

7.0 ZONING AND DEVELOPMENT CONTROLS

7.1 FUTURE LAND USE PLANNING

- Allow a range of opportunities for retail, commercial, community and residential uses in appropriate locations.
- Ensure that land uses support the vision for the desired future character of Budgewoi, including appropriate and accessible community facilities.
- Encourage café and dining uses around the waterside street space in the East Village Centre and the Tenth Avenue retail frontage in the West Village Centre.
- Support active ground floor uses in the East and West Village Centres.
- Particularly in the West Village Centre, encourage residential or commercial uses above ground floor level in new development up to 3 stories in height.
- Extend the R1 residential zone proposed under Council's Draft LEP 2012 from the West Village Centre to Budgewoi Creek between Scenic Drive and Tenth Avenue / Michael Street / Natuna Avenue. The primary purpose of this proposal is to encourage somewhat greater intensity of residential development along Tenth Avenue, which will provide a greater degree of visual surveillance and activity for the Village Link. (Refer to Figure 7.1.1).



Figure 7.1.1 Proposed extension of R1 Residential zone

7.2 FUTURE BUILT FORM

(Refer to Figure's 7.1.2 and 7.1.3).

The urban design principles which have been developed as part of this Masterplan process include both the public and private domains, and build on the opportunities to enhance Budgewoi's character, structure and assets.

Looking to the future management of development in Budgewoi, two draft documents are of particular relevance:

- Draft Wyong LEP 2012; and
- Draft Wyong DCP 2012.

For the proposed residential and business zones in the Study Area (See Figure 3.2.1), the Draft LEP does not specify maximum Floor Space Ratios or Heights. Detailed controls are proposed in Draft Wyong DCP 2012. A detailed review has been undertaken of Chapter 2.1: Dwelling Houses and Ancillary Structures; Chapter 2.3: Dual Occupancy Development; and Chapter 2.4: Multiple Dwelling Residential Development. This review suggests that no additional or modified controls are necessary for the R1 and R2 residential zones to satisfy the urban design principles in this Masterplan.

Draft Wyong DCP 2012 contains specific controls for a number of retail centres in Wyong Shire, but these do not include Budgewoi.

Chapter 5.1 Retail Centres defines Budgewoi as a "Local Centre" and Council's proposed zones in Draft LEP 2012 are B1 Neighbourhood Centre for the East Village Centre and B2 Local Centre for the West Village Centre.

A new retail strategy has been adopted by Council on the 13th November, 2013, and will remove the restrictive floor space and timing restrictions from DCP Chapter 5.1.

Section 11.0 Design Guidelines has largely qualitative provisions relating to Streetscape, Architectural Character, Public Amenity, Car Parking and Servicing.

In order to support and complement the Public Domain Plan in this Masterplan, the following additional controls are proposed for the Business Zones as a basis for new provisions to be inserted into a Draft DCP.

7.2.1 Site Amalgamation

Ensure that amalgamations can occur so that new developments including shoptop housing can be at a sufficient size to allow feasible design for on-site parking and residential plan layouts. No upper limit on the size of amalgamated lots is proposed -- the treatment of street scale proposed below will ensure that new developments of overwhelming scale do not occur.

7.2.2 Design of Mixed Use Developments

- Provide flexible layouts to enable a variety of uses and tenancies.
- Ensure minimum floor to ceiling heights of 3.3m for the ground floor and 2.7m for the floors above.
- Avoid blank walls to front and rear and along through block connections.
- Clearly distinguish residential entries from retail and commercial entries.
- Achieve acoustic privacy by separating uses where possible and buffering service areas (garbage and loading bays) from residential spaces.

7.2.3 Street Address

Active Frontages

- Encourage active uses which will enliven the street and discourage non-active uses (e.g. office space, professional suites (these should be on upper levels)).
- Provide entries to ground floor uses directly off the street.
- Ensure a minimum of 75% of the ground floor street wall is glazed.
- Provide awnings above ground floor extending full width of the lot.
- Require shop fronts to "turn the corner" into through block connections by providing glazing for at least the first 6.0m into the connection.
- To encourage café/dining uses, provide openable window areas to street.

Building Entries

- Provide ground floor retail entries no more than 10.0m apart.

Republic Lane

- Allow only a single vehicular entry point maximum 6.0m wide and pedestrian entry point maximum 2.0m wide for each lot.
- Provide a planting strip 2.0m wide along the lane boundary, except at the vehicular and any pedestrian entry points and plant hardy tree specimens at close centres.
- As far as possible, screen loading docks and garbage areas to minimise their visibility from the lane.

- Allow only shade structures adjoining the lane boundary. As below, require all buildings to be setback a minimum of 6.0m from the lane boundary.

7.2.4 Building Massing

Front Setbacks

- For ground and first floor levels, not less than 80% of the front building line shall be located on the street boundary. The remainder of the front building line, if any, shall be setback from the street boundary no more than 2.0m.
- For second floor level, the front (street) wall shall be set back a minimum of 4.0m.

Side Setbacks

- No side setback required for ground and first floor levels.
- For second floor level, minimum 3.0m side setback.

Rear Setbacks

- Minimum 6.0m rear setback.

Building Depth, Length and Separation

- For first floor level, maximum building depth of 18.0m glass line to glass line.
- For second floor level, maximum building depth of 14.0m glass line to glass line, and 20.0m overall.
- For second floor level, maximum building length of 24m.
- The separation distances in the SEPP65 Residential Flat Design Code apply (except for side walls built to boundary).

7.2.5 Architectural Character

Relevant provisions of Council's DCP 2012 address design quality.

7.2.6 Amenity

Relevant provisions of Council's DCP 2012 address amenity.

7.2.7 Residential Component of Mixed-use Developments

In addition to the above controls, the residential component of a mixed-use development shall also comply with council's DCP 2012, Chapter 2.4 Multiple Dwelling Residential Development.