JOINT REGIONAL PLANNING PANEL
(Hunter Central Coast)

JRPP No	**2016HCC032**
DA Number	**1322/2015**
Local Government Area	**Central Coast Council**
Proposed Development	**Construction of 7 x 3 storey residential flat buildings containing a total of 115 units, under-croft and at grade car parking for 138 cars, internal road system, associated site works and strata subdivision**
Street Address	**7 Stratford Avenue, Charmhaven**
Applicant **Owner**	**The Lateral Thinking Group Pty Ltd** **Lake Haven Development Pty Ltd**
Number of Submissions	**70 submissions**
Recommendation	**Refusal**
Report by	**Ross Edwards. Senior Planner**

Applicant	The Lateral Thinking Group Pty Ltd
Owner	Lake Haven Development Pty Ltd
Application No	DA/1322/2015
Description of Land	Lot 2 DP 1054654 7 Stratford Avenue, Charmhaven
Proposed Development	7 x 3 storey residential flat buildings comprising 115 units and strata subdivision
Site Area	13,260m^2
Zoning	R1 General Residential
Existing Use	Vacant land
Employment Generating	18
Estimated Value	$22,935,309

LEGISLATIVE REQUIREMENTS:

Zoning	R1 – General Residential
Permissible under	Wyong Local Environmental Plan 2013
Relevant legislation	State Environmental Planning Policy 55 (SEPP 55) State Environmental Planning Policy 65 (SEPP 65) State Environmental Planning Policy (BASIX) 2004 Wyong Local Environmental Plan 2013 (WLEP 2013) Wyong Development Control Plan 2013 (WDCP 2013) Gorokan District s94 Contributions Plan (& Shire Wide s94 Contributions Plan).
Integrated development	Yes – NSW Mines Subsidence Board

VARIATIONS TO POLICIES

Clause	Section 2F – Building Separation
Standard	Minimum separation between habitable rooms and balconies – 12m
DCP	Section 2F – Residential Flat Design Guide
Departure basis	0.5m less than required (4.9% variation)

Clause	Section 3F – Visual privacy
Standard	Minimum separation distance between habitable rooms and balconies – 6m
DCP	Section 3F – Residential Flat Design Guide
Departure basis	1m less than required (18% variation)

Clause	Clause 3.1.2 – Building height
Standard	Maximum building height for a building on R1 zoned land is 2 storeys with a maximum 7m
DCP	2.4 – Multiple dwelling housing
Departure basis	3.89m above permissible DCP building height (55.6% variation)

Clause	Clause 4.3 – Building lines
Standard	3 storey buildings are required to be setback 6m from the boundary
DCP	2.4 – Multiple Dwelling Housing
Departure basis	1m less than required (18%variation)

Clause	Clause 5.1 – Floor space ratio
Standard	Maximum floor space ratio (FSR) for a building on land zoned R1 is 0.6:1
DCP	2.4 – Multiple dwelling housing
Departure basis	2,387m² more floor space than required (30% variation)

Clause	Clause 10.1.1 – Waste management
Standard	General requirements for waste management
DCP	2.4 – Multiple dwelling housing
Departure basis	Waste generated on site cannot be appropriately removed from site by service vehicles.

Standard	Site Waste Management
DCP	3.1 – Site Waste Management
Departure basis	Waste generated on site cannot be appropriately removed from site by service vehicles.

The proposed variations have been addressed within the report.

THE SITE AND SURROUNDING DEVELOPMENT

The subject site is commonly known as 7 Stratford Avenue, Charmhaven and is legally described as Lot 2 in DP 1054654 (see Figure 1).

The subject site is located on the eastern side of Stratford Avenue and the western side of Oak Road. The site has frontage of approximately 26m to Stratford Avenue and approximately 21m to Oak Road. The subject site has an overall site area of 1.326ha. Vehicle access to the site is from Oak Road as Stratford Avenue has not been constructed along the western side of the site.

The subject site is currently vacant and is cleared with a scattering of trees. The subject site slopes from the north-western corner to the south-eastern corner, with an approximate 9m fall across the site.

The surrounding properties are characterised by residential development (predominately single storey) to the north and east of the site. A health centre and aged facility (single storey) is located to the south of the site and a bulky goods centre is located to the west of the site.

***Figure 1**: Aerial photo showing the subject site and surrounding properties.*

The subject site is zoned R1 General Residential and adjoins land zoned R1 General Residential to the north and south of the site, R2 Low Density Residential to the east and B4 Mixed Use to the west (see Figure 2).

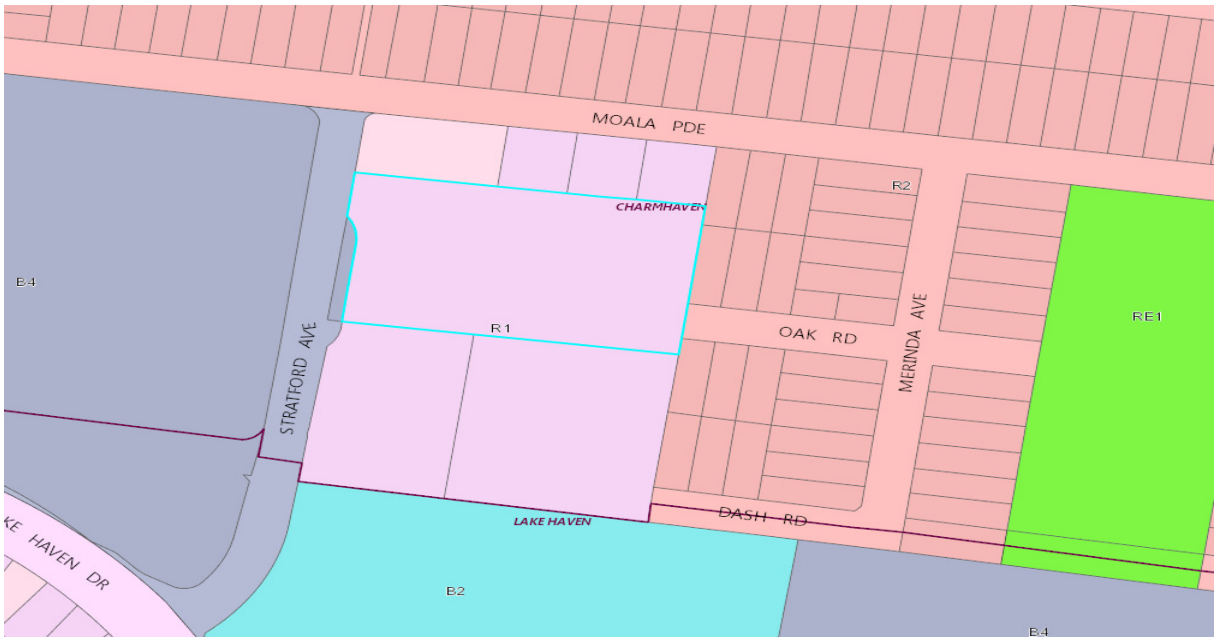


***Figure 2**: Wyong Local Environmental Plan 2013, subject site and surrounding properties.*

The Proposed Development

The application proposes the removal of the existing vegetation from the site and from the unformed portion of Stratford Avenue. It also proposes the construction of 7 x 3 storey

residential flat buildings containing a total of 115 units, under-croft and at grade car parking for 138 cars, internal road system, associated retaining walls and strata subdivision.

The development proposes to provide predominately 2 bedroom units. Details of the unit composition of the residential flat buildings are as follows:

Block No.	Storeys	1 Bed	2 bed	Total Units
1	3	2	12	14
2	3	0	15	15
3	3	0	15	15
4	3	2	12	14
5	3	0	15	15
6	3	4	14	18
7	3	0	24	24
Totals		**8**	**107**	**115**

Artist impressions of the development and materials palette are provided below:

1 Impression - View 1

2 Impression - View 2

3 Impression - View 3

EXTERNAL MATERIAL FINISHES PALETTE

SITE HISTORY

The site was previously approved for development under DA/1019/2007.

DA/1019/2007

This application proposed the construction of 35 residential units as a multi dwelling development (RFB) under the provisions of Wyong Local Environmental Plan 1991 that was permitted with consent in the former 2(b) zone. The 35 residential units were a combination of single and 2 storey units with an internal two way roadway that directly accessed the site from an extension of Oak Road. Consent was granted on 26 May 2008.

DA/1019/2007/A

This application was subsequently modified with changes to the visitor and garbage vehicle areas. Consent was granted on 21 October 2009.

A request to extend the development consent was received by Council on 21 January 2010 seeking a 1 year time extension. The requested time extension was granted with the new consent lapsing date being 26 May 2011. The consent was not activated within that period and therefore the consent lapsed after 26 May 2011.

INTERNAL CONSULTATION

The application was referred within Council to the following officers and the issues raised in the referral process are discussed below and in other relevant areas of the report.

<u>Senior Development Engineer</u>

The issues have not been resolved:

- The amended engineering plans prepared by consultants Daly Smith Pty Ltd show the connection of the proposed access road from Stratford Avenue to Moala Parade. As previously advised a pedestrian refuge and associated footpath works are located within Moala Parade in this location. The location of the proposed pedestrian refuge will limit the turning path area which will impact larger vehicles such as garbage trucks and other utility service vehicles exiting Stratford Avenue.

  The submitted revised plans contained errors related to design, existing surface levels along the longitudinal section centreline. The driveway will require retaining walls which should be detailed within the plans to enable an accurate assessment of the access driveways impact to the adjoining properties. This information has not been detailed on the design cross sections. No cross sections supporting the design have been submitted.

  Pedestrian safety within this area has been an ongoing issue. This is the main reason why a pedestrian refuge island has been recently added to Moala Parade is to improve pedestrian safety. The proposed intersection will create unreasonable safety and sightline impacts on the pedestrian safety in the area.

- The previously requested vehicle turning paths for domestic vehicles and service vehicles (garbage vehicles) turning from the proposed driveway access into the Moala Parade carriageway are not included within the resubmitted information. It is noted that the turning paths must be prepared in accordance with AS 2890.1:2004 & AS 2890.2-2002. Due to the location of the refuge island on Moala Parade, it is unlikely that the driveway can adequately provide enough space so that large vehicles such as waste trucks can manoeuvre out onto Moala Parade.

- The plans do not detail the proposed garbage service vehicle collection and manoeuvring within the site for all bulk/bin or standard bin collection areas as previously requested. The general road geometry from the Oak Road carriageway does not suggest sufficient turning width and alignment to provide efficient collection of bulk bins located within the basements of each building. The bulk bins garbage areas must also be supported by plotted service vehicle turning paths in accordance with AS 2890.2-2002. The proposed ramp and access to the bin storage areas will not support suitable turning area for garbage service vehicles. The acute driveway and ramp alignments further impede safe vehicle and garbage vehicle movements within the access roads and proposed car parks.

- The internal two way driveways ramps are not of sufficient width in accordance with AS 2890.1:2004. The ramps do not have the required 0.3metre offset clearances from internal walls. Vehicle conflicts would be expected as the ramps and the location of the garage bin storage areas have been inadequately designed and are considered to cause safety and manoeuvring concerns.

- The proposal is overdevelopment of the site, as there is inadequate internal circulation space on the driveway for the combined manoeuvrability of service vehicles and domestic vehicles. It has not been demonstrated that the service vehicle used by the private waste collection contractor will be able to adequately manoeuvre within the site to access the waste storage areas located at the undercroft areas of the buildings without impacting on the circulation of the domestic vehicles.

- The intersection of the proposed driveway and Moala Parade is over 100m from the intersection of Moala Parade and the Pacific Highway. It is also located near a crest in Moala Parade and opposite the pedestrian refuge. The addition of turning vehicles in this vicinity will have potential safety impacts.

Water and Sewer Planning

The development will generate a loading of 84.25 ETs (Equivalent Tenements) on water supply and sewerage systems based on the information below as of 15/12/2015:

- 8 x one bedroom unit: 8x0.5ET/unit = 4 ET
- 107 x two bedrooms unit: 107 x 0.75 ET/unit = 80.25
- Total: 84.25 ET

Comment: This matter could be addressed by conditions of consent if supported.

Water Supply

Council's existing system is adequate to provide water supply to the proposed development. However, the existing water main (100mm AC) along Oak Rd will not have the capacity to cater the proposed loading. Therefore, an in-situ upgrade of the existing water main along Oak Rd will be required and extension of the new water main through the proposed development (based on the proposed development plan 1) and connect back into Council's existing water main along Moala Pde. Temporary services for the existing dwellings on Oak Road will be required during the construction phase.

In order to achieve equitable water billing, it is recommended to install strata owned sub meters on private plumbing to be read by the strata manager for the proposed new

development. Council will only read the sites single water meter at the street and would otherwise charge based on the fixed unit entitlements detailed in the Strata Plan.

Any proposed adjustments to Council's water assets will require a detailed design to be prepared by the applicant. The plans are to be submitted to Council for approval prior to the issue of the Construction Certificate.
The design and construction of the water mains are to be in accordance with the WSAA Water Supply Code of Australia WSA – 02 Sydney Water Edition, Wyong Shire Council Amendment.

Comment: This matter could be addressed by conditions of consent if supported.

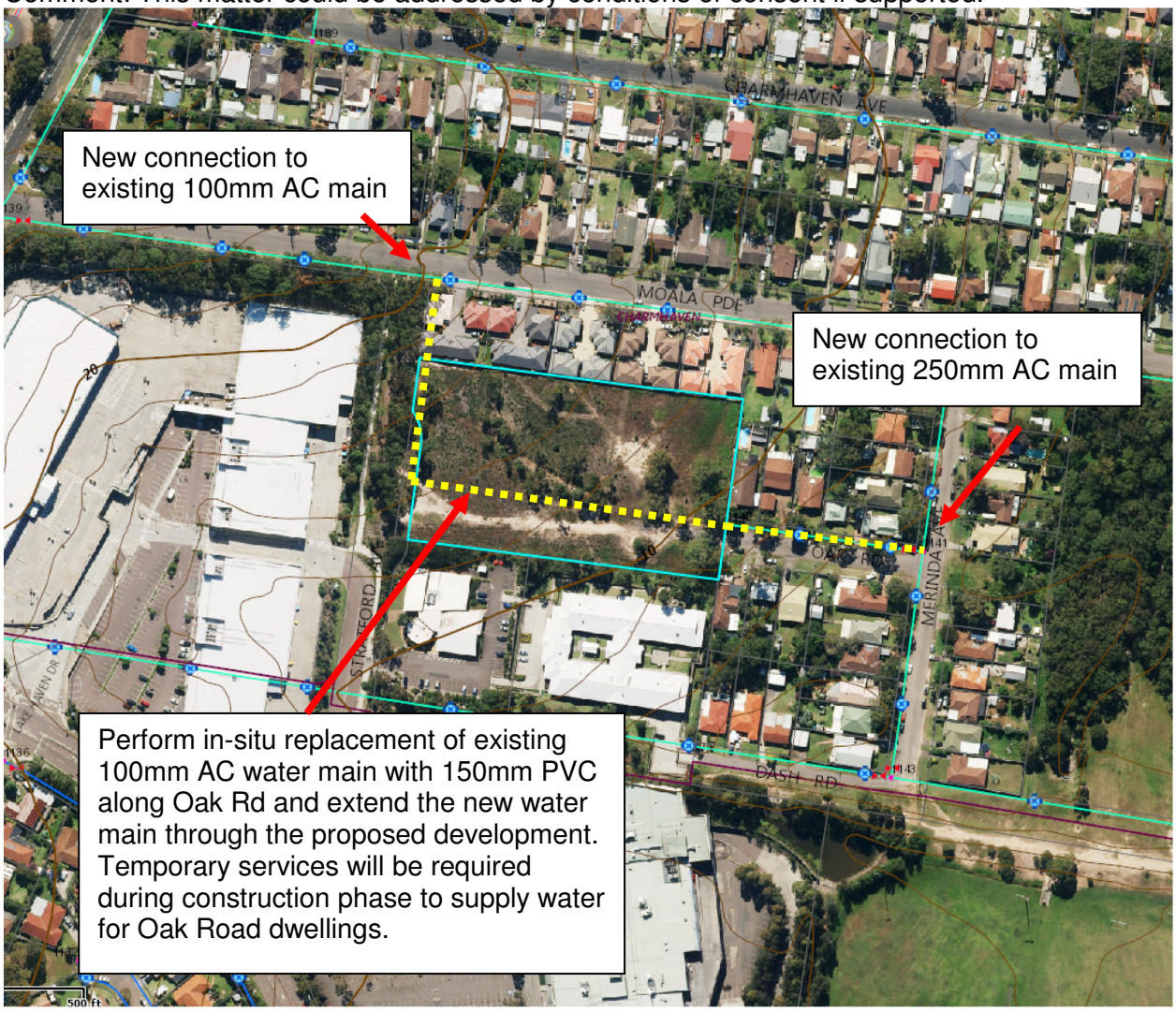


Figure 1 Water Supply Arrangements

Sewer

The site currently sits in the Sewerage Pump Station CH08 catchment area. Sufficient capacity exists in Council's sewerage network for the proposed development. Connection can be made to the sewer manhole "DE/1" located on the northern side of the proposed development site.

An existing sewer main is crossing the proposed development site at the north-east corner. Council's Building Over Sewer policy will apply for any proposed works in the vicinity (1.1m) of the infrastructure.

Any proposed adjustments to Council's sewerage assets will require a detailed design to be prepared by the applicant. The plans are to be submitted to Council for approval prior to the issue of the Construction Certificate. Any adjustment or protection of the sewer mains are to be fully funded by the developer.

The design and construction of any sewer main adjustments are to be in accordance with the WSAA Sewerage Code of Australia WSA-02 Sydney Water Edition. Council will undertake final connections to its live sewer system at the developer's full cost.

Figure 2 *Sewerage Arrangements*

Urban Designer (Architect)

The application was referred to Council's Urban Designer (Architect) who advised that the proposal generally complies with the 9 principles outlined in SEPP 65 (Design Quality of Residential Flat Buildings). This is discussed further elsewhere in the report and the compliance table attachment.

Traffic Transportation Engineer

The traffic report accompanying the application indicates that the AM peak hour traffic generation is 61 vehicles and 37 vehicles in the PM peak in accordance with the RMS traffic generation rates. The proposed development will not have a detrimental impact on the surrounding road network.

The proposed one way internal private road arrangement is not appropriate and will focus all inbound traffic to Oak Road and exiting to Moala Parade. The internal access road must be two way so as to facilitate an even distribution of traffic onto the road network.

A pedestrian link from the development to the existing shared path between Moala Parade and Stratford Avenue is to be provided so as to provide access to the Lake Haven shopping centre. This would further reduce the number of vehicle trips generated by the proposal.

In regards to enforcing the one way system with signage, there is an issue of compliance with the one way restriction. In the absence of enforcement residents will simply ignore any signage as it will be located on private property, which under the Roads Act 1993 is not a road or road related area and therefore is not enforceable.

The submitted waste management plan indicates that the development will be serviced by bulk general waste and recycle bins, however no swept paths are provided to demonstrate how the bins are accessed. It appears that the clearance within the undercroft area will also be an issue for trucks servicing the bins in the lower car park area.

Comment: The proposed road width restricts adequate internal circulation space for the combined manoeuvrability of service vehicles and domestic vehicles. It has not been demonstrated that the service vehicle used by the private waste collection contractor will be able to adequately manoeuvre within the site to access the waste storage areas located at the undercroft areas of the buildings without impacting on the circulation of the domestic vehicles. This could potentially have an impact on the traffic flow within the area.

Ecologist

The site is characterised by scattered trees and grass that has the potential to provide habitat for native local and fauna species. An environmental assessment was undertaken utilising the information provided by the applicant. The Flora and Fauna Assessment Report (FFA) (Conacher Consulting, May 2016) did not undertake the flora survey in accordance with Council's Flora and Fauna Survey Guidelines.

The FFA identified 'suitable habitat' or 'marginal habitat' at the site confirming that some threatened flora and fauna species could be present. Therefore it is required that surveys are undertaken during the optimal survey period for the following five species:

- *Caladenia tessellata;(flowering time September –October)*
- *Diuris praecox;(flowering time December – January)*
- *Genoplesium insigne;(flowering time September-October)*
- *Tetratheca juncea;(Flowering September – October)* and
- *Thelymitra adorata (October – November).*

Based on this information and in keeping with the provision of section 79C of the *Environmental Planning and Assessment Act 1979*, Council's Ecologist cannot complete the ecological assessment until this information has been submitted.

Comment: There is insufficient information to determine the ecological impact of the proposal.

Contributions officer

The property is located within the Gorokan District s94 Contributions Plan (& Shire Wide s94 Contributions Plan). The following contributions are applicable:

- Shire wide contributions
- Open Space Works
- Community Facilities Works
- Administration

The current site is the result of a consolidation of a number of vacant (bushland) lots under subdivision DA/152/2003 and was created as a super-lot, therefore no credit has been applied to the existing lot.

The appropriate S94 contributions would be applied as part of the consent if this application was supported.

Ecologically sustainable principles

Due to the insufficient ecological survey data, staff are unable to determine the ecological impact of the proposal. The proposal therefore cannot be supported in regard to ecologically sustainable development principles.

Climate Change

Sustainable building design – A BASIX Certificate has been submitted for the residential component of the development, which demonstrates compliance with the water, energy efficiency and thermal comfort targets.

Reduced Car Dependence – The site is located within the vicinity of a town centre that is in close proximity to bus stops to encourage the use of public transport.

ASSESSMENT

Having regard for the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act 1979 and other statutory requirements, Council's policies and Section 149 Certificate details, the assessment has identified the following key issues, which are elaborated upon for Council's information. Any tables relating to plans or policies are provided as an attachment.

THE PROVISIONS OF RELEVANT INSTRUMENTS/PLANS/ POLICIES

Relevant State Environmental Planning Policies (SEPPs)

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings applies to the development and requires the design quality of the residential flat development to be taken into consideration and evaluated against the nine design quality principle, and

the Apartment Design Guide. The proposal is accompanied by a Design Verification Statement prepared by the architect of the building addressing the SEPP 65 design principles which are discussed further below:

Clause 50(1A) of the EP & A Regulation 2000 requires the submission of a design verification statement from the building designer at lodgement of the development application. This documentation has been submitted and is satisfactory.

Principle 1: Context and Neighbourhood Character

> *Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.*
>
> *Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood. Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.*

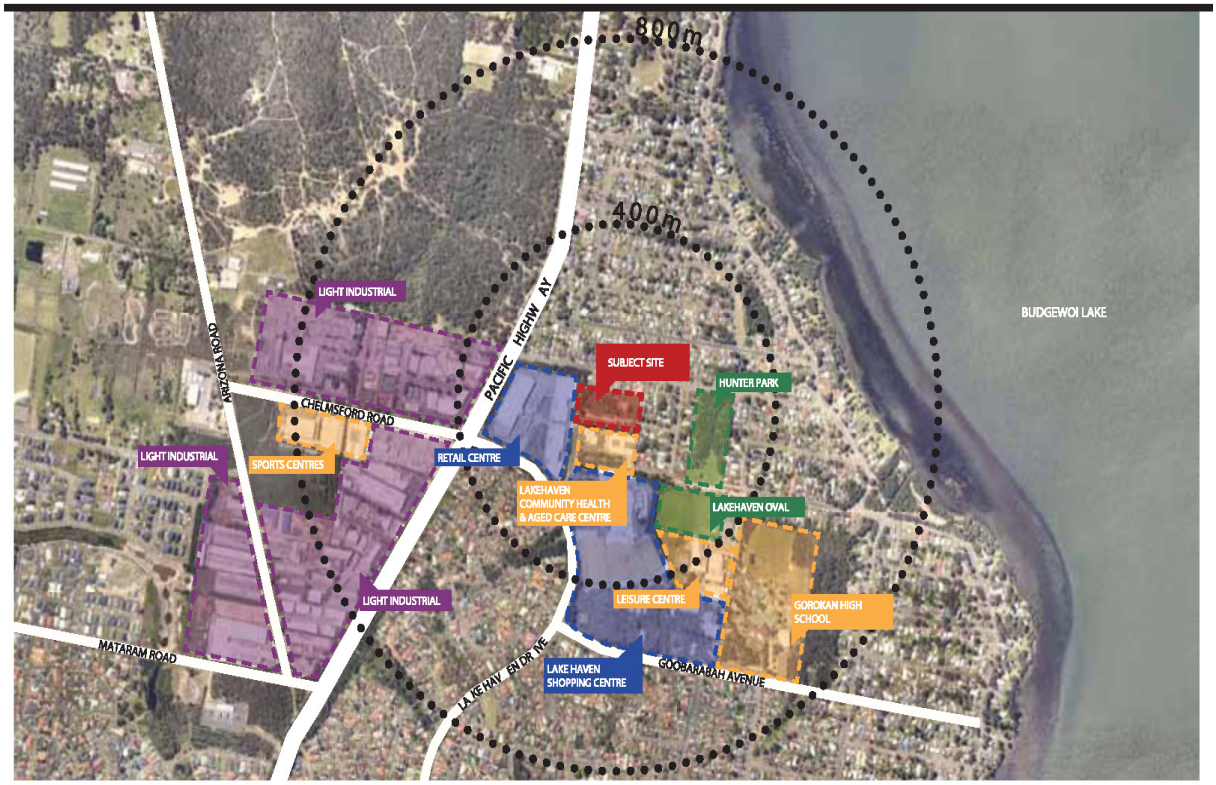
Applicant response:

Located in the N.S.W. Central Coast suburb of Charmhaven, the proposed residential development sits on vacant land situated on the east side of the Pacific Highway, about 12km from Wyong CBD and within close proximity to the adjacent Lake Haven Town Centre.

Accessed from the main arterial road, Moala Parade, via Merinda Avenue and Oak Road, the site is surrounded by an adjoining mixture of low density single storey detached housing, a single storey retail centre, community health centre, and an aged care facility.

Despite also being conveniently placed within short walking distance from community facilities and services such as the Lake Haven District Shopping Centre, Gorokan High School, Hunter Park and public transport, the surrounding context remains\ limited of varying housing typologies, and is made up of predominantly low density character, that sit contrary to Wyong's local housing demands.

The design proposes to address this local housing shortfall as outlined under the Wyong Council objectives, by providing densities that serve the growing population requirements of both Charmhaven and the growing Lake Haven district, while integrating with the surrounding low density character, and future high density development on the adjoining sites to the south.



Principle 2: Built Form and Scale

Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings. Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.

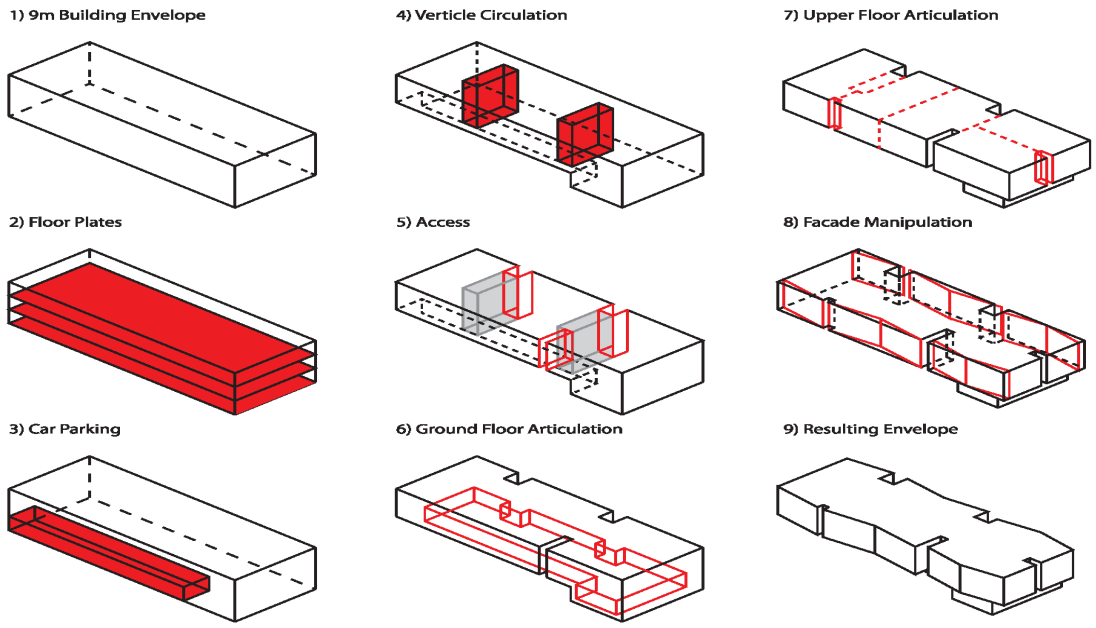
Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.

Applicant response:

The design proposal provides a scale in terms of bulk and height which has been carefully considered to respond to the amenity of the surrounding context, allowing for appropriate solar access, privacy, and adequate open space, while maintaining a pleasant streetscape character that remains human in its scale and integrates appropriately with the surrounding low density housing and future higher density development.

The project is comprised of seven 2-3 storey walk-up buildings that flow gently along the natural slope of the site, stepping down gradually from west to east. Each block is separated by a common carpark on one side and a heavily landscaped green open space on the other, functioning as a distribution network that provides pedestrian access to the individual building lobbies, and encourages neighbourly interaction by providing common meeting areas and organised pedestrian flow.

The buildings walls are carefully designed to undulate the envelope, and distort pedestrians perspective of the built form, instead echoing the traditional aesthetic of a pitched roof suburban streetscape, and helping to create a less visually imposing street interface.

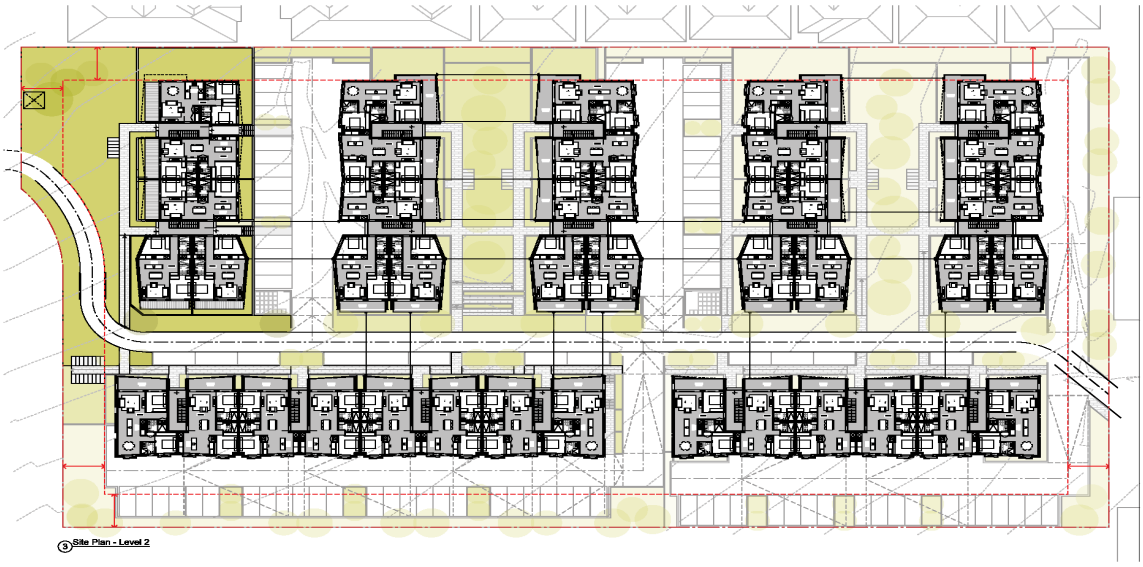


Principle 3: Density

Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context. Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.

Applicant response:

Density has a direct relationship to context and desired context. In this situation the site is located in a growing suburb within close proximity to a vast array of public transport and amenity options, so the design focusses upon placing a maximum number of apartments into high amenity locations so as to help meet its future housing demands.



Block 1			
LEVELS	1B	2 B	Subtotal
Ground	2	2	4
Level 1		5	5
Level 2		5	5
Level 3			0
Subtotal	2	12	14
Mix	14%	86%	

Block 2			
LEVELS	1B	2 B	Subtotal
Ground		5	5
Level 1		5	5
Level 2		5	5
Level 3			0
Subtotal	0	15	15
Mix	0%	100%	

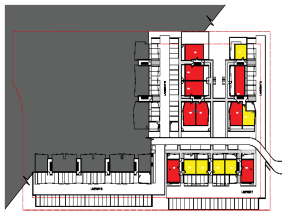
Block 3			
LEVELS	1B	2 B	Subtotal
Ground		5	5
Level 1		5	5
Level 2		5	5
Level 3			0
Subtotal	0	15	15
Mix	0%	100%	

Block 4			
LEVELS	1B	2 B	Subtotal
Ground	2	2	4
Level 1		5	5
Level 2		5	5
Level 3			0
Subtotal	2	12	14
Mix	14%	86%	

Block 5			
LEVELS	1B	2 B	Subtotal
Ground		5	5
Level 1		5	5
Level 2		5	5
Level 3			0
Subtotal	0	15	15
Mix	0%	100%	

Block 6			
LEVELS	1B	2 B	Subtotal
Ground	4	2	6
Level 1		6	6
Level 2		6	6
Level 3			0
Subtotal	4	14	18
Mix	22%	78%	

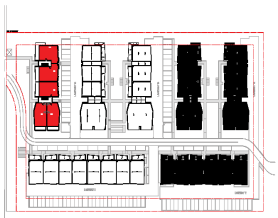
Subtotal			
LEVELS	1B	2 B	Subtotal
Ground	8	29	37
Level 1	0	39	39
Level 2	0	39	39
Level 3	0	0	0
Subtotal	8	107	115
Mix	7%	93%	



1) Ground Floor

4) Level 3

2) Level 1



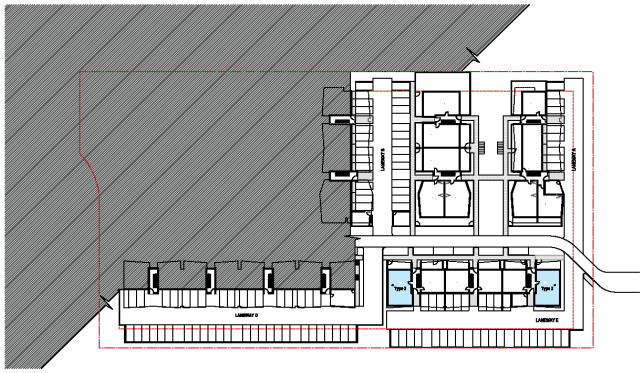
5) Level 4

3) Level 2

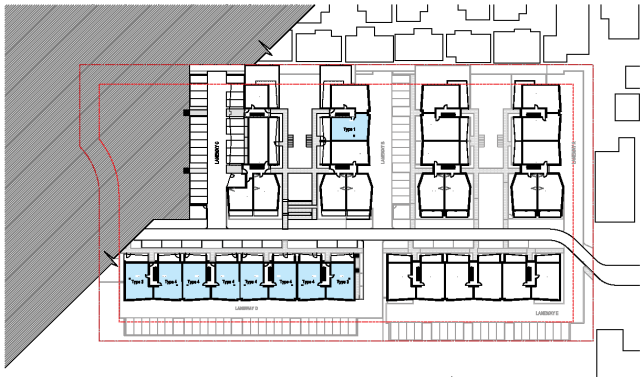
LEGEND

1 Bedroom

2 Bedrooms



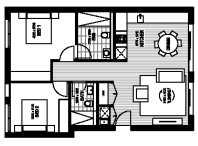
1 Adaptable Location Plan



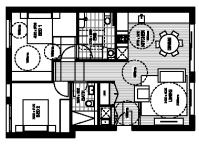
2 Adaptable Location Plan

3 Type 1 - Pre Adaption

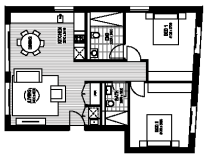
4 Type 1 - Adapted



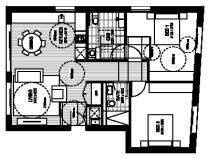
5 Type 2 - Pre Adaption



6 Type 2 - Adapted



7 Type 3 - Pre Adaption



8 Type 3 - Adapted

9 Type 4 - Pre Adaption

10 Type 4 - Adapted

Principle 4: Sustainability

> *Good design combines positive environmental, social and economic outcomes. Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials, and deep soil zones for groundwater recharge and vegetation.*

Applicant response:

Energy efficient design and sustainability is one of the key considerations of the design proposal. Passive solar design strategies orientating the building and designing the floor plates so to ensure that more than 76% of the apartments receive more than 3 hours of direct solar access, reduces the energy required for lighting. Passive climatic design strategies such as the use of natural ventilation reduces the energy required for heating and cooling, as well as enhancing the thermal comfort of the residence.

Landscaping forms an integral part of the strategy, utilising indigenous low water use species of vegetation to help promote water sensitivity throughout the development, as well as providing a heat sink effect through the application of some vertical cable wire and vine façade elements that may assist in heating and cooling the buildings at different times of night and day.

Additionally, the proposal's proximity and connections to public transport nodes will decrease the reliance on cars, thereby reducing greenhouse emissions. Bike parking will also be provided throughout the site to promote a greener mode of transport.

The proposed development will comply with BASIX target for energy, water and thermal comfort as well as SEPP 65 rules of thumb through good apartment orientation, apartment depth and cross ventilation. To meet the ESD requirements for this site, some of the following strategies have been proposed:

Water:

- Low water use vegetation on site (including native species).
- 4-5 star water taps and bathroom flushing systems, 3-star showerheads and clothes washers.

Energy:

- Sufficient natural lighting and low energy lighting fixtures.
- Balcony and courtyard areas comply with SEPP 65 size guidelines allowing outdoors clothes drying.

Thermal comfort:

- Improved thermal comfort will be achieved through careful orientation, floor plate layouts, apartment locations and planning.
- Solar orientation - minimise the numbers of south facing apartments and maximising apartments with more than 3 hours of solar access per day.

- Cross ventilation - 95% of the apartments are cross ventilated to increase air movement through the apartments and allow evaporation of moist air by opening windows and doors.

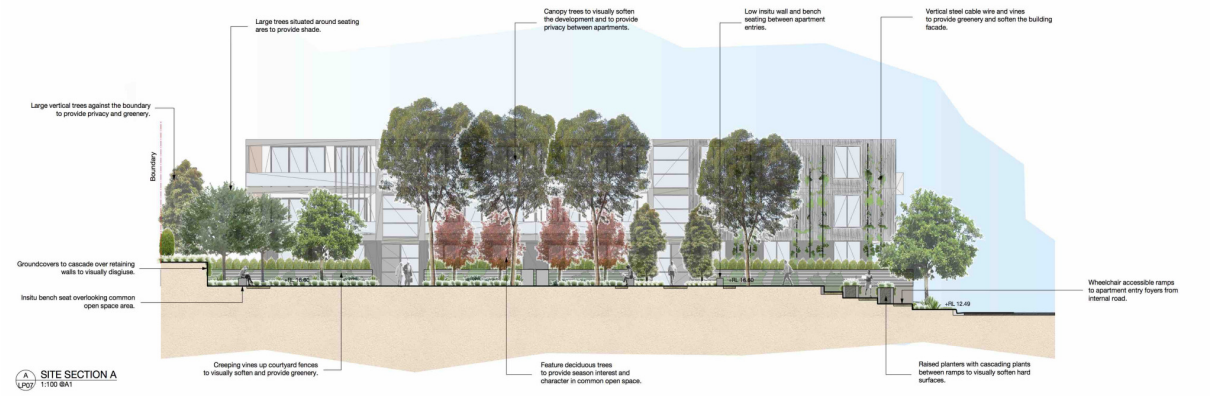
Principle 5: Landscape

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.

Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values, and preserving green networks. Good landscape design optimises usability, privacy and
Opportunities for social interaction, equitable access, respect for neighbours' amenity, provides for practical establishment and long term management.'

Applicant response:

The applicant has provided an adequate landscape plan that outlines how the proposed development contributes to the existing landscape character of the area and that provides good amenity.



Principle 6: Amenity

Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.

Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, and ease of access for all age groups and degrees of mobility.

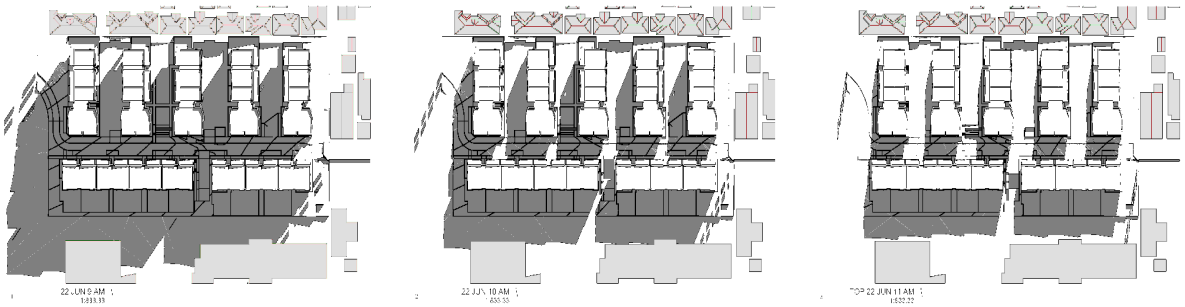
Applicant response:

The design proposal complies with SEPP 65 and provides a high level of amenity to each apartment. Due consideration has been given to solar access, cross ventilation, indoor and outdoor spaces, visual and acoustic privacy, efficient layouts, outlook and storage areas. Parking, recycling and waste storage areas are provided on parking levels. Bicycle storage facilities promote a greener mode of transport.

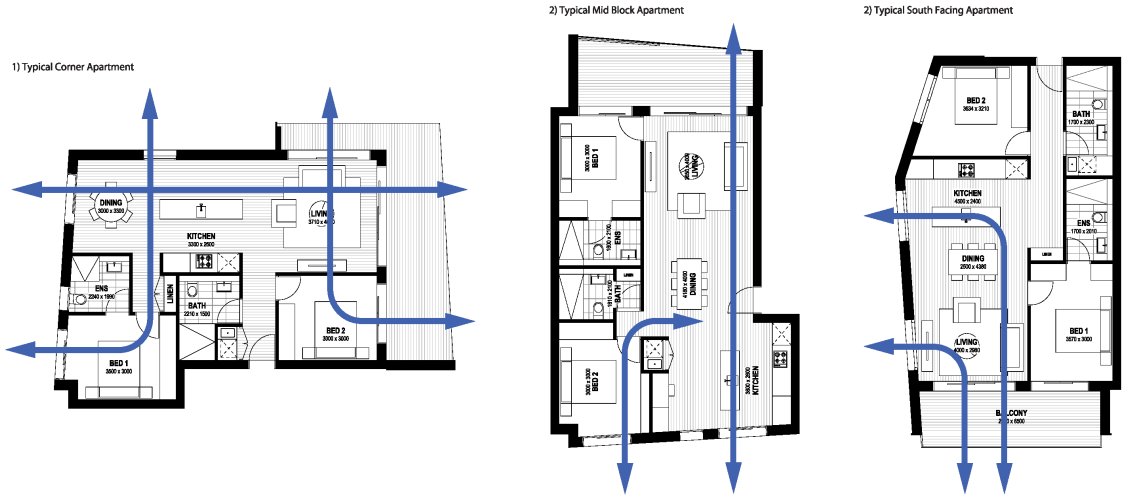
Balconies are designed to provide a usable outdoor space while maintaining privacy between units by limiting opportunities for overlooking.

The proposed development is designed to provide the maximum amenity to a majority of the dwellings, with most units having northern aspects, while south facing units on the upper levels are made more attractive by using skylights to allow daylight in.

The design maximised the daylight to each unit and the proportion of all units that achieve minimum 3 hours of sunlight into living room windows and open private space areas between 9 am and 3 pm during mid winter, to achieving an acceptable solar compliance of 76%.



The development consists generally of open plan units with relatively shallow apartment depths which facilitates good ventilation to all habitable rooms. A high number of cross through and corner apartments within the development also allow the proposed design to achieve a high percentage of well ventilated units.



Principle 7: Safety

Good design optimises safety and security, within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.

A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.

Applicant response:

The design proposal provides clear and well defined lobby entries to each building in the development. These lobby entries will be secure, lockable and be well lit for the resident's safety. Through site links, courtyard and entry areas have excellent passive surveillance from the apartments, additional lighting will be provided to enhance security. The recommendations provided within the submitted Crime Prevention Through Environmental Design will be applied as part of the development.

Principle 8: Housing Diversity and Social Interaction

> *Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.*
>
> *Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix. Good design involves practical and flexible features, including different types of communal spaces for a broad range of people, providing opportunities for social interaction amongst residents.*

Applicant response:

The proposed development will be a positive contribution to the neighbourhood that aims to meet future housing demands of the growing Charmhaven and Lake Haven District.

The location of the development, with easy access to transport, schools and retail precinct provides an ideal lifestyle to the residents. A mix of 1 and 2 bedroom apartments are being proposed, consisting of 7% 1 bed, and 93% 2 bed apartments. The proposal incorporates a variety of apartment types, all with a high level of amenity.

The development will provide:
- Proximity to public transport
- Walking distance to shops
- Ground level carparking
- Bicycle parking facilities
- Lush landscaped corridors and meeting areas
-Adaptable apartments

Principle 9: Aesthetics

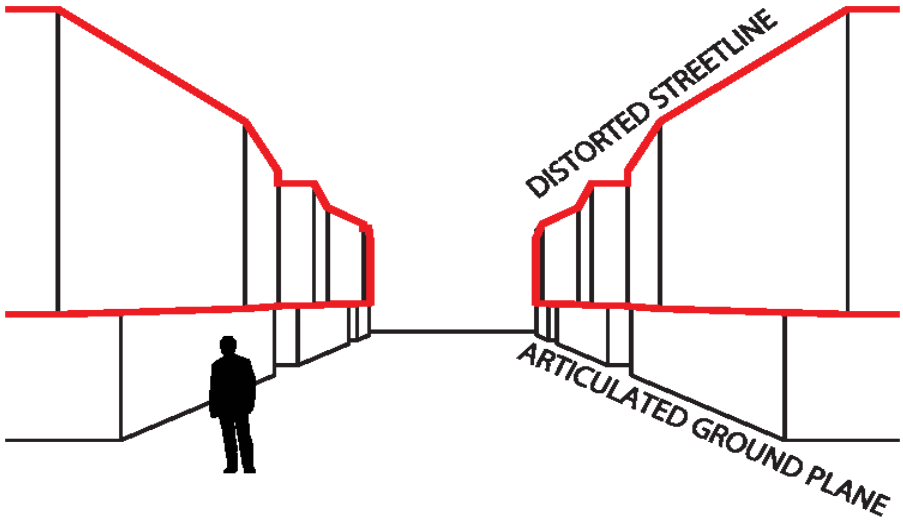
> *Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.*
>
> *The visual appearance of well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.*

Applicant response:

The design proposal is strongly based on the sites both present and desired future character.

There are a number of key material aims for this project, that include defining the ground floor street edge using brick, and masonry retaining walls, to reflect the material language of adjacent low density residential buildings, and to help create a sense of material familiarity as pedestrians walk along the street plane.

The buildings walls are carefully designed to undulate the envelope, and distort pedestrian's perspective of the built form, instead echoing the traditional aesthetic of a pitched roof suburban streetscape, and helping to create a less visually imposing street interface.



SEPP 65 comment: The proposed development is considered to achieve an appropriate built form in terms of building alignment, setbacks, proportions, articulation of building elements and the use of appropriate materials and colours. The proposal makes efficient use of natural

resources and water, including the harvesting, storage and reuse of rainwater, and the use of energy efficient building materials and appliances.

The proposal ensures that amenity is optimised through appropriate room dimensions and configurations, sunlight access and natural cross ventilation. Habitable rooms have been designed with good access to sunlight and natural ventilation. The proposal will optimise the provision of housing to suit the social mix and needs of the desired future community within a safe environment. The proposal provides a range of affordable unit types to meet market and lifestyle needs.

Residential Flat Design Guide (RFDG)

The proposed development complies with the design criteria of the Residential Flat Design Guide with the exception of the setback of the balconies on the northern elevation of buildings 1-5 that are setback 5m (3F – RFDG requires 6m) and the internal separation of proposed Block 7 has a 11.5m setback to proposed Block 3 and Block 4 that is a non-compliance of 0.5m (2F – RFDG requires 12m).These non-compliances are addressed below:

- The proposed balconies on the northern elevation of Blocks 1 to 5 encroach within the 6m setback by approximately 1m. The proposed non-compliance provides articulation on the northern elevation of the buildings. However, the proposed 5m setback of the balconies is not supported due to the potential significant overlooking to the neighbouring sites. Therefore, if this application was to be supported a condition would be provided as part of the consent that requires that this portion of the balconies are removed from the northern elevation of the buildings to comply with the 6m setback control of the RFDG.

- The proposed 11.5m internal separation between the balconies on Block 7 and Blocks 3 and 4 does not comply with the 12m separation distance required by the RFDG. However, the minor variation to the control by 0.5m is acceptable in this circumstance, as the provided 11.5m will not create any unreasonable amenity impacts on the units compared to the required 12m setback. Nevertheless, privacy louvres are provided to the balconies to offset direct overlooking into the units.

State Environmental Planning Policy 71 – Coastal Protection

State Environmental Planning Policy No 71 – Coastal Protection applies to the development. The site is located wholly within a coastal protection zone under the SEPP. The proposal has been assessed within the context of the matters for consideration outlined under Clause 8 and found to be satisfactory (as outlined in the attached table Appendix 2).

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The proposed development is a 'BASIX affected development' as defined within the Regulations and consequently, a BASIX Certificate has been submitted with the development application. The BASIX Certificate identifies compliance with water, thermal comfort and energy targets.

State Environmental Planning Policy 55 – Remediation of Land

Clause 7(1) of State Environmental Planning Policy No. 55 requires that Council must not consent to the carrying out of any development on land unless it has considered whether the

land is contaminated and if contaminated that the land is suitable in its contaminated state (or will be suitable, after remediation) for the development proposed to be carried out. It was demonstrated under the approved development of DA/1019/2007 that the site is suitable for the purposes of residential development thus satisfying SEPP 55. The site has been vacant residential land since the approval of DA/1019/2007.

Wyong Local Environmental Plan 2013

Zoning and permissibility

The subject site is currently zoned R1 General Residential under Wyong Local Environmental Plan 2013. The proposal is defined as a residential flat building and this land use is permissible with consent within the R1 zone. The following definition is relevant:

residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

The objectives for the R1 zone are as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day need of residents.*
- *To promote walkable neighbourhoods.*
- *To ensure that development is compatible with the scale and character of the local area and complements the existing streetscape.*

The proposal is considered to be consistent with the R1 zone objectives for the purposes of Clause 2.3(2). The development increases the variety of housing within the locality. The development is of a scale that transitions between the existing R2 Low Density Residential zone to the B4 Mixed Use Zone. The proposal promotes a walkable neighbourhood by providing medium density housing in an area with good access to the existing walkway to the west of the site that is connected to Lake Haven Town Centre and within walking distance of the bus interchange.

Acid Suphate Soils (Clause 7.1)

Clause 7.1 requires special assessment to be given to certain development on land being subject to actual or potential acid sulphate soils. A small area at the north eastern corner of the site is identified as Class 5. Due to the fact that there is no development proposed in this corner of the site which will lower the water table below 1m on neighbouring Class 1, 2, 3 or 4 land. A preliminary assessment regarding the risk of acid sulphate soils in not required in this circumstance.

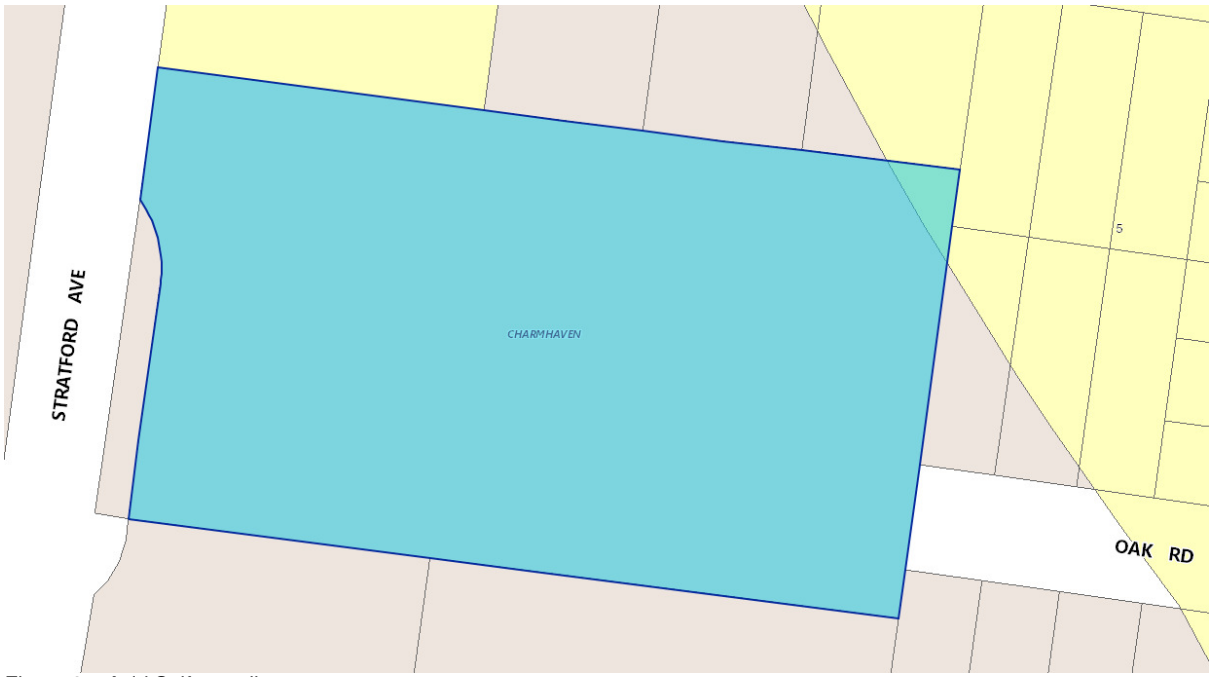


Figure 3 – Acid Sulfate soils map

Flood planning (Clause 7.2)

Council's maps identify that the subject site is not flood affected land.

Essential Services (Clause 7.9)

Clause 7.9 requires that services that are essential for the development are available or that adequate arrangements have been made to make them available when required prior to consent being granted. These services include water supply, electricity supply, sewage management and disposal, stormwater drainage or on site conservation and suitable road access. The proposal complies with the requirements of the clause.

Wyong Development Control Plan 2013 (WDCP)

WDCP *2013 Chapter 3.1 – Site Waste Management*

In accordance with WDCP Chapter 3.1, the applicant submitted a Waste Management Plan for the development outlining the waste disposal, re-use and recycling (on and off site) for the construction and operational stages of the development by a private waste contractor. The waste management plan identifies that the bulk waste bins will be collected by a private waste contactor.

Concerns were raised by Councils engineers regarding the inadequate space for manoeuvring of large vehicles to service the development. The applicant did not provide vehicle turning paths for the service vehicles in accordance with AS 2890.1:2004 and AS 2890.2:2002 that demonstrates manoeuvrability of the service vehicles on site. Furthermore, concerns were raised that there could not be any vehicle circulation around the garbage truck during the waste bin collection process. This indicates that the proposal is an overdevelopment of the site.

Due to the lack of information submitted, Council cannot support the waste management plan, as the proposed waste areas below the RFB's cannot be accessed by the service

vehicles and the circulation of traffic through the site cannot function as the waste vehicle will restrict traffic movements.

DCP 2013 Chapter 2.4 – Multiple Dwelling Residential Development

Building height – Clause 3.1.2

It is required under Clause 3.1.2 of Chapter 2.4 of the WDCP that the maximum building height on land zoned R1 shall not exceed 2 storeys and 7 metres in height. The proposed maximum height of the residential flat buildings is approximately 3.89m above the permissible building height under the WDCP. The proposed building height of the 3 storey residential flat buildings is considered acceptable for the following reasons:

- Under Wyong Local Environmental Plan 2013 Clause 4.3 there are no minimum building heights that are applicable to the land. The building heights under the DCP are a guide only in accordance with the direction of the Department of Planning and Environment circulate that suggests that DCP controls are a guide only.
- The proposed building heights will not significantly impact the level of solar access received by the neighboring residential lots. The minimum 3 hours of solar access required under the DCP and the Residential Flat Design Guide is achieved on 21 June.
- The proposed 3 storey buildings comply with the setback controls stated under Chapter 2.4 of the DCP and the Residential Flat Design Guide.
- The proposed buildings have been designed by locating bedroom windows facing the neighbouring sites with a small proportion of the windows being for kitchens to minimise privacy impacts.
- The proposed setback areas will facilitate suitable plantings and vegetation that will screen the bulk and scale of the RFB's and furthermore restricts overlooking into the neighbouring sites.
- The height provides for transition of development height stepping down from Lake Haven Shopping Centre to 3 storeys on this site then down to 1 and 2 storey residential development.

Building lines - Clause 4.3

It is required under Clause 4.3 of Chapter 2.4 of the WDCP that 3 storey buildings are required to be setback 6m from the boundary. The proposed balconies on the northern elevation of buildings 1 to 5 encroach within the 6m setback by approximately 1m. The proposed non-compliance provides articulation on the northern elevation of the buildings. However, the proposed 5m setback of the balconies is not supported due to the potential significant overlooking to the neighbouring sites. Therefore, if this application was to be supported a condition would be provided as part of the consent that requires that the balconies are removed from the northern elevation of the buildings to comply with the 6m setback control.

Floor space ratio – Clause 5.1

Clause 5.1 of the WDCP restricts the permissible floor space ratio (FSR) on land zoned R1 to be 0.6:1. The proposed development has a FSR of 0.78:1 that does not comply with the control. However, the proposed non-compliance is supported for the following reasons:

- Clause 4.4 FSR maps of Wyong Local Environmental Plan 2013 indicate that there is not a maximum FSR that is applicable to developments on the R1 zoned land. The

FSR under the DCP is a guide only as indicated within the Department of Planning and Environment circular that suggests that DCP controls are a guide only.

- The proposed development complies with the setback controls stated under Chapter 2.4 of the DCP and the Residential Flat Design Guide.
- The proposed setback areas will facilitate suitable plantings and vegetation that will screen the bulk and scale of the RFB's.
- The proposed scale of the development will not have a significant visual impact on the area, as it provides a suitable transition from the neighbouring low density residential area to the surrounding land that is zoned B4 Mixed Use and B2 Local Centre.
- The proposed development complies with the site coverage and deep soils controls required under the DCP and the Residential Flat Design Guide.

Waste Management – General Requirements - Clause 10.1.1

The proposed development does not comply with Clause 10.1.1 of Chapter 2.4 of the WDCP as the location of the waste bin areas within the undercoft areas of the RFB's cannot be accessed by a rear loading service vehicle, and as the site does not provide sufficient turning areas for the manoeuvrability of the vehicles on site in accordance with AS 2890.1:2004 and AS 2890.2:2002. Therefore the ongoing waste management on the site cannot be achieved. The applicant was requested by Council numerous times to address this issue. However, the applicant did not provide vehicle turning paths for the service vehicles in accordance with AS 2890.1:2004 and AS 2890.2:2002. Therefore, it cannot be demonstrated that waste management of the site can be achieved.

DCP 2013 Chapter 2.11 – Parking and Access

The development generates on-site parking on the following basis under Chapter 2.11 of the WDCP.

The residential component comprises 115 apartments which include 8 x 1 bedrooms (8 spaces required); and 107 x 2 bedrooms (128 spaces required). The parking demand generated by the residential units under the DCP totals 136 spaces plus 23 visitor parking spaces are required.

Proposal	Required	Provided
Multi Dwelling Housing and Residential Flat Buildings	1 space per 1 bedroom dwelling 1.2 spaces per 2 bedroom dwelling *Note: The above requirements may be reduced to 1 space per dwelling if development is in the Regional Centre or a District Centre, subject to submission of a Transport Management Plan and approval by Council.* In addition, 1 space per 5 units for visitor parking with a minimum of 1 visitor space per development 1 visitor space is to be available for car washing	138

Due to the fact that the site is within 400m of land zoned B4 Mixed Use and is within the immediate vicinity of Lake Haven Town Centre, only 1 car parking space is required per unit as the applicant provided a Traffic Management Plan that is supported by Council's

Transport Engineer. In respect of this 115 car spaces are required for the proposed units and 23 car spaces are required for the visitors being a total of 138 car spaces. 138 car spaces are provided on site which complies with the controls.

THE LIKELY IMPACTS OF THE DEVELOPMENT

Locality and Streetscape

The design has a modern residential form and appearance, the architectural character of the development is acceptable within the locality and streetscape.

The proposal has been designed to minimise any potential to adversely impact on the character and amenity of the locality and streetscape and will not detract from the scenic qualities of the area.

The proposed development was requested to be redesigned so that there would be two way movement throughout the site that enters and exits out onto Oak Road including an exiting driveway onto Moala Parade over the unformed part of Stratford Avenue (Road reserve). The requested design changes would have facilitated a suitable traffic flow within the area and provided a suitable area on the site so that the service vehicles turning manoeuvrability on site can be achieved without impacting the traffic flow throughout the site. The applicant did not address Council's concerns. It is considered that the proposal is overdevelopment of the site.

Privacy, overlooking and boundary treatments

The adjoining dwellings located along the eastern side boundary are potentially affected by overlooking and privacy impacts from the future occupants of the development. The applicant has included considerations to address privacy impacts through the design of the building, particularly the windows orientated towards the neighbouring sites are predominately bedroom windows.

The proposed balconies on the northern elevation of Blocks 1-5 would be required to be removed by condition if the proposed development was supported for approval.

Overlooking potential is minimised by providing planting along the boundaries and around the communal open space area. Conditions could be recommended to ensure this planting achieves privacy for the adjoining property.

Air quality

A condition could be recommended in relation to dust control during demolition, earthworks and construction requiring adoption of appropriate measures to minimise emissions into the surrounding environment. There is minimal potential for any air pollution, odour, fumes or other air quality impacts associated with the development on the site.

Noise and vibration

There will be construction noise for a limited duration as a consequence of the development. A condition could be recommended imposing standard operating hours for the construction of the development. It is not anticipated that the development will cause ongoing excessive or unreasonable noise or vibration above what generally occurs within a residential area.

The potential noise impacts on the existing dwellings located to the east from the proposed driveway on the road reserve of Stratford Avenue has not been considered by the applicant.

Whether the development provides safety, security and crime prevention.

The principles of Crime Prevention Through Environmental Design (CPTED) have been considered under the design of the proposed development. The applicant prepared and submitted a detailed CPTED Assessment Report which has identified a number of design considerations to discourage anti-social behaviour and minimise the opportunities for criminal activities.

A condition could be recommended to ensure that the development is consistent with the CPTED principles and requirements for safety, security and crime prevention and the submitted report.

Landscaping

The proposed landscaping is acceptable as it would provide amenity to the occupants of the units and the neighbouring sites. A condition could be recommended to ensure that the development is consistent with the landscaping report and plan.

THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT

The subject site is suitable for a development as the R1 General Residential zone permits residential flat buildings. However, due to the lack of information submitted associated with inadequate vehicle manoeuvrability within the site for domestic and service vehicles in accordance with AS 2890.1:2004 & AS 2890.2-2002, inadequate manoeuvrability onto Moala Parade by service vehicles from the proposed road due to the pedestrian refuge island, sight line and pedestrian safety concerns from vehicles exiting onto Moala Parade, the one-way internal street that concentrates all inbound traffic to Oak Road and exiting traffic to Moala Parade and the insufficient information to determine the ecological impact of the proposal, the proposed development application is recommended for refusal.

ANY SUBMISSION MADE IN ACCORDANCE WITH THIS ACT OR REGULATIONS

Any submission from the public

The application was notified in accordance with Wyong DCP 2013 Chapter 1.2 -Notification of Development Proposals (1 December 2015 to 18 January 2016) and 70 submissions were received. The key issues raised in relation to the proposal are identified below.

- Building height excessive; building out of character; unsuitable for site; excessive bulk and scale

  Comment

  Considering the desired increased density of development on the site under Council's planning controls, the proposed development is considered to be satisfactory in terms of bulk and scale impacts on the built environment. The proposal will provide a transitional area between the R2 Low Density Residential zone to the north and east neighbouring land use zoned B4 Mixed Use zone to the west.

- Overshadowing and solar access

  Comment

  Shadow diagrams have been prepared for the development at intervals of 9:00am, midday and 3:00pm, on 21 June. The diagrams indicate the scenario mid-winter on the shortest day of the year in order to ascertain shadowing impacts in the worst case scenario. At least 75% of required private open space areas on adjoining lands are to receive at least three hours unobstructed sunlight between the hours of 9am and 3pm on June 21 (winter solstice). The proposed development provides greater than 3 hours solar access to at least 75% of the private open space areas on the adjoining sites.

  The proposed solar access received by the units complies with the controls of SEPP 65 (see attachment 1).

  There are no unreasonable amenity impacts resulting from solar access loss to any existing surrounding residential development or public areas as a consequence of the development. The overall extent of shadowing impact resulting from the proposal is not excessive or unreasonable. The building design has sought to minimise the extent of potential overshadowing. Overall, considering the site constraints and the desired increased density of development on the site under Council's planning controls, the proposed development is considered to be satisfactory in terms of solar impacts.

- The proposal will impact the solar panels on the nursing home.

  Comment

  The proposed development is setback in accordance with the setback controls of the Residential Flat Design Guide and Chapter 2.4 of the DCP. The proposed development provides the required 3 hours of solar access to the neighbouring sites and provides an adequate area of separation so as to not impact the solar panels on the retirement village. This has been demonstrated using shadow diagrams.

- Loss of privacy and residential amenity

  Comment

  The development provides adequate building setbacks to surrounding developments of more than 6m. The physical separation will address potential visual privacy issues. There appears to be some potential for overlooking between the balconies on the northern elevation of blocks 1-5. However, parts of these balconies could be removed, which would provide compliant overshadowing for the units and remove the privacy concern.

  The potential for overlooking of the surrounding properties located to the east and north east of the site and also to maintain the amenity has been minimised by providing planting along the boundaries. Conditions would have been recommended to ensure the plantings achieve privacy and amenity for the adjoining properties if the proposed development was supported.

  The inadequate waste management of the development may result in unreasonable amenity impacts to the neighbouring sites.

- Permissibility and characterisation of use

  Comment

  The proposed residential flat buildings are permissible with consent on land zoned R1 General Residential under Wyong LEP 2013. The proposal will provide a transitional area between the R2 Low Density Residential zone generally to the east of the site and the B4 Mixed Use zoned land to the west. The proposed development is considered to provide an appropriate scale and stepping of development in that context.

- Noise during construction

  Comment

  Conditions of consent could be imposed to require that the hours for construction work will be limited between 7.00 am and 5.00 pm Monday to Saturday with no construction or works on a Sunday or a public holiday. It is noted that any development on the site will likely result in construction noise.

- Request condition of noise and dust requirements and construction hours.

  Comment

  Conditions can be recommended to address these matters should the development be supported.

- Parking insufficient and unacceptable traffic congestion

  Comment

  The parking provided for the proposed residential flat buildings complies Council's DCP requirements.

  In relation to traffic congestion the applicant's traffic engineer provided a traffic impact assessment for the proposal which was reviewed by Council's Traffic Transport Engineer. The amount of traffic generation and impact on the network is considered acceptable. The surrounding roads are considered to have sufficient capacity to accommodate the expected increase in traffic generated.

  The intersection of Moala Parade and the Pacific Highway has sufficient capacity to accommodate the expected increase in traffic generated. To minimise safety concerns of vehicles turning right out of Moala Parade onto the Pacific Highway, the vehicle owners have the option of using the roundabout located at the intersection of the Pacific Highway, Lake Haven Drive and Chelmsford Road that will redirect them north bound on the Pacific Highway.

  The proposed intersection of the private driveway on Moala Parade does not provide for adequate manoeuvring space, particularly for larger vehicles e.g. waste trucks, furniture trucks servicing the development. This is considered to reduce vehicular and pedestrian safety in the area.

- View loss

Comment

The neighbouring residential sites do not have significant views in the form of water views or of iconic built form structures. The proposal will not impact on the existing urban views that the neighbouring sites currently obtain. The development has been designed so that the proposed setbacks and building heights will significantly impact on the urban views that the neighbouring sites currently obtain.

- Too many proposed variations to DCP

  Comment

  A number of variations are proposed to Council's DCP and these are outlined above and discussed within the report. The extent of variations are considered reasonable and acceptable in consideration of the complexity and long term planning for the site. The proposal is considered to be consistent with the objectives for each of the DCP controls to which a variation is being sought.

- State Environmental Planning Policy (SEPP) 65 -Design Quality of Residential Flat Buildings considerations

  Comment

  The proposal is generally consistent with the principles under SEPP 65 (Design Quality of Residential Flat Buildings) and this is discussed in greater detail elsewhere in the report and in the compliance table attached to the report.

- The proposal will impact existing drainage systems within the area.

  Comment

  Council's development engineer reviewed the proposed stormwater management plans and considers that the generated stormwater from the subject site can be accommodated within the existing drainage system within the area. Stormwater management could be conditioned appropriately if required.

- The proposed units will create unreasonable noise levels.

  Comment

  The proposed residential flat buildings are permissible within the zone and it is unlikely that the noise generated from the units that is out of character than what usually occurs in urban areas.

  The potential noise impacts on the existing dwellings located to the east from the proposed driveway on the road reserve of Stratford Avenue has not been considered by the applicant.

- The proposed units will create light pollution.

The proposed units will not create unreasonable levels of illumination within the area. Furthermore, the proposed landscaping and setbacks will reduce the illumination impacts on neighbouring properties.

- The proposed units will create unsocial behaviour in the area.

  The applicant prepared and submitted a detailed Crime Prevention Through Environmental Design (CPTED) Assessment Report which has identified a number of design considerations to discourage anti-social behaviour and minimise the opportunities for criminal activities. The recommendations provided within the CPTED would have been conditioned as part of the consent if the development application was supported.

- The proposed development and the driveway crossing will create safety issues for pedestrians that use the pathway and the pedestrian refuge island on Moala Parade.

  The proposed intersection of the private driveway on Moala Parade does not provide for adequate manoeuvring space, particularly for larger vehicles e.g. waste trucks, furniture trucks servicing the development. This is considered to reduce vehicular and pedestrian safety for the users of the existing pathway and the refuge island on Moala Parade.

Submissions from Public Authorities

NSW Police Force

The application was referred to the NSW Police Tuggerah Lakes Local Area Command Crime Prevention Officer for comment in relation to Crime Prevention Through Environmental Design (CPTED) in accordance with Council's protocol. No comment was received within the specified 28 days nominated for comments, Council can assume that the NSW Police raise no objection to the proposal.

NSW Mines and Subsidence Board

The application was referred to NSW MSB for comment. The MSB requested that a geotechnical report be submitted, as the site is within a mine subsidence area. To date the applicant has not submitted the requested geotechnical report. Therefore, the MSB has not granted any form of approval to this development nor has provided Council with any General Terms of Approval.

In accordance with Clause 91A (2) of the EP&A Act 1979, the consent authority cannot grant consent until the General Terms of Approval (GTA's) have been received from the Mines Subsidence Board. In this case, as Council is recommending refusal of the proposed development the GTA's from the MSB are not required prior to determination.

THE PUBLIC INTEREST (s79C(1)(e)):

Due to the lack of information submitted regarding driveway levels, retaining walls, vehicle manoeuvrability on site and onto Moala Parade, the ecological impact of the proposal and the traffic impacts on the area from the one-way road, the proposal is not within the interest of the public and is recommended for refusal.

OTHER MATTERS FOR CONSIDERATION

There are no other matters for consideration.

CONCLUSION

The application seeks approval for the construction of 7 x 3 storey residential flat buildings containing a total of 115 units, under-croft and at grade car parking for 138 cars, internal one way private road system, associated retaining walls and strata subdivision.

The applicant was requested numerous times to re-design the proposal and provide additional information to address Council's concerns. However, the applicant did not provide the requested information or amend the design of the development.

It was demonstrated within the approval of DA/1019/2007 for the construction of 35 residential units as a multi dwelling development (RFB) that the site can accommodate medium density development. The former application demonstrated that vehicle manoeuvrability on site was in accordance with AS2890.1:2004 and AS 2890.2:002 and that the ongoing waste management of the site was functional.

Regardless of the assessment against the relevant State Environmental Planning Policies and the DCP controls within the report. The proposed development has not addressed all aspects of the ecology on the site or provided information regarding vehicle manoeuvrability for service vehicles within the site or service vehicle manoeuvrability onto Moala Parade from the proposed internal road. The one-way internal road that concentrates all inbound traffic to Oak Road and exiting traffic onto Moala Parade has an impact on the road network. The proposed development is overdevelopment of the site and is recommended for refusal.

RECOMMENDATION:

THAT the Hunter Central Coast Joint Regional Planning Panel, refuse DA/1322/2015, for the construction of 7 x 3 storey residential flat buildings with associated site works for the following reasons:

1. The proposed development will have an unacceptable impact on the health and amenity of the occupants of the site and adjoining sites due to inadequate waste management. In this regard there is insufficient manoeuvring area to allow for the site to be serviced by a waste collection vehicle.

2. The site is potential habitat for a number of threatened flora, particularly orchids. The development application does not contain sufficient information to allow for a full assessment of the potential impact of the development on threatened flora and/or fauna species.

3. The proposed driveway access is not of an appropriate geometry and width to allow safe and efficient vehicular and pedestrian movement within the site.

4. The proposed intersection of the access with Moala Parade does not cater for the largest anticipated vehicle required to access the site. In this regard medium rigid vehicles will mount the existing pedestrian safety refuge located within Moala Parade in any manoeuvre to exit the development.

5. The development will have an undue impact on traffic and pedestrian safety in proximity to the site. In this regard the proposed intersection of the access with Moala Parade will result in conflict with the pedestrians within Moala Parade and / or pedestrians utilising the shared path within the Stratford Avenue road reserve which links to the Lake Haven Shopping Centre.

6. Pedestrian and vehicle safety are matters raised in public submissions and by not providing safe and efficient vehicular access the proposal is not in keeping with the public interest.

ATTACHMENTS

Attachment 1 – SEPP 65 & RFDG compliance table
Attachment 2 – SEPP 71 – Clause 8 Compliance Table
Attachment 3 – Chapter 2.4 Multi Dwelling compliance table

Attachment 1

State Environmental Planning Policy No. 65 (Design Quality of Residential Flat Buildings) & Apartment Design Guide – Compliance Table

	Guideline	Comment	Compliance
Building height/floor space	• Test building height controls against the FSR and the proposed number of storeys and minimum ceiling heights	Chapter 2.4 of DCP 2013 provides the height and FSR controls	Satisfactory
Building depth	• An apartment building depth of 10-18 metres is appropriate. Developments that propose wider than 18 metres must demonstrate how satisfactory daylighting and natural ventilation are to be achieved.	Building depth are less than 18m in width	Satisfactory
Building separation	Building Separation Increase building separation distances as building height increases as follows: Up to four storeys: • 12m between habitable rooms/balconies. • 9m between habitable rooms/balconies and non-habitable rooms. • 6m between non-habitable rooms. Note: Where applying separation to buildings on adjoining sites, apply half the minimum separation distance measured to the boundary however consideration must be given to visual privacy design criteria.	The development does not comply with the required internal separation distances. Proposed Block 7 has an 11.5m setback to proposed Block 3 and Block 4. All other building separations comply	The proposed 0.5m variation to the design criteria regarding internal building separation distance is acceptable in this circumstance.
Communal and public open space	Communal open space has a minimum equal to 25% of the site	33%	Satisfactory

	Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid winter)	Greater than 50% of the communal open space receives a minimum of 2 hours solar access	Satisfactory
Deep soil zones	Deep soil zones are to meet the following minimum requirements: Minimum 7% of a site should be a deep soil zone with the following dimensions: • 650m²-1500m² - 3m • Greater than 1500m² - 6m	Greater than 7% of the site with a minimum dimension of 6m provides deep soil zones	Satisfactory
Visual Privacy	Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows: Up to 12m (4 storeys): 6m (habitable rooms) 3m (non-habitable rooms) Note: Apartment buildings should have an increased separation distance of 3m (in addition to the requirements set out above) when adjacent to a different zone that permits lower density residential development to provide for a transition in scale and increased landscaping.	6m to the northern properties that are zoned R1 (similar zoning as the subject site) 9m to the eastern properties zoned R2 Greater than 12m to the south zoned R1	Yes Yes Yes
Vehicle access	Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes	Provided	Yes
Car parking	For developments in the following locations: • On sites that are within 800m of a railway station or light rail station in Sydney Metropolitan Area; or • On land zoned, and sites within 400m of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre The minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant Council, whichever it the lesser. The car parking needs for a development must be provided off street	1 car space is required per unit under the DCP as a traffic management plan was submitted.	Satisfactory
Solar and daylight access	• Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9am and 3pm at mid winter in the Sydney Metropolitan Area and in the	76% of the units achieve a minimum of 3 hours solar access	Satisfactory

	Newcastle and Wollongong local government areas • In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9am and 3pm at mid winter. • A maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm at mid winter	2% of the units achieve no solar access	
Natural ventilation	At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line	Greater than 60% of apartments are naturally cross ventilated.	Satisfactory
Ceiling heights	Minimum ceiling heights are as follows: • 2.7m for habitable rooms • 2.4m for non-habitable rooms • Double storey apartments – 2.7m for main living area, 2.4m for second floor where it does not exceed 50% of the apartment. • Attic spaces – 1.8m at edge of room with a 30 degree minimum ceiling slope • In mixed use areas – 3.3m for ground and first floor to promote future flexibility of use	Minimum 2.7m ceiling height provided for the apartments	Yes
Apartment size and layout	Minimum apartment sizes Studio – 35m² 1 bedroom - 50m² 2 bedroom – 70m² 3 bedroom – 90m²	1 and 2 bedroom apartments achieve the minimum 50m² and 70m² respectively	Yes
	Habitable rooms depths are limited to a maximum of 2.5m x the ceiling height	Provided	Yes
	In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.	Provided	Yes
	Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space	Provided	Yes
	Bedrooms have a minimum dimension of 3m (excluding wardrobe space)	Provided	Yes
	Living rooms or combined living/dining rooms have a minimum width of: • 3.6m for studio and 1 bedroom	Provided	Yes

	apartments • 4m for 2 and 3 bedroom apartments		
	The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts	Provided	Yes
Private open space and balconies	Apartments are required to have the following balcony dimensions: Studios – 4m² 1 bedroom - 8m² with min. 2m depth 2 bedroom – 10m² with min. 2m depth 3 bedroom – 12m² with min. 2.4m depth	Provided	Yes
	For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m² and a minimum depth of 3m	Minimum 15m² provided for ground level apartments	Yes
Common circulation and spaces	The maximum number of apartments off a circulation core on a single level is eight	Provided	Yes
	For buildings of 10 storeys and over, the maximum number of apartments sharing a lift is 40	N/A	N/A
Storage	In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided: • Studio apartments – 4m² • 1 bedroom apartments – 6m³ • 2 bedroom apartments – 8m³ • 3 bedroom apartments – 10m³ At least 50% of the required storage is to be located within the apartment	Provided	Yes

Attachment 2

SEPP 71 – Coastal Protection

State Environmental Planning Policy (SEPP) No.71 – Coastal Protection applies to the development as the subject site is located within the coastal protection zone, but not within 100m of a coastal lake or sensitive coastal location. Clause 8 'Matters for Consideration' is to be taken into consideration by the consent authority when it determines a development application to carry out development on land to which SEPP 71 applies. The proposed development has satisfactorily addressed the matters of consideration outlined in Clause 8, as indicated below: -

Matters for Consideration	**Compliance Y/N/NA**
a. the aims of this Policy set out in clause 2	The proposal complies with the aims of this Policy.
b. existing public access to and along the coastal foreshore for pedestrians or persons with a disability should be retained and, where possible, public access to and along the coastal foreshore for pedestrians or persons with a disability should be improved,	N/A. The subject land does not adjoin the foreshore.
c. opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability,	N/A. The subject land does not adjoin the foreshore.

d.	*the suitability of development given its type, location and design and its relationship with the surrounding area,*	The proposal is considered suitable.
e.	*any detrimental impact that development may have on the amenity of the coastal foreshore, including any significant overshadowing of the coastal foreshore and any significant loss of views from a public place to the coastal foreshore,*	N/A. The subject land does not adjoin the foreshore.
f.	*the scenic qualities of the New South Wales coast, and means to protect and improve these qualities,*	N/A – The site and neighbouring site do not benefit from coastal views
g.	*measures to conserve animals (within the meaning of the Threatened Species Conservation Act 1995) and plants (within the meaning of that Act), and their habitats,*	The subject land contains very little vegetation, none of which has been identified as being endangered ecological communities.
h.	*measures to conserve fish (within the meaning of Part 7A of the Fisheries Management Act 1994) and marine vegetation (within the meaning of that Part), and their habitats*	N/A. The subject land does not adjoin the foreshore.
i.	*existing wildlife corridors and the impact of development on these corridors,*	The subject site is not part of nor adjoins existing wildlife corridors.
j.	*the likely impact of coastal processes and coastal hazards on development and any likely impacts of development on coastal processes and coastal hazards,*	N/A. The subject land does not adjoin the foreshore.
k.	*measures to reduce the potential for conflict between land-based and water-based coastal activities,*	N/A. The subject land does not adjoin the foreshore.
l.	*measures to protect the cultural places, values, customs, beliefs and traditional knowledge of Aboriginals,*	The subject site has not been identified as containing any Aboriginal relics or a place of significance.
m.	*likely impacts of development on the water quality of coastal waterbodies,*	N/A. The subject land does not adjoin the foreshore.
n.	*the conservation and preservation of items of heritage, archaeological or historic significance,*	The subject site has not been identified as containing any items of heritage, archaeological or historic significance.
o.	*only in cases in which a council prepares a draft local environmental plan that applies to land to which this*	N/A

Policy applies, the means to encourage compact towns and cities,	

Attachment 3

Chapter 2.4 – Multiple Dwelling Residential
7 Stratford Avenue, Charmhaven

Requirement	Proposal	Complies?
2.0 Context		
Submission of a suitable site analysis to be provided with the development application (s2.1.1)	Suitable site analysis plan provided	Yes
Contextual analysis submitted addressing economic, social, environmental and urban design context (s2.1.2)	Suitable contextual analysis provided	Yes
3.0 Scale		
Building height is defined as the vertical distance between natural ground level and the highest point of the building. Compliance with building height map. (s3.1.1)	R1 zone – No building height map under WLEP 2013	N/A
Ceiling height vertical distance from natural ground level at any point within a building to the top-most ceiling of the building. R1 zone shall not exceed two-storeys and 7m in height. (s3.1.2)	R1 Zone - 2 storey (7m) max. 3 storey greater than 7m proposed	No - See discussion in report
Minimum of 25% of site area to be soft landscaping. (s3.2) – 3315m² required	Provided – 3381m² - 25.5%	Yes
4.0 Built Form		

4.1 Construction and Appearance of Development		
Scale, function and visual appearance to be compatible with objectives of the zone and be of high architectural quality. (s4.1.1)	3 storey RFBs are compatible with the objectives of the R1 zone. The proposal provides a transition from R2 low density residential to B4 mixed use zone.	Yes
Buildings facades to be articulated in length and height, monotonous and unbroken lengths of wall >10m in length and >3m in height not permitted. Visual interest to be provided for two storey designs. (s4.1.1)	Building facades are well articulated	Yes
Garages shall not dominate the street elevation(s) or presentation of the development. (s4.1.1)	Car parking will not dominate other streetscapes due to the proximity of the site.	Yes
Street number(s) shall be clearly identifiable for the development. (s.4.1.1)	Mail boxes will be provided at the entry to the site from Oak Road	Yes
Roof design to be related to the built form and size and scale of the building. (s4.1.2)	Flat roofs have been proposed	Yes
Existing buildings to be suitably upgraded in terms of architectural features and form, roof form, external building materials and colours, location and orientation and dwelling curtilage. (s4.1.3)		N/A
Internal finishes, bathrooms and kitchen facilities are to be upgraded in existing buildings. (s4.1.3)		N/A
4.2 Cut and Fill		
Cut and fill considerations (s4.2)	Acceptable – no visual impact to the neighbouring sites or the streetscape.	Yes
4.3 Building Lines		
Residential Flat Buildings 3 or more storeys in height (s4.3.3)		
Front setbacks for development 7.5m with some exceptions.	Greater than 7.5m from Stratford for Unit block 5	Yes
Side & rear setbacks for development First Storey: 6.0 metres Second Storey: 6.0 metres Third Storey: 6.0 metres No more than 4 floors at the same setback.	Block 1 – 6m (northern boundary) - 8m (eastern boundary) Block 2 – 6m (northern boundary) Block 3 – 6m (northern boundary) Block 4 – 6m (northern boundary) Block 5 – 6m (northern boundary) Block 6 – 9.8m (eastern boundary - 12.4m (southern boundary) Block 7 – 6m (western boundary) - 12.4m (southern boundary)	Yes – balconies on the northern elevation of Blocks 1 to 5 are conditioned to be removed so as to achieve the 6m setback requirement.
Garages: 6.0m when direct access from		Yes

road OR 7.5m for Category A roads.		
Corner allotments: same as side and rear setbacks, plus comply with sight lines.		N/A
4.4 Transport Needs		
4.4.1 General Requirements		
Car parking within setbacks to Category A roads not permitted.	Site is not accessed from Category A road	Yes
Car parking visible from street, surface to have decorative finish and screened.	Not visible	Yes
Parking within side or rear building setback shall be landscaped.	Provided	Yes – adequate setback from the southern boundary to provide landscape screening
One resident space shall be enclosed.	Undercover at grade	Yes – under croft car parking
Vehicles to enter and leave in a forward direction.	One way private street through development site	Yes
Consideration given to separate access on corner allotments.	Not a corner lot	N/A
4.4.2 Resident Parking		
One bedroom unit: 1 car space Two bedroom unit: 1.2 car spaces Three or more bedrooms unit: 1.5 car spaces (s4.4.2) The above requirements may be reduced to 1 space per dwelling if development is in the Regional Centre or a District Centre, subject to submission of a Traffic Management Plan and approved by Council	1 space per unit as the development is located within the 400m of land zoned B4 Mixed use as per SEPP 65 Apartment Design Guide. 115 spaces provided (115 units) and a traffic management plan was submitted	Yes – 115 car spaces provided with a traffic management plan supported by Council's traffic engineer.
Visitor parking: 1 space / 5 units or part thereof (s4.4.3)	23 visitor spaces provided	Yes – 23 spaces required
Bicycle facilities to be provided for RFBs rate of 1 / 3 units. (s4.4.4)	38 bicycle spaces required and proposed near Stratford Avenue boundary.	Yes
4.5 Vehicular Access Design		
Minimum driveway pavement widths:- 3m – 1-4 dwellings 3.5m – 5 or more dwellings		Yes – Private road provided

5.5m for first 6m of driveway when to a Category A road.		
Driveways not to be continuous straight lines and be offset by landscaping. (s4.5.2)		Yes - screen plantings provided
Driveways offset from any side boundary by 2m at front of boundary and may taper back to 0.5m at the front building line.		Yes
Impact of ground level parking to be minimised.		Yes – screening acceptable
Garages should be located behind the façade of the building to not dominate the streetscape.		Yes – screening acceptable
Garages visible from the street shall not exceed 50% of the lineal frontage of the building.		Acceptable – car parking will not be significantly visible from Oak Road
Basement parking see section 4.5.3 for requirements.		Undercroft parking provided
5.0 Density		
Clause 5.1 – Floor Space Ratios R1 not mapped 0.6:1.	0.78:1	No – See discussion in report
Development Bonuses		
Refer to clauses 4.3 and 4.4 of the WLEP 2013.	Subject site does not benefit FSR bonus	N/A
6.0 Amenity		
6.1.4 RFBs		
Each dwelling requires a balcony, terrace or ground level courtyard to have min $10m^2$ with min dimension of 2m directly accessible from a living area within the dwelling.	Provided	Yes
Communal open space shall be provided in accordance with 6.2.3 below.	Provided	Yes
6.2 Communal Open Space		
6.2.1 General Requirements		
Minimum 25% of site at ground level to be soft landscaping	Provided – 3381m² - 25.5%	Yes
Spaces to be landscaped and include facilities	Provided	Yes
Communal areas not to be provided in	Communal areas are not provided in	Yes

front setback without demonstrated need	the front setback	
Roof top open space for RFBs only where in addition to ground level requirements.	Roof top open space is not proposed	N/A
Open space shall be located to increase the potential for residential amenity.	Provided	Yes
6.2.3 RFB		
Incorporate communal open space in up to 2 locations at a minimum rate of 10m² per dwelling and a minimum width of 5m. (1150m²)	Provided – 1340m² in 2 locations	Yes
6.3 Solar Access		
6.3.1 General Requirements		
At least 75% of each required open space area shall receive at least 3 hours unobstructed sunlight between the hours of 9am and 3pm on June 21.	Complies with SEPP 65 Apartment Design Guide requirements.	Yes – See SEPP 65 compliance table
Dwellings should be orientated to allow optimum solar access for internal living areas.	Provided	Yes
Buildings shall be designed to minimise adverse impact by wind velocities, intensities and directions on the amenity of the development and surrounding areas.	Provided	Yes
A weather protected entrance shall be provided to each dwelling.	Provided	Yes
Consideration should be given to the provision of natural light and ventilation for excavated car parking areas.	Provided – under croft car parking	Yes
6.3.2 Multi Dwelling Housing		
At least 75% of each required private and communal open space area, courtyard, balcony etc shall receive at least 3 hrs unobstructed sunlight between the hours of 9am to 3pm on June 21.	Provided	Yes
6.3.4 Shadow Diagrams		
Developments that are 2 storeys in height or greater shall provide shadow diagrams based on a survey of the site and adjoining development, showing shadow casting at 9 am, 12 noon and 3 pm on June 21 (winter solstice). The shadow diagrams must show the impact of shadowing from the proposed development, fencing, cut and fill as well as existing development, on the proposed development and adjoining properties.	Provided	Yes

In assessing the impact of shadow on an adjoining property, Council shall have regard for the standards stated above in Section 6.3.1.	Provided	Yes – Greater than 3 hours solar access is provided to the private open space in the neighbouring sites
Where a development does not comply with the required solar access requirements under 6.3.1, additional information in the form of elevational shadow diagrams shall be submitted to show the impact of the shadowing on affected properties.	Proposal complies with the controls	N/A
6.4 Privacy		
6.4.1 Visual Privacy		
Direct overlooking of internal living areas and private open space to surrounding dwellings shall be minimised.	Provided	Satisfactory
This section has details of requirements for windows within proximity of living areas or balconies of adjacent dwellings as well as first floor level. Refer to table 5 of s6.4.1 for recommended building separation distances.	Complies with SEPP 65 Apartment Design Guide requirements.	Satisfactory
6.4.2 Acoustic Privacy		
Site layout should separate active recreational areas, parking areas, vehicle access ways and service equipment areas from bedroom areas of dwellings.	Provided	Satisfactory
Development adjacent to high levels of uncontrollable external noise shall minimise the entry of that noise through building design and external wall treatment.	Provided	Satisfactory
6.5 Views		
Developments should be designed to minimise view loss from adjoining and adjacent properties.	Provided	Yes
A visual analysis illustrating the impacts of the proposed may be required for developments which have the potential to	Provided	Yes – The proposal will not

obstruct views.		significantly impact the existing views obtained by the neighbouring sites.
Measures are to be used to maintain views including setbacks, gaps between buildings, etc.	Provided with building setbacks and screen plantings.	Yes
7.0 Services		
7.1 Services		
All applications shall provide details of the proposed method of sewerage disposal.	Provided	Yes
All sites to provide adequate services.	Provided	Yes
Details are to be provided of impacts on services.	Provided	Yes
External attachments shall be fully integrated with façade design.	Provided	Yes
7.2 Civil Works		
Kerb and gutter shall be constructed.		Would be conditioned as part of the consent.
8.0 Stormwater Management		
Concept stormwater management plan to be submitted with application.	Provided	Yes
Evidence of agreement for easements over downstream properties is required.	N/A	N/A
9.0 Landscape		
9.1 General requirements		
A Landscape plan prepared by an approved consultant to be submitted with the development application. (s8.1.1)	Provided	Yes
9.1.2 Deep Soil Zones		
A minimum 50% of required soft landscape area at ground level shall be a deep soil zone – 1657m² required	Provided	Yes
10.0 Sustainability		
Sustainability is integral to the design process.	Provided	Yes – BASIX certificate provided
10.1 Waste Management		
10.1.1 General Requirements		
All proposed development to comply	Provided	Yes

with Chapter 3.1.		
Developments to include suitably screened bin storage area.	Provided	Yes
Where waste bins collected from a point within the site, adequate space shall be provided to accommodate a rear-loading collection vehicle.	Unacceptable location	No – See discussion in report
10.1.2 RFB 3 or more storeys in height		
Garbage chute systems required if exceeding 3 storeys or a lift.	N/A for 3 storeys	N/A
Developments with a garbage chute must contain a recycling room on each floor to accommodate one day's volume of recyclables which are then transported to the bine storage room/s.	N/A for 3 storeys	N/A
10.1.3 Ongoing Management		
Ongoing management must be addressed in waste management plan.	Provided	No – See discussion in report in report.
11.0 Safety and Security		
11.1 Crime Prevention		
Pedestrian access shall be clearly defined.	Provided	Yes
CPTED principles should be taken into account (s10.1)	Provided	Yes
> 20 dwellings a formal Crime Risk Assessment may be required (s10.1)	CPTED report provided	Yes
12.0 Social Dimensions		
12.1 Housing Choice		
A variety of dwelling types is encouraged.	Provided	Yes
10% of units in RFBs shall be designed as suitable adaption for occupation by disabled/aged persons.	Provided	Yes
12.2 Facilities and Amenities		
12.2.1 Meeting Places		
A meeting place for residents is encouraged	Provided in the common outdoor areas	Satisfactory
12.2.2 Laundries		
An internal laundry shall be provided within each dwelling.	Provided	Yes
12.2.3 Drying Areas		
Drying areas shall be provided in common open space areas.	Provided	Yes
12.2.4 Car washing facility		

Provision is to be made for a car washing facility for each development.	Provided	Yes
12.2.5 Mail boxes		
Provision of mailboxes for residents.	Provided	Yes
12.2.6 Storage		
Internal storage space is to be provided. 1-2 bedrooms: 3m^2 floor area 3 or more bedrooms: 6m^2 floor area.	Provided	Yes
13.0 Aesthetics		
13.1 Fencing		
13.1.2 General Requirements		
Details of material, height, type and extent of all proposed fencing shall be shown on development application plans.	Provided	Yes
Fences contribute to the amenity, beauty and useability of private open spaces through incorporating design features.	Provided	Yes
Dividing fences shall not adversely affect flow of surface water or create flooding problems	Provided	Yes
Courtyard fencing is to be of a decorative nature and 1.8m in height.	Provided	Yes