

18 April 2018

Ms Michelle Niles  
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**Response to Submissions (RTS)  
Shell Cove Boat Harbour (MP\_0027 MOD 1)**

Dear Madam

Thank you for the opportunity to make a further submission on the above modification application regarding proposed amendments to the concept plan approval for the Shell Cove Boat Harbour Precinct.

The following submission has been prepared by Council officers and has not been adopted by Council. The submission reflects the assessment by Council officers responsible for land use planning.

Council is a partner with Frasers in the development of Shell Cove.

Frasers has been consulted and advised about the contents of this submission.

Since Council's submission on the above, dated 16 November 2017, Council has reached a position on some of the issues previously raised. Consequently, the Department of Planning and Environment (DPE) is now requested to disregard the strike through parts of Council's attached 16 November 2017 submission.

Further, it is noted that there are Precinct D Urban Design Guidelines that form appendices to the concept plan modification application. These are an environmental assessment requirement of the concept plan approval. Therefore, it would be inappropriate for them to form part of any concept plan modification approval.

It is noted that the concept plan modification application includes various graphics with building footprints/envelopes over the entire concept plan modification application area. Council recommends that any concept plan modification approval in no way infers these footprints/envelopes are part of that approval: as they need to be subject to proper detail/assessment as part of any future applications.

It is further noted that the RTS contains different height provisions to the exhibited modification application. These differences include assigning heights to storeys (as evidently requested by the Department of Planning and Environment), decreasing the height in places (western precinct H) and increasing the height in places (for instance part of precinct D has

increased from 4 storeys to 5 storeys). Precinct A's marina commercial area has no height nominated on the modification application and has a 2 storey (15m height provision) in the RTS.

The actual height in metres provisions do not appear to be substantiated. Further, there appears to be no height definition or guide on floor to floor heights anywhere within the existing concept plan approval, modification application or response to submissions documentation. It is noted that the state government's apartment design guide/SEPP 65 has floor to ceiling provisions. Council recommends that the metres in height provisions per storey are reviewed by DPE so as to minimise overall building height visual/amenity impacts, while achieving appropriate internal building/site functionality and amenity. For instance, it is understood that the proponents are currently proposing 4 storey apartment complexes in a south eastern area of precinct E2 which have an overall height of just over 12m with 3.1m floor to floor heights. This compares with a 16m height allowance for the same land area in the RTS. Similarly, 12m for 3 storeys proposed in numerous precincts, 5, 6 and 11 storey associating with 19/20, 22 and 40m respectively, elsewhere in the RTS seems overly generous: as do the height in metres provisions for 2 storey/2 storey with attic, especially given the tendency for flatter roof pitches at Shell Cove.

The notion of height in metres provisions (when compared to number of storeys) may give rise to future development aspirations to insert extra storeys on the basis of meeting the height in metres requirement. The consequent potential for unplanned increases in population, traffic etc. may place extra pressure on traffic, parking, water, sewer and other infrastructure as well as alter planned neighbourhood characters.

The DPE should consider whether the latest shadow and visual analyses are based on the building height provisions in the response to submissions or the modification application.

Regarding the response to agency submissions table, row 11 first paragraph – what does additional lanes to be added adjoining apartment buildings mean – does this change the road typologies of the modification application?

Response to agency submissions table row 28 addresses public access around the foreshore perimeter. The statement of commitments is referred to as indicating a commitment.... to protect public access to and along the beach and coastal foreshore and provide new opportunities for controlled public access including providing continuous public access to the perimeter of the harbour.

There is no indication that the statement of commitments in this respect is being followed. Graphics have not been forthcoming in the RTS to demonstrate this commitment is satisfied.

Overall it is recommended that the modification application avoid providing numerical parking standards and this be determined based on the detail in the urban design guidelines, as has been the case in the recent approval of the precinct E guidelines. Further, Council sees it as appropriate in some cases to assess/determine parking at development application stage as advocated for the hotel site in precinct D, in its submission on the modification application.

If numerical parking requirements are to be part of the concept plan approval, it is recommended that the existing precinct D UDG requirements for residential apartment visitor parking of .25 visitor spaces for 1 bedroom and .5 visitor spaces for 2 plus bedrooms be retained in any concept plan approval. There is no justification provided in the modification application for removing the requirement for residential apartment visitor parking in precinct D. The same applies for parking for marina berths which is now proposed as .3 per berth. The existing concept plan approval requirement of .5 per berth should be retained.

Should you have any enquiries, please contact myself on 4221 6233.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Geoff Hoynes', with a long, sweeping horizontal line extending to the right.

Geoff Hoynes  
**Group Manager City Planning**

Attach.