

PRE-LODGEMENT NOTES – PL-2019/86

27-Jun-2019

Property:	Thirroul Plaza, 282-298 Lawrence Hargrave Drive, 302-304 Lawrence Hargrave Drive and Lot 102 Lawrence Hargrave Drive Lots 102 and 103 DP 706867, Lot 1 DP 240526 and Lot 2 DP 534253	
Proposal:	Mixed Use Development	
Attendees:	<i>Council:</i>	Jessica Saunders – Senior Development Project Officer John Wood – City Wide Development Manager Will Sale – Development Engineer David Green – Land Use Planning Manager Suri Mora – Senior Environment Officer John Madry – Landscape Officer Suzi Stojcevska – Assistant Development Project Officer
	<i>Proponent:</i>	Jim Apostolou – Architecture & Building Works Alex Scionti – Thirroul Plaza Development Theodore Lucas – Architecture & Building Works Di Griffiths – Studio GL

Proposal/Project Overview:	The prelodgement meeting request seeks advice regarding the redevelopment of the Thirroul Plaza shopping centre and adjoining properties land.
Meeting Outcomes Summary:	<p>Council is generally supportive of the proposed redevelopment of the site.</p> <p>There are however a number of specialist reports and studies that are required to be undertaken which may impact on the final development outcome on the site.</p> <p>In particular, the applicant is strongly encouraged to engage in a voluntary Design Review Panel process to gain further advice and certainty as to the final form of the development, prior to the lodgement of the development application.</p> <p>Development in Thirroul and traffic congestion is a contentious issue in the community and the proposal would be likely to generate a significant amount of community interest. It is recommended that the applicant undertake their own community consultation regarding the proposal prior to lodgement.</p> <p>Given the expected cost of the development, it is likely that the proposal would require assessment by Wollongong City Council, but determination by the Regional Planning Panel (RPP).</p>

Main Issues:

- Context / Streetscape
- Setbacks
- Relationship to the street
- Relationship to Beaches Hotel
- Vehicular entry points
- Relationship to railway
- Community response
- Escarpment

Planning:

Relevant Environmental Planning Instruments

The provisions of all relevant Environmental Planning Instruments and Development Control Plan(s) must be addressed within the Statement of Environmental Effects (SEE).

The relevant Environmental Planning Instruments and Development Control Plans are:

- SEPP (State and Regional Development) 2011
- SEPP (Infrastructure) 2007
- SEPP No. 55 – Remediation of Land
- SEPP No. 64 – Advertising and Signage
- SEPP No. 65 – Design Quality of Residential Apartment Development
- SEPP (Coastal Management) 2018
- SEPP (Building Sustainability Index: BASIX) 2004
- Wollongong Local Environmental Plan (WLEP) 2009
- Wollongong Development Control Plan (WDCP) 2009
- Wollongong City-Wide Development Contributions Plan 2018

Integrated Development:

- As works will be required to be carried out within the road reserve the application may be considered as Integrated Development under section 138 of the Roads Act 1993 with the NSW **Roads & Maritime Services**. It is suggested that preliminary enquiries be made with the RMS prior to lodgement.

If the proposal is required to be considered as Integrated Development, you are required to submit one (1) copy of the site plan and all information submitted for referral to Roads & Maritime Service.

You are also required to submit a cheque for \$320.00 made payable to **Roads & Maritime Services**.

- The DP for Lot 103 indicates that the site is affected by piped watercourses, and as such, the proposal may be required to be considered as Integrated Development pursuant to the Water Management Act 2000. Clarification from the Natural Resources Access Regulator should be sought in this regard.

A separate fee of \$140.00 is also to be made payable to Wollongong City Council for administration costs associated with integrated development.

Site Constraints:

The site is listed as being affected by the following constraints:

- Flooding – Flood risk precinct under review
- Contamination
- Acid Sulfate Soils – Class 5
- OSD concession zone
- Site specific DCP – Chapter D12
- Lot 102 – Community Land
- Nearby Local Heritage Items
- Adjoining South Coast Railway Line

A Section 10.7 Certificate should be obtained to clarify details on any constraints affecting the proposed development site. All relevant site constraint reports should be included within the Statement of Environmental Effects.

- **10.7 (2) Certificate** - Provides information about the zoning of the property, the relevant state, regional and local planning controls and other planning affectations such as heritage, land contamination and road widening; and
- **10.7 (2) and (5) Certificate** - Provides additional advice regarding demolition, foreshore building lines, other heritage considerations and general advice.

The subject site is affected by a number of restrictions on title, as per the following:

Lot 102 DP 706867

- Covenant (A) – piped watercourse

Lot 103 DP 706867

- Covenants (A) (b) and (c)
- Right of carriageway variable width (DP 534253)
- Variable width strip for road widening purposes – appears to have been dedicated to Council and now forms part of the road reserve (bus stop and footpath)

Lot 2 DP 534253

- Benefits from the Right of carriageway variable width (DP 534253)

Lot 1 DP 240526

- No restrictions on title – former 10ft road reserve purchased in 1970.

These restrictions are to be addressed as part of the Statement of Environmental Effects.

Council Land:

It is noted that Lot 102 DP 706867 is owned by Wollongong City Council and is categorised as Community Land pursuant to the Local Government Act 1993. The development category for this land is 'General Community Use'. Should the applicant wish to proceed with the incorporation of this property as part of the development site, the land will be required to be reclassified to Operational Land pursuant to the Local Government Act 1993, prior to purchase. The procedure for undertaking this process is via a Planning Proposal which is outlined in the attached for your information.

Please note that the indicative timeframe for this process is at least 18 months and as such, it is recommended that this process be commenced as soon as possible.

Should the application be lodged including this lot, owners consent would be required to be provided from the appropriately delegated person within Councils Property Department.

Relevant Environmental Planning Instruments:

SEPP (State and Regional Development) 2011

The proposal will be required to be determined by the Joint Regional Planning Panel as the consent authority pursuant to Section 4.5(b) of the Environmental Planning and Assessment Act 1979 as the development has a capital investment value of more than \$30 million, which is defined as Regionally significant development under State Environmental Planning Policy (State and regional Development) 2011 Schedule 7 Clause 2 (referred to at Part 4, Clause 20 Declaration of regionally significant development: section 4.5 (b))

SEPP (Infrastructure) 2007

The following clauses are required to be addressed:

Division 5 Electricity transmission or distribution

Subdivision 2 Development likely to affect an electricity transmission or distribution network

Clause 45 requires that where ground penetration within 2m of an underground electricity power line or distribution pole, that the consent authority give written notice to the electricity supply authority in the area inviting comments and take into consideration any response received within 21 days.

There is an electricity pole located within the road reserve adjacent to the property boundary with Beaches Hotel on King Street, and above ground lines running along the south eastern side of King Street. It is assumed that there are other underground services in the surrounding area. It is therefore likely that Council would notify Endeavour Energy as the electricity supply authority in the area and take into consideration any comments provided within the prescribed timeframe.

The applicant is also encouraged to undertake and provide as part of the DA an Electricity Supply Due Diligence letter which includes correspondence from Endeavour Energy regarding the capacity of the network in the area and any additional design considerations in this regard, as part of the development application.

Division 15 Railways

Subdivision 2 Development in or adjacent to rail corridors and interim rail corridors – notification and other requirements

Clause 85

Clause 85 relates to development which is adjacent to a rail corridor and which is likely to have an adverse effect on rail safety, involves the placing of a metal finish on a structure, involves the use of a crane in the airspace above any rail corridor or is within 5m of any overhead electricity power line associated with the railway. This clause requires that the consent authority give written notice to the rail authority inviting comments and take into consideration any response received within 21 days.

Clause 86

Clause 86 relates to excavation adjacent to rail corridors, where ground penetration in excess of 2m is proposed within 25m of the rail corridor. The submitted plans indicate the basement excavations proposed would exceed 2m below existing ground level and are approximately 6m from the boundary with the rail corridor.

This clause also requires that the consent authority give written notice to the rail authority inviting comments and take into consideration any response received within 21 days and any guidelines issued by the Secretary for the purpose of this clause and published in the Gazette. Pursuant to clause 86(3), the consent authority must not grant consent to development to which this clause applies without the concurrence of the rail authority for the rail corridor to which the development application relates, in accordance with the provisions of the clause.

- Concurrence requirements for Sydney Trains are as per the following:
 - A cheque for \$320.00 made payable to **Sydney Trains**

Clause 87

Clause 87 requires that where development for the purpose of residential accommodation is proposed adjacent to a rail corridor that consent not be granted unless the consent authority is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:

- (a) *in any bedroom in the residential accommodation—35 dB(A) at any time between 10.00 pm and 7.00 am,*
- (b) *anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.*

An acoustic report will be required to be provided which provides measures of the existing background noise levels in the area and provides recommendations to ensure that the above LAeq levels will not be exceeded. This assessment is to take into consideration all surrounding noise sources, including but not limited to the rail corridor, Lawrence Hargrave Drive, Beaches Hotel and Anitas (former Kings) Theatre, as well as potential on site sources of noise impacts (loading dock, supermarket operation, any outdoor dining areas likely, play equipment and other uses of the communal area etc). The recommendations of the report are to be incorporated into the design and shown on the submitted plans.

Division 17 Roads and traffic

Subdivision 2 Development in or adjacent to road corridors and road reservations

Clause 101

Clause 101 relates to development with a frontage to a classified road and requires that the consent authority not consent to development on land with a frontage to a classified road unless it is satisfied that safe access to the land is provided by a road other than the classified road, the development will not adversely affect the safety, efficiency and ongoing operation of the classified road and that the development is of a type which is not sensitivity to traffic noise or emissions, or is appropriately designed or includes measures to ameliorate potential impacts arising from the classified road. As per clause 87 above, an acoustic report will be required considering potential noise impacts.

Clause 102

Council does not have any recent traffic count data in the immediate area of the subject site for Lawrence Hargrave Drive, however it is assumed to have an annual average daily traffic volume of more than 20,000 vehicles. This clause requires that consent not be granted for development which is likely to be affected by road noise or vibration unless the guidelines issued by the Secretary for the purposes of this clause and published in the Gazette are considered and measures be taken to ensure certain LAeq levels are not exceeded. As per clause 87 above, an acoustic report will be required considering potential noise impacts.

Clause 104

Pursuant to Schedule 3 of this SEPP, as the proposal involves a car park with more than 200 car parking spaces, more than 75 dwellings with access proposed within 90m of Lawrence Hargrave Drive and shops with a GFA of more than 2000sqm, the proposal will be required to be considered as Traffic Generating Development.

In this regard, clause 104 requires that before determining a development application, that written notice be given to the RMS and any response provided within 21 days of that notice be taken into consideration.

Under State Environmental Planning Policy (Infrastructure) 2007 council is required to formally forward development applications to the Roads & Maritime Services (RMS) for certain developments and consider any representations made by the RMS. The clause also requires that in addition to the RMS response, that the accessibility of the site be considered.

In this regard, it is recommended that the applicant engage in discussions with the RMS prior to lodgement.

Council will require the submission of a complete Traffic Impact Assessment Report, pursuant to Chapter E3 of the WDCP 2009. This will require the undertaking of traffic counts on both Kings Street and Lawrence Hargrave Drive, intersection and network modelling and appropriate recommendations as to any upgrades required or traffic management works would be required.

It is noted that as part of a previous development application approval for the redevelopment of the site, that traffic lights were required to be installed at the developers cost on the corner of Kings Street and Lawrence Hargrave Drive.

Traffic and congestion in Thirroul is a contentious issue in the community and the proposal is likely to generate a significant amount of community interest in this regard. It is recommended that the applicant undertaken their own community consultation regarding the proposal, prior to lodgement. The Thirroul Village Committee is a local group of residents who have expressed an interest in such projects, and should be directly consulted, along with Neighbourhood Forum 3 and the general community.

SEPP 55 – Remediation of Land

Any application submission is to address the requirements of State Environmental Planning Policy No. 55 – Remediation of Land. SEPP 55 applies to the State and Clause 7 is relevant to all development applications. It is noted that the previous use of the site as a car park and other uses that may have resulted in the contamination of the property.

See further discussion at *Environment* below.

SEPP 64 – Advertising and Signage

Should signage be proposed as part of the application, the SEE will be required to address SEPP 64.

SEPP 65 – Design Quality of Residential Flat Buildings

As part of the development is defined as a residential flat building, SEPP 65 would apply and is to be addressed as part of the application.

Pursuant to clause 6A, where there are any inconsistencies between the Apartment Design Guide (ADG) and the WDCP 2009, the ADG prevails.

Pursuant to clause 28, the proposal would require referral to Councils Design Review Panel during the assessment period. The advice received from the DRP will be required to be taken into consideration, along with consideration of the design quality principles outlined in Schedule 1 and compliance with the ADG.

Given the scale of the development proposed it is recommended the applicant voluntarily engage in a design review panel meeting to gain further advice and certainty as to the final form of the development, prior to the lodgement of the development application.

With regard to compliance with the ADG, the following matters are raised or will require further detailed information:

- Interface and setbacks with potential future development on the Beaches Hotel site.
 - Further details of the communal open space area are required – materials and finishes, access etc.
- Variations to side setback requirements (3F) to Beaches Hotel
- Understanding of the relationship with Beaches and future development noted on plans
- Further clarification as to the pedestrian access and entries is required (3G), i.e. how will people living or visiting the block adjoining the railway corridor access the site from Lawrence Hargrave Drive? Can they access the property from the residential lobby off Lawrence Hargrave Drive?
- Details of the car park entry and access control provisions will be required.
- Areas for residential services are required, in particular garbage storage and collection. Details will be required demonstrating how garbage collection from the site will be managed. Part 4W provides controls relating to waste management.

- Further details regard the parking design and designation of spaces for different uses will be required. This is to include bicycle parking, motorcycle parking and the break up between the retail uses, staff, residents and visitors.
- Charging stations should be provided for electronic vehicles (3J) and shown on plan.
- Further detailed plans will be required addressing the relevant sections of Part 4.
- The ground floor and first floor ceiling heights should be a minimum of 3.3m (4C).
- Further detail with regard to unit design and layout will be required outlined at 4D.
- Balcony sizes will be required to meet the minimum requirements outlined at 4E.
- Clarification will be required regarding compliance with part 4F with regard to common circulation spaces. In particular, how people access the units in the southern portion of the building fronting Lawrence Hargrave Drive and whether the door shown in the corridor is proposed as a fire door or not. That area of corridor would result in a more than 50m corridor with minimal windows or opportunities for natural ventilation. This should be clarified or reconsidered.
- Storage areas should be shown on plan, as per Part 4G. Storage located in the basement should be provided in secure lockers/cages and allocated to specific apartments.
- The layout of the buildings with frontage to Lawrence Hargrave Drive should consider 4J and be guided by the acoustic report, discussed at SEPP (Infrastructure) 2007.
- The development should be designed to provide at least 20% of the total apartments in accordance with the Liveable Housing Guidelines silver level (Part 4Q).
- Details regarding the ability to capture and reuse water on site should be provided.

A table which includes an assessment of the proposal against the ADG is to be provided as part of the application lodgement.

SEPP (Coastal Management) 2018

The applicant should review the SEPP (Coastal Management) 2018 maps once the extent of works is known. Part of the Beaches Hotel Site and the intersection of Lawrence Hargrave Drive and King Street appears to form part of the Coastal Use Area mapped area.

SEPP BASIX:

BASIX Certification must be provided in support of the proposal outlining the commitments to be included so that the development meets the minimum targets attributed to Water Efficiency, Energy Efficiency and Thermal Mass. The application submission should clearly outline what components of the development meet the definition of 'BASIX affected development', with the relevant certificates submitted.

Wollongong Local Environmental Plan 2009 (WLEP 2009)

The applicant will be required to submit a Statement of Environmental Effects addressing the relevant Clauses of the WLEP, including but not limited to:

- 2.3 Zone objectives and land use table
- 4.3 Height of buildings
- 4.4 Floor space ratio
- 4.6 Exceptions to development standards – if required
- 5.10 Heritage Conservation
- 7.1 Public Utility infrastructure

- 7.3 Flood planning area
- 7.6 Earthworks
- 7.13 Certain land within business zones
- 7.14 Minimum site width

The subject site is zoned B2 Local Centre. The proposal would be best described as a mixed use development, comprising retail premises (commercial premise -> retail premises) and residential flat buildings. Both Retail Premises and Residential Flat buildings are permissible in the B2 zone pursuant to WLEP 2009.

As part of the application lodgement, should any future uses of the shops be known, details should be provided as part of the DA. Alternatively, a condition would be imposed which required that the first use of each tenancy be subject to a separate development assessment process.

Please ensure that the RL levels are shown for each of the highest points of the buildings, rather than the roof and ceiling levels. Each lift overrun area is to be shown on plan, and an RL level provided.

A site survey clearly indicating the site area and plans correctly showing the GFA of each unit are required to be submitted. Including an FSR table and a plan demonstrating the applicants FSR/GFA calculations is also advisable.

Please note that amalgamation of the subject development sites will be required as part of any development consent.

It is noted that no amendments to the LEP are proposed.

Wollongong Development Control Plan (WDCP) 2009

General Matters:

- The Statement of Environmental Effects (SEE) should include a detailed description of the proposal and address all relevant chapters within the Wollongong Development Control Plan (WDCP) 2009 for appropriate development controls prior to finalisation of the design and submission of the development application. This includes, but is not necessarily limited to the following:
 - Chapter D12: Thirroul Village Centre

As per Part 2 of this Chapter, where there are inconsistencies between the provisions of this Chapter and any other part of the DCP, this Chapter prevails to the extent of the inconsistency.

A tabled assessment of the proposal against the provisions of this Chapter should be provided as part of any application lodgement.

Particular regard should be given to the following sections:

Part 4 – particular regard should be given to the existing and future desired character statements provided. A complete visual impact assessment will be required addressing in particular the views of the escarpment, water and Kennedys Hill from public domain areas, the railway bridge and the impact of the proposed development on those views.

Part 4.2.2 describes that the northern village area will be characterised by a two storey street wall which maintains the village scale, with some three storey buildings in the vicinity of Thirroul Plaza and the Beaches Hotel. The proposal would not strictly satisfy this control, being three storeys throughout, and to the boundary with Lawrence Hargrave Drive. This should be addressed.

A visual impact assessment will be required to address the controls provided in Part 5 of this Chapter.

Part 5.2 of the Chapter suggests the setting back of the third storey to minimise impacts on views and to maintain the street scale. The submitted plans indicate that both the first and second floors are setback 6m from the front property boundary to Lawrence Hargrave Drive and the development is proposed to be built to the

boundary with King Street for the ground and first floors, with the second floor setback 6m. This is consistent with the sections provided at Figure 9 of the Chapter, and controls provided at Parts 18 and 19.

Depending on the outcome of the visual impact assessment, consideration should be given to further setting back or providing a change in the materials and finishes of the second storey along Lawrence Hargrave Drive to assist in the development reading as a 2 storey development. Guidance should be sought from Councils Design Review Panel in this regard.

Parts 7 and 8 provide controls regarding the public domain and pedestrian and bicycle circulation. These parts are to be addressed as part of the submitted application, and clear plans and details regarding public domain works.

Part 11 provides Thirroul specific controls regarding parking and requires that parallel parking is to be provided along Lawrence Hargrave Drive. The area in front of the subject site to King Street is a no stopping and bus zone currently. There is limited 1P parking available adjoining WF Jackson Park. Part 11.2(k) requires that surface parking be provided for retail and commercial uses, but Part 11.2(t) requires the promotion of underground parking within the major retail portions of the Village Centre. This will be required to be addressed as part of the application lodgement.

Bicycle parking should also be provided in accordance with the rates outlined in Part 11(v).

Part 12 provides controls regarding the built form and controls provided at part 12.2(e) and (f) require a two storey street wall and increased setbacks to the Thirroul Plaza area so that access and visual appearance throughout the northern section of the village centre is maintained.

Part 13 provides controls relating to building height 13.2(a) requires that building height is limited to 2 storeys, except where specified in Figure 10. Figure 10 indicates a 2 storey development control across the subject site. This is also reflected at Figure 16 of the Chapter. *The current proposal would not be considered to meet this control.*

Part 13.2 also requires that floor to floor heights for retail development not exceed 4.5m. 5m is indicated on the submitted sections.

The Architectural Character controls provided at part 19 should be considered in further developing the plans.

– Chapter B3: Mixed use development

Part 4.2.2 of this chapter requires that a mixed use development in a business centre not result in the creation of an isolated allotment (*being a lot which is bounded on both sides by properties (or a property and a second street frontage) which comprise existing development other than a single dwelling house*).

In this case, whilst the Beaches Hotel is currently situated over three separate titles, it is considered that a more appropriate development outcome for the site would also include the redevelopment of this land. The applicant should further explore this, in line with the relevant controls within the WDCP 2009.

Notwithstanding, it is noted that combined, the 3 properties would have dimensions in excess of 20m, and combined, would be capable of future development.

Part 4.5.2 outlines that zero side setbacks are required for the majority of mixed use developments in the B2 zone.

A roof plan is to be provided demonstrating compliance with part 4.6.2.13 of the Chapter.

Part 4.6.2.17 requires that new mixed use buildings maintain the horizontal and vertical proportions of the existing buildings in the locality.

Part 4.7 provides controls relating to active street frontages. The design of the ground floor shop fronts should consider this section.

Car parking for the different uses should be clearly defined – residents and visitors, staff and customers.

Part 4.10 provides controls relating to Basement Car Parking.

Communal Open Space is required at a rate of 5sqm per dwelling and must have a minimum dimension of 5m.

Detailed solar access diagrams will be required to demonstrate compliance with part 4.15.

In accordance with Part 4.18, 10% of dwellings proposed are to be designed to be capable of adaptation for the elderly or people with a disability. A plan is to be provided which clearly identifies which units are capable of adaptation and Certification from an Access Consultant confirming that the identified dwellings are capable of being modified, when required, by the occupant to comply with the relevant AS. Car parking areas allocated to the adaptable units must comply with the minimum dimensions provided within the clause.

A plan should be provided which clearly demonstrates what dwellings have been designed to be naturally ventilated.

Should a swimming pool be proposed, part 5.8 of this Chapter should be addressed.

Letter box locations should be shown on plan.

– Chapter E3: Car parking, access, servicing/loading facilities and traffic management

A clear breakdown of the GFA of each proposed use and the required and proposed associated parking is to be provided.

Parking is to be provided as per the below:

Car parking:

Residential:

1 car parking space per dwelling (<70sqm); or

1.5 car parking spaces per dwelling (70-110sqm); or

2 car parking spaces per dwelling (>110m²);

plus 0.2 car parking spaces per dwelling for visitors

Commercial:

1 car parking space per 40m² of GFA – business premises

1 car parking space per 25m² of GFA – retail premises

Bicycle parking:

Resident – *1 bicycle space per 3 dwellings (residents) and 1 bicycle space per 12 dwellings (visitors)*

Commercial – *bicycle parking is to be provided in accordance with the rates provided at Part 11(v) of Chapter D12.*

Motorcycle parking

Residential - *1 motorcycle space per 15 dwellings*

Commercial - *1 motorcycle space per 25 car parking space*

A table which clearly states the GFA of each proposed residential and commercial unit and the required and provided car, bicycle and motorcycle parking areas is to be provided.

Note:

Pursuant to 3J of the ADG, for sites that are within 800m of a railway station, in which case this development is, the minimum car parking requirement for residents and visitors is set out in the RMS Guide to Traffic Generating Developments, or the car parking requirement prescribed by Council, whichever is less.

This is to be addressed as part of the application submission.

- Chapter B4: Development in Business Zones

Thirroul is indicated to be a town centre as part of this chapter.

Pursuant to part 4, an Economic Impact Assessment report is required to form part of the application submission, as more than 3,500sqm of retail area is proposed.

Specific controls for the Thirroul Town Centre are provided within Chapter D12 discussed above.

Parts 9 and 10 of this chapter should be addressed as part of the submitted statement. In this regard, further details/clarification will be required with regard to building appearance, and general design of retail shopping centres.

- Chapter C1 Advertising and Signage Structures

Should signage form part of the application, an assessment against the relevant parts of this Chapter should be addressed as part of the submitted SEE.

- Additional detail on the floor plans of the residential units are to be provided on the plans lodged as part of the development application. The submitted floor plans are to be reviewed - some floor plans shaded to be 3 bed appear significantly smaller than others.
- The submitted plans show 2 'Shop 09' tenancies. This is to be corrected.
- Detailed plans of the boundary treatment to adjoining properties, in particular W.F. Jackson Park should be provided.
- Further information regarding the 'soho' unit use is to be provided.
- Details of the propose use of the supermarket and retail lobby are to be provided, including hours of operation, indicative layout and staffing, and the access hours and maintenance of the retail lobby areas and any facilities which are to be open to the public (toilets etc).
- A detailed Construction Management Plan is to be provided which includes, but it not limited to the following information:
 - Plan of proposed demolition materials and construction storage areas
 - Parking for construction works throughout the demolition and construction phases
 - Proposed access points to the site
 - Indicative construction phasing and public domain works schedule.
- A variation request statement is required to be provided in response to each variation requested, and are written in accordance with Cl. 8 of Chapter A1 of the WDCP 2009.
- A full set of plans and supporting documentation, with the plans preferably drawn in CAD or a similar program will be required to be submitted in support of any application. This should include a full set of plans including floor plans, elevations and section plans, with any existing and proposed walls and other features clearly identified.
- Whilst ideally the proposed shop fronts would be level with the Lawrence Hargrave Drive footpath area, it is unlikely that this would be able to be achieved due to flooding constraints and the requirement for minimum finished floor levels to be met. Following the preparation of the flood study – discussed at *Flooding* below – the entrance design of the interface with Lawrence Hargrave Drive is to be reviewed.
- Elevation plans of the proposed property boundaries demonstrating the existing ground level, proposed levels and development and finishes are to be provided.

- Given the extent of excavations proposed, a geotechnical report should be provided as part of the application lodgement.
- Any proposal involving works on (Lot 102)/relying on access over Councils land (awning proposed) will require owners consent from Councils Property Manager. This should be organised prior to lodgement.
- It is noted that the Beaches Hotel site does not form part of the current proposal. All notations and plans relating to future works, i.e. future communal open space, future ground, first and second floor developments and on the view diagrams should be removed from the submitted documents.
- A Heritage Assessment Report will be required provided pursuant to 5.10(5) of the WLEP and E11 of the WDCP 2009.
- It is noted that the facade of the previous development on existing Lot 2 DP 534253 was to be retained and incorporated into the design of the previous development approval DA-2004/1295.
- Waste management details are to be provided. Refer to Chapter E7: Waste Management of Wollongong Development Control Plan 2009. Bin sizes, storage and collection requirements are to be nominated within the Statement of Environmental Effects. The submitted plans do not appear to provide for any garbage storage rooms. Separate storage areas should be provided for each residential building, and a separate area/s for the retail. It is recommended that garbage chutes be incorporated into the design for the residential apartments where possible. Please note that on site collection via private contractor is likely to be required.
- Servicing of the different uses and ventilation points should be considered as part of the DA. Any ventilation to the boundaries should be shown on the plans submitted as part of the development application.
- All retaining walls are to be shown on the site plan. Retaining walls greater than 1m in height must be designed by a structural engineer. The locations, heights and materials of any proposed retaining walls are to be clearly shown on the submitted documentation.
- Shadow diagrams for the development are required to be provided demonstrating that the proposal will not have any additional unreasonable impact on adjoining properties and that at least 70% of the dwellings within the complex receive a minimum of 3hours continuous sunlight between 9am and 3pm on June 21 to both living room windows and POS areas.
Hourly intervals may be required depending on the expected impact.
- When lodged the proposal will be referred to Councils Community Safer Action Team Officer. The applicant should ensure that areas of entrapment are minimised (particularly within the retail forecourt and lobby area, and any areas which are intended to be accessible to the public, such as toilets) are minimised or addressed. Consideration of Chapter E2 Crime Prevention through Environmental Design is required in the design of the development. The proposal is to address all the requirements contained in this chapter which includes lighting, landscaping and fencing for the development.
- A Soil and Water Management Plan is to be submitted. Refer to Chapter E22 – Soil Erosion and Sediment Control of WDCP 2009.
- Clothes drying areas/facilities should be provided for all dwellings and indicated on plan. Clothes drying will not be permitted on balconies under any circumstances.
- The applicant should engage with Sydney Water for any requirements.
- Details on how privacy will be maintained between the units are also to be clarified/submitted.
- The materials proposed to be used should be clearly indicated in elevation plans. A materials board should also be submitted. Materials should be selected based on the findings of the conservation management plan and should be sympathetic to the pervious uses.
- The architect is to ensure that all plans and documents are consistent.

Wollongong City-Wide Development Contributions Plan 2018:

A development contributions levy will apply to the proposed development if approved. A detailed cost estimate report is required to be provided in conjunction with the Development Application. (Please note: Council uses the Cordell's Ecosting Guide to confirm the accuracy of construction cost estimates).

Development Engineering:

Traffic:

- The applicant should refer to Chapter E3 – Car Parking, Access, Servicing/ Loading Facilities and Traffic Management and the traffic components of B1: Residential Development of the Wollongong Development Control Plan 2009.
- The applicant must provide all internal access dimensions on the site plan, including driveway grades, access widths, parking aisle widths which comply with AS2890.1.
- A Traffic Impact Assessment must be provided with any DA application for the site. The assessment must include (but is not limited to) assessing the existing road and adjoining intersection capacity for the site. The Traffic Impact Assessment must be undertaken in accordance with the RMS Guide by a suitably qualified traffic consultant. The Traffic Impact Assessment must consider current and future (10 yr) background traffic.
- Car parking must be provided as per Schedule 1 of Chapter E3 for the relevant development types.
- Motorcycle and bicycle parking must be provided as per Schedule 1 of Chapter E3 for the relevant development types. Bicycle parking for residential development must have appropriate security for the user class.
- Disabled parking spaces must be provided in accordance with schedule 2 for the development type
- Adaptable parking must be provided for each adaptable unit
- Turning paths demonstrating a B85 passing a B99 vehicle on all two way corners must be provided along with turn paths demonstrating a B99 vehicle on all one way corners
- Commercial/visitor spaces are to be separated from the residential parking for the development to ensure security
- Given the scale of the development and the proposed loading area turn paths must be provided demonstrating that a articulated vehicle can enter and exit the proposed loading areas in a forward direction after completing no greater than a 3 point turn.
- Waste storage must be undertaken by a communal waste storage area and internal waste servicing. Bin sizing and waste management requirements are available in Chapter E7 which relates to Waste Management. Turn paths must be provided for the proposed service vehicle demonstrating it can enter and exit the site in a forward direction after completing no greater than a 3 point turn and that the proposed loading area doesn't obstruct vehicle movements.

Subdivision:

- If subdivision is proposed with the application. The subdivision must be designed in accordance with chapter B2 – Residential Subdivision of WDCP 2009.
- If subdivision is proposed with the application. A draft subdivision plan is required with the submission of the development application, clearly showing unit boundaries, internal and external walls, common property, etc

Stormwater:

- On site detention is required where the increase in impervious area as a result of the development is greater than 100m² {it is noted the site falls within an OSD concession zone however flows are not directed to receiving waters prior to being conveyed through intervening property as per 12.1.2 (i)}. The development will need to be designed to comply Chapter E14 (Stormwater Management) of the Wollongong Development Control Plan (DCP) 2009. A Stormwater Concept Plan will need to be prepared by a suitably qualified civil engineer in accordance with Chapter E14 and submitted with the development application.
- Pump systems only to include driveways falling in, subsoil drainage and vehicle drop water as per 11.3.11 of Chapter E14
- Discharge to the street from the site must be via gravity
- The development must be designed to accept and cater for upslope runoff as per section 11.3.17 of Chapter E14. Details of the upslope catchment must be provided.
- The landscape and stormwater plans for the development will need to be compatible. Stormwater lines must not interact with existing or proposed trees, including where proposed easements will be provided.
- Details of retaining walls must be provided including top of wall levels, bottom of wall levels and locations.
- Encroachment of any of the building structure over common stormwater lines or easements is contrary to section 11.4 of Chapter E14
- The DP for the site and Councils records indicate that there multiple piped watercourses within the site. The location of the existing piped watercourse will to be impacted by the proposed basement. The design of the development must ensure the sites ability to allow flows to enter and exit the site replicating the existing distribution of flows. Hydraulic modelling and detailed stormwater design must be undertaken for the development by a suitably qualified civil engineer.
- Survey details (inc Depth, location, alignment, invert levels, surface levels, capacity/size, etc) must be provided for all stormwater infrastructure from upslope of the railway line to sufficiently downstream to allow accurate modelling of the drainage network.

Flooding

- Councils records indicated that the site is flood risk precinct under review, and was previously medium flood risk.
- Development on the site is subject to the controls in Chapters E13 (Floodplain Management) and E14 (Stormwater Management) of the Wollongong Development Control Plan (WDGP) 2009.
- An independent detailed survey plan of the site and frontage prepared by a registered surveyor to Australian Height Datum (AHD), including lot boundaries, contours/spot levels, easements, services, roads, watercourse channel and top and bottom of bank, etc. will need to be submitted with the development application.
- Flood information can be obtained via Council's Flood Level Information Request Form found on Council's website www.wollongong.nsw.gov.au or via Council's online services at a cost of approximately \$85.00.
- A 2D flood study shall be provided for the subject development. The flood study shall be prepared by a suitably qualified civil engineer, strictly in accordance with Chapters E13 and E14 of the Wollongong DCP2009. The purpose of the flood study is to determine flood levels and flood risk precincts applicable to the development/site (noting that high flood risk is within 10m from top of bank of a watercourse {natural or modified}), and to demonstrate that the proposal meets all of the requirements schedule 2 of Chapter E13 of the Wollongong DCP2009 for the development types. Based on the proposed encroachment within the flood extent the flood study will need to include pre and post development flood modelling to demonstrate no detrimental external impacts as a result of the development.

- Flood modelling must be undertaken in accordance with Council's current Blockage policy
- Flood modelling must consider surcharge flows from the stormwater system within the site in the event of blockage or overload
- The key flooding items are floor levels, impacts, evacuation and basement entry levels
- Filling in the floodplain is to be undertaken in accordance with the requirements of note (b) of Schedule 2 as the site is East of the railway line and within the Hewitts Creek Catchment
- Modifications to the watercourse are generally not supported as per section 10.3.17 of Chapter E14. Loss of development potential is not considered justification for modification. The application will need to demonstrate compliance with the objectives and performance criteria of Chapter E13.

Frontage:

- The frontage of the development must be a maximum of 2.5% grade from the top of kerb. Civil Frontage details including cross sections showing existing and proposed levels at 10m intervals along with each building entry point and each transition must be provided.
- The floor level must be compatible with the 2.5% verge grade and transitions (ie/ stairs, ramps, etc) to the finished floor level must be undertaken within the site
- Refer to comments from Landscape for aesthetic requirements for frontage

Contact Details: The applicant's Consulting Engineer may contact Council's Development Engineer through Council's Customer Service Centre on the telephone number (02) 4227 7111 if any issues arise through the design phase prior to the lodgement of the development application.

Landscape:

- Council has carried out several stages of streetscape improvements in Thirroul since 2006 including new pavement on either side of proposed development. Works include stone header behind kerb and along property line, granite sett headers at intervals and AC infill. Artwork has also been incorporated with works by local and international public artist David Humphries of Public Art Squad.
- Council has used stone paving at intersections and at major nodes and there may be merit in using stone/artwork to delineate residential & retail lobby.
- Existing pavement crossfalls are non-compliant and a max 2.5% crossfall must be achieved. Eleven entries onto LHD are noted and equal access must be achieved with no step ramps to store entries within public domain.
- Consideration should be given to setting back shopfronts 2-5 to achieve necessary grades, accommodate street tree planting shown and the proposed awning.
- Council has an urban Greening Strategy and street tree planting is encouraged. Sightlines to the bus bay are to be maintained. Sufficient space must be allowed for tree growth and shopfront awnings and notches in awnings are usually ineffective, examples of which can be seen nearby.
- Council has undertaken survey work of the existing kerb associated with design projects on either side of the development site and further details of levels to work to may be available from Council's Civil Design section. Enquiries have been made to see whether this information can be made available at earliest opportunity.
- The developer is required to submit a Landscape Concept Plan (scale 1:100 or 1:200) as part of the Development Application in accordance with the requirement of Chapter E6 – Landscape of Wollongong Development Control Plan 2009. The landscape plan must identify all proposed retaining walls, driveways, fences existing/proposed and existing vegetation to be removed/or retained and any proposed car parking area.
- The landscape concept plan must show all existing trees on site accurately plotted, species identified and numbered to correspond with the arborist report. Clearly show which trees are to be retained or removed.

- A Landscape Plan is to be prepared by a Registered Landscape Architect or person eligible for registration with the Australian Institute of Landscape Architects in accordance with the requirement of Chapter E6 – Landscape of Wollongong Development Control Plan 2009.
- The development should not adversely impact on adjoining local park. Proposed planting and permeable fencing noted.
- Proposed podium planting has interesting mix of advanced tree planting, garden beds, community garden, BBQ area, childrens playground, active and passive recreational areas.
- Streetscape treatment would also be required to King Street Frontage.
- Appendix 3 of WCC DCP 2009 Business Centres Public Domain Technical Manual outlines pavement treatment. Further construction details would be available on request. Refer images below.
- Site and Context Analysis plan to be provided in accordance with the requirement of Chapter E6 – Landscape of Wollongong Development Control Plan 2009 and Chapter A1 Clause 9 Site and Context Analysis. Site Analysis plan submitted noted. Proximity to public transport and pedestrian movement should also be added and included in SEE. Submitted urban Design report noted.
- The protection and enhancement of surrounding suburb character is required as outlined in Wollongong Development Control Plan 2009 – Chapter D1: Character Statements and Chapter E6: Landscaping Section 5 Neighbourhood Amenity and Character.
- An Arborist Report is required in relation to any tree on the subject site (other than an exempt tree) and trees on neighboring properties that will be affected by the development, if it is 3 metres or more in height, or has a trunk diameter of 200mm or more at a height of 1 metre from the ground, or has a branch spread of 3 metres or more.

This report must be completed by a qualified Arborist who is eligible for membership as a 'Consulting Arborist' with Arboriculture Australia (www.arboriculture.org.au), or the Institute of Australian Consulting Arboriculturists (www.iaca.org.au), and who has attained a Level 5 Certificate of Horticulture / Arboriculture or equivalent.

The report must identify trees on the site survey plan by number and provide details of the following:

- Species and accurate location (by registered surveyor) of each tree;
 - Health, amenity value and S.U.L.E. (Safe Useful Life Expectancy) rating of each tree;
 - Impact of the development on each tree;
 - Impact of retaining trees on the proposed development;
 - The Tree Protection Zone (TPZ) required for each tree proposed to be retained;
 - Any root barriers necessary, type and their location; and
 - Any branch or root pruning which may be required for the trees.
- Arboricultural Impact Assessment (AIA). Where the proposal impacts upon the existing trees, an AIA is to include but not limited to the following:
 - the accurate location, genus and species of each tree;
 - health, amenity value and ULE (Useful Life Expectancy) rating of each tree;
 - any pests or diseases that may be present on each tree;
 - any site changes and surrounding structures which may affect the health or vitality of the tree
 - impact of the development on each tree, including encroachment on the TPZ and SRZ
 - the Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) required for each tree proposed to be retained;

- g) tree Protection Plan (TPP) outlining the specifications for tree protection to be in place during the construction phase including any pruning requirements;
 - h) any root barriers necessary, type and their location;
 - i) any branch or root pruning which may be required for the trees;
 - j) any supporting evidence such as photographs, if relevant; and
 - k) recommendations which minimise the impact of the development on the tree on the preferred option and an explanation why this option is preferred. Where appropriate, recommend a VTA Level 3 assessment and recommendations.
- Arboricultural Assessment of trees is only required for trees likely to be impacted by proposal - construction of structures, grading, road construction or installation of services. All vegetation on site to be noted. Arborist Report to provide information for preliminary planning. A level 1 Visual Tree Assessment (VTA) may be beneficial.
 - Attention is drawn to existing trees along railway corridor and advanced palms on site. There may be merit in transplanting existing palms if feasible to do so.
 - Fencing, planting and material selection to be sympathetic with adjoining areas and compatible with stormwater drainage requirements.
 - Retaining walls should to be constructed with materials consistent with the building style and adjacent properties. All retaining walls should include levels at top and bottoms of walls.
 - Planting is recommended for amenity, shade, ecology, diminish soil erosion and water pollution, conserve energy, provide oxygen, increase property values, build communities, provide habitat for wildlife, screening and marking the seasons.
 - Integration with the stormwater management and overall development is required: Site landscaping must be integrated with the stormwater management (drainage) controls. In particular, the location and nature of on-site stormwater detention should not conflict with landscaping areas and objectives.
 - Consideration is to be given to maintenance access along sides of property and throughout site, in particular the deep soil zone.
 - Objectives of Deep Soil Zone (DSZ)to be met with no structures contained within area which is to be mass planted with trees, shrubs and groundcovers.
 - Safer By Design (CPTED) principles to be adhered to. Lighting below proposed awning would be recommended and within communal open spaces area and planting set back sufficiently from pathways such as fire egress path near WF Jackson Park.
 - The extent of lighting proposed to be addressed in SEE.



Figure 24: Example of specified pavement type

4.12 Town Centre – Thirroul

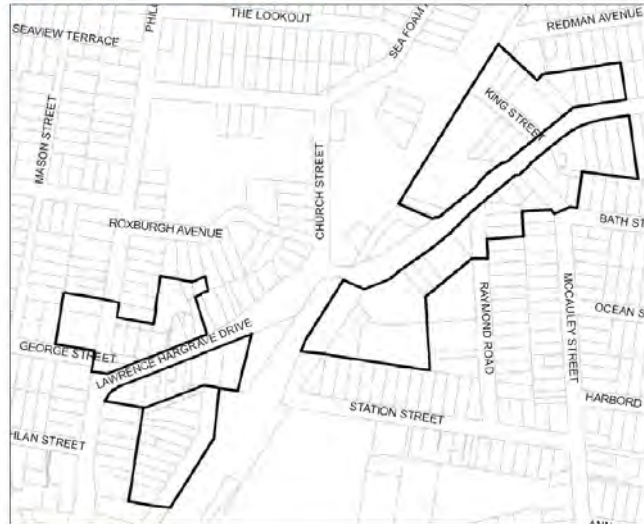


Figure 23: Locality Map of Thirroul Business Centre

Furniture (Section 8)

- a) Seat: Type 1

Footway Pavement

- a) Pattern: Basalt header course with carborundum coated asphalt infill and 3 rows of granite setts (90 x 90 x 40mm) at 9m centres perpendicular to the kerb.
b) Intersections – basalt paving from kerb to boundary
c) Basalt: (400 x 600 x 40mm) Basalt 'Black' by Sam the Paving Man or approved equivalent

Tree Species

- a) Cupaniopsis anacardioides (Tuckeroo)

Contact Details: The applicant's Landscape Architect may contact Council's Landscape Architect/Design Officer, through Council's Customer Service Centre on the telephone number (02) 4227 7111 if any issues arise through the design phase prior to the lodgement of the development application.

Environment:

Site Contamination

The proposed development site has a history of unknown quality of fill material materials brought on to site have potentially caused land and/or groundwater contamination. A Detailed Site Investigation (DSI) Report that identifies the exact nature, degree and extent of any contamination within the soil and/or groundwater table (if any), based on the Stage 2 Report, a Stage 3 – Remediation Action Plan (RAP) must be prepared so that the site can be made suitable for the proposed development.

These reports (Stage I to IV) are to be prepared or reviewed by a certified contaminated land consultant in accordance with Chapter E20 – Contaminated Land Management of WDCP 2009, State Environmental Planning Policy No 55–Remediation of Land and the associated Managing Land Contamination: Planning Guidelines SEPP 55–Remediation of Land (NSW Department of Urban Affairs and Planning and NSW Environment Protection Authority, 1998), the Contaminated Land Management Act 1997 (NSW) and the Guidelines for Consultants Reporting on Contaminated Sites (NSW EPA, 2011) and submitted with the development application.

Note: Chapter E20 of WDCP 2009 has been reviewed and to ensure consultants preparing Stage I to IV reports have the necessary competencies to carry out the work they are required to be certified under one of the following contaminated land consultant certification schemes:

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

Acoustic Report

An acoustic report is required to assess the proposed internal living spaces are complying with WCC Section 4.18.2(4) and under clause 87, 102 of the SEPP Infrastructure and Development near

rail corridors and busy roads – Guidelines. DoPI, 2008 to assess the impacts of rail noise and vibration and road noise on proposed development

Acoustic report must be prepared by a member of Australian Acoustic Society (AAS) or the Association of Australian Acoustic Consultants (AAAC) to address above stated acoustic issue.

Water Sensitive Urban Design (WSUD)

A water sensitive urban design concept report is required to be provided as part of the application lodgement in line with Council's DCP 2009 Chapter E15. The stormwater quality shall be achieved as per Table 2 for Gross Pollutants, Total Suspended Solids, Total Nitrogen and Total Phosphorus.

Heritage:

- The subject site is adjacent to local heritage item the former Kings Theatre (now known as Anita's Theatre). Therefore Clause 5.10 of the Wollongong LEP 2009 and Chapter E11: Heritage Conservation of the Wollongong DCP 2009 should be addressed.
- Therefore a Heritage Impact Statement (HIS) as per Part 10 of Chapter E11: Heritage Conservation of the WCDP will be required. The visual relationship between Anita's Theatre and the development and appropriate design responses to mitigate any potential heritage impacts should be detailed in the HIS.
- The development site also includes the site of a former historic shop building. Council notes that there was a prior consent for development of the Thirroul Plaza that required retention of the historic Façade DA-2004/1298 that was subsequently demolished in 2014 due to structural concerns.
- The HIS should also explain the history of the site and the story of the demolition of the previous building and its façade and how this relates to a future application.
- They may be community expectation for the reconstruction of the Façade, this should be addressed in any future application.
- Onsite interpretative material that explains of the history of the site and its importance in the development of the Thirroul township will be required as part of any future DA.
- Any future development application will be notified to the Thirroul Village Committee.

Please note: If construction cost estimate is known you may obtain a lodgement fee quote by contacting Council's Customer Service Centre on the telephone number (02) 4227 7111

WHAT INFORMATION IS NEEDED WITH A DEVELOPMENT APPLICATION?

In order for Council to conduct a proper and informed assessment of your application, the following information must be submitted.

- Owner's Consent
- Survey Plan
- Site Context Analysis Plan
- Demolition Plan and Photographs
- BASIX assessment/certificate
- Statement of Environmental Effects
- Design verification statement
- ADG assessment
- Site Plan
- Floor Plans
- GFA diagram
- Building Elevations Plans
- Building Sections Plan(s)
- Shadow Profiles and Plans
- Schedule of External Finishes

- Photo Montages/Perspectives
- Streetscape Sketch
- Visual Impact Assessment
- Geotechnical Report
- Structural Engineers advice
- Flood Impact Report/Study
- Stormwater Concept Plan
- Contamination Report
- Acid Sulfate Soils Report
- Traffic Impact Assessment (TIA)
- Plan of On-Site Traffic Movement/Parking/Loading
- Maneuvering Plans
- Plans of any offsite road upgrade requirements as recommended by TIA
- Heritage Impact Statement
- Landscape Concept Plan
- Arborist Report
- Electricity supply due diligence letter
- Acoustic Report and design provisions
- Disabled Access Design Provisions
- Site Management Plan/Staging Plan
- Construction Management Plan
- Waste Management Plan
- Economic Impact Assessment
- Water Sensitive Urban Design Report
- Integrated Development submission requirements

OUR AGREEMENT:

This pre-lodgement information does not constitute an approval.

This meeting note represents an agreement for the submission of information considered necessary for the timely determination of an application.

The notes are provided in good faith to assist applicants in the preparation of a development application. Relevant legislation and Council's requirements can vary from the time of this meeting to lodgement of the application. Public exhibition of the application can also raise unexpected relevant issues requiring lodgement of new or amended information.

Accordingly Council's final position on the proposal can only be made once a development application has been lodged and assessed.

Senior Development Project Officer: Jessica Saunders

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RECLASSIFICATION & PURCHASE PROCEDURE

- 1 When an enquiry is received for the sale of a portion of Council Community land, the applicant will be requested to lodge a formal application, including a sketch plan showing dimensions, and pay the fee as set out in Council's Fees & Charges (currently \$2,305 – 2019-2020 Financial Year)
- 2 The application will be referred for comment to:
 - City Strategy Division:
 - Land Use Planning
 - Environmental Planning
 - Heritage
 - Project Delivery Division:
 - Geotechnical Services
 - Design & Technical Services
 - Infrastructure Strategy & Planning Division:
 - Asset Management & Capital Budgeting
 - Traffic Unit
 - City Works & Services Division:
 - City Works
 - Parks Coordinator
 - Community Cultural & Economic Development:
 - Engagement Coordinator
- 3 A stakeholder analysis will be undertaken and the relevant stakeholders consulted.
- 4 If no major objections are received from the Divisions or stakeholders to the proposal, the application will be referred for comment to the registered owners or occupiers in the vicinity of the Council land, giving 28 days for reply. An advertisement of the proposed reclassification and sale will also be advertised in the Wollongong Advertiser newspaper.
- 5 At the completion of the consultation period and upon receipt of submissions from all interested parties, the responses will be assessed by Property and Recreation Division.
- 6 If the matter is deemed able to proceed, Council will engage a consultant valuer from Council's panel of valuers appointed by tender. The valuer will assess the market value of the subject portion of Council land, taking into account any increased development potential which will benefit the adjoining privately owned property as a result of the acquisition.
- 7 If there have been overwhelming objections received during the consultation period and Council officers consider that the land should therefore be retained by Council, the matter will be rejected without any referral to Council.

- 8 Where there is a divided response from the community, further discussion may be required with all parties to address concerns raised. Where agreement can be reached, the proposal will proceed. However, where the concerns raised are unable to be resolved with the consent of the applicant, the matter may be refused or referred to Council for consideration
- 9 Upon receipt of the valuation report referred to in Point 5, a formal offer of purchase will be provided to the applicant. Subject to agreement being reached on the terms of the sale and the purchase price payable for the land, a report will be submitted to Council seeking approval to the reclassification and sale of the land. Where agreement is not reached, no further action will be taken.
- 10 The Manager Environmental Strategy & Planning will be formally requested to initiate the process of reclassification and/or rezoning in accordance with the Local Government Act 1993 and the Environmental Planning & Assessment Act 1979. This process will include the holding of a public hearing (fee currently \$5000 – 2019/20 Financial Year) and amendment to the Local Environmental Plan (fee currently \$23000 - for one lot or if less than 1,500m² in area – 2019/20 Financial Year).
- 11 Upon formal approval by the Department of Planning to the application, Council will arrange for subdivision of the land (if required), with the applicant to be responsible for all costs. Council's application fee for the 2018/19 financial year is \$330 and \$53 per additional lot created. Surveyor fees for creation of the plan of subdivision and registration at Land Registry services are estimated to be at least \$5000.
- 12 Upon registration of the subdivision, the land will be transferred from Council to the applicant at the purchase price previously agreed. The applicant is responsible for GST which may be payable on the purchase price plus any additional costs incurred by Council.

It is anticipated that this process will take at least 18 months with the applicant to be responsible for all costs.

If you wish to proceed with a reclassification and purchase application please write to the Statutory Property Officer, Wollongong City Council, Locked Bag 8821, Wollongong DC 2500 and include your request along with a sketch map with approximate dimensions of the area of the Community land that you wish to reclassify and purchase. Alternatively you can email this information to records@wollongong.nsw.gov.au for the attention of the Statutory Property Officer.