

Appendix A – SEE (Original)

Central Coast
5 Pioneer Avenue
Tuggerah NSW 2259
Ph. 02 4305 4300
Fax. 02 4305 4399
coast@adwjohnson.com.au

Hunter Region
7/335 Hillsborough Road,
Warners Bay NSW 2282
Ph. 02 4978 5100
Fax. 02 4978 5199
hunter@adwjohnson.com.au

Planning

Working Beyond Expectations

Statement of Environmental Effects

Mixed Use Development (Residential Flat Building, Commercial Premises and Associated Works)

Property:

482, 486 and 488 The Esplanade,
12 - 16 King Street and 1 Howard Street, Warners Bay.
Lots 1 & 2 DP 1116535, Lots 3 & 4 DP 32518,
Lots 1, 2 & 3 DP 155951 and Lot 122 DP 578045

Applicant:

YPI Yahav Property Investments
(Warners Bay) Pty Ltd

Date:

April 2017

Document Control Sheet

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Limitations Statement

This report has been prepared in accordance with and for the purposes outlined in the scope of services agreed between ADW Johnson Pty Ltd and the Client. It has been prepared based on the information supplied by the Client, as well as investigation undertaken by ADW Johnson and the sub-consultants engaged by the Client for the project.

Unless otherwise specified in this report, information and advice received from external parties during the course of this project was not independently verified. However, any such information was, in our opinion, deemed to be current and relevant prior to its use. Whilst all reasonable skill, diligence and care have been taken to provide accurate information and appropriate recommendations, it is not warranted or guaranteed and no responsibility or liability for any information, opinion or commentary contained herein or for any consequences of its use will be accepted by ADW Johnson or by any person involved in the preparation of this assessment and report.

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Table of Contents

1.0	INTRODUCTION	5
1.1	INTRODUCTION AND DEVELOPMENT OVEVIEW	5
1.2	DEVELOPMENT APPLICATION DETAILS	7
2.0	THE SITE	8
2.1	LAND TITLE	8
2.2	OWNERSHIP	8
2.3	LOCATION	8
2.4	PHYSICAL DESCRIPTION	10
3.0	DESCRIPTION OF THE PROPOSED DEVELOPMENT	17
4.0	PLANNING CONTROLS	18
4.1	LAKE MACQUARIE LOCAL ENVIRONMENTAL PLAN 2014	18
4.1.1	<i>Zoning.....</i>	18
4.1.2	<i>Clause 2.3 Land Use Table</i>	19
4.1.3	<i>Clause 2.7 – Demolition</i>	19
4.1.4	<i>Clause 4.3 – Height of Buildings</i>	19
4.1.5	<i>Clause 5.6 – Architectural Roof features.....</i>	21
4.1.6	<i>Clause 5.5 – Development within the Coastal Zone</i>	21
4.1.7	<i>Clause 5.9 – Preservation of Trees or Vegetation</i>	22
4.1.8	<i>Clause 7.1 – Acid Sulfate Soils.....</i>	22
4.1.9	<i>Clause 7.2 - Earthworks.....</i>	23
4.1.10	<i>Clause 7.3 – Flood Planning</i>	23
4.1.11	<i>Clause 7.10 Residential Development in Certain Business Zones.....</i>	24
4.1.12	<i>Remainder of LEP Mapping Layers.....</i>	24
4.2	STATE ENVIRONMENTAL PLANNING POLICIES (“SEPP’S”)	25
4.2.1	SEPP BASIX 2004.....	25
4.2.2	SEPP Infrastructure.....	25
4.2.3	SEPP 55 – Remediation of Land.....	25
4.2.4	SEPP 65 – Design Quality of Residential Apartment Development.....	25
4.2.5	SEPP 71 Coastal Protection	26
4.3	LAKE MACQUARIE DEVELOPMENT CONTROL PLAN 2014	28
4.3.1	<i>Part 4 – Development in Business Zones.....</i>	28
4.3.2	<i>Part 9.13 – Specific land Uses – Residential Flat Buildings</i>	29
4.3.3	<i>Part 10.3 – Town Centre Area Plans – Warners Bay</i>	29
4.4	CONTRIBUTIONS.....	30
4.5	INTEGRATED DEVELOPMENT.....	30
4.6	HUNTER REGIONAL PLAN 2036.....	30
4.7	LIFESTYLE 2030 STRATEGY	30
5.0	ENVIRONMENTAL ASSESSMENT	32
5.1	THE LIKELY IMPACTS OF DEVELOPMENT (S79C(1)(B))	32
5.1.1	<i>Access, Transport and Traffic</i>	32
5.1.2	<i>Visual Impact.....</i>	33
5.1.3	<i>Vegetation Loss and Landscaping.....</i>	35
5.1.4	<i>Stormwater and Groundwater</i>	35
5.1.5	<i>Amenity Impacts on Neighbours</i>	35
5.1.6	<i>Social and Economic Impact</i>	36
5.1.7	<i>Waste</i>	37

5.1.8	Noise.....	37
5.2	THE SUITABILITY OF THE SITE FOR DEVELOPMENT (S79C(1)(C)	38
5.3	ANY SUBMISSIONS MADE IN ACCORDANCE WITH THE ACT (S79C(1)(D)).....	38
5.4	THE PUBLIC INTEREST (S79C(1)(E))	39
6.0	CONCLUSION	40

APPENDIX 1

SURVEY PLAN, DEPOSITED PLANS AND CERTIFICATES OF TITLE

APPENDIX 2

ARCHITECTURAL PLANS AND BASIX STATEMENT

APPENDIX 3

LANDSCAPE PLANS

APPENDIX 4

VISUAL ANALYSIS

APPENDIX 5

SEPP 65 REVIEW PANEL MINUTES

APPENDIX 6

DESIGN VERIFICATION STATEMENT

APPENDIX 7

DCP COMPLIANCE TABLE

APPENDIX 8

TRAFFIC ASSESSMENT REPORT

APPENDIX 9

STORMWATER MANAGEMENT PLAN

APPENDIX 10

GEOTECHNICAL REPORT AND STRUCTURAL ENGINEERS STATEMENT

APPENDIX 11

ENVIRONMENTAL REPORTS

APPENDIX 12

WASTE MINIMISATION PLAN

APPENDIX 13

ACOUSTIC REPORT

APPENDIX 14

CPTED REPORT

APPENDIX 15

ACCESS REPORT

APPENDIX 16

CLAUSE 4.6 EXCEPTION TO DEVELOPMENT STANDARD

LIST OF FIGURES

Figure 1: LPI Cadastral Records Report.

Figure 2: Aerial photo of the subject site.

Figure 3: Locality Map of the subject site within the broader context of Warners Bay.

Figure 4: Locality Map of the subject site within the local context of Warners Bay Local Area Plan.

Figure 5: Aerial Image of site.

Figure 7: Zoning Map.

Figure 8: Maximum Building Heights Map.

Figure 9: Image of 22m height plane and minor exceedances.

Figure 10: Coastal Zone Map.

Figure 11: Acid Sulfate Soils Map.

Figure 12: Flood Planning Map.

Figure 13: Street Elevation.

Figure 14: View from Lake Macquarie.

Figure 15: View from off The Esplanade.

Figure 16: View from The Esplanade and Lake Street.

Figure 17: View from the intersection of The Esplanade and Howard Street.

1.0 Introduction

1.1 INTRODUCTION AND DEVELOPMENT OVERVIEW

ADW Johnson has been engaged by YPI Yahav Property Investments (Warners Bay) Pty Ltd to prepare a Statement of Environmental Effects (SoEE) for a mixed use development comprising a residential flat building (112 residential apartments) and 1514m² of commercial floor space on land bounded by The Esplanade, King Street and Howard Street, Warners Bay.

The subject site is located in the southern part of the Warners Bay Town Centre opposite the Warners Bay foreshore and adjoins other mixed use development. The site's location will provide future residents with a high level of amenity including excellent access to the lake foreshore as well as supermarkets, cafes, restaurants and other essential services that are located within close proximity to the site in the core of the Warners Bay Town centre.

The Warners Bay Area Plan was adopted by Council on 5 December 2016. The Area Plan envisages Warners Bay developing as a specialty centre with a variety of uses. The proposed development is consistent with the desired future character envisaged for Warners Bay and particularly this site.

The land is within the B2 Local Centre Zone under the Lake Macquarie Local Environmental Plan 2014 (LEP), where the proposed development is permissible with consent.

The development will make a positive contribution to the Warners Bay Town Centre by bringing in additional residents and providing additional commercial opportunities. Significant design effort has been undertaken to provide a building design that is functional, economically feasible and appropriate for the site locality. Various iterations of the design have been considered by the SEPP 65 Design Review Panel. The proposed development along with the Shearwater development currently under construction will help realise the objectives of the Warners Bay Town Centre Area Plan and enhance the vitality of the town centre by introducing additional residences and an active street frontage with increased commercial opportunity to the locality.

The proposed development includes the demolition of the existing service station and 4 existing dwellings on the site, tree removal and redevelopment of the site for the purpose of mixed use housing and commercial development and associated works. The footways surrounding the site will be upgraded to provide full width paving. Tree planting is proposed in The Esplanade parking lane as street tree planting opportunities are limited by proposed awnings on the building. The building comprises 2 distinct building elements separated by an area of communal open space on a podium above the basement car parking which is accessed from Howard Street. The building presents as 7 storeys to the street.

The sloping nature of the site creates challenges in integrating the development with the public domain. Building setbacks at the street level to King Street have been used to provide an appropriate public domain interface. Each of the proposed residential apartments will enjoy a high level of amenity with views to the lake and / or the central open space area.

The proposed development generally complies with the relevant provisions of the LEP and Lake Macquarie Development Control Plan 2014 (DCP). The key exception being the number of storeys proposed and the setbacks to the southern boundary of the site for levels 2, 3 and 4. There is a minor exceedance of the height limits for part of the roof structure and lift over runs. The roof itself does not exceed the height limit by more than 300mm whereas the lift over-runs are up to 900 mm. A clause 4.6 report for an exception to a development standard has been prepared and is included as an appendix to this report.

1.2 DEVELOPMENT APPLICATION DETAILS

STATEMENT OF ENVIRONMENTAL EFFECTS PREPARED BY:	
Name:	ADW Johnson Pty Ltd Unit 7, 335 Hillsborough Road WARNERS BAY NSW 2282
Contact:	Brett Stein – Senior Planner Ph: (02) 4978 5100 Fax: (02) 4978 5199 Email: bretts@adwjohnson.com.au
PROJECT DETAILS:	
Applicant Name:	YPI Yahav Property Investments (Warners Bay) PTY Ltd
Applicant Address:	18 National Circuit, Barton ACT 2600
Owners' Details:	YPI Yahav Property Investments (Warners Bay) PTY Ltd
Property Description:	482, 486 and 488 The Esplanade, 12-16 King Street and 1 Howard Street, Warners Bay. Lots 1 & 2 DP 1116535, Lots 3 & 4 DP 32518, Lots 1, 2 & 3 DP 155951 and Lot 122 DP 578045
Project Description:	Mixed Use Development – Residential Flat Building (112 Residential Apartments) 1514 m ² commercial premises and associated works.
PROJECT TEAM:	
Architect	Stewart Architecture
Town Planner	ADW Johnson
Environmental	Aurora Environmental Consulting & Coffey
BASIX	Building Sustainability Assessments
Stormwater & Servicing	RGH Consulting
Landscape and Visual	Terras Landscape Architects
Building services	Marline Newcastle Pty Ltd
Traffic	Intersect traffic Pty Ltd
Noise	Spectrum Acoustics
Access Reporting	Philip Chun Building Compliance
CPTED	James Marshall and Associates

2.0 The Site

2.1 LAND TITLE

The subject site includes Lots 1 & 2 DP 1116535, Lots 3 & 4 DP 32518, Lots 1, 2 & 3 DP 155951 and Lot 122 DP 578045 referred to as 482, 486 and 488 The Esplanade, 12 - 16 King Street and 1 Howard Street, Warners Bay.

The site has an area of 5093.9 m². A survey detail plan of the site is included in **Appendix 1**

A copy of the Deposited Plans are also provided in **Appendix 1**.



Figure 1: LPI Cadastral Records Report.

2.2 OWNERSHIP

The site is owned by YPI Yahav Property Investments (Warners Bay) Pty Ltd.

A copy of each of the Certificates of Title is included in **Appendix 1**. Some of the lots have qualified title and it is proposed to do a plan of consolidation as part of the development.

2.3 LOCATION

The subject site has boundaries to The Esplanade, King Street and Howard Street in Warners Bay (see **Figure 3** and **4**). The site is located in the southern part of the Warners Bay Town Centre. Being a corner site within the town centre opposite Lake Macquarie makes this an important site.



Figure 2: Aerial photo of the subject site.



Figure 3: Locality Map of the subject site within the broader context of Warners Bay.

The following extract from the Warners Bay Area Plan also shows the site in its local context. It is relevant for this proposal to be considered in the context of further development occurring within the Warners Bay Town Centre. The height limit in the core of the town centre is 33 metres. Increased height compared to existing development is also permitted around the edges of the main commercial area. Within the immediate vicinity of the site the Shearwater development is under construction. This development and the Shearwater development will bring significant change to Warners Bay.

Sections are provided in the architectural drawings showing permissible building envelopes adjacent to the subject land. Reference should also be made to the Height of Building Map in Lake Macquarie Local Environmental Plan 2014 (refer to section 4 Planning Controls of this report)

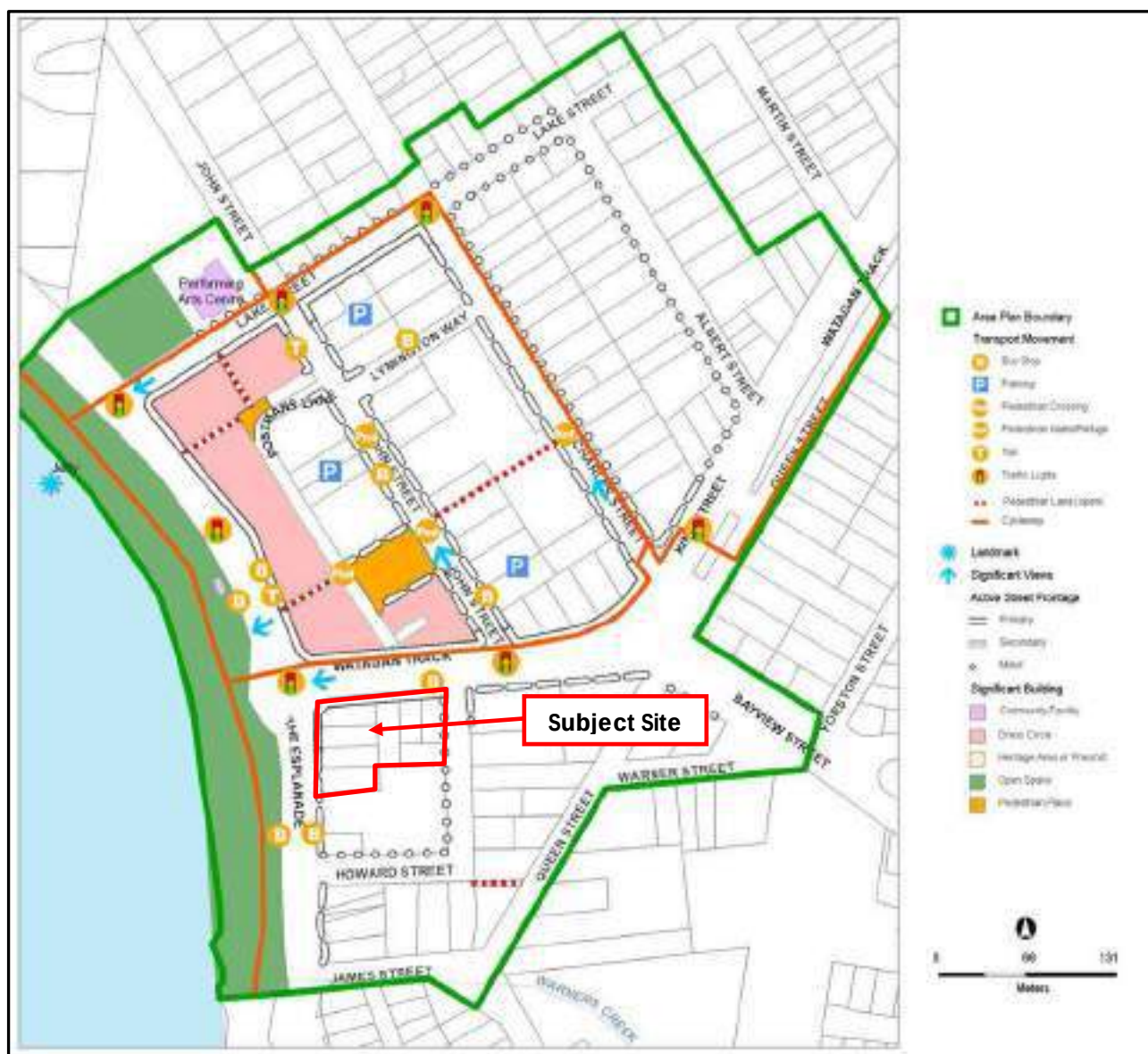


Figure 4: Locality Map of the subject site within the local context of Warners Bay Local Area Plan.

2.4 PHYSICAL DESCRIPTION

Site

The subject site is a generally rectangular in shape and slopes from east to west towards Lake Macquarie. The elevation change across the lot is approximately 4 metres. The site is currently occupied by a service station and 4 residential dwellings which will be demolished as part of this proposal. One of the subject lots is vacant land. Existing trees within the site will be removed.

Fuel storage associated with the service station raises potential issues in relation to site contamination. Environmental and geotechnical investigation have been undertaken to support this application.

The site is within a mine subsidence zone and the proposal will need to be approved by the Mine Subsidence Board.



Figure 5: Aerial Image of site.

Photographs of the site and surrounds are provided below:



Photo 1: King Street from John Street towards Lake Macquarie.



Photo 2: House on King Street to be demolished.



Photo 3: King Street at Service Station.



Photo 4: The Esplanade from the Intersection at King Street.



Photo 5: Vacant Site on the Esplanade. Trees to be removed.



Photo 6: Dwelling on the Esplanade to be demolished.



Photo 7: Adjoining 5 storey property to the South of the site fronting The Esplanade.



Photo 8: Adjoining 3 storey development on Howard Street.



Photo 9: Dwelling on Howard Street to be demolished.



Photo 10: George and Howard Street to be demolished. Trees to be removed.

3.0 Description of the Proposed Development

The proposed development involves the demolition of the existing service station and dwellings and removal of existing trees to allow redevelopment for the purpose of providing a multi storey mixed use residential and commercial development on the site.

The development includes 2 levels of parking the lower level being a basement with the upper level (Lower Ground (G)) incorporating commercial floor space at street level on The Esplanade. The development includes 214 parking spaces. The carpark will be mechanically ventilated.

The upper ground level (L1) provides residential units above the commercial space, communal open space on a “podium” and commercial floor space at the street level on Howard Street. A further 6 floors of residential development are provided on levels 2 to 7.

Above the podium / upper ground level the development presents as two buildings referred to as the Lake Front Building and the Howard Street Building. Architecturally the building is divided into a top, middle and bottom.

The development mix includes 26 x 1 bedroom, 32 x 2 bedroom, 24 x 2 bedroom skip/stop apartments, and 30 x 3 bedroom apartments, resulting in a total of 112 residential apartments. 1514 m² of commercial space is proposed 949m² in the Lakefront Building and 565m² in the Howard Street Building. 11 of the apartments are designed as adaptable dwellings and 22 apartments incorporate Liveable Housing Guidelines silver level universal design features as referenced in the Apartment design Guide.

The key landscape elements include a feature shelter and landscaping at the King Street entry to the podium, deep soil planting at the step in the southern site boundary, landscaping in pre-fabricated planter boxes throughout the podium area, roof top garden fronting Howard Street at level 2 and entry setbacks incorporating planting on frontage to The Esplanade.

The proposed development also involves connection to all services including water, electricity, sewer, NBN, telephone etc. Existing overhead electricity will be replaced with underground electricity supply and a new chamber substation integrated into the building element off Howard Street.

Architectural Plans for the proposed development are provided as **Appendix 2**. Landscape Plans are provided as **Appendix 3** and a visual analysis of the proposal is included as **Appendix 4**.

This proposal also aims to provide excellent amenity to its residents. Most units have opportunity for a lake outlook. Furthermore, the unit designs allow both excellent solar and cross-ventilation opportunities.

Key Design Principles include:

- A relaxed mixed-use development appropriate for the Warners Bay context.
- Fine-grain commercial modulation at ground floors.
- Extensive central gardens for residents.
- Clear residential address points and circulation.
- All residences receive morning and/or afternoon sun.
- Majority of residences have excellent natural ventilation.

4.0 Planning Controls

In determining a development application a consent authority is to take into account matters specified in clause 79C of the environmental Planning and Assessment Act including:

The provisions of:

- I. Any environmental planning instrument;
- II. Any proposed instrument;
- III. Any development control plan;
- IV. Any planning agreement;
- V. The regulations; and
- VI. Any Coastal Zone Management Plan.

that apply to the land to which the development application relates.

This section of the report discusses the relevant legislative requirements applicable to the proposal. There is no Planning Agreement or Coastal Zone Management Plan relating to the site.

4.1 LAKE MACQUARIE LOCAL ENVIRONMENTAL PLAN 2014

4.1.1 Zoning

The subject site is zoned B2 Local Centre under the Lake Macquarie Local Environmental Plan 2014 (LMLEP2014) (see **Figure 7**). This is the same zoning as the main part of the Warners Bay Town Centre across King Street to the east across Howard Street and directly adjoining the site to the south.

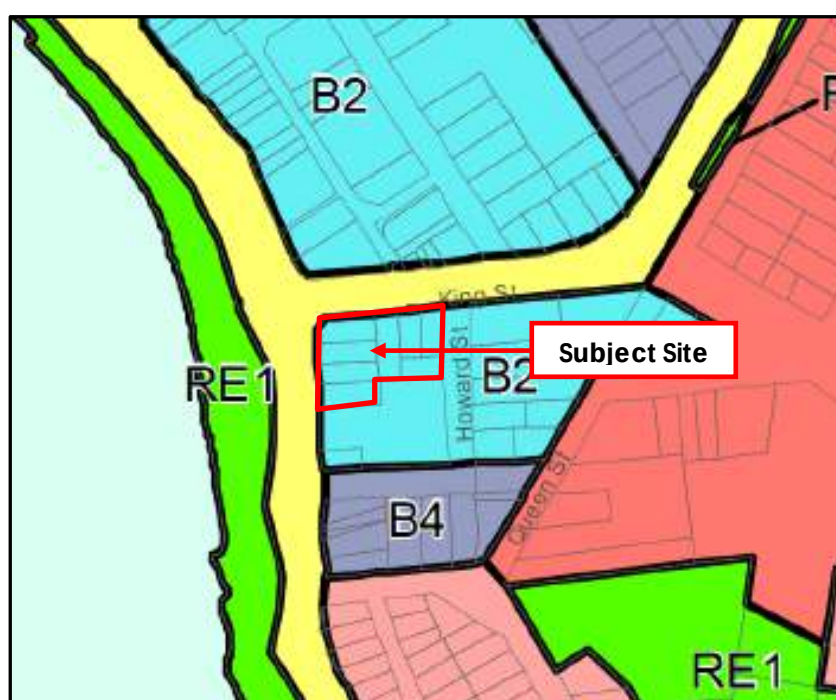


Figure 7: Zoning Map.

The proposed development is defined under LMLEP 2014 as 'mixed use development, as follows:

“mixed use development means a building or place comprising 2 or more different land uses.”

Specifically the development includes **Residential Flat Building** and **Commercial Premises**.

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

commercial premises means any of the following:

- (a) business premises,
- (b) office premises,
- (c) retail premises.

4.1.2 Clause 2.3 Land Use Table

Clause 2.3 of the LMLEP 2014 stipulates that the consent authority must have regard to the objectives for a development in a zone when determining a development application in respect of land within the zone. The objectives of the B2 Local Centre zone are:

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To create spaces that are accessible and are a central focus for the community.*
- *To provide for housing as part of mixed use developments.*

The proposed development will provide additional housing and commercial opportunities within the Warners Bay Town centre. It will complement adjacent residential development and revitalise the area through its design and presentation to the street. The development will boost the character of the surrounding area.

Taking the above into consideration, the development implicitly achieves the objectives of the B2 Zone.

The proposed uses as defined in **Section 4.1.1** are permitted with consent in the B2 zone.

4.1.3 Clause 2.7 – Demolition

Clause 2.7 specifies that demolition of building or work requires development consent. Accordingly development consent is sought for the demolition of existing improvements on the site. A demolition plan is included as part of **Appendix 2**.

4.1.4 Clause 4.3 – Height of Buildings

The subject site is identified as having a prescribed maximum building height area 'R' which has a Maximum Building Height of 22 metres. As indicated in the extract from Council's LEP map below.

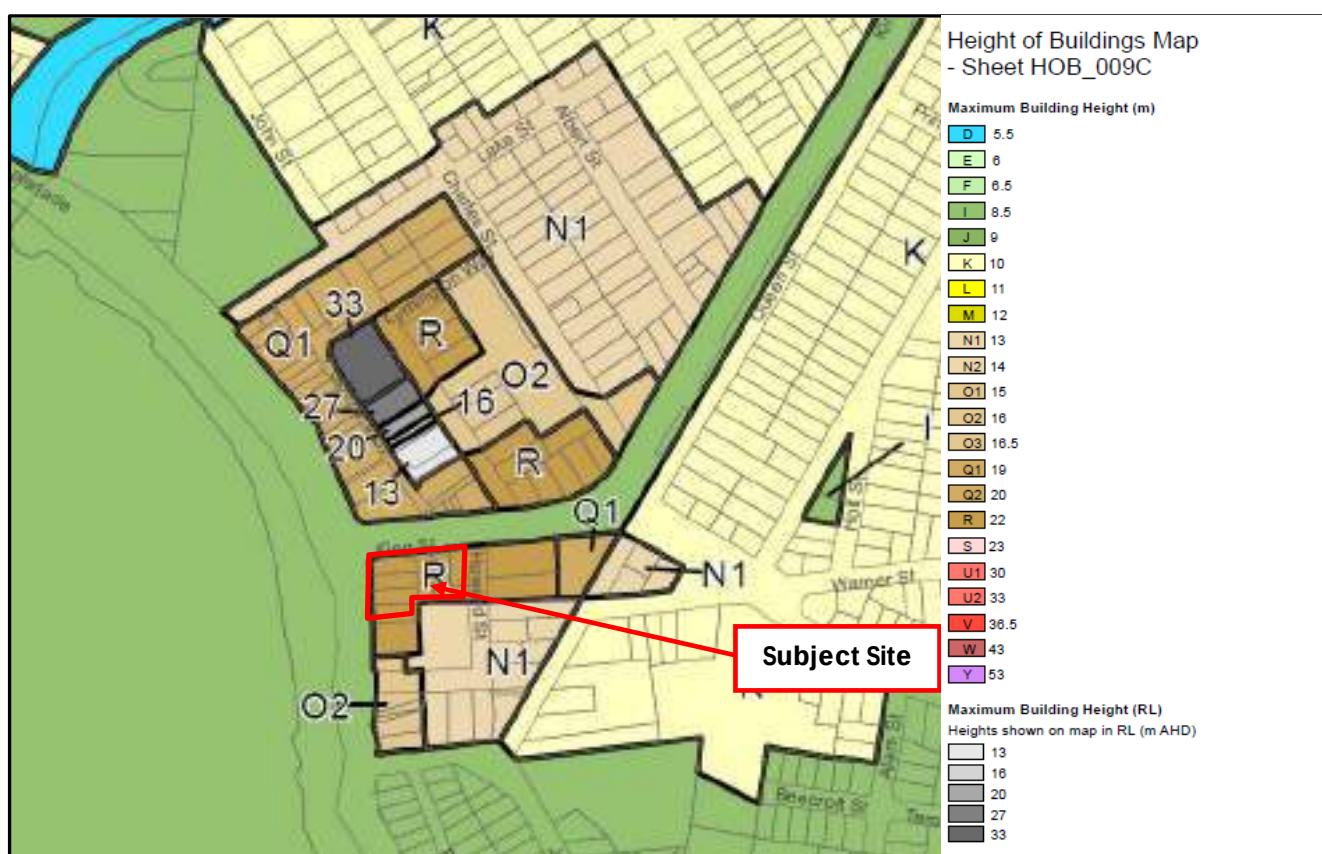


Figure 8: Maximum Building Heights Map.

Height is measured relative to the natural surface of the land hence the height level relative to a datum varies across the site. Building height includes plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Due to the site topography (which varies across the site) the level of the Howard Street Building is higher than the Lakefront Building. Localised variations in levels across the site also influence the height plane. The 22m height plane is shown in yellow in Figure 9. While the building height sits within the height plane around the perimeter of the site there are minor exceedances towards the centre of the site as indicated for parts of the roof structure and lift over runs.

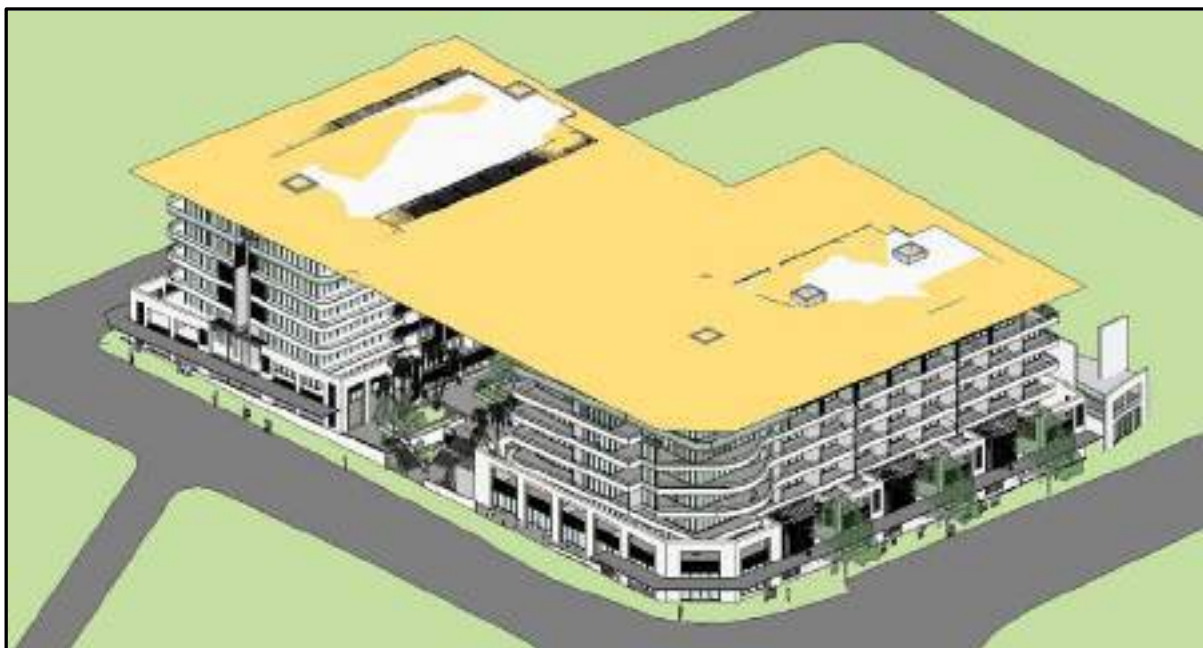


Figure 9: Image of 22m height plane and minor exceedances.

Clause 4.6 of Lake Macquarie LEP 2014 includes provisions that allow for the consideration of exceptions to development standards. A clause 4.6 report is included as **Appendix 16**.

4.1.5 Clause 5.6 – Architectural Roof features

Clause 5.6 provides that development that includes an architectural roof feature that exceeds or causes a building to exceed the height limit may be carried out provided the consent authority is satisfied that the architectural roof feature:

- Comprises a decorative element on the uppermost portion of the building;
- Is not an advertising structure;
- And does not include floor space area and is not reasonably capable of modification to include floor area; and
- Will cause minimal overshadowing.

The proposed roof is a flat concrete roof (2 degree pitch). Lift over runs are located towards the centre of the building. The proposal does not include any architectural roof features and this clause is therefore not applicable. Architectural roof features could be added if deemed appropriate.

4.1.6 Clause 5.5 – Development within the Coastal Zone

The subject site is identified on the Department of Planning's Coastal Zone Mapping as being located within the prescribed coastal zone (see **Figure 10**). Clause 5.5 generally emulates the provisions of SEPP 71 Coastal Protection which is discussed in detail within **Section 4.2**.

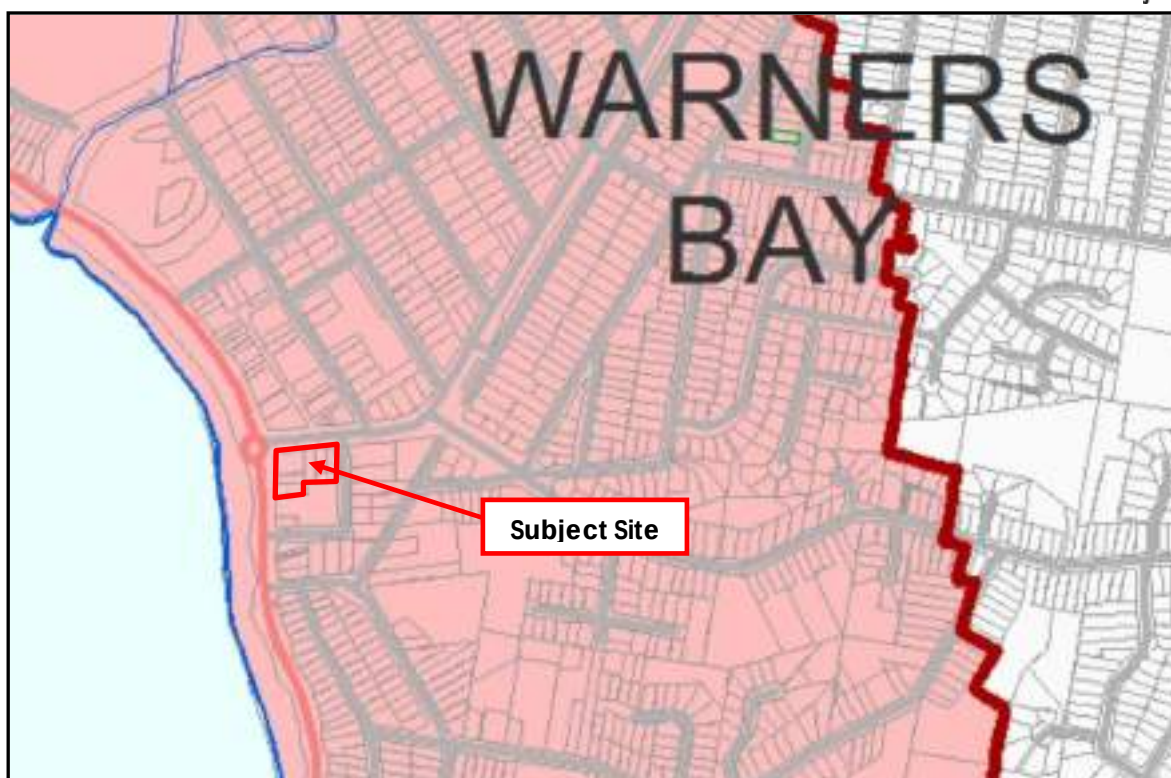


Figure 10: Coastal Zone Map.

4.1.7 Clause 5.9 – Preservation of Trees or Vegetation

The proposed development includes the removal of a number of trees from within the property. Pursuant to Clause 5.9, development consent is sought for the removal of the tree from the subject site.

4.1.8 Clause 7.1 – Acid Sulfate Soils

The subject site is identified as containing Class 5 Acid Sulfate Soils (see **Figure 11**). Clause 7.1 defines works for Class 5 Acid Sulfate Soils to be:

“Works within 500m of adjacent Class 1, 2, 3 or 4 land, that is below 5m Australian Height Datum and by which the water table is likely to be lowered below 1m Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.”

As the proposed development is within 500m of adjacent Class 4 land management of Acid Sulphate Soils may be required. A preliminary assessment of soils has been undertaken by Aurora Environmental Consulting (refer to **Appendix 11**). Sampling indicated that oxidation of soils does not result in the production of sulphuric acid and so the soils are not classed as Acid Sulfate Soils and no management will be required.

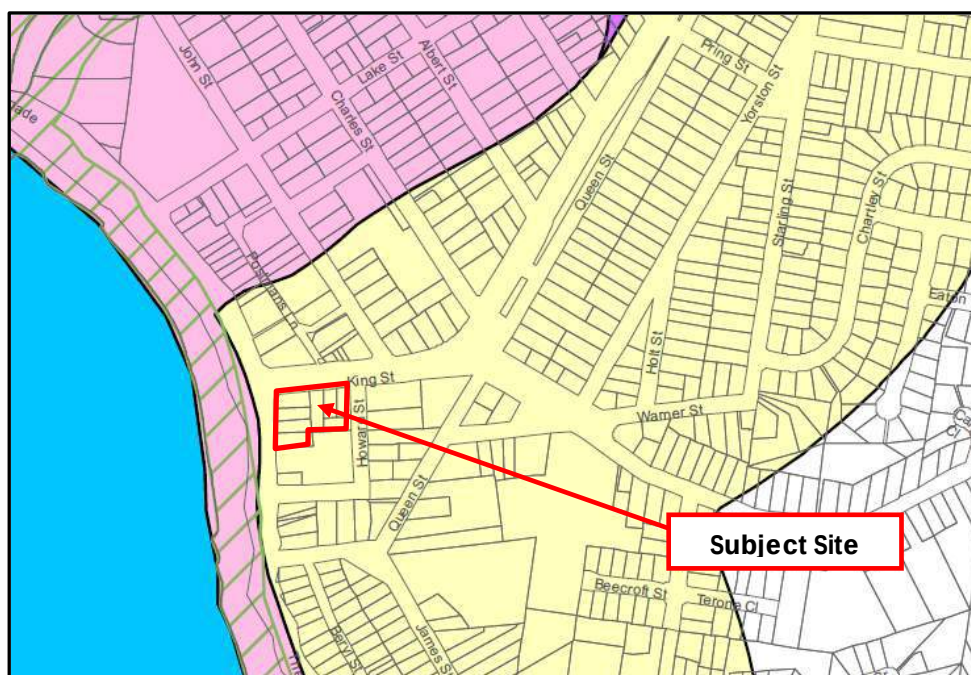


Figure 11: Acid Sulfate Soils Map.

4.1.9 Clause 7.2 - Earthworks

Clause 7.2 of LMLEP 2014 requires amongst other things consideration of impacts on soil stability in the locality of the development; the effect on the existing and likely amenity of adjoining properties; and measures proposed to avoid, minimise or mitigate the impacts of the development.

The proposal requires excavation of the basement. No cut is required at street level on The Esplanade however cut at Howard Street is approximately 6.0 metres. The depth of cut varies across the site due to the slope of the land. Due to the depth of excavation bored piles and shotcrete or similar will likely be required to support excavated walls around part of the site perimeter.

The earthworks are ancillary to the development of the land. The material to be excavated has been assessed by Aurora Environmental Consulting. Refer to **Appendix 11** Waste Classification Report and ENM classification for soils across the site. Material under the operational area of the service station in the vicinity of underground storage tanks has been classified as General Solid Waste and will require disposal to an approved waste facility.

4.1.10 Clause 7.3 – Flood Planning

The subject site is not identified as being in a flood planning area (see **Figure 12**).

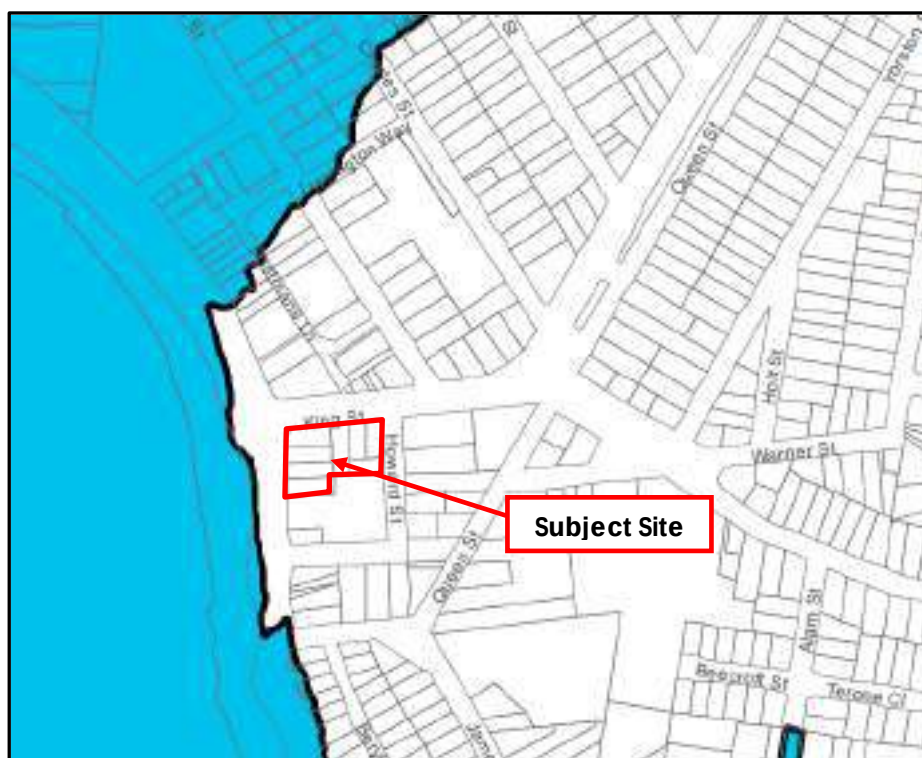


Figure 12: Flood Planning Map.

4.1.11 Clause 7.10 Residential Development in Certain Business Zones

This clause ensures stand-alone residential development is not provided in a business zone. The proposal incorporates an appropriate amount of commercial development. Clause 7.10 (4) requires most of the ground floor facing the primary street frontage have an active street frontage that will be used for commercial purposes. The ability to provide full active frontage along King Street is limited by the slope of the land. Access along the King Street frontage to the Howard Street Building will be via a raised balcony with at grade access at the Howard Street frontage and to the Esplanade.

4.1.12 Remainder of LEP Mapping Layers

With respect to the remaining mapping layers under the LEP, the following is noted:

- The subject site does not have a prescribed minimum lot size. Future strata subdivision is not relevant to the LEP lot size standard;
- The subject site is not identified as a heritage item or as being within a heritage conservation area;
- The subject site is not identified as containing terrestrial biodiversity;
- The subject site is not identified as being within a coastal risk area;
- The subject site is not identified as being within a foreshore area;
- The subject site is not identified as environmentally sensitive land;
- The subject site is not identified as being within a sensitive Aboriginal landscape area;
- The subject site is not identified as a key site;
- The subject site is not identified as being subject to land reclassification;
- The subject site is not identified as being land reserved for acquisition; and
- The subject site is not identified as being within an urban release area.

Taking the above into consideration, the proposed development is consistent with the LEP.

4.2 STATE ENVIRONMENTAL PLANNING POLICIES ("SEPP'S")

4.2.1 SEPP BASIX 2004

As required by Schedule 1 of the Environmental Planning and Assessment Regulation 2000, a BASIX assessment has been undertaken by an accredited BASIX assessor for the proposed development. This assessment indicates compliance with the relevant thermal comfort, greenhouse gas emission and water reduction targets. A copy of the BASIX certificate is provided in **Appendix 2**.

4.2.2 SEPP Infrastructure

Schedule 3 of SEPP Infrastructure identifies those developments that due to either their scale or location (on or near arterial road), require referral to Roads and Maritime Services (RMS) as traffic generating development.

The proposed development will trigger the need for referral to RMS as the access is within 90 metres of a major road and serves more than 75 dwellings. Discussions with RMS have resulted in vehicular access to the proposal be provided from Howard Street rather than The Esplanade or from King Street. A traffic assessment report has been prepared and is included as **Appendix 8**.

4.2.3 SEPP 55 – Remediation of Land

Contamination and remediation is to be considered in determining a development application. Reports undertaken by Aurora Environmental (refer to **Appendix 11**) identify contaminated land associated with the service station use on the site. Affected soils have been classified as General Solid Waste and will require disposal at an approved land fill.

4.2.4 SEPP 65 – Design Quality of Residential Apartment Development

The policy aims to improve the quality of residential apartment development in NSW. The Apartment Design Guide published by the NSW Department of Planning and Environment (June 2015) provides guidance and controls on range of issues relevant to the development. Nine design quality principles are set out in SEPP 65. These are Context & Neighbourhood, Character, Built Form and Scale, Density; Sustainability; Landscape; Amenity; Safety; Housing Diversity & Social Interaction, and Aesthetics.

Concept drawings of the proposed development were considered by the SEPP 65 Design Review Panel most recently on 14 December 2016. Comments from the panel are included in **Appendix 5**.

Since the Design Review Panel meeting the design has been refined for the Development Application. A Design Verification Statement has been prepared by the project architect and is included in **Appendix 6**. A SEPP 65 report addressing the design principles and an evaluation of the proposals design quality and a tabulated compliance table with respect to the Apartment Design Guide are also included in **Appendix 6**.

In summary the project architects support the design quality of the proposal taking into account the design principles and the Apartment Design Guide and that adequate regard has been given to the these requirements. Areas of non-compliance are addressed in the Apartment design Guide Compliance Statement.

4.2.5 SEPP 71 Coastal Protection

The provisions of SEPP 71 require the consent authority to consider the aims and objectives of the SEPP together with the matters for consideration listed in Clause 8, when determining an application within the coastal zone. As identified within **Section 4.1.6**, the subject site falls within the coastal zone.

An assessment of the proposed development against the provisions of Clause 8 is included in the table below:

SEPP 71 – COASTAL PROTECTION	
CLAUSE 8	
Matters for Consideration	Proposed
A <i>The aims of the Policy:</i> (a) to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast, and (b) to protect and improve existing public access to and along coastal foreshores to the extent that this is compatible with the natural attributes of the coastal foreshore, and (c) to ensure that new opportunities for public access to and along coastal foreshores are identified and realised to the extent that this is compatible with the natural attributes of the coastal foreshore, and (d) to protect and preserve Aboriginal cultural heritage, and Aboriginal places, values, customs, beliefs and traditional knowledge, and (e) to ensure that the visual amenity of the coast is protected, and (f) to protect and preserve beach environments and beach amenity, and (g) to protect and preserve native coastal vegetation, and (h) to protect and preserve the marine environment of New South Wales, and (i) to protect and preserve rock platforms, and (j) to manage the coastal zone in accordance with the principles of ecologically sustainable development (within	a) The proposed development will enhance the cultural, recreational and economic attributes of Warners Bay by developing an underutilised site within an area zoned for mixed use development. (b) Discussed below (c) Discussed below (d) Discussed below (e) Discussed below (f) N/A (g) The proposed development will have no impact on native coastal vegetation. (h) The proposed development will have no impact on the marine environment of New South Wales. (i) The proposed development will have no impact on rock platforms. (j) The proposed development is considered to achieve a balance in terms of ecologically sustainable development. (k) The proposed development is of an appropriate scale. Reference is made to the planning controls and visual impact assessment.

the meaning of section 6 (2) of the Protection of the Environment Administration Act 1991), and (k) to ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area,	
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.	The proposed development will not remove any existing public access to Warners Bay foreshore.
C Opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability.	Footpaths will be upgraded as part of the development which will improve public access to the Warners Bay foreshore.
D The suitability of development given its type, location and design and its relationship with the surrounding area.	The proposed development will complement the surrounding area by providing additional residential and commercial opportunities consistent with the planning vision for the area documented in Council's DCP.
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.	The proposed development will not overshadow the coastal foreshore or reduce views of Warners Bay foreshore from any surrounding public place. Refer to visual impact assessment Appendix 4 and shadow diagrams in Appendix 2.
F The scenic qualities of the New South Wales coast, and means to protect and improve these qualities.	The proposed development is considered to enhance the scenic qualities of the coast by providing a modern architecturally designed development on a currently underutilised site zoned for the proposed built form. Refer appendix 4 as above.
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 proposed development will have no impact on any threatened species under the TSC Act or FM Act.
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.	
I Existing wildlife corridors and the impact of development on these corridors.	The proposed development will have no impact on any existing wildlife corridors.

J <i>The likely impact of coastal processes and coastal hazards on development and any likely impacts of development on coastal processes and coastal hazards.</i>	The proposed development is setback from Warners Bay foreshore and will have no impact on any associated coastal processes.
K <i>Measures to reduce the potential for conflict between land-based and water-based coastal activities.</i>	N/A
L <i>Measures to protect the cultural places, values, customs, beliefs and traditional knowledge of Aboriginals.</i>	The proposed development will have no impact on any matters of Aboriginal significance.
M <i>Likely impacts of development on the water quality of coastal water bodies.</i>	The development will incorporate stormwater controls and erosion and sedimentation controls to ensure it does not impact on the water quality of coastal waters.
N <i>The conservation and preservation of items of heritage, archaeological or historic significance.</i>	N/A
O <i>Only in cases in which a council prepares a draft local environmental plan that applies to land to which this Policy applies, the means to encourage compact towns and cities.</i>	N/A

Part 4 of SEPP 71 Development Control references flexible zone provisions, impeding public access to or along a coastal foreshore, effluent disposal to a non-reticulated sewer system and disposal of untreated stormwater into a coastal lake or similar water body.

Taking the above into consideration, the proposed development is consistent with the aims and objectives of SEPP 71.

4.3 LAKE MACQUARIE DEVELOPMENT CONTROL PLAN 2014

4.3.1 Part 4 – Development in Business Zones

Part 4 applies to all development within the B2 Local Development Zone. The B2 Local Centre Zone is intended to provide a range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local community.

The DCP identifies a range of matters that need to be considered in the design of the development. These include:

- Context and Setting;
- Streets and Public Space;
- Active Street Frontages;
- Access and parking;
- Development Design; and

- Landscape Design.

A complete compliance table against Part 4 of the DCP is provided in **Appendix 7**.

Part 4 contains general development controls. Additional controls are contained in the specific land use provisions refer to **Section 4.3.2** below and in the Warners Bay Area Plan (Part 10.3 of the DCP). Where conflict arises between different parts of the DCP the Warners Bay Area Plan takes precedence.

4.3.2 Part 9.13 – Specific land Uses – Residential Flat Buildings

Part 9.13 provides specific requirements for residential flat building. Where a conflict exists between this section and the general development part of the LMDCP 2014 (i.e. Part 4) this section prevails.

A complete compliance table against Part 9 is provided in **Appendix 7**.

4.3.3 Part 10.3 – Town Centre Area Plans – Warners Bay

Part 10.3 contains local objectives and controls for development in the Warners Bay Town Centre. This part of the DCP provides guidance in relation to Desired Future Character, Built Form, Land Uses, Parking and Street and Foreshore Improvements.

Where conflict arises between different parts of the DCP the Warners Bay Area Plan takes precedence. The key provisions of the DCP relative to the site are Desired Future Character which is to be enhanced by providing residential, tourist and visitor accommodation within the core area and providing guidance on future built form and car parking requirements.

The building design type for the site depicted in the DCP is Type C. The site is adjoined by land identified as type G development. A typical street elevation for building design type C as depicted in the DCP is shown below. The proposed building is consistent with the building design type envisaged for the site.

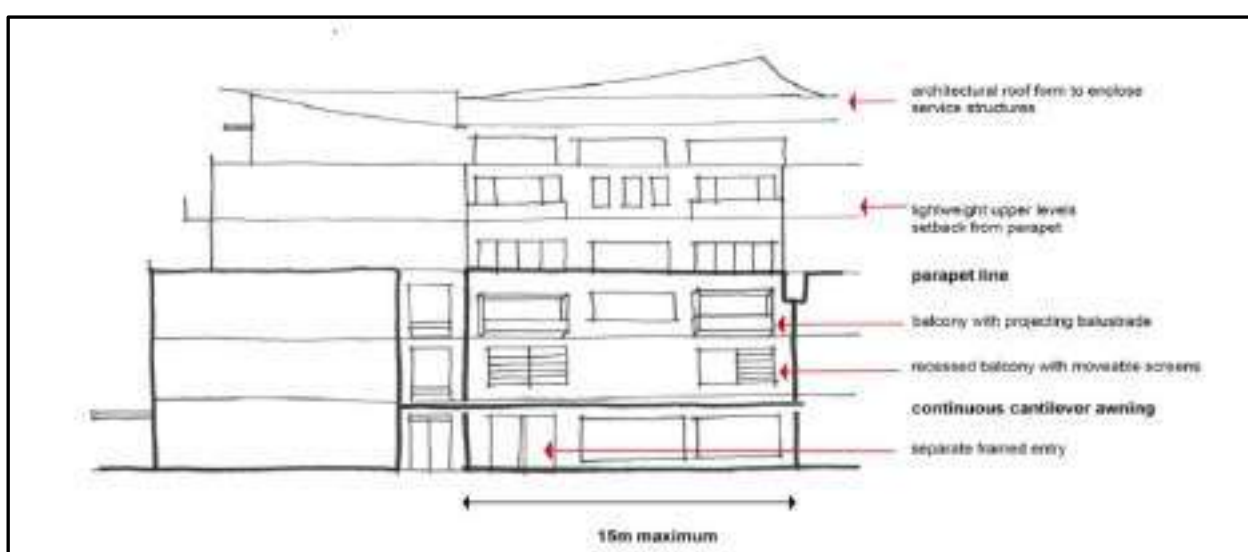


Figure 13: Street Elevation.

A complete compliance table against Part 10 is provided in **Appendix 7**.

4.4 CONTRIBUTIONS

It is noted that development contributions under the adopted relevant Section 94 Plan will be levied for new dwellings proposed and will form a condition of consent. The proponent has indicated a willingness to undertake works in kind if deemed appropriate by Council.

4.5 INTEGRATED DEVELOPMENT

The proposed development is classified as integrated development under Section 91 of the Environmental Planning and Assessment Act 1979, as the site is identified as being within a Mine Subsidence District and therefore requires approval under Section 15 of the Mine Subsidence Compensation Act 1961. Approvals under s138 of the Roads Act are also required but as the proposal requires development consent this does not mean the development is Integrated development for that purpose..

4.6 HUNTER REGIONAL PLAN 2036

The Hunter Regional Plan has just recently been released (October 2016). The plan outlines the visions, goals and actions that are geared to growing the regional economy, accelerating housing supply, and protecting and enhancing the natural environment.

Goal 4 of the plan '*Greater housing choice and jobs*' - identifies the need for an additional 70,000 dwellings in the region by 2036, and focuses on providing new housing in established areas through infill development, as well as continuing to greenfield development.

The proposed development is considered to be consistent with the goals and directions for the Hunter Region in that:

- The proposal is consistent with Direction 21 '*Create a compact settlement*' – in that the proposal will provide a medium density housing development in a location with established services and infrastructure, increasing the appeal for new residents. Given the sites good access to public transport, it provides an opportunity for redevelopment and renewal through single-lot redevelopment; and
- The proposal is consistent with Direction 22 '*Promote housing diversity*' – in that the proposal will assist to increase the overall supply of housing and will encourage housing diversity.

4.7 LIFESTYLE 2030 STRATEGY

The Lifestyle 2030 Strategy was adopted by Council in 2013 to replace the Lifestyle 2020 Strategy. The Lifestyle 2030 Strategy is a strategic plan that provides the direction for the future urban and rural land use pattern that is based on achieving the principles of ecological sustainability.

The proposed development is considered to be consistent with the vision, core values and aims for the City of Lake Macquarie in that:

- The proposal is consistent with Strategic Direction 3 '*A well designed adaptable and liveable city*' – in that the proposal will provide a housing and commercial development on land that is zoned allow mixed use development as a part of the revitalisation of the Warners Bay Town Centre. The proposal will not undermine the

scenic qualities of the lake and is compatible with surrounding land uses;

- The proposal is consistent with Strategic Direction 4 '*A well serviced and equitable city*' in that the proposal will provide additional housing options within close proximity to Warners Bay Town Centre and public bus services which provide connection to Glendale, Charlestown and Broadmeadow. Placing housing close to public transport reduces reliance on car travel, reducing traffic congestion and improving our environment; and
- The proposal is consistent with Strategic Direction 6 '*A city responsive to wellbeing of its residents*' in that the proposal will provide a mix of housing types and sizes that will cater to diverse household demographics.

5.0 Environmental Assessment

In addition to the relevant planning instruments as addressed in **Section 4.0** and attachments to this report Section 79c of the Environmental Planning and Assessment Act requires the following to be considered in the determination of a development application:

- The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;
- The suitability of the site for the development;
- Any submissions made in accordance with this Act or the regulations; and
- The public interest.

5.1 THE LIKELY IMPACTS OF DEVELOPMENT (S79C(1)(B))

In addition to the design and planning control considerations addressed elsewhere this section discusses potential impacts arising from the development including:

- Traffic and parking impacts;
- Visual impact;
- Loss of trees;
- Stormwater management;
- Amenity impacts on neighbours; and
- Social and economic impacts.

5.1.1 Access, Transport and Traffic

Access

All vehicular access to the site will be via Howard Street. This acknowledges the status of King Street and The Esplanade as major roads. All street frontages will be activated for pedestrians through commercial development. Pedestrian access to upper level residential apartments will be available via lifts and stairwells. Pedestrian access may need to be controlled through appropriate fencing and security gates.

Traffic

A traffic assessment report has been undertaken by Intersect Traffic Pty Ltd and is included as **Appendix 8**.

The report considers both the internal operation of the development and the potential external impacts and concludes that the development as proposed is satisfactory.

Parking

Parking requirements are prescribed in Section 5.4 of the Warners Bay Area Plan. The applicable parking rates are:

Residential:	1 bedroom	0.5 spaces per dwelling
	2 bedroom	0.75 spaces per dwelling
	3 bedroom	1.0 spaces per dwelling
	Visitors	0.25 spaces per dwelling

Commercial: 1 space per 40m² GFA Note 1 space in 40 can be deleted in lieu of providing a bus shelter.

1 space per 50 spaces is required for disability parking although additional accessible parking is required for adaptable living units.

Overall the proposal provides adequate total on-site parking in addition to DCP requirements. Specific details are provided in the traffic report and architectural plans. Provision has also been made for motor cycle parking and bicycle storage (with designated storage areas in the basement car aprk).

The proponent is seeking to optimise the number of car parking spaces allocated to residential tenancies hence a reduction in the number of visitor spaces provided relative to the DCP requirements.

Public Transport and Pedestrian Facilities

The subject site has access to frequent bus services providing connection to Glendale, Charlestown and Broadmeadow. It is proposed to provide a bus shelter on King Street as identified in the Warners Bay Area Plan to improve accessibility to public transport.

As part of the development the adjacent footways will be upgraded. Areas adjacent to the King Street footways will enhance the public domain. This will add to the character and vibrancy of the street. Opportunities may be available to incorporate footpath dining.

5.1.2 Visual Impact

A visual impact assessment has been undertaken for the proposal. The development largely sits within the height controls specified in Council's LEP other than some minor exceedances in the centre of the site. A visual impact assessment is included as **Appendix 4**. The site is on a corner location opposite the foreshore reserve and will be visible from a number of vantage points.

The proposal shall undeniably present a visible difference to that currently present on site as it shall be six storeys higher than the existing single storey structures. Considered building design including articulated frontages addressing The Esplanade and King Street and smaller commercial premises located at the street level provide a human scale at this level.

When observed southward along The Enterprise, the lower levels read as a continuation of the existing streetscape. This is achieved by the use of slightly different building material selection and style and the setting back of the upper levels from the street frontage. The resulting impression is of the upper levels being a separate building, constructed to the rear of the lower levels.

When viewed from the lake the proposal will be visually prominent although not entirely out of context with the existing surrounding development, especially that under construction to the rear of the site. Established vegetation on the lake foreshore shall provide some filtering of views, however the top of the canopy does not conceal the upper levels of the buildings. Subdued colour selections assist in integrating the built form with the surrounding environment.



Figure 14: View from Lake Macquarie.



Figure 15: View from off The Esplanade.



Figure 16: View from The Esplanade and Lake Street.



Figure 17: View from the intersection of The Esplanade and Howard Street.

5.1.3 Vegetation Loss and Landscaping

The subject site has a number of trees that will be removed to facilitate the development of the site. The vegetation is not considered to be significant having regard for the site context. Landscaping is proposed as part of the proposed development. Landscape plans are included in **Appendix 3**. Landscaping is also addressed in **Appendix 6** as part of the SEPP 65 considerations.

5.1.4 Stormwater and Groundwater

The site is not subject to flooding. A stormwater management strategy has been developed for the proposal incorporating water reuse and water quality controls. Stormwater detention facilities are not required given the proximity of the site to Lake Macquarie foreshore. A stormwater management plan is included as **Appendix 9**.

Given the above, it is considered that the proposed development can adequately manage and address all items surrounding flooding and stormwater.

Ground water management is addressed in s5.3.7 of the Remediation Action Plan prepared by Coffey Services Pty Ltd included as **Appendix 10**. Ground water is anticipated to be present at between 3 and 5 metres below ground surface. Options for the management of excess ground water are provided in the RAP.

5.1.5 Amenity Impacts on Neighbours

The proposed built form is significantly different to the existing. Construction of a large building adjacent to existing residential development has the potential for impacts including noise, privacy, overshadowing and loss of light to the adjoining residents.

The adjacent buildings to the south fronting The Esplanade and Howard Street are set back from the boundary and include windows. The adjoining dwellings have been designed to rely upon open space and sunlight access away from their side boundary and facing their street frontages or internal to their own development.

No openings are proposed in the southern façade of The Esplanade Building other than bathroom windows which have been set back from the boundary and will include frosted glazing limiting privacy impacts. The Howard Street building has no openings other than the stair core. No habitable rooms or balconies face the side boundary.

The DCP setbacks to side boundaries are specified as 3.0 metres for residential flat buildings, however development in a business zone allows for a depth of 12 metres from the street boundary to be built to boundary for the first 2 levels. Beyond 12 metres depth the building is to be setback 1.5 metres for the first and second level and for the third level and above the development is to be setback 3.0 metres. The Warners Bay Area Plan states that each façade must be at least three storeys high at the street boundary.

On the basis of these controls we have determined that the applicable site boundary setback for the southern boundary is zero set back for the first 3 levels for a depth of 12 metres then 3.0 metres above the third level and 1.5 metres where the depth of the building is greater than 12 metres for the first 2 levels then 3.0 metres above this level.

In addition to the DCP the Apartment Design Guide discusses the need for building separation to achieve adequate sunlight, privacy and appropriate built form. As discussed above the adjoining development is not reliant on north facing windows for solar access and amenity. Shadow diagrams have been prepared for the proposed development and a development meeting the setback requirements of the DCP. As the top levels of the proposal are compliant with the DCP there is no significant difference in the amount of overshadowing on the adjoining building between the complying option and the proposal.

The Howard Street Building is set back from the property boundary. The deep soil planting zone will provide a transition between the development site and the adjoining property. Landscaping and screening is also proposed along the southern boundary of the site to minimise impacts. It is considered sufficient space is available to allow light and ventilation to the northern elevation of the adjoining building.

The proposed development will impact views from the Shearwater development on the eastern side of Howard Street. As discussed in the planning controls and elsewhere the proposed development form is consistent with desired future development in Warners Bay.

Construction Impacts

Potential construction impacts will occur. Times for construction will be limited to normal daylight hours i.e.:

Monday to Friday 7am to 6pm
Saturday 7 am to 1pm
No work on Sundays or Public Holidays.

It is expected the construction period will be approximately 18 months.

A construction traffic management plan will be prepared as part of the construction certificate documentation.

5.1.6 Social and Economic Impact

The proposed development will provide additional housing options in an area with exceptionally high amenity close to shops, restaurants and the lake foreshore. This in turn will provide an increase in the demand on existing and future local business.

The proposal aligns with Council's intentions for the area to increase housing densities and the development will contribute to a varied housing stock to cater for different housing needs in a diverse demographic. The development will also provide additional employment opportunities within the commercial component of the development.

Given the strategic planning undertaken by Council for the locality, the site's zoning and development controls including SEPP 65 and general consistency with those, it is not considered that a social or economic impact statement is required or will add any value to the assessment process.

The proposed development has been designed in accordance with the Crime Prevention Through Environmental Design (CPTED) principles with:

- Ample opportunity for casual surveillance through the provision of active street frontages;
- Clear definition between public and private spaces by utilising courtyard fencing and appropriate landscaping;
- Secure building entries and car parking;
- Appropriate landscaping that minimises opportunities for offenders to hide; and
- Low maintenance design ensuring the development will be easily maintained by future occupant.

A CPTED report is included as **Appendix 14**. An Access Design Review has been undertaken and is included as **Appendix 15**. There are a number of recommendations in the access report that have not been currently adopted in the design process and will need to be resolved prior to construction.

Overall the development will have a positive social and economic impact.

5.1.7 Waste

A Site Waste Minimisation Management Plan (pro-forma) has been prepared for the proposed development and is provided as **Appendix 12**.

Demolition and Construction Phase

The demolition works will be undertaken by an appropriate contractor who will be responsible for identifying and ensuring appropriate disposal of the various building materials.

With regards to the construction aspect of the development, as with most best-practice building projects, the amount of waste to be generated during the construction phase will generally be minimal due to the use of pre-ordered and pre-fabricated building materials to ensure wastage and hence cost is minimised.

Waste generated during the demolition and construction phase will be sorted and taken to a materials recycling facility where possible. All non-recyclable waste will be removed to Council's Waste Depot.

Excavated material classified as General Solid Waste will be disposed of to landfill. Excavated Natural Material can be disposed of to sites requiring fill material.

Operation

The proposed development includes sufficient space for the storage of the waste receptacles.

Collection will be via private waste collection service on a needs basis. It is proposed that bins will generally be collected from the kerbside in Howard Street. It will be the responsibility of the occupants (and site manager) to place their bins out for collection.

5.1.8 Noise

The site is located adjacent to major roads. A noise assessment of the proposal has been undertaken to address window and door requirements to achieve internal acoustic

amenity.

Noise from mechanical plant and car park vents has also been considered and shown that there will be no adverse impacts on receivers. A copy of the noise assessment report is included in **Appendix 13**.

5.2 THE SUITABILITY OF THE SITE FOR DEVELOPMENT (S79C(1)(C))

Context and Setting

The proposed development is of a type and form which is consistent with the stated objectives of the B2 zone. The site is located within the Warners Bay Town Centre and development of this type and scale is supported by Council's planning controls.

The area is, and will continue to undergo change as the vision for the Warners Bay Town Centre is realised. The proposal will make a positive contribution to the revitalisation of Warners Bay.

The proposed development is considered suitable given its ideal location.

Flooding

The site is not subject to flooding

Bushfire

The subject site is not identified as bushfire prone land on Council's Bushfire Prone Lands Map.

Geotechnical

The proposal is within a mine subsidence area and approval of the Mine Subsidence Board is required.

The proposal involves a significant amount of cut to construct the basement car parking. As discussed in **Section 4.17** the depth of cut varies across the site due to the slope of the land. Due to the depth of excavation bored piles and shotcrete or similar will likely be required to support excavated walls around part of the site perimeter. A geotechnical report for the site has been prepared by Coffey. Refer **Appendix 10**. A structural engineers certificate has also reviewed the proposed development.

Environmental

Environmental reporting for the site has been undertaken by Aurora Environmental Consulting. Refer to **Appendix 11**. A waste classification report and ENM classification have been undertaken for soils across the site. Material under the operational area of the service station in the vicinity of underground storage tanks has been classified as General Solid Waste. The remainder of the site is regarded as meeting requirements for excavated natural material.

5.3 ANY SUBMISSIONS MADE IN ACCORDANCE WITH THE ACT (S79C(1)(D))

The proposed development will require public notification in accordance with Part 1 of the LMDCP 2014.

5.4 THE PUBLIC INTEREST (S79C(1)(E))

The proposed development will consolidate a number of existing underutilised lots within the Warners Bay Town Centre into a single development site that will deliver additional apartment style housing to the area as well as activate the street through commercial uses.

The proposed development is considered to be in the public interest.

6.0 Conclusion

The proposed mixed commercial and residential development implicitly achieves the objectives of the Warners Bay Area Plan and the objectives of the B2 Local Centre Zone.

The proposed development aligns with the strategic intention of the zoning which is to increase the residential density of the area capitalising on the site location within the Warners Bay town centre, and adjacent to the Lake Macquarie foreshore.

The proposed development has been architecturally designed to achieve a quality design outcome. The design process has benefited from consultation with Council and the SEPP 65 Design Review Panel.

The proposed development complies with the relevant provisions of the Lake Macquarie Local Environmental Plan 2014 (as supported by a clause 4.6 exception to building height limits for very minor exceedances of recessed roof and lift structures) as well as the aims and objectives of the Lake Macquarie Development Control Plan 2014.

There are some variations to controls specified in the Development Control Plan however these are considered reasonable variations when considered in the context of the consideration of the design quality principles and State Based Apartment Design Guide and the proposed development. It is therefore considered suitable for approval.

4 – VISUAL IMPACT ASSESSMENT REPORT



visual impact statement

Warners Bay Apartments - Warners Bay

date:	19.04.2017
job no:	11159.5
issue:	client review
revision:	B

table of contents

Warners Bay Apartments - Warners Bay

Table of Contents

01 introduction

preamble

terminology

objectives

methodology.....

02 existing visual environment

site character

local area character.....

visual environment of the study area.....

site location

03 the proposal

04 viewpoint analysis

site plan.....

viewpoint locations.....

viewpoint 1

viewpoint 1

viewpoint 2

viewpoint 2

viewpoint 3

viewpoint 3

viewpoint 4

viewpoint 4

viewpoint 5

viewpoint 5

viewpoint 6

viewpoint 6

viewpoint 7

viewpoint 7

05 impact assessment and conclusion.....

SITE:

Cnr The Esplanade & Howard Street,

Warners Bay

CLIENT:

Bloc

DATE:

19.04.2017

JOB NUMBER:

11159.5

DRAWN:

KM / YY

REVISION:

B



introduction & visual environment

Warners Bay Apartments - Warners Bay

02

01 introduction

preamble

Terras Landscape Architects was commissioned by Bloc to undertake a Visual Impact Statement (VIS) for the proposed construction of two 7 storey towers at the intersection of The Esplanade, King Street and Howard Street, Warners Bay. The proposal consists of commercial premises at ground level and residential apartments above. The VIS has been undertaken in response to a request by Lake Macquarie City Council to address streetscape elements and present montages of the proposal in context of the surrounding environment. It is not a complete Visual Impact Assessment in accordance with Council's guidelines as this is a permissible development within the zoning height limits and shall accompany separate development application documents.

Field work was conducted in April 2017. Following a desktop analysis a visual assessment was undertaken from vantage points surrounding the site within the pre-determined visual catchment area, (refer to site location sheet 03).

terminology

The below meanings for the following terms shall apply to this report:

- The *proposal* is that activity which has the potential to produce a visual impact either during the works or as a result of it. In this case it refers to the construction of two 7 storey towers and associated external landscape works.
- The *subject site* (referred to also as the site) is defined as the land area directly affected by the proposal within defined boundaries.
- The *study area* consists of the subject site plus the immediate surrounding land potentially affected by the proposal during its construction and operation phase.
- The *study locality* is the area of land within the regional visual catchments whereby the proposal can be readily recognised. Generally this is confined to a six-kilometre radius beyond which individual buildings are difficult to discern, especially amongst other development where contrasts are low. Further, visual sensitivity generally declines significantly beyond this range due to the broad viewing range that can be had from vantage points. For this study the locality has been limited to the visual catchments that have distances less than 6 kilometres, however, views beyond this are restricted by the topography and development that bounds the site and adjoining viewpoints.

objectives

The objectives of this report are as follows:

- To identify and describe the existing visual/landscape environment and to evaluate its current qualities.
- Identify prominent viewpoints and view corridors into the site.
- To determine the likely impacts the proposal will have on the visual/landscape quality of the area and to determine its suitability in context with the surrounding existing, approved and future land use.
- Identify areas requiring specific treatment for visual quality and suggest methods where possible, to reduce the visual impact of the proposal or methods to increase the existing scenic quality.

methodology

The methodology applied to this study involved systematically evaluating the visual environment pertaining to the site and using value judgements based on community responses to scenery as outlined in Appendix A (Visual Quality Assessment Table).

The assessment was undertaken in the stages noted below:

- A desktop study to determine the likely extent of the study area.
- A description of the existing visual environment.
- A preliminary assessment of anticipated issues relating to the visual impact of the proposal.
- The undertaking of in-field viewpoint analysis to identify sites likely to be affected by development of the site. Viewpoints are chosen that represent those locations where impacts will affect significant groups within the population (e.g. major roads, community halls, settlements etc.) and any other significant features, viewpoints or ridgelines.
- An assessment of the possible visual impacts of the proposal.

The purpose of the above methodology is to reduce the amount of subjectivity entering into the impact assessment and to provide sufficient data to allow for third party verification of results as well as compliance with the requirements of the scenic quality guidelines.

02 existing visual environment

site character

The subject site occupies a prominent corner position opposite the Lake Macquarie foreshore and within the Warners Bay Town Centre. It is bounded by The Esplanade to the west, King Street to the north and Howard Street to the east with a combination of 3 and 5 storey apartments located adjacent to the southern boundary. It has a regular east-west fall of approximately 1:19.

Existing on site development consists of a BP service station, cafe and three single and double storey residential lots. These occur on individual lots as follows:

Lot 1 DP 90877 The Esplanade
Lots 3 and 4 DP 32518 The Esplanade
Lots 1, 2 and 3 DP 15591 King Street
Lot 122 DP 578045

The proposal includes the consolidation of the above to form a single lot of approximately 5100 square metres.

A stand of established trees located within the south western quadrant of the site provide amenity to the immediate area and assist in screening the multi storey apartments further southward. An avenue of smaller trees occur within the site which also provide some softening to the built form.

local area character

The Esplanade provides the main vehicular connection around eastern Lake Macquarie and the adjoining foreshore is popular for water-based recreation activities. The commercial strip contains a range of cafes and restaurants and is well patronised during both the day and night. The nearby intersection of King and John Streets forms one of the major access points to the local shopping centre and caters to a high volume of daily vehicular and pedestrian traffic.

The area immediately north of the site comprises the main commercial area of Warners Bay and as such is dominated by urban development. This consists of predominantly double storey retail premises and eateries. There is no significant landscaping to soften or improve the visual amenity of the built environment in this area. Some larger tree canopies emerge beyond the building line but their fragmented placement only marginally increase the visual quality. Large and more frequent trees occur within the parkland on the lake foreshore, which accompanied by the lake itself as a backdrop, results in a public area of high visual amenity.

The ground topography gradually rises further east and southward and existing development is generally of an established domestic character. The LMCC Warners Bay Town Centre Area Plan identifies the desired future character as a vibrant mix of high level commercial, retail and residential development. A multi storey apartment complex is currently under construction opposite the site at the Howard and King Street junction. In addition to that existing to the site's south, it provides a second indication of the likely nature of future development in this vicinity.

visual environment of the study area

Warners Bay town centre has a potentially high amenity due to its close proximity to the lake's edge. It presents the opportunity for boutique retail shopping, apartment living and restaurant dining with a lakefront outlook or less formal recreation activities along the cycleway and in the parkland bordering the lake.

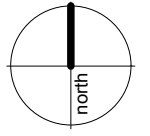
The study area consists of the subject site plus the roads and land that are within the visual catchment and potentially affected by the proposal. The study area for this site includes The Esplanade, King Street and the Lake Macquarie foreshore.

SITE:
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Warners Bay
CLIENT:
Bloc
DATE:
19.04.2017
JOB NUMBER:
11159.5
DRAWN:
KM / YY
REVISION:
B

site location

Warners Bay Apartments - Warners Bay

03



SITE:
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B

the proposal & viewpoint analysis

Warners Bay Apartments - Warners Bay

04

03 the proposal

The development application for the site proposes to demolish all of the existing structures and construct two seven storey buildings. These shall consist of commercial premises at the ground level and residential above. Street trees and mass planting shall constitute the streetscaping along The Esplanade, whilst an internal courtyard containing a pool, shade structures and extensive landscaping shall service the apartment residents.

Stewart Architecture have provided the following statement regarding the building design:

The design seeks to instil the sense of a village' development to this prominent block. As such, it was considered a vital design principle to break down the visual scale of the proposal by instilling distinct and legible zones' of the development which respond to both place and development controls under the Lake Macquarie Development Control Plan (2014).

The street wall binds the base' of the proposal, through a series of double-height masonry frames which step their way along each street interface. Encapsulated within these frames at street level are a series of smaller scaled commercial premises which are afforded the opportunity to activate the public domain. Each premises is designed to be directly accessible from the street; acknowledging the existing topographic conditions. Colours, tones and materials within this base vary to create an interesting and active public domain. The scale of the masonry frames is mitigated by their materiality; providing an appropriately human' scaled textural response to the Street Wall control. Finer vertical elements further break down the scale of this walls whilst also affording opportunities articulate entries.

Commercial and residential entries are located across all street frontages to ensure activation is not condensed to single points'. Often these zones are shared encouraging opportunities for interaction between residents' and the broader public population.

The architecture then lightens' up the building's façade: distinct middle' and upper' languages are developed to aid in the breaking down of the building's scale. It is the proposal's almost complete adherence to the building envelope which aids the creation of these distinct languages. Each building steps appropriately as per this control to effectively minimise apparent bulk whilst also mitigating impact to the neighbouring buildings.

04 viewpoint analysis

[Refer to separate worksheets].

This section of the visual assessment considers the likely impact that the proposed development may have on the local environment. This is done by identifying and selecting particular sites, referred to as viewpoints, conducting inspections and determining the visual impact of the development proposal. In this instance viewpoints were generally selected where it was anticipated that the proposal would have the greatest visual impact.

The viewpoints, as shown on sheet 07 were selected on the basis of where the development would appear to be most prominent either based on degree of exposure or the number of people likely to be affected.

The images were taken using a digital camera with a focal length noted on each individual viewpoint worksheet. A number of photo panoramas have been included to assess the site in context with the surrounding area. The attached landscape format viewpoint worksheets provide analysis data.

This report uses an analytical process to provide an assessment of visual impact. It is not the intent of this assessment to state whether a development proposal is suitable or unsuitable, simply to state the potential visual impact from various viewing points and the likely integration of the proposal with the existing streetscape.

Photographs were taken in the surrounding area to determine a visual catchment for the site, however in this instance they were limited to relatively close proximity viewing (ie: less than 1km). Generally due to the landform, vegetation and existing development there are a few locations where the site is visible and they occur within close proximity to the site.

The seven viewpoints selected were:

1. The intersection of The Esplanade and Howard Street.
2. The intersection of King Street and John Street.
3. The intersection of The Esplanade and King Street.
4. The intersection of The Esplanade and Lake Street.
5. Carpark off The Esplanade.
6. Drone image from Lake Macquarie directly opposite the site.
7. Drone image from Lake Macquarie approximately 100m south of the site.

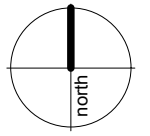
An analysis has been undertaken of the viewpoints to determine the level of impact the proposal may have on existing views.

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site plan

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05



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