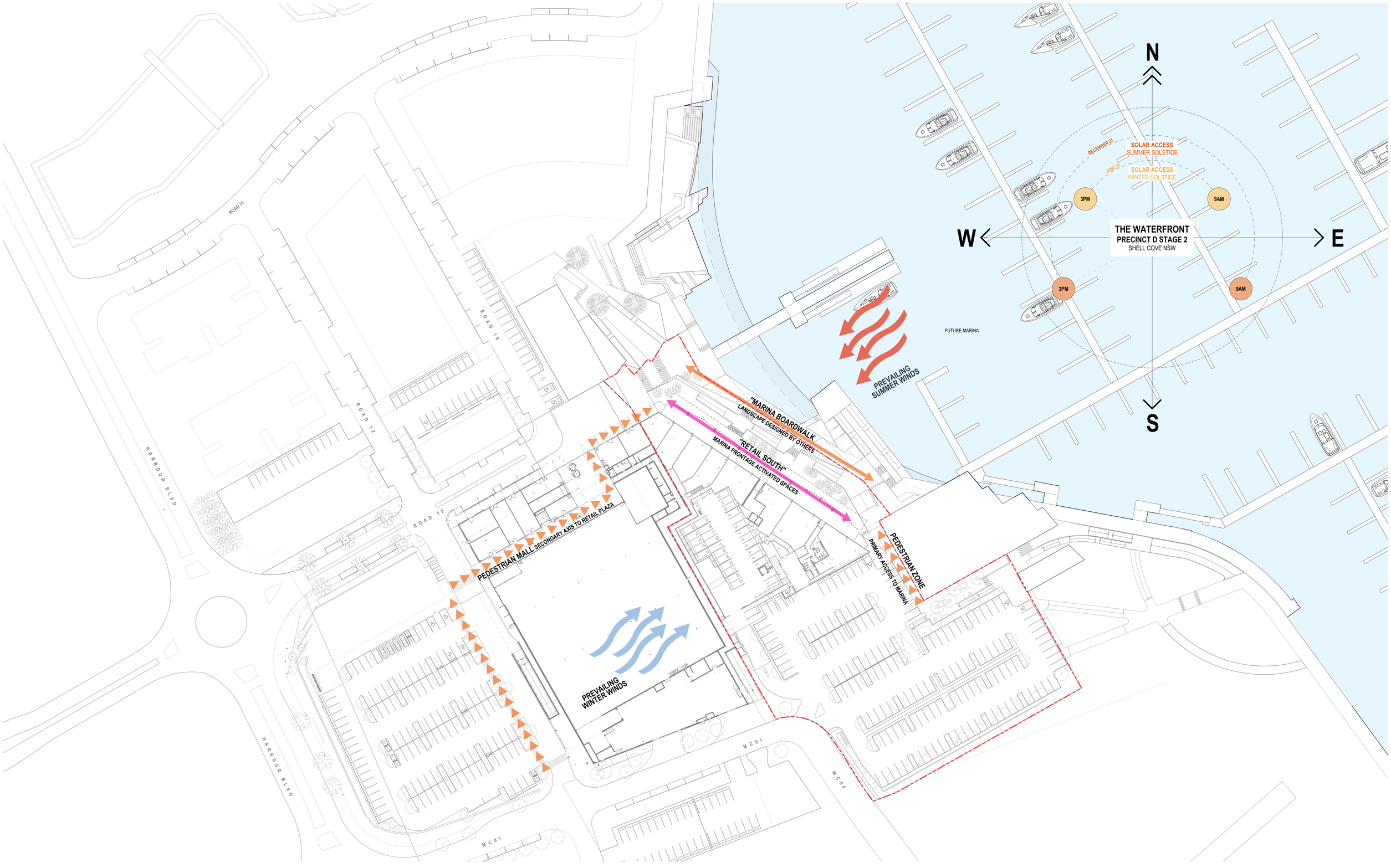
M:\Projects\2012\12009 ShellCove\11.0 BIM\11.04 Schematics\181011 Stage 2 Core Options\181011 Stage 2 Core Option 1.pln



1 PLAN
SITE ANALYSIS 1:500 @B1

ALL DRAWINGS TO BE READ IN CONJUNCTION WITH **DRAWING DA24** BASIX AND THERMAL COMFORT INCLUSIONS

REV	DESCRIPTION OF CHANGE	DRAWN	CHECK	DATE
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E	ISSUE FOR DA	JR	EC	15.06.18
F	CORE AMENDMENTS	JR	SS	25.10.18

NORTH POINT

0m 5m 10m 15m 20m 25m 50m

JOINT VENTURE PARTNERS

FRASERS PROPERTY PTY LTD
1 HOMEBUSH BAY DRIVE
BUILDING C, LEVEL 3
RHODES NSW, 2138
P: 02 9767 2000
F: 02 9767 2900

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1 LAMERTON CRESCENT
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ABN 56 880 304 993

PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
SITE ANALYSIS

SCALE: AS SHOWN
CHECKED: EC
PROJECT NUMBER: 12009
DRAWING NUMBER: DA04
ISSUE: F

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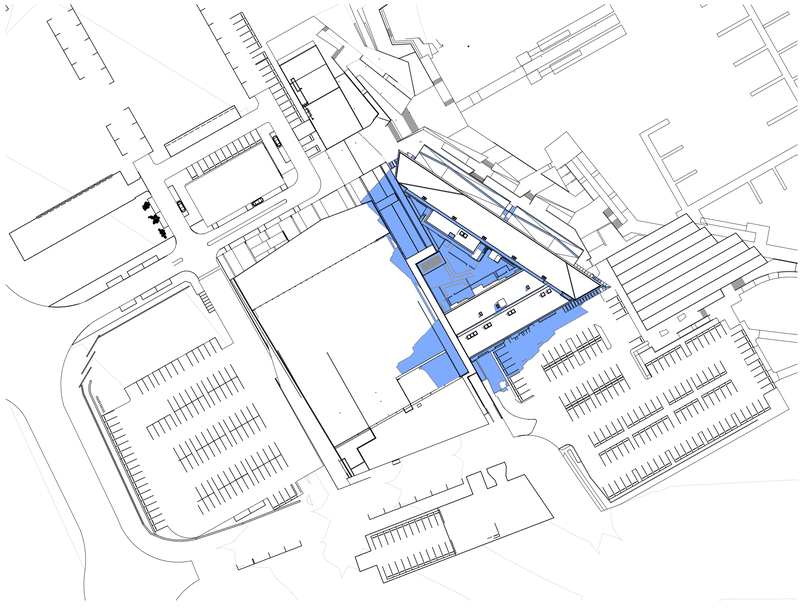
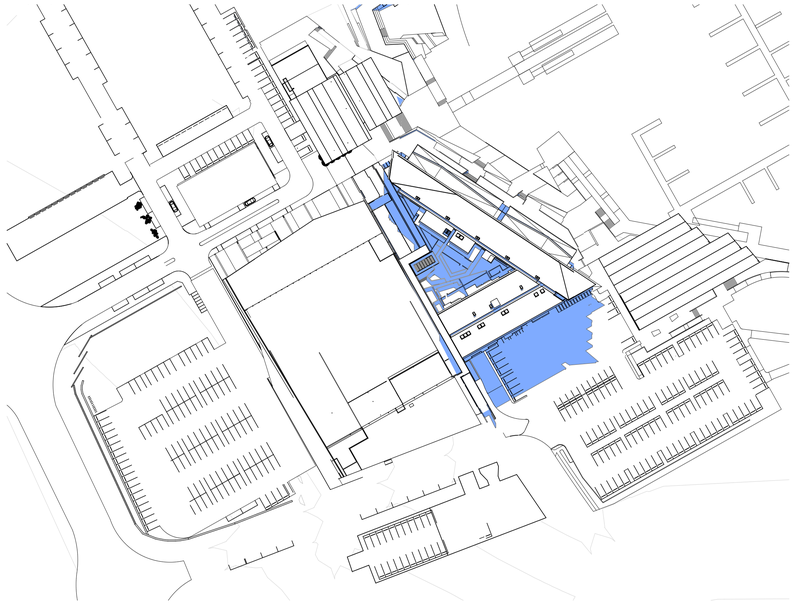


1 PLAN
WINTER SOLSTICE JUNE 21ST - 9AM 1:1000



2 PLAN
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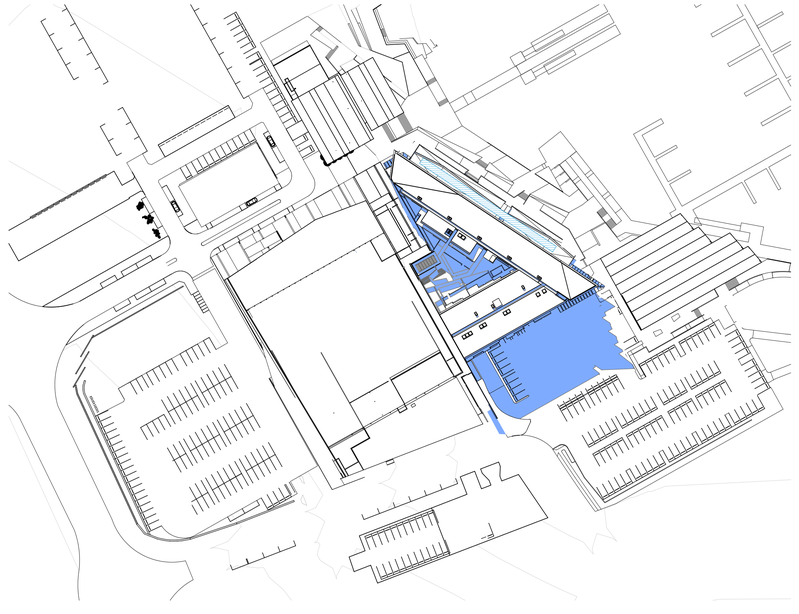
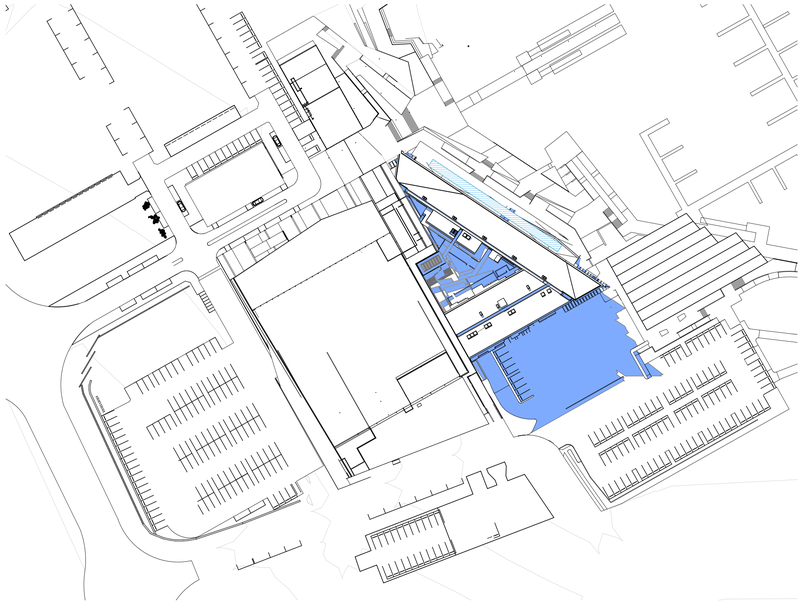
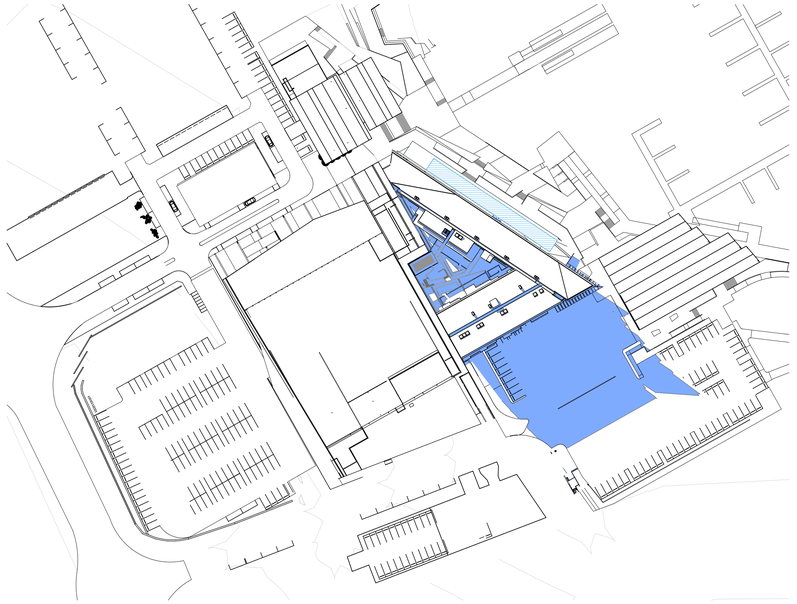


3 PLAN
WINTER SOLSTIC3 JUNE 21ST - 3PM 1:1000



4 PLAN
WINTER SOLSTICE JUNE 21ST- 2PM 1:1000



5 PLAN
WINTER SOLSTICE JUNE 21ST - 3PM 1:1000

ALL DRAWINGS TO BE READ IN CONJUNCTION WITH **DRAWING DA24** BASIX AND THERMAL COMFORT INCLUSIONS

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E	ISSUE FOR DA	JR	EC	15.08.18
F	CORE AMENDMENTS	JR	SS	25.10.18

NORTH POINT

0m 10m 20m 30m 40m 80m 100m

JOINT VENTURE PARTNERS

FRASERS PROPERTY PTY LTD
FRASERS PROPERTY
1 HOMEBUSH BAY DRIVE
BUILDING C, LEVEL 3
RHODES NSW, 2138
P: 02 9767 2000
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SHELLHARBOUR CITY COUNCIL
Shellharbour CITY COUNCIL
1 LAMERTON CRESCENT
SHELLHARBOUR CITY CENTRE
NSW, 2529
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ABN 56 880 304 993

PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
SHADOW DIAGRAMS - WINTER SOLSTICE

SCALE: AS SHOWN
CHECKED: EC
PROJECT NUMBER: 12009
DRAWING NUMBER: DA05
ISSUE: F

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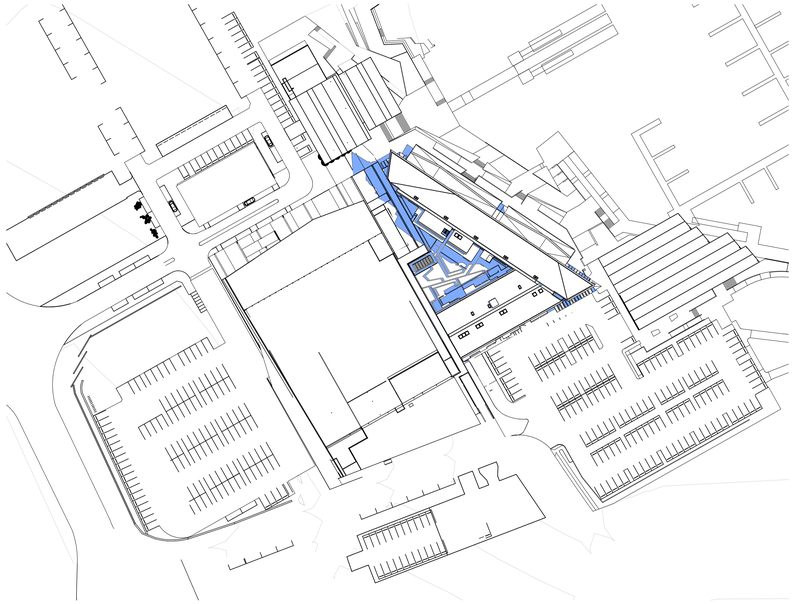
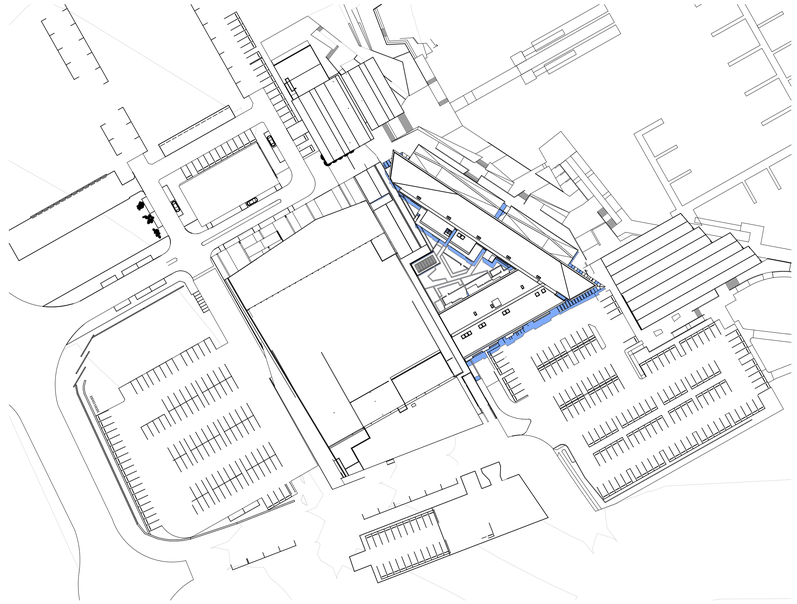
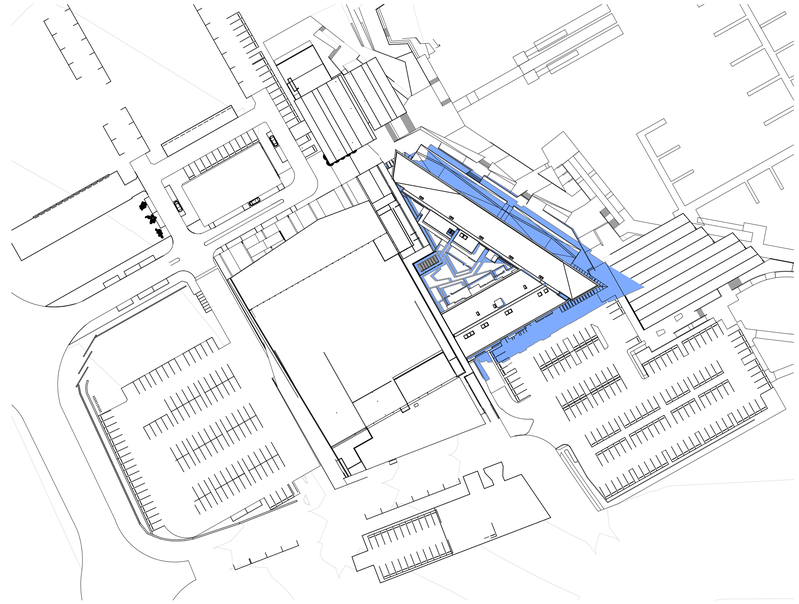


1 PLAN
SUMMER SOLSTICE DECEMBER 21ST - 9AM 1:1000



2 PLAN
SUMMER SOLSTICE DECEMBER 21ST - 12PM 1:1000



3 PLAN
SUMMER SOLSTICE DECEMBER 21ST - 3PM 1:1000

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E	ISSUE FOR DA	JR	EC	15.08.18
F	CORE AMENDMENTS	JR	SS	25.10.18

NORTH POINT

0m 10m 20m 30m 40m 50m 100m

JOINT VENTURE PARTNERS

FRASERS PROPERTY PTY LTD
FRASERS PROPERTY
1 HOMEBUSH BAY DRIVE
BUILDING C, LEVEL 3
RHODES NSW, 2138
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Shellharbour CITY COUNCIL
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ABN 56 880 304 993

PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
SHADOW DIAGRAMS - SUMMER SOLSTICE

SCALE: AS SHOWN
CHECKED: EC
PROJECT NUMBER: 12009
DRAWING NUMBER: DA06
ISSUE: F

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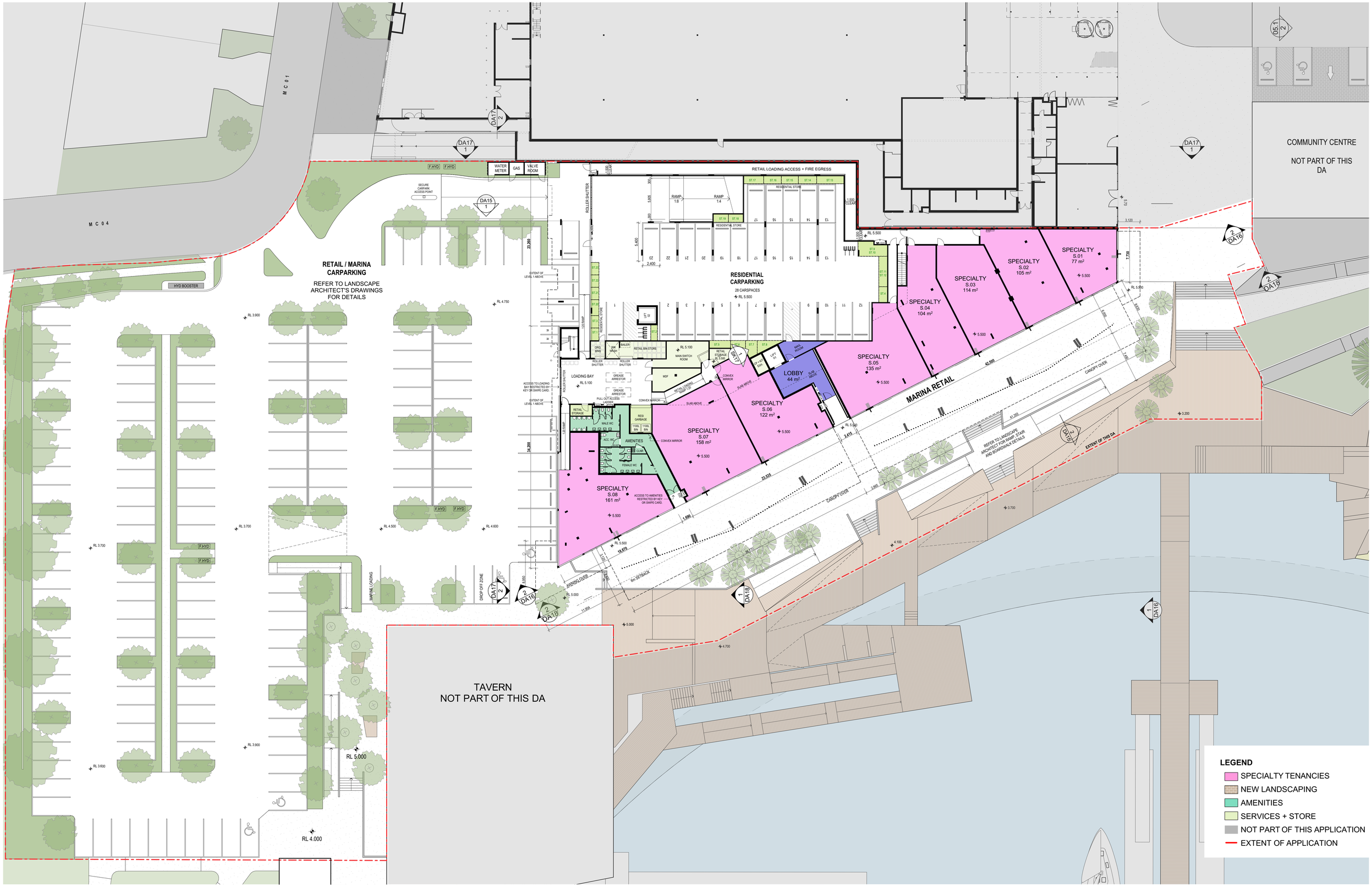

LEGEND

- SPECIALTY TENANCIES
- NEW LANDSCAPING
- AMENITIES
- SERVICES + STORE
- NOT PART OF THIS APPLICATION
- EXTENT OF APPLICATION

1 PLAN
CONTEXT 1:200 @B1

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E	ISSUE FOR DA	JR	EC	15.06.18
F	CORE AMENDMENTS	JR	SS	25.10.18

NORTH POINT

SCALE BAR: 0m 2m 4m 6m 8m 10m 20m

JOINT VENTURE PARTNERS

FRASERS PROPERTY PTY LTD
1 HOMEBUSH BAY DRIVE
BUILDING C, LEVEL 3
RHODES NSW, 2138
P: 02 9767 2000
F: 02 9767 2900

SHELLHARBOUR CITY COUNCIL
1 LAMERTON CRESCENT
SHELLHARBOUR CITY CENTRE
NSW, 2529
P: 02 4221 6111
F: 02 4221 6061

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ABN 56 880 304 993

PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
CONTEXT PLAN

SCALE:	CHECKED:
AS SHOWN	EC
PROJECT NUMBER: 12009	DRAWING NUMBER: DA07
	ISSUE: F

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VALVE ROOM

RETAIL LOADING ACCESS + FIRE EGRESS

1,500 CLEAR

ROLLER SHUTTER

RAMP 1:8

RAMP 1:4

300

5,805

300

5,400

2,400

RESIDENTIAL STORE

ST.17 ST.16 ST.15 ST.14 ST.13

ST.19 ST.18

23 22 21 20 19 18 17 16 15 14 13

DA15 1

1,500 CLEAR

RL 5.500

ST.9 ST.10

ST.11 ST.12

ST.4

ST.23 ST.22 ST.21 ST.20 ST.3 ST.1

RESIDENTIAL CARPARKING

28 CARSPACES

RL 5.500

1 2 3 4 5 6 7 8 9 10 11 12

LIFT 02

ST.2

ST.5 ST.6 ST.7 ST.8

RETAIL STORAGE RL 5.500

SK17 1

LIFT 01

MAIL ROOM

LOBBY 44 m²

SLAB ABOVE

SPECIALTY S.01 77 m² 5.500

SPECIALTY S.02 105 m² 5.500

SPECIALTY S.03 114 m² 5.500

SPECIALTY S.04 104 m² 5.500

SPECIALTY S.05 135 m² 5.500

SPECIALTY S.06 122 m² 5.500

SPECIALTY S.07 158 m² 5.500

SPECIALTY S.08 161 m² 5.500

MARINA RETAIL

42,500

CANOPY OVER

7,450

6,000

8,630

7,730

5.70

3,120

RL 5.500

3.200

41,355

REFER TO LANDSCAPE ARCHITECT FOR RAMP, STAIR AND BOARDWALK DETAILS

DA15 2

EXTENT OF THIS DA

2,415

RL 5.500

23,535

CANOPY OVER

2,865

3.700

4.100

36,770

1,690

18,670

3,120

RL 5.500

AWNING OVER

8,630

6m SETBACK

11,954

8,950

2 DA16

RL 5.000

23,260

34,200

EXTENT OF LEVEL 1 ABOVE

ACCESS TO LOADING BAY RESTRICTED BY KEY OR SWIPE CARD.

EXTENT OF LEVEL 1 ABOVE

1:20 RAMP

RESIDENTIAL STORE

ORG. BINS

BIN WASH

BAILER

RETAIL BIN STORE

ROLLER SHUTTER

ROLLER SHUTTER

LOADING BAY

RL 5.100

GREASE ARRESTOR

GREASE ARRESTOR

PULL OUT ACCESS LADDER

RETAIL STORAGE

MALE WC

ACC. WC

AMENITIES

CLNR

FEMALE WC

RESI GARBAGE

1100L BIN

1100L BIN

CONVEX MIRROR

MDF

RETAIL LOADING RAMP 1:20

CONVEX MIRROR

SLAB ABOVE

CONVEX MIRROR

SLAB ABOVE

MAIN SWITCH ROOM

RL 5.100

ACCESS TO AMENITIES RESTRICTED BY KEY OR SWIPE CARD.

LEGEND

- SPECIALTY TENANCIES
- NEW LANDSCAPING
- AMENITIES
- SERVICES + STORE
- NOT PART OF THIS APPLICA
- EXTENT OF APPLICATION

1 PLAN
GROUND 1:100 @B1

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NORTH POINT

SCALE BAR 0m 1m 2m 3m 4m 5m 10m

JOINT VENTURE PARTNERS

FRASERS PROPERTY PTY LTD
FRASERS PROPERTY
1 HOMEBUSH BAY DRIVE BUILDING C, LEVEL 3 RHODES NSW, 2138
P: 02 9767 2000
F: 02 9767 2900

SHELLHARBOUR CITY COUNCIL
Shellharbour CITY COUNCIL
1 LAMERTON CRESCENT SHELLHARBOUR CITY CENTRE NSW, 2529
P: 02 4221 6111
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The Rice Daubney Group (NSW) P/L as trustee for The Rice Daubney Trading Trust
ABN 56 880 304 993

PROJECT: THE WATERFRONT SHELL COVE, NSW

DRAWING TITLE: GROUND FLOOR PLAN

SCALE: AS SHOWN
CHECKED: EC
PROJECT NUMBER: 12009
DRAWING NUMBER: DA08
ISSUE: F

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5,400
2,400
2,400
2,400
RAMP 1:4
RAMP 1:8
5,805
300
300
RESIDENTIAL STORE ST.9/10
RESIDENTIAL STORE ST.3
ST.25
ST.26
ST.27
790
DA15 1
BOX GUTTER
RESIDENTIAL CARPARKING
38 CARSPACES
MECHANICAL PLANT
ST.28
ST.29/30
ST.31
ST.32
ST.16
ST.17
CP + KIT EXH.
3,120
9,154
8,690
VOID TO RETAIL BELOW
VOID TO RETAIL BELOW
VOID TO RETAIL BELOW
VOID TO RETAIL BELOW
RESIDENTIAL STORE
ST.1
ST.2
ST.12/13
ST.5
ST.8
LIFT 02
ST.4
ST.14
ST.15
ST.18/19
LIFT 01
CP + KIT EXH.
LOBBY 15 m²
VOID TO LOBBY BELOW
1 SK17
VOID TO LOADING DOCK BELOW
PULL OUT ACCESS LADDER FROM GROUND
GARBAGE CHUTE
MECHANICAL PLANT
ST.24
ST.23
ST.22
ST.21
ST.20
RESIDENTIAL STORE
VOID TO RETAIL BELOW
VOID TO RETAIL BELOW
VOID TO RETAIL BELOW
GLASS AWNING
SOLID AWNING
GLASS AWNING
41,355
8,030
2,866
2 DA15
GLASS AWNING
SOLID AWNING
8,950
11,954
36,770

1 PLAN
MEZZANINE 1:100 @B1

LEGEND

- SPECIALTY TENANCIES
- NEW LANDSCAPING
- AMENITIES
- SERVICES + STORE
- NOT PART OF THIS APPLICATION
- EXTENT OF APPLICATION

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NORTH POINT

SCALE BAR

0m 1m 2m 3m 4m 5m 10m

JOINT VENTURE PARTNERS

FRASERS PROPERTY PTY LTD
1 HOMEBUSH BAY DRIVE
BUILDING C, LEVEL 3
RHODES NSW, 2138
P: 02 9767 2000
F: 02 9767 2900

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1 LAMERTON CRESCENT
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The Rice Daubney Group (NSW) P/L in trustee for The Rice Daubney Trading Trust
ABN 56 880 304 993

PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
MEZZANINE PLAN

SCALE:	CHECKED:
AS SHOWN	EC
PROJECT NUMBER: 12009	DRAWING NUMBER: DA09
	ISSUE: F

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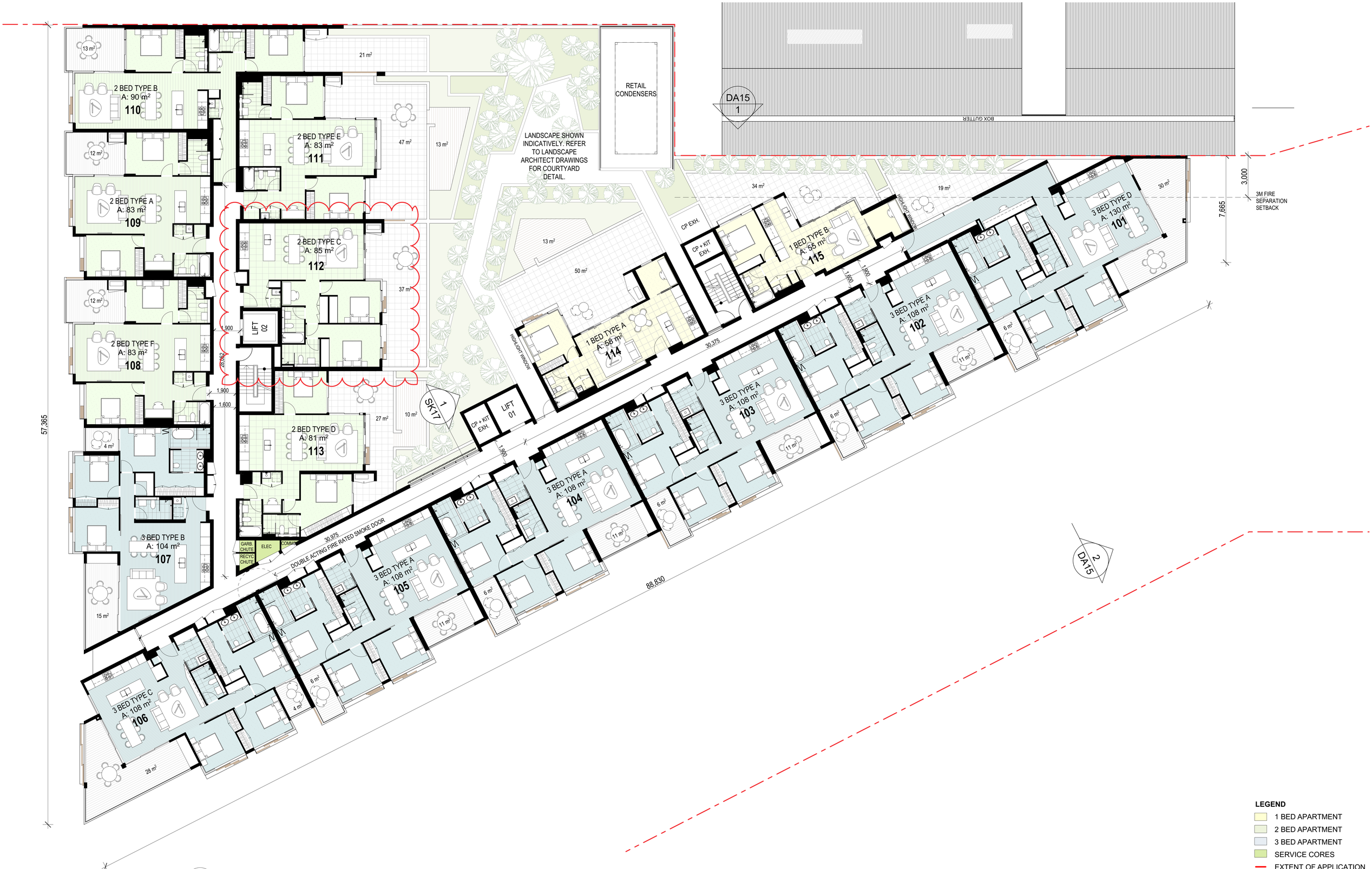

1 PLAN
LEVEL 01 1:100 @B1

LEGEND

- 1 BED APARTMENT
- 2 BED APARTMENT
- 3 BED APARTMENT
- SERVICE CORES
- EXTENT OF APPLICATION

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E	ISSUE FOR DA	JR	EC	15.08.18
F	CORE AMENDMENTS	JR	SS	25.10.18
G	2 BED TYPE C APARTMENT LAYOUT	JR	SS	07.11.18

NORTH POINT

SCALE BAR

0m 5m 2m 3m 4m 5m 10m

JOINT VENTURE PARTNERS

FRASERS PROPERTY PTY LTD
1 HOMEBUSH BAY DRIVE
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ABN 56 880 304 993

PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
LEVEL 01

SCALE:	CHECKED:
AS SHOWN	EC
PROJECT NUMBER: 12009	DRAWING NUMBER: DA10
ISSUE: G	

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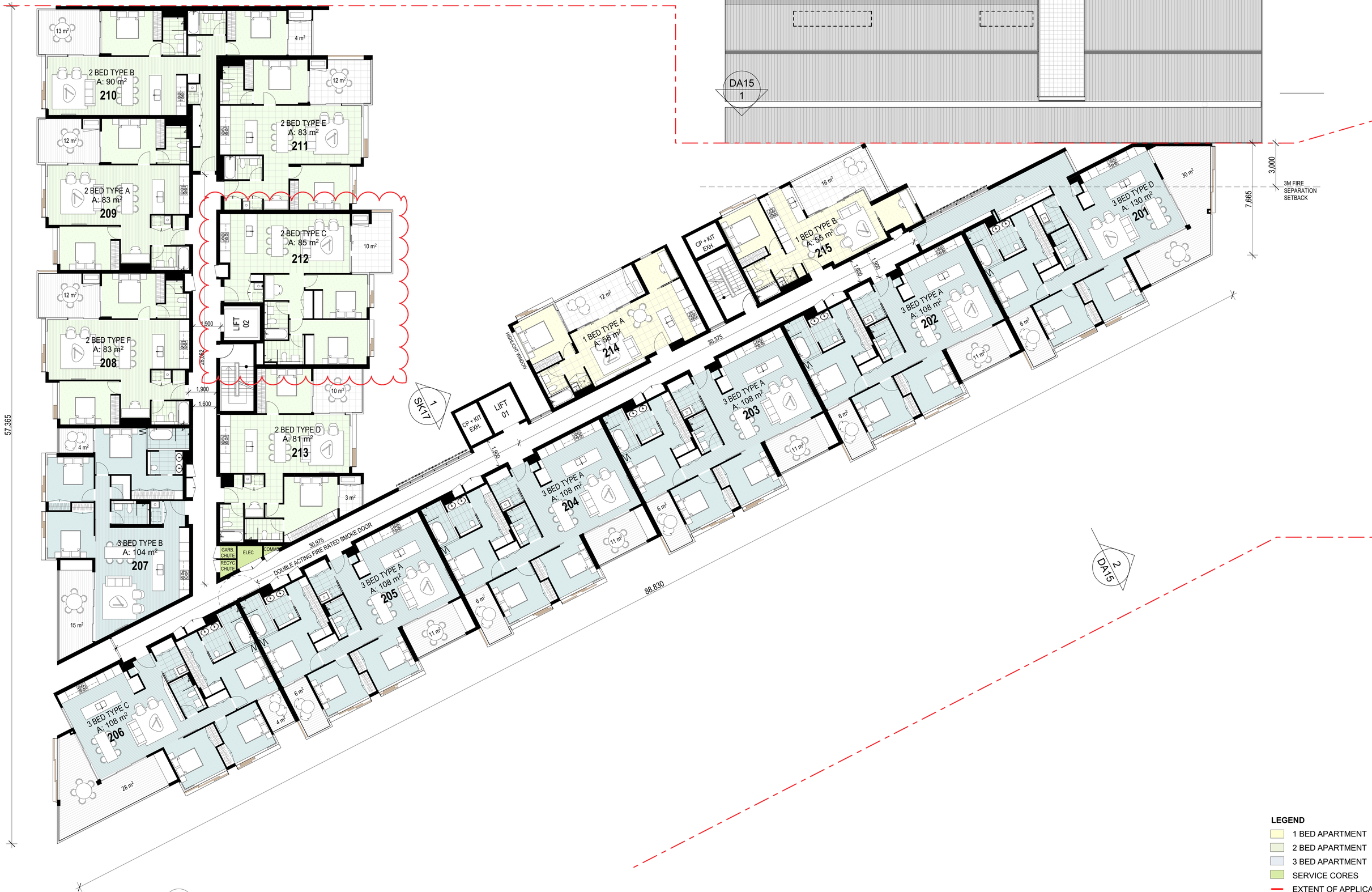

1 PLAN
LEVEL 02 1:100 @B1

LEGEND

- 1 BED APARTMENT
- 2 BED APARTMENT
- 3 BED APARTMENT
- SERVICE CORES
- EXTENT OF APPLICATION

ALL DRAWINGS TO BE READ IN CONJUNCTION WITH **DRAWING DA24** BASIX AND THERMAL COMFORT INCLUSIONS

REV	DESCRIPTION OF CHANGE	DRAWN	CHECK	DATE
A	ISSUE FOR DA	JR	SS	01.08.17
B	ISSUE FOR DA	JR	SS	25.08.17
C	INTERNAL ISSUE FOR REVIEW	EC	EC	08.05.18
D	ISSUE FOR DA	EC	EC	31.05.18
E	ISSUE FOR DA	JR	EC	15.08.18
F	CORE AMENDMENTS	JR	SS	25.10.18
G	2 BED TYPE C APARTMENT LAYOUT	JR	SS	07.11.18

NORTH POINT

SCALE BAR

0m 1m 2m 3m 4m 5m 10m

JOINT VENTURE PARTNERS

FRASERS PROPERTY PTY LTD
FRASERS PROPERTY
1 HOMEBUSH BAY DRIVE
BUILDING C, LEVEL 3
RHODES NSW, 2138
P: 02 9767 2000
F: 02 9767 2900

SHELLHARBOUR CITY COUNCIL
Shellharbour CITY COUNCIL
1 LAMERTON CRESCENT
SHELLHARBOUR CITY CENTRE
NSW, 2529
P: 02 4221 6111
F: 02 4221 6061

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The Rice Daubney Group (NSW) P/L as trustee for The Rice Daubney Trading Trust
ABN 56 880 304 993

PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
LEVEL 02

SCALE:	CHECKED:
AS SHOWN	EC
PROJECT NUMBER:	DRAWING NUMBER:	ISSUE:
12009	DA11	G

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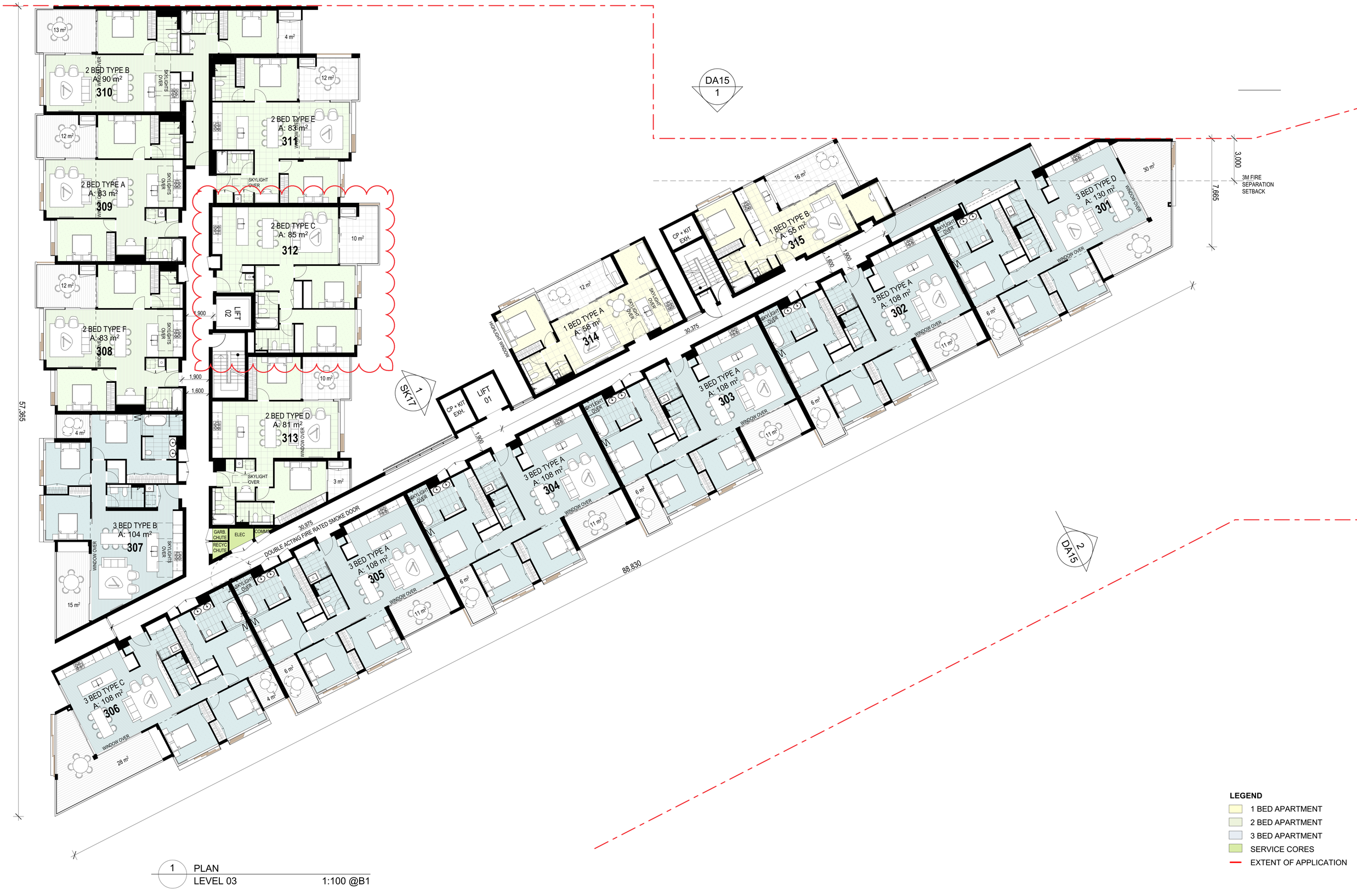

1 PLAN
LEVEL 03 1:100 @B1

LEGEND

- 1 BED APARTMENT
- 2 BED APARTMENT
- 3 BED APARTMENT
- SERVICE CORES
- EXTENT OF APPLICATION

REV	DESCRIPTION OF CHANGE	DRAWN	CHECK	DATE
A	ISSUE FOR DA	JR	SS	01.08.17
B	ISSUE FOR DA	JR	SS	29.08.17
C	INTERNAL ISSUE FOR REVIEW	EC	EC	08.05.18
D	ISSUE FOR DA	EC	EC	31.05.18
E	BALCONY WALL AMENDMENT	JR	EC	19.09.18
F	CORE AMENDMENTS	JR	SS	25.10.18
G	2 BED TYPE C APARTMENT LAYOUT	JR	SS	07.11.18

NORTH POINT

SCALE BAR: 0m 1m 2m 3m 4m 5m 10m

JOINT VENTURE PARTNERS

FRASERS PROPERTY PTY LTD
FRASERS PROPERTY
1 HOMEBUSH BAY DRIVE
BUILDING C, LEVEL 3
RHODES NSW, 2138
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F: 02 9767 2900

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ABN 56 880 304 993

PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
LEVEL 03

SCALE: AS SHOWN
CHECKED: SS
PROJECT NUMBER: 12009
DRAWING NUMBER: DA12
ISSUE: G

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1 PLAN
LOWER ROOF 1:100 @B1

ALL DRAWINGS TO BE READ IN CONJUNCTION WITH **DRAWING DA24** BASIX AND THERMAL COMFORT INCLUSIONS

REV	DESCRIPTION OF CHANGE	DRAWN	CHECK	DATE
A	ISSUE FOR DA	JR	SS	01.08.17
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D	ISSUE FOR DA	EC	EC	31.05.18
E	ISSUE FOR DA	JR	EC	15.08.18
F	CORE AMENDMENTS	JR	SS	25.10.18
G	2 BED TYPE C APARTMENT LAYOUT	JR	SS	07.11.18

NORTH POINT

SCALE BAR
0m 1m 2m 3m 4m 5m 10m

JOINT VENTURE PARTNERS

FRASERS PROPERTY PTY LTD
FRASERS PROPERTY
1 HOMEBUSH BAY DRIVE
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ABN 56 880 304 993

PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
LOWER ROOF PLAN

SCALE: AS SHOWN
CHECKED: EC
PROJECT NUMBER: 12009
DRAWING NUMBER: DA13
ISSUE: G

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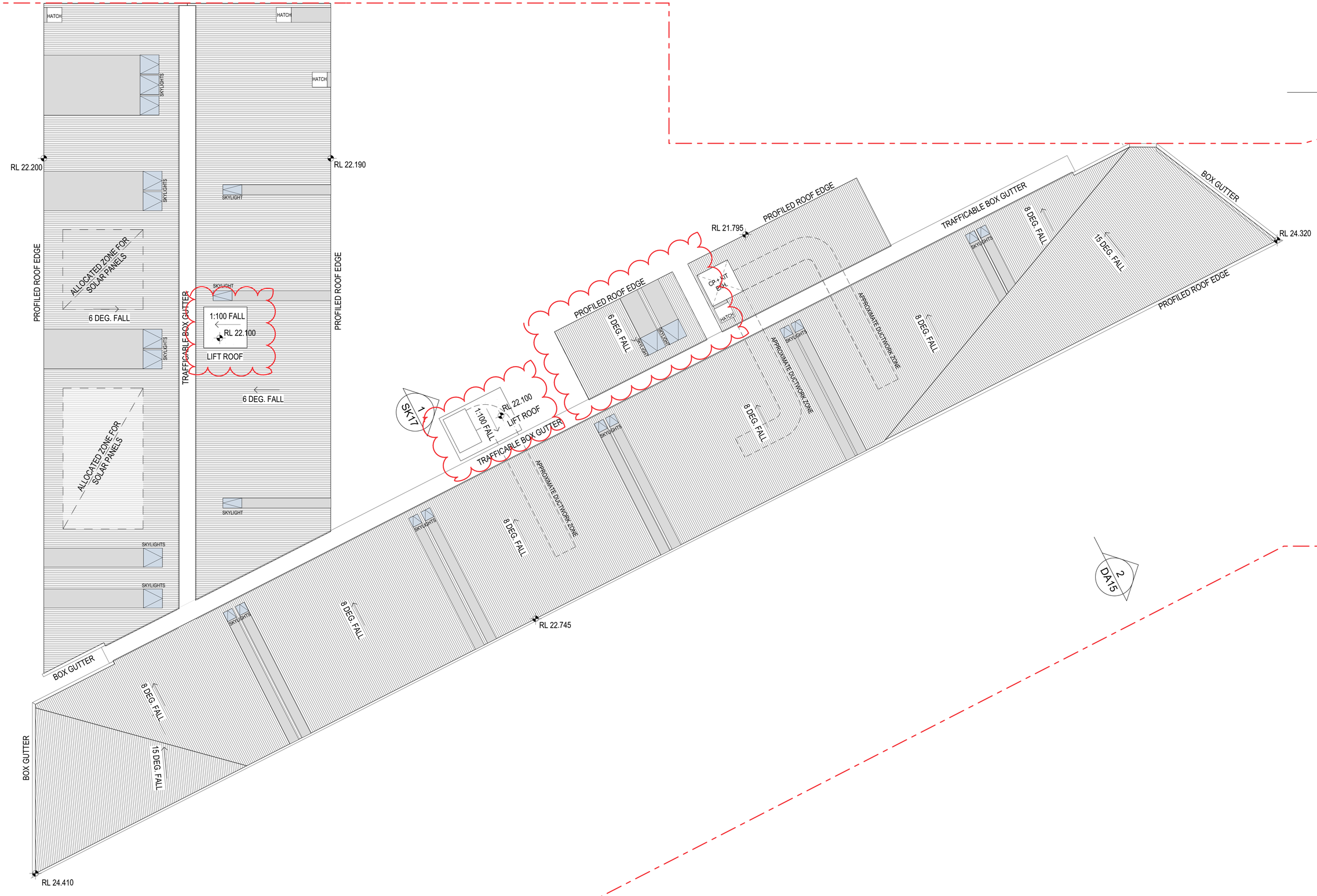

1 PLAN
ROOF PLAN 1:100 @B1

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D	ISSUE FOR DA	EC	EC	31.05.18
E	ISSUE FOR DA	JR	EC	15.08.18
F	CORE AMENDMENTS	JR	SS	25.10.18

NORTH POINT

SCALE BAR: 0m 1m 2m 3m 4m 5m 10m

JOINT VENTURE PARTNERS

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FRASERS PROPERTY
1 HOMEBUSH BAY DRIVE
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ABN 56 880 304 993

PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
ROOF PLAN

SCALE: AS SHOWN
CHECKED: EC
PROJECT NUMBER: 12009
DRAWING NUMBER: DA14
ISSUE: F

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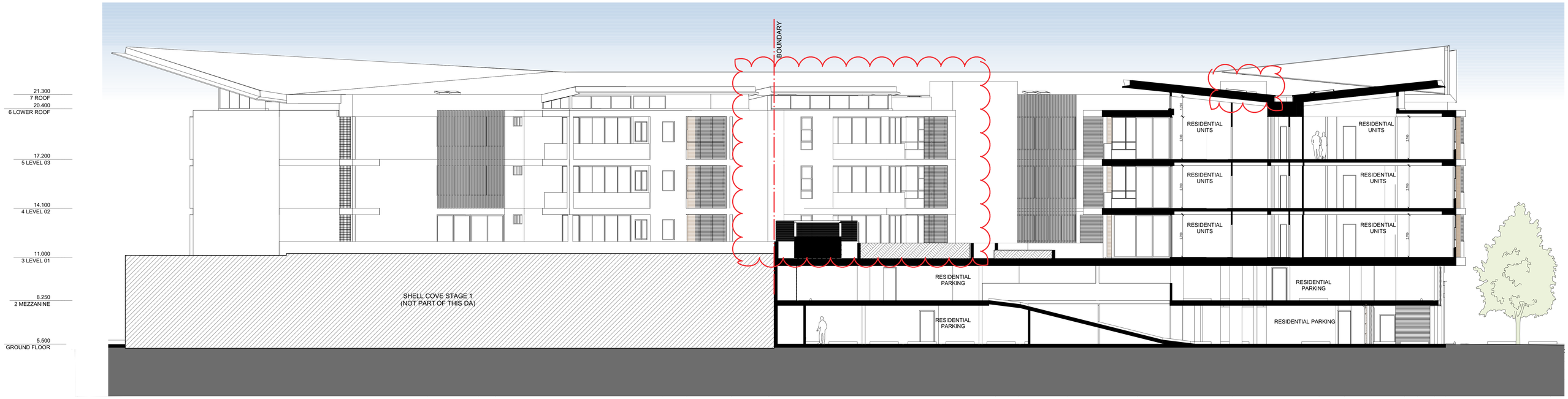
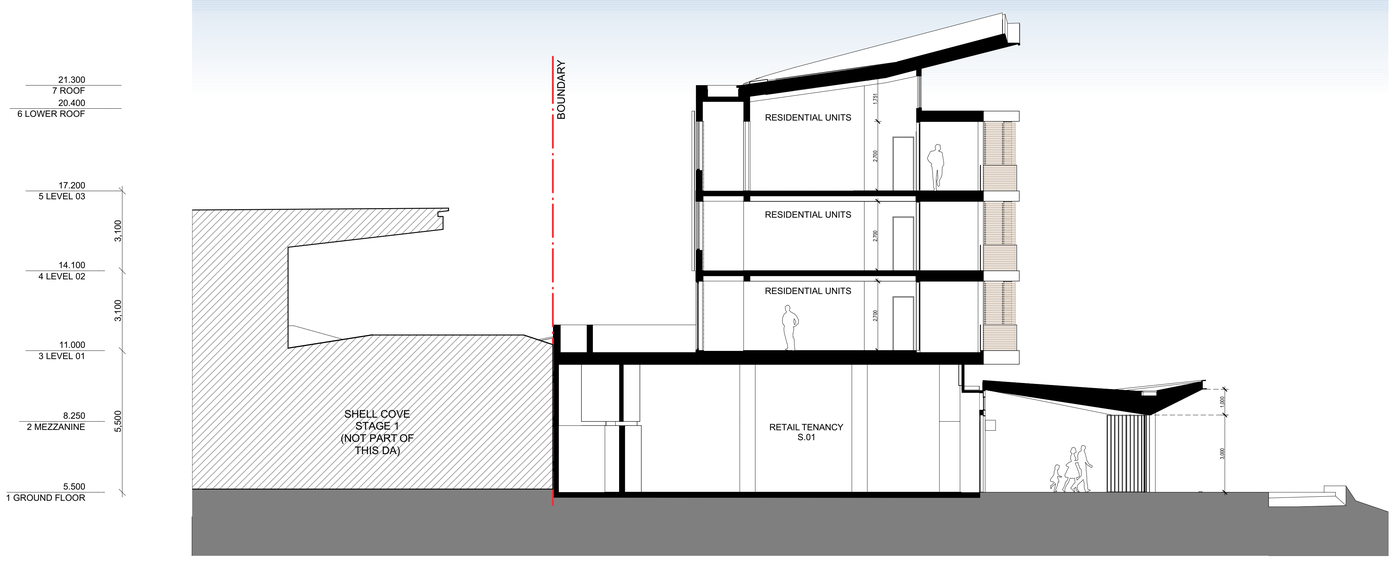


1 SECTION
RESIDENTIAL SECTION 1:100 @B1



2 SECTION
RESIDENTIAL/ RETAIL SECTION 1:100 @B1

ALL DRAWINGS TO BE READ IN CONJUNCTION WITH **DRAWING DA24** BASIX AND THERMAL COMFORT INCLUSIONS

REV	DESCRIPTION OF CHANGE	DRAWN	CHECK	DATE
A	ISSUE FOR DA	JR	SS	01.08.17
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C	INTERNAL ISSUE FOR REVIEW	EC	EC	08.05.18
D	ISSUE FOR DA	EC	EC	31.05.18
E	ISSUE FOR DA	JR	EC	15.08.18
F	CORE AMENDMENTS	JR	SS	25.10.18

NORTH POINT

SCALE BAR
0m 1m 2m 3m 4m 5m 10m

JOINT VENTURE PARTNERS

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FRASERS PROPERTY
1 HOMEBUSH BAY DRIVE
BUILDING C, LEVEL 3
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ABN 54 880 304 993

PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
SECTIONS - SHEET 1

SCALE:	CHECKED:
AS SHOWN	EC
PROJECT NUMBER: 12009	DRAWING NUMBER: DA15
	ISSUE: F

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1 ELEVATION
NORTH ELEVATION 1:100 @B1

2 ELEVATION
EAST ELEVATION 1:100 @B1

ALL DRAWINGS TO BE READ IN CONJUNCTION WITH **DRAWING DA24** BASIX AND THERMAL COMFORT INCLUSIONS

REV	DESCRIPTION OF CHANGE	DRAWN	CHECK	DATE
A	ISSUE FOR DA	JR	SS	01.08.17
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D	ISSUE FOR DA	EC	EC	31.05.18
E	ISSUE FOR DA	JR	EC	15.08.18
F	CORE AMENDMENTS	JR	SS	25.10.18

NORTH POINT

SCALE BAR

0m 1m 2m 3m 4m 5m 10m

JOINT VENTURE PARTNERS

FRASERS PROPERTY PTY LTD
1 HOMEBUSH BAY DRIVE
BUILDING C, LEVEL 3
RHODES NSW, 2138
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F: 02 9767 2900

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ABN 56 880 304 993

PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
ELEVATIONS - SHEET 1

SCALE: AS SHOWN
CHECKED: EC
PROJECT NUMBER: 12009
DRAWING NUMBER: DA16
ISSUE: F

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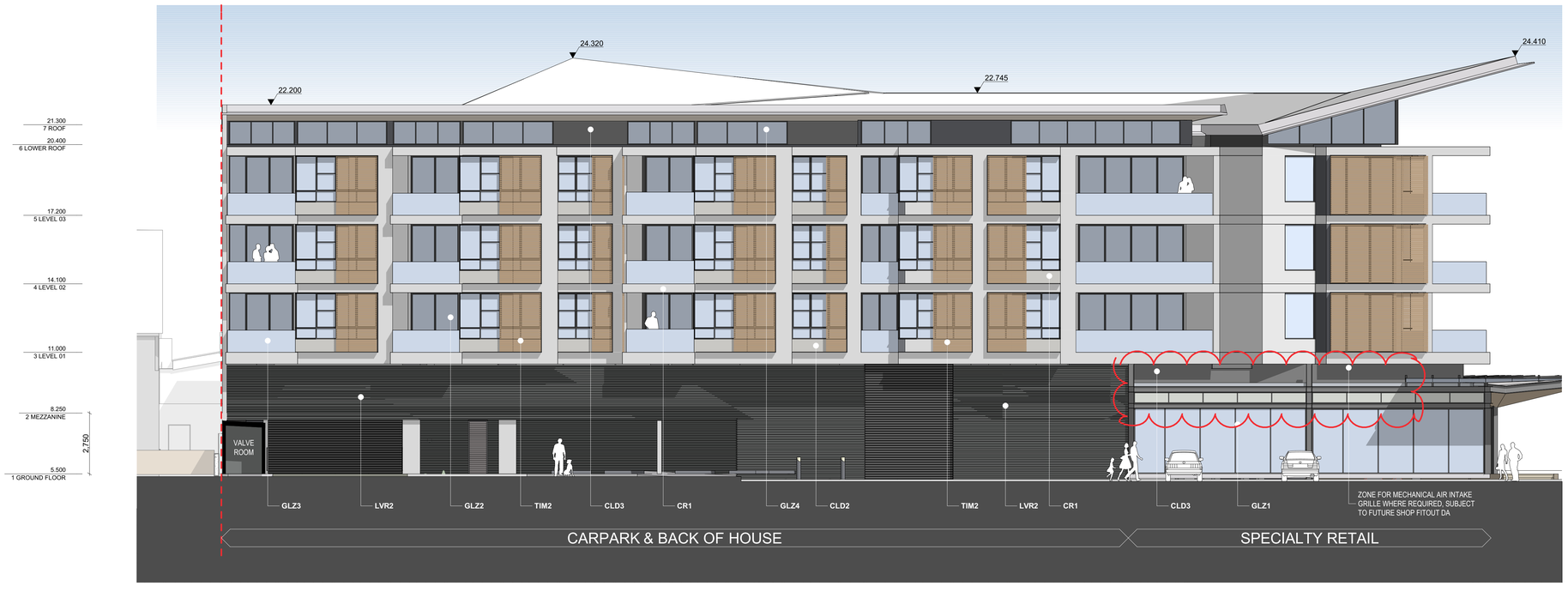
1 ELEVATION
WEST ELEVATION 1:100 @B1



2 ELEVATION
SOUTH ELEVATION 1:100 @B1

ALL DRAWINGS TO BE READ IN CONJUNCTION WITH **DRAWING DA24** BASIX AND THERMAL COMFORT INCLUSIONS

REV	DESCRIPTION OF CHANGE	DRAWN	CHECK	DATE
A	ISSUE FOR DA	JR	SS	01.08.17
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D	ISSUE FOR DA	EC	EC	31.05.18
E	ISSUE FOR DA	JR	EC	15.08.18
F	CORE AMENDMENTS	JR	SS	25.10.18

NORTH POINT

SCALE BAR
0m 5m 2m 8m 4m 8m 16m

JOINT VENTURE PARTNERS

FRASERS PROPERTY PTY LTD
FRASERS PROPERTY
1 HOMEBUSH BAY DRIVE
BUILDING C, LEVEL 3
RHODES NSW, 2138
P: 02 9767 2000
F: 02 9767 2900

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Shellharbour CITY COUNCIL
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ABN 54 880 304 993

PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
ELEVATIONS - SHEET 2

SCALE: AS SHOWN
CHECKED: EC
PROJECT NUMBER: 12009
DRAWING NUMBER: DA17
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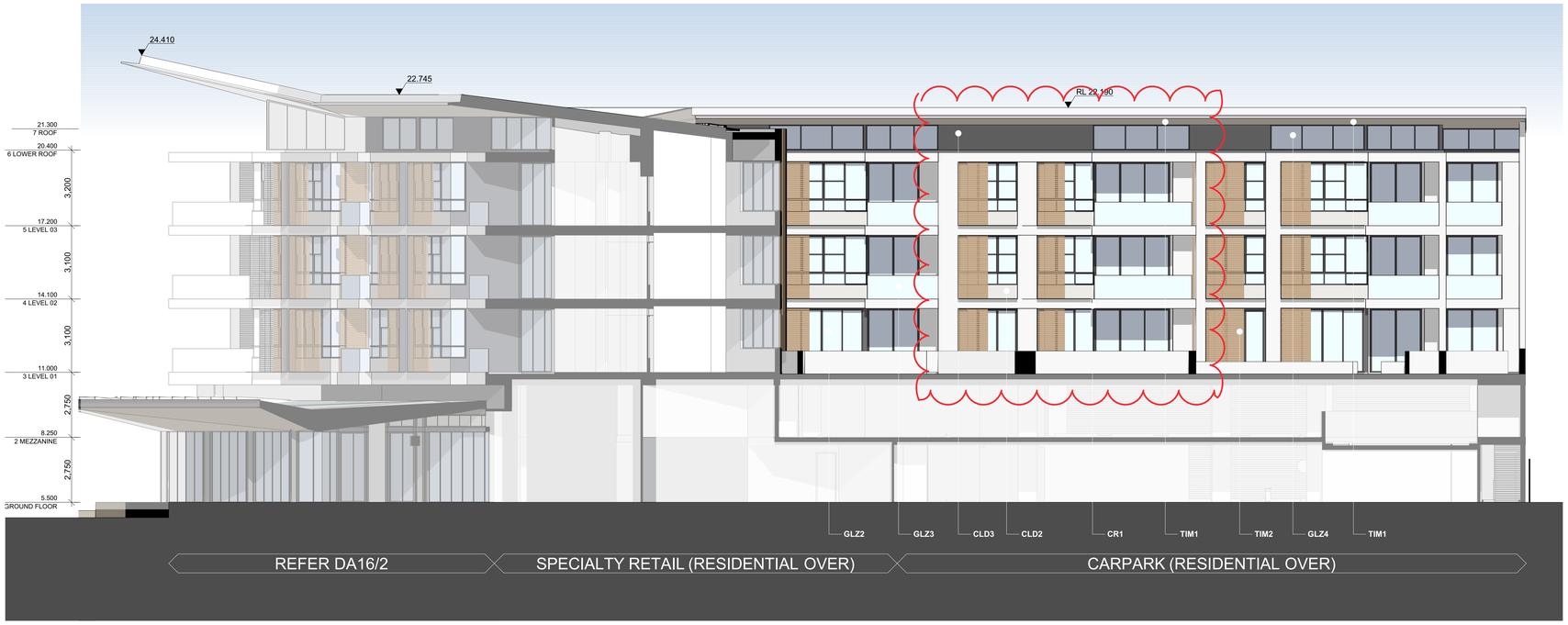

1 ELEVATION
NORTH COURTYARD ELEVATION 1:100 @B1

2 ELEVATION
EAST ELEVATION WITH FRONT RETAIL AWNING 1:100 @B1

ALL DRAWINGS TO BE READ IN CONJUNCTION WITH **DRAWING DA24** BASIX AND THERMAL COMFORT INCLUSIONS

REV	DESCRIPTION OF CHANGE	DRAWN	CHECK	DATE
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E	ISSUE FOR DA	JR	EC	15.08.18
F	CORE AMENDMENTS	JR	SS	25.10.18
G	2 BED TYPE C APARTMENT LAYOUT	JR	SS	07.11.18

NORTH POINT

SCALE BAR
0m 1m 2m 3m 4m 5m 10m

JOINT VENTURE PARTNERS
FRASERS PROPERTY PTY LTD
FRASERS PROPERTY
1 HOMEBUSH BAY DRIVE
BUILDING C, LEVEL 3
RHODES NSW, 2138
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ABN 56 880 304 993

PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
ELEVATIONS - SHEET 3

SCALE: AS SHOWN
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PROJECT NUMBER: 12009
DRAWING NUMBER: DA18
ISSUE: G

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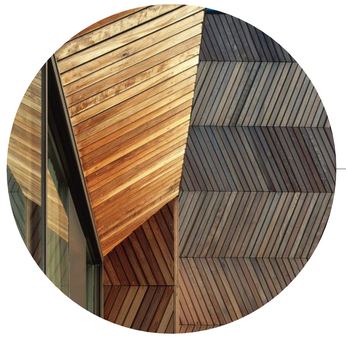
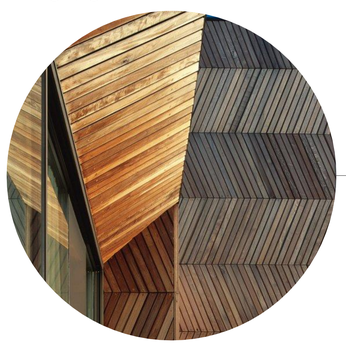


TIM1 - TIMBER
OR SIMILAR

CLD2 - CFC WALL
CLADDING LIGHT

TIM2 - TIMBER BATTENS
OR SIMILAR



TIM1 - TIMBER
OR SIMILAR

1 VISUALISATION
EAST FACADE NO SCALE

2 VISUALISATION
EAST FACADE NO SCALE

ALL DRAWINGS TO BE READ IN CONJUNCTION WITH **DRAWING DA24** BASIX AND THERMAL COMFORT INCLUSIONS

REV	DESCRIPTION OF CHANGE	DRAWN	CHECK	DATE
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E	ISSUE FOR DA	JR	EC	15.08.18
F	CORE AMENDMENTS	JR	SS	25.10.18

NORTH POINT

JOINT VENTURE PARTNERS

FRASERS PROPERTY PTY LTD
FRASERS PROPERTY
1 HOMEBUSH BAY DRIVE
BUILDING C, LEVEL 3
RHODES NSW, 2138
P: 02 9767 2000
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ABN 56 880 304 993

PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
VISUALISATION - SHEET 1

SCALE: AS SHOWN
CHECKED: EC
PROJECT NUMBER: 12009
DRAWING NUMBER: DA19
ISSUE: F

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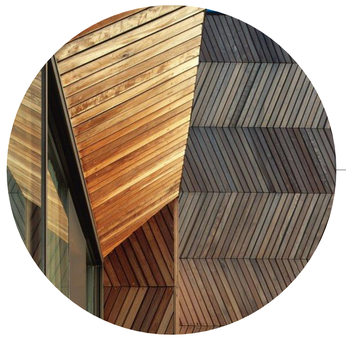

TIM1 - TIMBER
OR SIMILAR

CR1 - WHITE RENDER

GLZ2/3- ALUMINIUM
FRAMED GLAZING

LVR1/2- LOUVRE

CLD1 - METAL SHEET OR
DULUX 'FERREKO'
FINISH STRUCTURAL STEEL

1 VISUALISATION
VIEW FROM MAIN STREET
NO SCALE

2 VISUALISATION
SOUTH FACADE
NO SCALE

ALL DRAWINGS TO BE READ IN CONJUNCTION WITH **DRAWING DA24** BASIX AND THERMAL COMFORT INCLUSIONS

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E	ISSUE FOR DA	JR	EC	15.08.18
F	CORE AMENDMENTS	JR	SS	25.10.18

NORTH POINT

JOINT VENTURE PARTNERS

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The Rice Daubney Group (NSW) P/L as trustee for The Rice Daubney Trading Trust
ABN 56 880 304 993

PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
VISUALISATION - SHEET 2

SCALE:		CHECKED:
AS SHOWN		EC
PROJECT NUMBER:	DRAWING NUMBER:	ISSUE:
12009	DA20	F

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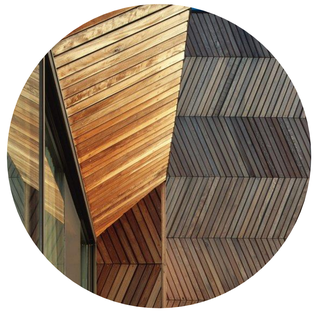
M:\Projects\2012\12009 ShellCove\11.0 BIM\11.04 Schematics\181011 Stage 2 Core Options\181011 Stage 2 Core Option 1.pln



TIM1 - TIMBER OR SIMILAR
- Soffit

Timber is proposed for external soffit and detailing as it has a soft finish which is appropriate to both the context of Stage 1 and the coastal vernacular. Maintenace and weathering will be carefully considered to select the most appropriate product.

CLD1 - WALL TILE
- retail shopfronts

Glazed tiles provide a clean contrast against the glazed shopfronts and dark framing which surround them. They are resistant to weathering and are easily cleaned.

GLZ1 - SHOPFRONT GLAZING
- retail

Shopfronts are designed to be large stacking doors to allow a seamless indoor / outdoor connection when open while still providing clear visual connection in poor weather.

CLD1 - METAL SHEET OR DULUX 'FERREKO' FINISH STRUCTURAL STEEL
- exposed retail frame

Steel structure or metal sheet cladding to be left exposed in areas to minimise bulk and give the structure a light feel. Dulux 'Ferreko' paint finish to protect from corrosion.

TIM2 - TIMBER BATTENS OR SIMILAR
- screening
- shading

Timber battens are proposed for external screening and sun shading as a warm contrast to the cool render of the residential facades. Maintenace and weathering will be carefully considered to select the most appropriate product.

CLD2 - CFC WALL CLADDING LIGHT
- residential facades

Light coloured CFC wall cladding is proposed on areas of the Residential facades to subtly contrast against the white render. CFC is a durable, low maintenance product appropriate for this coastal environment.

GLZ2/3- ALUMINIUM FRAMED GLAZING
- framed windows and doors
- clerestory windows

Anodised aluminium is used for glass framing as it is provides higher protection from corrosion than powdercoated aluminium. Window frames will be anodised in a dark colour to match steelwork elsewhere on the facade.

LVR1/2- LOUVRE
- carpark screening
- services screening

Fixed aluminium louvres are proposed for screening (LVR1 vertical, LVR2 horizontal) allowing ventillation as well as concealing carpark and service areas from view. The louvre is powercoat paint finished to protect from corrosion.

CR1 - WHITE RENDER
- wall cladding

White render provides a durable and cost efficient external cladding. The white coat allows texture and subtle colour variation to be expressed within a light coastal context.

CLD3 - CFC WALL CLADDING DARK
- residential facades

A darker coloured CFC wall cladding is proposed to the upper level of the retail facade and to separate the lower roof and oversailing upper roof of the building. This darker material will serve to visually separate these three distinct building elements. CFC is a durable, low maintenance product appropriate for this coastal environment.

GLZ3 - BALCONY GLAZING
- balustrades

Glass balustrades help frame residential apartments lightly and provide residents with uninterrupted views towards the ocean.

RF1 - METAL SHEET ROOFING
- roofing

Colorbond 'ultra steel' roofing is specified for use in locations within 100m of marine environments. This product provides additional protection from corrosion over standard colorbond steel.

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REV	DESCRIPTION OF CHANGE	DRAWN	CHECK	DATE
A	ISSUE FOR DA	JR	SS	01.08.17
B	ISSUE FOR DA	JR	SS	25.08.17
C	INTERNAL ISSUE FOR REVIEW	EC	EC	08.05.18
D	ISSUE FOR DA	EC	EC	31.05.18
E	ISSUE FOR DA	JR	EC	15.08.18
F	CORE AMENDMENTS	JR	SS	25.10.18

NORTH POINT

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PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
PROPOSED FINISHES PALETTE

SCALE: AS SHOWN
CHECKED: EC
PROJECT NUMBER: 12009
DRAWING NUMBER: DA21
ISSUE: F

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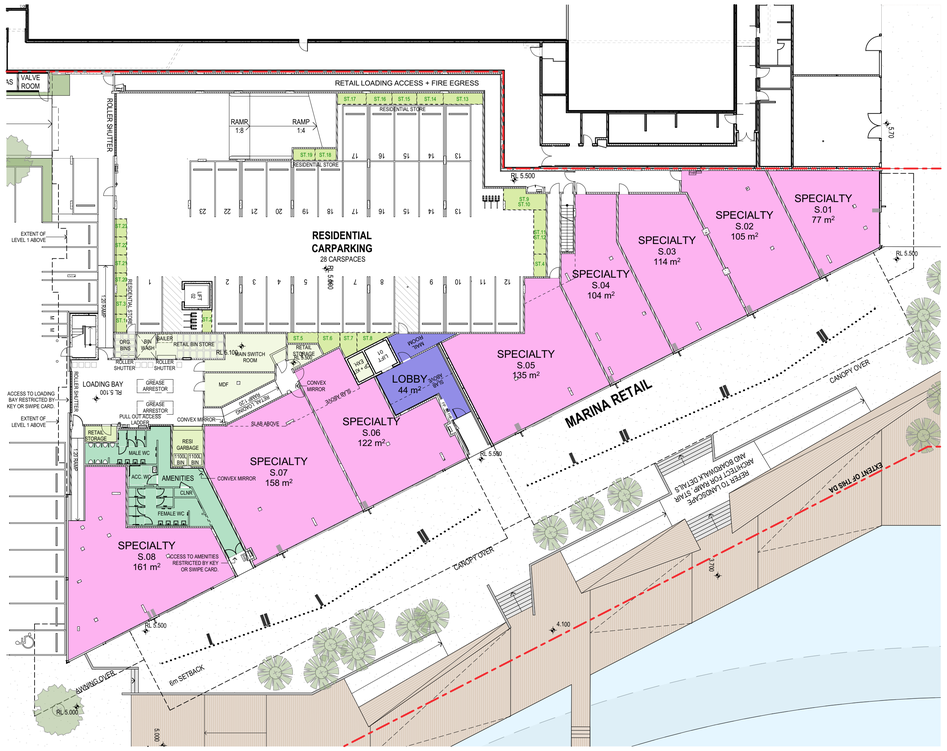
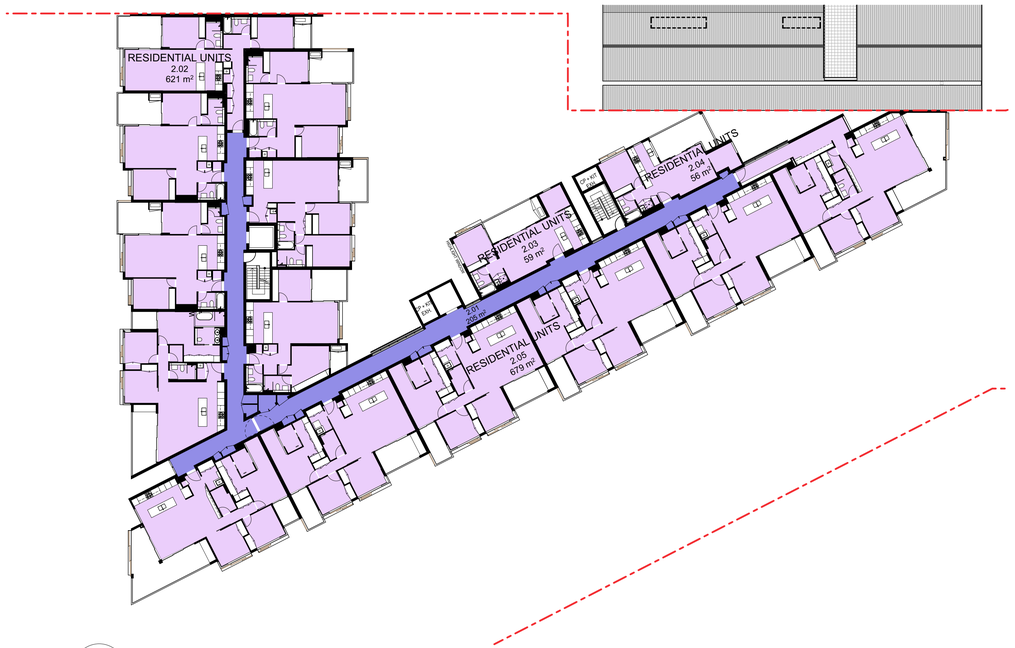


1 PLAN
RETAIL NLA CALCULATION PLAN 1:250 @B1

RETAIL NET LETTABLE AREA (NLA)

Floor (Storey)	Zone Name	Zone Number	Area
GROUND FLOOR	SPECIALTY	S.01	77
GROUND FLOOR	SPECIALTY	S.02	105
GROUND FLOOR	SPECIALTY	S.03	114
GROUND FLOOR	SPECIALTY	S.04	104
GROUND FLOOR	SPECIALTY	S.05	135
GROUND FLOOR	SPECIALTY	S.06	122
GROUND FLOOR	SPECIALTY	S.07	158
GROUND FLOOR	SPECIALTY	S.08	161
			976 m²



2 PLAN
TYPICAL UNITS GFA - L1-L3 1:250 @B1

GROSS FLOOR AREA (GFA)

Floor (Story)	Zone Name	Zone Number	Measured Area
GROUND FLOOR			
	LOBBY		44
	SPECIALTY	S.01	77
	SPECIALTY	S.02	105
	SPECIALTY	S.03	114
	SPECIALTY	S.04	104
	SPECIALTY	S.05	135
	SPECIALTY	S.06	122
	SPECIALTY	S.07	158
	SPECIALTY	S.08	161
			1,020 m²
MEZZANINE			
	LOBBY		15
			15 m²
LEVEL 01			
	RESIDENTIAL LOBBY	1.01	205
	RESIDENTIAL UNITS	1.02	621
	RESIDENTIAL UNITS	1.03	59
	RESIDENTIAL UNITS	1.04	56
	RESIDENTIAL UNITS	1.05	679
			1,620 m²
LEVEL 02			
	RESIDENTIAL LOBBY	2.01	205
	RESIDENTIAL UNITS	2.02	621
	RESIDENTIAL UNITS	2.03	59
	RESIDENTIAL UNITS	2.04	56
	RESIDENTIAL UNITS	2.05	679
			1,620 m²
LEVEL 03			
	RESIDENTIAL LOBBY	3.01	205
	RESIDENTIAL UNITS	3.02	621
	RESIDENTIAL UNITS	3.03	59
	RESIDENTIAL UNITS	3.04	56
	RESIDENTIAL UNITS	3.05	679
			1,620 m²
			5,895 m²

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A	ISSUE FOR DA	JR	SS	01.08.17
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E	ISSUE FOR DA	JR	EC	15.06.18
F	CORE AMENDMENTS	JR	SS	25.10.18
G	2 BED TYPE C APARTMENT LAYOUT	JR	SS	07.11.18

NORTH POINT

0m 5m 10m 15m 20m

JOINT VENTURE PARTNERS

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PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
NLA & GFA

SCALE: AS SHOWN
CHECKED: EC
PROJECT NUMBER: 12009
DRAWING NUMBER: DA22
ISSUE: G

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1 PLAN
LEVEL 01 1:200 @B1

2 PLAN
LEVEL 02 1:200 @B1

SOLAR ACCESS

70% of 45 UNITS => 32

	# UNITS	# U WITH SOLAR ACC 3HR	# U WITH SOLAR ACC VIA SKYLIGHT
L1	15	8	
L2	15	8	
L3	15	9	6
TOTAL	45	25	6

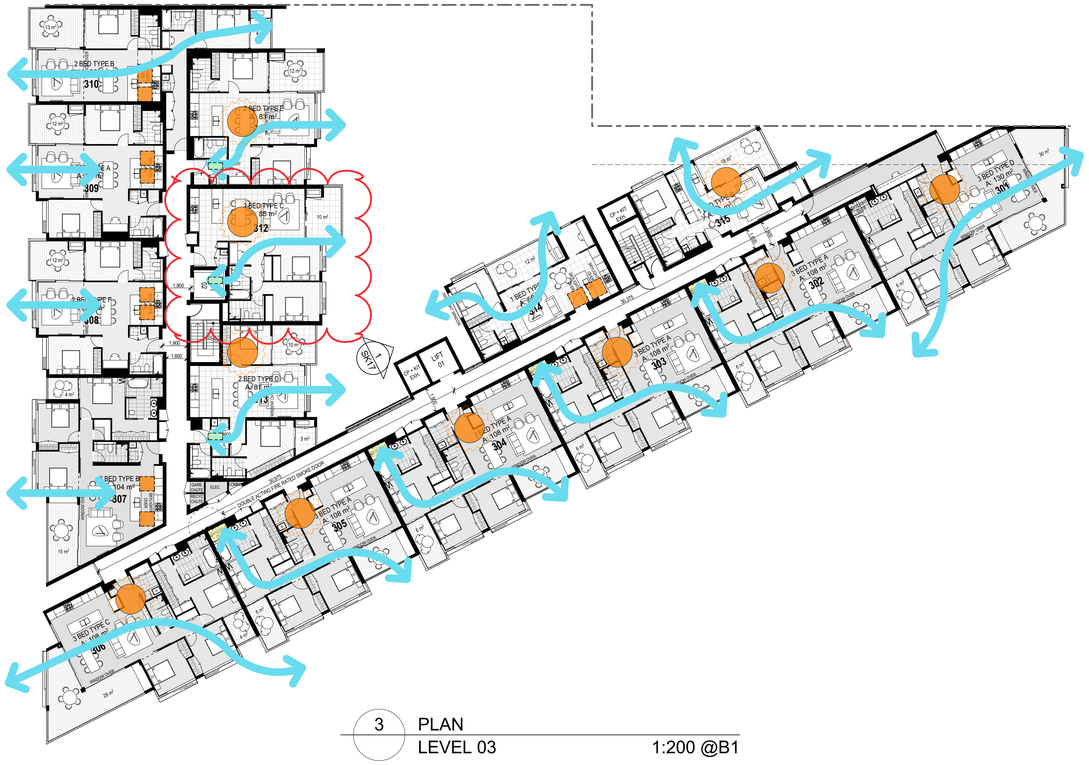
TOTAL REQUIRED FOR SOLAR COMPLIANCE = 32
TOTAL SOLAR COMPLIANT = 31 69% COMPLIANCE

CROSS VENTILATION

60% of 45 UNITS =>27

	# UNITS	# U WITH CROSS VENT	# U SKYLIGHT COMPLIANT
L1	15	6	
L2	15	6	
L3	15	6	9
TOTAL	45	18	9

TOTAL REQUIRED FOR CROSS VENTILATION COMPLIANCE = 27
TOTAL CROSS VENTILATION COMPLIANT = 27



3 PLAN
LEVEL 03 1:200 @B1

4 PLAN
ROOF PLAN 1:200 @B1

LEGEND

- NATURAL CROSS VENTILATION
- CROSS VENTILATION SKYLIGHT
- SOLAR ACCESS SKYLIGHT
- APARTMENTS/ BALCONY RECEIVING MINIMUM 3 HRS SOLAR ACCESS JUNE 21ST BETWEEN 9AM-3PM.

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NORTH POINT

0m 2m 4m 6m 8m 10m 20m

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PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
SOLAR ACCESS AND VENTILATION PLANS

SCALE:	CHECKED:
AS SHOWN	EC
PROJECT NUMBER: 12009	DRAWING NUMBER: DA23
	ISSUE: G

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NOTES BELOW REFER TO INFORMATION WITHIN THE BASIX REPORT ASSESSMENT PROVIDED BY EFFICIENT LIVING FOR THE SHELL COVE RESIDENTIAL DEVELOPMENT.

	BASIX and Thermal Comfort Inclusions
Glazing Doors/windows	Aluminium framed **single clear** glazing to all units: **A** – awning windows + hinged glazed doors U-Value: 6.70 (equal to or lower than) SHGC: 0.57 (±10%) **B** – sliding doors/windows + fixed glazing + louvres windows U-Value: 6.70 (equal to or lower than) SHGC: 0.70 (±10%) Aluminium frame **performance** glazing **as per assessor certificate** **A** – awning windows + hinged glazed doors U-Value: 4.80 (equal to or lower than) SHGC: 0.51 (±10%) **B** – sliding doors/windows + fixed glazing + louvres windows U-Value: 4.80 (equal to or lower than) SHGC: 0.59 (±10%) Aluminium frame **performance tint** glazing **as per assessor certificate** **A + B** – Awnings, sliding and fixed U-Value: 4.90 (equal to or lower than) SHGC: 0.33 (±10%) Given values are AFRC, total window system values (glass and frame)
Skylights	Double glazed, timber and aluminium framed
Roof	Metal roof with a foil backed blanket (Minimum R1.22up and R1.28 down) Medium (0.475 < SA < 0.7) colour modelled
Ceiling	Plasterboard ceiling, R2.5 insulation (insulation only value) where roof is above Plasterboard ceiling, no insulation where neighbouring units are above Note: All ceiling penetrations have been modelled in accordance with NatHERS protocols, all downlights are assume non-ventilated LED down lights IC abutted and covered.
External wall	Minimum 200mm concrete wall with a minimum R2.0 insulation (insulation only value) Default colour modelled
Inter tenancy walls	Minimum 175mm concrete with plasterboard lining to all walls to neighbours, no insulation Minimum 175mm concrete with furring channel and plasterboard lining to all walls to and adjacent to hallways , lift shafts and fire stairs, R1.2 insulation required Minimum R2.0 insulation required to walls to and adjacent to hallways in selected units as **per assessors certificate**
Walls with-in dwellings	Plasterboard on studs – no insulation
Floors	Concrete with an R0.9 insulation required where car parking is below Concrete between levels no insulation required
Floor coverings	Carpet to bedrooms, tiles to bathrooms and laundry timber elsewhere
External shade	Shading as per stamped documentation
Ventilation	All external doors have weather seals, all exhaust fans and chimneys have dampers, any down lights proposed will have capped fittings.
How water system	Central gas-fired boiler with R1.0 (~38mm) insulation to ring main and supply risers
Alternative water	No BASIX requirement

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PROJECT:
THE WATERFRONT
SHELL COVE, NSW

DRAWING TITLE:
BASIX AND THERMAL COMFORT INCLUSIONS

SCALE: AS SHOWN
CHECKED: EC
PROJECT NUMBER: 12009
DRAWING NUMBER: DA24
ISSUE: F

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Shell Harbour Design Review Panel
Meeting minutes and recommendations for Cove Boulevard, Shell Cove, Lot 8032, DP 1072187

Time & date	24th August 2018
Meeting location	Shell Harbour City Council, Administration offices
Panel members	David Jarvis (Chair) Tony Quinn Marc Deuschle
DA number	DA385/2017
Determination pathway	Joint Regional Planning Panel
Property address	Cove Boulevard, Shell Cove, Lot 8032, DP 1072187
Proposal	Mixed use development.
Applicant or applicant's representative address to the design review panel	Susan Pini HDR
Background	The site was inspected by the Panel on the morning of the meeting, 24th August 2018.
Design quality principals	
Context and Neighbourhood Character	The site is located within precinct D of the Shell Cove subdivision, which is currently under construction. The subdivision is extensive and will provide a mixture of housing types that are serviced by retail and community facilities. The proposed building fronts the marina / board walk to the north east, adjoins a super market to the south west and will overlook a public car park to the south east (with views beyond towards the ocean). The building also presents a narrow façade to the north west which will terminate the main retail street of the precinct. A strip of retail tenancies activates the street level, providing opportunities for cafes and restaurants to take advantage of the outlook over the marina. An 8m deep awning provides cover to the majority of the retail terrace which is elevated up to 2m above the adjoining public board walk. The distance provided between the building and water's edge is appropriate, providing adequate space for public circulation and outdoor seating to service cafes and restaurants. However further consideration / clarification should be given to: - The detail treatment of balustrades between the retail terrace and board walk to maximise a strong visual connection / facilitate casual surveillance. - The extent and location of café seating in relation to the awning. Seating location and circulation areas should be shown demonstrating a continuous covered walkway providing access from the main street to residential entries and all retail tenancies fronting the marina

Built Form and Scale	It is noted that the building form has developed from the concept master plan to provide an additional wing to the building in the southern portion of the site. The applicant explained that the building form had developed to capitalize upon desirable views out toward the ocean. The panel is not opposed to this development in principle. However, further development / refinements of the building are required to improve amenity: - The south western edge of the building creates a three storey high blank wall that sits above the adjoining supermarket at a nil boundary set back. This wall should be set back further from the boundary to allow a more articulated façade to be developed that provides natural light and ventilation to the residential units. Consideration could also be given to pushing the circulation corridor through with a window at it's end to provide light and ventilation and add fenestration from the apartments to alleviate the blank façade. The southern elevation should be extended to show the whole street elevation and how the residential abuts the rear of the supermarket to allow a better understanding of the immediate context of this side of the development. - Units on the northern side of the South western wing look back towards the south west facing units. It appears that ADG (3F) building separation requirements have been largely met, with the exception of unit type D which sits adjacent to the opening into the common walk way (note: for the purpose of building separation, the ADG part 3F requires building circulation areas to be treated in the same manner as habitable spaces). The outlook solar access and potential privacy issues currently associated with unit type D are of great concern. It is suggested that the internal corner of the building would be better suited to accommodating a vertical circulation core rather than habitable rooms. The extent and detail treatment of the level 1 courtyard should ensure potential privacy issues are minimized to podium level terraces. - The ADG recommends that a maximum of twelve units are serviced off a single circulation core. The current proposal provides 15 units per level. The quality of circulation space created is not appropriate for a high-quality residential building in this premium location. It appears some residents will need to travel over 70m from the lift to their apartments along a corridor that is generally 1600mm wide. The proponent explained the window overlooking the planted courtyard would alleviate the panel's concern about length, however external privacy screening and the minimal view of the garden they allow (given their orientation) will do little to improve this condition in the panel's opinion. The proposal should be developed to provide at least one additional residential entry / vertical circulation core.

	An alternative strategy for organizing the circulation of the building was discussed at the meeting. It was suggested that if some cross through apartments were introduced (with living rooms and main bedrooms orientated towards the marina and two bed room orientated back to the south west) more units could be orientated towards the most desirable marina outlook, whilst creating smaller lobbies / circulation areas. This strategy should be considered as one option to improve the currently proposed circulation of the building and provide compliance with the minimum requirements of the ADG.
Density	A number of issues have been raised by the panel which suggest this site may be attempting to accommodate too many residential units. - Articulation of south western edge of building, increased set back recommended. - None compliance with ADG cross ventilation requirements. - Poor amenity of internal corner unit, unit type D. - Excessive corridor length, more vertical circulation core / pedestrian entries are required. - Inability to achieve functional COS with appropriate amenity. To address these issues in a satisfactory manner it is likely that the number of units per floor may need to be reduced. The proposal is part of a larger master plan which allocates a maximum number of units per precinct. Without understanding how unit numbers / density has been distrusted throughout the precinct it is difficult to establish if this specific building is pushing density more than necessary to achieve its permissible density. Ideally this application would be accompanied by a more detailed master plan for this entire precinct which clearly stated the number of dwellings allocated to each building. The questions the panel poses are: Can this building be reduced in yield to produce a better building (eliminating all of the issues raised above) whilst still achieving the maximum yield permissible for this precinct? Are the permissible unit numbers being distributed throughout the precinct to provide the best amenity outcome for residents?
Sustainability	The current proposal does not comply with the minimum cross ventilation requirements of the ADG. Ventilation diagrams (DA23D) show single sided units in the south western corner of the building as being cross ventilated. When these units are discounted from the cross-ventilation calculation provided, the building will provide less than the minimum 60% of cross

	ventilated units required by the ADG. Refer to comments above (built form) for alternative unit configuration to provide improved opportunity for cross ventilation. Several units are shown as being cross ventilated via sky lights. Further detail is required to demonstrate that practical cross ventilation can be achieved, it must be demonstrated that: - The sky light can be remotely operated. - Shading devices are provided to these sky lights to control excessive heat gain. - The size of the opening provided by the skylight should also meet the size requirements outlined in the ADG. Consideration could be given to developing the roof form to accommodate clerestory windows which may provide more controlled solar access and larger opening areas. Solar access, compliant with the minimum requirements of the ADG must be demonstrated. It is recommended that suns eye views taken at hourly intervals between 9am and 3pm, mid-winter are provided.
Landscape	Regarding landscape, the panels main concerns relate to the exclusion of all usable and meaningful communal open space. The proponent explained that given the proximity to several public open spaces residents could use, and the unique amenity of the entire precent and location, there was no benefit to providing COS. The panel feels that communal open space serves a different purpose to the public spaces provided nearby, and although they do provide fantastic amenity, it is not the same as communal open space within the development. The L1 rooftop should be reconsidered and should establish attractive, functional and inviting COS that is complementary to the public spaces of the public domain. This will mean reducing the POS of units on this level and addressing how the COS interacts with the condenser and adjacent expanse of rooftop. It is recommended the condensers are relocated to provide sufficient space for COS. It was noted that species on the L1 rooftop were predominantly exotic species used for the strong aesthetic qualities so that when viewed in the round (the space being inaccessible) they create an interesting and artistic outlook. Although water-sensitive in some instances, this approach seems out of character with the coastal influences explained as drivers behind the scheme overall and also with council's own desire to have locally endemic if not native species. The consideration of how the space looks from above is commended and should remain a principle moving forward however the panel suggests limiting the exotic species and seeing if a similar result can be achieved using local species. The interaction of inside and outside was highlighted in response to concerns about the lengthy circulation corridor. This interaction is encouraged and the panel suggests it could be more meaningful by allowing a stronger visual connection between

	lobbies and the garden upon entering/exiting the lift and by creating actual connections between inside and out.
Amenity	Well considered functional unit layouts have been developed. However, further information to demonstrate compliance with the minimum requirements of the ADG, must be provided. - Bedroom dimension - Living room dimension - Balcony dimension - Dimension of glazing to back of kitchen wall. No meaningful area of communal open space has been provided. Whilst the applicants rational that extensive amenity is provided elsewhere with the public domain is acknowledged. It does not negate the need for communal open space specific to this building. It is recommended that the podium level is developed to provide a functional well-appointed area of communal open space. To achieve this the retail plant should be relocated and areas of private open space rationalised.
Safety	Careful consideration must be given to delineating and providing adequate space for residential entries. It is likely that residents will be entering the building via an 8m deep canopy which will be largely occupied by café seating. Entries must be clearly defined and circulation paths to those entries clearly delineated. The length and configuration of the residential lobby creates unnecessarily long circulation routes with areas of concealment, this is a CPTED issue.
Housing Diversity and Social Interaction	An appropriate mix of units has been proposed. Ground floor retail spaces have been developed in manner to accommodate appropriate uses that will provide a positive contribution to this developing precinct.
Aesthetics	A well considered, competent building aesthetic has been developed, to ensure that the design intent is realised it is recommended that a 1:50 section through the façade and retail awning, documenting materials, finishes, drainage, lighting etc be provided. The north eastern façade is in excess of 80m long. Though the façade is well articulated and the continuous roof form contributes to the building's horizontal presentation, it is suggested that the façade should be developed in response to the new residential entry strategy outlined above (built form). The residential entries should be clearly identifiable within the building façade which may suggest the façade be expressed as three distinct elements.

	Servicing of the building must be considered at this stage of the design process. The location of service risers, car park exhausts, AC condensers, down pipes, substation and fire hydrant boosters should be accommodated.
Summary / Recommendations	
	A well considered, competent building aesthetic has been developed. Unit layouts are functional and in most cases, provide good amenity. However, further consideration / development is required address the following issues: - Articulation of south western edge of building. To improve natural lighting and cross ventilation and articulate the building façade. - Further development to provide cross ventilation compliant with ADG requirements. - Demonstration of compliance with ADG solar access requirements, - Poor amenity of internal corner unit, unit type D. - Excessive corridor length, more vertical circulation core / residential entries are required. - Further refinement of building façade. - Clear delineation of residential entries. - Clarification buildings interface with the public domain, the interface between outdoor seating areas, circulation paths, public domain. - Provision of communal open space for residents' use.