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18th November 2019

General Manager
Wollongong City Council
Locked Bag 8821
WOLLONGONG DC NSW 2500
ATTENTION: ANNE STARR

Dear Anne,

**RE: DEVELOPMENT APPLICATION NO. DA-2019/748
PROPOSED DEMOLITION OF EXISTING STRUCTURES & CONSTRUCTION OF
A MIXED-USE (SHOP-TOP HOUSING) DEVELOPMENT
264 & 268 KEIRA ST & 23 KENNY ST, WOLLONGONG**

I refer to Council's letter of 18th September 2019 requesting additional information to be provided in relation to the proposed demolition of existing structures and construction of a mixed-use (shop-top housing) development at the above-mentioned address. We have reviewed the matters in question, and the following is noted in response to those particular matters raised by Council:-

1. Design Review Panel

Council's Design Review Panel reviewed the application on 27 August 2019. The Panel's comments were emailed to you on 4 September 2019.

Comment:

The conceptual massing, layout and built form of the proposed development has been revised to consider those matters raised by the DRP, and the project architects Brewster Murray have provided the following summary on key consideration responses.

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Wollongong Design Review Panel		
Meeting minutes and recommendations		
27-Aug-19		
Design Quality Principals SEPP 65	Comments	Action
Context and Neighbourhood Character	<i>Detailed site analysis to include context, streetscape, opportunities, constraints</i>	Brewster Murray has provided detailed site analysis including site context, site analysis, site constraints and opportunities, proposed future character and context, streetscape
Built form and scale	<i>Sub-ground works - verify construction and legal feasibility</i>	Legal advice has been received from Greg Lee of Redenbach Lee confirming legal feasibility of proposed sub-works. Refer attached to the application, as well as detailed plans prepared by Brewster Murray on areas within the drainage reserve for clarification
	<i>Through site link - design to include stair access points direct entry to building,</i>	Brewster Murray has proposed glass canopies structures to the residential lobby to improve way finding and identity
	<i>green wall at boundary where possible</i>	Brewster Murray have proposed green walls at boundary
	<i>extend kerb treatment to Kenny and Keira St</i>	Brewster Murray have proposed paving and planting to Kenny and Keira St
	<i>stepped shop front recess entries to allow for extra stairs, outdoor seating, variety to walkway</i>	Brewster Murray have proposed additional open riser stairs to the pedestrian access way to provide direct connections to building entry points
	<i>Provide further details of parking and easement</i>	Proposed parking easement separated from pedestrian cross site link to improve safety
	<i>planter boxes mounted on walkway edge</i>	Integrated seating and planters provide screening to the walkway edge and provide functionality
	<i>show roof over</i>	Weather protection is provided to pedestrians, shown dashed above entry areas
low rise apartments	<i>Full context analysis</i>	Full context analysis provided



<i>tower</i>	<i>Rectilinear tower with lesser setback to be explored</i>	Brewster Murray have explored a rectilinear option and concepts are provided, however, from an urban design perspective this is considered to be inferior to the preferred skewed option. The skewed option allows increased FSR and space efficiency to the tower but also provides better visual interest
Density	<i>Further external finess</i>	Brewster Murray have further refined the external façade appropriate scales and treatment between podium and tower
Sustainability	<i>Cross ventilation - no corridor</i>	complies 62% - 66 units
	<i>recommend removing two maisonette apartments - privacy and no sunlight concerns</i>	Apartment 514 double height apartment achieves solar access. Brewster Murray have removed 1 maisonette apartment and kept 1 to the top so that solar access is not compromised
	<i>PV panel array to roof</i>	PV panels provided at roof level
Landscape	<i>GF Public domain - respond to architectural form, lobbies, materials, levels, street trees, planting.</i>	Public domain incorporates street trees, public art to entry lobby areas, areas for public seating and planting and shaded areas for retail and café use
<i>Ground Floor</i>	<i>better creation of spaces, opportunities, for tree</i>	This ground floor area has been refined for better creation of spaces, however, trees are unable to be accommodated due to the existing pipes and flooding conditions within the drainage easement. Notwithstanding, vines and shade structures are proposed together with seating areas and public art, et cetera
	<i>view lines to lobbies to improve wayfinding</i>	View lines to lobbies improved with treatment of paving, public art and canopy structures to provide identity
	<i>include kerbs of street frontages</i>	Street frontages included



<i>Level 1</i>	<i>privacy concern, bathroom 1m from seating, reconfigure courtyards as POS for central units,</i>	Private courtyards provided to level 1, with further due consideration in relation to visual privacy and amenity
<i>Level 6</i>	<i>Outdoor dining - series of individual spaces</i>	additional individual spaces provided with shading and wind breaks
Landscape	<i>larger planters</i>	larger planters provided
	<i>remove artificial lawn</i>	artificial lawn removed
	<i>provide more shade</i>	more shading and wind breaks provided
	<i>anchor roof top trees</i>	trees to be anchored – noted
Amenity	<i>dimension bedrooms, kitchen depth, reconfigure adaptable unit, max 40 units per lift</i>	Two lifts service podium up to level 6; Tower lift services 37 units L7-L14
Safety	<i>light, passive active surveillance</i>	street lighting provided to improve passive and active surveillance
Aesthetics	<i>BCA, and structural drawings</i>	Initial structural coordination have been considered with Mark Wu of Adams Engineering, BCA provided
	<i>explain adhoc stylised pattern making</i>	The southern façade has been reviewed to provide division between the podium in the tower, thus reducing the overall bulk and improving articulation elements
	<i>blank southern walls warrant careful design</i>	Podium and Tower division, reduced bulk and scale through frames and articulation
	<i>southern façade - divide podium and tower further</i>	Brewster Murray - added to plans
	<i>add car, people, light pole, dog - happier</i>	Brewster Murray - added to plans
WLEP2009	<i>public domain - quality and function</i>	Brewster Murray - added to plans
	<i>verify overshadowing with same volume</i>	Brewster Murray - modelled adjoining properties volume and solar compliance
	<i>elevated ground level to McCabe park - further work</i>	Brewster Murray - modelled and additional information provided along McCabe park



	<i>shadow diagrams to show extent to MacCabe Park, existing to proposed impacts compared</i>	Brewster Murray - noted, shadow diagrams have been extended to MacCabe Park
	<i>wind and reflectivity to be addressed</i>	Brewster Murray - wind breaks provided to plans
	<i>further renders of tower - less sketchy</i>	Brewster Murray - additional detail provided to plans

2. Community Safety

a) It is noted by Community Safety that the letterboxes are located inside the foyers, which is recommended. It is also recommended that each letterbox be individually keyed rather than master keyed, to reduce the opportunity for mail theft and fraud, even from other residents (or unit users).

Comment:

The letterboxes are located at the entry to the foyers, but not inside. This is preferred given the foyers will be restricted access for residents and visitors only, and Australia Post will require free access to these letterboxes. However, as recommended, each letterbox will be individually keyed to reduce the opportunity for mail theft and fraud. We believe this can be conditioned in any forthcoming DA consent accordingly.

b) The garbage rooms should have restricted access to residents only, to reduce entrapment opportunities, especially as these rooms appear to be accessible by retailers and retail customers.

Comment:

The garbage rooms will have restricted swipe card access only for residents, to ensure that retailers and retail customers cannot get access to these areas.

c) What is the security treatment for resident car parking in the basement floor 1? It is noted that some resident parking is located alongside visitor parking.

Comment:

The location of the resident secure roller door within Basement 1 has been adjusted, together with the arrangement for both commercial and visitor parking spaces throughout. All commercial and publicly accessible visitor spaces will be available now upon entry into



the basement, with a roller door segmenting the residential parking area. This will ensure the public has no access to the residential basement car park area.

d) Each basement lighting should enable users to see inside parked vehicles.

Comment:

Appropriate lighting to the Australian standards will be in place for both basement levels to ensure appropriate visibility of parked vehicles and in general throughout. Similarly, this can be conditioned in any forthcoming DA consent.

e) Ceilings and walls of car parks painted white will reflect and brighten existing lights, making the lighting more effective.

Comment:

This is agreed, and again can be imposed as a condition of any forthcoming DA consent.

3. Environment

a) The Detail Site Investigation report (DSI) prepared Douglas Partners consulting dated 18 July must be peer reviewed by:

- i. the Environment Institute of Australia and New Zealand's (EIANZ) Certified Environmental Practitioner (Site Contamination) scheme (CEnvP (SC)); or*
- ii. the Soil Science Australia (SSA) Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) certification.*

Comment:

We confirm that Douglas Partners hold these qualifications internally, and the report has been issued subject to an internal peer review accordingly. This is detailed within the revised report, attached to the application resubmission package for Council's consideration.

b) An acoustic report must be prepared by a member of the Australian Acoustic Society (AAS) or the Association of Australian Acoustic Consultants (AAAC). If the author/reviewer of the report is not a member of AAS or AAAC, then the acoustic report must be peer reviewed by a member stated of those organisations.



c) A public submission noted that 267 Keira Street is approved and occupied as a residence above a shop. The acoustic report should be amended to reflect this residence.

Comment:

We confirm that the acoustic assessment prepared by JHA has been undertaken by the appropriate qualified personnel. Attached is an updated report to the application resubmission package for Council consideration.

4. *Heritage*

a) Shadow diagrams showing impacts on MacCabe Park.

Comment:

Refer to the updated solar impact analysis drawings prepared by Brewster Murray, which are attached to the application resubmission package. As shown, there is limited impact on McCabe Park throughout the day, with partial overshadowing identified only occurring from 3 PM onwards. These limited afternoon impacts are deemed acceptable, particularly as the proposed built form complies with Council's *WLEP 2009 Clause 8.3 Sun plane protection* controls (which is a direct measure of acceptability).

b) Heritage Impact Statement that addresses the shadow impacts and Part 14 of Wollongong Development Control Plan 2009 Chapter E11 – Heritage Conservation, as well as archaeological issues listed below.

Comment:

Refer to the attached Historical Heritage Assessment and Statement of Heritage Impact prepared by Austral Archaeology. In summary, the development is in the vicinity of a war memorial and sandstone arch, and Canary Island date palms located in MacCabe Park. These items are both of local heritage significance and are listed under Schedule 5 of the Wollongong LEP. Austral Archaeology confirm that the development will not impact directly on these items and any potential impacts to these items from the development are likely to be minimal based upon the nature, configuration and location of these items.

c) Full archaeological assessment, including Statement of Heritage Impact and research design to support a section 140 Excavation permit.



Comment:

Austral Archaeology recommend that following the demolition of the existing building down to any concrete hardstand, archaeological investigations will be required in advance of construction. The investigations can only be undertaken following the approval of the Section 140 Excavation Permit and will involve a sub-surface testing, and potentially salvage, programme overseen by the nominated Excavation Director.

d) Heritage Interpretation Plan.

Comment:

Section 9.3 of the attached Historical Heritage Assessment and Statement of Heritage Impact prepared by Austral Archaeology includes commentary and advice around potential interpretation strategy (if required)..

5. Landscape

a) None of the submitted plans address the streetscape. The streetscape must be consistent with the City Centre Public Domain Technical Manual.

Comment:

Refer to the updated Architectural Plans by Brewster Murray and the revised Landscape Ground Floor Plan prepared by Site Image, which details streetscape upgrade considerations in accordance with the City Centre Public Domain Technical Manual.

b) The Deep Soil Zone (DSZ) does not have any trees within the 215m². The planting indicated does not meet the objectives of a DSZ.

Comment:

The subject site is located within a B3 Commercial Core location, which incorporates a shop top housing proposal with a commercial base. Deep soil zones are not required in this instance, as is consistent theme for City Centre environments such as this. The area within the drainage easement previously identified as deep soil zone is not appropriate given the flood conditions of the site and location of Council's stormwater assets. Thus, large trees



and landscape plantings cannot be located in this part of the site and, as such, a responsive landscape design has been put in place as per the documentation prepared by Site Image.

Notwithstanding this, a conscious effort has been made to embellish landscape planting opportunities upon the podium communal open space area, so as to soften and enhance this area as a green space for the enjoyment of future residents and visitors.

c) The Communal Open Space (COS) on Level 1 represents 326m²; however, this area has no functional use as a COS – it is located on the southern side of the building and is too narrow.

Comment:

As per Council's recommendations and the recommendations of the DRP, this level 1 COS area has been modified to incorporate small pockets of communal areas at either end now, with the internal portion of this podium segmented to be added to Units 107 and 108 as secondary POS areas. The appropriate changes are reflected in the updated Architectural Plans by Brewster Murray and the revised Landscape Level 1 Floor Plan prepared by Site Image.

d) The COS on the Level 6 is better located, but there is a limited connection between the common room and the COS.

Comment:

The design of Unit 604 at this podium level has been amended so as to increase the size and accessibility of the internal COS area, whilst at the same time improving its usability and interconnection/interface with the external COS area. It is considered this will enhance user friendly conditions for residents and their visitors. Refer to the updated Architectural Plans by Brewster Murray and the revised Landscape Level 6 Floor Plan prepared by Site Image.

e) The Level 6 COS requires more sheltered spaces that provide protection from southerly and westerly winds, otherwise the area will be under-utilised as they will be too exposed to use.

Comment:

The Level 6 COS area has been modified to improve landscape design and planting throughout, but also increase opportunities for shaded areas and wind protection through



the provision of awnings and glass balustrade windbreaks. Refer to the updated Architectural Plans by Brewster Murray and the revised Landscape Level 6 Floor Plan prepared by Site Image.

f) The balcony planters on Level 5 appear to be very narrow, and will be unlikely to sustain gardens without adequate soil volumes.

Comment:

The width of the landscape planter beds are approximately 900 mm, which is considered appropriate soil volume to account for modest plant shrubs and accents.

g) The transition from the street frontages contains long ramps, it would be preferred that the ramps do not address the street.

Comment:

The ramping arrangements from street frontage have been amended to accommodate better access and a more user-friendly colonnade from one street to the other. These changes will also accentuate and express public accessibility from the drainage reserve lane area. Refer to the updated Architectural Plans by Brewster Murray and the revised Landscape Ground Floor Plan prepared by Site Image.

6. Recreation

a) Shadow diagrams are required showing potential overshadowing impacts on McCabe Park throughout the year. McCabe Park is located at Part Lot 12 DP 524803.

Comment:

As above, refer to the updated solar impact analysis drawings prepared by Brewster Murray, which are attached to the application resubmission package. As shown, there is limited impact on McCabe Park throughout the day, with partial overshadowing identified only occurring from 3 PM onwards. These limited afternoon impacts are deemed acceptable, particularly as the proposed built form complies with Council's *WLEP 2009 Clause 8.3 Sun plane protection* controls (which is a direct measure of acceptability).

7. Stormwater



a) The existing/proposed manning's roughness for the drainage reserve and accessway don't reflect the existing or proposed materials. The manning's roughness must reflect the existing/proposed material and include fences within the overland flow path in the predevelopment scenario.

b) The method of modelling the building undercroft (modified manning's roughness) does not accurately represent the proposed development with respect to its impact on flooding characteristics. The development proposes a ramp that meets the existing footpath level on the Kenny Street frontage which will not allow floodwater flows to directly enter the undercroft area and the proposed louvres will impact on the floodwater flows' ability to enter the undercroft area. The flood modelling for the proposed undercroft must be updated to accurately reflect the proposed development and appropriate blockage/structures included in the flood modelling.

c) Details and calculations must be provided demonstrating that there is not net loss of floodplain storage in the 100 year and PMF events as a result of the development as per section 7 of Chapter E13.

d) Details of the proposed driveway crest level must be provided to demonstrate that the basement entry level is above the highest adjacent 100 year flood level plus 200mm as per section 11.2.4 (2) of Chapter E14.

Comment:

In respect of the above-mentioned stormwater and floodplain management matters raised, the Civil Stormwater Concept Package and Flood Impact Assessment have been updated Adams engineers and BMT respectively. This documentation is attached to the resubmission application package for Council's consideration and considers those measures around existing/proposed manning's roughness values, flood modelling methodology, details and calculations of flood storage, as well as details on driveway crest level/basement entry.

8. Traffic

a) The applicant needs to provide a secure bicycle enclosure for residential and employee bicycle parking spaces. These facilities need to be provided as 'Class B' bicycle facilities with a self-closing door and combination lock. This facility needs to provide adequate manoeuvring



space for users to move their bicycles in and out of the enclosure and lock their bicycles to the racks provided.

Comment:

Refer to Basement Level Floor Plans prepared by Brewster Murray which indicate secure bicycle rack enclosures (Class B) as requested.

b) The applicant must provide swept paths which show a B99 vehicle passing a B85 vehicle on all car parking aisles and critical corners. Clause 2.5.2 (c) of AS2890.1 provides the minimum requirements for safe and convenient movement of vehicles on circulation roadways and ramps within car parking areas. In particular it requires swept paths to be provided. Areas which it is necessary for two vehicles to pass one another shall be designed for a B85 vehicle to pass a B99 vehicle. In both cases areas shall be checked using single turn swept path templates for the B99 vehicle and the B85 vehicles which include the swept path clearances specified in Paragraph B3.1 and the swept path clearances specified in Paragraph B3.2. The swept path clearances shall clear any kerbs at the boundary of the intersection area.

a. Note: A single B99 vehicle swept path should only be used where there is no requirement for 2 vehicles to pass.

Comment:

Refer to the updated Traffic and Parking Assessment (with car park certification) prepared by Solution Traffic Engineers, which details swept paths as required.

c) The applicant needs to ensure that the residential basement area remains secure whilst also allowing access for residential and commercial visitors. This could be done through the use of a roller door positioned to ensure that visitor parking is outside of the secure area. The applicant will need to show this detail on amended plans. The location of any security roller doors should not restrict manoeuvring to ensure that visitors can safely turn and exit the car park in a forward direction if all spaces are occupied.

Comment:

As aforementioned, the location of the resident secure roller door within Basement 1 has been adjusted, together with the arrangement for both commercial and visitor parking spaces throughout. All commercial and publicly accessible visitor spaces will be available now upon entry into the basement, with a roller door segmenting the residential parking area. This will ensure the public has no access to the residential basement car park area.



d) Accessible spaces R6 and R77 do not allow sufficient access width to/from the shared zone.

Comment:

Refer to Basement Level Floor Plans prepared by Brewster Murray which indicate all disabled car parking spaces now incorporate sufficient access widths for the corresponding shared zones.

e) The applicant needs to provide further clarification regarding the proposed waste collection arrangements for the both the residential and commercial elements. The swept paths shown for the waste collection/service vehicle are for an 8.8 metre service vehicle which is smaller than the vehicles within Council's waste fleet. In the Waste Management Plan document an even smaller vehicle is shown. These sized vehicles are not used by Council's waste contractor.

f) The size of Council waste collection vehicles can be found in Chapter E7 of the DCP (also shown below).

g) If a non-standard sized waste vehicle is proposed to collect waste from within the site, the applicant will need to provide a letter of agreement from a recognised 'private' waste contractor acknowledging the internal constraints of the site and agreeing to the collection arrangements.

Comment:

In regards to waste servicing arrangements, the maximum size vehicle capable of servicing the proposed development appears to be an 8.8 metre MRV, which has been accounted for with the appropriate swept Path movements as shown within the waste management plan prepared by solution traffic engineers (attached to the application). We understand this is not a Council standard vehicle size, so it is likely that subject development will be serviced by private contractor arrangements.

The applicant has contacted with JJ Richards, Viola and Remondis, and all have verbally confirmed they have a vehicle that can service the subject development.



9. *Planning*

A full planning assessment will be undertaken when revised plans and supporting information is submitted.

Comment:

Noted.

10. *Public exhibition*

Council's formal public exhibition period has ceased. Several submissions have been received and are available via the Government Information Public Access Act (GIPA) process. Application can be made via Council's website or customer service staff on 4227 7111.

Comment:

We are aware of the public submissions made in respect to the proposed development, and consider that the updated documentation provided is responsive to those matters raised and the site's context.

We trust this information satisfactorily addresses Council's correspondence to date, and understand the DA will be reissued to the DRP for further consultation in this matter. We look forward to discussing further with both Council and the DRP in working towards a favourable determination of the subject DA.

Yours faithfully,

MARTIN MORRIS & JONES PTY LTD

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