

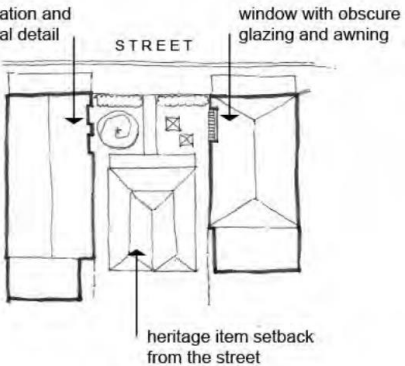
Attachment 8 – Shellharbour Development Control Plan 2013 Compliance Table

CHAPTER 6 – COMMERCIAL DEVELOPMENT			
Provisions		Proposed	Compliance
6.1 Town Centres			
Awnings, recessed balconies and verandahs			
6.1.1	Any awnings above ground floor level can only be over a window and can protrude maximum 500mm from the outer wall of the building.	No awnings above the ground level are proposed.	Yes
6.1.2	Verandahs must have hip, gable or skillion roofing and be post supported.	An awning is proposed on the ground floor with exposed beams aligning with the level 1 verandah to give to appearance a post-supported verandah. This is appropriate as it maintains view corridors to the eastern adjoining heritage item.	Yes
6.1.3	Verandahs are not encouraged in Albion Park Rail, Oak Flats and Warilla as these centres are not currently or planned to be characterised by verandahs.	The subject site is located in Shellharbour Village.	N/A
6.1.4	Shellharbour Village and Albion Park allows for verandahs. See centre specific provisions.	Refer to Chapter 6.3 Shellharbour Village assessment.	N/A
6.1.5	Verandahs are not permitted above the second storey.	No verandahs are proposed above the second storey.	Yes
6.1.6	The outer face of awnings and verandahs must be setback at least 600mm from the vertical face of Council's kerb and gutter.	The outer face of the awning is setback 1.9m from Council's kerb and gutter.	Yes
6.1.7	A minimum unobstructed width at footpath level must be maintained at no less than 2.8m from the property boundary to any supporting post.	Suitably complies.	Yes
6.1.8	Awnings must complement associated building design and streetscape.	An awning is proposed on the ground floor with exposed beams aligning with the level 1 verandah to give to appearance a post-supported verandah. A separate awning is proposed to indicate the location of the residential entrance. This is appropriate.	Yes
6.1.9	Awnings or verandahs must have an underside not less than 3.2 metres above the street.	The underside of the awning is 3.8m above the street.	Yes


CHAPTER 6 – COMMERCIAL DEVELOPMENT			
Provisions		Proposed	Compliance
6.1.10	Awnings or verandahs must provide weather protection unless characterised as varied awning treatment	The proposal provides an awning across the retail tenancy and over the residential entrance. A condition is recommended for the awning to be extended to provide continuous weather protection for pedestrians along the building frontage.	Yes
6.1.11	Verandahs, awnings and recessed balconies must not be physically dominant over other building elements in the overall design.	The proposed architectural components and setbacks are an appropriate response to the heritage item within the vicinity of the site and the streetscape character. Verandahs are an architectural element that is a consistent feature within the Shellharbour Village streetscape.	Yes
6.1.13	Generally, neighbourhood centres will require awning treatment which will be considered on merit, including existing character. Verandahs may be considered in neighbourhood centres if existing character is well represented by verandah	Verandahs and awnings are a common building element of existing and recently constructed building within Shellharbour Village. The proposed building design has suitably incorporated this element.	Yes
Awning locations and types			
6.1.14	Awning treatments are required in the locations indicated in the provisions for individual centres. In Albion Park and Shellharbour Village, post supported verandahs are an option	An awning is proposed on the ground floor with exposed beams aligning with the level 1 verandah to give to appearance a post-supported verandah.	Yes
Tenancy frontages			
6.1.17	Tenancy frontage width will have regard to existing lot widths which vary between individual centres. See also provisions for specific centres on tenancy frontages.	The width of the retail tenancy is appropriate, having regard to the width of the site and surrounding buildings.	Yes
6.1.18	Building frontages should be stepped along ground level according to slope.	The finished floor levels of the ground level are appropriate.	Yes
6.1.19	Awnings and verandah heights should be stepped along ground level in line with stepping the building frontages.	The slope of Addison Street is not significant to require a stepped verandah.	Yes
6.1.20	Street level entries must not be recessed more than 600mm from the street boundary	The entrance of the retail tenancy is on the front property boundary.	Yes
6.1.21	The level difference between the public footpath and the ground floor must not exceed 600mm at any point on the street frontage.	The level difference between the public footpath and the proposed finished floor levels of the ground floor tenancies and the residential entrance does not exceed 600mm.	Yes
Signage			

CHAPTER 6 – COMMERCIAL DEVELOPMENT			
Provisions		Proposed	Compliance
6.1.22	Signage location should generally be under awning, on verandah/balcony fascias or under windows.	Whilst no business signage is proposed, the building design includes two under awning signs where future businesses for the future tenancy to use. The location and style is appropriate.	Yes
6.1.23	Signage must comply with the awning treatment provisions in Advice – awning treatments provisions in Advice – Awnings locations and types.	Whilst no business signage is proposed, the building design includes two under awning signs where future businesses for the future tenancy to use. The location and style is appropriate.	Yes
6.1.24	Where relevant development application plans must show the locations for signage	The development design has provided sufficient space for business identification signage to be installed in the future. The application does not the fit-out of the retail tenancy.	N/A
Location of active and semi active frontages			
6.1.25	Active or semi active frontages are required in the locations described/mapped in the provisions for individual centres	The frontage of the subject site is identified on the Active Street Frontages Map under Clause 6.6 of the Shellharbour Local Environmental Plan 2013. The Addison Street frontage comprises of a retail tenancy and residential entrance (including mail boxes). The proposal is consistent with the requirements of Clause 6.6.	Yes
Land use for active and semi active frontages			
6.1.26	Subject to being permissible in the zone, desired land uses for semi active frontages include amusement centres, community facilities, child care centres, office premises, entertainment facilities, registered clubs, function centres, medical centres, recreation facilities (indoor), information and education facilities, public administration buildings, veterinary hospitals. Semi active frontage mapped areas can also include active frontage uses.	The development application does not propose the fit-out of the retail tenancy. Retail premises are permissible in the B2 Local Centre land use zone.	Yes
Elements for active and semi active frontages			
6.1.27	<p>The following design elements in association with suitable land uses, should be provided where appropriate to achieve active and semi active frontages:</p> <ul style="list-style-type: none"> a. clearly defined pedestrian entries b. grouping of multiple pedestrian entries c. integrating any fire door access with the principal access 	<p>The residential entrance is visible from the public domain with mail boxes and a separate awning with the address in-front to assist in wayfinding. The residential entrance and retail tenancy is separated by a wall to minimise conflicts. Services are incorporated within the building.</p> <p>The retail tenancy has multiple glass panels with sliding glass doors for passive surveillance, to attract customers and business flexibility. Adjoining the retail tenancy is an open area for sale products or outdoor dining opportunities to be used by future businesses.</p>	Yes

CHAPTER 6 – COMMERCIAL DEVELOPMENT			
Provisions		Proposed	Compliance
	d. sufficient façade transparency to allow good vision in and out of the building. e. hole in the wall service points f. bi - fold doors g. windowsill seating h. service counters to the street i. physically open, transparent and integrating private and public domain j. visible human presence inside the development or something of interest inside the development, visible from the street k. highly visible frontage l. must provide an unencumbered path of travel for pedestrians adjacent to the outdoor dining area with a minimum width of 2 metres		
Vehicular access			
6.1.28	Where legally available, all vehicular access and servicing must be from a rear lane, car park or a side street.	Vehicle access to the building is via a Council owned public car park with a driveway connecting to Mary Street. Due to the high volume of pedestrian activity along Addison Street, vehicle access from the Council car park is supported.	Yes
Development on or adjacent to heritage items			
6.1.29	Development adjacent to a heritage item, where the item is setback from the street, must include window openings, articulation or other architectural detailing and a rendered or painted finish on the side elevation adjacent to the front setback area of the heritage item. See Figure 6.4 below.	<p>To the immediate east of the development is a locally listed heritage item at No. 35 Addison Street. The heritage item is located 5.07m from the subject site's eastern boundary.</p> <p>The front and eastern setbacks have been amended during the assessment process to be more sympathetic whilst not result in a jarring setback in contrast to the western adjoining building. Specifically, ground floor tenancy is setback 1.65m from the heritage item awning, the north-eastern corner of the building is consistently setback and have balconies to visually soften the proposed development. The articulation and selection of external finishes and colour palette is appropriate.</p>	Yes

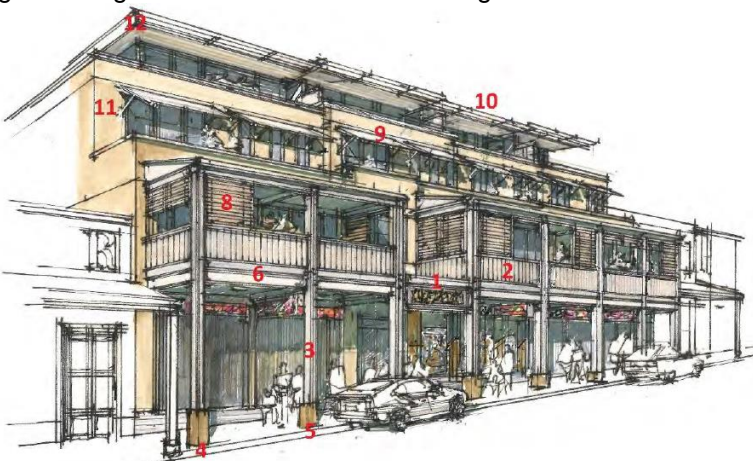
CHAPTER 6 – COMMERCIAL DEVELOPMENT			
Provisions		Proposed	Compliance
	 <p>The diagram illustrates a building facade with three main features: 'wall articulation and architectural detail' on the left, a 'window with obscure glazing and awning' in the center, and a 'heritage item setback from the street' indicated by a dashed line and arrow at the base of the building. The word 'STREET' is written above the facade.</p>	Furthermore, the colour palette and external finishes are sympathetic to the heritage item and consistent with those encouraged within Part 6.3 Shellharbour Village Centre.	
Ceiling height			
6.1.30	Some town centre development is not covered by State Environmental Planning Policy 65: Design quality of residential apartment development (SEPP 65). This section of the DCP requires the ceiling height provisions of SEPP 65 to be applied to development that is not covered by SEPP 65. This means SEPP 65 ceiling height provisions apply to non SEPP 65 development, for instance development less than 3 storeys and development that has no residential component.	The development application is assessed under SEPP No. 65 as detailed in attachment 5.	N/A
Roofing			
6.1.31	Roofing must not be physically dominant over other building elements in the overall design.	A flat roof is proposed that does not dominant over other building elements.	Yes
6.1.32	Roof form like building height can impact the rhythm and overall appearance of the streetscape. Roof form should: <ul style="list-style-type: none"> a. Integrate into the overall facade and building composition. b. Respond to sun access. c. Minimise building bulk by breaking down and articulating roof form. 	The roof form has been integrated into the overall building composition.	Yes
Laneways			


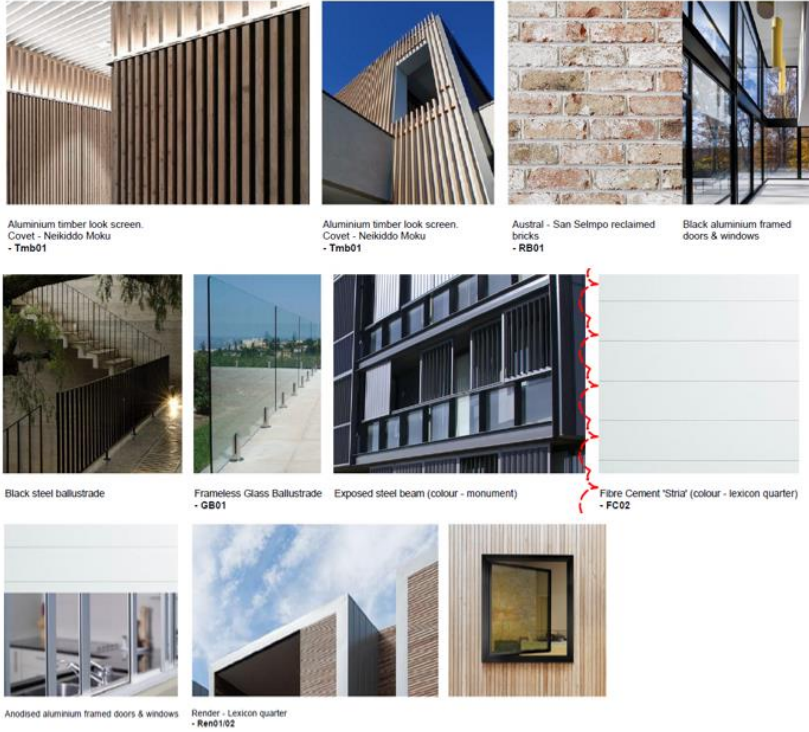
CHAPTER 6 – COMMERCIAL DEVELOPMENT			
Provisions		Proposed	Compliance
6.1.32	Development should activate or provide the design adaptability to activate laneways.	The subject site does not adjoin a laneway.	N/A
Above ground uses			
6.1.34	Above ground floor uses should be designed to overlook streets, laneways, other public domain and be used for residential living rooms or business uses with an active human presence. Balconies connected to such uses can be used.	Residential apartment balconies are orientated to Addison Street and the public car park thereby providing passive surveillance opportunities.	Yes
Fencing			
6.1.35	Fencing will generally not be permitted at the front of sites.	No fencing is proposed along the front property boundary.	Yes
6.1.36	Fencing at the side or rear of properties will only be permitted under exceptional circumstances for privacy and or security reasons and where consistent with this section's objectives	Fencing along the side or rear property boundaries is not required based on the proposal design.	Yes
6.1.37	Sheet steel fencing must not be used.	No fencing along the property boundaries are proposed.	N/A
Future possible building envelope			
6.1.38	<p>Future possible building envelope provisions are as mapped in the relevant town centre plan endorsed by Council for individual centres. See Council's website. These are not mandatory as they rely on multiple lots being available to form all or part of a building envelope. Key development principles underpinning the future possible building envelopes are as follows:</p> <ul style="list-style-type: none"> a. Solar access is optimised through ensuring appropriate building separation and north facing buildings whilst maintaining good building frontage onto streets based on State Environmental Planning Policy 65 Design Quality of Residential Apartment Development (SEPP 65) and its associated Apartment Design Guide. b. All concept building blocks are designed to optimise thermal performance, thermal comfort, and daylighting to improve a buildings energy efficiency. 	<p>The subject site is located within Shellharbour Village. The Shellharbour Town Centre Plan was endorsed by Council on 18 March 2014. The Centre Plan provides guidance on how the area could be transformed into a successful town centre and using the development standards in the Shellharbour Local Environmental Plan 2013.</p> <p>The Town Centre Plan does not detail a future possible building envelope on the subject site (shown in extract below).</p>	N/A

CHAPTER 6 – COMMERCIAL DEVELOPMENT			
Provisions		Proposed	Compliance
	<p>c. All concept building blocks should ensure visual privacy and acoustic privacy through adopting SEPP 65 design principles.</p> <p>d. Crime Prevention Through Environmental Design (CPTED) principles. See separate chapter in this DCP.</p>	 <p>Extract of Figure 6.04 Form and Footprint Plan from the Shellharbour Village Centre Plan (March 2014). The subject site is outlined in green.</p>	
Local context plan			
6.1.39	<p>All development must successfully integrate with adjoining and opposite sites, including heritage sites. Success is measured in terms of relevant DCP objectives. For apartments, shop top housing or mixed use development with a residential accommodation component, State Environmental Planning Policy 65: Design Quality of Residential Apartment Development (SEPP 65) will generally apply, providing requirements including for a local context plan. For development that SEPP 65 does not apply to, a SEPP 65 type local context plan is required by this DCP.</p>	<p>A local context plan was submitted as part of the architectural plan package. SEPP 65 applies to the subject development application. An assessment of the application against SEPP 65 and the ADG is included.</p>	N/A


CHAPTER 6 – COMMERCIAL DEVELOPMENT


6.3 Shellharbour Village Centre

Design	Proposed	Compliance
<p>6.3.3 Figure 6.16 below shows a suggested desired four level outcome for a generic infill site in Shellharbour Village Centre. Design is encouraged to use elements shown in the key from the figures and where appropriate from existing development of good design. * Setbacks are from building wall</p>  <p>KEY</p> <ul style="list-style-type: none"> 1. Break in verandah rhythm to emphasise residential entry point 2. Solid balustrade 3. Robust character to verandah posts 4. Painted masonry to stone post bases 5. Varying post base height to enable consistent post height along slope 6. Valance element 7. Consistent verandah post spacing 8. Some privacy for balconies permitted 9. Shading and vertical emphasis to windows 10. 6 – 8 metre rhythm on skyline – transparent at edge 11. 2 metre setback for third level 12. 4 metre setback for fourth level 	<ol style="list-style-type: none"> 1. Awning element proposed along the Addison Street frontage with a different style awning to identify the resident entrance. All level 1 balconies facing Addison Street have solid balustrade. 2. Solid balustrading is proposed on Level 2 and 3. The balustrade design of Level 1 complements the verandah design. 3. The verandah post does not have a stone base and is consistent with the adjoining heritage item. It is noted that a stone base verandah post is not an element that is consistently found along Addison Street. 4. Exposed steel beam in colour monument is proposed. The colour and finish is sympathetic to the heritage item. 5. No post base is proposed. 6. The verandah framing on Level 1 is appropriate. 7. The verandah post spacing is consistent. 8. Privacy screens are proposed. 9. Windows are shaded by the balcony above, no shading devices are required. 10. Roof lines is articulated 11. 0.55m from balcony and min 2.10m from building – Compliant 12. 2.06m from balcony and min 4.3m from building - Compliant 	<p>No. Whilst the application does not incorporate all of the elements in Figure 6.16, the provision states that “design is encouraged to use” inferring that inclusion of every element is not required. The composition of elements is appropriate for the site context.</p>

Colours and Materials			
6.3.5	<p>Colours and materials must be soft whites, soft blues, soft greens and greys. Small single storey buildings may however choose to use brighter colours to add variation to the streetscape. Darker tones can be used to highlight and define architectural features such as windowsills, doors and details. Use of natural and rustic materials such as exposed brick, sandstone, bluestone and timber cladding, painted brick should be used. Visible side, rear elevations can be rendered/painted brick.</p> 	<p>A Schedule of Colours and External Materials accompanied the revised development application. The use of reclaimed face bricks on the ground floor provides a suitable contrast to the lighter upper storey colour tones to define the retail component of the development. The chosen colour tones and choice of materials provides a suitable degree of contrast to the heritage building whilst being consistent with the colour tones of other buildings in Shellharbour Village and this planning control.</p>  <p>Aluminium timber look screen. Covet - Neikiddo Moku - Tmb01</p> <p>Aluminium timber look screen. Covet - Neikiddo Moku - Tmb01</p> <p>Austral - San Selmpo reclaimed bricks - RB01</p> <p>Black aluminium framed doors & windows</p> <p>Black steel balustrade - GB01</p> <p>Frameless Glass Balustrade - GB01</p> <p>Exposed steel beam (colour - monument)</p> <p>Fibre Cement 'Stria' (colour - lexicon quarter) - FC02</p> <p>Anodised aluminium framed doors & windows</p> <p>Render - Lexicon quarter - Rend102</p>	Yes
Roofing and building rectilinear form			
6.3.6	<p>Roofing must not be physically dominant over other building elements in the overall design. Building design must incorporate traditional rectilinear forms, including parapets, hip, gable or skillion roofs. If used, parapets must be the dominant roof element when viewed from the street or second storey of other</p>	<p>A flat roof form is proposed and does not dominant over other building elements. The overall building form has varying setbacks across all of the elevations. Building design is suitable within the streetscape context of the site.</p>	Yes

	buildings. For instance, any skillion roofing used behind parapets must slope towards the street frontage.																											
Tenancy frontages																												
6.3.8	Other areas along Addison Street have lot widths over 10 metres and up to 60 metres. Development of existing lots with widths 20 metres or more must accommodate two separate tenancy frontages. Development of lots with widths above 30 metres must aim for more than two separate tenancy frontages, no greater than approximately 15 metres in width. This may be varied on merit, depending on existing lot configuration and development proposed.	The Addison Street frontage is 19.93m comprising of one retail tenancy and residential entrance. The provision of one tenancy is appropriate for the total width of the frontage. The tenancy configurations and sizes provide for diversification of business types and scales.	Yes																									
Setbacks																												
6.3.9 - 6.3.11	<ul style="list-style-type: none">Ground and level 1 front setback should be 0 to 2m from the front boundary.Front setback above Level 2 will be increased by at least 2m.Side and rear setbacks will be determined by the required by the local context plan.	<table><tr><td></td><td>Northern front setback (Addison St)</td><td>Eastern side setback</td><td>Western side setback</td><td>Southern rear setback (carpark)</td></tr><tr><td>Ground Floor</td><td>Nil</td><td>Blank wall – Nil</td><td>Blank wall – Nil</td><td>Blank wall – 0.446m</td></tr><tr><td>Level 1</td><td>Balcony - Nil Building – Min 2.06m</td><td>Balcony – Nil</td><td>Nil</td><td>Balcony – Nil</td></tr><tr><td>Level 2</td><td>Balcony – 0.550m Building – Min 2m</td><td>Nil</td><td>Nil</td><td>Nil</td></tr><tr><td>Level 3</td><td>Balcony – 2.06m Building – 4.3m</td><td>Nil</td><td>Nil</td><td>Balcony- 0.816m</td></tr></table> <p>The proposed setbacks appropriately respond to the heritage context of the site and have taken into consideration setback and amenity implications in the re-development of adjoining sites.</p>		Northern front setback (Addison St)	Eastern side setback	Western side setback	Southern rear setback (carpark)	Ground Floor	Nil	Blank wall – Nil	Blank wall – Nil	Blank wall – 0.446m	Level 1	Balcony - Nil Building – Min 2.06m	Balcony – Nil	Nil	Balcony – Nil	Level 2	Balcony – 0.550m Building – Min 2m	Nil	Nil	Nil	Level 3	Balcony – 2.06m Building – 4.3m	Nil	Nil	Balcony- 0.816m	
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Level 3	Balcony – 2.06m Building – 4.3m	Nil	Nil	Balcony- 0.816m																								
Active and semi active frontages																												
6.3.14	Figure 6.19 below indicates where active and semi active frontages are required. Please refer to active and semi active frontage provisions in section 6.1.	Refer to Clause 6.6 Active Street Frontages of Shellharbour Local Environmental Plan 2013 assessment.	Yes																									

	 <p>KEY</p> <ul style="list-style-type: none">Active frontages from LEP 2013Active or semi active frontagesActive or semi active frontages both sides of lane			
Post supported verandahs and awnings				
6.3.16	Post-supported verandahs should extend 2.7 - 3.0m from the front boundary over the existing footpath and be setback at least 600mm from the vertical face of Council's kerb and gutter.	An awning is proposed on the ground floor with exposed beams aligning with the level 1 verandah to give to appearance a post-supported verandah. The awning extends 1.95m from the front property boundary, providing sufficient weather protection. A condition has been recommended to achieve compliance with this control. The compliance will still result in an awning which is suitably setback from the heritage item.	No. Condition recommended.	

	 <p>KEY</p> <ul style="list-style-type: none"> — Post supported verandahs or consistent awning treatments — Consistent or varied awning treatments 		
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CHAPTER 13 – PARKING, TRAFFIC & TRANSPORT		
Provisions	Proposed	Compliance
13.1 Numerical parking requirement		
Minimum parking requirement		

CHAPTER 13 – PARKING, TRAFFIC & TRANSPORT									
	Provisions	Proposed	Compliance						
13.1.1	<p>Table 13.1 below states the minimum car parking requirement that a development must provide. See the relevant extract from the table below</p> <table><tr><td>Multi-Dwelling Housing & Shop-Top Housing & Residential Flat Buildings & Mixed Use Development</td><td><p><u>Resident parking</u></p><p>1 space / one bedroom dwelling & 1.5 space / two + bedroom dwellings with a minimum of 1 enclosed space located behind the building line per dwelling. A carport is not considered an enclosed space.</p><p>Stack parking will be considered on merit and only in multi-dwelling housing and residential flat buildings.</p><p>Where a double garage is to accommodate the parking requirements for more than 1 dwelling, an internal dividing wa is required.</p><p><u>Visitor parking</u></p><p>0.25 space / one bedroom dwelling 0.5 space / two + bedroom dwellings</p><p>Visitor car parking must be provided as open car parking.</p><p>Visitor car parking cannot be satisfied by stack parking</p><p>Visitor car parking must not be located within 2 metres of the primary (front) or secondary boundary.</p><p>The above car parking rates are for the residential component of shop top housing only. The car parking requirement for the commercial component must also be satisfied.</p></td></tr><tr><td>Retail Premises</td><td></td></tr><tr><td>Retail shop</td><td>1 space / 35m² gross floor area</td></tr></table>	Multi-Dwelling Housing & Shop-Top Housing & Residential Flat Buildings & Mixed Use Development	<p><u>Resident parking</u></p> <p>1 space / one bedroom dwelling & 1.5 space / two + bedroom dwellings with a minimum of 1 enclosed space located behind the building line per dwelling. A carport is not considered an enclosed space.</p> <p>Stack parking will be considered on merit and only in multi-dwelling housing and residential flat buildings.</p> <p>Where a double garage is to accommodate the parking requirements for more than 1 dwelling, an internal dividing wa is required.</p> <p><u>Visitor parking</u></p> <p>0.25 space / one bedroom dwelling 0.5 space / two + bedroom dwellings</p> <p>Visitor car parking must be provided as open car parking.</p> <p>Visitor car parking cannot be satisfied by stack parking</p> <p>Visitor car parking must not be located within 2 metres of the primary (front) or secondary boundary.</p> <p>The above car parking rates are for the residential component of shop top housing only. The car parking requirement for the commercial component must also be satisfied.</p>	Retail Premises		Retail shop	1 space / 35m ² gross floor area	<p><u>Residential requirement:</u></p> <p>10 x 2+ bedroom units = 15 residential car parking spaces</p> <p><u>Visitor requirement:</u></p> <p>10 x 2+ bedroom units = 5 visitor car parking spaces</p> <p><u>Commercial requirement:</u></p> <p>61m² GFA proposed at 1 space / 35m² GFA Total requirement = 2 spaces plus delivery space</p> <p><u>Proposed:</u></p> <p>On-site car parking is provided on the ground floor. A total of 15 residential visitor, 5 visitor, 0 retail car parking spaces are proposed. Whilst the application has a 2 retail car parking space shortfall, Addison Street has 1 hour on-street car parking Council owned public car park immediately adjoins the site to the south, whereby a contribution can be paid in lieu of shortfalls of car parking on the subject site. Addison Street has 1 hour on-street car parking spaces on both the northern and southern side.</p> <p>A loading zone is located on the ground floor that can accommodate a SRV for waste collection and deliveries associated with both residential and retail components of the development.</p>	<p>Residential – Yes Retail – No. However, shortfall is accommodated by adjoining car park.</p>
Multi-Dwelling Housing & Shop-Top Housing & Residential Flat Buildings & Mixed Use Development	<p><u>Resident parking</u></p> <p>1 space / one bedroom dwelling & 1.5 space / two + bedroom dwellings with a minimum of 1 enclosed space located behind the building line per dwelling. A carport is not considered an enclosed space.</p> <p>Stack parking will be considered on merit and only in multi-dwelling housing and residential flat buildings.</p> <p>Where a double garage is to accommodate the parking requirements for more than 1 dwelling, an internal dividing wa is required.</p> <p><u>Visitor parking</u></p> <p>0.25 space / one bedroom dwelling 0.5 space / two + bedroom dwellings</p> <p>Visitor car parking must be provided as open car parking.</p> <p>Visitor car parking cannot be satisfied by stack parking</p> <p>Visitor car parking must not be located within 2 metres of the primary (front) or secondary boundary.</p> <p>The above car parking rates are for the residential component of shop top housing only. The car parking requirement for the commercial component must also be satisfied.</p>								
Retail Premises									
Retail shop	1 space / 35m ² gross floor area								
Shortfalls in parking provisions									
13.1.4	Car parking generated by a development must generally be accommodated within the development site. A shortfall in available parking on the site cannot be accommodated as on-street parking or as off-site parking on another location	A Council owned public car park immediately adjoins the site to the south, whereby a contribution can be paid in lieu of shortfalls of car parking on the subject site. A condition of consent for the payment of contributions has been recommended.	Condition recommended.						
13.1.6	Notwithstanding Advice 13.1.4, a commercial development that cannot accommodate the required number of car parking spaces within the bounds of its development site may be levied a contribution in accordance with Council's Section 94 Contributions Plan if the development is located within a specific area where this charge applies	See 13.1.4 comment.	Yes						
Calculation of parking requirements									

CHAPTER 13 – PARKING, TRAFFIC & TRANSPORT			
	Provisions	Proposed	Compliance
13.1.7	Where the amount of parking required is not a whole number, the number of spaces required will be rounded up to the nearest whole number. For example, where the car parking requirement has been calculated as 9.3 spaces, the required number of spaces is 10 spaces.	Noted. Car parking requirements are a whole number.	N/A
13.1.8	Where a proposal includes a mix of different types of activities within the development, the total spaces required is determined by cumulative parking requirements of the development as a whole. The parking requirement for each activity of the development is added together and rounded upwards to the nearest whole number. A reduced number of on-site parking spaces may be considered where a traffic and parking study can demonstrate that the peak parking demands of individual components of the development do not coincide or where common usage reduces total demand.	The proposed number of car parking spaces is acceptable.	Yes
Footpath crossing location			
13.2.10	Crossings must be located so as not to interfere with existing public utility infrastructure. A driveway must be at least 500mm from drainage structures and 2m from a street tree. Where a street tree or drainage structure is to be relocated or modified, all costs will be borne by the developer	The proposed crossing will not interfere with any significant public utility infrastructure and trees.	Yes
Maximum driveway grades – commercial & industrial development			
13.2.15	Driveway grades for non-residential development must comply with AS2890.2 Parking Facilities - Off-Street Commercial Vehicle Facilities.	The proposed driveway grade complies with AS2890.2 Parking Facilities - Off-Street Commercial Vehicle Facilities.	Yes
Residential visitor parking design & location requirements			
13.2.17	Where 4 or more dwellings are proposed, one of the required visitor car parking spaces must be equipped for washing of cars for the residents of the development. This visitor's car space must be suitably signed, be provided with a water tap, waste water drainage complying with Council's requirements and be paved with a surface that allows some infiltration of water. This site facility is not required for multi dwelling housing with Torrens title subdivision.	10 residential units are proposed. No visitor car parking spaces have been nominated as a car wash bay. Conditions are recommended in this regard.	Condition recommended.
Mixed use development customer car parking			
13.2.19	Customer parking for commercial components of mixed use must be designed to be easily accessed by customers. For instance it is	No car parking spaces have been nominated for the retail component.	N/A

CHAPTER 13 – PARKING, TRAFFIC & TRANSPORT			
	Provisions	Proposed	Compliance
	not appropriate to have the customer parking mixed with parking likely to require security access, such as resident parking.		
Ingress & egress requirements			
13.2.26	<p>The following development requires all vehicles to enter and exit the site in a forward direction from any part on the development site:</p> <ul style="list-style-type: none"> a. multi dwelling housing comprising 4 units or more which share a common internal access driveway/road b. any development on a classified road c. any development which will utilise part or the full length of a battleaxe type driveway or access handle d. commercial developments e. industrial developments f. child care centre 	The proposal relates to a shop-top housing development. Vehicles are able to enter and exit spaces in a forward direction. Council's waste collection vehicle is able to enter and exit the site from a forward direction to service the residential components of the development. Private contractor servicing is proposed for the commercial units, subject to future DAs.	Yes
13.2.28	Vehicular access to a site must be designed and located having regard to the size of vehicles likely to access the site, traffic volume on the roads serving the proposed development and the traffic volume generated by the proposed development	<p>Vehicle access to the ground level car parking will be via a Council owned public carpark which is accessible from Allen's Lane. As the carpark is owned by Council a right of way for vehicle access is to be registered on the corresponding property title. An in-principal agreement for the right of way between Council and the owners of the subject site has been obtained. A deferred commencement condition has been recommended requiring the registration of the ROW as discussed throughout this report.</p> <p>Vehicle access via the public car park is considered an appropriate outcome due to the high pedestrian activity along Addison Street and the adverse traffic flow implications if vehicle access was permitted via Addison Street. Vehicle access via the car park is consistent with other shop top housing developments on the southern side of Addison Street.</p>	Yes.
Car park design & layout			
13.2.31	<p>Vehicle parking must not have an adverse impact on the residents of adjoining sites in terms of noise, odour or run-off. Car parking areas:</p> <ul style="list-style-type: none"> a. must be screened from nearby sensitive receiving environments 	The car parking area is appropriately screened.	Yes
13.2.33	The design of parking areas must minimise the potential for vehicular/pedestrian conflict. Pedestrian pathways between the parking areas and the building access should be provided.	The design of the parking area from a pedestrian safety perspective is appropriate. The location and design of the vehicle access has taken into account pedestrian sightlines.	Yes

CHAPTER 13 – PARKING, TRAFFIC & TRANSPORT			
	Provisions	Proposed	Compliance
13.2.34	Access and parking areas for service vehicles should be separated from the access and parking for employees and customers and must be designed to accommodate the largest service vehicle likely to service the site.	A designate waste collection area is provided for residential and waste for a SRV size. The waste collection area could also be utilised by the retail tenancy for deliveries as there is direct access from the car park into the retail tenancy. There is currently no dedicated loading zone on the southern side of Addison Street.	No. Variation acceptable on its merits.
Access crossing for industrial and commercial developments			
13.2.37	Driveways must have a minimum width of six metres across the full width of the footpath crossing and have a perpendicular alignment to the street. This width may be increased depending on the use of the building and the type of vehicles accessing the site.	The width of the driveway is appropriate. Conditions of consent as recommended by Council's Engineers are included to ensure compliance with Council requirements.	Yes

CHAPTER 15 - WASTE MINIMISATION AND MANAGEMENT			
15.1 Development types and waste			
15.1.1	A WMP has been submitted and generally aligns with the requirement of this Chapter.		Yes
A Waste Management Plan (WMP) is to be submitted with development applications for demolition, construction and operational works.		The proposal provides separate commercial and residential waste storage rooms. The residential waste room also includes a bulky waste area. The architectural plans sufficiently demonstrate that both waste storage rooms can accommodate the required number of bins. A loading zone is provided on the ground floor car parking area adjacent to the waste storage rooms for the waste truck to park and service the bins. Council's waste collection vehicle is able to enter and exit the site from a forward direction to service the residential components of the development. Private contractor servicing is proposed for the commercial unit, subject to future DAs. Council's Waste Contract Manager has reviewed the proposal and raised no objections, subject to the imposition of the recommended conditions of consent.	
Development that relies on on-street collection		Residential and retail waste collection is proposed within the subject site.	N/A
15.1.3 a minimum of 1.5m of the subject land's legal property frontage must be provide day the kerb for storage of every 2 bins generated by the development for servicing.			

CHAPTER 23 - CUTTING, FILLING AND RETAINING WALLS	
Objectives	Minimal earthworks are required with no basement level required and finished floor levels appropriate to the existing contours of the site. During the assessment process a Structural Design Statement was submitted in relation to the building at No. 41 Addison Street with recommendations during the demolition and construction

<ol style="list-style-type: none"> 1. To ensure the design of development has regard to site conditions so as to minimise excavation or filling of land on individual allotments. 2. To minimise the visual impact of excavation and filling of land and associated stabilisation works on the streetscape and amenity of adjoining properties through appropriate design and location of retaining walls on the site. 3. To ensure the excavation or filling of land does not create any adverse impacts from surface and/or stormwater flows. 4. To ensure that retaining walls are structurally sound and are located and/or designed to minimise impact on infrastructure and utilities and adjoining development. 	<p>phases to protect the structural integrity of the structure. Whilst the proposed development does not include excavation works for a basement, due to the proximity of the site to the heritage item at No. 35 Addison St, conditions are recommended for a Vibration Control Plan and a Temporary Protection Plan be prepared and implemented.</p>
23.1 Structural and easements	
Depth of cut and fill 23.1.1 The maximum depth of excavation on any portion of the allotment is 1m. Excavated areas may only exceed 1m where the retained sections are located within the confines of the external walls of the building. 23.1.2 The maximum depth of filling on any portion of the allotment is 1m.	<p>The depth of excavation and fill will not exceed 1m.</p>
Structural integrity 23.1.6 Retaining wall which exceed 600mm in height must be designed by a structural engineer. 23.1.7 Construction of retaining walls and associated drainage work along common boundaries must not compromise the structural integrity of any existing retaining wall or structures. 23.1.8 Where in the opinion of Council retaining walls are required as part of a subdivision, detailed plans including materials, must be lodged with the development application.	<p>The architectural plans do not show any retaining walls.</p>
23.4 Design/cut and fill	
23.4.1 Development should minimise changes to the natural landform of the site. Cut and fill should be minimised by siting the development across the contours, by split level design, elevated slab with deck rather than fill, use of landscaped terraces or batters or small stepped retaining walls rather than a single large retaining wall.	<p>The proposal is considered a suitable response to the topography of the site with the depth of excavation and fill minimal.</p>

CHAPTER 25 – STORMWATER MANAGEMENT	
<p>25.1 The associated Appendix 10 outlines background and technical information necessary to assist in the preparation of development applications so that it addresses:</p> <ul style="list-style-type: none"> a. ecologically sustainable development b. methods to improve water quality of receiving waters c. ways to minimise adverse impacts on existing public infrastructure can be incorporated into the design of development proposals. 	<p>Councils Engineer has reviewed the submitted Stormwater Plans against the requirements of Appendix 10. Conditions have been recommended and are included within the draft consent.</p>

CHAPTER 28 –EUROPEAN HERITAGE			
Provisions		Proposed	Compliance
28.1 General Advice			
<p>Objectives</p> <ul style="list-style-type: none"> 1. Facilitate the conservation of heritage items. 2. Assist both applicants and Council in the assessment of proposed development of or near heritage items. 3. Assist both applicants and Council in the assessment of proposed development in heritage conservation areas. 		<p>The proposal would not be considered inconsistent with the objectives of this part. Refer to Clause 5.10 Shellharbour Local Environment Plan 2013 assessment.</p>	<p>Yes</p>
28.1.2	Before granting development consent Council may require a statement of heritage impact or a conservation management plan to be prepared	A Heritage Impact Assessment (HIA) was provided as part of the application submission. An addendum to the HIA was provided in response to Councils additional information request	Yes
28.1.4	A conservation management plan identifies measures to ensure the long term conservation of the item or conservation area.	The subject site is not heritage item. A Conversation Management Plan is not required.	N/A
28.5 Context Advice – Waterfront Suburbs			
Development in the vicinity of heritage items			
28.5.12	Two storey elements of building adjacent to single storey heritage dwellings must be located a minimum of 2 metres from the boundary adjoining the heritage property.	The heritage item is located 5.07m from the boundary shared between the heritage item and subject site. Whilst nil eastern side setbacks are proposed, the articulation of elements and separation between the proposed building and heritage item is appropriate.	No. Variation supported.
28.5.13	New development adjacent to heritage items must ensure that views to the heritage item are not obstructed.	The front and eastern setbacks have been modified throughout the assessment process, specifically at the north-eastern corner of the development. The building	Yes

		and balcony setbacks of the ground floor and Level 1 are no more than the existing heritage building.	
28.5.14	New development adjacent to heritage items must retain views to the waterfront from the public domain.	Existing waterfront views within the context of the heritage item are maintained.	Yes