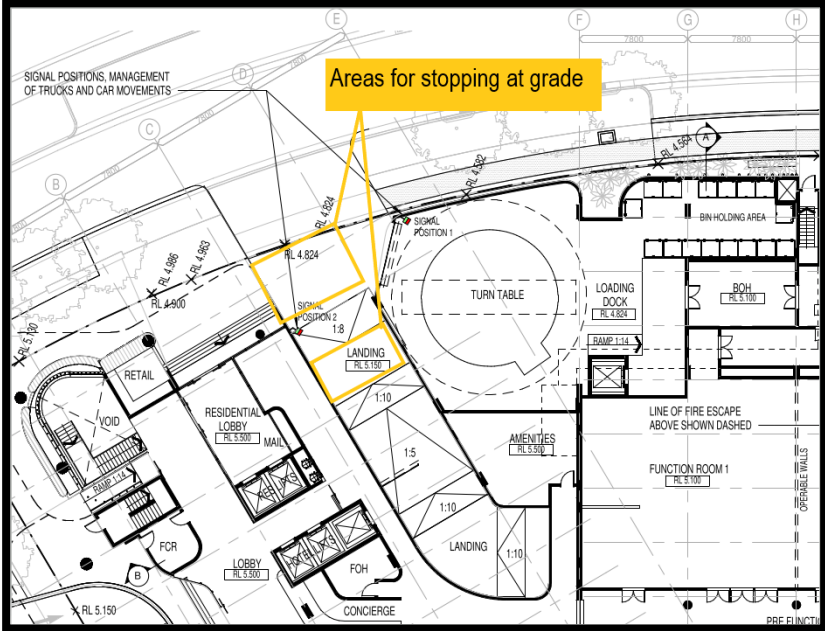


Attachment 10 – Shellharbour Development Control Plan Compliance Table

DCP Provision	Proposal	Compliance
Chapter 13 Parking, Traffic and Transport		
13..1 – minimum parking requirement Staff parking for food and drink premises + 2 space / 3 staff present on the site at any one time	No details of staff numbers anticipated for size of premises	In accordance with the Design Guidelines staff parking rates for the food and drink premises are to be taken from the SDCP. No details of how many staff will be required for premises proposed. Recommended work place travel plan required by condition. Discussed in section 10 of assessment report.
13. 2.1 Parking space dimensions (residential) 13.2.1 The minimum dimensions required for a single car space are: Length x width a. 5.5m x 2.6m - open car space b. 5.5m x 2.9m - car space abuts one wall c. 5.5m x 3.1m - car space enclosed both sides by buildings or walls d. 6.1m x 2.5m - parallel parking The above dimensions are based on an access aisle width of 7.0m. For each 0.4m reduction in the aisle width, there must be a 0.1m increase in the car space width. The dimensions for car parking spaces for people with a disability must be in accordance with relevant Australian Standards.	Does not comply with Shellharbour DCP in terms of parking space dimensions.	The plans indicate residential parking spaces are typically 2.4m wide x 5.4m long. This complies with the dimensions for Class 1A residential spaces in AS2890.1 and is considered acceptable given the aisle widths for all parking spaces comply with AS2890.1. Compliance with the DCP requirement when the Australian Standard is satisfied is considered excessive.
13.2.21 Any visitor car parking must be clearly identified to the visitor at street level and	Visitor parking will be suitable signposted with external signage provided as well.	Complies – suitable condition recommended.

should be separate from the resident car parking.		
<p>Pedestrian safety 13.2.30 Parking entry and exit ramps must be at grade for an entire car length before crossing the pedestrian pavement, so that drivers have a level space from which to stop and give way to pedestrians.</p>	<p>The driveway will allow drivers a level space from which to stop to give way to pedestrians.</p>	<p>Complies</p> 
Chapter 15 Waste Minimisation and Management		
<p>Objectives</p> <ol style="list-style-type: none"> 1. To maximise reuse and recycling of demolition and construction materials and materials from subdivision. 2. To ensure storage and collection of waste is designed and managed having 	<p>Waste management plan submitted.</p>	<p>The proposed waste strategy report shows compliance with the chapter objectives.</p>

appropriate regard to space, location, amenity and ongoing management of waste management facilities. 3. To ensure waste management systems are compatible with collection services. 4. Ensure developments provide adequate space for kerbside collection services. 5. To minimise potential adverse impacts relating to the management of waste on the amenity of adjoining properties and within the development. 6. To minimise the amount waste being deposited in landfill. 7. To provide information to applicants on how to prepare a Waste Management Plan.		
15.1.1 A waste management plan is to be submitted with development applications for demolition, construction and operational works.	Waste management plan submitted with application.	Complies
13.2.18 For Developments with 20 dwellings or more, a designated car washing facility must be provided.	A dedicated car washing facility has not been included in the proposal.	Considering the number of car parking spaces exceeds the minimum requirement it is reasonable to condition the car washing facility. Suitable condition included within attachment 1 .
Chapter 16 Access for people with a disability		
Objectives The guiding principles of the Premises Standards are the objects of the Disability Discrimination Act 1992 (DDA) which are: 1. to eliminate, as far as possible, discrimination against persons on the basis of their disabilities in various areas, and in particular access to premises, work,	The proposal does not comply with the DTS provisions of the BCA however the Applicant has provided a BCA Consultants report that identifies a number of non-compliances and has	Complies

<p>accommodation and the provision of facilities, services and land.</p> <p>2. to ensure, as far as practicable, that persons with disabilities have the same rights to equality before the law as the rest of the community</p> <p>3. to promote recognition and acceptance within the community of the principle that persons with disabilities have the same fundamental rights as the rest of the community.</p>	<p>recommended a number Performance/Alternate Solutions. The Alternate Solutions have been identified. In a project of this magnitude, it would be reasonable to expect several alternate solutions. The Certifying Authority at Construction Certificate Stage will be assessing and reviewing the alternate solutions however at DA Stage these noted non-compliances do not prevent the issue of a Development Consent for the proposal in its current form.</p> <p>Accessible entrances included and lift access to each level.</p>	
Chapter 23 - Contamination		
<p>Objectives:</p> <p>Integrating land contamination management into the development process aims to:</p> <p>a. ensure that changes of land-use will not increase the risk to health and the environment</p> <p>b. avoid inappropriate restrictions on land-use</p>	<p>Council Environment Officers are satisfied that the proposed residential use would be suitable on this site, however as a precaution an unexpected finds protocol condition has been included in attachment 1.</p>	<p>Complies</p>

c. provide information to support decision-making and to inform the community.		
Chapter 23 – Cutting, Filling and Retaining Walls		
<p>Objectives</p> <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 stabilising 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. 5. To ensure cut/fill activities and retaining walls are contained wholly within the subject lot. 	<p>The proposal will require significant cut for the four level basement carpark. This excavation will be retained within the walls of the development.</p> <p>Earthworks subject of previous consent DA0595/2018.</p>	Complies
Chapter 24 – Floodplain Risk Management		
<p>Objectives</p> <ol style="list-style-type: none"> 1. Minimise the potential impact of development and other activity upon waterway corridors. 2. Increase public awareness of the hazard and extent of land affected by all potential floods, including floods greater than the 100 	<p>There will be no loss of flood storage due to proposed development in the 1% AEP event and no impact on flooding elsewhere due to the development.</p>	Complies

<p>year average recurrence interval (ARI) flood such as the Probable Maximum Flood (PMF) and to ensure essential services and land uses are planned in recognition of all potential floods.</p> <p>3. Inform the community of Council's Plan for the use and development of flood prone land. 4. Reduce the risk to human life and damage to property caused by flooding through controlling development on land affected by potential floods.</p> <p>5. Provide detailed controls for the assessment of applications lodged in accordance with the EP&A Act on land affected by potential floods.</p> <p>6. Provide guidelines, for the use and development of land subject to all potential floods in the floodplain, which reflect the probability of the flood occurring and the potential hazard within different areas.</p> <p>7. Apply a "merit-based approach" to all development decisions which take account of social, economic and ecological as well as flooding considerations.</p> <p>8. To control development and activity within each of the individual floodplains within the LGA having regard to the characteristics and level of information available for each of the floodplains.</p> <p>9. Deal equitably and consistently with applications for development on land affected by potential floods, in accordance with the principles contained in the</p>	<p>In the PMF event, high hazard conditions are expected along Road 11 (Aquatic Drive) and parts of Road 10 (Waterfront Promenade), in addition to Harbour Boulevard. As the duration of inundation is expected to be less than 1 hour in the PMF event, stay- in- place will be suitable for storms larger than the 1% AEP event.</p> <p>Furthermore, the basement car park must be protected from inundation to levels resulting from either the 1% AEP level plus freeboard or PMF whichever is greater. The basement car park must have reliable access for pedestrians in the PMF event from basement. All openings such as vehicular and pedestrian entry points, ventilation grates etc must all be above the PMF level.</p> <p>Council Flood Engineers have reviewed the information submitted and recommended approval subject to recommended</p>	
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<p>Floodplain Development Manual as amended, issued by the NSW Government. NOTE: Other chapters/appendices of this DCP will also need to be considered when preparing a development application.</p> <p>10. Restore / rehabilitate the riparian zone by returning as far as practicable the vegetation, geomorphic structure, hydrology and water quality of the original (pre European) condition of the stream.</p> <p>11. Integrate the management of riparian land with floodplain risk management by assuming the riparian land is fully vegetated when developing flood models for analysis of flood risk.</p>	<p>conditions included in attachment 1.</p>	
Chapter 25 Stormwater Management		
<p>Objectives</p> <p>1. To encourage consideration of Ecologically Sustainable Development and Catchment Management while providing requirements for water management when developing a site.</p> <p>2. To provide requirements and advice to applicants in regard to stormwater management.</p> <p>3. Maintain and improve water quality within Shellharbour City and to the receiving waters.</p> <p>4. To ensure no increase (and where reasonable a reduction) in the frequency and adversity of flooding.</p> <p>5. To ensure public health and safety is maintained.</p>	<p>Concept stormwater plan provided.</p>	<p>Council engineers have reviewed the submitted concept stormwater plan and have raised no objections. Suitable conditions recommended.</p>

<p>6. To ensure development is designed having regard to existing or proposed drainage easements. 7. To ensure the structural integrity of existing and proposed structures is maintained.</p> <p>8. To ensure all development is adequately drained and minimises adverse impacts from surface and/or stormwater flows.</p> <p>9. To encourage design that allows some on-site infiltration of water.</p> <p>10. To ensure the risks of flooding are minimised for residential development.</p>		
Chapter 27 – Aboriginal Heritage		
<p>This DCP Chapter provides advice for any development proposal upon a known or potential Aboriginal site containing 'Aboriginal Objects' or a place of Aboriginal cultural heritage significance. It also provides advice on how development on land that is not known to contain Aboriginal objects or archaeological potential, will be assessed.</p>	<p>Aboriginal heritage significance was investigated as part of the Part 3A Concept Plan application and the archaeological sensitivity of the area was considered low.</p>	<p>Complies</p>
Chapter 29 – Social Impact Assessment		
<p>Objectives</p> <p>1. Support development within the Shellharbour Local Government Area that is conducive to good health, fosters social cohesion/connectivity and contributes to a safe environment.</p> <p>2. Strengthen Council's ability to promote a range of development options that acknowledge the values of local communities and are reflective of the current and future needs of residents.</p>	<p>The applicant has submitted a satisfactory Social Impact Assessment in accordance with DCP requirements. This assessment has been reviewed by Council's Social Planner, who has advised that;</p> <p><i>The developer has understood and considered</i></p>	<p>Whilst it is noted that the approved Tavern has not been included within the SIA, Council has been able to make a satisfactory assessment of the potential social impacts of the development, particularly the additional licensed premises.</p> <p>The licensed premises proposed will be linked to the function centre and restaurant and is not considered to have the potential to create significant social issues within the Town Centre.</p>

<p>3. Maximise positive social impacts and minimise negative social impacts on the way of life of our local communities and individuals.</p> <p>4. Enhance consistency, certainty and transparency in Council's assessment of the positive and negative social impacts of proposed development.</p> <p>5. Inform the local community and facilitate their participation in the planning and development assessment process.</p> <p>6. Support the responsibility of developers, Council and the community to contribute towards local areas that are sustainable and liveable.</p> <p>7. Support the delivery of the Shellharbour 2030 community vision: A connected community working together to create a safe, sustainable future that provides opportunities for all to achieve their potential.</p>	<p><i>the information required for this type of development, including the reduction or mitigation of potential negative impacts and capitalising on positive impacts.</i></p>	<p>Recommended requirements of a shuttle service has been conditioned for staff and patrons.</p> <p>The limits of a SIA within such a new development as Shell Cove is that the statistics used are not as accurate as for an established area. Given the acceptance of these limits the assessment submitted is considered to be suitably detailed and as accurate as is possible.</p>
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