

Attachment D: Shellharbour Development Control Plan 2013

Chapter 7 Shellharbour City Centre Commercial Development			
Provisions		Proposed	Compliance
7.1 Façade Treatments			
7.1.1	Refer to Figure 7.1 below for examples for appropriate treatments for various building types	The building has incorporated a variety of façade treatments to create visual interest and articulate the building form. The concept approval permitted a range of ancillary uses, however none of which are proposed within the stage 1 portion of the site. The façade treatment of the stage 1 building presents an integrated facade treatments with a contemporary architectural theme which is composed of a variety material and finishes to positive activate the site in a manner that is sympathetic to the existing and desired characteristics of the local area.	Yes
7.1.2	Buildings should generally be of masonry appearance with generous shop windows to the street.	As noted, the concept approved granted consent for ancillary uses to support the proposed seniors housing, however the design of stage 1 does not include commercial development or uses that are ancillary to the seniors housing, as such no shop windows are proposed towards the street. The stage 1 development proposes communal spaces including a club room, media room, kitchen and dining facilities, a games area, library, and a meeting room. Staff administration spaces are also included, however all the above-mentioned spaces that are not independent living units are oriented inward into the site and cannot be observed from the street.	Not Applicable
7.1.3	Windows above street level should be of vertical appearance or framed to emphasise verticality.	The windows above street level are of vertical appearance with framing which emphasises the verticality. Similarly, the design of the balconies further supports the vertical appearance and presentation. The upper level 'pop out' balcony design elongates the built form and supports the vertical appearance.	Yes
7.1.4	Building facades should be articulated to establish a strong vertical rhythm	The building façade is well articulated on all elevations, particularly on the ground floor where 50% of the balconies/PPOS space is forward the building line to activate and articulate the built form. The setback pattern responds to the curved nature of the Wattle Road boundary, while promoting a consistent rhythm. The articulation is achieved through its varying setbacks and composition of materials.	Yes

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7.1.5	Buildings should provide a diversity and variety of form in long facades.	Materials and colours are dispersed throughout the building. The architectural roof design of Buildings R1 and R3, in conjunction with the variety in finishes and colours to work cohesively and define the building form.	Yes
7.1.6	Building frontages are to be articulated into separate building frontages and bays, using shop front separations, attached columns and steps in the façade.	The setback design and separation between the stage 1 buildings creates definition and distinction. Buildings R1 and R3, where oriented along Wattle Road demonstrate legible entries. No shops are proposed with stage 1.	Yes
7.1.7	A balance of horizontal and vertical façade elements should be provided and relate to adjacent facades in the street.	Materials and colours are dispersed throughout the building form both vertically and horizontally. The design promotes a coastal modern architectural design and patterns, with the use of natural elements like drystone in a decorative pattern to create connection to the natural environment.	Yes
7.1.8	Long facades should be subdivided with windows and other façade elements to provide a balanced composition.	The building façade has used a mixture of colours, materials, vertical and horizontal elements that achieves a balanced composition.	Yes
7.1.9	Simple façade designs containing only horizontal or vertical elements are not supported.	The façade design has incorporated a mixture of elements and is consistent with the façade designs of recently constructed mixed use buildings within the Shellharbour City Centre.	Yes
7.1.10	Excessive lengths or heights of blank walls which are highly visible to any area of public domain (including streets, lanes and car courts) will not be permitted.	There are no excessive lengths or heights of blank walls which are deemed undesirable. All walls have been suitably articulated through the inclusion of balconies and windows, and the employment colour.	Yes
7.1.11	Excessive areas of curtain walled reflective glazing will not be permitted	There are no excessive areas of reflective glazing.	Yes
7.1.12	Air conditioning facilities must not be visible from the street.	Air conditioning units are shown on the rooftop and will be screened. The plant is to be concealed and will not be directly observed.	Yes
7.2 Pedestrian arcades and service areas			
7.2.1	Pedestrian arcades are not permitted except where identified and approved on the	Pedestrian arcades are not proposed.	N/A

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	Masterplan or Block/Precinct Development Strategy.		
7.3 Roofs and roofscape			
7.3.1	Pitched roofs are desirable on small scale buildings. The pitch should be 25° minimum.	Given the large scale of the building, the proposed flat roof is suitable. R1 and R3 propose a skillion style roof which are decorative elements integrated into the facade design proposed at the most southern end of the eastern elevation. The design creates variety and interest.	Yes
7.3.2	For larger buildings flat and low pitched roofs may be more appropriate. In this case the roof should be obscured from the street by a parapet.	The roof form is appropriate and is consistent with large mixed-use development within the Shellharbour City Centre. A parapet is proposed around the roof which will screen services such as ventilation infrastructure and air conditioning units.	Yes
7.3.3	Roofs must be silver or pale grey metal decking. Any type or profile is acceptable.	The architectural plans do not detail the colour of the roof. A condition of consent to achieve compliance is included.	Condition recommended
7.3.4	Lift tower, stair towers, air conditioning plants etc. are to be integrated into the design of the buildings.	The lift, stairs and air-conditioning plants are appropriately integrated and are proposed to be enclosed on the roof. The design of the enclosed space is considered to be suitably integrated into the built form.	Yes
7.4 Building Materials			
7.4.1	Refer to Figure 7.2 below with the materials palette, considered appropriate for different building types and locations. Other materials and colours may well be acceptable and alternatives will be considered.	The external materials are a mixture of brickwork, cladding and concrete, supported by aluminium screening and glass balustrades. The colour pallet considered light greys, blues and whites to complement the choice of finishes and materials. The façade treatment and built form presentation is a high-level architectural design that positively contributes to the streetscape in a modern manner than is respective to the established context.	Yes
7.4.2	Large areas of glass or reflective surfaces are to be avoided.	The size and location of glass areas is appropriate. Glass windows and panels have been used for residential amenity. The size of the reflective surfaces are most prominently the glass of the windows and balustrades and thus the built form offer minimal reflective surfaces are proposed.	Yes

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7.4.3	Building materials used are to be of a high standard and quality.	The chosen building materials are appropriate and high quality.	Yes
7.4.5	A colour and materials palette based on the following should be submitted with development applications and advice sought from Council on materials and colours proposed for adjacent sites. a. Retail and mixed use i. Walls: painted or rendered masonry such as brickwork, blockwork, per cast panels. ii. Roofs: grey metal deck, grey colorbond or similar. No tiles. iii. Windows: upper floor aluminium or timber with a strong profile. iv. Shop front: aluminium, steel or timber – refer to signage and verandah guidelines.	The colour and materials palette for the development is shown on the elevation plans. The colour and materials are acceptable and consistent with this provision.	Yes
7.5 Solar Access			
7.5.1	Design of buildings should minimise the effect of overshadowing on the following (see Figure 7.3 below): a. Public open spaces. b. Residential private open space. c. Adjacent residential dwellings requiring solar access to windows and collector panels.	The application was accompanied by shadow diagrams demonstrating that overshadowing on adjoining properties will be acceptable. The design of the stage 1 building allows for suitable solar access to all communal open space throughout the course of the day. The ground floor communal space, identified as the green heart is positioned within the buildings, as such will capture the sun in broken segments during the day. The upper-level COS in Buildings R1 and R3 is oriented to the west, as such will have uninterrupted solar access from midday into the afternoon. The southern adjoining property to the south, 15 Benson Avenue will experience some overshadowing, however solar access is expected to be	Yes

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		received throughout the site, also being oriented to the east-west, as such will receive sunlight in the morning and afternoon.	
7.5.2	The shadow diagram provisions in the residential Section 3.9, regarding solar access apply to commercial development.	Noted. The proposal is acceptable in terms of solar access.	Yes
7.6 Building Height			
7.6.1	Building heights need to comply with the relevant LEP provisions.	The site is not governed by the development standard cl 4.3 of the Shellharbour LEP 2013, as the concept approval prevails and permitted a maximum height of 20m. The proposed heights of the stage 1 buildings are consistent with the parameters of the concept approval.	N/A
7.6.2	Any parapet or parapeted gable needs to be within the LEP height limit unless it can be demonstrated it meets the LEP criteria for an architectural roof feature.	Not Applicable. The proposed stage 1 buildings consistent with the concept approval.	N/A
7.6.3	This Section illustrates general building heights for the city centre, see Figure 7.5 below. Principal features of this plan are: a. a general height limit of 3 storeys b. potential for an extra floor in significant locations and where the urban form of the city may be celebrated c. potential for a landmark building to 6 storeys immediately south of the city square and the civic precinct.	No building height is shown in Figure 7.5 for the subject. The building height of the site is as per the concept approval.	N/A
7.6.4	Corner elements can be higher than buildings except in precinct E and/ or where shadowing is unacceptable	The design is consistent with the maximum permitted heights as governed by the concept approval, which is consistent with the endorsed PDS for the site.	N/A

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7.7 Public domain implementation			
7.7.1	As part of development consents for subdivision or other development involving the creation of new road(s) or lane(s), the developer will construct public lanes, roads, footpath paving, pedestrian weather protection.	Noted. In accordance with the modified concept approval, the delivery of a 2.4m footpath to promote and enable pedestrian connectivity for the site, is to be delivered along the Wattle Road Street frontage. However, this remains consistent with the provisions of the concept approval.	Yes
7.7.2	As part of development consent for subdivision or other development the developer will: a. construct footpath paving to the development's lane or road frontage and construct pedestrian weather protection b. negotiates with the consent authority, construction of other public domain elements, including works on the carriageway.	Noted. In accordance with the modified concept approval the delivery of a footpath along the entire site frontage of Wattle Road is required.	Yes
7.8 Master plan precincts			
The subject site is located in Precinct M – Eastern Residential Wattle Road			
7.21 – Precinct M: Eastern Residential			
Precinct M is located at the eastern edge of the City Centre on Wattle Road. The site is primarily undeveloped with only a small portion of residential development located at the southern end. Objectives 1. Provide for future residential development including senior's living/seniors facilities. 2. A mix of housing types and styles within a co-ordinated framework (possibly retirement living).		The proposed development is consistent with the Precinct objectives. The development is for the construction of four residential flat buildings that are comprised of 152 independent living units for seniors living. This development is the first stage of a larger development that aligns with the modified concept approval for the site. The modified concept approval grants consent for the use of the site for seniors living and ancillary uses, in the arrangement of 11 building, 10 of which are residential flat buildings, and one for church gathering.	Yes

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3. Extensive street planting on edges and continuation of avenue planting along Wattle Road. 4. The provision of a limited palette of front fence types to contribute to the character of the public domain. 5. Development to front both Wattle Road and internal access road. 6. On-site parking for residential development. 7. Provide east-west thru-site pedestrian/cycle connection with potential eastern access to Stockland Shellharbour. A Precinct Development Strategy for Precinct M was approved by Council on 15-5-12. See Council's website.	The proposed Landscape plan demonstrates that dense planting will be completed through the stage 1 area of the site. Conditions have been imposed to amend the Landscape Plan to identify and amend the species selection to ensure the biodiversity and ecosystem is complimentary to the local area, promoting longevity and sustainability. The streetscape design and interface between the public domain does not include or incorporate fencing. The design relies upon the setback arrangement, built form design and landscaping to serve as the boundary edge and distinction mark between the domains. The development is consistent with the unique pattern of the site, and is proposed to address and orient all aspects and elevations. The stage 1 buildings do not feature any blank walls, as such suitably address all aspects. R1 and R3 orient Wattle Road, however internally the western units within the eastern buildings have been oriented to observe the green heart and ground floor communal open space. Similarly, this same arrangement is noted in R2 and R4, the western units will address the internal access road. The design is unique and considered in the manner that all elevations feature articulation elements, activating the site in a positive and productive manner. The modified concept approval granted consent for a minor reduction in on-site parking proposed to be located within stage 1. The overall site to deliver 456 on-site parking spaces, however the staged nature of the application has distributed the parking and the stage 1 design feature 157 on-site parking spaces, 149 of these spaces located within the two basements and 8 parallel to the internal access road. The cumulative total to be delivered within later stages. The pedestrian connectivity through the site to be retained. The existing footpath connecting the east to west to be retained, and once required due to the staging works a temporary footpath will replace the existing. The final connection link to be finalised and delivered in later stages.	

CHAPTER 13 – PARKING, TRAFFIC & TRANSPORT			
	Provisions	Proposed	Compliance
13.1 Numerical parking requirement			
Minimum parking requirement			
13.1.1	Table 13.1 below states the minimum car parking requirement that a development must provide. See the relevant extract from the table at figure 1 below. Housing for Seniors & People with a Disability Parking requirements for residents, employees and visitors are specified in <i>State Environmental Planning Policy (Housing for Seniors & People with a Disability) 2004</i>. Additional parking may be required for 'self-contained dwellings' component of a development as follows: • 2 visitors parking spaces / 7 self-contained dwellings for developments comprising of 9 or more self-contained dwellings • + 1 space / 2 person to be employed in connection with the development • + 1 space for any manager Figure 1: extract from Table 13.1	The proposed development is for the delivery of seniors housing. The <i>SEPP (Housing for Seniors and People with a Disability) 2004</i> has been repealed and superseded by the <i>SEPP (Housing) 2021</i>. In accordance with cl 108 of the <i>SEPP (Housing) 2021</i>, 30.4 onsite parking spaces are required to facilitate stage 1 (152 x independent living units). The total site would require 70.4 spaces for 352 x independent living units. As outlined, additional parking space are required for visitors and employees. As such 43-visitor space required, with 5 spaces for employees. A total of 74 (73.4) spaces is required to achieve a compliant on-site parking design for stage 1 in accordance with the SDCP 2013. The proposed development to deliver 157 x on-site parking spaces, henceforth a surplus of 83.6 space is provided.	Yes
13.1.2	The proposed parking provision for mixed use developments must be supported by a parking and traffic study.	The proposal does not relate to a mixed-use development site; however, a Traffic Impact Assessment has been submitted and reviewed by Council Traffic Engineer and Council Development Engineers, of	N/A

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	Provisions	Proposed	Compliance
		which deemed the proposal to be satisfactory. The development suitably accommodates to scope of independent living units included within stage 1 and the supporting infrastructure, namely the waste collection. The requirements for on-site parking provide a surplus in onsite parking, and is well connected to existing public transport route.	
13.1.3	For activities / uses not covered in the table, the parking requirement will be assessed on the merits of the application and must be supported by a parking and traffic impact and a needs study.	The proposal relates to a senior housing, which is covered within Table 13.1	Yes
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.	All required car parking is proposed to be provided on site.	Yes
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. <i>The SEPP (Housing) 2021</i> require 30.4 parking spaces to support stage 1, however 157 are proposed. As such a whole number to be delivered.	Yes
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	The parking requirements demonstrate that the proposed development is consistent with the modified concept approval, which approved 157 spaces within the stage 1 area.	Yes

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	Provisions	Proposed	Compliance
	individual components of the development do not coincide or where common usage reduces total demand.		
13.1.9	Parking requirements for staff / employees refers to the maximum number of employees or staff, including manager/owner/directors, on the site at any one time during peak operating period, with provision for overlap where shifts are involved.	A maximum of 10 staff are proposed on site at any one time. As discussed within section 13.1.1, the design includes sufficient parking for staff.	Yes
13.1.10	The parking requirements listed in the table relate to new development. An 'historical' deficiency may arise where an existing lawful development provides inadequate on-site parking based on current parking requirements for the development. The parking requirement calculated will be on the proposed additional floor area and / or change of use in accordance with the relevant provisions in the table.	The proposed development is consistent with the modified concept approval, and there is no historical deficiency noted.	Yes
13.1.11	Bicycle parking and storage/facilities may be required where not indicated in the table below and above the numerical requirement indicated in the table below. This will be assessed on merit.	Storage is proposed within the basement, namely within residential storage cages. There are no bicycle parking requirements associated to senior housing.	N/A
13.2 Access and design			
13.2.1	The minimum dimensions required for a single car space are: Length x width 5.5m x 2.6m - open car space 5.5m x 2.9m - car space abuts one wall 5.5m x 3.1m - car space enclosed both sides by buildings or walls 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.	The on-site parking dimensions are compliant with the Australian Standards – AS2890.6.	Yes

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	Provisions	Proposed	Compliance
13.2.2	The maximum allowable longitudinal grade and cross fall for an open car parking space is 5% and 6.25% respectively. A longitudinal grade and cross fall of 3% is recommended for a car space for people with a disability	The open car parking spaces proposed have demonstrate compliance with the maximum grade requirements of this clause.	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 proposal is reliant upon the use of the existing driveway crossings located at the north and south aspect of Wattle Road. No existing public utility infrastructure is proposed within close proximity to the crossings.	Yes
Maximum driveway grades – residential development			
13.2.11	Driveways must comply with Figures 13.1, 13.2, 13.3.	The proposed driveways comply with the cross sections, grades and length requirements of the figures.	Yes
Basement car parking			
13.2.20	Vehicular entrances must be integrated into the streetscape. Garage doors, shutters and grills must not be visually obtrusive and must blend in with the appearance of the buildings.	The garage entrances are not oriented to be observed from the public domain. The basement parking associated to R1 and R3 is accessed via the internal road, opening to the south. The entrance to the basement for R2 and R4 is to the west from the internal access road. However, the design of the garage doors is deemed acceptable as the doors do not dominate the elevations or façade treatment, blending into the built form.	Yes

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13.2.21	Any visitor car parking must be clearly identified to the visitor at street level and should be separate from the resident car parking.	The proposes includes 8 visitor on-site parking spaces which are parallel to Road No.1, which are located at street level.	Yes
13.2.22	Car parking for mixed use developments must clearly identify residential and commercial car parking spaces.	The proposed development is not a mixed development and the parking is consistent with the modified concept approval.	Yes
13.2.23	Where basement car parking extends beyond the building envelope, a minimum soil depth of 1.0 metres must be provided measured from the top of the slab, and will not be calculated as part of the deep soil zone.	The basement is consistent with the building envelopes. Similarly, the deep soil requirements specified in 3E-1 of the ADGs is compliant.	Yes
13.2.24	For multi dwelling and mixed use development, basement parking areas must have natural ventilation and must be designed so that openings to the exterior of the building, at one point, for example, at driveways, be no higher than 600mm above the floor level of the parking area to facilitate adequate dispersion of carbon monoxide from the area. Where natural ventilation cannot be achieved, a combined system of natural and mechanical ventilation may be considered by Council. Any mechanical ventilation system must conform to AS1668.2, 2002 The Use of Ventilation and Air Conditioning in Buildings. Mechanical Ventilation for Acceptable Indoor Air Quality.	The basement design is one level, and has an opening point at the natural ground level via the driveway which is not higher than the floor level of the parking area.	Yes
13.2.25	Basement vehicle parking and manoeuvring must comply with AS2890.1 Parking Facilities - Off-Street Car Parking and AS2890.2 with Parking Facilities - Off-Street Commercial Vehicle Facilities.	The basement parking and manoeuvring comply with the required AS.	Yes
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: 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	The proposal relates to seniors housing in the form of four residential flat buildings and entry and exits from all spaces can be undertaken in a forward direction.	Yes

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	d. commercial developments e. industrial developments f. child care centre.		
13.2.27	To allow vehicles to enter and exit the site in a forward direction, driveway width must allow two cars to pass each other off the public road carriageway during entry and exit movements and the 85th percentile vehicle (equivalent of a medium-large sized family vehicle) must be able to manoeuvre onsite in an absolute maximum of three turns.	The driveway to access the basement for R1 and R3 is 6.6m in width. The driveway width between R2 and R4 is 10m, both of which allow two cars to pass simultaneously.	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.	The design is suitably accommodating the size of vehicles likely to access the site. Namely, being a development pertaining to seniors living with 152 x ILU a separate waste loading and collection dock is proposed to remove conflict with future residential vehicle movement and patterns. The basement entry between R2 and R4 is also acknowledged to be wider to accommodate the village bus.	Yes
Footpath and Footpath Crossing Construction			
13.2.47	Driveway crossings must only be constructed by Council, or a Council approved contractor, at the developer's expense. Prior to works commencing, the applicant must apply and gain approval from Council for a Road Opening Permit under section 138 of the Roads Act 1993. An application fee will apply in accordance with Council's Fees and Charges.	Conditions recommended in this regard.	Yes
13.2.48	Where altered, moved or damaged during construction, the footpath (including any concrete pathways, utility service pits and/or grates, kerb, gutter and any drainage pits) must be restored to their original condition prior to occupation of the development, at the developer's expense. In addition, redundant laybacks must be reinstated to the existing kerb profile prior to occupation of the development, at the developer's expense.	In accordance with the conditions of consent as per the modified concept approval, a 2.4m footpath is to be delivered along the frontage of Wattle Road, within the road reserve.	Yes

CHAPTER 15 - WASTE MINIMISATION AND MANAGEMENT		
15.1 Development types and waste		
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.	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.	Waste collection for the development is proposed to be completed within the site, specifically within a designated waste collection loading dock. As such no on-street kerb collection is proposed. Council Waste Officer has reviewed the proposed Ongoing Waste Management Plan and deemed the design and ongoing methodology to be conditionally satisfactory. The stage 1 development is proposed to generate 18,240L of waste per week, as such collection of the waste is to be twice a week to handle the capacity produced associated with seniors living comprised of 152 units. The waste collection area associated to each building within the stage 1 area is proportionally scaled to correspond to the unit number and density within the building. All buildings to feature a waste collection area on the lowest level and waste will travel to the collection point via a chute system. A chute is located on every level of the buildings. Waste collected within these points will then be transported to the waste collection dock located within the basement of R2 and R4. Site staff will be responsible for the management of bin collection and servicing. The bin storage rooms within each building to be fully enclosed and are of a sufficient size to accommodate the capacity of bins stored within. As noted, a designated waste collection dock is proposed and is accessed via Road No.1. The dock has a designated driveway to remove conflict with other vehicles. The design of the collection point permits a waste collection truck to enter and exit in a forward direction. Within the communal spaces, small commingling recycling and general waste bins will be distributed, however a 'take rubbish with you' design approach will be encouraged to future staff to reduce waste production or gathering in communal areas. This approach is noted to be create a higher rate of recycling and correct waste disposal.	Yes

CHAPTER 16 – ACCESS FOR PEOPLE WITH A DISABILITY

An Access Report prepared by Purple Apple Access included within the development information to support the proposed development, and outlines the proposal is compliant with all relevant provisions and standards in terms of accessibility. The access considered all applicable standards, ranging from letterboxes accessibility through to paths of travel and movement opportunities within the site, including within the independent living units.

The movement and paths of travel through the site are considered and noted to accommodate all levels of mobility. The proposed built form classified as a class 2 building, and has been considered against the associated NCC and BCA provision for this specific building class and noted a compliant design is presented, and therefore detailed to be capable of complying. The report notes the fundamental aims of accessibility legislation are satisfied and achieved within the proposed development.

CHAPTER 17 – CRIME PREVENTATION THROUGH ENVIRONMENTAL DESIGN (CPTED)

The proposed application has been considered by Council Community Planning Officer, of which a generally compliant design and referral response was noted. The overall design of the stage 1 building is deemed a high level design in which prevent antisocial or isolated behaviour. The separation between the buildings and accessible paths of travel, connecting the site cohesively prevents crime within the site. Furthermore, the internal layout of all the buildings allows for natural passive surveillance opportunities throughout the site, as apartment have been oriented toward all elevations. Namely, the western units of R1 and R3 and the units oriented to the east within R2 and R4 will capture observation of the large communal open space.

A lighting plan did not accompany the application, however an External Lighting Report prepared by JHA Services was included within the lodgement information. Namely, the report completed to assess the lighting impact upon the immediately adjoining site to the south, 15 Benson Avenue, Shellharbour City Centre. The report notes all future lighting and installations are to comply with the relevant Australian Standards to ensure the lighting does not create disruption to the amenity or unprecedented level of light spillage.

As noted within the External Lighting Report, the lighting category is ranked according to the level of pedestrian usage, risk of crime and need to enhance the prestige. The proposed use of the site and development for seniors living is considered to be low in terms of risk of crime, however determined a two-tier lighting scheme suitably accommodate the site to ensure ample surveillance during the evening without compromising the light impacts to adjoining sites.

Along the internal access road, a PP3 value plan is proposed which is formed by pole top luminaires, while internally through the centre of the site between the east and west buildings a PP4 lighting design is deemed to be the most suitable which are bollard lighting along the pathways. The design is completed to ensure a balance is achieved to ensure safety without creating negative light spillage to the road or neighbouring sites. However, conditions are recommended in this regard and to ensure compliance with the specifications of the *SEPP (Housing) 2021*.

In accordance with Chapter 7 and the objectives detailed for Precinct M, limited palette of front fence types to contribute to the character of the public domain. The design does not propose fencing along the boundary, with the exception along the southern boundary between 15 Benson Avenue. However, the design is reliant upon the design of the built form, setback arrangement and landscaping to serve as the boundary between the site. The ground floor units along Wattle Road feature a mixed material fence to enclose the PPOS associated to the unit, to enable privacy and security to the outdoor living space. Although the design allows for natural passive surveillance through the use of infill panels above the masonry fence detail below. The design of this prevents graffiti, through the limited space. The landscape design in front of walls is also noted to discourage and prevent graffiti or damages to the building.

The landscape design is considered to be acceptable, however some amendments required to ensure sufficient offset tree planting is enacted. However, the plans depict a range of species and coverage to the site. The landscape density is noted to be evenly distributed throughout the site, rather than in a concentrated area.

CHAPTER 20 - LANDSCAPING			
	Provisions	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.	The application was assessed by Council's Environment Officer and relevant conditions imposed. An updated Landscape Plan is required to detail species and offset tree planting required to accommodate the proposed removal required to facilitate the proposed development.	Yes
20.2 Development types and landscaping			
20.2.1	Landscaping must take into account sight lines between motorists and pedestrians.	Noted.	
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.	No such plants are proposed.	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 selected plants are appropriate.	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.	Planting selections do not obstruct visibility to views and vistas.	Yes
20.7	Street Trees		

20.7.1	All developments may be required to supply and install street trees. Where street trees are required.	The proposed development to remove existing Council Street trees for the installation of a new 2.4m footpath along the Wattle Road frontage.	N/A
20.8 Existing trees/vegetation and development			
20.8.1	The landscape plan must provide notes on how existing trees and remnant vegetation will be protected during the construction period for all developments.	The application proposes the removal of 16 existing trees, both within the site and externally to the site within the Road Reserve. In accordance with the modified concept approval, the removal of all trees was granted by the way of approving the building footprints and envelopes for the development. As such relevant conditions have been included to ensure an amended landscape plan is provided. Offset planting is to be completed to mitigate the canopy and biodiversity loss, at a ratio of 3:1.	Conditioned

CHAPTER 23 - CUTTING, FILLING AND RETAINING WALLS

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.

A bulk earthwork plan has been submitted and assessed by Council Development Engineers to assess the level of impact and scope of excavation associated within the proposed development. Basement parking is proposed, in conjunction with cut and fill and the reliance on retaining walls to accommodate the site natural topography. The level of earthworks exceeding 1m are generally associated to the basement excavation, and fill to support the level of the internal road required to provide access through the site.

A bulk earthworks plan has been submitted. The depth of fill exceeds 1m in isolated areas due to changes in the natural ground level and to accommodate the 12m fall across the site. Earthworks are required to ensure that access within the site and to the public domain achieves the accessibility requirements under the relevant Australian Standard in accordance with the *SEPP (Housing) 2021*. The gradients are compliant and facilitate accessible movement that can be completed by all levels of mobility.

Stabilisation 23.1.3 The maximum grade of cut or fill where there is not a retaining wall or other method of stabilising cut or fill is 45 degrees, 1:1. 23.1.4 Excavation or filling requiring retention must be shored or retained immediately to protect neighbouring development and land form from loss of support to prevent soil erosion. 23.1.5 Retaining walls, or other method of stabilisation, required as part of the development to control potential land stability and/or the structural integrity of adjoining properties must be completed prior to occupation of the development.	Conditions are recommended in this regard.
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.	Conditions are recommended in this regard.
23.2 Visual	
Retaining walls 23.2.1 Retaining walls that are visible to the street or public area must not exceed 1m in height. 23.2.2 The height of a retaining wall is the vertical distance between the top of the wall and finished ground level on the lower side of the retaining wall. 23.2.3 Retaining walls that are visible to the street or public area must be designed using materials that do not detract from the streetscape and	The retaining wall along the western boundary proposes a varied height, the maximum being 1.2m. However, the wall to be observed by the future development within 13 Benson Avenue. The wall is required to facilitate suitable road gradients along the proposed access road. The road design is in accordance with the modified concept approval and will not be directly overlooked from the public domain, as such considered acceptable.

development, with a minimum setback from the boundary fence and another retaining wall by at least 1m.	
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.	Generally, the design is sympathetic to the site irregular topography. The buildings have been stepped to accommodate the fall of the site. Similarly, the basement design will not be observed from the public domain due to the consideration and design around the site fall. Earthworks are required to accommodate and present a design that achieves accessibility within the site and to the public domain as prescribed in <i>SEPP (Housing) 2021</i> .

CHAPTER 24 – FLOODPLAIN RISK MANAGEMENT	
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 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. 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. 5. Provide detailed controls for the assessment of applications lodged in accordance with the EP&A Act on land affected by potential floods. 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. 7. Apply a "merit-based approach" to all development decisions which take account of social, economic and ecological as well as flooding considerations.	See discussion at 6.3 at SLEP 2013 above. The proposal is not expected to result in any significant flooding impacts downstream.

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. 9. Deal equitably and consistently with applications for development on land affected by potential floods, in accordance with the principles contained in the Floodplain Development Manual as amended, issued by the NSW Government. 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. 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.	
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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. Conditions have been recommended and are included within the draft consent.
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