

ATTACHMENT 7: Wollongong Development Control Plan 2009 Assessment

CHAPTER A2 – ECOLOGICALLY SUSTAINABLE DEVELOPMENT

The proposal is considered to be consistent with the principles of Ecologically Sustainable Development.

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.

3. Retail and business centre hierarchy strategy

The proposed development is consistent with the retail and business centre strategy as it will strengthen the hierarchy, role and sustainability of existing and planned retail and business centres within the Wollongong Local Government Area and will reinforce Wollongong City Centre as the regional city centre for higher order commercial office, civic / administrative, medical, entertainment, community services for the wider Illawarra Region.

4 Economic impact assessment – retail hierarchy

Not applicable.

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. A full assessment of the proposal under Chapter D13 – Wollongong City Centre is provided below.

CHAPTER D1 – CHARACTER STATEMENTS

Wollongong City Centre

The Wollongong City Centre will continue as the regional centre of the Illawarra with a focus on employment, key regional services, cultural activity, entertainment and tourism. In line with the Illawarra Regional Strategy, the 25 year vision for our city centre is for the creation of an additional 10,000 new jobs and to welcome 6,000 new residents. With its rich history, unrivalled water front location, and as a focus for transport services, there is great potential to increase the appeal of the centre as a destination for shopping, business, entertainment and cultural activities, high quality health and medical services, and as a place to live.

The Revitalising Wollongong City Centre Plan will be the catalyst for the growth of the Wollongong City Centre over the next 25 years whilst strengthening the city's unique characteristics. The vision is for a vibrant city with a strong economy that attracts investors, new business, visitors, cultural expression and new residents.

Development principles for this regional city centre include:

- Grow jobs in the heart of the city centre;*
- Encourage diverse precincts around the city centre;*
- Create a living city by encouraging mixed use development that complements the centre's core employment role;*
- Develop a distinct role and character for the centre;*
- Ensure high quality design of buildings and public areas;*
- Enhance transport links to and from the centre; and*
- Improve the natural environment.*

The Centre will accommodate an increased range of mixed use developments, including commercial and retail developments complemented by residential, cultural, community and entertainment uses. Increased opportunities for higher density housing, both within the CBD and North Wollongong area, will provide greater housing choice for a diversity of age and income groups. The regeneration of retailing in the city centre is a high priority. Wollongong is also well positioned to capture new opportunities for backoffices, professional suites and other businesses requiring efficient access to Sydney.

Special attention will be given to the Railway Station and Crown Street Mall to enliven these areas and improve safety. The form of the city will reflect Wollongong's unique setting by buildings exhibiting greater height around Wollongong Railway Station, reducing towards the coast. An emphasis will be to enhance public spaces and ensure good amenity and solar access. Design excellence provisions will ensure quality future building outcomes.

Key actions to facilitate the city's growth include:

- Improving development and coordination within the health precinct;*
- Attraction of new finance and business and government office jobs to the centre;*
- Managing the foreshore to enhance its appeal while protecting its natural assets;*
- Building on the university presence to establish Wollongong as a "learning city", leading to high value jobs;*
- Growing activity in cultural industries; and*
- Enhancing movement in and around the city centre.*

The proposal is considered to be consistent with the existing and desired future character for the locality.

CHAPTER D13 – WOLLONGONG CITY CENTRE

The site is located within the Wollongong City Centre, as defined in WLEP 2009 and WDCP 2009. Chapter D13 applies to the development and prevails over other parts of the DCP where there is any inconsistency. A detailed assessment table of Chapter D13 is provided in the table below.

The application generally complies with the controls contained within this chapter though there are some variations identified in bold within the compliance tables. These variations are discussed in detail in the body of the report.

2 Building form

| Objectives/controls | Comment | Compliance |
|---|---|---|
| <u>2.1 General</u> | | |
| <u>2.2 Building to street alignment and street setbacks</u> | | |
| <i>Build to the street alignment or specified setback with 4m minimum further setback above street frontage height.</i> | Crown Street: Building built to street alignment. 6m setback above street frontage height Simpson Place: 2m-2.3m setback and above street frontage height | Yes No. Considered satisfactory as the setback matches the adjacent |

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| Objectives/controls | Comment | Compliance |
|--|---|--|
| <p><u>2.3 Street frontage heights in commercial core</u></p> <p><i>Street frontage height of buildings in the Commercial Core are not to be less than 12m or greater than 24m</i></p> | <p>Crown Street 8 - 13m</p> <p><i>See controls of 3.8.2 below</i></p> | <p>Lang's Corner Development</p> <p>Satisfactory. Retention of Kembla Chambers establishes a set building height</p> |
| <p><u>2.4 Building depth and bulk</u></p> <p><i>Max floor plate 1,200m²</i></p> <p><i>Max depth 25m</i></p> <p><i>Buildings over 24m height – 12m from window</i></p> | <p>Max floor plate: 950m²</p> <p>Max depth: 21m</p> <p>5 – 10% of each floor >12m from window</p> | <p>Yes</p> <p>Partial minor non-compliance considered satisfactory</p> |
| <p><u>2.5 Side and rear building setbacks and building separation</u></p> <p><i>Street Frontage Height: Nil</i></p> <p><i>Up to 45m: 6m</i></p> <p><i>Above 45m: 14m</i></p> <p><i>Separation for multiple buildings: 12m (up to 45m) 28m (above 45)</i></p> | <p>Street Frontage Height:</p> <p><u>East:</u> Nil</p> <p><u>West:</u> 2.7 - 5m (Lois Lane)</p> <p>Up to 45m:</p> <p><u>East:</u> 4.5m</p> <p><u>West:</u> 4.5m</p> <p><u>South:</u> 1.7 – 2.3m</p> <p>Above 45m:</p> <p><u>East:</u> 4.5m</p> <p><u>West:</u> 14.1m</p> <p><u>South:</u> 15.1m</p> <p>Building Separation</p> <p><u>East:</u> 9m</p> | <p>Yes</p> <p>Non-compliance addressed in applicant's Clause 4.6 Variation in respect of Building Separation (WLEP2009 - Clause 8.6)</p> |
| <p><u>2.6 Mixed used buildings</u></p> | <p>NA</p> | |
| <p><u>2.7 Deep soil zone</u></p> | <p>Not required for commercial buildings</p> | <p>N/A</p> |
| <p><u>2.8 Landscape design</u></p> | <p>Landscape Concept Plan submitted and is acceptable.</p> | <p>Yes</p> |

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| Objectives/controls | Comment | Compliance |
|--|--|------------|
| <u>2.9 Green roofs, green walls and planting on structures</u> | <p>Council's Landscape Architect has assessed the proposal and found it satisfactory subject to conditions.</p> <p>Planting on structures provided on Levels 1, 2 and 11.</p> <p>Green roof Proposed on Level 11.</p> <p>Sufficient depth and areas have been provided to cater for selected species.</p> <p>Landscape Concept Plan submitted and is acceptable.</p> <p>Council's Landscape Architect has assessed the proposal and found it satisfactory subject to conditions.</p> | Yes |
| <u>2.10 Sun access planes</u> | <p>There are nearby sites protected by the sun access controls however the site is not one such site and will not cast shadows on any areas subject to the sun access planes</p> | Yes |
| <u>2.11 Development on classified roads</u> | Not applicable | N/A |

3 Pedestrian amenity

| Objectives/controls | Comment | Compliance |
|--|--|------------|
| <u>3.1 General</u> | | |
| <u>3.2 Permeability</u> | | |
| <p><u>Pedestrian Links:</u></p> <p><i>New through site links should be connected with existing and proposed through block lanes, shared zones, arcades and pedestrian ways and opposite other through site links.</i></p> <p><i>Existing publicly and privately owned lanes are to be retained.</i></p> <p><u>Lanes:</u></p> <p><i>i) have active frontages</i></p> <p><i>ii) be clear and direct throughways for pedestrians,</i></p> <p><i>iii) provide public access at all times or as otherwise stipulated by Council's conditions of approval,</i></p> <p><i>iv) have a minimum width of 6m clear of all obstructions, and</i></p> | <p><u>Pedestrian Link</u></p> <p>'Lois Lane' through site link to be retained.</p> <p>2.66m – 5m wide</p> <p>~5% grade / 1:20 / 2.86</p> <p>Active frontage provided.</p> <p><u>Lanes</u></p> <p>Simpson Place is identified as existing lane.</p> <p>Footpath and active frontage provided.</p> | Yes |

v) have signage indicating public accessibility and the street to which the lane connects.

3.3 Active street frontages

- Active frontage uses are defined as one or a combination of the following at street level:
Entrance to retail.
Shop front.
Glazed entries to commercial and residential lobbies occupying less than 50% of the street frontage, to a maximum of 12m frontage.
Café or restaurant if accompanied by an entry from the street.
Active office uses, such as reception, if visible from the street.
- In commercial and mixed use development, active street fronts are encouraged in the form of non-residential uses on ground level.
- Active street fronts are required along streets for all buildings in the Commercial Core
- Active ground floor uses are to be at the same general level as the footpath and be accessible directly from the street.

Active street frontages provided on north, west and southern elevations. Conditions have been included in relation to the footpath grades.

Yes

3.4 Safety and security

For large scale retail and commercial development with a GFA of over 5,000m², provide a 'safety by design' assessment in accordance with the CPTED principles.

The development is generally acceptable with regard to surveillance, access control, territorial reinforcement and space management.

Yes

3.5 Awnings

Continuous street frontage awnings are to be provided for all new developments as indicated in Figure 3.6. (includes Crown Street but not Simpson Place or Lois Lane)

Awnings provided along Crown Street and Simpson Place frontages.

Yes

3.6 Vehicular footpath crossings

- vehicle access point only (including the access for service vehicles and parking for commercial uses) will be generally permitted

No vehicle crossing is proposed.
Vehicle access is provided via the adjoining site to the east.
A right of way easement will be required to enable this arrangement.

Yes

3.7 Pedestrian overpasses, underpasses and encroachments

NA

N/A

3.8 Building exteriors

- Adjoining buildings (particularly heritage buildings) are to be considered in the design of new buildings in terms of appropriate alignment and street frontage heights; setbacks above street frontage heights; appropriate materials and

Artist impressions, perspective views and details of material/ finishes were lodged with the application.

Yes

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| <p>finishes selection; façade proportions including horizontal or vertical emphasis;</p> <ul style="list-style-type: none"> Balconies and terraces should be provided, particularly where buildings overlook parks and on low rise parts of buildings. Gardens on the top of setback areas of buildings are encouraged. Articulate facades so that they address the street and add visual interest. External walls should be constructed of high quality and durable materials and finishes with 'selfcleaning' attributes, such as face brickwork, rendered brickwork, stone, concrete and glass. Finishes with high maintenance costs, those susceptible to degradation or corrosion from a coastal or industrial environment or finishes that result in unacceptable amenity impacts, such as reflective glass, are to be avoided. To assist articulation and visual interest, avoid expanses of any single material. Limit opaque or blank walls for ground floor uses to 30% of the street frontage. Maximise glazing for retail uses, but break glazing into sections to avoid large expanses of glass. Highly reflective finishes and curtain wall glazing are not permitted above ground floor level A materials sample board and schedule is required to be submitted with applications for development over \$1 million or for that part of any development built to the street edge. Minor projections up to 450mm from building walls in accordance with those permitted by the BCA may extend into the public space providing it does not fall within the definition of GFA and there is a public benefit. <p>The design of roof plant rooms and lift overruns is to be integrated into the overall architecture of the building.</p> | <p>The building exteriors have been considered by Council's Urban Design and Council's Heritage Officer. The proposed podium forms the retained (reconstructed) façade of the existing building, and the tower above intentionally includes more modern materials with spacing to match the podium below.</p> <p>The lift overruns and services are integrated into the overall building design.</p> <p>The proposed building is considered to respond reasonably well to the streetscape and heritage constraints and generally reflects the existing character of the locality as outlined in the applicable planning controls. The proposed tower reflects the built form of the adjacent Lang's corner approval and is setback from the key streets to reduce the visual impact, and also to provide an interesting contrast to the heritage character of the podium below.</p> <p>The proposal is generally satisfactory to the Council's Heritage Officer, and also internally to the relevant Council divisions.</p> <p>A colour & material schedule has been provided. High quality and durable materials and finishes are proposed.</p> <p>Roof top structures/ plant/ services will be setback from view.</p> <p>A condition is recommended limiting material reflectivity.</p> | |
| <p><u>3.9 Advertising and signage</u></p> | <p>None proposed.</p> | <p>N/A</p> |
| <p><u>3.10 Views and view corridors</u></p> <p><i>Existing views shown in Figure 3.12 are to be protected to the extent that is practical in the planning and design of development</i></p> <p><i>Align buildings to maximise view corridors between buildings.</i></p> | <p>East/West view are identified to be "Framed views along Streets".</p> <p>Development complies with front setback requirements and</p> | <p>Yes</p> |

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| | <p>proposes lower street frontage height.</p> <p>11 storey building (Lang's) immediately to east.</p> <p>Limited impact east/west.</p> <p>Impacts to north and south above the 4-storey level are not identified as not identified as significant.</p> | |
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4 Access, parking and servicing

| Objectives/controls | Comment | Compliance |
|--|--|-----------------------|
| <p><u>4.2 Pedestrian access and mobility</u></p> <ul style="list-style-type: none"> Main building entry points should be clearly visible from primary street frontages and enhanced as appropriate with awnings, building signage or high quality architectural features that improve clarity of building address and contribute to visitor and occupant amenity. The design of facilities (including car parking requirements) for disabled persons must comply with the relevant Australian Standard and the Disability Discrimination Act 1992. The development must provide at least one main pedestrian entrance with convenient barrier free access in all developments to at least the ground floor. The development must provide continuous access paths of travel from all public roads and spaces as well as unimpeded internal access. Pedestrian access ways, entry paths and lobbies must use durable materials commensurate with the standard of the adjoining public domain. <p>Building entrance levels and footpaths must comply with the longitudinal and cross grades specified in AS 1428.1, AS/NZS 2890.1:2004 and the DDA.</p> <p><u>4.3 Vehicular driveways and manoeuvring areas</u></p> <ul style="list-style-type: none"> Driveways should be: <ul style="list-style-type: none"> i) Provided from lanes and secondary streets rather than the primary street, wherever practical. ii) Located taking into account any services within the road reserve, such as power poles, drainage pits and existing street trees. iii) Located a minimum of 6m from the nearest intersection iv) If adjacent to a residential development setback a minimum of 1.5m from the relevant side property boundary. Vehicle access is to be designed to: <ul style="list-style-type: none"> i) Minimise the impact on the street, site layout and the building façade design; and | <p>The main pedestrian entry to the building is provided from Crown Street, and retail tenancies directly address the 2 street frontages and Lois Lane.</p> <p>Pedestrian access to Simpson Place will be improved through the provision of a footpath.</p> <p>Conditions have been recommended in relation to the finish of pedestrian pathways.</p> <p>Vehicular access to be provided via adjoining property basement.</p> <p>Dimensions, grades and aisle widths comply with relevant AS.</p> <p>Council's Traffic Engineer has assessed the proposal and found it satisfactory subject to conditions.</p> | <p>Yes</p> <p>Yes</p> |

ii) If located off a primary street frontage, integrated into the building design.

- All vehicles must be able to enter and leave the site in a forward direction without the need to make more than a three point turn
- Driveway widths must comply with the relevant Australian Standards.
- Car space dimensions must comply with the relevant Australian Standards.
- Driveway grades, vehicular ramp width/grades and passing bays must be in accordance with the relevant Australian Standard

Access ways to underground parking should not be located adjacent to doors or windows of the habitable rooms of any residential development.

4.4 On-site parking

- On-site parking must meet the relevant Australian Standard
- Council may require the provision of a supporting geotechnical report prepared by an appropriately qualified professional as information to accompany a development application to Council.
- Car parking and associated internal manoeuvring areas which are surplus to Council's specified parking requirements will count towards the gross floor area, but not for the purpose of determining the necessary parking.
- Any car parking provided in a building above ground level is to have a minimum floor to ceiling height of 2.8m so it can be adapted to another use in the future.
- On-site vehicle, motorcycle and bicycle parking is to be provided in accordance with Part E of this DCP.
- To accommodate people with disabilities, minimum of 1% of the required parking spaces to be provided as disabled persons' car parking.

Car parking provision is adequate with regard to Chapter E3 requirements.

Council's Traffic Engineer has assessed the proposal and found it satisfactory subject to conditions.

Yes

4.5 Site facilities and services

Mail boxes – provide in an accessible location adjacent to the main entrance; integrated into a wall where possible and be constructed of materials consistent with the appearance of the building.

Letterboxes to be secure and of sufficient size

Communication structures, air conditioners and service vents - locate satellite dish and telecommunication antennae, air conditioning units,

Provision has been made for on-site servicing and deliveries within the rear of the site.

The building is serviced by the major utilities and some augmentation of existing services is expected to be required to facilitate the development.

Fire Service

Yes

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| ventilation stacks and any ancillary structures in an appropriate manner. | Fire services are provided on lower ground floor. Booster provided on Simpson Place frontage. |
| <i>Waste storage and collection</i> | <u>Servicing/Loading/Unloading</u> Vehicular access via Simpson Place. |
| <i>Service docks and loading/unloading areas</i> | <u>Waste</u> 6.2m ² bin storage area within the Lower Ground Floor loading area. |
| <ul style="list-style-type: none"> • Provide adequate space within any new development for the loading and unloading of service/delivery vehicles. • Preferably locate service access off rear lanes, side streets or rights of way. • Screen all service doors and loading docks from street frontages and from active overlooking from existing developments. | Council's Traffic Engineer has assessed the proposal and found it satisfactory subject to conditions. |
| Design circulation and access in accordance with AS2890.1. | <u>Utilities</u> Endeavour Energy have been consulted and not raised any concerns. |

5 Environmental management

| <i>Objectives/controls</i> | <i>Comment</i> | <i>Compliance</i> |
|--|---|-------------------|
| <u>5.2 Energy efficiency and conservation</u> <p>The proposal is not expected to result in significant energy consumption and there are no particular opportunities to require energy saving measures under this DA other than to require water saving devices, such as flow regulators, 3 stars rated shower heads, dual flush toilets and tap aerators. This is to be a condition of consent.</p> | A NABERS Base Building Energy Assessment report was provided with the DA which demonstrates the building will comply with Section J of the BCA 2016, using the deemed to satisfy method and is on track to achieve a 5 star NABERS Base Building Energy Rating. | Yes |
| <u>5.3 Water conservation</u> <p>The proposal is not expected to result in significant water consumption and there are no particular opportunities to require water saving measures under this DA other than to require new water fixtures (shower heads, taps, toilets, urinals etc.) to be 3 stars or better rated. This is to be a condition of consent.</p> | Satisfactory, standard condition of consent to be applied. | Will comply |
| <u>5.4 Reflectivity</u> | Limit material reflectivity by consent condition. | Will comply |
| <u>5.5 Wind mitigation</u> <p>A wind impact statement required for buildings over 32m in height</p> | An Environmental Wind Assessment has been prepared and accompanied the DA. It concludes that " <i>the proposed Development will comply with the adopted wind acceptability criteria at pedestrian and public access</i> " | Will comply |

| | | |
|---|---|-----|
| | <i>locations within and around the Development.” The report recommended inclusion of some windbreakers to ameliorate all potential adverse wind effects. A condition of consent is recommended to address this.</i> | |
| <p><u>5.6 Waste and recycling</u></p> <ul style="list-style-type: none"> • All development must comply with Council’s Technical Policy for the Management of all Wastes Associated with Building Sites. • Development applications for all non-residential development must be accompanied by a waste management plan that addresses: | A Waste Management Plan submitted with the application has confirmed that waste management arrangements are satisfactory | Yes |

6 Residential development standards

The proposal does not include a residential component.

7 Planning controls for special areas

The site is not located within a special area.

8 Works in the public domain

Planting of street trees and provision of footpath paving is required in compliance with the requirements of the Public Domain Technical Manual. Conditions of consent are recommended in relation to these matters.

PRECINCT PLAN – Wollongong City Centre

The proposal is considered to be consistent with the objectives of the B3 Commercial Core zone within the City Centre precinct.

CHAPTER E1: ACCESS FOR PEOPLE WITH A DISABILITY

The building has been appropriately designed with regard to disabled persons’ access and facilities. The applicant submitted an access report with the DA which addresses the relevant provisions of the BCA and applicable standards including AS 1428.

The proposal has been considered against the requirements of this chapter and found to be generally acceptable. If approved it is recommended the application also be conditioned to comply with the BCA and relevant Australian Standards in regard to access, facilities and car parking.

CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The development is appropriately designed with regard to CPTED principles and is not expected to give rise to increased opportunities for criminal or antisocial behaviour.

| <i>Control/objective</i> | <i>Comment</i> | <i>Compliance</i> |
|--|---|-------------------|
| <u>3.1 Lighting</u> | Under awning lighting proposed. No light spill impacts are expected. | Yes |
| <u>3.2 Natural surveillance and sightlines</u> | Opportunities for natural surveillance of the footpaths will be available. | Yes |
| <u>3.3 Signage</u> | None proposed under current application | N/A |
| <u>3.4 Building design</u> | The design is considered to adequately respond to CPTED principles. There are minimal concealment or entrapment opportunities evident on the plans. | Yes |
| <u>3.5 Landscaping</u> | Landscaping treatment will not result in any concealment opportunities in any unsecure places. | Yes |
| <u>3.6 Public open space and parks.</u> | N/A | N/A |
| <u>3.7 Community facilities and public amenities</u> | N/A | N/A |
| <u>3.8 Bus stops and taxi ranks</u> | N/A | N/A |

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

Car parking, access and servicing facilities have been assessed as satisfactory by Council's traffic engineer. Adequate car parking is provided, and on-site loading and waste collection is provided, accessed off Simpson Place.

CHAPTER E6: LANDSCAPING

The proposal provides suitable landscaped areas on the podium.

Council's Landscape Officer has considered the proposal as satisfactory subject to conditions of any consent, including the need for a final landscape plan prior to release of the construction certificate and the developer provision of footpath paving and street trees in accordance with the Wollongong City Centre Public Domain Technical Manual.

CHAPTER E7: WASTE MANAGEMENT

An acceptable Site Waste Minimisation and Management Plan has been provided. Provision has been made for appropriate on-site storage and collection of waste.

CHAPTER E11 HERITAGE CONSERVATION

Refer to discussion in relation to Clause 5.10 of WLEP 2009

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

Refer to discussion in relation to Clause 7.3 of WLEP 2009 (Section 2.1.5 of the report).

CHAPTER E14 STORMWATER MANAGEMENT

Stormwater is proposed to be disposed of to the existing stormwater system. Council's stormwater engineer has reviewed the proposal with respect to the provisions of this chapter and has recommended conditions of consent.

CHAPTER E15 WATER SENSITIVE URBAN DESIGN

Council's Environment Officer confirmed that the WSUD report by JN Engineering dated Oct 2019 incorporates MUSIC water quality modelling to establish an appropriate design for the filtration system to ensure stormwater runoff meets the WDCP Chapter E 15 water quality objectives.

CHAPTER E19 EARTHWORKS (LAND RESHAPING WORKS)

The proposal involves excavation to facilitate the construction of basement carparking. Council's Geotechnical Engineer has considered the application and has provided a satisfactory referral subject to conditions.

CHAPTER E21 DEMOLITION AND HAZARDOUS BUILDING MATERIALS MANAGEMENT

Conditions are proposed in relation to demolition works, waste management, protection of excavations, handling and disposal of any hazardous building materials, appropriate monitoring and handling in relation to archaeology and the like.

CHAPTER E22 SOIL EROSION AND SEDIMENT CONTROL

Conditions of consent are recommended in regard to appropriate sediment and erosion control measures to be in place during works.