

ENVIRONMENTAL STUDY AND TOWN PLANNING REPORT

**PROPOSED REZONING OF LOT 1004 DP 793659, CORNER OF ASH
STREET AND PINE TREE LANE, TERRIGAL**

PREPARED FOR BRAND, BRAND & GIBBENS.

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In association with
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&
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FEBRUARY 2005

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**A: DRAFT LOCAL ENVIRONMENTAL PLAN TO REZONE LOT 1004,
DP 793659, CNR. ASH STREET & PINE TREE LANE, TERRIGAL, TO
3(a) BUSINESS (GENERAL).**

**B: FLOOD ADVICE FOR LOT 1004, DP 793659, CNR. ASH STREET & PINE
TREE LANE, TERRIGAL (Webb, McKeown & Associates Pty Ltd,
December 2004).**

**C: ARCHITECTURAL DESIGN STATEMENT
(Neometro Architects & Planners Pty Ltd, January 2005).**

**D: TRAFFIC IMPACT STUDY (Northern Transport Planning and Engineering
Pty Ltd, January 2005).**

**E: STREETScape AND VISUAL IMPACT ASSESSMENT – PHOTO
MONTAGES.**

1. INTRODUCTION.

Doug Sneddon Planning Pty Ltd has been engaged by Brand, Brand and Gibbens (c/- Fountain Corporate, Suite 7, 148 The Entrance Road, Erina) to prepare this application to Gosford City Council for the preparation of a draft local environmental plan to rezone Lot 1004, DP 793659, corner Ash Street and Pine Tree Lane, Terrigal, from Zone 2(b) Residential to 3(a) Business (General) under the Gosford Planning Scheme Ordinance.

The purpose of the draft local environmental plan is to enable development of the land, with the consent of the Council, for mixed retail, commercial and medium density residential use. A draft local environmental plan to effect this rezoning is presented in Appendix A for the Council's consideration.

Alternatively, should the Council not wish to rezone the land to 3(a) Business (General) at this time, but agree to support and facilitate the proposed development, a draft local environmental Plan could be prepared to amend the Gosford Planning Scheme Ordinance by inserting an "enabling clause" to enable the proposed mixed use development on the subject land as a site specific purpose additional to other development permissible within the existing 2(b) Residential Zone.

The purpose of this report is to present environmental, social and economic information in relation to the subject land and its locality and to address all relevant planning policy and statutory frameworks in establishing that:

- the land is unsuitable for development consistent with the provisions of the existing 2(b) Residential Zone applying to the subject land, due to the physical characteristics and location of the land relative to the corner of Ash Street and Pine Tree Lane;
- due to the upgrading of Pine Tree Lane and its connection through to Ash Street in conjunction with the development of the Crown Plaza Hotel and its existing use for tennis courts for the sole use of hotel guests, the subject land is now functionally part of the Terrigal Town Centre; and
- the most efficient and appropriate use of the subject land is for mixed retail, commercial and residential use consistent with the 3(a) Business (General) Zone and related provisions of the Gosford Planning Scheme Ordinance, as amended by Local Environmental Plan No. 442 (Terrigal Town Centre).

This application presents architectural drawings (prepared by Neometro Architects and Planners Pty Ltd) for the erection of a four storey mixed retail, commercial and residential building on the subject land to demonstrate that the site is suitable and capable of being developed in a manner consistent with the council's adopted planning framework for the Terrigal Town Centre.

Should the Council resolve to prepare a draft local environmental plan pursuant to Section 54 of the Environmental Planning and Assessment Act 1979 to facilitate the proposed development, a development application will be prepared and lodged with

Environmental Study and Planning Report in respect of an application to rezone
Lot 1004, DP 793659, Cnr Ash Street & Pine Tree Lane, Terrigal, to Zone 3(a)Business (General).

1

the Council for consideration in conjunction with finalisation of the draft local environmental plan.

This report addresses the Council's information/submission requirements in respect of applications for the preparation of a draft local environmental plan and assesses the consistency of the proposal with environmental planning instruments; relevant land use policies; and Section 117 Directions.

2. PROPERTY DESCRIPTION.

The subject land is described as Lot 1004, DP 793659, corner Ash Street and Pine Tree Lane, Terrigal (No. 13 Ash Street):

- a locality plan is at Figure 1 (1:25000 Topographical Map – Third Edition);
- a 1: 1000 aerial photograph (taken 13.9.2001) of the subject locality is at Figure 2;
- an indicative zoning plan is at Figure 3;
- a copy of the deposited plan is at Figure 4;
- a site levels and detail plan is at Figure 5;
- the relative levels of nearby development is indicated in Figure 6;
- a Site Analysis Plan is at Figure 7; and
- site photographs 1-4 illustrate the general character and setting of the site.

Lot 1004, DP 793659 is located on the corner of Ash Street and Pine Tree Lane, Terrigal and has an area of 1066m². It has an irregular frontage to Pine Tree Lane of 39.44m and a frontage to Ash Street of 19.935m (refer to Figure 4).

The site levels and detail plan at Figure 5 indicates that the land is flat, having been substantially excavated below the mean street level (RL 5.5 AHD) to construct two tennis courts at RL 3.55 AHD and RL 3.56 AHD, a height variation of approximately 2m. The relative roof/ridge levels of surrounding development is indicated in Figure 6 with the tallest building in the vicinity being the Crown Plaza Hotel with a roof level of RL 34.5 AHD.

The 1:1000 aerial photograph at Figure 2 and the series of photographs contained on the Site Analysis Plan at Figure 7 illustrate the pattern of urban land use in the immediate vicinity of the subject land:

- to the west of the subject land the urban character of Pine Tree Lane is dominated by the Crown Plaza Hotel along the northern frontage and retail/commercial buildings and an open ground level car park on the southern side. Immediately adjacent to the western boundary of the land is an open storm water drain and bowling greens associated with the Terrigal Bowling Club;
- immediately north of the subject land on the opposite corner of the intersection of Pine Tree Lane and Ash Street is a vacant commercial development site;

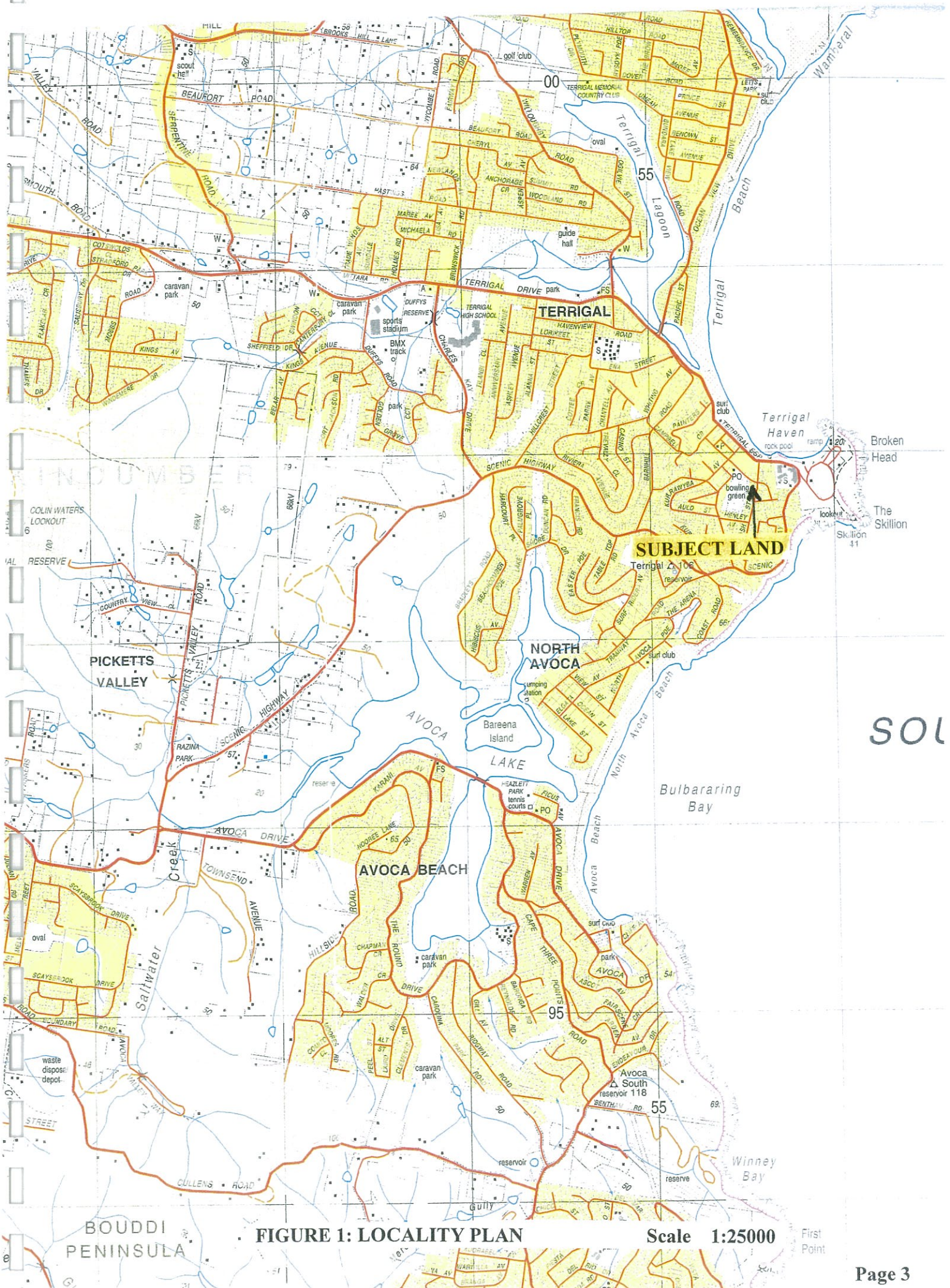


FIGURE 1: LOCALITY PLAN

Scale 1:25000

This negative is a photograph made as a permanent record of a document in the custody of the Flagstaff General this day.

25th NOVEMBER, 1959

Page 6

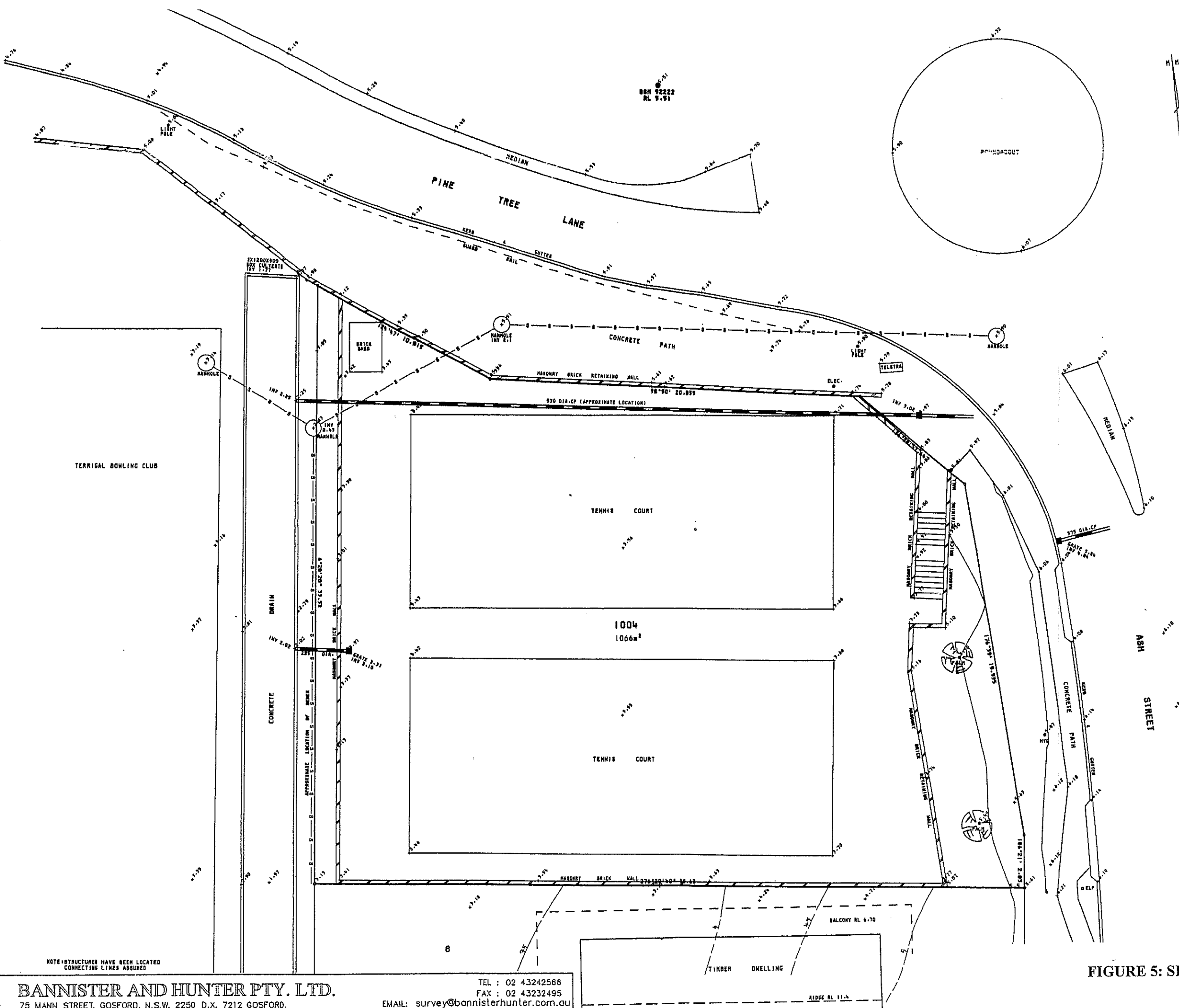


FIGURE 5: SITE LEVELS & DETAIL PLAN.

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PLAN SHOWING LEVELS & DETAIL OVER
LOT 1004 D.P. 793659 AT TERRIGAL

55287 Date: 7.1.03
Ref.No. Scale: 1:100



Bowling Club



View down Pine Tree Lane



Crown Plaza & Shops



Crown Plaza Hotel from Ash St



view towards ocean from site



Ash St towards the Hills



View from Pine Tree Lane towards Ash St



Residential Building in Ash St, opposite Site



View from Site to Maroomba Rd



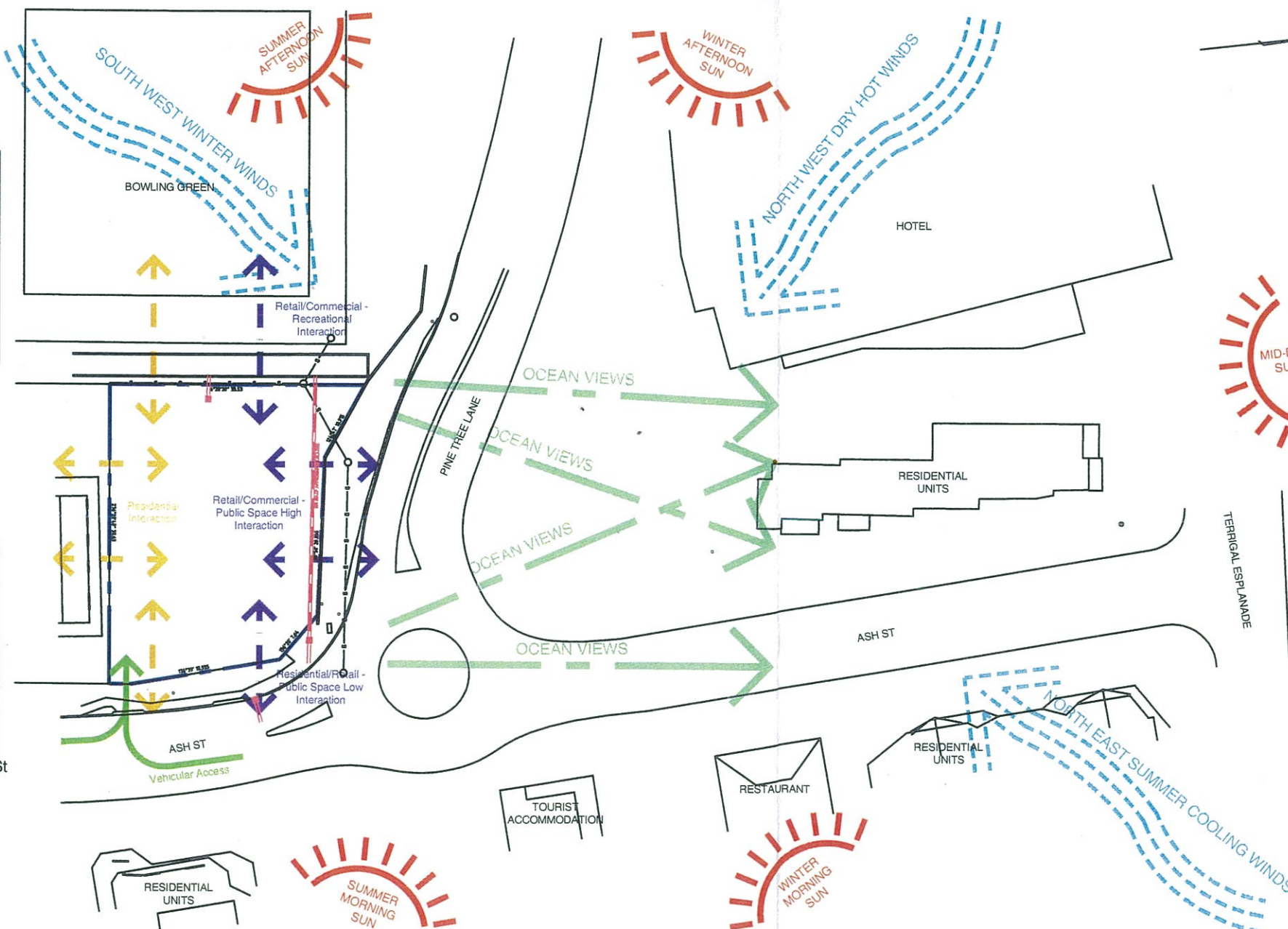
Residential Building in Maroomba Rd



The Letterbox Restaurant



residential units on corner



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No	Revision	Date
A	RE-ZONING APPLICATION ISSUE	20.01.05

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**COMMERCIAL/RESIDENTIAL
CNR ASH ST & PINE TREE LANE
TERRIGAL, NSW, 2260**

Drawing Title
SITE ANALYSIS PLAN

Designed DW	Drawn JK	Checked DW	Date OCT '04
Scale 1:500 @ A2	Job Number 0205.02.01	Revision	

Drawing Number
SK-001

FIGURE 7: SITE ANALYSIS PLAN.

- generally to the north, east and south-east of the subject land fronting Ash Street are a mixture of three storey residential flat buildings; tourist accommodation; restaurants; and sites occupied by older style dwelling houses in poor condition awaiting redevelopment for purposes consistent with the Residential 2(b) zone; and
- immediately adjacent to the southern boundary of the subject land is a single storey renovated dwelling house at No. 15 Ash Street.

The land is structurally and functionally part of the Terrigal Town Centre having its primary street frontage to the “commercial street” of Pine Tree Lane. As indicated in Figure 3, the land adjoins the Terrigal Town Centre 3(a) Business (General) zone. The northern boundary of the property fronting Pine Tree Lane is also the boundary between zones 2(b) Residential and 3(a) Business (General).

The land does not contain any tree or shrub vegetation. All urban services, including reticulated water and sewer are capable of being provided to the subject land.

Part of the subject site has recently been acquired by the Council for the realignment and upgrade of culvert works to facilitate the upgrade of the Terrigal Bowl drainage system; reduce flood levels in the area; and to make the subject land flood free.

Appendix B: *Flood Advice for Lot 1004, DP 793659 – Webb, Mckeown & Associates Pty Ltd, December 2004*, confirms that following the culvert augmentation works by the Council, the current 100 year ARI design flood level upstream of Pine Tree Lane is RL 3.1m AHD and as the Bannister & Hunter site survey plan dated 7/1/03 (Figure 4) indicates that the subject land’s ground level is above RL 3.1m AHD, the subject site is not inundated by mainstream flooding in the 100 year ARI design flood event.

The subject land is the subject of Development Consent No. 13633/1990 dated 2nd November 1990 for a “recreational facility” (tennis courts for guests of the “Peppers On Sea Hotel”) and Building Approval No. 62280 for other structures. Two dwelling houses fronting Ash Street which were erected on the land were demolished and the site subsequently excavated to construct two tennis courts for the sole use of hotel guests consistent with these approvals.

During early 2003 the land was sold to the current owners, being surplus to the requirements of the hotel, although the tennis courts are still solely used by hotel guests in accordance with Development Consent No. 13633/1990.

3. PROPOSED “REZONING” AND MIXED USE DEVELOPMENT.

The purpose of this application is to seek the approval of Gosford City Council for the preparation of a draft local environmental plan to either rezone the subject land from 2(b) Residential to 3(a) Business (General), or alternatively, to introduce an “enabling clause” to allow the use of the land for mixed use comprising retail, commercial and medium density residential development.

The land is functionally, part of the Terrigal Town Centre and would be appropriately and efficiently used for mixed retail, commercial and residential purposes consistent with the planning and urban design principles of the Gosford Planning Scheme Ordinance (as amended by Local Environmental Plan No. 442) and Development Control Plan No. 55 – Amendment No. 1 (Terrigal Town Centre).

Neometro Architects and Planners Pty Ltd have prepared preliminary architectural drawings (and the Architectural Design Statement at Appendix C) for the development of a four storey building on the subject land comprising basement car parking, 222m² of retail floor space, 281m² of commercial floor space and 6 x three bedroom residential units as detailed on the following plans (total floor area 1410m²):

- Figure 8: Architectural Perspective of the proposed 4 storey building;
- Figure 9: Basement Floor Plan - car parking (18 spaces plus 2 after hours parking spaces), delivery bay and bin store;
- Figure 10: Ground Floor Plan – 222m² retail space; Residential Unit 1 (3 bedrooms plus bed/study) of 167m² floor area; and the ground floor of Residential Unit 2 comprising a living area of 70m² (total ground floor area – 459m²);
- Figure 11: Level One Floor Plan – 281m² of commercial space; the upper floor area of Unit 2 comprising 3 bedrooms of 63m² (total floor area of Unit 2 – 136m²); and Residential Unit 3 (3 beds plus bed/study) of 151m² floor area (total floor area level 1- 495m²);
- Figure 12: Level Two Floor Plan – Residential Units 4 and 5, each of three bedrooms and 150m² in floor area (total floor area level 2 – 300m²)
- Figure 13: Level Three Floor Plan – Penthouse Unit 6 comprising three bedrooms and a floor area of 156m²;
- Figure 14: Elevations North and East;
- Figure 15: Elevations South and West; and
- Figure 16: Shadow Analysis Plan.

The subject land is capable of being developed in a manner consistent with the council's planning framework for the Terrigal Town Centre as demonstrated in Sections 6.1.4 (iv) and (v) of this report.

It is not the intention that these drawings be referred to in the proposed draft local environmental plan. Should the Council resolve to prepare a draft local environmental plan to facilitate the proposal, the architectural drawings at figures 9 – 15 will be the subject of a separate development application lodged with the Council for assessment in parallel with the finalisation of the draft local environmental plan.



FIGURE 8: ARCHITECTURAL PERSPECTIVE OF PROPOSED BUILDING.

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Drawing Title
GROUND FLOOR PLAN

Designed DW	Drawn JK	Checked DW	Date OCT '04
Scale 1:100 @ A2	Job Number 0205.02.01		

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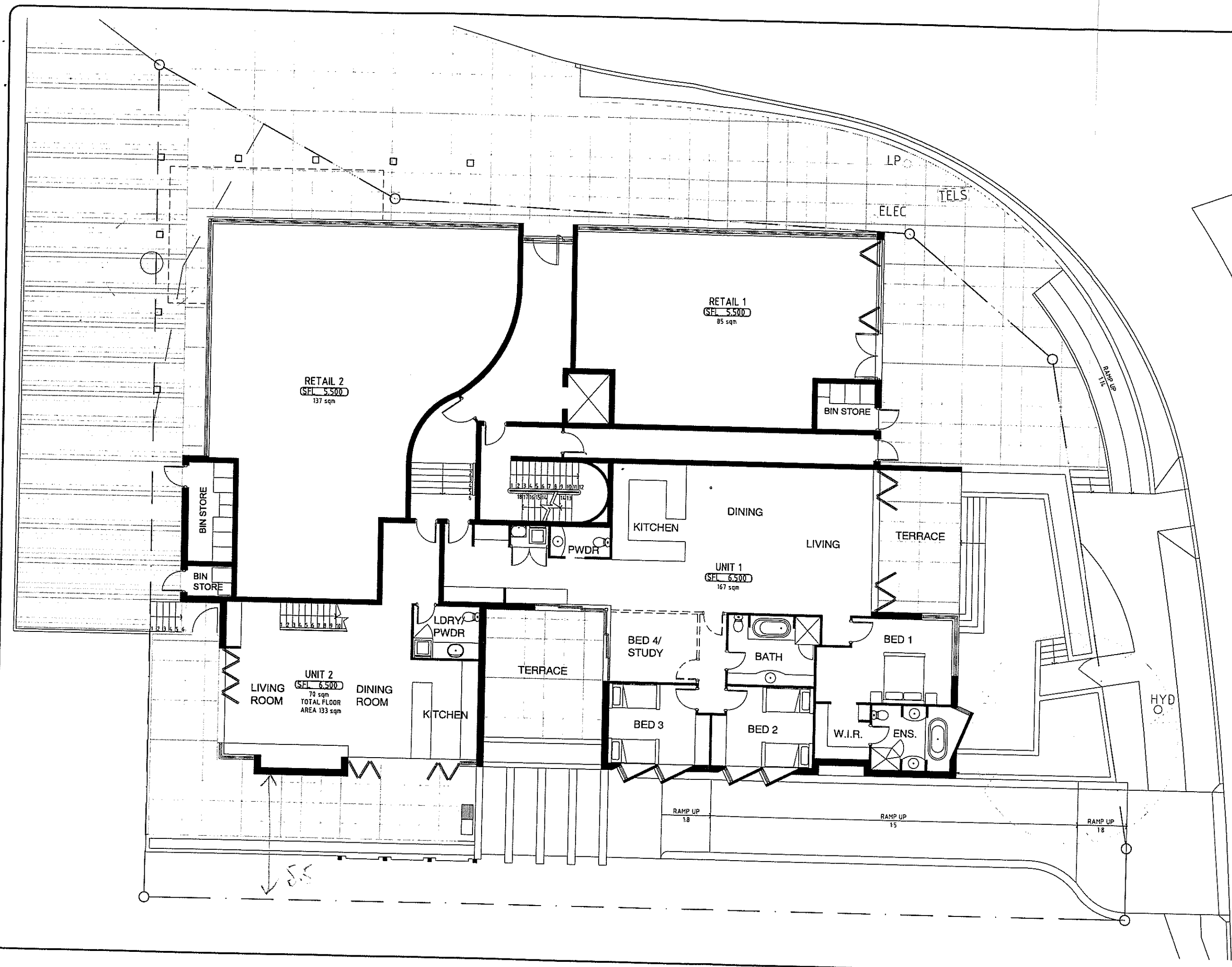
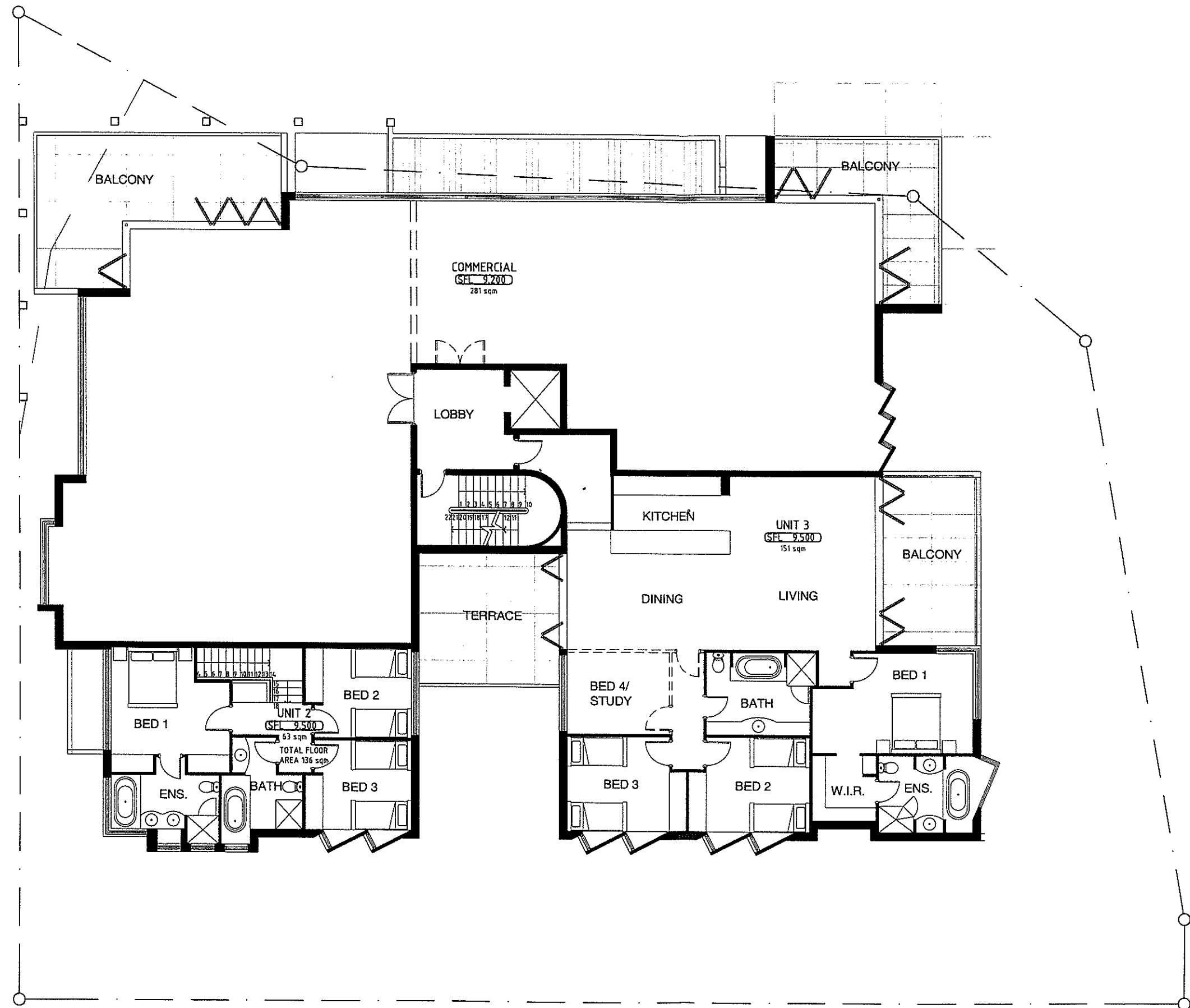


FIGURE 10: GROUND FLOOR PLAN.

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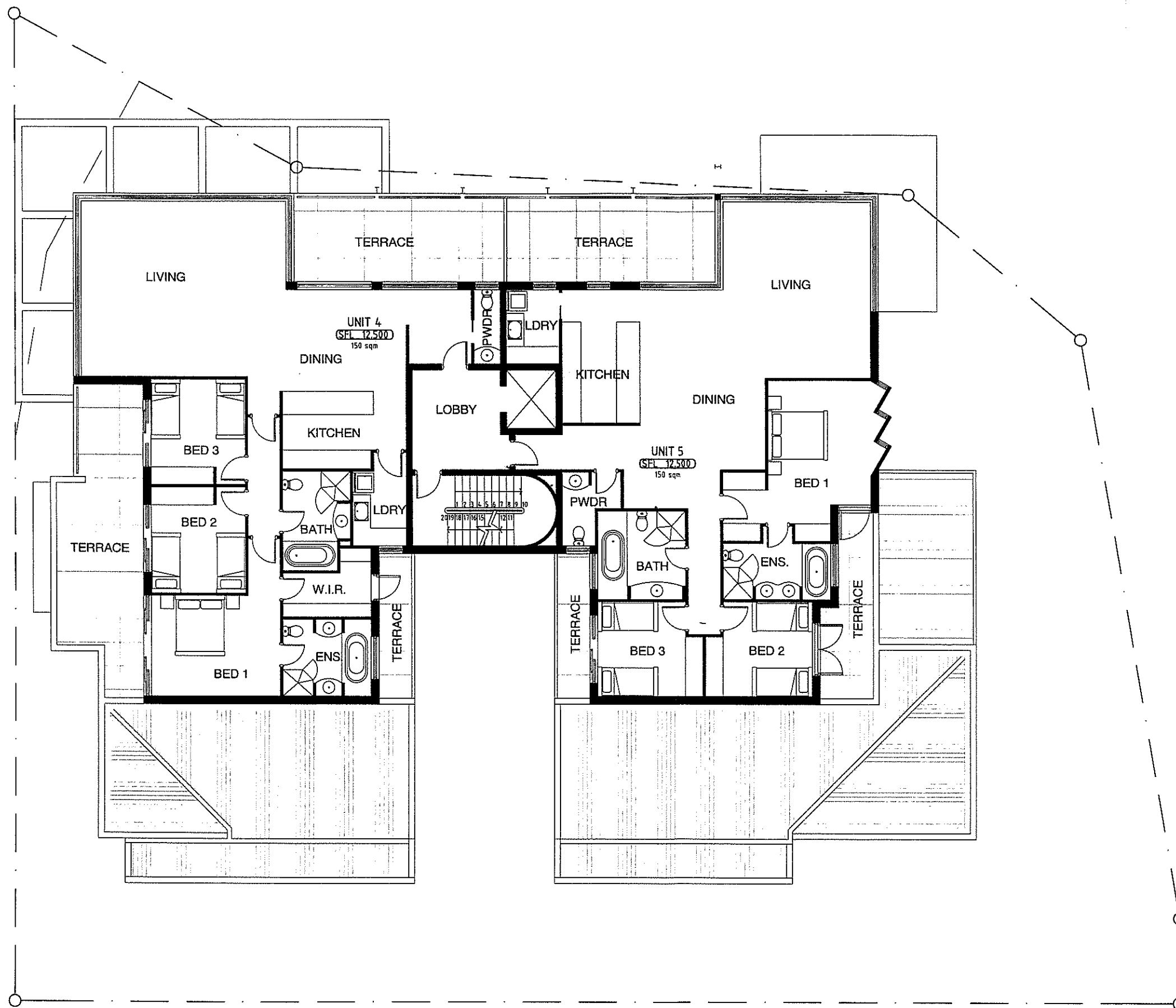
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Drawing Title
LEVEL 1
FLOOR PLAN

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Drawing Title
**LEVEL 2
FLOOR PLAN**

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Drawing Number
SK-103

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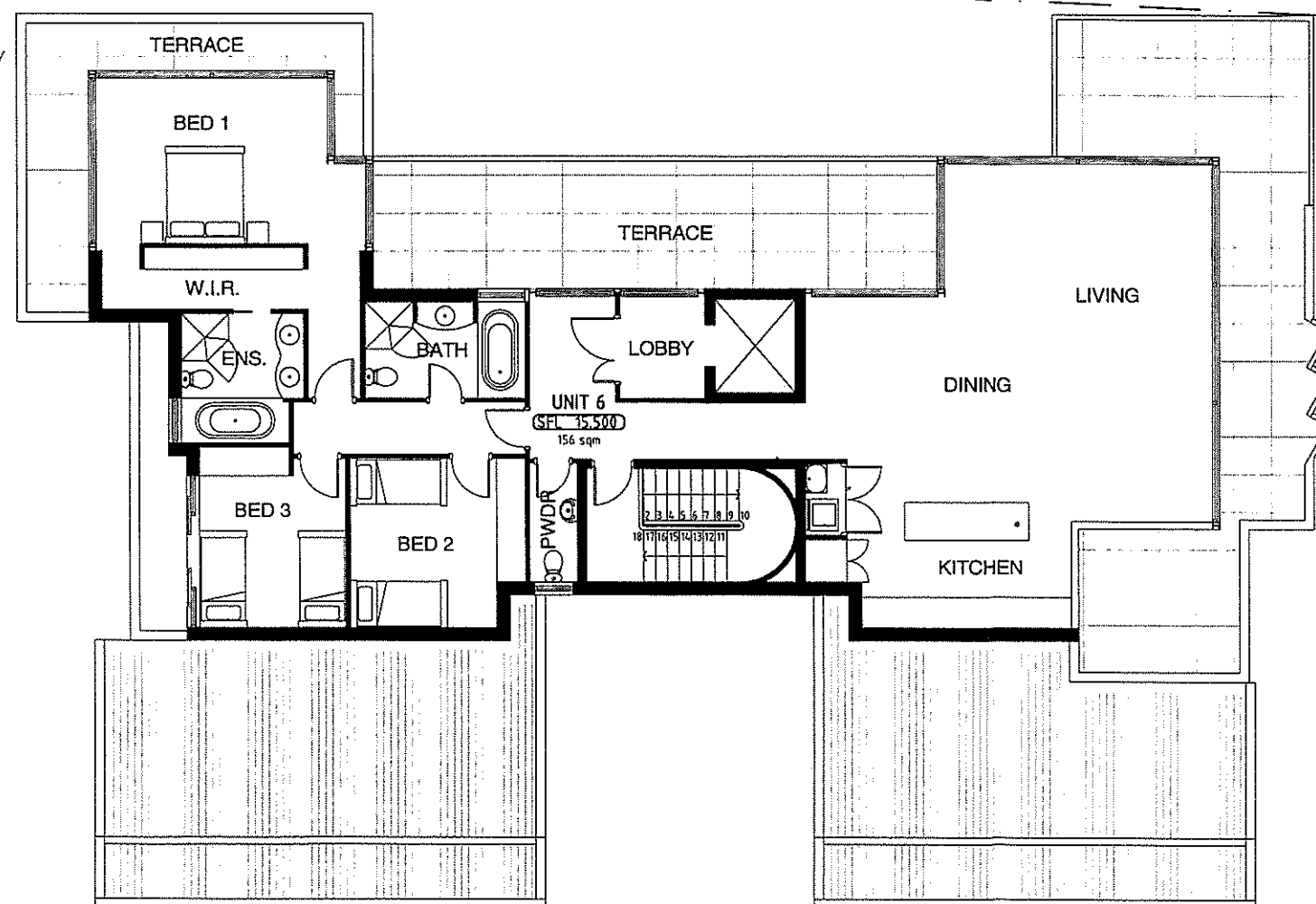
FIGURE 12: LEVEL 2 - FLOOR PLAN.

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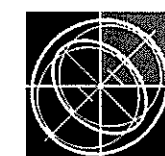
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Drawing Title
LEVEL 3
FLOOR PLAN

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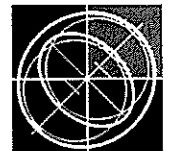
FIGURE 13: LEVEL 3 - FLOOR PLAN.

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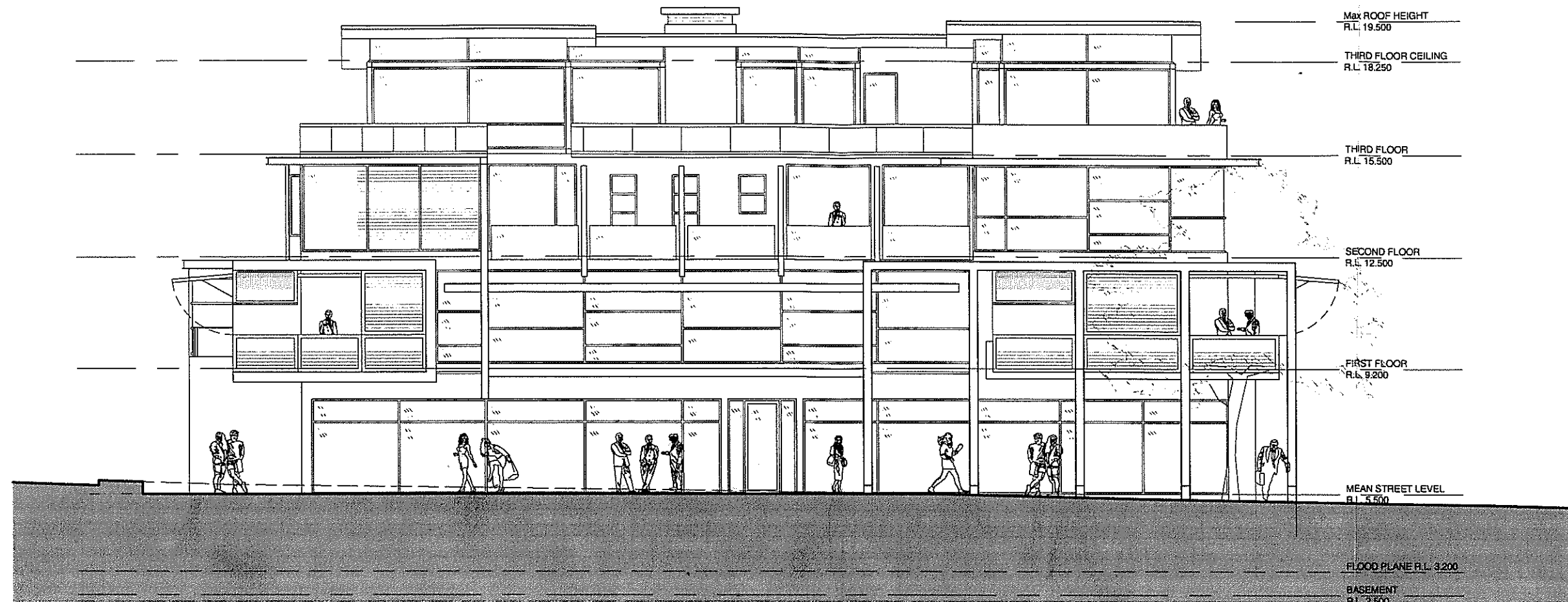
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Drawing Title
ELEVATIONS
NORTH & EAST

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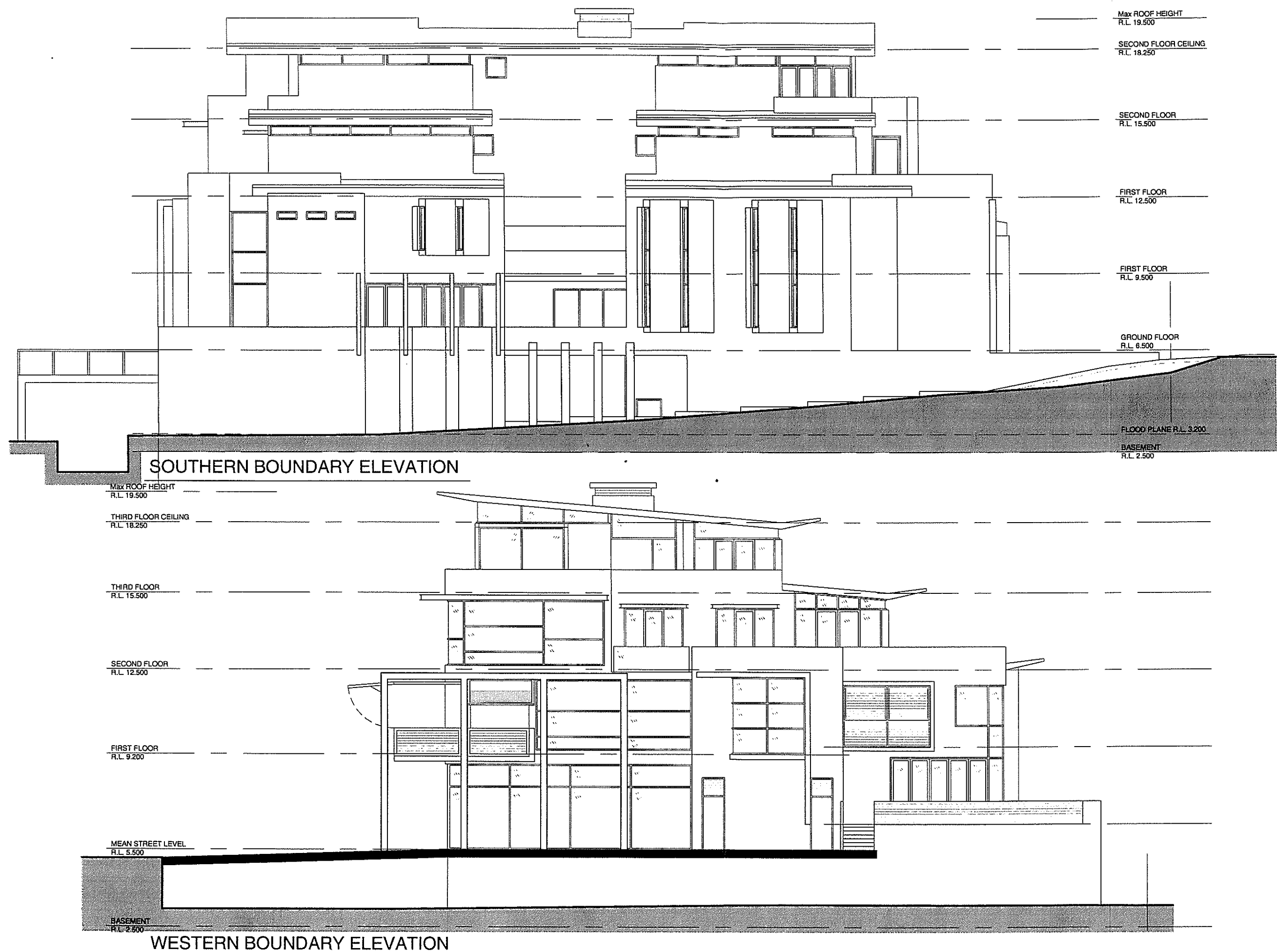


NORTHERN BOUNDARY ELEVATION



EASTERN BOUNDARY ELEVATION

FIGURE 14: ELEVATIONS NORTH & EAST.

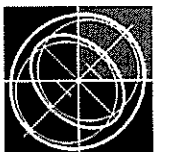


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BCA Consultant/Certifier	-

Client
BRAND, BRAND & GIBBENS
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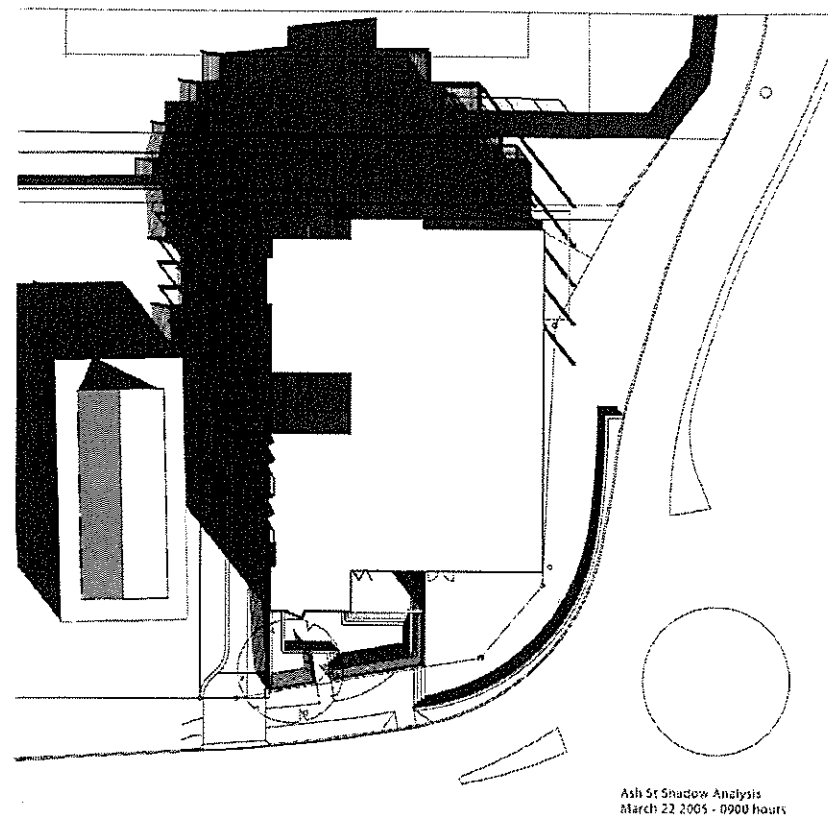
Project
COMMERCIAL/RESIDENTIAL
CNR ASH ST & PINE TREE LNE
TERRIGAL, NSW, 2260

Drawing Title
ELEVATIONS
SOUTH & WEST

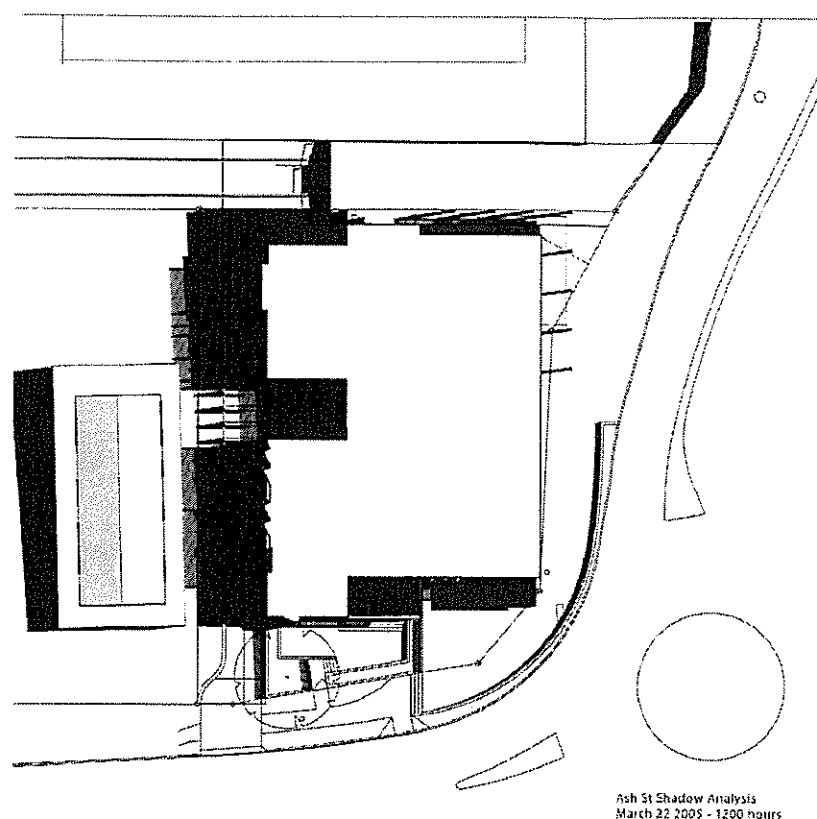
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DW	JK	DW	OCT '04
Scale	Job Number		
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Drawing Number
SK-201
Revision
A

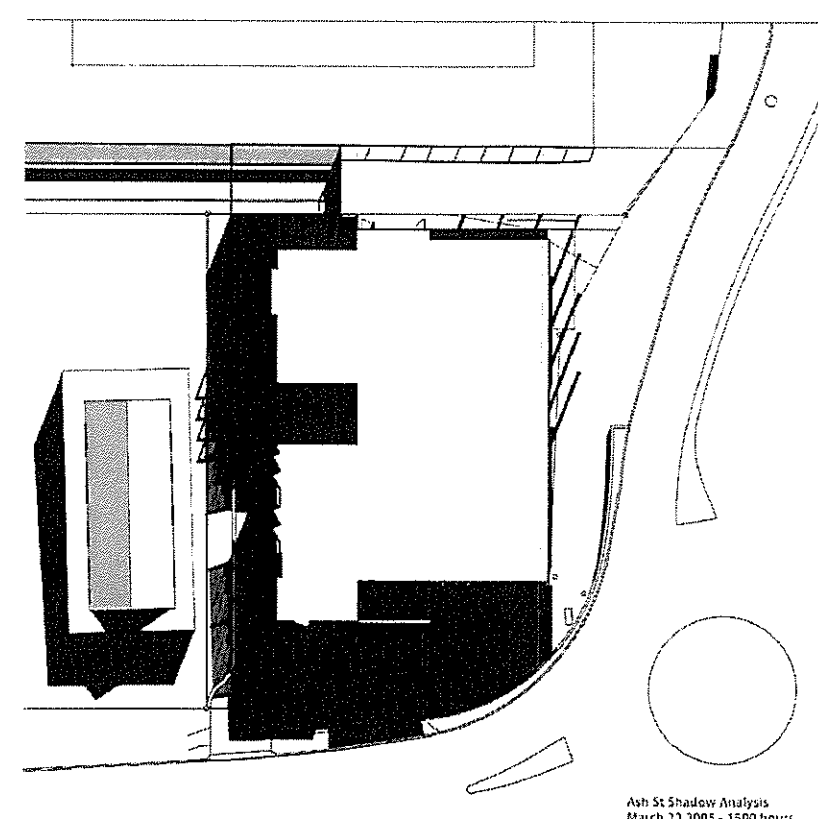
FIGURE 15: ELEVATIONS SOUTH & WEST.



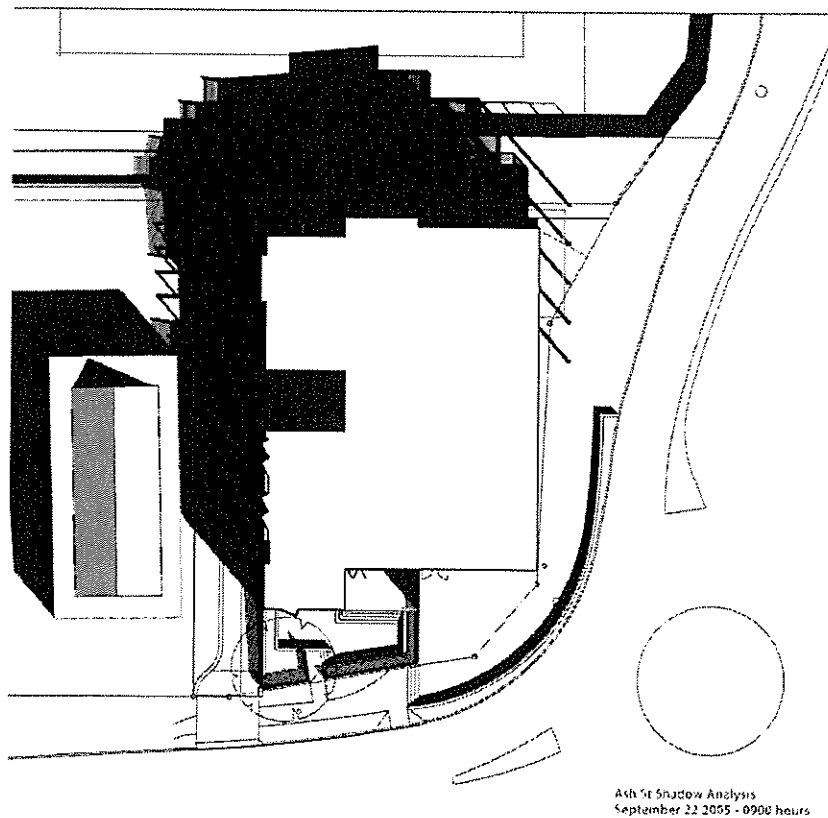
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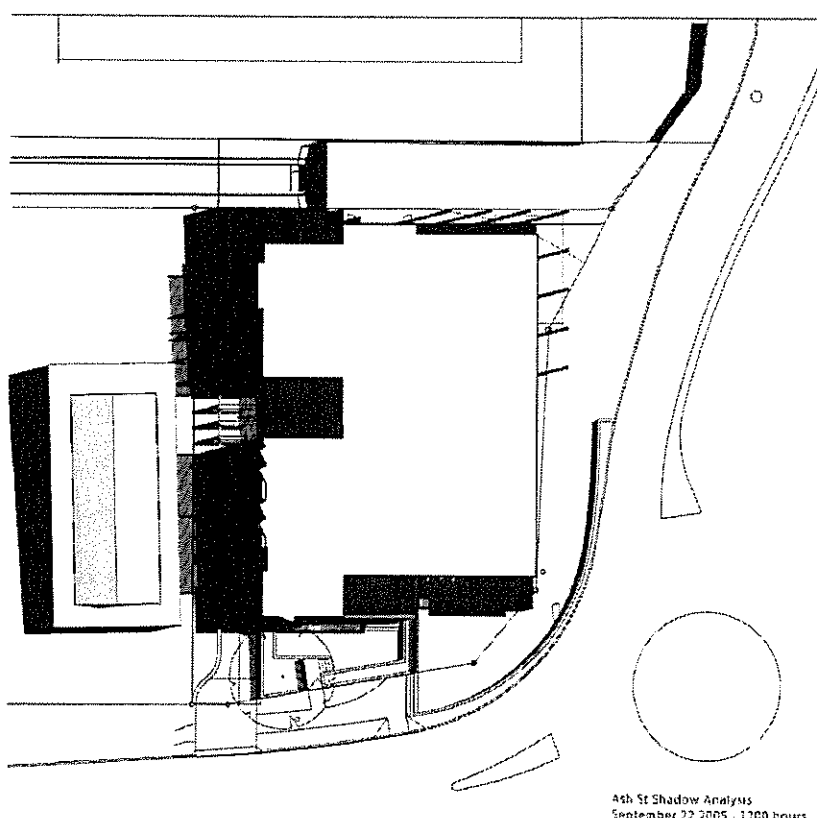
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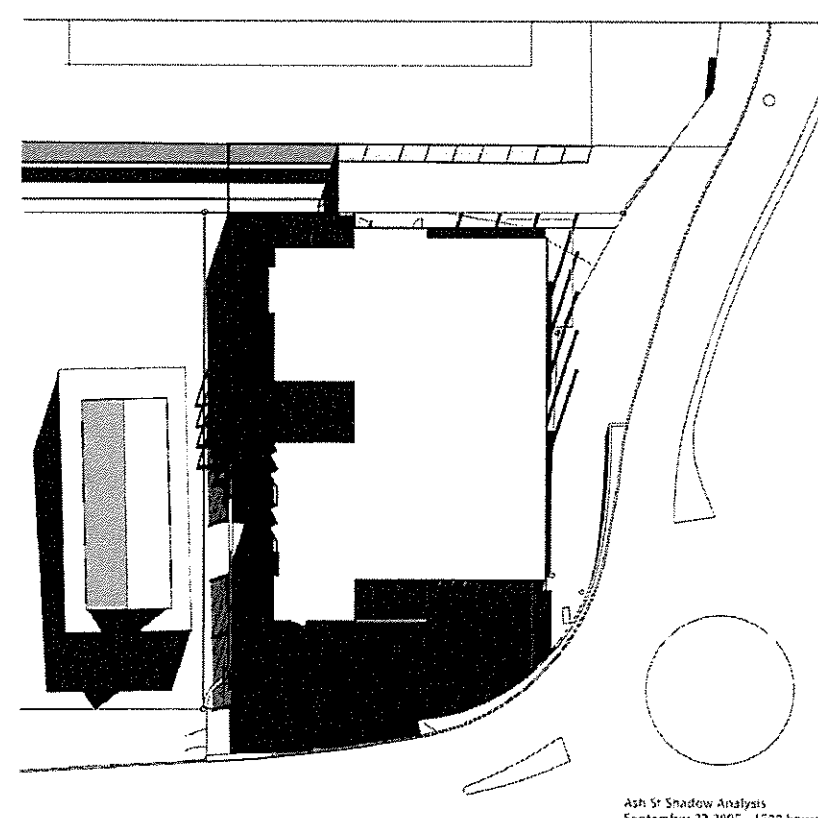
MARCH 22, 3pm



SEPTEMBER 22, 9am



SEPTEMBER 22, 12pm



SEPTEMBER 22, 3pm

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PRELIMINARY
TOWN PLANNING PURPOSES



No	Revision	Date
A	RE-ZONING APPLICATION ISSUE	21.02.05

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Project
COMMERCIAL/RESIDENTIAL
CNR ASH ST & PINE TREE LNE
TERRIGAL, NSW, 2260

Drawing Title
SHADOW ANALYSIS PLAN

Designed	Drawn	Checked	Date
DW	JK	DW	OCT '04

Scale
1:500 @ A2

Job Number
0205.02.01

Drawing Number
SK-004

Revision
A

4. PLANNING FRAMEWORK.

4.1 Local Planning.

Gosford City Council has adopted a number of strategies, policies and plans which are relevant to the assessment of this application for the preparation of a draft local environmental plan to either rezone the subject land to zone 3(a) Business (General) or alternatively to insert an “enabling clause”, to facilitate the proposed erection of a four storey mixed retail, commercial and residential building on the subject land.

4.1.1 Gosford Planning Scheme Ordinance – Existing Zoning.

Figure 3 shows the zoning of the subject land and the surrounding locality under the Gosford Planning Scheme Ordinance. The subject land is currently zoned 2(b) Residential, where the principal objective is to allow medium density housing.

The zoning map indicates that the northern boundary of the subject land is also the zone boundary between the 2(b) Residential and 3(a) Business (General) zones. The subject land is therefore immediately adjacent to the 3(a) Business (General) zoning of the Terrigal Town Centre. The western boundary of the subject land is also the zone boundary between the 2(b) Residential zone and the adjacent 6(a) Open Space zone within which the Terrigal Bowling Club is located.

Pursuant to the density provisions of Clause 28 of the GPSO applying to the 2(b) Residential zone, a residential flat building comprising 7 small, 5 medium or 4 large dwellings could hypothetically be erected on the subject land.

Clause 28(4) (b) of the GPSO (requiring that the vertical distance measured from the highest point of the topmost floor above natural ground level must not exceed 4m), in combination with the significant site variation in height between “natural ground level” (approximately RL 3.5m AHD) and street level (approximately RL 5.5m AHD), effectively operates to prohibit the construction of a two storey residential flat building at this location, without the Council agreeing to a significant variation of the 4m maximum floor height standard pursuant to State Environmental Plan No. 1 – Development Standards.

Gosford Local Environmental Plan No. 252, gazetted on 3rd August 1990, also applies to the subject land. The aim of this plan was to permit the construction and operation of tennis courts on the subject land in association with the “Peppers-on Sea Hotel”. The tennis courts were subsequently constructed and operated by the hotel although the site was sold to the Brand Group in early 2003. The tennis courts continue to be used at this time by hotel guests pending decisions by the current owners regarding future redevelopment of the land.

An assessment of the suitability of the subject land for medium density residential development consistent with the objectives/development standards of the 2(b) Residential Zone is provided in Section 6.1.4 (i) of this report.

4.1.2 Terrigal Bowl Strategic Plan.

In August 2002 Gosford City Council adopted the “Terrigal Bowl Strategic Plan”, reflecting the Council’s preferred development scenarios for the “Terrigal Bowl”, including a town centre development strategy.

For the purposes of the Strategic Plan, the Terrigal Town Centre is defined as including *“low-lying lands behind a beachfront, plus footslopes to the north and west situated below residential hillsides and ridgetops”*; and specifically, all land zoned 3(a) Business (General) under the Gosford Planning Scheme Ordinance, together with the public car park, bowling club and tennis courts near the intersection of Wilson Road and Pine Tree Lane, then zoned 6(a) Open Space (Recreation).

It is noted that the northern and western boundaries of the subject land directly adjoin the Terrigal Town Centre as defined in the Strategic Plan i.e. the area within the 3(a) Business (General) and 6(a) Open Space Zones.

An assessment of the consistency of the proposal to prepare a draft local environmental plan to facilitate mixed retail, commercial and residential development on the subject land with the opportunities for development and the development principles contained in the Terrigal Bowl Strategic Plan, is provided in Section 6.1.4 (ii) of this report.

4.1.3 Gosford City Council Residential Strategy (1996).

Gosford City Council’s Residential Strategy is *“primarily aimed at containment of urban expansion through the provision of medium density housing and limiting the geographical extent of any new land release”*.

An assessment of the consistency of the proposed development with the aims and strategic directions of the Residential Strategy is provided in Section 6.1.4 (iii) of this report.

4.1.4 Development Control Plan No. 55 – Amendment No. 1 (Terrigal Town Centre).

On 2nd September 2003 Gosford City Council adopted Development Control Plan No. 55 – Amendment No. 1 (Terrigal Town Centre) in order to provide detailed planning and urban design controls for the town centre. DCP 55 commenced operation on 16th June 2004.

DCP 55 applies to all land zoned 3(a) Business (General) and it is anticipated that the area to which the DCP applies would be amended by the Council to apply to the subject land in the event that a draft local environmental plan is prepared by the Council to facilitate the proposed development.

An assessment of the consistency of the proposed development with the provisions of DCP 55 is contained in Section 6.1.4 (v) of this report.

4.1.5 Development Control Plan No. 89 - Scenic Quality.

Development Control Plan No. 89 – Scenic Quality (DCP 89) provides guidelines for the management of landscape character within the City, which are to be taken into consideration by the Council when determining rezoning and development applications.

The key planning principles to protect scenic quality/landscape character are:

- protection of vegetated ridgelines and upper slopes are vital in protecting the visual backdrop of the City;
- rezonings should only occur within existing urban areas and where landscape character matters are not of concern;
- non urban breaks between urban areas should be retained as a barrier to the creation of urban sprawl; and
- scenically attractive landscapes should be protected from further subdivision below existing standards, to ensure the built environment does not dominate the landscape;

An assessment of the consistency of the proposed draft local environmental plan and four storey mixed use building with the relevant guidelines of DCP 89 is provided in Section 6.2.3 (iii) of this report.

4.1.6 Development Control Plan No. 159 – Character.

Development Control Plan No. 159 – Character (DCP 159) requires development applications to demonstrate consistency with development objectives contained within relevant “Statements of Desired Character” provided in the plan.

In the event that the Council supports the making of a local environmental plan to facilitate the proposed development and the land is included within the Terrigal Town Centre for the purposes of all relevant development control plans, the subject land would be located within “Terrigal Character Place 8: Town Centre” for the purposes of DCP 159.

An assessment of the consistency of the proposed mixed use retail, commercial and residential development with the existing and desired character statements for the “Terrigal Character Place: Town Centre”, is provided in Section 6.2.3 (iv) of this report.

4.2 Regional Planning.

4.2.1 Regional Environmental Plans.

There are no regional environmental plans prepared pursuant to Section 40 of the Environmental Planning and Assessment Act 1979 applying to the subject land.

Environmental Study and Planning Report in respect of an application to rezone Lot 1004, DP 793659, Cnr Ash Street & Pine Tree Lane, Terrigal, to Zone 3(a)Business (General).

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4.2.2 Central Coast Structure Plan/Shaping the Central Coast.

The “Central Coast Structure Plan” was first adopted in November 1977 to guide future land use directions on the Central Coast in order to accommodate a rapidly expanding urban population associated with the growth of the Sydney Metropolitan Region. The Structure Plan map shows the subject land to be located within the Terrigal urban area.

“Shaping the Central Coast” was released in 2000 to replace the Central Coast Structure Plan as the principal land use planning policy document for the Central Coast.

An assessment of the consistency of the proposed draft local environmental plan with both regional strategies is contained in Section 6.1.2 of this report.

4.3 State Planning.

4.3.1 State Environmental Planning Policies.

State Environmental Planning Policy No. 55 – Remediation of Land: Under the provisions of SEPP 55, the Council is required to consider whether land which is subject to a rezoning proposal and is proposed for residential purposes, is contaminated.

As previously indicated, prior to 1990 two dwelling houses on separate allotments were erected on the subject land. Following the issue of Development Consent No. 13633 on 2nd November 1990 the two dwelling houses were demolished, the land was excavated and two tennis courts were constructed in accordance with that consent. The site has been continuously used as a recreation facility since construction of the tennis courts. It is therefore evident that the land has not been used for a purpose referred to in Table 1 of the “Contaminated Land Planning Guidelines” and accordingly the land does not require remediation pursuant to the provisions of the SEPP 55.

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development: SEPP 65 aims to improve the quality of design of residential flat development in NSW. The Policy does not apply to the preparation of draft local environmental plans but will apply to the preparation and assessment of a development application lodged in relation to the proposed development (i.e. a building of more than three stories and containing four or more self contained dwellings). The requirements of the SEPP 65 will be addressed at the development application stage.

Draft State Environmental Planning Policy No. 66 – Integration of Land Use and Transport: Draft SEPP 66 (if made) would not be applicable to the proposed draft local environmental plan or the proposed development, as the retail/commercial component does not have “a gross floorspace of more than 1000m²” and the residential component does not comprise “more than 300 units”.

No other State Environmental Planning Policies apply to the subject land:

- there are no State Environmental Planning Policy No. 14 – Coastal Wetlands on the subject land;
- State Environmental Planning Policy No. 19 - Urban Bushland does not apply to the subject land as it does not contain a public reserve nor is it adjacent to a public reserve containing bushland;
- there are no State Environmental Planning Policy No. 26 – Littoral Rainforests on the subject land;
- there is no State Environmental Planning Policy No. 44 – Koala Habitat on the subject land; and
- State Environmental Planning Policy No. 71 – Coastal Protection does not apply as the subject land is not within the area to which the NSW Coastal Policy applies.

4.3.2 Section 117 Directions.

Section 117 of the Environmental Planning and Assessment Act 1979 requires the Council to consider Directions issued by the Minister for Planning when preparing draft local environmental plans.

In regard to the preparation of a draft local environmental plan to rezone Lot 1004, DP 793659, Ash Street, Terrigal from Zone 2(b) Residential to Zone 3(a) Business (General) or alternatively introducing an “enabling clause” to facilitate the proposed mixed use retail, commercial and residential development, the following Section 117 Directions are required to be considered by the Council:

- ***Direction G9 – Residential Zones*** whilst not strictly applying to the subject proposal, requires a draft local environmental plan that zones land for residential purposes to not contain provisions which will result in the reduction of permissible density;
- ***Direction G10 – Business Zones*** requires that draft local environmental plans shall not substantially alter the location of existing zonings or substantially reduce zonings of land for business development. The extent of any such alteration or reduction shall be considered from the point of view of the total area of existing land zoned for business development within the whole of the Council’s area as at 1st September, 1980;
- ***Direction G22 – Draft LEP’S prepared in order to allow a particular development to be carried out*** provides a number of alternative approaches to the drafting of such an instrument and requires a draft instrument not to refer to drawings which show details of the development proposal;

- **Direction G27 – Planning for Bus Services** requires that when preparing a draft local environmental plan which could give rise to a need for bus services or the revision of existing bus services, the Council is to ensure that the rezoning allows for the provision of an adequate and efficient bus route system.
- **S8 Structure Plan – Central Coast** requires draft local environmental plans to be generally consistent with the Central Coast Structure Plan as approved in November 1977 and subsequently amended.

An assessment of the consistency of the proposed draft local environmental plan with these Section 117 Directions is contained in Section 6.1.3 of this report.

5. ENVIRONMENTAL CHARACTERISTICS OF THE LAND AND ITS LOCALITY.

5.1 Topography and Drainage

The subject land is located within a precinct of relatively flat low lying land behind the Terrigal beachfront, where the Terrigal Town Centre is located. The site has been excavated below the adjacent street levels of Pine Tree Lane/Ash Street and the ground level of the adjacent dwelling house at No. 15 Ash Street, in order to construct the two tennis courts which currently occupy the land.

The subject land has a slight fall towards the concrete drain located along its western boundary, which directs stormwater flows under the Holiday Inn Crown Plaza Hotel and discharges into the ocean at the south end of Terrigal Beach.

Recent drainage augmentation works in the locality have included an additional box culvert from Pine Tree Lane to Terrigal Beach, the effect of which has been to reduce the peak 100 year ARI design flood upstream of Pine Tree Lane from RL 3.6m AHD to RL 3.1m AHD. The site levels and detail plan at Figure 5 indicates that the ground level of the subject land is above RL 3.1m AHD and the site is therefore not inundated by mainstream flooding in the 100 year ARI design flood event (refer to advice from Webb, McKeown & Associates Pty Ltd at Appendix B).

The subject land is therefore not subject flooding.

5.2 Flora and Fauna.

The subject land is clear of all native vegetation and has no ecological value for native flora and fauna. As indicated on the aerial photograph at Figure 2 and the site photographs 1 – 4, the land does not adjoin any bushland or significant trees.

5.3 Landscape Character and Visual Significance.

Under DCP 89 – Scenic Quality the subject land falls within the Terrigal Landscape Unit of the North Coastal Geographic Unit. The Unit is considered to be of regional scenic value exhibiting a range of scenic coastal environments and human elements.

The subject land is not identified by DCP 89 as being located within an area of environmental, landscape or visual significance.

The view analysis undertaken for the Terrigal Bowl Strategic Plan (August 2002) indicates that an uninterrupted northerly vista is available to pedestrians and motorists along Ash Street.

Due to its low lying nature and location relative to the Terrigal Town Centre, the subject land is not identified by the Terrigal Bowl Strategic Plan as having any landscape or visual significance.

A view impact analysis of the proposed development is provided in section 6.2.3 (ii) of this report.

5.4 Environmental Hazards.

The subject land is not identified in any public policy document as being subject to risk from coastal processes; bushfire; or landslip.

The Acid Sulphate Soils Planning Map indicates that the subject land is located within an area where there is no known occurrence of acid sulphate soils and they are unlikely to exist.

As indicated in section 5.1 above, the subject land is not subject to flooding.

5.5 Urban Setting and Utility Services.

The subject land is located within the Terrigal Urban Area which comprises a mixture of recreational, residential, commercial, tourism and special uses. The characteristics of urban development and infrastructure in the immediate vicinity of the subject land are indicated in the aerial photograph (taken on 18th March 2002) at Figure 2. The principal features of the locality are:

- all town centre commercial, community and recreational services and facilities are available within a short walking distance of the subject land;
- a mixture of medium density housing and older detached dwelling houses awaiting redevelopment or restoration occur in Ash Street generally north, east and south of the subject land;
- immediately to the west of the subject land are bowling greens associated with the Terrigal Bowling Club; and
- the Crown Plaza Hotel is located in close proximity to the north-west of the subject land.

Gosford City Council in recent years has indicated its preparedness to facilitate opportunities for significant urban renewal in and around the Terrigal Town Centre proposed by the private sector, including:

- the joint venture redevelopment of land owned by the Council in Wilson Road and Pine Tree Lane for mixed retail/residential development and a multi storey car park (October 2001). Local Environmental Plan 437 gazetted on 31st October 2004 rezoned this land to permit car parking, business and residential uses, community and recreational uses and reclassified land from community to operational within the meaning of the Local Government Act 1993. A development application for a 5 storey commercial/residential building on this land was approved by the Council on the 8th February 2005;
- rezoning/proposed development on the northern side of Campbell Crescent ('Rapedo') (February 2002); and
- development on the elevated southern headland comprising four separate residential flat buildings (March 2002).

The retail/commercial/residential mixed use character of Pine Tree Lane will be substantially reinforced following approval by Gosford City Council on 8th February 2005 of a five storey commercial and residential development on the southern side of Pine Tree Lane, immediately west of the subject land. This development will comprise basement car parking; level 1 retail floor area of 577m² and car parking with access from Pine Tree Lane; and 26 residential units on levels 2-5, substantially reinforcing the commercial/residential function of land on the southern side of Pine Tree Lane as part of the Terrigal Town Centre.

All utility services required to service the proposed development of the subject land, including reticulated water and sewer, waste disposal, electricity, telecommunications and public transport are available to the land.

5.6 Cultural Heritage.

The subject land has long been developed for urban purposes and substantially excavated to construct the existing tennis courts. It is highly unlikely that there are any items of Aboriginal Heritage on the site. The site has no European heritage significance.

6 ASSESSMENT OF THE PROPOSED REZONING

6.1 Consistency with Environmental Planning Instruments, Policies and Section 117 Directions.

6.1.1 State Environmental Planning Policies/Regional Environmental Plans.

There are no State Environmental Planning Policies or Regional Environmental Plans which impose restrictions or prohibitions on the preparation of a draft local environmental plan to facilitate the proposed mixed use development (refer to section 4.3.1 of this report).

6.1.2 Central Coast Structure Plan/Shaping the Central Coast.

The **Central Coast Structure Plan**, adopted on 17th November 1977 and subsequently amended, shows the subject land to be part of the Terrigal urban area, incorporating residential areas, schools and local shopping. Development of the subject land for mixed retail, commercial and residential purposes as part of the Terrigal Town Centre, is consistent with the urban development principles of the Central Coast Structure Plan.

“Shaping the Central Coast” was released in 2000 to guide future development on the Central Coast. In relation to the Terrigal Town Centre and its surrounding locality the regional strategy contains a number of strategic directions and key principles in planning for the development of centres:

- create opportunities for employment and business growth in locations that support access by public transport and minimise conflict with other uses;
- create a compact urban structure with choice in home type and affordability. More consolidated settlement around existing commercial/retail centres will make more efficient and effective use of the region’s infrastructure;
- improve the design and quality of the urban environment by requiring good architecture and building well located, safe and useable public domain; and
- compact urban centres with varied employment opportunities and higher densities of residential development are necessary to sustain public services and infrastructure. Terrigal is to perform the role of a strong local and tourism centre.

The proposed development of the subject land for mixed retail, commercial and residential use is consistent with the above principles for the development of centres and will reinforce the economic and social viability of the Terrigal Town Centre.

In relation to strategic directions for settlement and housing, **“Shaping the Central Coast”** provides that the major portion of population growth be accommodated with existing suburbs and centres and that medium density housing be provided within areas with good access to public transport, employment and other services, to make

efficient use of existing infrastructure and public investment. The subject land is functionally part of the Terrigal Town Centre and the proposed development of 6 large three bedroom apartments as part of a mixed use development is consistent with the strategic directions for settlement and housing.

In summary, the proposed draft local environmental plan and mixed use development on the subject land creates opportunity for employment and business growth within an existing town centre and consolidates medium density residential development within Terrigal Town Centre, making for more efficient and effective use of infrastructure and reinforcing the economic and social viability of the town centre.

6.1.3 Section 117 Directions.

In relation to the preparation of a draft local environmental plan to rezone Lot 1004, DP 793659, corner Ash Street and Pine Tree Lane, Terrigal from 2(b) Residential to 3(a) Business (General), or alternatively introducing an “enabling clause” to allow a particular development to be carried out on the land, the relevant Section 117 Directions for the Council to consider are G9 – Residential Zones; G10 – Business Zones; G22 – Determination and Direction Under Section 71 and Section 117(2); G27 – Planning for Bus Services; and S8-Structure Plan Central Coast:

- ***Direction G9 – Residential Zones*** requires in clause (iv) that draft local environmental plans which zone land for residential purposes shall not contain provisions which will result in a reduction of the permissible residential density on any land to which the plan applies. This direction does not have strict application to the subject matter as the subject land is not proposed to be zoned specifically for residential purposes but to enable the land to be used for mixed business and residential development.

The proposal however is consistent with the general intent of Direction G9 as the proposed draft local environmental plan will not result in a reduction of the hypothetical residential density currently permissible on the subject land under the existing 2(b) Residential zone. The draft local environmental plan will actually result in a more efficient medium density residential use of the land.

- ***Direction G10 – Business Zones*** requires that draft local environmental plans shall not substantially alter the location of existing zonings or substantially reduce zonings of land for business development.

The proposal to “rezone” the subject land for business development does not substantially alter the location of the existing business zoning within the Terrigal Town Centre. Rather, the proposal represents the logical “rounding off” of the Terrigal Town Centre business zone to reflect the amended road pattern associated with the upgrading of Pine Tree Lane and the subsequent development of Pine Tree Lane as a “commercial” street.

The proposed draft local environmental plan will not reduce existing zonings of land for business development.

The preparation of a draft local environmental plan to facilitate the use of the subject land for mixed business/residential purposes is therefore consistent with direction G10.

- ***Direction G22 – Determination and Direction Under Section 71 and Section 117(2)*** requires that in relation to a draft local environmental plan which amends another planning instrument in order to allow a particular development to be carried out, the draft plan shall either:

(a) allow development for the general purpose of the proposal to be carried out throughout the zone within which the land is situated;

(b) rezone the particular land to another zone already existing in a local environmental plan without imposing any additional development standards or requirements to those that already apply in that zone; or

(c) allow development for the general purpose of the proposal on the particular land without imposing any development standards or requirements in addition to those already contained in the environmental planning instrument being amended.

A draft local environmental plan to which this determination and direction applies shall not refer to drawings which show details of the development proposal. In regard to the subject proposal, drawings of the proposed development have been prepared to demonstrate to the council that the site is capable of being developed in a manner consistent with the 3(a) Business (General) zone of the Gosford Planning Scheme Ordinance and Development Control Plan No.55: Amendment No. 1 (Terrigal Town Centre).

It is not the intention for these drawings to be referred to in any draft local environmental plan prepared by the Council. Should the Council decide that it does not wish to rezone the subject land to 3(a) Business (General) at this particular time, pending a future strategic review of the Terrigal Town Centre, but does agree to facilitate the proposed development through the insertion of an “enabling clause” into the Gosford Planning Scheme Ordinance, such a draft local environmental plan could be drafted to be consistent with clause 2(c) of Direction G22.

The two options available for the preparation of a draft local environmental plan to enable the proposed mixed use development to be carried out on the subject land would be consistent with clause 2(b) and 2(c) of Direction G22.

- ***Direction G27 – Planning for Bus Services*** requires the preparation of a draft local environmental plan which may give rise to the need for bus services, to allow for the provision of an adequate and efficient bus route system.

A bus service is available within a short walking distance of the subject land providing regular daily connections between Terrigal Town Centre, Erina Fair and Gosford City Centre/Gosford Railway Station.

The preparation of a draft local environmental plan in respect of the subject land to enable its development for mixed retail, commercial and residential use will enhance the potential for patronage and the economic viability of the existing bus service, consistent with the intentions of Direction G27.

- ***S8 Structure Plan – Central Coast*** requires draft local environmental plans to be generally consistent with the Central Coast Structure Plan as approved in November 1977 and subsequently amended.

The proposed rezoning of the subject land is consistent with Direction S8 (refer to section 6.1.2 above).

6.1.4 Local Plans.

In the event that a draft local environmental plan is made to facilitate the proposed development, a development application would be lodged with the Council and assessed against the relevant provisions of the Gosford Planning Scheme Ordinance and the development/design guidelines of Development Control Plan No.55: Amendment No. 1 (Terrigal Town Centre).

A strategic development assessment is presented in the following sections to demonstrate the suitability and appropriateness of the site for the proposed development, consistent with the Council's local planning/urban design framework for the Terrigal Town Centre.

(i) Existing Zoning Pattern.

It is relevant to note that at the time the Gosford Planning Scheme Ordinance first applied the 2(b) Residential zone to the subject land, two detached dwelling houses were erected on the land on separate residential allotments fronting Ash Street and Pine Tree Lane had no connection through to Ash Street. This is evident from aerial photographs of the locality taken in 1964 and 1983. The construction of the Pine Tree Lane upgrade and connection through to Ash Street was undertaken in conjunction with the construction of the Crown Plaza Peppers Hotel in the late 1980's.

The existing 2(b) Residential zoning of the land therefore does not have any direct relationship to, or recognize the changes made to the structure and functions of Terrigal Town Centre upon the upgrading of Pine Tree Lane as a principal element of the town centre street pattern; the changed character and use of the subject land for semi-commercial purposes associated with the Crown Plaza Hotel; or recent development/approvals transforming Pine Tree Lane into a contemporary commercial/residential street.

The location of the subject land relative to the roundabout at the intersection of Pine Tree Lane and Ash Street and its principal frontage to Pine Tree Lane also operate to make street level residential development at this location inappropriate due to adverse amenity impacts associated with vehicle noise, glare from headlights; and the loss of privacy associated with increasing pedestrian traffic. This is a location where

residential development facing Pine Tree Lane is most appropriately provided in the upper levels of a multi level building.

Figure 3 indicates that the subject land's northern boundary also coincides with the zone boundary between zones 2(b) Residential and 3(a) Business (General). As the subject land has its principal frontage to Pine Tree Lane, the preparation of a draft local environmental plan to permit the proposed mixed retail, commercial and residential development (similar to recently approved development on adjacent land) would be consistent with the planning aims and objectives recently developed by the Council for the Terrigal Town Centre; represent more efficient use of limited land resources; and be of greater economic and social benefit to the City.

(ii) Terrigal Bowl Strategic Plan.

Under the adopted Terrigal Bowl Strategic Plan the council has resolved to generally maintain the extent of the existing Terrigal Town Centre business zone. Council officers have expressed the view that there is currently no identified need to supply additional 3(a) Business (General) land within Terrigal Town Centre and that when the existing stock of 3(a) Business lands are approaching their full potential, council would then be better able to review the need for additional commercial land on a broader strategic level and having regard to the suitability of individual sites.

It is noted that the Terrigal Town Centre - Market Advice (Leyshon Consulting, November 2001) indicated that a number of factors influence whether redevelopment of the town centre will actually occur, irrespective of any changes made to the underlying planning controls in a particular area:

- the attitude of site owners to site value and the risks and rewards inherent in any development or redevelopment scheme;
- the quality of existing improvements on the site;
- both the current and forecast income; and
- the complexity of obtaining development approval.

Additionally, in the experience of Leyshon Consulting, sites are unlikely to be redeveloped if:

- the existing site improvements are less than 15 years old;
- the property is fully utilized at economic rentals; and
- the floor space gain is less than 50% of existing floor space.

In view of the fragmented nature of land ownership and the pattern of established commercial/retail development within the town centre, the analysis of Leyshon Consulting suggests that the sites most likely to be redeveloped for mixed retail,

commercial and residential use in the short to medium term are the few relatively large “undercapitalized” sites within the town centre presently held in single ownership.

In particular, the land along the southern frontage to Pine Tree Lane (including the subject land), provides one of the few immediate opportunities for significant redevelopment of the town centre, as there are no economic or landownership impediments to their redevelopment.

It is considered to be contrary to the Council’s interest in facilitating redevelopment of Terrigal Town Centre to not consider the merits of a particular application for “rezoning” on the basis of notional/hypothetical opportunities perceived to be available for redevelopment of the existing 3(a) Business zone and to therefore adopt an inflexible approach to the consideration of rezoning suitable sites until such time as the development of the existing stock of 3(a) Business lands is seen to be reaching its full potential.

The planning framework needs to be sufficiently flexible for the Council to support/facilitate development opportunities which it considers are consistent with the adopted planning objectives and principles for the Terrigal Town Centre and that may have been unforeseen at the time the Council prepared the current planning framework for the town centre.

On the assessment of the advice provided to the Council by Leyshon Consulting, it is highly unlikely that the existing 3(a) Business lands will reach their full potential (if ever) other than in the very long term. In the meantime the opportunity to redevelop suitable sites in the short to medium term to facilitate renewal of the town centre is lost unless the council provides the flexibility to consider the merits of specific “rezoning” applications.

This particular “rezoning” application establishes that Lot 1004, DP 793659, Ash Street/Pine Tree Lane is functionally part of Terrigal Town Centre having its principal frontage to Pine Tree Lane, which was upgraded to connect Kurrawyba Avenue and Ash Street in conjunction with the construction of the Crown Plaza Hotel. Recently approved development for mixed commercial and residential development on land between the Terrigal Post Office and the subject land has reinforced the emerging function of Pine Tree Lane as a principal commercial/residential street within the town centre.

The rezoning of the subject land to zone 3(a) Business (General) and its development for mixed retail, commercial and residential development is considered to be consistent with the Council’s future strategic directions for the development of the Terrigal Town Centre Precinct.

Should the Council decide that it does not wish to rezone the subject land to 3(a) Business (General) at this particular time, pending a future strategic review of the Terrigal Town Centre, but it does support the proposed mixed use of the subject land, it could alternatively prepare a draft local environmental plan to insert an “enabling clause” into the Gosford Planning Scheme Ordinance to facilitate the proposal.

(iii) Gosford City Council Residential Strategy (1996).

The Gosford City Council Residential Strategy (1996) was adopted by the council on 26th November 1996 and aims to reduce increased demands for new greenfield residential land release areas by ensuring the provision and development of medium and high density housing within the 2(b), 2(c), 2(d), 3(a), 3(b) and 3(c) zones throughout the City.

The objective of the 2(b) Residential zone currently applying to the subject land is *“to make provision for the orderly and economic development of suitable land in appropriate locations for a variety of housing forms at medium density”*.

The proposed use of the subject land for mixed retail, commercial and residential development is consistent with the aims and strategic directions of the Residential Strategy. The proposed development includes 6 large three bedroom apartments, which is a slightly higher yield of large apartments than would be hypothetically possible under the current 2(b) Residential zone i.e. the proposal does not diminish the potential for medium density housing permissible on the subject land under the current 2(b) Residential zone.

The proposed draft local environmental plan is therefore demonstrated to be consistent with the Residential Strategy.

(iv) Gosford Planning Scheme Ordinance: Clause 49 (Development in Terrigal Town Centre).

The Gosford Planning Scheme Ordinance was amended by Local Environmental Plan No. 442 (Gazetted 4th June 2004) to provide detailed planning controls for development in Terrigal Town Centre. These controls are contained in Clause 49S of the scheme ordinance and are addressed below in relation to the proposed development of the subject land.

Urban Design Principles: Clause 49S of the Gosford Planning Scheme Ordinance requires development to be consistent with the urban design principles contained in Clause 49S (3). The following assessment is provided of the consistency of the draft local environmental plan application and the proposed development of the subject land with the urban design principles relevant to the subject land:

- *“(a) Promote efficient use of land by encouraging redevelopment of existing properties to achieve a mix of residential business and community uses with that centre(sic)”*

Consistent: The rezoning application and the proposed four storey mixed retail, commercial and residential building to be erected on the subject land represents the efficient use of the land for purposes which facilitate the economic development of Terrigal Town Centre.

- *“(c) Ensure that the height, form and design of future buildings neither dominates this coastal setting, nor intrudes unreasonably onto coastal and ocean views that are available from surrounding residential areas on hillsides”*

Consistent: The proposed development conforms with the height, form and design standards/guidelines contained within DCP 55 – Terrigal Town Centre and does not dominate the coastal setting or intrude onto coastal views available from surrounding residential areas. A view impact analysis is contained in section 6.2.3 (ii) of this report.

- *“(d) Promote high standards of urban and architectural design quality, particularly in order to disguise the scale and bulk of new buildings, to contribute to the overall diversity of building forms and designs, and to reflect a distinctively coastal character for the Terrigal Town Centre”*

Consistent: The design of the proposed development acknowledges the transitional location of the subject land on the boundary of the 3(a) Business (General) zone and adjoining residential areas. The proposed building is modulated to reflect the scale of existing and approved multi level development fronting Pine Tree Lane and stepped down on its southern elevation to reflect a bulk and scale compatible with the potential bulk and scale of potential residential flat buildings within the adjoining 2(b) Residential zone.

The corners of the proposed building have been expressed to accentuate the perimeter of the building, consistent with the variations to building envelope controls encouraged under DCP 55 for corner sites.

The built form of the development is broken down into defined elements of usage, with the top floor set back from the façade and given to a lighter treatment in accordance with DCP 55, which serves to reduce the impact of the building. The building is capped by a sloping roof providing a strong architectural design statement.

- *“(e) Ensure high levels of amenity along streets and laneways by maintaining existing levels of sunlight and by limiting the height of exterior walls in order to achieve a pedestrian friendly scale”*

Consistent: The principal orientation of the proposed development to Pine Tree Lane in combination with the proposed building setback and reducing building height along the Ash Street frontage, combine to maintain adequate levels of sunlight to pedestrian areas. The height of the exterior walls of the building are designed to both ensure a pedestrian friendly scale and to have regard to the principals contained within DCP 55 to give emphasis to street corners “where variation of building envelopes is desirable”.

- *“(f) Encourage intensive pedestrian activity by providing near continuous shopfronts along all streets and lanes”*

Consistent: The proposed “rezoning” and mixed use development will provide a near continuous shopfront (in conjunction with other recently approved development in Pine Tree Lane) to encourage pedestrian activity along the southern side of Pine Tree Lane between Kurrawyba Street and Ash Street. The main pedestrian entry to the proposed development is from Pine Tree Lane.

- *“(h) Provide for high levels of residential amenity in the surrounding residential areas as well as within the Terrigal Town Centre”*

Consistent: The proposed residential units offer a high level of amenity in terms of their internal design and relationship to adjacent development; natural ventilation from sea breezes; orientation of the living areas of upper level units to the north; all units have large private outdoor decks; and the building has been designed to have minimal impact on the privacy and solar access of adjoining residential development.

- *“(i) Maximise energy-efficient planning, design and construction for new buildings”*

Consistent: The proposed development is designed for natural ventilation and solar access to assist cooling in summer and heating in winter to lessen reliance on mechanical cooling and heating.

- *“(k) Ensure that new development does not exceed the capacity of existing public infrastructure within the Terrigal Town Centre”*

Consistent: The Terrigal Bowl Strategic Plan indicated that water and sewer services are limited by the capacity of existing major works such as trunk mains and pumps and that the capacity to support additional development is not known. The Council has however prepared a new planning framework to encourage more intensive development within the Town Centre and has approved a major mixed use development immediately to the west of the subject land, suggesting that the proposed rezoning and development of the subject land will not exceed the capacity of public infrastructure within the Terrigal Town Centre.

Street Frontages: The subject land has a frontage to Pine Tree Lane of (39.44m) and a frontage to Ash Street of 19.935m. The site satisfies the relevant objectives for site frontages contained in Clause 49S (4) of the Gosford Planning Scheme Ordinance;

- *“(a) To incorporate best-practice urban design by ensuring that frontages are wide enough to conceal carparking plus delivery areas behind street level shopfronts that are nearly continuous along all street and laneway frontages”*

Consistent: The dimensions of the subject land are such that the principal frontage is to Pine Tree Lane. The proposed development conceals carparking and delivery areas behind the proposed continuous retail shopfronts to Pine Tree Lane. The principal pedestrian access to the building is from Pine Tree Lane and vehicular access to the basement level carpark and delivery area is provided from Ash Street.

- *“(b) To ensure that frontages are sufficient to accommodate building services and corridor access for above-ground storeys”*

Consistent: The frontages of the site to Pine Tree Lane (39.44m) and Ash Street (19.935m) are sufficient to accommodate building services and corridor access to the upper storeys of a multi level mixed use building constructed on the land. This is demonstrated in the floor plans of the proposed development at Figures 9 – 13.

- *“(c) To ensure that frontages are sufficient to accommodate residential floor plans which provide a reasonable level of amenity”*

Consistent: The frontages of the subject land to Pine Tree Lane and Ash Street are demonstrated by the proposed residential floor plans at Figures 10 -13 to be sufficient to accommodate residential floor plans and provide a high level of amenity.

- *“(d) To encourage consolidation of existing properties that have narrow allotment frontages in order to facilitate effective redevelopment”*

Not applicable: The subject land, relative to the majority of properties within the Terrigal Town Centre, has wide frontages to its principal and secondary streets. The dual street frontage also serves to facilitate effective redevelopment.

- *“(e) To ensure that the future redevelopment potential of any existing property is not unreasonably compromised due to the narrowness of the frontage”*

Not applicable: The subject land occupies a corner location with wide frontages to two streets, which facilitate the development potential of the property for purposes consistent with the 3(a) Business (General) Zone.

Both site street frontages exceed the development standard contained within Clause 49S (5) (a) of the GPSO, which requires that the Council is not to grant consent for the erection of a building where the site frontage would be less than 12m.

Height of Buildings: Clause 49S (6) of the GPSO specifies the objectives for the height of buildings in the Terrigal Town Centre and Clause 49S (7) provides development standards for building heights within the town centre. The objectives specified in Clause 49S (6) the GPSO in relation to building height are:

- *“(a) To specify a package of inter-related development standards that provide effective control over the scale and bulk of future development”*

Consistent: The development of the subject site for a mixed use four storey building is capable of satisfying the development standards controlling the scale and bulk of new development within Terrigal Town Centre.

- *“(b) To ensure that the foreshore backdrop will not be dominated by buildings with an excessive scale or bulk”*

Not applicable: The subject land does not form part of the foreshore backdrop and is not visible from the foreshore.

- *“(c) To address community desires that the panoramic headland and ocean views available from the majority of hillsides surrounding the Terrigal Town Centre will not be obstructed unreasonably”*

Consistent: As indicated in the view analysis in Section 6.2.3 (ii) of this report, the proposed development of the subject land for purposes consistent with the 3(a) Business (General) Zone (or permitted through an “enabling clause”) will not obstruct scenic headland and ocean views available from the majority of hillsides surrounding the town centre.

- *“(d) To provide height bonuses as incentives for redevelopment in return for amalgamation of existing properties that are small or narrow, and for the provision of specified public benefits”*

Not applicable: The subject site is neither small nor narrow and does not require height bonuses to encourage amalgamation with adjoining properties in order to achieve a development outcome consistent with the planning and urban design principles sought by the Terrigal Town Centre planning framework.

Clause 49S (7) of the GPSO contains development standards for maximum building heights in the Terrigal Town Centre. In relation to the subject site, which has a site frontage to Pine Tree Lane of 39.44m and a site area of 1066m², the table to Clause 49S (7) provides that the Council could grant development consent to a new building on the site of 4 storeys; with maximum height for external walls of 12.75m; and a maximum height for the building of 14.25m. Height is to be measured from street level.

The elevations at Figures 14 and 15 demonstrate that the proposed four storey building could be erected on the subject land, satisfying the development standards of the GPSO in relation to building height. The height of the external walls of the proposed building is 12.75m and the height of the proposed building to its topmost point is 14m above street level.

(v) Development Control Plan No. 55: Amendment No.1 (Terrigal Town Centre).

Development Control Plan No. 55: Amendment No. 1 (Terrigal Town Centre) (DCP 55) applies to all properties within the Terrigal Town Centre zoned 3(a) and 5(a) as shown on the map accompanying the DCP.

The aims of DCP 55 are to implement recommendations/resolutions arising from the Terrigal Bowl Strategic Plan; provide detail controls supporting the provisions of the GPSO; establish contemporary urban design based controls; and supplement the provisions of DCP 89 (Scenic Quality) and DCP 159 (Character) that apply to coastal areas, including Terrigal Town Centre.

The subject land currently adjoins the area to which the DCP applies and if the Council agrees to this application to prepare a draft local environmental plan to facilitate the proposed development, DCP 55 should also be amended to include the subject land within the area to which DCP 55 applies. Consequently any development application for the subject land would need to be generally consistent with the urban design/development guidelines of DCP 55.

The objectives of DCP 55 are similar to the urban design principles applying to the Terrigal Town Centre and contained within the GPSO. The development of the subject land for a mixed use four storey building is consistent with the Terrigal Town Centre urban design principles contained within the GPSO (as demonstrated above) and the similarly worded objectives of DCP 55.

The following analysis is presented in relation to the consistency of the proposed development with the principal controls of DCP 55. The analysis does not address all aspects of DCP 55, as a full assessment of the consistency of the proposed development with DCP 55 would be undertaken as part of the preparation and lodgement of a formal development application, following the Council's adoption of a resolution to prepare a draft local environmental plan for the site. The purpose of the following assessment is to demonstrate that the site is capable of being developed in a manner consistent with the principal guidelines/controls of DCP 55.

Desired Character and Scenic Quality.

Controls (Section 2.2).

- *“(a) All streets and laneways should support high levels of pedestrian activity; visible retail activity should be maximized along all frontages; and existing levels of sunlight during the middle of the day should be protected ”*

Consistent: The proposed development will provide additional retail/commercial activity to Pine Tree Lane and will facilitate and support a higher level of retail, commercial and pedestrian activity than currently exists within the street. Due to the northerly aspect of the proposed development, sunlight levels to Pine Tree Lane are not generally affected by the proposed development.

- *“(b) All streets should achieve the following role and design standards – remain the primary retail frontages and pedestrian routes; and incorporate awnings or balconies that provide continuous shelter and shade along all shop-fronts.”*

Consistent: The proposed development, together with the recently approved five storey building immediately west of the subject land, reinforces the changing character of Pine Tree Lane as a retail/commercial street and provides shelter/protection for pedestrians.

Desired Character of Buildings (Section 2.3).

- *“(a) Maximise benefits to the resident community as well as visitors to Gosford City by encouraging redevelopment – accommodate a diverse range of shops, businesses and community activities at street level and first floor level; locate residential flats above street level”*

Consistent: The subject land provides the opportunity to erect a building provide shops at street level; commercial activity at level 1: and residential apartments on levels 2 and 3.

- *“(d) Disguise the scale and bulk of new buildings, and promote an architectural identity for this centre that is regionally distinctive - exterior walls and roofs should be well articulated; as two storey walls rise above the two storey street wall they should be stepped back from their street frontage; the top-most storey should be setback from the face of lower storeys and capped by pitched roofs with wide eaves, surrounded by a mix of terraces and roofs; and exterior walls facing public streets should be partially screened by framed balcony and verandah structures, wide roof overhangs and exterior sunscreens that reflect a light weight character”*

Consistent: The photo montages at Figure 8 and Appendix E indicate that the proposed development is generally consistent with these design guidelines. Building design also has regard to the variations of building envelope allowed at street corners where DCP 55 seeks to provide for vertical emphasis of landmark locations.

- *“(e) Provide an appropriate interface to the surrounding residential zone – buildings should be surrounded by landscaped gardens along common boundaries with residential properties; the height and scale of buildings should reflect the lower rise form of residential surroundings where traditional coastal cottages display a light-weight design character”*

Consistent: Figure 6: Relative Levels of Nearby Development, indicates the relative height of residential flat buildings located to the north and east of the subject land. Figure 17: Locality Height Context, indicates the relative heights (i.e. number of storeys) of existing/approved development and potential

development in the vicinity of the subject land. The street context cross sections presented in Figure 18 for both Ash Street and Pine Tree Lane also indicate the relative levels of existing and approved buildings and potential building envelopes within the locality.

The proposed development has regard to the residential character of Ash Street by recognising the significance of the location of the site at the interface of the 2(b) and 3(a) zones. The design establishes a retail/commercial street level frontage to Pine Tree Lane and a residential streetscape theme to Ash Street and the southern side of the building, reinforcing the transition from commercial to residential uses at this location.

The street context sections at Figure 18 demonstrate that the proposed building design appropriately reflects the transitional location of the site, responding to the immense bulk and scale of the Crown Plaza Hotel building and modulating the scale of the proposed development to achieve a sensitive transition to both the existing and potential bulk and scale of residential development in Ash Street

The residential portion of the proposed development has been set back from Ash Street to maintain the current streetscape and residential identity of Ash Street. The southern façade of the proposed building has been substantially set back to allow for deep rooted landscaping adjacent to the existing single storey residence at No. 15 Ash Street. The southern elevation of the proposed building also incorporates the design of a substantial setback of the ground floor/level 1 from the adjoining residence and substantial additional setbacks of levels 2 and 3 to protect solar access, reduce overshadowing and minimise any overlooking of the dwelling at No. 15 Ash Street.

- *“(f) Ensure that vehicle access and building services are integrated with the desired village character – parking areas and delivery docks should not interrupt the continuity of primary retail frontages, and should be concealed substantially behind shopfront floor space; and services should be concealed within the exterior envelope of buildings”*

Consistent: The basement level car parking and delivery dock entry is located in Ash Street and together with building services, is concealed from the primary street retail frontage.

Site frontages (Section 3.3).

- *“(a) The minimum frontage for development in the Terrigal Town Centre is specified in the GPSO”*

Consistent: Both the primary (Pine Tree Lane) and secondary street (Ash Street) frontages of the subject land exceed the 12m minimum frontage standard of the GPSO.

Maximum Height (Section 4.2).

- *“(a) Maximum heights for buildings in the Terrigal Town Centre are specified by the GPSO”*

Consistent: The proposed development complies with the development standards for maximum building heights within the Terrigal Town Centre specified for the 3(a) Business (General) zone. Having regard to the dimensions of the subject land, a four storey building can be erected on the land.

Building Envelopes (Section 4.3).

- *“(b) Adjacent to any residential property, exterior walls should be stepped to maintain reasonable sunlight to the principal living area and private open space of each dwelling”*

Consistent: The eastern elevation of the proposed development at Figure 14 indicates that the proposed building is stepped back from the existing residence at No. 15 Ash Street so as to maintain access to sunlight from the living area/private open space of that dwelling. The Shadow Analysis Plan at Figure 16 indicates that the proposed building has minimal impact on sunlight availability to the adjoining dwelling house at No. 15 Ash Street.

- *“(c) Minor variations of building envelopes are desirable in the following locations in order to avoid the appearance of continuous horizontal building forms – in general, variations are desirable at street corners where a vertical emphasis of landmark locations is appropriate, and to allow reasonable potential for the redevelopment of corner sites’*

Consistent: The proposed development is consistent with the acceptable variation to the pedestrian scale envelope indicated in Figure 4.3 of DCP 55.

Street Setbacks (Section 5.2).

- *“(a) The alignment of lower storeys should reinforce and enhance existing levels of retail and pedestrian activity- generally facades should not be set back from the street frontage in order to maximise the visibility of shop fronts and to concentrate pedestrian activity along existing footpaths; permissible encroachments include balconies constructed above public footpaths that are designed to accommodate outdoor dining; permissible variations include café shopfronts at ground level only, setback from the street frontage to accommodate outdoor tables”*

Consistent: The shop front façade to Pine Tree Lane has a minor setback reflecting the footprint of the proposed building relative to the irregular dimensions of the property’s frontage to Pine Tree Lane; the corners of the proposed building have been expressed to accentuate the perimeter of the proposed building with corner areas cantilevered over the footpath to provide

attractive areas for alfresco dining; and the proposed setback from the Ash Street corner to accommodate outdoor tables and to retain a sympathetic relationship with the building line of adjacent existing residential development.

The western side of the building, which overlooks the bowling greens, has been located on the property boundary and a hardwood deck is proposed to cover the unsightly stormwater culvert. Public access to this deck will provide a much needed interaction between the current bowling greens and the surrounding community.

Side Boundary Setbacks (Section 5.4).

- *“(b) Adjoining any residential building or a residential zone, new development should incorporate setbacks that are consistent with the desired residential character – lower storeys should be setback at least 4 metres in order to provide a landscaped courtyard that is suitable for medium-sized trees; upper storeys should be stepped to maintain adequate sunlight to residential properties”*

Consistent: The ground floor plan indicates that the proposed building has a variable lower storey setback from the adjoining dwelling which incorporates the access ramp to the basement car park and a two metre wide deep rooted planting landscaped setback; upper storeys are further setback as indicated in the elevations at Figure 15 to maintain adequate sunlight to the adjoining dwelling.

Building Form (Section 6.2).

- *“(a) The silhouette of each building should contribute to the overall diversity of form that is visible from nearby foreshores as well as from surrounding residential hillsides – within each façade vary the level of roofs, external walls and parapets in order to avoid simple cubic forms and flat roofs that tend to accentuate scale and bulk; each storey should incorporate stepped floorplans capped by highly-articulated roof forms that contribute to the overall diversity of building silhouettes facing every street”*

Consistent: The streetscape/photo montages in Appendix E illustrate the variation in façade and stepped floor plans associated with the proposed development which contributes to the overall diversity of architecture and avoids simple cubic built form.

- *“(b) Facades facing each street should be composed as three distinct layers that contribute to design diversity and bulk of multi-storey buildings – a ‘base’ which can include the first two levels; the ‘middle’ which should accommodate at least one residential level, but not the uppermost storey; and the ‘top’ which should accommodate the ‘penthouse’ residential storey’*

Consistent: The proposed building comprises a 'base' (ground floor and level 1: retail/commercial); the 'middle' (level 2: residential); and the 'top' (level 3: penthouse).

Car Parking and deliveries (Sections 10.2 and 10.3).

- *"(a) Each development should provide carparking at the rates set by DCP No. 111 – the required number of spaces may be distributed on-site and in Council's public facility, subject to a monetary contribution. On-site parking should provide at least one space per dwelling, plus one space per retail or business facility"*

Consistent: The proposed development satisfies the minimum requirement of DCP 55 for one space per dwelling and business tenancy (i.e. 9 spaces). The Car parking rates set by DCP 111 requires the proposed development to provide for 27 car spaces. As indicated in Figure 9 – Basement Floor Plan, the proposed development provides 18 on-site dedicated car spaces, a shortfall of 9 spaces. A further two spaces indicated as spaces 19 and 20 in Figure 9 provide additional after hours parking when not required for the maneuvering of delivery vehicles. Consistent with DCP 55 a monetary contribution would be paid to the council (as set by the adopted contributions plan for the Terrigal Town Centre) to accommodate the shortfall in the proposed nearby public car parking facility.

- *"Parking areas, driveways and ramps must be designed according to the applicable Australian Standard AS 2890.1 – ramps must be no steeper than 1:20 within 6 metres of a street"*

Consistent: Figures 9 and 10 indicate the slope and dimensions of the ramp and driveway to the basement car park and delivery area.

- *"Developments that accommodate non-residential floor space should provide delivery areas in proportion to the scale and intensity of retail and business use – where the area of any retail or business tenancy exceeds 100m², one dedicated delivery space should be provided on-site"*

Consistent: The proposed development includes 503m² of retail and commercial space and provides a dedicated delivery bay within the basement.

Precinct Controls.

- Street block maps provided in DCP 55 provide diagrammatic indications regarding particular features relevant to the street block. If the Council resolves to prepare a draft local environmental plan to facilitate the proposed development and includes the subject land within the area to which DCP 55 applies, the site would be located within Block 5: Pine Tree Lane south of Kurrawyba Avenue. The subject site would then become the "street corner" for the purpose of the map "where variation of building envelopes is desirable".

In an urban design sense, the subject land, in conjunction with the site located on the north-western corner of Pine Tree Lane and Ash Street (refer to "Block 4: Terrigal Esplanade south of Kurrawyba Avenue"), would establish "bookend" or entry statements to the town centre generally and to the retail/commercial/residential precinct fronting Pine Tree Lane.

The site is strategically important in terms of urban design/town centre structure, providing the opportunity to give urban design emphasis to the corner of Pine Tree Lane and Ash Street consistent with the form/scale/envelope design statements made in DCP 55 regarding street corners, where variations in envelopes and wall treatments is indicated to be desirable. The proposed building has therefore been designed to provide emphasis to the street corner/entry point to the Terrigal Town Centre.

6.2 Land Capability/Environmental Factors.

6.2.1 Site Characteristics.

The subject land has no environmental constraints to its development for mixed retail, commercial and residential purposes. It does not exhibit any geotechnical/instability limitations and is not subject to bushfire, flooding, coastal processes or any other environmental hazard.

6.2.2 Threatened Species/Threatening Process Assessment.

The subject land has been used for urban purposes over a considerable period of time; has been substantially excavated in association with the construction of the existing tennis courts; and contains no native vegetation or fauna habitat.

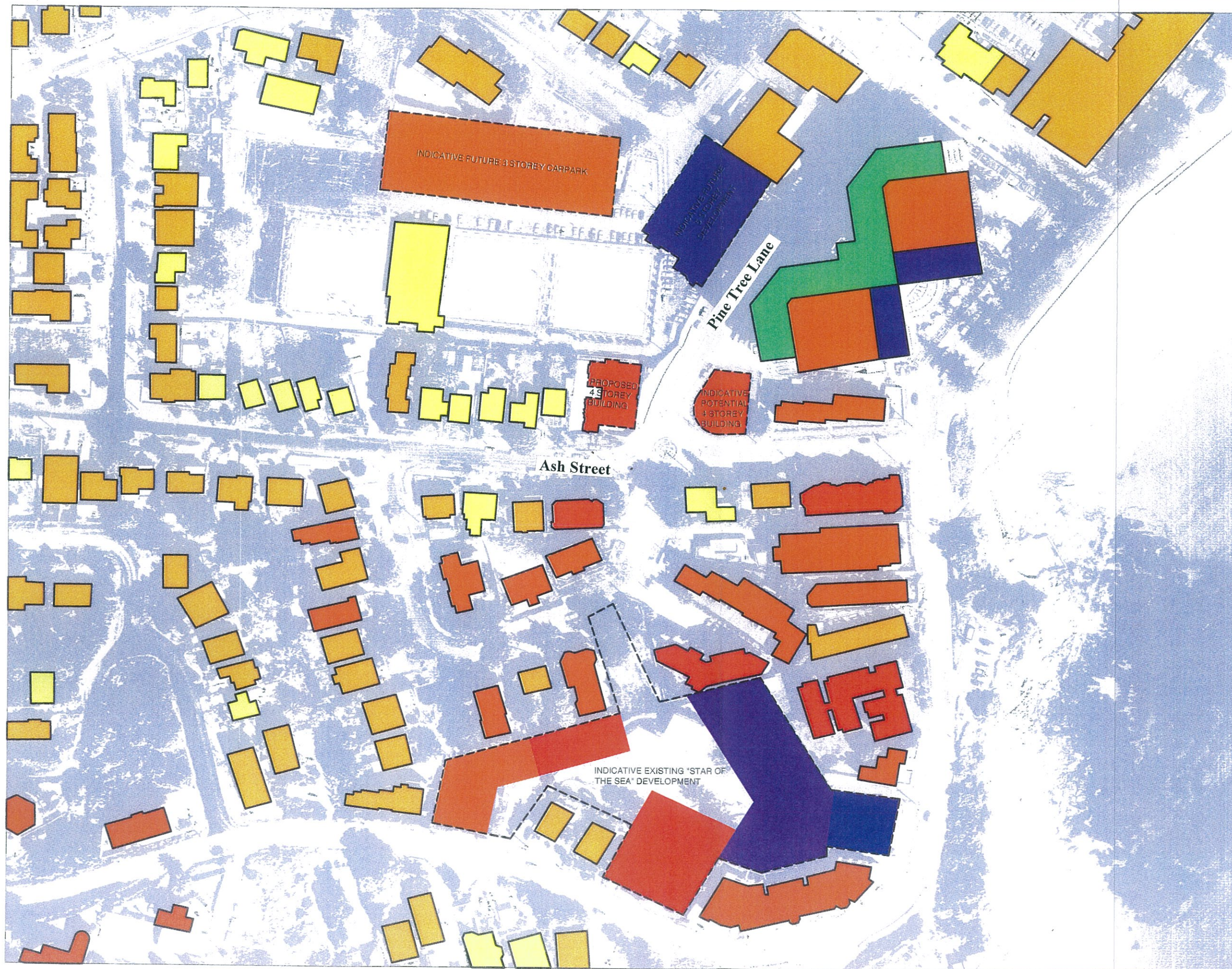
The preparation of a draft local environmental plan to facilitate the proposed four storey mixed use building will not affect critical habitat or threatened species, populations or ecological communities or their habitats. This application therefore raises no issues pursuant to **The Threatened Species Conservation Act, 1996**.

6.2.3 Landscape Character/Visual Impact.

(i) Contextual Analysis.

Figure 17: Locality Height Context, presents an analysis of existing and indicative potential building heights within the locality. In the immediate vicinity of the Terrigal Beach frontage there are a variety of existing and proposed/potential buildings of 4 – 9 storeys. Of particular relevance to the subject development proposal is the 9 storey Crown Plaza Hotel on its northern side and the recently approved 5 storey mixed use retail/residential building located adjacent to the west.

Also indicated in Figure 17 on the northern side of the Pine Tree Lane and Ash Street intersection immediately opposite the subject land, is an indicative potential four storey building site, permissible under the existing 3(a) zoning applicable to that site. That site, in conjunction with the proposed development on the subject land, provides



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PRELIMINARY TOWN PLANNING PURPOSES

No	Revision	Date
A	RE-ZONING APPLICATION ISSUE	20.01.05

LEGEND

- 1 STOREY BUILDING
- 2 STOREY BUILDING
- 3 STOREY BUILDING
- 4 STOREY BUILDING
- 5 STOREY BUILDING
- 6 STOREY BUILDING
- 7 STOREY BUILDING
- 8 STOREY BUILDING
- 9 STOREY BUILDING

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Civil/Hydraulic Engineer/Surveyor	-
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BCA Consultant/ Certifier	-

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Project
**COMMERCIAL/RESIDENTIAL
 CNR ASH ST & PINE TREE LANE
 TERRIGAL, NSW, 2260**

Drawing Title
LOCALITY HEIGHT CONTEXT

Designed	Drawn	Checked	Date
DW	JK	DW	DEC '04
Scale	Job Number		
NTS @ A2	0205.02.01		

Drawing Number	Revisions
SK-003	A

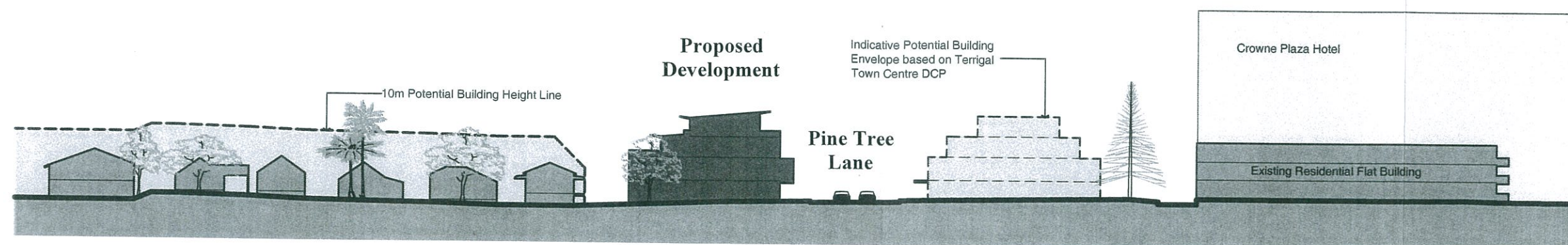
FIGURE 17: LOCALITY HEIGHT CONTEXT.

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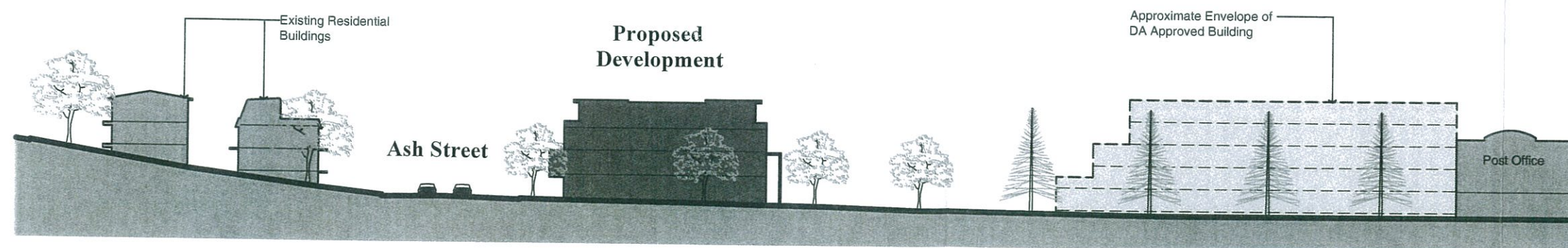
PRELIMINARY

TOWN PLANNING PURPOSES

No	Revision	Date
A	RE-ZONING APPLICATION ISSUE	20.01.05



DIAGRAMATIC SECTION THROUGH ASH STREET



DIAGRAMATIC SECTION THROUGH PINE TREE LANE

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TERRIGAL, NSW, 2260

Drawing Title
STREET CONTEXT SECTIONS

Designed	Drawn	Checked	Date
DW	JK	DW	DEC '04
Scale	Job Number	Revision	
1:500 @ A2	0205.02.01		

Drawing Number
SK-002
 Revision
A

FIGURE 18: STREET CONTEXT SECTIONS.

the opportunity for two four storey buildings to define this Pine Tree Lane/Ash Street entry point to the Terrigal Town Centre.

Figure 18: Street Context Sections presents diagrammatic cross sections of existing and potential building heights within both Ash Street and Pine Tree Lane. These sections demonstrate that the proposed development of the subject lane for a four storey building is compatible with its surrounding urban context/building heights.

The Ash Street Section (Figure 18) indicates the transitional reduction of building height through the proposed building relative to existing residential development within the 2(b) Residential Zone and the indicated 10 metre building height line for residential flat buildings permitted within the 2(b) zone. The height/design of the proposed mixed use development on the subject land represents an appropriate transition in height between the Crown Plaza Hotel, existing/approved/potential building envelopes in both Pine Tree Lane and Ash Street and nearby residential areas.

Photomontages of the proposed development within the streetscape of both Ash Street and Pine Tree Lane are presented in images 1 – 3 contained in Appendix E: Streetscape and Visual Impact Assessment – Photomontage. These images indicate that the scale and design of the proposed building is compatible with the existing and future potential character of its setting.

Image 4 at Appendix E illustrates the western façade of the proposed building which addresses the Terrigal Bowling Club. Also, an indicative potential future building is shown on the vacant development site located on the north-western corner of Pine Tree Lane and Ash Street. The image shows the proposed building to be highly articulated and designed to take advantage of open views to the bowling greens.

The preparation of a draft local environmental plan to facilitate development of a four storey mixed use building on the subject land is compatible with the character of existing and potential development within the locality.

(ii) View Impact Analysis.

The conservation of panoramic views is identified by the Terrigal Bowl Strategic Plan as a key community value.

A view analysis undertaken in conjunction with the preparation of the Terrigal Bowl Strategic Plan indicates that the subject land is not located within the line of any significant vistas or scenic views, nor would the development of a four storey building on the subject land have a significant impact on “minimal” or “filtered ocean views” obtained from residential properties located on nearby upper hillside slopes.

The Streetscape and Visual Impact Assessment – Photomontage is presented in Appendix E of this report illustrates the visual impact of the four storey building proposed to be erected on the subject land. Images 5 to 9 demonstrate that the proposed development will not impact on panoramic views enjoyed from the hillside slopes.

(iii) Development Control Plan No. 89 – Scenic Quality.

Development Control Plan No. 89 – Scenic Quality (DCP 89) is required to be taken into consideration by the Council when determining applications for the preparation of a draft local environmental plan. The DCP assesses the landscape character of the City and provides guidelines for management of the character of identified Geographic and Landscape Units.

DCP 89 provides that *“rezonings increasing development density or increasing the extent of urban areas only occur within existing urban areas and only where landscape matters are not of concern”*.

The subject land is located within the “North Coastal Geographic Unit – Terrigal Landscape Unit” where the landscape character is described as follows:

“The Terrigal Landscape Unit is strongly enclosed as a result of landform characteristics and contains the most urban of the coastal settlements of Gosford centered on the beach, Terrigal Haven and The Skillion and surrounding the lagoon. As a result of the landform and vegetation characteristics, the landscape and development is co-dominant. The Terrigal area comprises significant coastal landscape features including the beach to Wamberal Lagoon and foreshore areas and The Skillion. The primary urban and commercial areas concentrate on the sea side of the lagoon while the area to the west is more suburban and surrounded by rural-residential hinterland. The rural-residential hinterland occupies higher ground in the unit and provides a natural backdrop to the unit and a contrast to highly urbanized sections of the unit.”

The subject land is located within the highly urbanised commercial precinct of the Terrigal Town Centre and does not comprise, or impact on, the significant coastal landscape features identified within the unit (i.e. the beach front; Terrigal sand spit; headlands; lagoon frontages; and scenic protection and conservation zoned areas). The preparation of a draft local environmental plan to facilitate the proposed development on the subject land is consistent with the requirement of DCP 89 that “rezonings” increasing development density only occur within existing urban areas and only where landscape matters are not of concern.

DCP 89 also contains a development objective that proposals for residential and retail/commercial “rezonings” are preferred where the result will be the consolidation of existing residential and retail/commercial areas rather than the extension of these zones as either ribbon development or as incremental extensions into adjoining areas.

As indicated elsewhere in this report, the preparation of a draft local environmental plan to facilitate the erection of a four storey mixed use building on the subject land represents a consolidation of the Terrigal Town Centre, reflecting significant changes to the road/movement system following the upgrading of Pine Tree Lane and its connection through to Ash Street. Within this context the subject proposal does not represent ribbon development or incremental extensions of the commercial centre into adjoining areas.

(iv) Development Control Plan No. 159 – Character.

In the event that the Council resolves to prepare a draft local environmental plan to facilitate the proposed development and to include the subject land within Terrigal Town Centre for the purposes of all relevant development control plans, Development Control Plan No. 159 – Character (DCP 159) would be applicable to the assessment of a development application lodged for the proposed development of the site.

DCP 159 would also need to be amended to include the subject land within “Terrigal Character Place 8: Town Centre”, where the existing character is described as *“A mixed use precinct of diverse activities including retail, resort residential, residential, business services, community and recreation plus significant areas of open space, located in a visually-prominent foreshore setting with panoramic coastal views”*

However, the principal desired character and urban design controls are now to be found in Development Control Plan No. 55: Amendment No.1 (Terrigal Town Centre) and accordingly DCP 159 now has only nominal relevance to the design and assessment of development within Terrigal Town Centre. The proposed development of the subject land for mixed retail, commercial and residential use is consistent or compatible with the following DCP 159 “desired character” guidelines:

- *“Opportunities in this prominent foreshore setting and established mix of activities should be reinforced by retail improvements and new buildings....”*

Consistent: The proposed mixed use retail, commercial and residential development of the subject land will reinforce the viability of the town centre.

- *“Along all public streets, pedestrian and retail activities should be promoted and supported by features such as overhead awnings, colonnades and sun shades plus wide footpaths for pavement dining, located in convenient proximity to car parking...”*

Consistent: The design of the proposed development promotes pedestrian and retail activity along the Pine Tree Lane “commercial street” frontage; offers colonnade/awning protection for pedestrians; provides a wide building corner setback to promote outdoor dining; and is in close proximity to available public car parking.

- *‘Future development should provide a transition in height between the middle storeys of the existing resort hotel and the neighbouring mixed-density residential locality of two to three storeys. The overall height of buildings should maintain panoramic ocean and coastal views from dwellings located on surrounding hillsides’.*

Consistent: As indicated in Figure 18: Street Context Sections, the proposed development provides a locally appropriate transition in height between existing/potential development within the town centre and adjoining residential areas. The visual impact analysis in Section 6.2.3 (ii) of this report demonstrates that the proposed development of the subject land does not

significantly impact on panoramic views from surrounding residential development located on the hillsides.

- *“Off street parking should be concealed behind street-front shops or apartments with vehicle entrances located to maintain the continuity of shopfronts and pedestrian activity”.*

Consistent: The proposed development provides for basement car parking accessed from Ash Street. Vehicle access to the proposed building is concealed from the principal commercial frontage/pedestrian access to Pine Tree Lane.

6.2.4 Utility Services.

All utility services are available to, or are capable of being provided to the land, including reticulated water and sewer.

6.2.5 Traffic Impact/ Car Parking.

A Traffic Impact Study prepared by Northern Transport Planning and Engineering Pty Ltd (copy provided at Appendix D) provides an assessment of the traffic impacts of the proposed development of the subject land. The study undertook surveys of existing vehicle movements for am and pm peak periods. The principal study conclusions are:

- the proposed 3 metre wide driveway access to the basement car parking complies with “Driveway Dimensions (RTA Guidelines for Traffic Generating Development). However, mirrors will be required at both ends of the ramp to allow drivers to negotiate the driveway without causing unnecessary obstructions;
- the proposed allocation of 18 on-site car spaces satisfies the minimum requirement of DCP 55 of one space per dwelling and business tenancy (i.e. 9 spaces). However the proposed development provides a deficiency of 9 spaces from the 27 car parking spaces required by DCP 111 – Car Parking. Consistent with the provisions of DCP 55, this “deficiency” is able to be accommodated by the payment of a monetary contribution set by the adopted contributions plan for Terrigal Town Centre. Accordingly, it is considered that arrangements for the provision for car parking are consistent with the provisions of both DCP 55 and DCP 111;
- sight distances on either side of the Ash Street driveway entry/exit point exceeds 50 metres, which is adequate for the 50kph speed control in Ash Street;
- the minimum sight distances between vehicles and pedestrians at the site exit point are satisfied by the proposed development;

- predicted trip generation by the proposed development will have a negligible impact on the existing traffic flows in Ash Street; and
- analysis of the predicted year 2012 traffic flows indicate that the overall performance of the intersection of Ash Street and Pine Tree Lane, is satisfactory.

The site and the local street system are therefore capable of satisfying the traffic movement and access requirements of the proposed development.

6.2.6 Ecologically Sustainable Development.

The Local Government (Ecologically Sustainable Development) Act 1997 (NSW) requires the Council to give consideration to the overarching principles of Ecologically Sustainable Development, namely the adoption of the precautionary principle, intergenerational equity, the conservation of biological diversity and ecological integrity, and improved valuation, pricing and incentive mechanisms.

As indicated in the preceding analysis:

- the land is physically, environmentally and economically unsuitable for medium density residential development consistent with the development standards of the existing 2(b) Residential zone;
- the land is functionally part of the Terrigal Town Centre and environmentally suitable for mixed retail, commercial and residential use and as a significant corner site, the proposed development provides the opportunity to give urban design emphasis to a principal entry point to the town centre;
- development of the land for mixed retail, commercial and residential use will not have any impact on threatened species, populations, ecological communities or their habitats;
- the proposed mixed use of the subject land, including six large residential units, is consistent with all local, regional and state settlement strategies and planning policies regarding the efficient use of a limited supply of urban land. The proposal provides for the more efficient use of the land, infrastructure and services and an improved residential design/amenity outcome than would be the case under the existing Residential 2(b) zone;
- the proposal satisfies the need for human settlement and employment generating development to have access to infrastructure and services at adequate levels and in appropriate locations;
- all urban services, including reticulated water and sewer are available to the land;
- local community facilities and support services are available within the Terrigal Town Centre;

- the site is readily accessible to both Gosford City Centre and Erina Fair, which provide higher order urban support facilities/services, thereby reducing car usage/vehicle kilometers travelled and energy consumption;
- the land is readily accessible to local, regional and metropolitan employment, nodes by public transport (local bus connections to rail) and within the local context by other environmentally friendly forms of movement such as walking and bicycle; and
- development of the site for mixed use is capable of complying with all the Council's relevant environmental planning and design codes for the Terrigal Town Centre.

The proposed use of the subject land for mixed retail, commercial and residential development is consistent with the principles of Ecologically Sustainable Development and is considered from a social, economic and environmental point of view to represent the most appropriate, efficient and sustainable use of the site.

The proposal raises no matters of inconsistency with the Council's Biodiversity Management Policy.

6.2.7 Commonwealth Environment Protection and Biodiversity Conservation Act (1999).

In terms of the Environmental Protection and Diversity Conservation Act (1999), the preparation of a draft local environmental plan to facilitate the proposed development will not have any adverse impact on any matter of national environmental significance.

7. DRAFT LOCAL ENVIRONMENTAL PLAN

In order to facilitate the opportunity that the subject land presents for mixed retail, commercial and residential use to enhance the renewal and redevelopment of Terrigal Town Centre, Gosford City Council is requested to resolve to prepare a draft local environmental plan to rezone the land from 2(b) Residential to 3(a) Business (General) under the Gosford Planning Scheme Ordinance.

Alternatively, should the Council not wish at this time to rezone the subject land as requested but agree to support the proposed development, a draft local environmental plan could be prepared to insert an "enabling clause" in respect of the subject land, to enable the proposed development as an additional purpose to development currently permissible on the land under the existing 2(b) Residential zone.

This planning report presents sufficient information in relation to the subject land, the locality and the proposed development to enable the Council to make an informed decision on the proposed "rezoning". The report provides all the information that an environmental study under Section 74 of the Environmental Planning and Assessment Act 1979 would be expected to contain, although pursuant to Section 74(2) (b) of the

Environmental Planning and Assessment Act 1979, an environmental study of the land is not required to be prepared in this case.

The Council is therefore requested to resolve pursuant to Section 54 (1) of the Environmental Planning and Assessment Act, 1979 to prepare a draft local environmental plan in respect of Lot 1004, DP 793659, corner of Ash Street and Pine Tree Lane, Terrigal, to rezone the land from 2(b) Residential to 3(a) Business (General) under the Gosford Planning Scheme Ordinance.

A draft local environmental planning instrument to effect the rezoning of the land to 3(a) Business (General) is presented in Appendix A for the Council's consideration.

The Council is also requested to include the subject land within the area to which Development Control Plan No. 55: Amendment No. 1 applies, so as to include the land within the Terrigal Town Centre for the purposes of providing the appropriate controls and guidelines for the preparation and assessment of a development application in regard to the proposed development foreshadowed in this report.

8. CONCLUSION

This report establishes that the subject land is unsuitable for medium density residential development consistent with the provisions of the existing 2(b) Residential Zone and in order to achieve the efficient, economic and environmentally sustainable use of the land as part of the Terrigal Town Centre, it is appropriate to rezone the land to 3(a) Business (General).

The preparation of a draft local environmental plan to enable the erection of a four storey mixed use retail, commercial and residential building on Lot 1004, DP 793659, is supported on the following grounds:

- the land is unsuitable for medium density residential development consistent with the provisions of the existing 2(b) Residential Zone due to the physical characteristics and location of the land relative to the corner of Ash Street and Pine Tree Lane;
- following the upgrading of Pine Tree Lane and its connection through to Ash Street in conjunction with the development of the Crown Plaza Hotel and the existing use of the land for tennis courts for the sole use of hotel guests, the subject land is now structurally and functionally part of Terrigal Town Centre. These infrastructure and land use character changes were neither anticipated or evident at the time the subject land was initially zoned for residential purposes;
- land along the southern frontage of Pine Tree Lane currently provides one of the few immediate opportunities for significant redevelopment within Terrigal Town Centre as there are no economic or landownership impediments to the development of contemporary multi level retail/commercial/residential buildings within this area. The proposed development of the subject land, in conjunction with the Council's recent approval of an adjacent 5 storey

retail/residential development, will suitably implement the intended function of Pine Tree Lane as a principal mixed use retail/commercial/residential street within the Terrigal Town Centre and consequently provide significant economic and social benefits to the Town Centre;

- the northern boundary of the subject land forms the existing zone boundary between the Terrigal Town Centre 3(a) Business (General) zone and the adjoining 2(b) Residential zone. The most efficient and appropriate use of the land is for mixed retail, commercial and residential use in a multilevel building consistent with the provisions of the 3(a) Business (General) zone of the Gosford Planning Scheme Ordinance and the guidelines of Development Control Plan No. 55: Amendment No.1 (Terrigal Town Centre);
- the proposed “rezoning” and development of the land is consistent with the Council’s strategic directions for the Terrigal Town Centre, State/Regional planning policies and relevant Section 117 Directions;
- development of the land for the proposed four storey mixed use retail, commercial and residential building is consistent with the planning/urban design principles and development objectives of Development Control Plan No.55: Amendment No. 1 (Terrigal Town Centre) and other relevant development control plans;
- the land has no ecological, topographical, geotechnical, bushfire hazard, coastal erosion, flooding, or other environmental limitations to its proposed “rezoning” and development;
- the proposal satisfies the need for human settlement to have access to infrastructure, services and employment; and
- all utility services necessary to service the proposed development, including reticulated water and sewer, are available to or are capable of being provided to the land.

Gosford City Council is therefore requested to resolve to prepare a draft local environmental plan to either rezone Lot 1004, DP 793659, Corner of Ash Street and Pine Tree Lane, Terrigal, from 2(b) Residential to 3(a) Business (General) under the Gosford Planning Scheme Ordinance, or alternatively to introduce an “enabling clause” to enable the erection of the proposed four storey mixed use retail, commercial and residential building on the land as an additional purpose to development permitted under the existing 2(b) Residential zone.



Doug Sneddon
1st March 2005.

**APPENDIX A: DRAFT LOCAL ENVIRONMENTAL PLAN TO REZONE
LOT 1004, DP 793659, CNR. ASH STREET & PINE TREE
LANE, TERRIGAL, TO 3(a) BUSINESS (GENERAL).**

GOSFORD LOCAL ENVIRONMENTAL PLAN No.

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the Environmental Planning and Assessment Act 1979

Minister for Planning

1 Name of Plan

This plan is the Gosford City Local Environmental Plan No.

2 Aims, objectives etc

This plan aims to rezone the land to which this plan applies from Zone No. 2(b) Residential to Zone No. 3(a) Business (General) under the Gosford Planning Scheme Ordinance.

3 Land to which the plan applies

This plan applies to Lot 1004, DP 793659, Corner of Ash Street and Pine Tree Lane, Terrigal as shown edged heavy black and lettered 3(a) on the map marked "Gosford Local Environmental Plan No. " deposited in the office of Gosford City Council.

4 Amendment of Gosford Planning Scheme Ordinance

Gosford Planning Scheme Ordinance is amended by inserting in appropriate Order in the definition of scheme map in clause 3 (1) the following words:

Gosford Local Environmental Plan No.

**APPENDIX B: FLOOD ADVICE FOR LOT 1004, DP 793659, CNR ASH
STREET & PINE TREE LANE, TERRIGAL (WEBB,
McKEOWN & ASSOCIATES PTY LTD, DECEMBER 2004).**

Webb, McKeown & Associates Pty Ltd

Water and Environmental Engineers

ABN 50 366 075 980



Doug Sneddon Planning
Lot 71 Excelsior Street
LISAROW NSW 2250

24112/L041206_DSP

6 December, 2004

Attention: Mr Doug Sneddon

Dear Sir,

**Re: Flood Advice for Proposed Commercial/Residential Building
Lot 1004 DP793659, Cnr Ash Street and Pine Tree Lane, Terrigal**

Reference is made to your letter and attached site plans of 23rd November 2004 and our telephone conversation (Sneddon/Little) of 3rd December 2004. Further to the above, we provide the following flood advice for your information.

Webb, McKeown & Associates undertook a hydraulic assessment of proposed drainage augmentation works for the Terrigal Bowl area (comprising the above lot) for Gosford City Council in March 2004. The proposed works detailed on Council's design plans titled "*Terrigal Bowl Drainage Upgrade - Proposed Trunk Drainage Line - The Esplanade to Pine Tree Lane*" No. 6/144 (Sheets 1, 3, 4 and 5) include a large additional box culvert (3.6 m x 1.5 m) from Pine Tree Lane to Terrigal Beach. Our assessment indicated the effect of the proposed works was to reduce the peak 100 year ARI design flood level upstream of Pine Tree Lane from RL 3.6 mAHD to RL 3.1 mAHD.

We understand from discussions with Council that the culvert augmentation works from Pine Tree Lane to Terrigal Beach have now been completed. The current 100 year ARI design flood level upstream of Pine Tree Lane is therefore RL 3.1 mAHD. The available site detail for Lot 1004 DP793659, at the corner of Ash Street and Pine Tree Lane (Bannister & Hunter survey plan dated 7/1/03) indicates that the ground level is above RL 3.1 mAHD. Therefore, this site is not inundated by mainstream flooding in the 100 year ARI design flood event.

We trust this satisfies your immediate requirements. Should you require further clarification on any of the above please do not hesitate to contact Mr Scott Little or the undersigned.

Yours faithfully,

WEBB, MCKEOWN & ASSOCIATES PTY LTD

B A Withnall

Director

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APPENDIX C: ARCHITECTURAL DESIGN STATEMENT
(Neometro Architects & Planners Pty Ltd, January 2005)

ARCHITECTURAL DESIGN STATEMENT

January 2005

Property Address:
**Ash Street & Pine Tree Lane
Terrigal**

Client/ Owner:
**Brand, Brand and Gibbons
Fountain Plaza
Suite 7, 148/158 The Entrance Road
ERINA NSW 2250**

This report has been prepared by:
**Neometro Architects & Planners
Suite 2, Level 1/92 Terrigal Esplanade
TERRIGAL NSW 2260
Ph: 02 43851961**

Architectural Design

1.0 General Design Principles

The proposed development is located on the existing Crown Plaza tennis court site which forms a corner block to the Pine Tree Lane and Ash Street intersection. The area is currently undergoing a transition. Adjacent properties are subject to the new Terrigal Town Centre DCP which allows 4 & 5 storey development depending upon the area of land. A 3 storey development has recently been approved by council on the adjacent site to the West of the subject property. A new development application for a 5 storey development, in accordance with the new Terrigal Town Centre DCP, is presently under consideration of Council on this site, which also adjoins the Post Office and Bowling Club sites.

With careful architectural design, the subject site presents the ideal opportunity to create a "bookend" to Pine Tree Lane as identified within the DCP. However, the site is currently only able to serve this function by establishing a quasi-commercial use such as a medical centre or similar permissible use within the existing zone parameters. Limitations on height, which have recently been reinforced by Council within the zone, further preclude an appropriate "bookend" building in terms of physical characteristics. It is for this reason that a rezoning application is sought to facilitate the "bookend" transitional function of the site.

Our design is therefore sensitive to the transitional function of the site, recognising the commercial activities on Pine Tree Lane by creating an active streetscape consistent with other existing and potential commercial and retail activities of this precinct. Our design then establishes a residential theme and streetscape on Ash Street reinforcing the transition from commercial to residential uses.

The proposed building is also sensitive to the existing and potential commercial development on Pine Tree Lane and residential development on Ash Street in terms of bulk, scale and general medium density residential amenity. Our proposal achieves this by responding to the immense bulk and scale of the Crown Plaza Hotel building on Pine Tree Lane. The scale is then modulated, reduced and scaled proportionately to reflect a more domestic profile consistent with the existing and potential bulk and scale of residential development with the 2(b) residential zone on Ash Street. Our design therefore serves to reinforce its transitional role in terms of bulk and scale by ameliorating the impact of the bulk of the hotel building on residential development in Ash Street. This effect is clearly illustrated on the photo montage image.

2.0 Detailed Design Principles

The proposed building does not have any significant adverse effect on views.

The proposed site offers easy access to the beach, quiet residential streets, a church, an outdoor lawn bowling facility, health and fitness clubs, restaurants, boutique clothing shops, grocery stores and the proposed council parking station. It is also situated within easy walking distance of public transport and taxis.

The building is situated on a basement which accommodates 20 car parking spaces and a loading bay. All on site vehicular activity is therefore concealed from view from the street. The building has been designed with a clearly defined base, middle and top. The scale of the proposed building has been carefully designed to ensure compliance with the Terrigal Town Centre DCP by carefully following the guidelines set down therein, and the relevant clauses of the Gosford LEP. The ground floor northern side of the building fronting Pine Tree Lane has been given to retail activities and the southern portion has been allocated to a residential function. This ensures that the proposed development has a sympathetic relationship with the Ash Street residential precinct. The first floor is given to a commercial/residential use on Pine Tree Lane and residential use on the southern side once again. As previously outlined within the General Design Principles, the building has been stepped back to soften the impact of the bulk and scale of the building on the southern elevation allowing the recommended solar access to the adjoining site. Although larger than the buildings in the residential precinct, the mass of the building has been carefully stepped to acknowledge the height of the adjacent hotel whilst simultaneously dropping to the appropriate scale of the 2B residential zone. The building is in keeping with the recently approved developments in the precinct and allows for a more reasonable transition to the lofty heights of the hotel.

The built form of the development is broken down into definable elements of usage. The top floor of residential apartments sits back from the facade and is given to a lighter treatment, in accordance with the DCP guidelines, which also serves to reduce the impact of the building. The main entry to the building is located on Pine Tree Lane and is covered by a canopy to provide a moderately scaled entry feature. The stair and lift have been designed to provide a simple and efficient circulation system within the building. The building is capped by a sloping roof providing a strong architectural statement. The corners of the building have been expressed to accentuate the perimeter of the building. The corner areas have been cantilevered over the pavement as recommended by the Terrigal Town Centre DCP to provide attractive areas for alfresco dining. The residential portion of the proposal has been set back from the Ash Street boundary to maintain the current streetscape and domestic identity. The southern extremity has been setback to allow an area for deep root planting adjacent to the existing residential development. The western side of the building, which overlooks the bowling greens, has been built to the boundary and a hardwood

Architectural Design Statement

Ash Street & Pine Tree Lane, Terrigal

deck is proposed to cover the unsightly stormwater culvert. Public access to this deck will provide a much needed interaction between the current bowling greens and the surrounding community.

Natural ventilation has been provided to the residential units allowing sea breezes to cool the units and lessen the reliance on air conditioning. The building blocks have been formed in such a way as to have minimal impact on the privacy of the surrounding neighbours. All living spaces have been orientated in a northerly direction capitalising on the solar access and sea views. The south eastern corner of the site has been landscaped to provide a private open space for the residential occupants and is in keeping with the front landscaped strip of the adjacent residential precinct. The buildings have been designed to maximise the use of solar design principles. The buildings host balconies which make the most of the location of the sun with respect to living areas.

It is proposed to provide landscaping around the perimeter of the site in order to soften the development. Large private landscaped areas are provided on the eastern side of the building with a two meter strip on the southern side to form a buffer between the development and the adjoining residential 2B property. It is also proposed to plant Tuckeroos on the pavement to provide shade and a natural amenity for the community.

The floor layouts have been designed to take maximum advantage of sunlight, vistas and prevailing breezes. All units have the use of large private outdoor decks. The first floor level has areas allocated for alfresco dining. Access for the disabled has been considered with the incorporation of a lift and the use of ramps where practicable. All units have been designed to provide a high level of residential amenity whilst the mixed use components will ensure after business hours activity providing greater opportunities for surveillance of the premises increasing security profile of the area, thus addressing some of the current concerns of the Terrigal Chamber of Commerce.

Each entry can be secured including the communal car parking area.

The proposed development is ideally located to serve a residential function combined with a retail/commercial function. Its location, close to shops, parking and transport facilities make the proposal attractive to both uses. The symbiotic relationship between functions will ensure a vibrant development which significantly contributes to the general amenity of the town.

3.0 Conclusion

We consider the development to be a very desirable addition to the Town Centre, taking best advantage of a great opportunity that this landmark site presents, to proactively add to the urban fabric. We are convinced that our proposal will provide a solid boost to the town planning framework formulated within the new Terrigal Town Centre DCP and LEP. Our proposal has carefully incorporated the planning guidelines to create a building worthy the prominence of the site, whilst being respectful to the human scale and existing character of Terrigal.

**APPENDIX D: TRAFFIC IMPACT STUDY (NORTHERN TRANSPORT
PLANNING AND ENGINEERING PTY LTD, JANUARY 2005).**

Doug Sneddon Planning

**Proposed Retail/Residential
Development – Ash Street,
Terrigal**

Traffic Impact Study

Prepared by

Northern Transport Planning and Engineering Pty Ltd

A.B.N. 79 056 088 629

January, 2005

04613

1. INTRODUCTION

This report deals with the traffic impact of the proposed retail/residential development on the corner of Ash Street and Pine Tree Lane, Terrigal.

The proposed development will provide 281 square metres of commercial floor space, 222 square metres retail floor space and 6 three bedroom residential units.

The re-development will also include 18 off-street car parks, with access to these parking spaces via a single driveway off Ash Street.

2. EXISTING TRAFFIC

Intersection Counts

Surveys of existing vehicle movements at the intersection of Ash Street and Pine Tree Lane were carried out on Tuesday 14th May (PM Peak 3.30pm – 5.30pm) and Wednesday 15th May (AM Peak 7am – 9:00am).

A summary of the results of these surveys is presented in Figure 2-1, and 2-2 below (full report attached as Appendix A):

Figure 2-1: Ash Street / Pine Tree Lane – Existing AM Peak Hour Counts

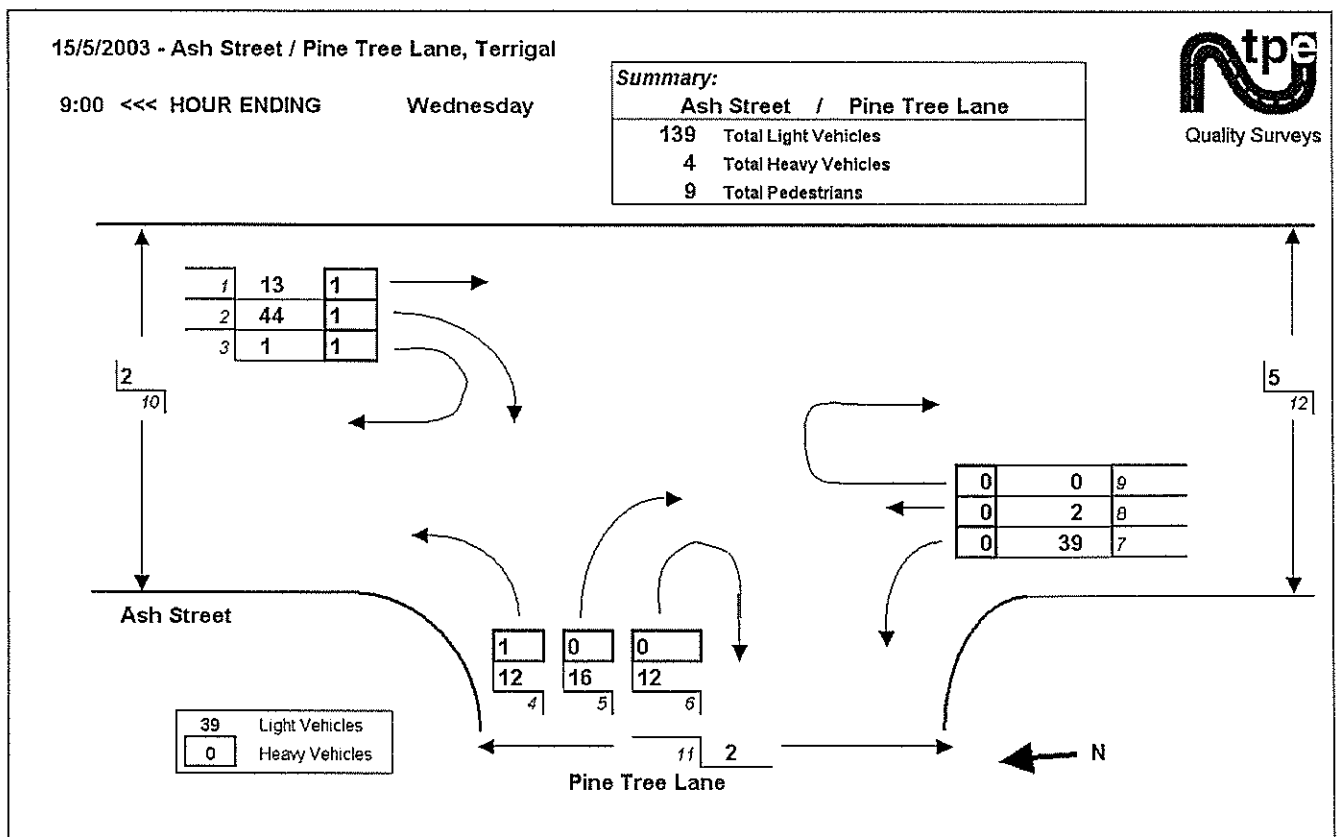
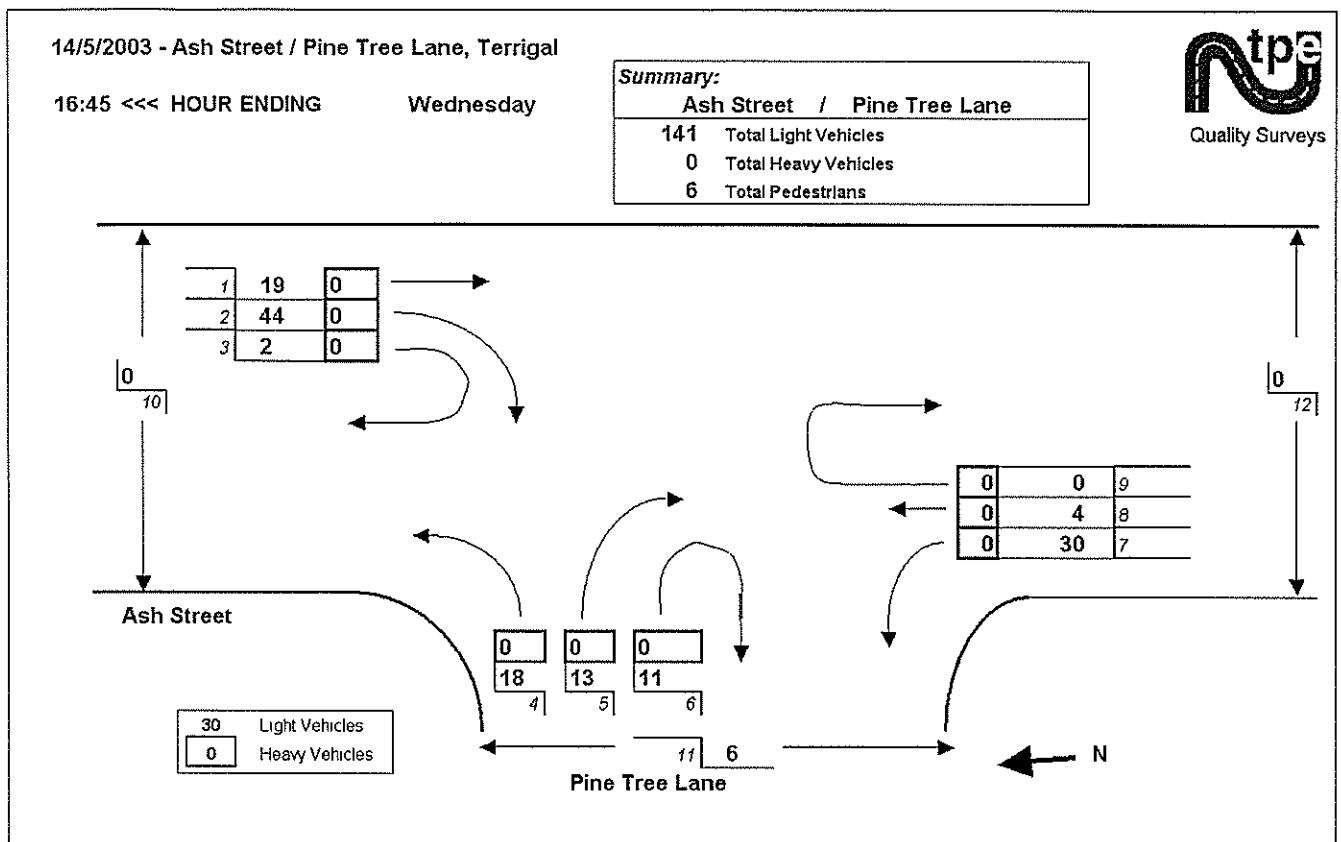


Figure 2-2: Ash Street / Pine Tree Lane – Existing PM Peak Hour Counts



Automatic vehicle Count

Automatic vehicle counts were carried out in Ash Street south of Pine Tree Lane, Terrigal.

Below is a summary of the key results of this survey (a full report is attached as Appendix A):

		AM Peak Hr	PM Peak Hr	Daily
Ash St South of Pine Tree Lane	Northbound	34	31	377
	Southbound	22	36	350

Design Peak Hour

From RTA Guide to Traffic Generating Developments, both the peak hour of the proposed site and the adjacent road network need to be considered.

The survey of existing traffic flows shows that the PM Peak Hour and AM Peak Hour intersection flows are similar.

It is therefore proposed that the following design hour be used to assess the proposed re-development:

Design Hours	AM	15:45- 16:45 pm
	PM	8:00 – 9:00 am

3. ACCESS DRIVEWAYS

Access to the off-street parking area will be via a 3 metre wide driveway off Ash Street.

This driveway will be located approximately 25 metres south of the intersection of Ash Street and Pine Tree Lane. All turning movements will be permitted.

From the RTA Guidelines for Traffic Generating Developments, each driveway access must be assessed separately, based on the number of parking spaces serviced by each access in accordance with the following guidelines. Tables 3-1 and 3-2 show the relevant tables concerning driveway type, width and separation requirements presented in the RTA Guidelines for Traffic Generating Developments.

Table 3-1: Driveway Types (RTA Guidelines for Traffic Generating Developments)

SELECTION OF RECOMMENDED DRIVEWAY TYPE – LIGHT VEHICLES								
LAND USE GENERATION CATEGORY	ROAD FRONTAGE TYPE	NUMBER OF PARKING SPACES						
		0-10	11-25	26-50	51-200	201-300	301-500	Over 500
Low	Major	1-2	2	2	3	3-4	4 or 7	7
	Minor	1	1	1	2	2-3	3-4	4
Medium	Major	2	2	2	3	3-4	7	7
	Minor	1	1	2	2-3	3	4	4
High	Major	2	2	3	3	3-4	7	7
	Minor	1	1	2	3	3	4	4

Table 3-2: Driveway Dimensions (RTA Guidelines for Traffic Generating Developments)

RECOMMENDED DRIVEWAY TYPES					
Type	Entry Width (m)	Exit Width (m)	Minimum Separation of Driveways (m)	Splay at Kerbline (m)	Kerb Return Turnout Radius (m)
1	3-6	Combined	NA	0.5	-
2	6-9	Combined	NA	1	-
3	6	4-6	1-3	1	2-9
4	6-8	6-8	1-3	1	2-9
5	8-10	8-10	3	1	2-9
6	10-12	10-12	3	1	2-9
7	Direct feed from a controlled intersection via a dedicated public roadway				

From Table 3.1 it is considered that the proposed driveways be classed as **Type 1** based on the proposed development being assessed as a **Low** Trip Generating Land Use Category providing **18** parking spaces and with **minor traffic flows** on the Ash Street road frontage.

Therefore, the proposed combined 3 metre wide driveway conforms with requirements set out in Table 3.2.

However, mirrors will be required at both ends of the ramp to allow drivers to negotiate the driveway without causing unnecessary obstructions.

4. PARKING

Parking Requirements for Proposed Development

The Gosford City Council Development Control Plan No.111 has been used to assess the parking requirements for the proposed development as detailed in Table 4-2 below:

Table 4-1: Parking Requirements for Proposed Re-Development (From G.C.C. D.C.P. No.111)

Land Use	Parking Rate		Parking	
			Required	Provided
Commercial	281 sqm	1 space per 40 m ² NFA	8	4
Retail	222 sqm	1 space per 30 m ² NFA	8	3
Residential Units	6	1.5 spaces / dwelling	9	9
Visitor		0.2 spaces / dwelling for visitors	2	2
Total			27	18

Discussion

A total of 18 parking spaces will be provided to service the proposed development, which is 9 less than the requirements set by Gosford City Council's DCP No. 111.

The proposed development satisfies the minimum requirements of DCP 55 for one space per dwelling and business tenancy (9 spaces). Consistent with DCP 55 a monetary contribution would be paid to the Council as set by the adopted contributions plan for the Terrigal Town Centre to accommodate the shortfall in the Council's proposed nearby public facility.

Accordingly, it is considered that the parking provision for the proposed development will be adequate.

5. SIGHT DISTANCE

Intersection Sight Distance

Intersection sight distance requirements are specified in Australian Standard AS 2890.1 – 1993. These requirements are detailed in Table 6-1 below:

Table 5-1: Sight Distance Requirements from AS 2890.1 - 1993

Frontage Road Speed Km/h	Distance Along Frontage Road (Urban), (Metres)	
	Desirable	Minimum
<45	60	30
45-54	80	40
55-64	105	55
65-74	130	70
75-85	165	95
>85	200	115

Sight distance either side of the Ash Street accesses exceeds 50 metres, which is adequate for the 50 kph speed control in Ash Street.

Pedestrian Sight Distance

From AS 2890.1 – 1993, there must be adequate visibility between vehicles and pedestrians at the exit point from the site, as shown in Figure 6-1.

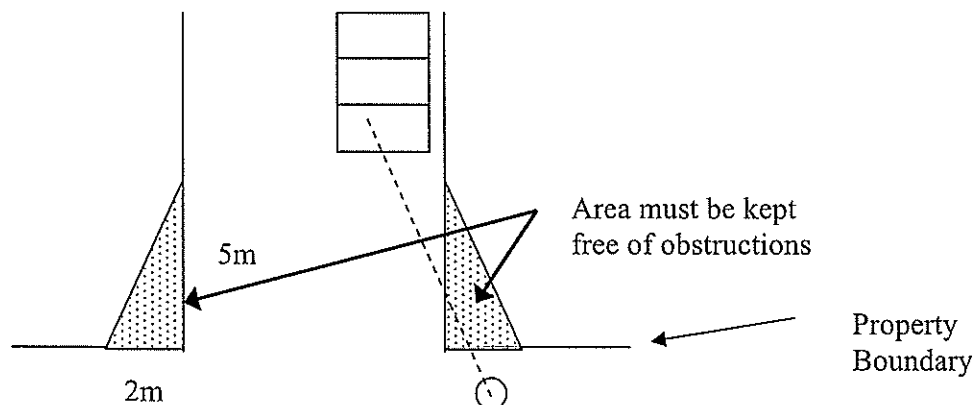


Figure 5-1: Pedestrian Sight Distance

The proposed curved building line will insure that these minimum requirements are satisfied.

6. TRIP GENERATION AND DISTRIBUTION

RTA Guide to Traffic Generating Developments recommends that the peak hour trip generation for a medium density residential unit development should be 0.5 to 0.65 trips per unit, for units with three bedrooms. Additionally, the RTA Guide suggests that the evening peak hour trip generation for site should be based on 2 trips per 100 square metres gross retail floor area. This results in approximately 14 trips occurring in the morning and evening peak hour from the proposed redevelopment.

The provision for 9 off-site parking spaces relating to the proposed retail activities will in effect reduce the number of trips generated by the site. This assessment is therefore, considered to be conservative.

The predicted trip generation for the proposed development is presented in Figure 6 – 1 below:

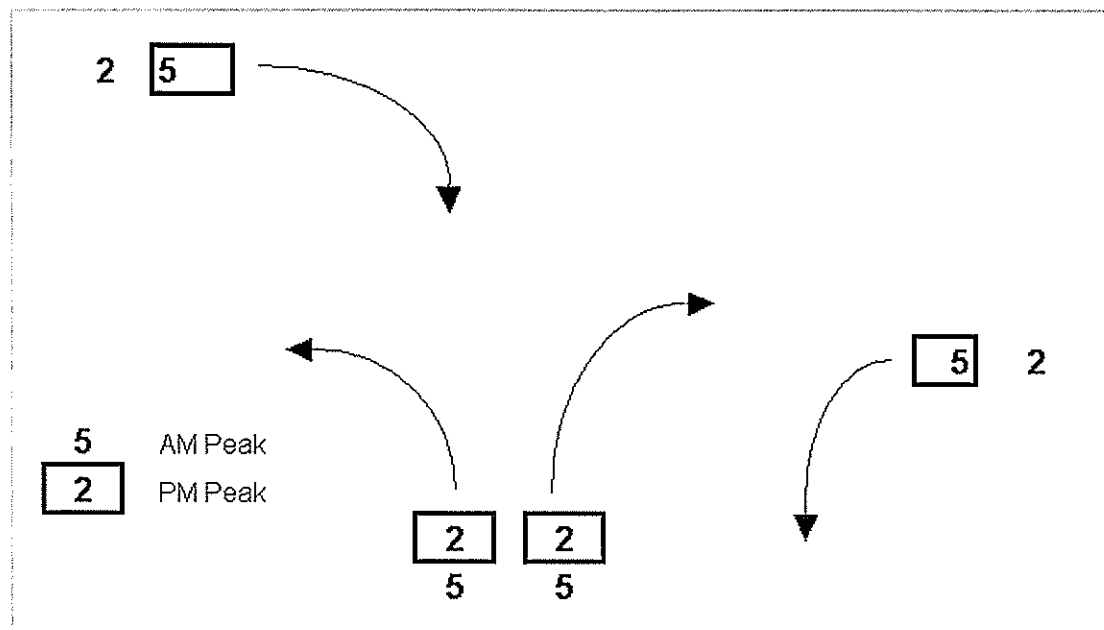


Figure 6-1: Predicted Trip Generation and Distribution

Discussion

These traffic flows will have a negligible impact on the existing traffic flows in Ash Street.

7. ASH STREET / PINE TREE LANE – PREDICTED TRAFFIC FLOWS

The predicted traffic flows for the intersection of Ash Street and Pine Tree Lane with the proposed development would be as shown in Figure 8-1 and 8-2 below:

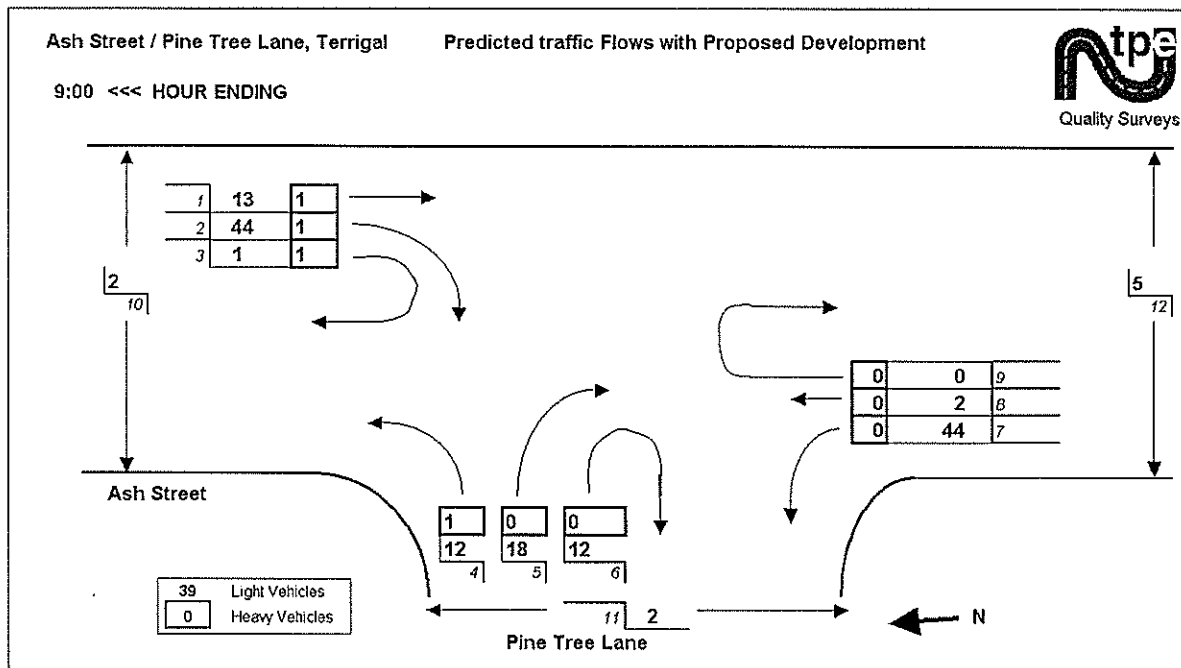


Figure 7-1: Ash Street / Pine Tree Lane - Predicted Traffic Flows 2003 - AM Peak Hour

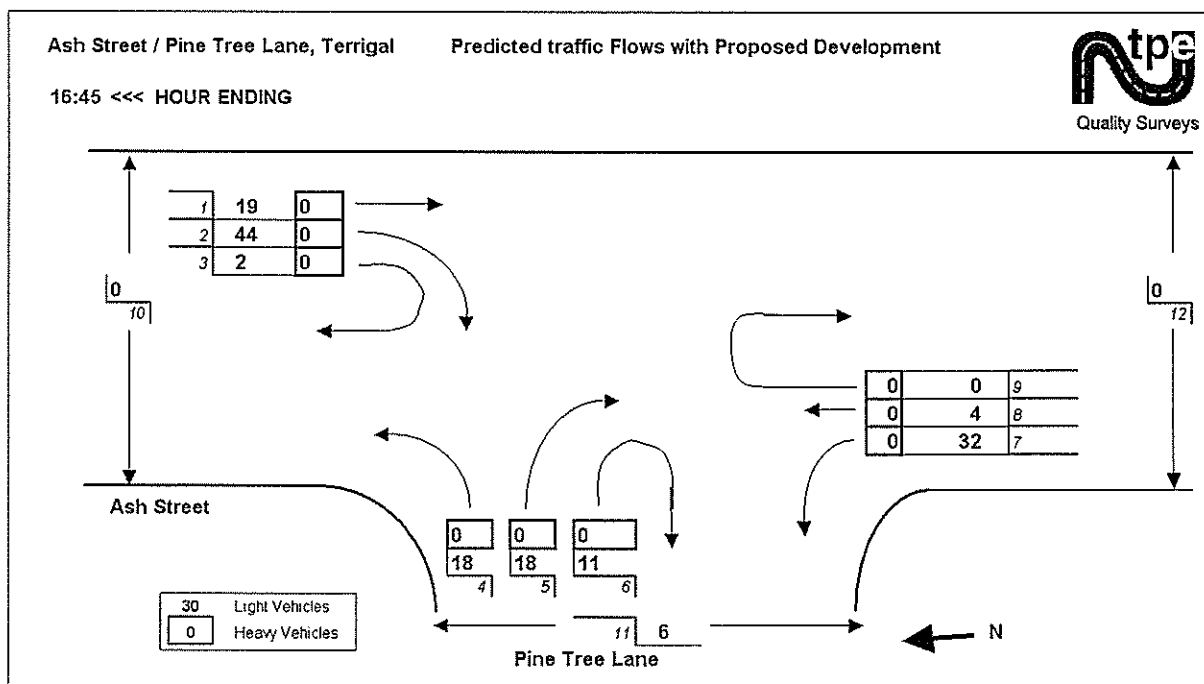


Figure 7-2: Ash Street / Pine Tree Lane - Predicted Traffic Flows 2003 – PM Peak Hour

A 2% growth rate was used to estimate the traffic flows for the intersection of Ash Street and Pine Tree Lane during the AM and PM peak periods with the development in place. The volumes are shown below in Figure 7-3 and 7-4.

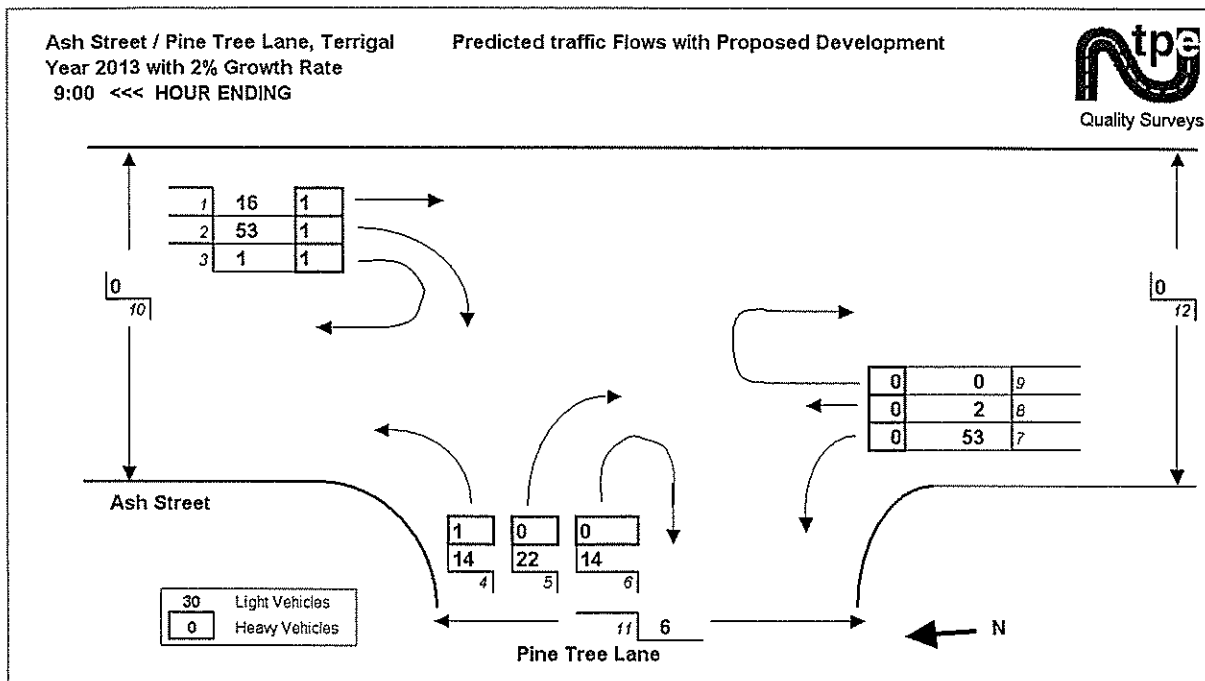


Figure 7-3: Ash Street / Pine Tree Lane - Predicted Traffic Flows 2013 - AM Peak Hour

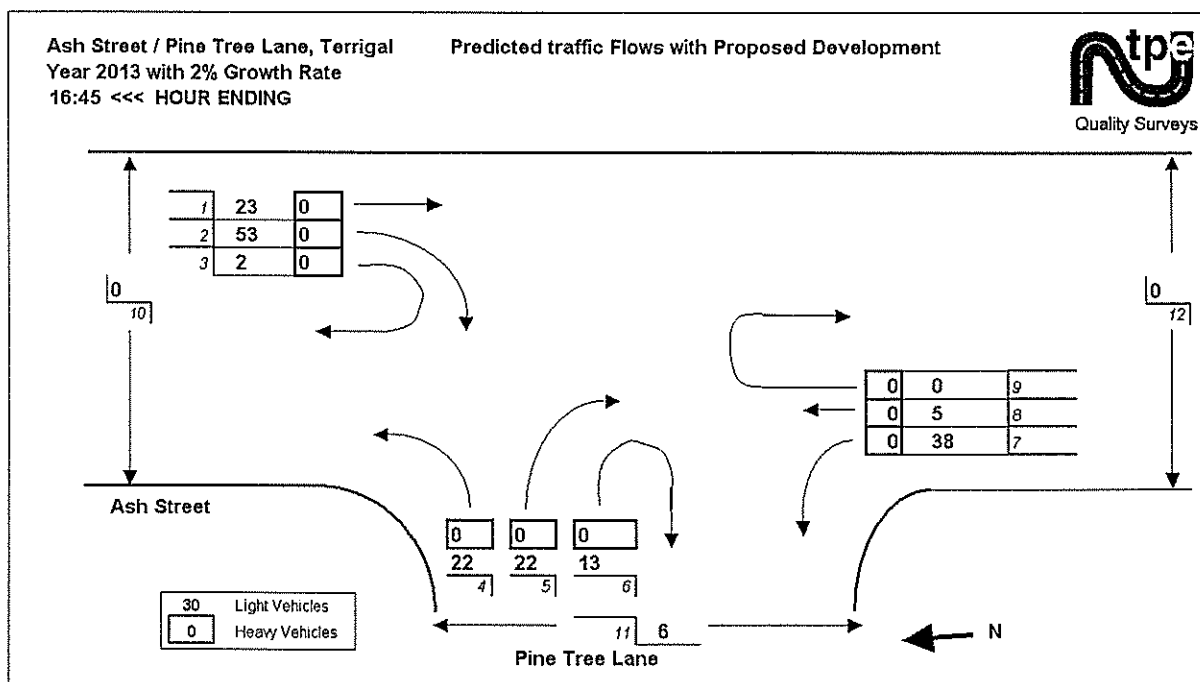


Figure 7-4: Ash Street / Pine Tree Lane - Predicted Traffic Flows 2013 - PM Peak Hour

8. SIDRA ANALYSIS PREDICTED YEAR 2012 TRAFFIC

SIDRA has been used to assess the performance of the intersection of Ash Street and Pine Tree Lane during the Design Peak Hours for 2003 and 2013. A growth rate of 2% was used to determine the volumes at the intersection for year 2013.

The diagram of the intersection as represented by SIDRA is shown below in Figure 8-1.

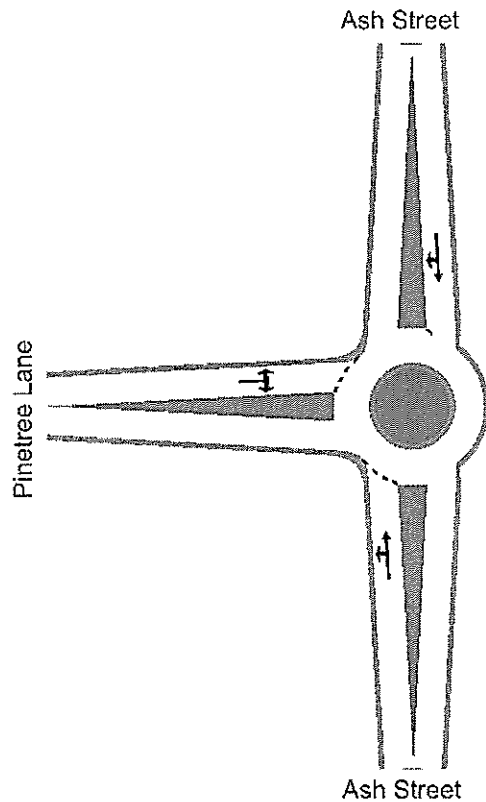


Figure 8-1: Intersection Diagram of Ash Street/Pine Tree Lane from SIDRA

The results of this analysis are summarised in Tables 8-1 to 8-4.

Table 8-1: SIDRA Analysis – AM Peak Hour Year 2003

AM Peak	Turn	Dem Flow	Cap	Deg of Satn	Aver Delay	Level of	95%
2003		(veh/h)	(veh/h)	(v/c)	(sec)	Service	Back of Queue
							(m)
Ash Street	Left	44	1259	0.037	6.9	LOS A	2
Southern Approach	Through	2	1259	0.037	6.9	LOS A	2
Ash Street	Through	14	1586	0.038	9.6	LOS A	2
Northern Approach	Right	47	1586	0.038	9.6	LOS A	2
Pine Tree Lane	Left	13	1966	0.022	9.8	LOS A	1
Western Approach	Right	30	1966	0.022	9.8	LOS A	1
All Vehicles		150	4812	0.038	8.8	LOS A	2

Table 8-2: SIDRA Analysis – PM Peak Hour Year 2003

PM Peak	Turn	Dem Flow	Cap	Deg of Satn	Aver Delay	Level of	95%
2003		(veh/h)	(veh/h)	(v/c)	(sec)	Service	Back of
							Queue
							(m)
Ash Street	Left	32	1235	0.029	6.8	LOS A	1
Southern Approach	Through	4	1235	0.029	6.8	LOS A	1
Ash Street	Through	19	1657	0.039	9.1	LOS A	2
Northern Approach	Right	46	1657	0.039	9.1	LOS A	2
Pine Tree Lane	Left	18	1976	0.024	9.4	LOS A	1
Western Approach	Right	29	1976	0.024	9.4	LOS A	1
All Vehicles		148	4868	0.039	8.6	LOS A	2

Table 8-3: SIDRA Analysis – AM Peak Hour Year 2013

AM Peak	Turn	Dem Flow	Cap	Deg of Satn	Aver Delay	Level of	95%
2013		(veh/h)	(veh/h)	(v/c)	(sec)	Service	Back of
							Queue
							(m)
Ash Street	Left	53	1246	0.044	6.9	LOS A	2
Southern Approach	Through	2	1246	0.044	6.9	LOS A	2
Ash Street	Through	17	1578	0.046	9.5	LOS A	2
Northern Approach	Right	56	1578	0.046	9.5	LOS A	2
Pine Tree Lane	Left	15	1972	0.026	9.9	LOS A	1
Western Approach	Right	36	1972	0.026	9.9	LOS A	1
All Vehicles		179	4796	0.046	8.8	LOS A	2

Table 8-4: SIDRA Analysis – PM Peak Hour Year 2013

PM Peak	Turn	Dem Flow	Cap	Deg of Satn	Aver Delay	Level of	95%
2003		(veh/h)	(veh/h)	(v/c)	(sec)	Service	Back of
							Queue
							(m)
Ash Street	Left	38	1221	0.035	6.8	LOS A	1
Southern Approach	Through	5	1221	0.035	6.8	LOS A	1
Ash Street	Through	23	1641	0.048	9.1	LOS A	2
Northern Approach	Right	55	1641	0.048	9.1	LOS A	2
Pine Tree Lane	Left	22	1971	0.029	9.4	LOS A	1
Western Approach	Right	35	1971	0.029	9.4	LOS A	1
All Vehicles		178	4833	0.048	8.6	LOS A	2

Discussion

The analysis of the predicted year 2012 traffic flows indicate that the overall performance of the intersection of Ash Street and Pine Tree Lane is satisfactory with the intersection performing at Level of Service A. The queue length for Ash Street was calculated by SIDRA to be 2 metres during the peak hour.

9. DISCUSSION

Parking and access arrangements for the proposed development meet the requirements set by both Council and the RTA.

10. RECOMMENDATION

Based on this assessment of predicted traffic impacts it is recommended that the proposed development be approved.

Appendix A

Existing Turning Movements

Ash Street and Pine Tree Lane

Automatic Vehicle Count

Ash Street south of Pine Tree Lane

15/5/2003 - Ash Street / Pine Tree Lane, Terrigal

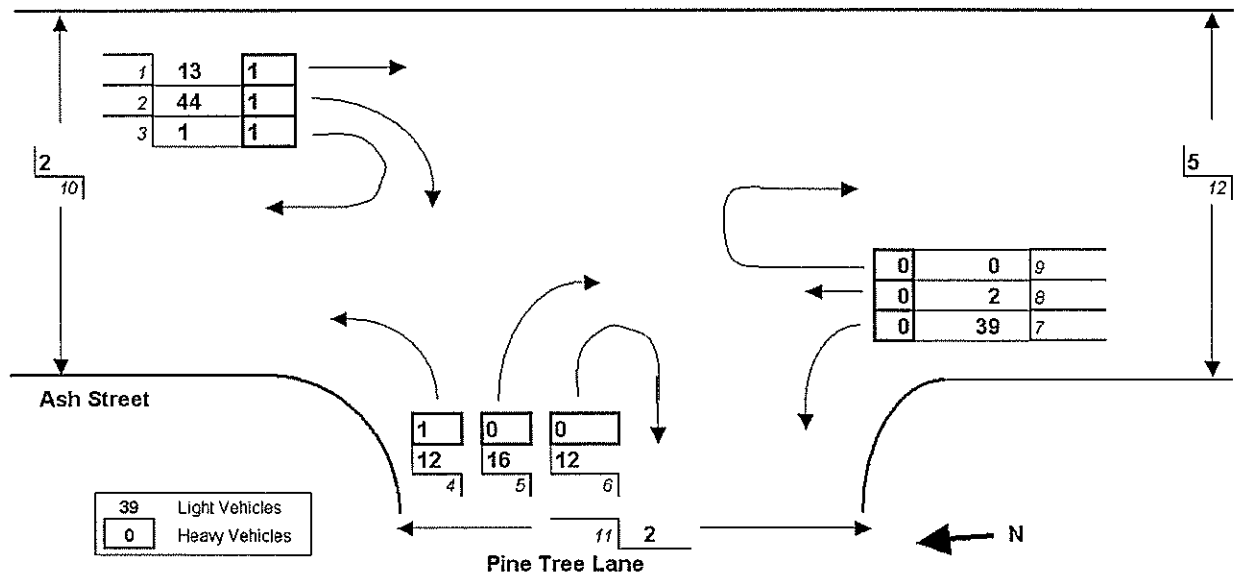
9:00 <<< HOUR ENDING

Wednesday

Summary:

Ash Street / Pine Tree Lane

139 Total Light Vehicles
4 Total Heavy Vehicles
9 Total Pedestrians



15/5/2003 - Ash Street / Pine Tree Lane, Terrigal

Light Vehicles

	1	2	3	4	5	6	7	8	9	10	11	12	Total Vehicles 15 MIN HOUR
07:15	1	1	1	0	2	2	2	0	0	0	2	0	9
07:30	2	5	0	2	2	1	0	0	0	1	0	0	12
07:45	5	5	0	0	2	1	5	0	0	0	1	1	18
08:00	0	7	2 <	4	3	1	5	0	0	0	0 <	3	22 61
08:15	1	6	1 <	3	2	1	9	0	0	0	1	0	23 75
08:30	7 <	8	0 <	4	3	3	8	1	0	0	1 <	4 <	34 97
08:45	1	16	0 <	2 <	2	1	13	0	0	0	0	1 <	35 114
09:00	4 <	14 <	0	3	9 <	7 <	9 <	1 <	0	2 <	0	0	47 139 <

Heavy Vehicles

	1	2	3	4	5	6	7	8	9	Total Vehicles 15 MIN HOUR
07:15	0	0	0	1	0	0	1	0	0	2
07:30	0	0	0	0	0	0	0	0	0	0
07:45	0	0	0	1	0	0	0	0	0	1
08:00	0	1 <	0	0 <	0	0	0 <	0	0	1 4 <
08:15	0	0 <	0	1 <	0	0	0	0	0	1 3
08:30	1 <	0 <	0	0 <	0	0	0	0	0	1 4 <
08:45	0 <	0 <	0	0	0	0	0	0	0	0 3
09:00	0 <	1 <	1 <	0	0	0	0	0	0	2 4 <

All Vehicles

	1	2	3	4	5	6	7	8	9	10	11	12	Total Vehicles 15 MIN HOUR
07:15	1	1	1	1	2	2	3	0	0	0	2	0	11
07:30	2	5	0	2	2	1	0	0	0	1	0	0	12
07:45	5	5	0	1	2	1	5	0	0	0	1	1	19
08:00	0	8	2 <	4	3	1	5	0	0	0	0 <	3	23 65
08:15	1	6	1 <	4	2	1	9	0	0	0	1	0	24 78
08:30	8 <	8	0 <	4	3	3	8	1	0	0	1 <	4 <	35 101
08:45	1	16	0 <	2 <	2	1	13	0	0	0	0	1 <	35 117
09:00	4 <	15 <	1	3	9 <	7 <	9 <	1 <	0	2 <	0	0	49 143 <

Note : Arrows "<" indicate the end time for the peak hour for each turning movement.

14/5/2003 - Ash Street / Pine Tree Lane, Terrigal

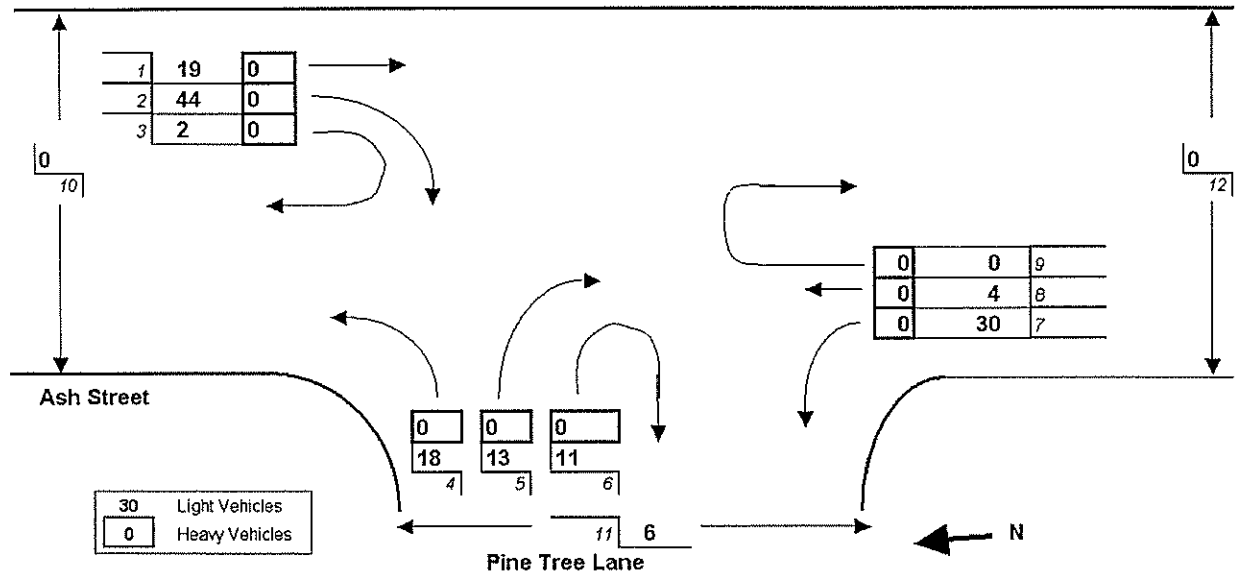
16:45 <<< HOUR ENDING

Wednesday

Summary:

Ash Street / Pine Tree Lane

141 Total Light Vehicles
0 Total Heavy Vehicles
6 Total Pedestrians



14/5/2003 - Ash Street / Pine Tree Lane, Terrigal

Light Vehicles													Total Vehicles	
	1	2	3	4	5	6	7	8	9	10	11	12	15 MIN HOUR	
15:45	5	9	0	3	2	2	7	1	0	0	4	0	29	
16:00	8	12	0	4	2	2	11	2	0	0	0	0	41	
16:15	2	9	1	6	0	1	3	0	0	0	2	0	22	
16:30	6	17 <	1 <	4	6	4	7	2 <	0	0	3 <	0	47	139
16:45	3	6	0 <	4 <	5	4 <	9 <	0	0	0	1	0	31	141 <
17:00	11	6	0 <	2	2	0	3	0	0	0	0	0	24	124
17:15	10 <	4	0	1	4 <	1	9	0	0	0	1	0	29	131
17:30	5	1	0	2	2	1	2	1	0	0	0	0	14	98

Heavy Vehicles										Total Vehicles	
	1	2	3	4	5	6	7	8	9	15 MIN HOUR	
15:45	0	0	0	0	0	0	1	0	0	1	
16:00	0	0	0	0	0	0	0	0	0	0	
16:15	0	0	0	0	0	0	0	0	0	0	
16:30	0	0	0	0	0	0	0 <	0	0	0	1 <
16:45	0	0	0	0	0	0	0	0	0	0	0
17:00	0	0	0	0	0	0	0	0	0	0	0
17:15	0	0	0	0	0	0	0	0	0	0	0
17:30	0	0	0	0	0	0	0	0	0	0	0

	All Vehicles												Total Vehicles	
	1	2	3	4	5	6	7	8	9	10	11	12	15 MIN HOUR	
15:45	5	9	0	3	2	2	8	1	0	0	4	0	30	
16:00	8	12	0	4	2	2	11	2	0	0	0	0	41	
16:15	2	9	1	6	0	1	3	0	0	0	2	0	22	
16:30	6	17 <	1 <	4	6	4	7	2 <	0	0	3 <	0	47 140	
16:45	3	6	0 <	4 <	5	4 <	9 <	0	0	0	1	0	31 141 <	
17:00	11	6	0 <	2	2	0	3	0	0	0	0	0	24 124	
17:15	10 <	4	0	1	4 <	1	9	0	0	0	1	0	29 131	
17:30	5	1	0	2	2	1	2	1	0	0	0	0	14 98	

Note : Arrows "<" indicate the end time for the peak hour for each turning movement

Ash Street South of Pine Tree Lane, Terrigal Northbound

Day Time	Wed 7-May	Thu 8-May	Fri 9-May	Sat 10-May	Sun 11-May	Mon 12-May	Tue 13-May	Wed 14-May	W/Day Ave.	Ave.
0:00		2	4	9	9	1	1	1	2	4
1:00		1	0	6	3	2	1	0	1	2
2:00		2	0	5	5	1	0	0	1	2
3:00		2	1	4	6	0	0	0	1	2
4:00		2	4	3	2	1	3	1	2	2
5:00		6	10	3	1	5	5	7	7	5
6:00		12	21	7	9	12	22	20	17	15
7:00		17	26	15	15	25	20	31	24	21
8:00		35	24	22	16	34	34	41	34	29
9:00		24	29	27	30	22	35	23	27	27
10:00		21	26	21	26	23	28	22	24	24
11:00		24	24	24	29	26	18	23	23	24
12:00		26	19	30	44	24	22	23	23	27
13:00		20	22	18	40	23	29	22	23	25
14:00		33	27	25	36	28	23	21	26	28
15:00		40	20	29	50	28	36	32	31	34
16:00		41	23	40	38	21	31		29	32
17:00	19	23	27	40	30	22	21		22	26
18:00	13	18	26	21	14	17	13		17	17
19:00	11	12	18	20	8	9	9		12	12
20:00	8	8	14	13	8	8	7		9	9
21:00	9	10	8	15	1	6	3		7	7
22:00	6	5	19	22	7	7	8		9	11
23:00	5	8	14	22	1	7	1		7	8
Total	71	392	406	441	428	352	370	267	377	394

Ash Street South of Pine Tree Lane, Terrigal Southbound

Day Time	Wed 7-May	Thu 8-May	Fri 9-May	Sat 10-May	Sun 11-May	Mon 12-May	Tue 13-May	Wed 14-May	W/Day Ave.	Ave.
0:00		2	6	6	9	3	1	1	3	4
1:00		0	2	1	7	1	0	1	1	2
2:00		3	0	3	5	1	0	1	1	2
3:00		0	2	2	4	0	0	0	0	1
4:00		1	1	1	1	1	1	0	1	1
5:00		0	2	3	2	1	0	3	1	2
6:00		17	18	10	4	9	14	12	14	12
7:00		9	11	16	10	9	10	9	10	11
8:00		14	16	14	23	18	12	17	15	16
9:00		18	22	20	26	28	15	29	22	23
10:00		22	21	31	21	19	19	22	21	22
11:00		19	25	30	41	13	23	17	19	24
12:00		27	23	34	69	34	17	22	25	32
13:00		28	26	36	60	22	28	23	25	32
14:00		21	19	30	42	26	13	20	20	24
15:00		31	22	28	22	20	20	28	24	24
16:00		33	27	32	27	30	24		29	29
17:00	30	41	35	33	28	38	35		36	34
18:00	29	28	27	22	14	17	23		25	23
19:00	21	20	17	37	13	18	24		20	21
20:00	11	17	21	18	14	13	12		15	15
21:00	9	12	13	16	4	9	12		11	11
22:00	12	2	12	23	5	5	3		7	9
23:00	7	5	10	26	4	6	1		6	8
Total	119	370	378	472	455	341	307	205	350	382