

DCP COMPLIANCE TABLE

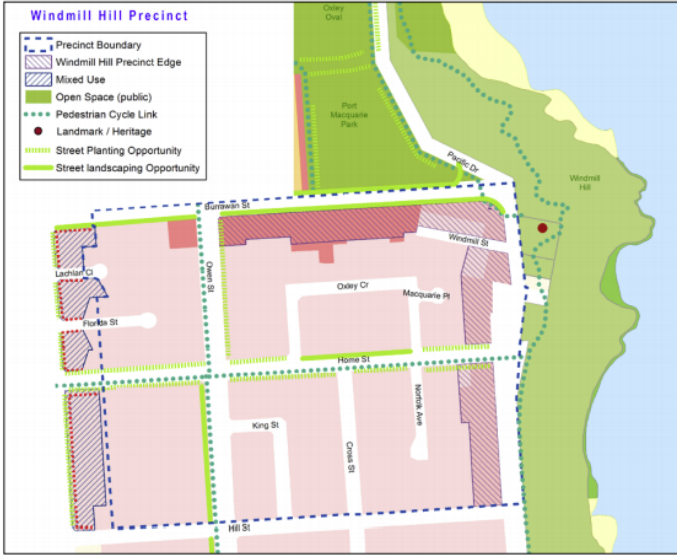
Port Macquarie Hastings Development Control Plan 2013		
Chapter / Clause	Complies	Comment
PART B – GENERAL PROVISIONS		
B1 – Advertising & Signage	Yes	Refer to SEPP 64 assessment in SEE, noting that the building identification signage is deemed to be Exempt development and does not require consent.
B2 - Environmental Management	Yes	<p>The overall purpose of this chapter is to assist in achieving a balance of appropriate development while conserving the natural environment. Considerations include minimising cut and fill and minimising landform change, whilst responding to the topography of the site and considering drainage, privacy and stormwater.</p> <p>The development has been designed with adequate storage and management of waste. Refer to Waste Management Plan.</p> <p>The proposed development is specifically designed to work with the existing landscape, which requires a balance of cut and fill given the slope of the site. The site contains scattered vegetation, which are exotic species and will be removed to facilitate the development. Screen planting is incorporated into the overall landscape design of the subdivision to minimise the visual impact of retaining walls and boundary fencing and to assist in minimising privacy impacts such as overlooking to the adjoining dwellings to the west and south.</p> <p>Retaining walls have been shown on the dwelling plans and in some instances exceed 1m and must be certified by a structural engineer. Exceedance of 1m in height for retaining walls cannot be avoided in some instances due to the topography. There will be no impact on privacy of adjoining properties as a result of the cut and fill and overland flow paths are not obstructed.</p> <p>The site is currently cleared, with a Motel, and as such there are no ecological requirements to have regard to in the design, nor is there a watercourse. Refer to accompanying Ecological and Arborist Reports, as well as proposed Landscape Concept Plans and Stormwater Management Plan.</p>
B3 – Hazards Management	Yes	<p>The site is not in proximity to the airport.</p> <p>Refer to the accompanying Bushfire Assessment. The bushfire hazard has been considered and appropriate APZ and BAL ratings recommended for the development. The recommended bushfire measures do not affect vegetation or habitats. It is acknowledged that the Rural Fire Service granted concurrence to the proposed development (triggered due to Strata Subdivision being included) and it is not expected to raise concerns with the amended, smaller design.</p>

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		<p>The site is not subject to Acid Sulphate Soils in the developable area.</p> <p>The site is not flood affected or subject to coastal management.</p> <p>The site is not identified as being subject to acoustic controls.</p>				
B4 – Transport, Traffic Management, Access & Car Parking	Yes	<p>The proposed residential flat building contains car parking within the basement, which is accessed via Pacific Drive., and comprises 44 units, being 6 x 1 bedroom, 26 x 2 bedroom and 12 x 3 bedroom.</p> <p>Table 3 of the DCP indicates the car parking requirements for a residential flat building as per the extract below:</p> <table><tr><td>Residential flat buildings</td><td>1 per 1 or 2 bedroom unit + 1 visitors' space per 4 per units</td></tr><tr><td></td><td>1.5 per 3-4 bedroom unit + 1 visitors' space per 4 per units</td></tr></table> <p>In calculating the requirements against this rate, a total of 50 residential spaces and 11 visitor spaces are required, being a total of 61 spaces.</p> <p>The development proposes 75 spaces, which is well in excess of the required spaces under the DCP and includes accessible spaces. In addition, bicycle spaces are proposed and motorcycle spaces. All visitor spaces are provided at lower ground floor and access to the basement levels is via a pedestrian ramp or lifts.</p> <p>A dedicated service vehicle / waste collection bay is proposed at the front of the site, accessed off the driveway (within the easement) once into the development. This ensures no overhang onto the street or conflict with pedestrians on Pacific Drive. The service bay has been designed to accommodate a service vehicle as advised by the local waste contractor JR Richards. Given the low usage of the waste collection bay (e.g. likely 1 a week waste collection), off peak time usage of the bay likely and the short period of time for use, there is no expected to be a conflict between private vehicles and service vehicles. Pedestrians will be able to utilise this area at times when not in use and the materials, finishes and landscaping proposed ensure a satisfactory appearance from the street.</p> <p>The car parking layout as detailed on the Architectural Plans has been reviewed with respect to compliance with AS 2890.1-2004, as discussed in detail in the Traffic & Parking Assessment and swept paths analysis as an appendix to that report.</p> <p>Drainage of the basement and driveway has been incorporated into the stormwater design. Refer to Stormwater Management Plan.</p> <p>Landscaping of driveways has been indicated on the concept landscape plan and the driveways will be constructed and sealed as per the DCP requirements.</p>	Residential flat buildings	1 per 1 or 2 bedroom unit + 1 visitors' space per 4 per units		1.5 per 3-4 bedroom unit + 1 visitors' space per 4 per units
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B5 – Social Impact Assessment & Crime Prevention	Yes	<p>The proposal will have a positive social impact, providing additional residential accommodation to the greater Port Macquarie region. Infill development with increased density such as this proposed is ideal and does not result in loss of rural land and allows people wanting to downsize to remain in the local area. The design responds to the adjoining neighbours and topography and allows for good separation and landscaping in order to minimise social issues between residents. The design also allows for a clear pedestrian entry which allows for connection to the coastal walk to the east for daily exercise and easy pedestrian access into the town centre to the north and Flynn's Beach neighbourhood centre to the south.</p> <p>Lighting and fencing will be provided as part of the common area works and casual surveillance has been incorporated into the design of the building. The slope of the land allows for casual surveillance. Use of landscaping will assist in ensuring blank walls are not provided, which are targeted for graffiti.</p> <p>The proposed form of housing caters for different housing needs of the community and provides for all sectors of the housing market.</p>
PART C – DEVELOPMENT SPECIFIC PROVISIONS		
C2: RESIDENTIAL FLAT DEVELOPMENT, TOURIST AND VISITOR ACCOMMODATION, AND MIXED USE DEVELOPMENT		
Application & Purpose	Yes	<p>The subject site is subject to SEPP 65 – refer to assessment within SEE.</p> <p>The proposed development is attractive and functional, with landscaping to compliment the building and enhance the streetscape, whilst having regard to the amenity of the adjoining neighbours. The proposed design and layout are safe and convenient for residents and visitors, with safe access from Pacific Drive.</p>
Site Design and Analysis	Yes	The site characteristics, and that of the adjoining sites, have been considered in the design of the development. Refer to Architectural Plans for Site Analysis and SEE.
Site Layout	Yes	<p>Site Plan has been provided.</p> <p>The layout of the development and within the building provides a pleasant, manageable and functional living environment, which integrates with the neighbourhood. The energy-efficiency and solar access of the building has been considered and the targets met with the ADG and BASIX.</p>
Streetscape and Front Setback	Yes	A 3m setback is required from the street frontage in R3 zones. The proposed building is setback well in excess of that requirement and the eastern side of the development does not have a street frontage, relying on legal rights over Council's lots to the east to access Pacific Drive. There is no consistent front setback alignment due to part of the road reserve along Pacific Drive being recently closed and incorporated into this development. Further along Pacific Dr, buildings are sited closer to the road than proposed. The purpose of the shape of the building is to allow for improved solar access and avoid

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		a solid mass on all elevations.
Side and Rear Setbacks	Yes	The DCP allows for flexibility in siting of the building with respect to side and rear setbacks. The side setbacks (3m and down to 1.5m for 75%) is exceeded, as to is the 6m rear setback of the building and basement. The ADG setbacks and separation have been satisfied.
Landscape	Yes	<p>The shape and footprint of the buildings allows for ample areas of common open space for the residents to enjoy. A large central common open space area has been provided, which will be in a landscape setting.</p> <p>Deep soil areas are provided around the building to allow for tree growth and natural drainage. The amended design significantly increases deep soil planting.</p> <p>Refer to Concept Landscape Plans and Perspectives which indicate species and show the landscaping at semi mature planting and mature stages.</p>
Amenity	Yes	<p>The dwelling and residential flat buildings to the north are unlikely to be impacted upon by the proposed building due to the topography and orientation of the windows and building.</p> <p>The revised design has a key focus on amenity of adjoining properties which has been achieved by a reduction in the overall size and height of the development, breaking of the built form into two, reducing the number of units facing the west and providing solid balustrades and louvres to the western side, as well as use louvres to limit views down from the balconies. The overshadowing impacts are also reduced due to these changes.</p> <p>The dwellings to the west and south are considerably lower due to the topography and it is expected that the majority of overlooking will be onto roofs and the setback of the building from those boundaries, in conjunction with fencing and landscaping, will ensure privacy loss is minimised by the amended design. Photographs of these surrounding houses are included in the SEE and it is noted that the most open dwelling is located to the south, which has living areas to both the north and south of the dwelling.</p> <p>The proposed building is primarily oriented to the east to the view of the ocean and the west to the mountains.</p> <p>Weather protection is provided to the roof top areas and the area extended further to the east to increase the usability of the area and minimise amenity impacts for the properties to the west.</p> <p>The amenity of the lower level units have been considered with respect to the services such as waste room and all access to services is from an alternate entrance to the hallway for residents (e.g. through basement). Further, the lower levels units above the driveway have been provided with screens which allow the residents to control their view of the driveway and minimise associated impacts such as headlights and protect their privacy.</p>
Acoustic Privacy	Yes	An Acoustic Report has been prepared and the proposed units have been sited away from the road which is a key potential noise source.
Accessibility	Yes	All areas of the development are designed to be accessible, including pathways, lifts and accessible parking spaces.

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Social Dimensions and Housing Affordability	Yes	The site is located opposite Windmill Hill reserve which provides access to the Coastal Walk. The location is within walking distance to the centre of Port Macquarie and other facilities including Oxley Park playing fields. A variety of apartment types are proposed within the development. The demographics of the area have been taken into consideration in determining the unit mix.
Aesthetics	Yes	The building has been architecturally designed, which responds to the location and incorporates building articulation to assist in integrating the proposed built form into the existing locality and desired future character for this immediate area. A mix of building materials and colour further enhances the presentation of the building. Refer to accompanying Materials & Finishes Schedule and Views from key locations included in the Architectural Plans.
Roof Form	Yes	The roof design generates an interesting skyline and is visually interesting when viewed from adjoining developments.
Facade Composition and Articulation	Yes	The façade of the building is well articulated and balanced when viewed from the public domain.
Security, Site Facilities and Services	Yes	Consideration has been given to the functionality of the building and the needs of the residents in designing the proposed building.
Laundries and Clothes Drying Facilities	Yes	Each unit is provided with a laundry area for washing and drying of clothes. Refer to Architectural Plans.
Mailboxes	Yes	Mailboxes are sited at the main pedestrian entry from the street.
Safety and Security	Yes	The entries to the buildings for pedestrians and vehicles are located towards Pacific Drive and the layout incorporates lighting and casual surveillance and avoids areas of entrapment. Refer to further discussion in SEE regarding CPTED.
Utilities	Yes	Consideration has been given to the servicing of the development and the needs of the residents in designing the proposed building.
PART D – LOCALITY SPECIFIC PROVISIONS		
D2: PORT MACQUARIE EAST		
D2.1 East Port	Yes	The desired future character statement and structure plan for Windmill Hill states:

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Neighbourhood Precinct Structure Plans		<p>Windmill Hill</p> <p>The Windmill Hill Precinct will continue to evolve as a medium density residential precinct with a diverse range of housing types. Building forms along the northern and eastern edges of the precinct will reflect the higher landform in this area and form a distinct edge to the open space, stepping down in height towards the west.</p> <p>The eastern end of Burrawan Street and northern end of Pacific Drive will be developed with sensitive building design that reduces their visual impacts on views from the public domain and on open space.</p> <p>Home Street will link the neighbourhood to the Town Centre and the landscape view corridors to the west will be further enhanced through tree planting and soft landscaping.</p> <p>Owen Street will be strengthened as the main north-south link through the precinct with tree planting and soft landscaping.</p> <p>Burrawan Street will have higher densities between Owen Street and Pacific Drive creating a consistent edge to the school and Oxley Park, and could become a green focal point for community activity through the planting of edible streetscaping.</p>  <p>Figure 63: Windmill Hill Precinct Structure Plan</p> <p>The proposed development is consistent with the Windmill Hill Precinct and the redevelopment is consistent with the anticipated evolution.</p> <p>Council's DCP relating to the Windmill Hill Precinct (applicable to the subject site) clearly identified the form with increased height is permitted on this</p>

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		<p>site which transitions to the west and identified the additional DCP clause:</p> <p><i>“Building forms along the northern and eastern edges of the precinct will reflect the higher landform in this area and form a distinct edge to the open space, stepping down in height towards the west.”</i></p> <p><i>“Desired Future Character Pacific Drive shall be developed, clearly defining the eastern extent of Port Macquarie. Slightly increased heights shall be permitted in relation to adjacent blocks to help define this edge, and define the ridgeline.”</i></p> <p>Council’s recent approval of a 7 storey residential flat building at No. 27 Pacific Dr, also within an R3 zone, only 230m from the site on the next block to the south along Pacific Dr and within the same DCP Precinct, confirms Council’s desired future character and built form.</p> <p>The amended plans are:</p> <ul style="list-style-type: none"> • consistent with the adjoining form of residential flat buildings to the north; • provides a suitable transition to the south and west; • reduces the bulk when viewed from adjoining properties, Pacific Dr and Coastal Walk; • responds to the topography by breaking the built form up into 2 buildings, reducing the height of all buildings and further reductions on the upper levels of the southern buildings to reduce the visual impact, as well as visual impact and overshadowing. • is suitably articulated to provide a high level of urban design and amenity; and • is consistent with the emerging form of nearby developments in the R3 zone on Pacific Dr, which achieves the desired future character of the area under Council’s LEP and DCP controls. <p>Further, the DCP makes specific mention of lots (adjoining to north on Pacific Dr and Burrawan) which cannot have a height variation, but allows flexibility for others along Pacific Dr, including this site and encourages height along Pacific Dr to define the eastern extent of Port Macquarie.</p> <p>A Residential Flat Building is permissible and a height limit has been set within the LEP, with the amended design largely complying, and well below for the large part and for the areas associated with a potential amenity impact.</p> <p>The nearby consent granted at 27 Pacific Dr is 7 storeys and higher than the amended proposal and is also zoned R3. This form is what was envisaged in Council’s planning controls and is specifically noted in Council’s Assessment Report on that DA (reported to the Development Assessment Unit on</p>

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		<p>3/2/22), stating “<i>having regard to the adopted planning controls, the area has been identified for change. The proposal is sufficiently compatible with the desired character of the precinct</i>”.</p> <p>The overall height, bulk and scale of the development, now in 2 smaller buildings, is substantially reduced and provides a transition to the west and south, and assists with integrating the new form of development into the changing area. The overall smaller sized development has a reduced visual impact from both neighbouring properties and the public domain.</p> <p>The proposal is considered to be in keeping with the DCP, specifically the controls related to D2: Port Macquarie East and the Windmill Hill Precinct.</p>
Lot Size and Frontage	Yes	The DCP requires a minimum lot width of 22m for a residential flat building with the proposed height. The subject site has a frontage to Pacific Drive of approx. 60m.
Building Height	Yes	<p>The height should comply with the LEP height limit and respond to the scale and character of the street and precinct and consider the visual impact of buildings on coastal views from the public domain.</p> <p>A Clause 4.6 variation is proposed to the LEP height limit due to the topography of the land. The proposed built form responds to the land and the desired character of the street and precinct. The visual impact of the development on the coastal views from the public domain is acceptable, with the building comparable in height to the adjoining northern buildings.</p>

12 May 2022