

ATTACHMENT 6 – Wollongong DCP 2009 Assessment

**CHAPTER A1 – INTRODUCTION**

**8 Variations to development controls in the DCP**

Where variations are proposed, the applicant is required to provide the following analysis for each variation:

- (a) *The control being varied;*
- (b) *The extent of the proposed variation and the unique circumstances as to why the variation is requested; and*
- (c) *Demonstrate how the objectives are met with the proposed variations; and*
- (d) *Demonstrate that the development will not have additional adverse impacts as a result of the variation.*

**CHAPTER A2 – ECOLOGICALLY SUSTAINABLE DEVELOPMENT**

Development controls to improve the sustainability of development throughout Wollongong are integrated into the relevant chapters of this DCP.

**CHAPTER B1 – RESIDENTIAL DEVELOPMENT**

Some sections of this Chapter are superseded by those controls contained in Chapter D13. Relevant Chapter B1 controls are addressed below.

**4.0 General Residential controls**

<i>Controls/objectives</i>	<i>Comment</i>
<u>4.7 Solar Access</u>	
Windows to living rooms of adjoining dwellings must receive at least 3 hours continuous sunlight, between hours of 9.00am and 3.00pm on 21 June.	Does not appear to comply. Further detailed sun's eye plans are required.
At least 50% of the private open areas of adjoining residential properties must receive at least 3 hours of continuous sunlight, between hours of 9.00am and 3.00pm on June 21.	Does not appear to comply. Further detailed sun's eye plans are required.
Shadow diagrams are required for 9.00am, 12:00pm and 3.00pm for the 21 June winter solstice period for two storey dwellings	Shadow diagrams have been provided.
<u>4.8 Building Character and Form</u>	
The design, height and siting of a new development must respond to its site context taking into account both natural and built form features of that locality. The design of the development must have particular regard to the topography of the site to minimise the extent of cut and fill associated with dwelling construction.	<b>Unsatisfactory.</b> Refer DRP and Council's architect comments on site context and building form.
Large bulky forms are to be avoided, particularly in visible locations	<b>Unsatisfactory.</b> Refer DRP and Council's architect comments on building form.
New dwelling-houses within established residential areas should be sympathetic with the existing character of the immediate locality.	Not applicable.

<i>Controls/objectives</i>	<i>Comment</i>
<p>All residential buildings must be designed with building frontages and entries clearly addressing the street frontage. On corner allotments, the development should address the street on both frontages.</p>	<p><b>Unsatisfactory.</b> Poor access from street for pedestrians (both residents and retail customers) – refer DRP and Council’s architect comments on site context and building form.</p>
<p>The appearance of blank walls or walls with only utility windows on the front elevation will not be permitted.</p>	<p>Satisfactory. No blank walls on front elevation.</p>
<p>Where garages are proposed on the front elevation they must be articulated from the front façade.</p>	<p>Not applicable.</p>
<p>Fences in the front building line should be predominately constructed in transparent fence materials, allowing for visual connection between the dwelling and the street.</p>	<p>Not applicable.</p>
<p>Where the garage door addresses the street they must be a maximum of 50% of the width of the dwelling.</p>	<p>Not applicable.</p>
<p><u>4.14 Services</u> Encourage early consideration of servicing requirements, to ensure that all residential development can be appropriately serviced.</p>	<p>Endeavour Energy comments and conditions of consent have been provided. The developer is required to obtain Sydney Water permission at Construction Certificate stage.</p>
<p><u>4.16 View sharing</u> 1. Visual impact assessment should include an: (a) Assessment of views likely to be affected. (b) Assessment of what part of the property the views are obtained from. (c) Assessment as to the extent of the potential view loss impact. (d) Assessment as to the reasonableness of the proposal causing the potential view loss impact.</p>	<p><b>Unsatisfactory.</b> A visual assessment has not been provided. Concerns were raised in public submissions about loss of views west to the escarpment.</p>
<p><u>4.17. Retaining walls</u> A retaining wall or embankment should be restricted to a maximum height above or depth below natural ground level of no more than: (a) 600mm at any distance up to 900mm setback from any side or rear boundary; or (b) 1 metre, if the toe of the retaining wall or embankment is setback greater than 900mm from any side or rear boundary. To limit the overall height impact, terracing of retaining walls is required, limiting the maximum vertical rise of a retaining wall to 1 metre, with a minimum horizontal setback of 1 metre.</p>	<p><b>Unsatisfactory.</b> Several substantial retaining walls are proposed. No details or cross sections have been provided. The southern boundary retaining wall is 4m high and provides an unsatisfactory interface at ground level.</p>
<p><u>4.19 Development near railway corridors and major roads</u> Impacts of road noise on development must be considered under SEPP (Transport and Infrastructure) 2021.</p>	<p><b>Unsatisfactory.</b></p>

<i>Controls/objectives</i>	<i>Comment</i>
	Matters in the SEPP have not been satisfactorily addressed – refer to Council's environment officer comments.

**6 Residential flat buildings**

<b>Controls/objectives</b>	<b>Comment</b>
<u>6.5 Built Form</u>	<b>Unsatisfactory</b> A Design Verification Statement has been provided. However, the DRP and Council's architect have concerns with many aspects of the project.
<u>6.6 Visual privacy</u>	<b>Unsatisfactory</b> Refer DRP and Council's architect comments. Visual privacy between residents of the proposed building is compromised by the proposed location of balconies, communal open space and circulation areas. Loss of privacy has been raised in public submissions.
<u>6.7 Acoustic privacy</u>	<b>Unsatisfactory.</b> Council's environment officer has requested further information in relation to the acoustic assessment and proposed attenuation measures. Internal transmission between floors is subject to the National Construction Code.
<u>6.9 Basement Car Parking</u>	<b>Unsatisfactory.</b> No space has been allowed for mechanical ventilation ducting from the basement carpark. The loading bays appear oversized and limit expansion of the retail tenancies. Poor wayfinding, egress and access is proposed.
<u>6.10 Access Requirements</u>	<b>Unsatisfactory.</b> Further information has been requested in relation to the driveway connection with Flinders Street and to demonstrate compliance with AS2890.1. This has not been provided. Refer to comments Transport for NSW and Council's traffic engineer.
<u>6.15 Adaptable Housing</u>	<b>Unsatisfactory.</b> Whilst the development provides the required number of adaptable (AS4299 – 1995) and Silver Standard (Liveable Housing Design Guideline), there is an insufficient mix of number of bedrooms in the adaptable and liveable apartments
<u>6.16 Access for People with a Disability</u>	Satisfactory.
<u>6.17 Apartment Size and Layout Mix for Larger Residential Flat Building Developments</u>	<b>Unsatisfactory.</b> The development provides the required minimum 10% 1 bedroom apartments. However, future flexibility is compromised by the very low number of 3 bedroom apartments

## CHAPTER B4 – DEVELOPMENT IN BUSINESS ZONES

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

### 2 Objectives

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

### 5 Planning requirements for development in the regional city and major regional centres

#### 5.1 Wollongong City Centre

1. The specific planning requirements for development upon any land within the Wollongong City Centre are contained in Part D (Locality Based/ Precinct Plan) of this DCP.

Control	Comment
(a) To ensure all new ground floor retail shops and business premises are designed to provide a uniform transition between the floor level of the premises and Council's footpath, in order to provide satisfactory access along the footpath and into retail and commercial office buildings for all people, including people with a disability.	Satisfactory.
(b) To ensure all ground level premises have direct access to street and clear glazing, to encourage active street frontages.	Satisfactory.
(c) To set minimum floor to ceiling heights for new buildings, in order to maximise the flexibility in the future use of the ground floor and first floor levels in the building.	<b>Unsatisfactory.</b> Residential ceiling height is satisfactory, however the proposed basement ceiling height does not provide adequate height clearance for waste vehicles. The ceiling height for commercial levels on Level 1 and above should be 3.1m.
(d) To encourage larger retail or commercial office floor space not requiring direct connection to the street to be 'wrapped' by smaller retail shops or commercial offices to avoid blank walls and encourage active street frontages.	Not applicable.
(e) To ensure security grilles are transparent and fitted retail shopfronts only, in order to encourage active street frontages at night-time.	Not proposed.
(f) To ensure new retail or business premise buildings are consistent with the predominant built form character of the locality, in terms of built form and external appearance.	<b>Unsatisfactory.</b> Refer DRP and Council's architect comments.
(g) To ensure new buildings maintain the balance of horizontal and vertical proportions of other existing buildings in the locality.	As above.
(h) To ensure the street corners of any new corner building are strengthened by massing and building articulation to both street frontages.	Not applicable.
(i) To ensure all new retail, business or mixed use buildings provide a continuous awning along the full length of the building's street frontage, in order to provide all weather protection for pedestrians.	<b>Unsatisfactory.</b> Awning proposed but insufficient details provided.
(j) To provide pedestrian amenity and provide a 'unique' streetscape character for each business centre.	<b>Unsatisfactory.</b>

Control	Comment
<p>k) To provide innovative roof elements and parapet walls which positively contribute to the overall design of the proposed building and the streetscape of the immediate locality.</p> <p>(l) To ensure all new retail and business developments are designed to minimise potential overshadowing impacts and maximise solar access opportunities to any adjoining residential properties and the public domain (public reserves and / or footpaths) in the locality.</p>	<p>The business address is compromised by poor wayfinding, access and egress.</p> <p>Not proposed.</p> <p><b>Unsatisfactory.</b> Overshadowing to adjoining residential properties. Further details required.</p>
<p><u>9.2.1 Floor Configuration</u></p>	
<p>1. The ground floor of developments is to be set at a level determined with reference to existing/required footpath levels in order to provide for an even transition between the building and the footpath and provide cross fall grades on footpaths that meet Council's standards. Council's Infrastructure Division may be contacted with regard to existing/required footpath levels.</p>	<p>Satisfactory at Flinders Street.</p>
<p>2. Any retail premises of less than 200m<sup>2</sup> in gross floor area should generally have a depth to width ratio ranging between 1:1 and a maximum 3:1.</p>	<p>Not applicable.</p>
<p>3. The maximum building depth for any ground floor retail or commercial office development shall be 20 metres with openings on one side only. The maximum building depth for any retail or office building with openings on two or more side is 30 metres. Shopping centre developments may vary from this control.</p>	<p>Not applicable.</p>
<p>4. Any residential storeys in a building shall have a maximum building depth of 18 metres.</p>	<p><b>Unsatisfactory.</b> Exceeds 18m.</p>
<p>5. The floor to ceiling height of the ground floor development in a B1 or B3 zone shall be a minimum 3.3 metres, in order to allow flexibility in retail and / or other business tenancies in the future.</p>	<p>Not applicable.</p>
<p>6. In the B4 Mixed zone, the ground floor and first floor levels in a building shall incorporate a minimum 3.3 metre floor to ceiling height clearance, to maximise the flexibility in the future use of the building.</p>	<p>Not applicable.</p>
<p>7. The floor to ceiling height requirements for ground and first floor levels of a development situated upon land within the B3 Commercial Core zone of the Wollongong City Centre, are specified in clause 2.6.2 in Chapter D13 Wollongong City Centre to this DCP.</p>	<p>Not applicable.</p>
<p>8. Large retail or commercial office floor space not requiring continuous and direct connection to the street (e.g. supermarkets) should be 'wrapped' by smaller retail shops or commercial offices to avoid blank walls and encourage active street frontages.</p>	<p>Not applicable.</p>
<p>9. The retail frontage at street level for individual retail shops / units should match the existing traditional retail shop pattern for the specific retail and business centre.</p>	<p>Not applicable.</p>

Control	Comment
<p>10. Where sites are amalgamated, the design of any new building should express the existing or prevalent lot structure in the immediate locality</p>	<p><b>Unsatisfactory.</b> Refer context analysis comments by the DRP and Council's architect.</p>
<p><u>9.2.2 Building Appearance</u></p>	
<p>1. New retail or business development shall continue the predominant built form character of the locality, including parapets, floor to ceiling heights and roof pitches.</p>	<p><b>Unsatisfactory.</b> Refer context analysis and building form comments by the DRP and Council's architect.</p>
<p>2. For large buildings including multi-storey mixed use buildings, the treatment of the facades should be designed to provide character, visual legibility and human scale and to delineate the distinct uses.</p>	<p><b>Unsatisfactory.</b> As above.</p>
<p>3. Facades facing each street or lane should be composed as at least three distinct layers. In this respect:</p> <p>(a) The "base" of each building includes the ground floor, and may also include the second and third storey above street level.</p> <p>(b) The "middle" of each building should accommodate at least one level, but not the uppermost storey.</p> <p>(c) The "top" of each building should accommodate the uppermost storey and the roof.</p>	<p><b>Unsatisfactory.</b> As above.</p>
<p>4. New buildings should also maintain the balance of horizontal and vertical proportions of other existing buildings in the locality.</p>	<p><b>Unsatisfactory.</b> As above.</p>
<p>5. The street corners of any new corner building should be strengthened by massing and building articulation to both street frontages. In this regard, Council may permit a variation to the height limits contained in this DCP (but no greater than the building height limit in the LEP) by permitting an additional 1 – 2 storeys for the corner element of a building where in the opinion of Council a strong corner element is necessary for the building. Any such variation to the height limit will only be supported by Council in circumstances where in the opinion of Council, the proposed development will exhibit design excellence through the provision a strong corner element in the proposed building.</p>	<p>Not applicable.</p>
<p>6. The profile of parapets and roof top elements should be integrated in the overall roof design of the building.</p>	<p><b>Unsatisfactory.</b> No detail is provided about the roof treatment.</p>
<p>7. The angle of any pitched roof shall be compatible with existing development.</p>	<p>As above.</p>
<p>8. Any development involving the re-use of existing buildings should reinstate any missing façade elements or other decorative details, wherever practicable.</p>	<p>Not applicable.</p>
<p>9. The external building materials and finishes of any retail or business development should be sympathetic to the existing fabric and character of buildings within that retail and business precinct.</p>	<p><b>Unsatisfactory.</b> Insufficient details provided.</p>

Control	Comment
<p>10. Highly reflective finishes, reflective glass and curtain wall glazing are not permitted above ground floor level.</p>	<p>Satisfactory.</p>
<p>11. The reflectivity of glazing shall be restricted to less than 20%. A reflectivity diagram may be required where in the opinion of Council has the potential to pose future glare impacts upon pedestrians within public domain areas or motorists travelling past the site.</p>	<p>Satisfactory.</p>
<p>12. All Development Applications for new buildings or external alterations and additions to existing premises in these centres must be accompanied by a schedule of proposed external building materials and finishes (colours) board which shows the proposed building materials and finishes (colours) to be used on the external facades of the building. An A4 sized photograph of the schedule of external building materials and finishes (colours) board is also required.</p>	<p><b>Unsatisfactory.</b> Insufficient details provided.</p>
<p><u>9.2.3 Building Alignment</u></p>	
<p>1. The design of corner buildings should reflect the geometry of the road, topographical conditions of the immediate locality and sight lines.</p>	<p>Not applicable.</p>
<p>2. Buildings should be aligned with footpaths to create spatial enclosure and a sense of place.</p>	<p>Satisfactory.</p>
<p>3. Buildings shall be designed for retail or business uses only at the ground floor of a building. Residential uses are not permitted on the ground floor of any land within a retail or business centre with the exception of access areas for residential uses on upper levels of a building.</p>	<p>Satisfactory.</p>
<p><u>9.2.4 Active Street Frontages</u></p>	
<p>1. All new retail, business or mixed use buildings are required to provide ground level active street frontages.</p>	<p><b>Unsatisfactory.</b> Refer DRP and Council's architect comments.</p>
<p>2. Buildings should contain no more than 5 metres of ground floor wall without a door or window. Windows should make up at least 50% of the ground floor front wall.</p>	<p><b>Unsatisfactory.</b> As above.</p>
<p>3. Buildings with frontages to retail streets are to contribute to the liveliness and vitality of those streets by:</p> <p>(a) Providing product retailing and / or food and drink premises within all enclosed shop fronts;</p> <p>(b) Minimising the extent and visual impact of building entrances, office lobbies, foyers, vehicle entrances and other entries not associated with retail, service areas and fire escapes;</p> <p>(c) Locating activities that may involve queuing (e.g. automatic teller machines) behind building frontages so that footpaths remain free for pedestrian movement; and</p> <p>(d) Providing a high standard of finish to retail shopfronts.</p>	<p><b>Unsatisfactory.</b> As above.</p>

Control	Comment
4. All street frontage windows at ground level are to have clear glazing.	<b>Unsatisfactory.</b> As above.
5. Display windows with clear glazing to ground floor retail and business premises are required with a maximum window sill height of 0.7 metres above finished ground level.	<b>Unsatisfactory.</b> As above.
6. Security grilles are to be fitted only within the retail shopfront. Such grilles are to be transparent and not of any roller door type.	Not proposed.
<u>9.2.5 Urban Design / Streetscape Appearance</u>	
1. The siting, form, height and external appearance of any retail or business premise development should be sympathetic with adjoining buildings in the surrounding retail and business precinct in addition to any abutting or nearby residential dwellings	<b>Unsatisfactory.</b> Refer DRP and Council's architect comments.
2. The parapet height of any retail or business premises building must be consistent with the parapet height of the surrounding streetscape of the locality.	As above
3. Any retail or business premises (commercial office) building should feature highly articulated facades, particularly any facades facing road frontages and any abutting residential area, in order to add visual interest to the building.	As above.
4. The horizontal form of any building should also be broken up vertically, in order to provide visual relief and interest to the development. The horizontal and vertical emphasis is especially critical for the middle and upper levels of a building	As above.
5. Any retail or commercial office building must be designed to provide active street frontages on the ground floor level of the building to all street frontages and in some cases, Council may require appropriate pedestrian thoroughfare links.	As above.
6. External walls should be constructed of high quality and durable materials and finishes with low maintenance costs.	As above.
7. Highly reflective finishes are not permitted above ground floor level.	Not proposed.
8. An external materials and finishes board and accompanying A4 sized photograph of the external materials and finishes board must be submitted with the Development Application.	<b>Unsatisfactory.</b> Refer DRP and Council's architect comments.
<u>9.2.6 Pedestrian Access</u>	
1. Pedestrian through-site routes must be direct without any concealment opportunities and designed to provide clear sightlines from one end to the other.	Not applicable.
2. Pedestrian through-site links should be a minimum of 3 metres in width and activated by retail, civic and /or commercial office land uses, wherever possible.	Not applicable.

Control	Comment
<p>3. The pedestrian through-site links should also be well lit at night-time and publicly accessible at least between 7.00 am to 7.00 pm daily with preference for 24 hour public access. Any such pedestrian link should be designed to provide satisfactory access for all patrons, including patrons using wheelchairs or patrons using strollers for young children.</p> <p>4. Direct pedestrian access and visual inspection should be provided from the front of the building, to encourage active street frontage to retail shops and business premises.</p>	<p>Not applicable.</p> <p><b>Unsatisfactory.</b> Refer DRP and Council's architect comments.</p>
<p><u>9.2.7 Awnings</u></p>	
<p>1. Buildings with frontage to any street must incorporate an awning or colonnade (only in areas where existing buildings have colonnades) along the full length of the building's street frontage.</p>	<p><b>Unsatisfactory.</b> Awning proposed however insufficient awning details provided.</p>
<p>2. All retail, business or mixed use buildings must provide a continuous awning along the full length of the building's street frontage, in order to provide all weather protection for pedestrians.</p>	<p><b>Unsatisfactory.</b> As above</p>
<p>3. Awnings should be designed of a solid cantilevered / suspended steel box type section with a minimum soffit height of 3.2 metres, taking into account the grade of the road reserve (footway area).</p>	<p><b>Unsatisfactory.</b> As above</p>
<p>4. Under awning lighting is required for the majority of retail and business centres in the LGA, except for the small village (local convenience) centres. The under awning lighting should either be recessed into the soffit of the awning or wall mounted on the building.</p>	<p><b>Unsatisfactory.</b> A above</p>
<p>5. Awnings shall also be designed to provide adequate shade and shelter for pedestrians.</p>	<p><b>Unsatisfactory.</b> As above</p>
<p>6. All awnings shall be weather sealed to the face of the building to which they are attached.</p>	<p><b>Unsatisfactory.</b> As above</p>
<p>7. Awnings shall be setback a minimum of 600 millimetres from the kerb line of the road carriageway.</p>	<p><b>Unsatisfactory.</b> As above</p>
<p><u>9.2.8 Public Domain – Footpath Paving</u></p>	
<p><u>9.2.9 Solar access and overshadowing</u></p> <p>1. All retail and business developments are to be designed so as to minimise overshadowing impacts and maximise solar access opportunities to any adjoining residential properties and the public domain (public reserves and / or footpaths) in the locality.</p>	<p>Satisfactory. Refer Council's landscape architect comments.</p>
<p>1. All retail and business developments are to be designed so as to minimise overshadowing impacts and maximise solar access opportunities to any adjoining residential properties and the public domain (public reserves and / or footpaths) in the locality.</p>	<p><b>Unsatisfactory.</b> Significant overshadowing of neighbouring land. Refer DRP and Council's architect comments.</p>

Control	Comment
<p>2. Solar access shall be maintained for any north facing window of a habitable room of any adjoining residential dwelling and at least 50% of the private courtyard area for a minimum 3 hour continuous period between 9am and 3pm for the 21 June winter solstice period.</p>	<p><b>Unsatisfactory.</b> Insufficient solar study provided – refer DRP comments.</p>
<p>3. The submission of shadow diagrams will be required for any new retail, business or mixed use building or any major alterations and additions to an existing retail or business building where in the opinion of Council, the development may pose potential overshadowing impacts upon any residential land use or public domain area. The shadow diagrams will be required for the 9.00 am, 12 noon and 3.00 pm 21 June winter solstice periods, as a minimum.</p>	<p>Shadow diagrams provided but more detailed information is required.</p>
<p>4. Additional hourly shadow diagrams between 9.00 am to 3.00 pm 21 June may be required where Council is uncertain as to the potential adverse overshadowing impacts upon surrounding properties and / or the public domain. Further, Council may also require additional shadow diagrams for the equinox periods where the overshadowing impact of a development requires further in-depth assessment.</p>	<p>Shadow diagrams provided but more detailed information is required. .</p>
<p><u>9.2.10 Shower and Change Facilities &amp; Parenting Facilities in Large Business Premises / Commercial Office Buildings</u></p>	<p>Not applicable.</p>
<p><u>9.2.11 Advertising Signage</u></p>	<p>No details provided.</p>
<p><u>9.2.12 Wind Impact Assessment</u></p>	<p>Not required as building height less than 32m.</p>

## CHAPTER D13 – WOLLONGONG CITY CENTRE

### 2 Building form

<i>Objectives/controls</i>	<i>Comment</i>
<p><u>2.2 Building to street alignment and street setbacks</u></p>	<p><b>Unsatisfactory.</b> The development does not provide a 4m street setback all the way up the building. The floor plans and sections reveal reduced setback in parts.</p>
<p><u>2.4 Building depth and bulk</u></p>	<p><b>Unsatisfactory.</b> The residential floors exceed 18m in depth in parts.</p>
<p><u>2.5 Side and rear building setbacks and building separation</u> <u>Commercial uses up to 24m</u> Minimum 3m side setback and 9m rear setback <u>Residential uses up to 12m</u></p>	<p><b>Unsatisfactory.</b> <u>Commercial uses up to 24m</u> Does not comply rear setback <u>Residential uses up to 12m</u> <u>Residential uses 12m-24m</u></p>

<i>Objectives/controls</i>	<i>Comment</i>
<p>Minimum 6m side and rear setback for habitable rooms with openings and balconies;</p> <p>Minimum 3m side setback and minimum 4.5m rear setback for non-habitable rooms and habitable rooms without openings</p> <p><u>Residential uses 12m-24m:</u></p> <p>Minimum 9m side and rear setback for habitable rooms with openings and balconies;</p> <p>Minimum 4.5m side and rear setback for non-habitable rooms and habitable rooms without openings</p> <p><u>2.6 Mixed used buildings</u></p>	<p>Does not comply side setback habitable rooms with openings and balconies (north and south elevation)</p> <p><b>Unsatisfactory.</b></p> <p>Circulation patterns require residential and non-residential people to share lifts. Residential entries are not legible. Safe pedestrian routes throughout the development are not provided. The blank wall on southern side dominates and is a poor interface with the adjoining site. Refer DRP and Council's architect comments.</p>
<p><u>2.7 Deep soil zone</u></p>	<p><b>Unsatisfactory.</b></p> <p>Lack of coordination between landscape and stormwater plans. Refer DRP comments.</p>
<p><u>2.8 Landscape design</u></p>	<p><b>Unsatisfactory.</b></p> <p>Refer DRP and Council's landscape architect comments.</p>
<p><u>2.9 Green roofs, green walls and planting on structures</u></p>	<p><b>Unsatisfactory.</b></p> <p>Refer DRP and Council's architect and landscape architect comments.</p>
<p><u>2.10 Sun access planes</u></p>	<p>Not applicable.</p>
<p><u>2.11 Development on classified roads</u></p>	<p><b>Unsatisfactory.</b></p> <p>Transport for NSW does not support the application in its current form.</p>
<p><b>3 Pedestrian amenity</b></p>	
<i>Objectives/controls</i>	<i>Comment</i>

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<u>3.3 Active street frontages</u>	<p><b>Unsatisfactory.</b></p> <p>Pedestrian entries are not secure and there is circulation conflict between residents and retail customers. The applicant has suggested the retail will be used for bulky good retail, which may not provide aesthetic amenity for residents. Refer DRP and Council's architect comments.</p>
<u>3.4 Safety and security</u>	<p><b>Unsatisfactory.</b></p> <p>Significant CPTED concerns regarding the ground floor access corridors and car park circulation and egress. Refer DRP and Council's architect comments.</p>
<u>3.5 Awnings</u>	<p><b>Unsatisfactory.</b></p> <p>Awning proposed but insufficient details provided. Refer DRP and Council's architect comments.</p>
<u>3.6 Vehicular footpath crossings</u>	<p><b>Unsatisfactory.</b></p> <p>Transport for NSW has requested further details of the driveway crossing, which has not been provided. The applicant has not confirmed the size of vehicle required for the retail tenancies. The basement design does not appear to accommodate the required head clearance.</p>
<u>3.7 Pedestrian overpasses, underpasses and encroachments</u>	<p>Not applicable.</p>
<u>3.8 Building exteriors</u>	<p><b>Unsatisfactory.</b></p> <p>Refer DRP and Council's architect comments.</p>
<u>3.9 Advertising and signage</u>	<p>Not proposed.</p>
<u>3.10 Views and view corridors</u>	<p><b>Unsatisfactory.</b></p> <p>Insufficient view analysis undertaken.</p>
<hr/> <p><b>4 Access, parking and servicing</b></p>	
<i>Objectives/controls</i>	<i>Comment</i>
<u>4.2 Pedestrian access and mobility</u>	<p><b>Unsatisfactory.</b></p> <p>Whilst level access appears to be provided, the entry points into the building are not legible and do not contribute to visitor amenity.</p>
<u>4.3 Vehicular driveways and manoeuvring areas</u>	<p><b>Unsatisfactory.</b></p> <p>Further details of the driveway design are required.</p>

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<u>4.4 On-site parking</u>	<p><b>Unsatisfactory.</b></p> <p>Further details of the car parking design are required, including demonstrated compliance with AS2890.3.</p>
<u>4.5 Site facilities and services</u>	<p><b>Unsatisfactory.</b></p> <p>Further details are required demonstrating the basement design can accommodate Council's waste vehicle. Ducting and servicing has not been shown.</p>

**5 Environmental management**

<i>Objectives/controls</i>	<i>Comment</i>
<u>5.2 Energy efficiency and conservation</u>	<p><b>Unsatisfactory.</b></p> <p>A BASIX certificate has been provided. Additional measures to improve environmental performance have been recommended by the DRP, but not adopted.</p>
<u>5.3 Water conservation</u>	<p>Satisfactory.</p> <p>Residential water use minimisation strategies are noted in the BASIX certificate. Council's environmental officer has endorsed the WSUD measures.</p> <p>Additional opportunities should be investigated, including harvesting rainwater for watering vegetation, flushing toilets and use in washing machines.</p> <p>Water saving measures for the commercial tenancies could be readily incorporated, including use of &gt;3.5 star rating appliances.</p>
<u>5.4 Reflectivity</u>	<p>Satisfactory. Glazing is not highly reflective.</p>
<u>5.5 Wind mitigation</u>	<p>Satisfactory. The building height does not require a wind assessment.</p>
<u>5.6 Waste and recycling</u>	<p><b>Unsatisfactory.</b></p> <p>Further details are required regarding swept paths for Council' waste vehicle. The proposed basement ceiling level is likely to need changes to accommodate the vehicle. Refer DRP and Council's architect comments.</p>

**6 Residential development standards**

<i>Objectives/controls</i>	<i>Comment</i>
<u>6.1 SEPP 65</u>	<p><b>Unsatisfactory.</b></p> <p>The development involves numerous non-compliances with SEPP 65 Design Principles and the ADG.</p>

<i>Objectives/controls</i>	<i>Comment</i>
<u>6.2 Housing choice and mix</u>	<p><b>Unsatisfactory.</b></p> <p>The percentage of 3 bedroom units is 1.9%, where minimum 10% is required.</p> <p>The number of adaptable and silver standard apartments is acceptable, although more diversity in number of bedrooms is desirable.</p>
<u>6.6 Basement Carparks</u>	<p><b>Unsatisfactory.</b></p> <p>Refer traffic engineer and Council architect comments. Ventilation structures are not shown, correct vehicle swept paths have not been provided, ceiling height does not accommodate waste vehicle, main pedestrian entries are not readily identifiable.</p>
<u>6.7 Communal open space</u>	<p><b>Unsatisfactory.</b></p> <p>Area (m<sup>2</sup>) exceeds required 5m<sup>2</sup> per dwelling, however design amendments are required. Refer DRP and Council architect comments.</p>
<u>6.8 Private open space</u>	<p><b>Unsatisfactory.</b></p> <p>Balcony sizes must be shown to enable assessment of compliance with DCP and ADG minimum dimensions. Several balconies have non-complying side setbacks. Detailed plans required to demonstrate complying solar access to balconies.</p>
<u>6.9 Overshadowing</u>	<p><b>Unsatisfactory.</b></p> <p>The impact of overshadowing on development likely to be built (e.g. to the south) does not appear to have been considered. Detailed shadow diagrams are required demonstrating compliance with minimum hours.</p>
<u>6.10 Solar access</u>	<p><b>Unsatisfactory.</b></p> <p>No details provided regarding 3hr compliance (2hr requirement in the ADG).</p>
<u>6.11 Natural ventilation</u>	<p><b>Unsatisfactory.</b></p> <p>Building depth exceeds 18m. Council's architect has noted potential difficulties with ventilation due to setbacks. Refer ADG comments.</p>
<u>6.12 Visual privacy</u>	<p><b>Unsatisfactory.</b></p> <p>Some apartments have windows directly facing each other and apartments facing the COS are likely to have privacy compromised. Refer Council's architect comments.</p>

<i>Objectives/controls</i>	<i>Comment</i>
<u>6.13 Acoustic Privacy</u>	<b>Unsatisfactory.</b> Council's environment officer has requested changes to the acoustic report, which have not been provided. Apartments facing COS should be redesigned. Open corridors will distribute noise from communal areas.
<u>6.14 Storage</u>	<b>Unsatisfactory.</b> Insufficient storage has been provided. Refer DRP and Council's architect comments.

### **7 Planning controls for special areas**

The site is located within the Enterprise Corridor Special Area.

<i>Objectives/controls</i>	<i>Comment</i>
<u>7.1 Special areas with heritage items</u>	Not applicable.
<u>7.2 Special areas and Development Standards</u>	Not applicable.
<u>7.3 Non-residential development in the enterprise corridor zone</u>	<b>Unsatisfactory.</b> The preferred area for residential and mixed development is not along Flinders Street.
<u>7.4 Special area design guidelines</u>	Not applicable.
<u>7.5 Design excellence</u>	<b>Unsatisfactory.</b> The DRP has advised it does not support the application in its current form.

### **8 Works in the public domain**

<i>Objectives/controls</i>	<i>Comment</i>
Work is to be in accordance with the Wollongong City Centre Public Domain Technical Manual.	Satisfactory. Refer Council's landscape architect comments.

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

An Accessibility Compliance Report prepared by Access Link Consulting has been submitted. The report confirms that the development meets the requirements of the National Construction Code.

The development provides 21 adaptable (AS 4299-1995) and 41 liveable standard (SEPP 65 & Liveable Housing Australia's Liveable Housing Design Guidelines) apartments.

## CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

<i>Control/objective</i>	<i>Comment</i>
<u>3.1 Lighting</u>	No details provided.
<u>3.2 Natural surveillance and sightlines</u>	<b>Unsatisfactory.</b> Poor site design especially corridors from Flinders Street
<u>3.3 Signage</u>	Not applicable. Signage not proposed.
<u>3.4 Building design</u>	<b>Unsatisfactory.</b> Requires redesign – refer DRP and Council’s architect comments.
<u>3.5 Landscaping</u>	<b>Unsatisfactory.</b> Level 1 podium plantings overhang ground floor corridor – potential safety concern.
<u>3.6 Public open space and parks.</u>	Not applicable
<u>3.7 Community facilities and public amenities</u>	<b>Unsatisfactory.</b> Amendments required – refer DRP and Council’s landscape architect comments.
<u>3.8 Bus stops and taxi ranks</u>	Not applicable

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

Council’s traffic engineer has advised that the number of car parking is acceptable. However, further information is required regarding waste and commercial vehicles and compliance with AS2890.1. This has not been provided.

Transport for NSW has requested further information, which has not been provided.

## CHAPTER E6: LANDSCAPING

In its current form, the application the application does not comply with Chapter E6 and is not supported from a landscaping perspective.

Landscape plans by Canvas Landscape Architects have been reviewed by Council’s landscape architect. Council’s landscape architect provided the following advice:

- The proposed public domain works comply with Council’s Public Domain Technical Manual;
- No objection to the proposed removal of 20 trees;
- Further details are required as to how retention of trees on the northern and eastern boundaries is to be carried out:
  - The existing tree in the south-east corner is adjacent to a proposed large swale, which appears to be constructed in the Tree Protection Zone (TPZ) of this tree;

- The existing tree in the north-east corner which provides privacy for the eastern neighbour (47 Gipps Street) is located above a failing retaining wall. The tree's root system appears integrated into the existing retaining wall.
- Level changes along the boundary are significant and require retaining walls;
- The submitted arborist report should be revised to include:
  - Assessment of impacts of development on trees located on neighbouring land along the northern and eastern boundary (45-53 Gipps Street and 50-52 Keira Street).

Council wrote to the applicant on 17 November 2021 advising of these concerns, however the requested information has not been submitted.

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

A Site Waste Minimisation and Management Plan has been provided, however further details are required to demonstrate the required waste vehicle can access the waste loading levels. All waste chutes must be provided with corresponding bins at their base. Separation of waste and recycling is required.

The proposal involves demolition of all structures and a demolition plan has been provided.

#### **CHAPTER E12 GEOTECHNICAL ASSESSMENT**

The application has been reviewed by Council's Geotechnical Engineer in relation to site stability and the suitability of the site for the development. Appropriate conditions have been recommended.

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

In its current form, the application does not comply with Chapter E13 and is not supported from a floodplain management perspective.

All five lots are identified as being located within an uncategorised flood risk precinct. A Flood Impact Assessment prepared by SGC Consulting Engineers has been provided.

Council's Stormwater Officer has reviewed the application and requested further information demonstrating compliance with WDCP 2009 and WLEP 2009. Specifically:

- The submitted flood study does not provide 20% AEP and PMF flood modelling.
- The flood study and stormwater plans are not compatible with the architectural plans.
- The flood study needs to be amended to demonstrate no increase in flooding elsewhere as a result of the development.

Council wrote to the applicant on 17 November 2021 advising of these concerns, however the requested information has not been submitted.

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

In its current form, the application does not comply with Chapter E14 and is not supported from a stormwater management perspective.

Stormwater plans by SGC Consulting Engineers have been reviewed by Council's stormwater engineer, who provided the following advice:

- Stormwater is proposed to be conveyed from the southern-most outlet point (downstream of proposed OSD tank) to an existing pit which does not exist.
- Retention of the existing 1m easement to drain water benefiting the upstream property is not accommodated in the proposed design.
- Concerns that the proposal will increase stormwater discharges into individual Council's stormwater pits fronting the site, when compared with the pre-development site condition.
- Further information is required in relation to the on-site stormwater detention (OSD) calculations for the development.

Council wrote to the applicant on 17 November 2021 advising of these concerns, however the requested information has not been submitted.

#### **CHAPTER E15 WATER SENSITIVE URBAN DESIGN**

A WSUD Concept Plan prepared by SGC Consulting Engineers has been reviewed by Council's stormwater engineer, who advised that no further information was required.

#### **CHAPTER E17 PRESERVATION AND MANAGEMENT OF TREES AND VEGETATION**

An Arboricultural Impact Statement prepared by Advanced Arborist Reporting was submitted with the application. The report refers to removal of 20 trees.

Council's landscape architect has no objection to the removal of the proposed trees due to their poor health.

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

Excavation of up to 10m is required to facilitate construction of the two basement levels. Retaining walls are proposed on the boundaries and further details are required.

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

Past land uses are of a type that may have caused site contamination. Preliminary and Detailed Site Investigation reports have been provided and reviewed by Council's environment officer. A Remediation Action Plan is required to be prepared.

#### **CHAPTER E21 DEMOLITION AND HAZARDOUS BUILDING MATERIALS MANAGEMENT**

Demolition of all structures is proposed.

#### **CHAPTER E22 SOIL EROSION AND SEDIMENT CONTROL**

Appropriate sediment and erosion control measures are required to be in place during works.