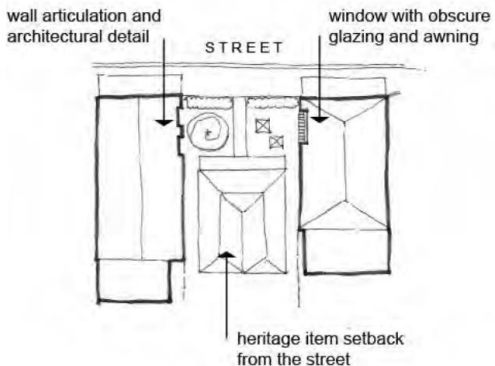


Attachment E– Shellharbour Development Control Plan 2013 Compliance Table


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 at ground floor level, with an operable pergola proposed on level 1. The proposal results in a two storey balcony structure which appears as post-supported verandah, and is considered generally compliant.	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 4m 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.	No awnings are proposed.	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-4.1m above the street.	Yes
6.1.10	Awnings or verandahs must provide weather protection unless characterised as varied awning treatment	The proposal provides a verandah across the retail tenancy, which provides cover for pedestrians walking along the street front. The residential component is recessed, and is provided with cover above in the form of the floor above.	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 of the 2 storey verandah are an appropriate response to the heritage item within the vicinity of the site and the streetscape character. The remainder of the design, with its upper levels and	Yes

CHAPTER 6 – COMMERCIAL DEVELOPMENT			
Provisions		Proposed	Compliance
		associated balconies, are gradually stepped back from the street front, creating a visual sense of transition and reducing building dominance. Verandahs are an architectural element that is a consistent feature within the Shellharbour Village streetscape.	
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 are a common building element of existing and recently constructed buildings 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	A 2 storey verandah is proposed spanning across the ground and first floor with exposed post and beams on the first floor element, and a post-supported verandah at street level.	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 regards as significant enough to justify requirement of 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			
6.1.22	Signage location should generally be under awning, on verandah/balcony fascias or under windows.	Proposed signage is on the verandah/balcony fascia.	Yes
6.1.23	Signage must comply with the awning treatment provisions in Advice – awning treatments provisions in Advice – Awnings locations and types.	The proposal and plans provided include signage along the face of the verandah/balcony. This is considered compliant.	Yes

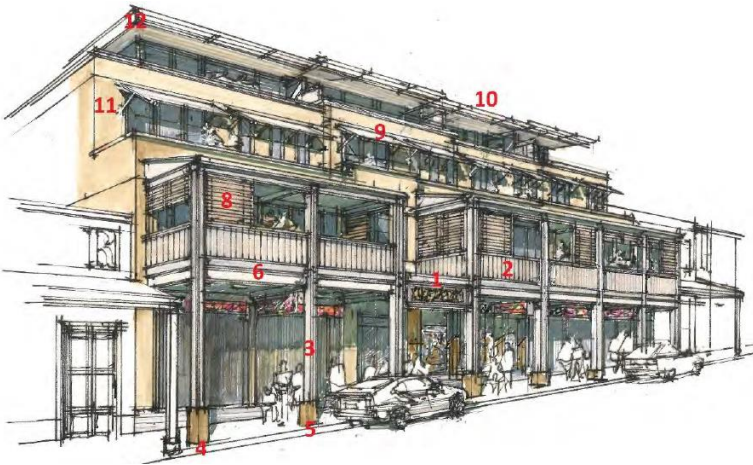
CHAPTER 6 – COMMERCIAL DEVELOPMENT			
Provisions		Proposed	Compliance
6.1.24	Where relevant development application plans must show the locations for signage	The development design has provided sufficient space for business identification signage to be installed in the future.	Yes
Location of active 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 E1 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 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 	<p>The residential entrance is visible from the public domain with mail boxes and a transparent glazed entrance door to assist in wayfinding. The residential entrance and retail tenancy is separated by a wall to minimise conflicts. Services are incorporated within the building, and a fire hydrant storage area is included next to the retail entry.</p> <p>The retail tenancy has multiple glass panels with internal swing doors for passive surveillance, to attract customers and business flexibility.</p>	Yes


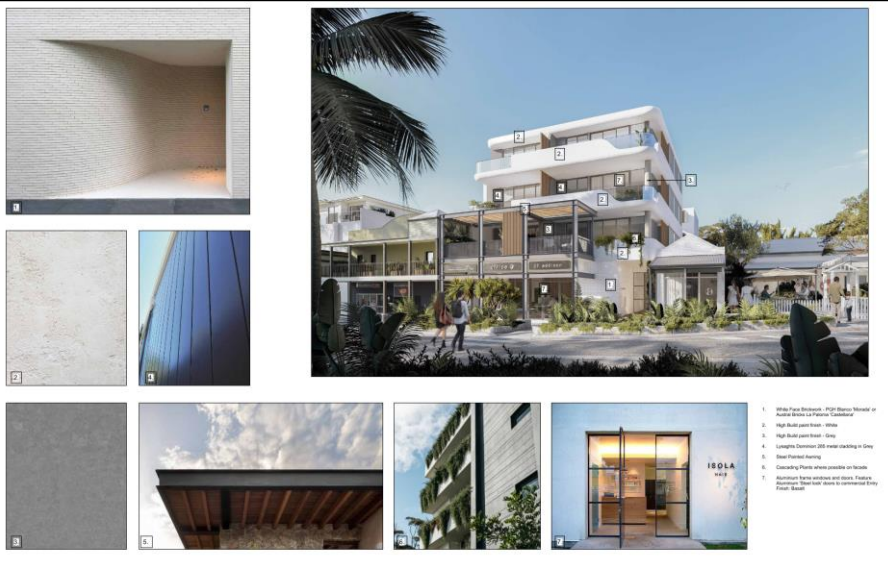
CHAPTER 6 – COMMERCIAL DEVELOPMENT			
Provisions		Proposed	Compliance
	i. physically open, transparent and integrating private and public domain j. visible human presence inside the development or something of interest inside the development, visible from the street k. highly visible frontage l. must 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>There are heritage items on adjoining properties each side of the subject site. The most prominent being 'Windradene' to the west. While Windradene is set back from the front boundary, there is an additional small cottage building which abuts the boundary with the subject site and is located in line with the front property boundary. There is a degree in articulation of the upper floors of the proposed development, with inclusion of partially glass-balustrade balconies, screening, cladding and glass block windows. Further, there is added articulation to the sides of the development, where a central 'break' in the design allows for the breezeway and stairwell to be viewed. This assists in breaking up the mass of the building and allows for viewing of various architectural and material elements along the western elevation.</p> <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. This includes light, white face brick within the ground floor façade, which links with the neighbouring shop front which adjoins the front boundary of 29 Addison Street, but which is not expressly referred to as the heritage item relative to this site (heritage item known as the single storey cottage of 'Windradene').</p>	Yes
			
Ceiling height			

CHAPTER 6 – COMMERCIAL DEVELOPMENT			
Provisions		Proposed	Compliance
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 <i>SEPP (Housing) 2021</i> as detailed in attachment C.	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. There are eaves and overhanging balconies which add to the overall rhythm and appearance of the streetscape, allowing for a stepped transition away from the street. The relationship between the roof and the overall façade is connected through the use of timber screening to the balcony areas and then surrounding the rooftop air conditioning areas at two points. This considered to minimise bulk, and detracts from the small lift-run area which is centrally located on the roof, and will be mainly visible when viewing from the higher, western point of Addison Street down towards the harbour.	Yes
Laneways			
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


CHAPTER 6 – COMMERCIAL DEVELOPMENT			
Provisions		Proposed	Compliance
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. c. All concept building blocks should ensure visual privacy and acoustic privacy through adopting SEPP 65 design principles. d. Crime Prevention Through Environmental Design (CPTED) principles. See separate chapter in this DCP. 	<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>  <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>	N/A
Local context plan			

CHAPTER 6 – COMMERCIAL DEVELOPMENT		
Provisions	Proposed	Compliance
6.1.39 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.	A local context plan was submitted as part of the architectural plan package. <i>SEPP (Housing) 2021</i> applies to the subject development application. An assessment of the application against the provisions contained within the SEPP (Housing) 2021 and the associated ADG are included.	N/A

CHAPTER 6 – COMMERICAL 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> 	<ol style="list-style-type: none"> 1. Verandah element proposed along the Addison Street frontage with a break in verandah to identify the resident entrance. All level 1 balconies facing Addison Street have solid balustrade (solid rails and screening elements). 2. Solid balustrading is proposed on Level 2 and 3, in the form of concrete and glass. The balustrade design of Level 1 compliments the verandah design. 3. The verandah post does not have a stone base and is consistent with the adjoining heritage item and verandahs. 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 indicated as darker colour is proposed, to suit the architecture of adjoining structures. 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. 	<p>Yes. While 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>

	<p>KEY</p> <ol 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 	<p>9. Windows are shaded by the balcony above; no shading devices are required.</p> <p>10. Roof lines is articulated.</p> <p>11. Nil from balcony and min 2.6m from building – Compliant</p> <p>12. Nil from balcony and min 2.7m from building – Non-compliant</p>	
<p>Colours and Materials</p>			
<p>6.3.5</p>	<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>An External Finishes plan accompanied the revised development application, referenced Sheet No. DA60, Issue N, dated 5 February 2025:</p>  <p>Colours and materials are considered responsive to the environment, and generally compliant.</p>	<p>Yes</p>

Roofing and building rectilinear form						
6.3.6	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 buildings. For instance, any skillion roofing used behind parapets must slope towards the street frontage.	A flat roof form is proposed and does not appear dominant over other building elements. Overhanging eaves with softened and curved edges offer added articulation, as well as a central 'break' within the overall building providing visual relief.				Yes
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 13.7m 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 a scale for the purpose of retail or commercial tenancy which is considered appropriate for the site.				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.4m setback for fourth levelSide and rear setbacks will be determined by the required by the local context plan.		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 – 0.9m
		Level 1	Balcony – Extends over street and atop verandah Building – 4.7m	Balcony and wall – Nil	Nil	Wall – Nil
		Level 2	Balcony – Nil Building – 4.7m	Nil	Nil	Nil
		Level 3	Balcony – Nil Building – 4.7m	Nil	Nil	Nil

		The proposed setbacks appropriately comply, and respond to the heritage context of the site and have taken into consideration setback and amenity implications in the re-development of adjoining sites.	
Active and semi active frontages			
6.3.14	<p>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.</p>  <p>KEY</p> <ul style="list-style-type: none"> Active frontages from LEP 2013 Active or semi active frontages Active or semi active frontages both sides of lane 	Refer to Clause 6.6 Active Street Frontages of Shellharbour Local Environmental Plan 2013 assessment.	Yes
Post supported verandahs and awnings			
6.3.16	<p>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.</p>	A verandah is proposed on the ground floor with exposed beams aligning with the level 1 verandah/awning structure and presents as a post-supported verandah. The awning extends 2.8m from the front property boundary, providing sufficient weather protection.	Yes

 <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 10 – ADVERTISING & SIGNAGE

	Provisions	Proposed	Compliance
	10.3 Front Building Lines		
	Commercial zones		
10.3.7	The total sign area on a building must not exceed 8m ² or 10% of the area of each elevation (including windows), whatever is the greater. Despite this, signs must always relate to the size/dimensions of the building.	The three fascia signs are 1.4m ² each resulting in a total signage area less than 8m ² and less than 10% of the area of the northern elevation. The signs, located on the front of the two storey verandah, are considered to relate to the size and dimensions of the building, and are considered suitable for the size of the ground floor retail tenancy.	Yes
10.3.8	Where the building is painted in corporate colours, signage is required to be substantially less than 10% of the wall area.	The building is not painted in corporate colours.	N/A
10.3.9	The maximum coverage of any window by a sign attached or painted on is calculated as 20% of each window. No sign or paint may cover the entire face of each singular window. Window signage will be included in the calculation of 10% of the elevation. However, for lifestyle graphic advertising	No window signs are proposed.	N/A

CHAPTER 10 – ADVERTISING & SIGNAGE			
	Provisions	Proposed	Compliance
	structures greater than 20% of the window area, a merit based assessment will be required on a case by case basis.		
10.3.10	Corporate colours are permitted on buildings with the consent of Council when they complement the architecture and do not overpower the building and will be considered as signage. Where corporate colours are used on buildings, signage which covers 10% of the elevation will not be accepted. Such signage is required to be substantially less than 10% of the elevation. Strong colours that do not relate to the streetscape (e.g. fluorescent colours) will not be accepted.	The building has no corporate colours.	N/A
10.3.12	Signs suspended under an awning must be erected in a horizontal position at right angles to the building façade. There must be a minimum clearance of 2.65m between the base of the sign and the footpath.	Signs are not suspended under the awning and are, rather, proposed along the fascia area of the verandah which addresses Addison Street.	Noted

CHAPTER 13 – PARKING, TRAFFIC & TRANSPORT			
	Provisions	Proposed	Compliance
13.1 Numerical parking requirement			
Minimum parking requirement			
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> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Multi-Dwelling Housing & Shop-Top Housing & Residential Flat Buildings & Mixed Use Development</p> <p><u>Resident parking</u> 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. Stack parking will be considered on merit and only in multi-dwelling housing and residential flat buildings. Where a double garage is to accommodate the parking requirements for more than 1 dwelling, an internal dividing wall is required. <u>Visitor parking</u> 0.25 space / one bedroom dwelling 0.5 space / two + bedroom dwellings Visitor car parking must be provided as open car parking. Visitor car parking cannot be satisfied by stack parking Visitor car parking must not be located within 2 metres of the primary (front) or secondary boundary. 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> <p>Retail Premises</p> <p>Retail shop</p> </div> <div style="width: 45%;"> <p>1 space / 35m² gross floor area</p> </div> </div>	<p><u>Residential requirement:</u> 9 x 2+ bedroom units/1.5 spaces per unit = 13.5 residential car parking spaces</p> <p><u>Visitor requirement:</u> 9 x 2+ bedroom units/ 0.5 spaces per unit = 4.5 visitor car parking spaces</p> <p><u>Retail requirement:</u> 70² GFA proposed at 1 space / 35m² GFA Total requirement = 2 spaces</p> <p><u>Proposed:</u> Residential – 14 Visitor – 4 Retail - 0</p> <p>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 also has 1 hour on-street car parking spaces on both the northern and southern side.</p>	<p>No – variation acceptable on merit.</p> <p>Residential – Yes Retail – No. However, shortfall may be accommodated by adjoining car park. Section 7.11 contributions fees payable as per conditions of consent.</p>
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

CHAPTER 13 – PARKING, TRAFFIC & TRANSPORT			
Provisions		Proposed	Compliance
Calculation of parking requirements			
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 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.	Nine (9) 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 not appropriate to have the customer parking mixed with parking likely to require security access, such as resident parking.	No car parking spaces have been nominated for the retail component.	N/A

CHAPTER 13 – PARKING, TRAFFIC & TRANSPORT			
	Provisions	Proposed	Compliance
Ingress & egress requirements			
13.2.26	The following development requires all vehicles to enter and exit the site in a forward direction from any part on the development site: <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 battle-axe 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, as per the proposed waste management and approved Waste Management Plan.	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 for neighbouring developments which propose a similar vehicle access arrangement, and deferred commencement conditions have previously been recommended requiring the registration of the ROW subject to standard Council process. See further comments within the Referrals section of the main 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.
Carpark design & layout			
13.2.31	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: <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, with the inclusion of a sight triangle to the southeast of the site where the roller door opens and provides access to the car park. Additionally, the roller door entry is setback 1.2m from the rear	Yes

CHAPTER 13 – PARKING, TRAFFIC & TRANSPORT			
	Provisions	Proposed	Compliance
		boundary line, allowing for increased sightlines. Further comments are provided on this matter within the Referrals section of the main report.	
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.	Access and parking areas for service vehicles such as waste trucks are separated from access and parking for employees as waste collection is to occur within the internal carpark, of which there are no customer or employee parking spaces provided.	Yes
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 Waste Management Plan (WMP) is to be submitted with development applications for demolition, construction and operational works.	A WMP has been submitted and generally aligns with the requirement of this Chapter. 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. 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 and subject to conditions of consent. Council's Waste Contract Manager has reviewed the proposal and raised no objections, subject to the imposition of the recommended conditions of consent.	Yes
Development that relies on on-street collection 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.		Residential and retail waste collection is proposed within the subject site.	N/A

CHAPTER 17 – CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)			
	Provisions	Proposed	Compliance
17.1 Lighting			
17.1.1	Lighting of all entrances/exits of buildings, car parks, access routes and pathways to encourage safety and passive surveillance.	The proposal and accompanying Statement of Environmental Effects notes that 'appropriate lighting will be installed	Yes – recommended conditions of consent.

17.1.2	Lighting type and distribution should be assessed to not produce glare and should eliminate any dark shadows and concealment areas particularly in parks, car parks and pathways.	throughout the development as deemed necessary'. It is considered that lighting can be appropriately provided across the site, and lighting is recommended to be conditioned to ensure that annoyance to occupants of adjoining premises, or glare to motorists on nearby roads is minimised. In addition to the above recommended conditioning, and in order to ensure lighting is appropriately located at entrances/exits/access routes, a lighting plan is recommended to be conditioned to be prepared and provided to the Principal Certifier prior to issue of the construction certificate. Low level lighting is to be provided to the pedestrian breezeways and entryways for each unit, the communal open space and car park. Sensor lights are to be considered for the carpark area.	
17.1.3	Lighting should be white lights (not yellow or orange) to enable users to identify a face from a 15m distance which will encourage safety		
17.1.4	Lighting should be white lights (not yellow or orange) to enable users to identify a face from a 15m distance which will encourage safety		
17.1.5	Use sensor lights on buildings to encourage user safety and illuminate potential offenders after dark.		
17.1.6	Incorporate additional lighting below awnings to adequately illuminate footpath areas.		
17.2 Fencing/Walls			
17.2.1	Fences and walls should not obstruct surveillance of communal or public areas, building entrances, pathways and footpath by the building's occupants.	No boundary fencing is proposed. There are no facades which provide blank walls which would encourage graffiti. A metal roller door is provided to the rear at ground level, offering reduced 'canvas-like' surfaces for graffiti potential. The proposal adjoins 29 Addison Street which is currently utilised as a shop and restaurant. No noise insulation is considered necessary, with the restaurant closing at 9pm each day, therefore limited noise is expected of an evening when residents are likely to be asleep.	Yes
17.2.2	Fences and walls should not obstruct surveillance of communal or public areas, building entrances, pathways and footpath by the building's occupants.		
17.2.3	Fences and walls should not obstruct surveillance of communal or public areas, building entrances, pathways and footpath by the building's occupants.		
17.2.4	Where noise insulation is necessary, use window double-glazing rather than a solid fence with a height greater than 1 metre.		
17.2.5	Consider the fences/walls' construction materials.		
17.3 Landscaping			

17.3.1	Street trees should not be dense trees and should have high canopies to allow for natural surveillance from buildings to roads and pedestrians.	Landscaping is considered appropriate for the scale of development. There is limited opportunity for planting which would present in an unsafe manner and restrict surveillance across the site, where planter boxes with lower-lying shrubs or cascading plants are mainly proposed.	Yes
17.3.2	Street trees should not be dense trees and should have high canopies to allow for natural surveillance from buildings to roads and pedestrians.		
17.3.3	Street trees should not be dense trees and should have high canopies to allow for natural surveillance from buildings to roads and pedestrians.		
17.3.4	Select species having regard for their location and shape and size at maturity.		
17.3.5	Planting within 5 metres of a pedestrian pathway should be lower than 1 metre or thin trunked with high canopy to encourage safety and surveillance.		
17.3.6	Trees within the car parks should be avoided as they may obstruct lighting, sight lines and passive surveillance from pedestrians and motorists. They may also create entrapment and concealment areas increasing the risk of crime.		
17.3.7	Trees within the car parks should be avoided as they may obstruct lighting, sight lines and passive surveillance from pedestrians and motorists. They may also create entrapment and concealment areas increasing the risk of crime.		
17.3.8	Trees within the car parks should be avoided as they may obstruct lighting, sight lines and passive surveillance from pedestrians and motorists. They may also create entrapment and concealment areas increasing the risk of crime.		
17.4 Dwelling, shop, office, community use, frontages			
17.4.1	Shop, office and other communityuse fronts should ensure surveillance between themselves and the	The proposal includes glazing to the streetscape from the ground level retail space, providing adequate sightlines to the	Yes

	street/public domain by retaining clear sight lines and limiting promotional material on windows.	street. No roller doors are proposed within the retail component's frontage, nor the residential entry area.	
17.4.2	Avoid the use of solid roller shutters such as colorbond. If necessary, use open mesh grill, protective films, transparent roller shutters.		
17.4.3	Displaying merchandise on footpath should be avoided.		
17.4.4	The interior of buildings should have visual connections to the street and routine activity.		
17.6 Building materials			
17.6.1	Toughened or laminated glass should be used at ground floor.	Glazing is proposed at ground level, which is considered to satisfy this control	Yes
17.6.2, 17.6.4 & 17.6.5	<p>Avoid smooth uninterrupted surfaces, especially in areas prone to graffiti.</p> <p>Colours that need to be avoided include light colours (cream and white) and black as they will attract graffiti.</p> <p>Large blank walls and fencing may include green screening or dense hedges that will block access to the walls, especially walls and fences that are adjacent to public areas.</p>	<p>Building materials are considered appropriate. Where there is a small amount of light face brick provided towards the residential entry component, this is not considered to encourage graffiti due to texturing and limited area of this.</p> <p>There are no large, blank walls which would open themselves to high likelihood of graffiti.</p>	Yes
17.8 Mixed land use			
17.8.1 – 17.8.4	<p>Locate businesses and shops on lower floors and residences on upper floors, so that residents can observe the businesses and shops after hours while during business hours residences can be observed by businesses.</p> <p>Buildings should maximise passive surveillance by fronting onto public</p>	The proposal is for shop top housing. With retail premises located at ground level and apartments above. There are minimal vulnerable spaces in the design, and passive surveillance is encouraged through glazing of the retail premise, as well as balconies of the apartments to the front and rear.	Yes

	<p>spaces and streets.</p> <p>Building and site design should promote legibility via their connection and relationship with the public domain.</p> <p>Vulnerable spaces should be avoided by creating active spaces between buildings, and defining and obviating well travelled pedestrian routes.</p>		
17.9 Security			
17.9.8	Structures and buildings are to be designed so they can't be climbed.	There is minimal to no opportunity for structures to be climbed in the proposed design.	Yes
17.12 Entrances			
17.12.1-17.12.5	<p>Make the entry obvious through directional signage and design features.</p> <p>Locate entrances in prominent positions.</p> <p>Locating entries to maximise opportunities for natural surveillance from the street.</p> <p>Entrances should be designed to allow users to see into the building before entering.</p> <p>Blank walls fronting the street should be avoided.</p>	<p>Pedestrian entrances are located on the primary Addison Street frontage and are provided with signage and street numbering. The entrances are considered to be prominent in their positioning, and provide adequate surveillance. No blank walls provided to either the front or rear elevations.</p>	Yes

17.13 Reducing illegitimate entry/use			
17.13.1	Define different spaces by the use of physical and/or psychological barriers, e.g. fences, gardens, lawn strips and by varying surface texture	A front entry gate is provided to the residential component, which creates a physical and psychological barrier and allows for distinguished resident entry to the apartment component of the development from ground level.	Yes
17.14 Communal/public areas			
17.14.1-17.14.5	<p>Communal areas should be well lit.</p> <p>Provide clear lines of sight.</p> <p>Open style or transparent materials should be used on doors and/or walls of elevators/stairwells.</p> <p>Entries to elevators/stairwells and waiting areas should be closed to areas of active uses and visible from the building entry.</p> <p>Locate seating in areas of active uses</p>	<p>Lighting conditions are recommended so to ensure appropriate lighting is provided in the communal open space area. Clear lines of sight are considered provided, and entrances to elevators and stairwells are visible from the main building entry off of Addison Street.</p> <p>Seating is proposed in the communal open space.</p>	Yes - Recommended conditions
17.15 Building identification			
17.15.1-17.15.3	<p>For larger developments, provide directional signage and locational arrows.</p> <p>Clearly identify building street numbers and ensure numbers are unobstructed (e.g. by planting) and made of durable, reflective and luminous materials</p> <p>Position street numbers 1m to 1.5m</p>	Signage is provided along the front fascia of the verandah and indicative numbering is provided on plans showing street numbering provided to the residential entry area at an adequate height.	Yes

	above ground level on the street frontage in numerals at least 7cm long.		
17.17 Carparks - lighting			
17.17.1-17.17.4	<p>Lighting should be bright enough to enable the car park user to easily see into the rear seat of a car before opening the car door.</p> <p>During opening hours all external edges and access points to car parks should be illuminated.</p> <p>So that pedestrian or driver's eyes can adjust, lighting intensity to covered or underground car parks should be transitional. That is, brighter light should be used at entrance and pedestrian ways and dimmer light elsewhere.</p> <p>Use white lights instead of yellow tone lighting to encourage a perception of safety.</p>	Lighting conditions are recommended, so to ensure suitable lighting is provided to the car park area, including the preparation of a lighting plan to relevant Australian Standards.	Yes
17.19 Car parks – site layout			
17.19.2-17.19.12	<p>Avoid hidden recesses.</p> <p>Access points to pedestrian pathways, lifts and stairwells should be prominent.</p> <p>Disability parking spaces should be located in convenient and prominent visible areas.</p> <p>Car parks should be located in</p>	<p>The proposed carpark layout, in a predominantly basement formation, is considered appropriate for the site and proposed development.</p> <p>There is limited opportunity for hooning, and only one entry/exit point to the rear of the site. Pedestrian sightlines are increased externally, through the inclusion of an increased setback of 1.2m to the roller door entry from the boundary. There are</p>	Yes

	<p>areas that can be observed by adjoining users.</p> <p>The number of entry/exit points should be minimised.</p> <p>Create pedestrian corridors for large developments.</p> <p>Locate entry/exit points in close proximity, close to the car park operator or shops, cafes, etc.</p> <p>Car park layout should allow good lines of sight between cars</p> <p>Car park design should not be conducive to car hooning (such as burnouts) when the car park is empty</p>	<p>appropriate sight lines provided for cars within the carpark itself, as well as a proposed traffic light system to manage traffic movement.</p>	
17.20 Car parks - security			
17.20.1-17.20.4	<p>Consider installing boom gates or similar at entrances and exits of car park</p> <p>Intercoms, remote lock facilities or similar security devices should be used in multi-level car parks where appropriate.</p> <p>Larger developments should incorporate a help point on each parking level and/or the allocation of security staff.</p> <p>Secure off the unneeded parking area outside peak hours.</p>	<p>The proposal includes secure car parking where entry is allowable via a rear roller door and traffic light system. Residential and visitor spaces are provided only, which reduces the likelihood of car parking for customers or staff of the retail space to the front of the site after hours. Conditions are recommended with regards the inclusion of an intercom system.</p>	<p>Yes – recommended conditions form part of consent.</p>

CHAPTER 20 - LANDSCAPING			
Provision		Proposed	Compliance
20.1 Landscape documentation and implementation			
20.1.1	A detailed landscape plan must accompany the development application for all types of development. Concept plans are acceptable for Residential Subdivisions (Greenfields) with the lodgement of the development application.	A Landscape Plan accompanied the development application.	Yes
20.2 Development types and landscaping			
20.2.1	Landscaping must take into account sight lines between motorists and pedestrians	Landscaping has taken into account sight lines.	Yes
20.2.2	Avoid the use of spiky plants, plants with fleshy fruits and trees that are known to limb drop near pedestrian areas, playgrounds, BBQ and litter areas.	The proposed plant species have been reviewed and are generally appropriate for the site characteristics.	Yes
20.2.3	Generally planting (screen planting or otherwise) must be sufficiently visually permeable to achieve passive surveillance. Full, as opposed to partial screening will only be permitted where privacy concerns override passive surveillance. This maybe the case with private open space for dwellings adjoining the street.	The mix of trees, shrubs and groundcovers are appropriate for the proposed locations.	Yes
20.2.4	Planting selections should reinforce and not obstruct visibility to views and vistas both within the site and from significant viewpoints when they reach maturity.	The location and type of plant species proposed are appropriate from visibility perspectives. A mixture of plants which 'spill' over planter boxes and provide ground cover are proposed, maintaining visibility.	Yes
20.3 Remnant Vegetation and Wetlands			
N/A – The subject site and adjoining properties do not have remnant vegetation or wetlands.			
20.5 Retaining Walls			
20.5.1	Garden beds with a grade less than a 1 in10 must be retained by the use of either masonry, rock or treated timber sleepers.	The design is appropriate. Concrete planters are proposed within the design and are considered suitable.	Yes

20.5.2	Retaining walls which exceed 600mm in height must be designed by a practising Structural Engineer and require approval from Council.	No retaining walls are proposed.	N/A
20.5.3	Foundations, drainage lines and aggregate must be solely placed within the property boundary	Standard conditions of consent are recommended for stormwater drainage infrastructure.	Conditioned
20.5.4	Details of all retaining walls must be illustrated on the landscape plan.	No retaining walls are proposed.	N/A
20.6 Services			
20.6.1	Landscape design must take into account the location of services and utilities including water, sewer, electricity, gas, telecommunications and stormwater services these services must be indicated on the landscape plan in order to assess correct plant placement.	The landscape design has taken into consideration the location of services such as stormwater drainage.	Yes
20.7 Street Trees			
20.7.1	All developments may be required to supply and install street trees.	Currently there is one (1) existing street tree, and the planting of further street trees are not required given consideration of site context and the public domain.	Yes
20.8 Existing trees/vegetation and development There are five (5) trees on the neighbouring site of 29 Addison St which are approved for removal. Owners consent from the owners of 29 Addison Street has been obtained. Conditions are recommended in this regard. There is also one (1) street tree within the Addison Street frontage of the site which requires protection during development stages, of which conditions of consent are recommended in this regard. Said tree is within a raised planter bed within the public domain area, where smaller plants and shrubs surround it within the planter bed. The landscape plan is to be amended prior to issue of a construction certificate, requiring details as to how the existing street tree and vegetation.			

CHAPTER 23 - CUTTING, FILLING AND RETAINING WALLS

Objectives 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	Extensive earthworks are required in order to provide basement car parking over various levels. The proposal was referred to Council's Development Engineers, who noted the proposed approximate 5.5-6m excavation depth, and recommended conditions of consent regarding geotechnical matters. In this regard, it is recommended that a geotechnical report is prepared which addresses the analysis of the level of risk to existing adjacent structures/buildings and
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<p>adjoining properties through appropriate design and location of retaining walls on the site.</p> <p>3. To ensure the excavation or filling of land does not create any adverse impacts from surface and/or stormwater flows.</p> <p>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>	<p>potential use of vibratory rollers. In the event that vibratory rollers could affect adjacent structures/buildings, high risk areas are to be identified on plans indication that no vibratory rollers shall be used within that zone are also to be provided.</p> <p>As the proposed development does includes excavation works for a basement, and due to the proximity of the site to the heritage item at No. 29 Addison St, conditions are recommended for a Vibration Control Plan be prepared and implemented.</p> <p>Further geotechnical requirements were recommended to be included within the report, as well as the recommended treatment of any unstable areas within privately owned allotments, requirements for subsurface drainage lines and an overall assessment of the engineering plans for the proposed development and their suitability in relation to the site's geotechnical characteristics.</p> <p>The proposal, while presenting with a variation to the allowable excavation for the site is considered appropriate, with the areas of excavation generally located within the confines of the external walls of the building. The subject site is generally flat, with a slight slope towards the east, and excavations proposed mainly for the purpose of basement or underground parking, therefore visual impacts are considered to be minimal.</p> <p>In terms of stormwater management, detailed drainage designs are to be appropriately conditioned, with drainage indications demonstrating stormwater draining to the kerb at Addison Street, as well as the inclusion of pump-out pits within the basement. Trench drains are also provided at the carpark entry, with the standard detailed drainage design condition considered appropriate to impose for the purpose of seeking finer drainage details prior to the issue of a construction certificate.</p>
23.1 Structural and easements	
<p>Depth of cut and fill</p> <p>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.</p> <p>23.1.2 The maximum depth of filling on any portion of the allotment is 1m.</p>	<p>The depth of excavation and fill will exceed 1m, and will be approximately 5.5-6m. This is considered generally appropriate, given the proposal includes a multi-level basement. However, the excavation required for the purpose of the basement is considered generally appropriate, and is located within the same footprint of the building as what is found at ground level. Recommended conditions are proposed to form part of the consent in this regard.</p>
<p>Structural integrity</p> <p>23.1.6 Retaining wall which exceed 600mm in height must be designed by a structural engineer.</p>	<p>The architectural plans do not show any retaining walls.</p>

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.	
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.	The proposal is considered a suitable response to the topography of the site with the depth of excavation, while exceeding 1m, is considered acceptable in order to facilitate car parking for the proposal. The development, as it appears from ground level, does respond to site topography in an appropriate manner.

CHAPTER 25 – STORMWATER MANAGEMENT

25.1 The associated Appendix 10 outlines background and technical information necessary to assist in the preparation of development applications so that it addresses: 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.	Councils Engineer has reviewed the submitted Stormwater Plans against the requirements of Appendix 10. The proposal contains a drainage design incorporated into the basement level car parking, where a pump out system is proposed. Conditions have been recommended and are included within the draft consent.
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CHAPTER 28 –EUROPEAN HERITAGE

Provisions	Proposed	Compliance
28.1 General Advice		
Objectives 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.	The proposal would not be considered inconsistent with the objectives of this part. Refer to Clause 5.10 Shellharbour Local Environment Plan 2013 assessment.	Yes

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. This was reviewed by Council's Heritage Officer, where supportive referral comments were provided.	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 4.8m from the boundary shared between the heritage item and subject site. Whilst nil side setbacks are proposed, the articulation of elements and separation between the proposed building and heritage item is appropriate. This is further supported by a 'break' of the main building elements central to the development, where the breezeway, central stairwell, lift shaft and communal open space is found; where this allows for a visual sense of further separation and reduced bulk of the development site.	No. Variation supported.
28.5.13	New development adjacent to heritage items must ensure that views to the heritage item are not obstructed.	<p>The existing heritage item of 'Windradene' at 29 Addison Street is setback considerably, at approximately 11m from the front boundary. Existing development long Addison Street, and including existing development on the subject site of 27 Addison Street is generally located on or close to the front boundary. There is also an additional building located on 29 Addison Street on the eastern and front boundary, which is a later, thought to be 1980s shop addition with awning over the street. This shop addition is single storey and extends from the front boundary towards the rear, approximately 6m beyond the front building line of Windradene, obstructing much of any side view of Windradene from the east. A laneway directly adjacent 29 Addison Street may allow for partial views into Windradene from the west. However, the main views of Windradene are obtained directly in front of the heritage item or from the northern side of Addison Street itself.</p> <p>The proposed development is considered to allow for sufficient views of the heritage item of Windradene to be retained, and views towards Windradene, particularly from the east, are not considered to be obstructed.</p>	Yes
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

CHAPTER 29 – SOCIAL IMPACT ASSESSMENT

Objectives

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.
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.
3. Maximise positive social impacts and minimise negative social impacts on the way of life of our local communities and individuals.
4. Enhance consistency, certainty and transparency in Council's assessment of the positive and negative social impacts of proposed development.
5. Inform the local community and facilitate their participation in the planning and development assessment process.
6. Support the responsibility of developers, Council and the community to contribute towards local areas that are sustainable and liveable.
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

The proposed development is considered to foster social cohesion and connectivity to the surrounds, and contribute to a safe environment. The proposal provides housing options for the community while promoting a wider range of development in the local area through the inclusion of a retail component at ground level. The proposal, generally, is considered to be reflective of the Shellharbour Village Centre Plan, correlate with the land use zone for the subject site (local centre) and reflect the needs of current and future residents within Shellharbour.

Positive social impacts are encouraged, through the inclusion of communal open space, as well as individual balcony areas for units, and general close proximity to local amenities such as parks, shops and other amenities. Negative social impacts are reduced through security measures such as a gate provided to the residential entry area, and secure parking to the rear. The proposal does not create dark and unsafe areas such as laneways accessible from the public domain, and rather, covers the majority of the ground level with building envelope, reducing the likelihood of negative social impact.

The proposal presents in a sustainable manner, satisfying BASIX standards and providing adequate solar access throughout the site. The proposal provides considered urban design which leads to higher quality and liveable development outcomes within the local centre site and wider Village area.

The development was notified in line with the Community Participation Plan, and submissions have been considered and addressed as part of this assessment.