

COUNCIL ASSESSMENT BRIEFING REPORT TO PANEL

NORTHERN REGIONAL PLANNING PANEL

PANEL REFERENCE & DA NUMBER	[PAN-228559] – [1037/22DA]
PROPOSAL	Demolition works and construction of a mixed-use development (commercial premises/residential flat building)
ADDRESS	Lot 2 DP 872030 [1A McLean Street, Coffs Harbour 2450]
APPLICANT	Warwick Bowyer on behalf of the Trustee for Ibis Hotels Coffs Harbour Operations Trust
OWNER	Ibis Hotels Coffs Harbour Operations Pty Ltd
DA LODGEMENT DATE	21/06/2022
APPLICATION TYPE	Development Application
REGIONALLY SIGNIFICANT CRITERIA	Section 2.19(1) and Clause 2 of Schedule 6 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> declares the proposal regionally significant development as General development over \$30 million.
CIV	\$39,687,107.00 (excluding GST)
CLAUSE 4.6 REQUESTS	<i>Coffs Harbour Local Environmental Plan 2013</i> (CHLEP) Clause 4.3 Height of Buildings
LIST OF ALL RELEVANT PLANNING CONTROLS (S4.15(1)(A) OF EP&A ACT)	<ul style="list-style-type: none"> • <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> • <i>State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development</i> • <i>State Environmental Planning Policy (Planning Systems) 2021</i> • <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> • <i>Coffs Harbour City Council Local Environmental Plan 2013</i>; • <i>Coffs Harbour City Council Development Control Plan 2015</i>.
AGENCY REFERRALS	<ul style="list-style-type: none"> • Transport for New South Wales (TfNSW)
TOTAL & UNIQUE SUBMISSIONS	7 (seven)
KEY ISSUES	<ul style="list-style-type: none"> • Bulk and scale • Height • Urban Design

	<ul style="list-style-type: none"> • Amenity
DOCUMENTS SUBMITTED FOR CONSIDERATION	<ul style="list-style-type: none"> • Access Report prepared by Lindsay Perry Access on 10 May 2022 • Acoustic Assessment prepared by Reverb Acoustics Pty Ltd on May 2022 • Arborists Report prepared by ArbPro on 3 May 2022 • Architectural Plans prepared by EJE Architecture on 19 May 2022 • BASIX Certificate issued on 19 May 2022 • Civil Engineering Design Report prepared by Xavier Knight on 16 May 2022 • Clause 4.6 Request for Variation Report prepared by Gyde in May 2023 • Preliminary (Contamination) Site Investigation prepared by Foundation Earth Sciences in May 2022 • Cost Estimate Report prepared by APLAS Group on 13 May 2022 • Design Verification Statement prepared by EJE Architecture in May 2022 • Landscape Plans prepared by Terras Landscape Architects on 10 May 2022 • Photomontage prepared by EJE Architecture on 20 May 2022 • Statement of Environmental Effects prepared by EJE Architecture • Proposed Basement Level Carpark – 1A McLean Street, Coffs Harbour - Preliminary Geotechnical Assessment prepared by Regional Geotechnical Solutions • Stormwater Drainage Modelling • Survey Plan prepared by Steve Russell Surveying on 14 July 2021 • Traffic Impact Statement prepared by SECA Solution on 13 May 2022 • Operational Waste Management Plan prepared by WasteAudit in May 2022
PREVIOUS BRIEFINGS	27 October 2022/10 March 2023
PLAN VERSION	19 May 2022 Revision E
ASSESSMENT STATUS	Approval, subject to conditions
PREPARED BY	Luke Perry – Section Leader Development Assessment
DATE OF REPORT	11 May 2023

1. THE SUBJECT SITE AND LOCALITY

1.1 The Subject Site

The subject site is legally described as Lot 2 DP872030 and has an area of 3,205m². The subject site has a 49.08m southern frontage to McLean Street, and a total perimeter of approximately 232.93m. A three-storey motel currently exists on the subject site which is owned by Ibis Hotels Coffs Harbour Operations Pty Ltd.

The north and west boundaries of the subject site are adjacent to medium and low-density residential developments, and the eastern border is adjacent to a commercial strip accessible from the main road and a carpark on McLean Street.

The subject site is relatively flat, and vegetation consists of only hedges and seven (7) trees; three (3) along the northern border and four (4) along the street frontage in the south. There is no significant biodiversity located in proximity to the subject site, nor are there any heritage items identified.

The subject site is located within the area zoned as the Coffs Harbour City Centre.



Figure 1: Subject site outlined in red (Source: SixMaps 2022)

1.2 The Locality

The subject site is located in the west outer region of the Coffs Harbour City Centre. For this reason, to the west of the development is an area predominantly defined as low to medium density housing, whilst the side to the east of the subject site is characterised by the commercial zoning.

The subject site is immediately adjoined on the western side by townhouses, and the eastern side is adjoined by a commercial business – the Coast Hotel. This venue is licenced to serve until 2am. Immediately opposite the subject site at 1 McLean Street, Coffs Harbour is Saint John's Anglican Church.

There are very few residential flat buildings (RFBs) in the Coffs harbour City Centre. The site is within 50m metres of the Pacific Highway.

2. THE PROPOSAL AND BACKGROUND

2.1 The Proposal

The proposal seeks consent for the demolition of existing structures and construction of a nine-storey mixed use development, with a ground level commercial unit, 98 apartments and basement parking.

Specifically, the proposal involves:

- Demolition of the existing three-storey Ibis Hotel.
- Construction of a nine-storey mixed-use development consisting of;
 - A ground floor commercial unit;
 - Ninety-eight (98) apartments consisting of;
 - Twenty one (21) one-bedroom units;
 - Fifty-seven (57) two-bedroom units; and
 - Twenty (20) three-bedroom units.
 - Basement and ground floor parking infrastructure consisting of 143 parking spaces;
 - Residential storage facilities and two apartment lobbies; and
 - Ancillary development such as a community room, a pool, and plant rooms.

The key development data is provided in **Table 1**.

Table 1: Key Development Data

Control	Proposal
Site area	3,206m ²
GFA	9,799m ²
FSR (retail/residential)	3.06:1
Clause 4.6 Requests	Yes – The applicant has submitted a report to support a request for variation of the CHLEP 2013 Clause 4.3 Height of buildings.
No. of apartments	98
Max Height	29.8m
Landscaped area	584m ²
Deep soil area	100m ²
Car Parking spaces	143
Setbacks	Front 1.001m, rear 0.945m, eastern side 1.2m, western 0m.



Figure 2: Artist impression of rear of proposed development (Source: EJE Architecture 2023)

2.2 Background

The development application was lodged on **21 June 2022**. A chronology of the development application since lodgement is outlined in **Table 2**.

Table 2: Chronology of the DA

Date	Event
11 July 2022	Exhibition of the application
July 2022	DA referred to external agencies
April 2023	Request for Information from Council to applicant
27 October 2022/10 March 2023	Panel briefing
1 May 2023	Amended plans lodged [1 May 2023 accepted by Council under CI 38 of the 2021 EP&A Regulation on Select Date.

2.3 Site History

Coffs Harbour City Council has record of one previous development application occurring on the subject site. The subject site has been utilised as a short-term accommodation venue by the Ibis Hotel chain for a number of years, with the existing building structures being developed sometime between 1994 and 2009. Previous to that it was a concrete paved car

park. In January 2020, consent was given for works including alterations and additions to the existing hotel on the subject site.

3. PLANNING CONTROLS

The subject site is located within the E2 Commercial Centre pursuant to Clause 2.3 of the CHLEP 2013 (Figure 4). The proposal is permissible in the zone with consent. The proposal is consistent with the zone objectives.

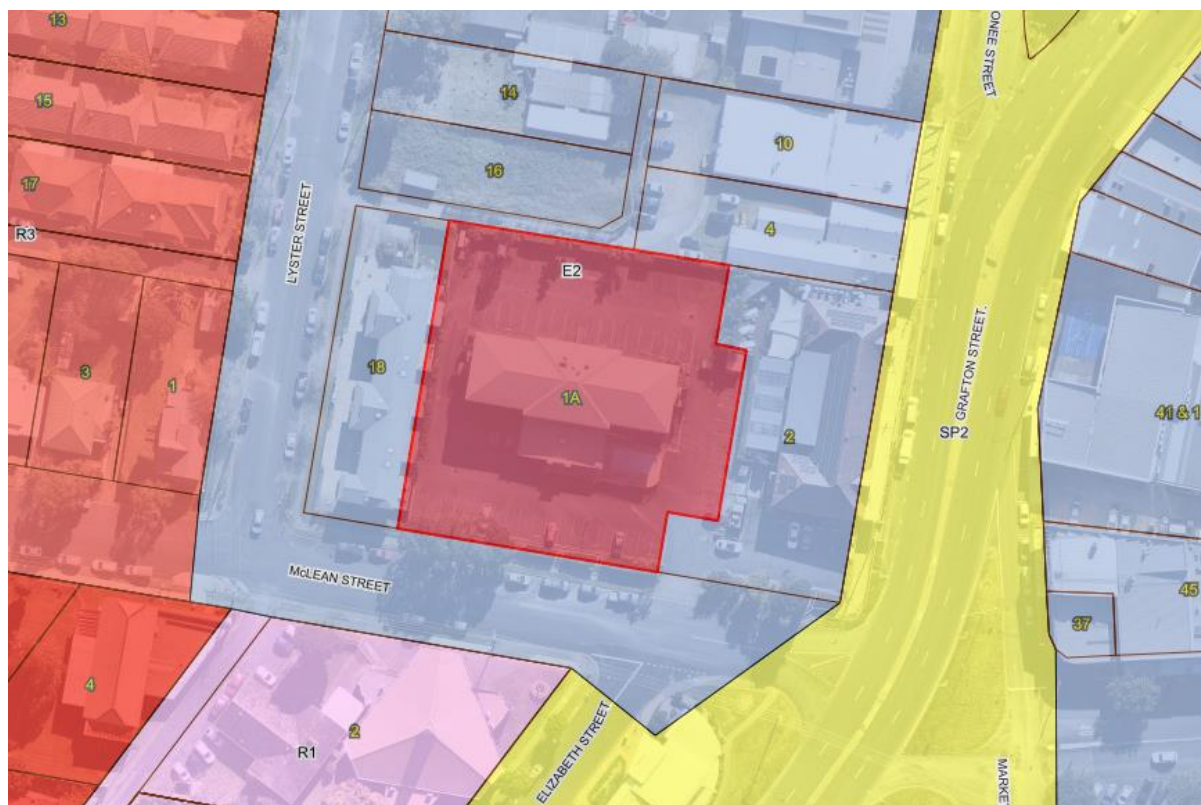


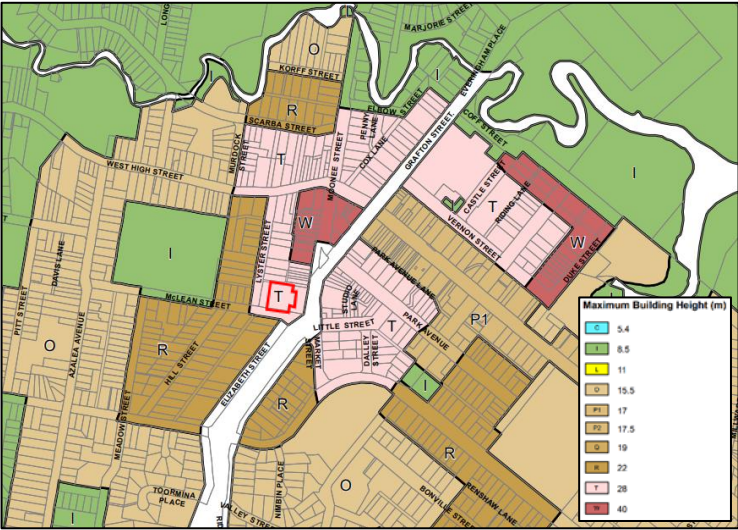
Figure 3: Land use zoning of the subject site outlined in red (Source: Coffs Harbour Council)

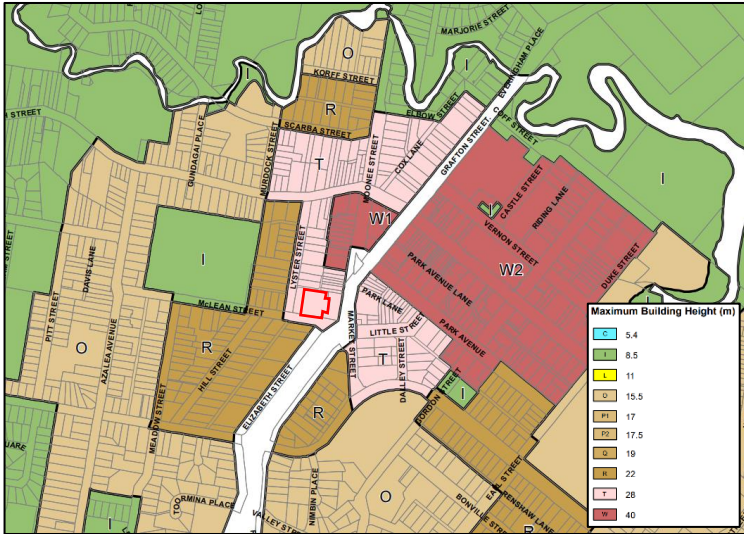

A summary of the key matters for consideration and non-compliances arising from the relevant EPIs are outlined in **Table 3**. The pre-conditions to the grant of consent have been considered and are outlined in bold.


Table 3: Summary of Key Matters in the Relevant EPIs

EPI	Matters for Consideration	Comply (Y/N)
State Environmental Planning Policy (Biodiversity & Conservation) 2021	<u>Chapter 2: Vegetation in non-rural areas</u> There are seven (7) trees proposed to be removed. The vegetation can be removed without consent in accordance with the CHDCP 2015.	Yes
BASIX SEPP	No compliance issues identified subject to imposition of conditions on any consent granted. The applicant has	Yes

EPI	Matters for Consideration	Comply (Y/N)
	submitted a valid BASIX Certificate (Certificate number 1303677M).	
SEPP 65	<p><u>Clause 30(2) - Design Quality Principles</u></p> <p>The proposal is consistent to the design quality principles and the proposal is consistent with the ADG requirements. A full assessment can be found in Appendix A.</p>	Yes
State Environmental Planning Policy (Planning Systems) 2021	<p><u>Chapter 2: State and Regional Development</u></p> <p>Section 2.19(1) declares the proposal regionally significant development pursuant to Clause 2 of Schedule 6.</p>	Yes
SEPP (Resilience & Hazards)	<p><u>Chapter 4: Remediation of Land</u></p> <p>Contamination and remediation have been considered in the Contamination Report and the proposal is satisfactory subject to conditions.</p>	Yes
CHLEP 2013	<p><u>4.3 Height of buildings</u></p> <p>The maximum height of buildings on the subject site is 28m. The proposed building height is 29.8m. A Clause 4.6 Request for Variation was submitted by the applicant and Council deems that there is limited reasoning for approval of the proposed development. This is discussed further below in the '4.6 Exceptions to development standards' section.</p> <p><u>4.4 Floor space ratio</u></p> <p>The subject site has a floor space ratio of 3.5:1. The proposed development has a floor space ratio of 3.06:1 which is thus deemed compliant.</p> <p><u>4.6 Exceptions to development standards</u></p> <p>The applicant is seeking a variation in accordance with clause 4.3 (Height of Buildings) in CHLEP 2013. The CHLEP 2013 specifies the maximum height of buildings for the subject site is 28m. The applicant proposes a variation of 1.8m (6%) to reach a maximum building height of 29.8m.</p> <p>The applicant is required to demonstrate that compliance with this clause is unnecessary for the following reasons;</p> <ol style="list-style-type: none"> 1. The objectives of the development standard are achieved notwithstanding non-compliance with the standard; 2. The underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary; 	Yes

EPI	Matters for Consideration	Comply (Y/N)
	<p>3. The objective would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable;</p> <p>4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence the standard is unreasonable and unnecessary; and</p> <p>5. The zoning of the land is unreasonable or inappropriate.</p> <p>The applicant originally proposed a building height of 33.4m and has discussed with Council the appropriateness of the height variation. Additional information was provided and amended plans were submitted which proposes a maximum building height of 29.8m. The lift overrun is the built element which raises the overall building height to 29.8m.</p> <p>This lift overrun, given the width of the development, is unlikely to be seen from any public space and will likely cause no overshadowing onto surrounding properties. The applicant has submitted updated shadow diagrams that display the difference between the proposed height of 29.8m and the maximum permitted 28m.</p> <p>The impact has been assessed as being a minor exceedance. The Coffs Harbour City Centre recently underwent changes to accommodate for future residential and commercial units. Figures 4 and 5 depict the strategic vision implemented in CHLEP 2013 to provide such extra units.</p>  <p>Figure 4: Height of Buildings map derived from CHLEP 2013 (in force until 2019) (subject site outlined in red)</p>	

EPI	Matters for Consideration	Comply (Y/N)											
	<div><table><tr><th>Maximum Building Height (m)</th></tr><tr><td>5.4</td></tr><tr><td>8.5</td></tr><tr><td>11</td></tr><tr><td>15.5</td></tr><tr><td>17</td></tr><tr><td>17.5</td></tr><tr><td>19</td></tr><tr><td>22</td></tr><tr><td>28</td></tr><tr><td>40</td></tr></table></div> <p>Figure 5: Height of Buildings map derived from the amended CHLEP 2013 (in force from 2019 to present) (subject site in red)</p> <p>EJE Architecture on behalf of the applicant has submitted photomontages of the future character of the area with regard to building height, and the proposed variation of 1.8m is considered to have a minimal impact upon the Coffs Harbour urban character (see below figures 6 and 7).</p> <div></div> <p>Figure 6: Future development as viewed from corner Vernon and Grafton Streets (Source: EJE)</p>	Maximum Building Height (m)	5.4	8.5	11	15.5	17	17.5	19	22	28	40	
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EPI	Matters for Consideration	Comply (Y/N)
	 <p data-bbox="512 799 1276 853"><i>Figure 7: Future development as viewed from Pacific Highway (Source: EJE)</i></p> <p data-bbox="504 889 1284 1021">The purpose of the subject site's maximum height of building being 28m is to serve as a transition between the 44m high buildings of the city centre to the 15m and 8.5m buildings of Coffs Harbour's outer suburban areas.</p> <p data-bbox="504 1057 1284 1256">Removal of this transition will have greater impacts upon the amenity of lower density regions and the housing market of Coffs Harbour as a whole. The subject site is not directly adjacent to the area identified as having a maximum height limit of 40m, and it has been deemed that 28m is an appropriate height of building for the subject site.</p> <p data-bbox="504 1292 1284 1491">The variation of 1.8m has been assessed to have a minimal impact upon the transition of heights from high to low density residential areas. Further, the variation is predominantly the result of a roof top plant which is a localised addition to the roof form and does not result in any adverse environmental impacts.</p> <p data-bbox="504 1527 1284 1659">The variation proposed by the applicant was indicative of being in the public interest, consistent with the strategic vision of the greater Coffs Harbour City Centre and the objectives of both the zone and cl 4.3 are achieved.</p> <p data-bbox="504 1695 775 1727"><u>7.1 Acid sulfate soils</u></p> <p data-bbox="504 1762 1284 1830">The subject site is zoned as a class 5 acid sulfate soil area meaning that consent is required for;</p> <p data-bbox="504 1865 1284 1998"><i>Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</i></p>	

EPI	Matters for Consideration	Comply (Y/N)
	<p>The Application is supported by Proposed Basement Level Carpark – 1A McLean Street, Coffs Harbour - Preliminary Geotechnical Assessment prepared by Regional Geotechnical Solutions that confirms that the long term groundwater level at the site is anticipated to be located at depths of greater than about 5m.</p> <p><u>7.2 Earthworks</u></p> <p>Earthworks are proposed as a part of this development application. Appropriate conditions of consent have been applied to ensure the earthworks do not result in any adverse impacts to adjoining properties or the broader locality and any excavated material is appropriately disposed of.</p> <p><u>7.11 Essential Services</u></p> <p>The development proposes the provision of water, electricity, sewerage and stormwater management and suitable vehicular access. Council's engineer and waste officer are satisfied that the proponent has adequately address the required provision of infrastructure.</p> <p><u>7.13 Coffs Harbour City Centre</u></p> <p>The subject site is located in the Coffs Harbour CBD. Consent must not be granted to development applications in this area unless it maintains the primacy of the Coffs harbour City Centre as the principal business, office, retail, cultural, civic and entertainment hub. The proposed development does so through the location of a commercial premises on the ground floor.</p> <p><u>7.21 Minimum building street frontage</u></p> <p><i>(2) Development consent must not be granted for the erection of a building over 28 metres in height on land in Zone B3 Commercial Core that does not have at least one street frontage of 30 metres or more, or at least two street frontages of 30 metres or more if the two street frontages form a street corner.</i></p> <p>Given that the proposed building height is 29.8m this clause applies. The proposed development resides on a lot with only one street frontage and has a frontage of approximately 44.893m. The development is compliant to clause 7.21.</p>	
CHDCP 2015	<u>Part D Built Form Controls</u>	Yes

EPI	Matters for Consideration	Comply (Y/N)
	<p><u>D1.1 Setback Requirements</u></p> <p>As the proposed development is located within the Coffs Harbour City Centre, setbacks must comply with G3.2 Coffs Harbour City Core Precinct. The subject site requires a merit based assessment of setbacks. The applicant proposed a zero (0) metre setback on the western boundary which was amplified by the height of the proposed boundary wall and its impacts on the amenity impact of the neighbouring property. The property to the west, which is identified as 18 Lyster Street, is a townhouse complex with private open spaces to its rear (the area immediately west of the proposed development).</p> <p><u>Amenity:</u> Prior to the final architectural amendments, in addition to the zero-metre setback, the applicant was proposing the property line between the two sites be defined by a concrete wall which at its lowest point is over 4.6m tall (measured from natural ground level). Whilst this was an improvement from the originally proposed 5.7m high wall, there was still a significant impact upon the amenity of the neighbouring property. Council requested amendments or justification of this amenity issue in relation to the neighbouring property.</p> <p>The applicant amended the architectural drawings by moving the ground floor parking to the basement, bringing the lowest floors level to 8m AHD (3 metres below the originally proposed). This has lowered the concrete wall on the boundary to have a height of approximately 3.6m with podium plantings to face the property at 18 Lyster Street (see Figure 11 below).</p> <p>Shadow diagrams have been submitted as per Council's request, which show that the proposed development does not produce extensive overshadowing into the private open space of the property at 18 Lyster Street, but instead the townhouses overshadow their own private open spaces. Given that the private open spaces are separate from one another and as only two have air circulation from the street, air circulation was an important consideration in this assessment.</p> <p>The amendments in the height of this wall will allow for proper ventilation of the private open spaces. The applicant's amendments are considered to be appropriate.</p>	

EPI	Matters for Consideration	Comply (Y/N)
	<div data-bbox="517 300 1270 712"> </div> <p data-bbox="539 714 1248 768"><i>Figure 10: The originally proposed wall (left) next to the two-storey townhouse (right).</i></p> <div data-bbox="517 801 1270 1317"> </div> <p data-bbox="528 1321 1262 1375"><i>Figure 11: The amended wall (left) next to the two-storey townhouse (right).</i></p> <p data-bbox="504 1444 992 1476"><u>D1.2 Design Requirements - General</u></p> <p data-bbox="504 1512 1284 1612">The proposed development adequately addresses the street frontage with access and front entryways and has a length of approximately 44.893m.</p> <p data-bbox="504 1646 1211 1677"><u>D1.3 Design Requirements – Mixed use Development</u></p> <p data-bbox="504 1713 1284 1814">The proponent has adequately address security regarding access for residents and those utilising the commercial space.</p> <p data-bbox="504 1848 1160 1879"><u>D1.4 Infrastructure and Site Facility Requirements</u></p> <p data-bbox="504 1915 1284 1984">Adequate infrastructure is proposed to service the mixed-use development. Council's officers have stated they are</p>	

EPI	Matters for Consideration	Comply (Y/N)
	<p>satisfied with the standard of infrastructure and facilities included in the proposed development.</p> <p><u>D1.5 Access and Parking Requirements</u></p> <p>Council officers are satisfied that adequate access has been provided in the proposed development.</p> <p><u>D1.7 Landscaping Requirements</u></p> <p>The proposed development is required to comply with the controls of F3 Landscaping, which is addressed below.</p> <p><u>D1.8 Accessibility Requirements</u></p> <p>The proposed development complies with both the Disability (Access to Premises – Building Standards) 2010, and Disability Discrimination Act 1992.</p> <p><u>D1.9 Safer by Design</u></p> <p>The development implements the principles of the <i>Crime Prevention Through Environmental Design</i> guidelines. The proposed development allows for passive surveillance of public areas thus increasing the safety of this side street. Lighting is appropriately used which will also deter criminal activity further, and measures have been implemented to ensure safety for residents is maintained.</p> <p><u>D1.13 Water Management Requirements</u></p> <p>Council's engineer is satisfied with the standard of stormwater management proposed in this development application.</p> <p><u>D1.15 Environmental Requirements</u></p> <p>The proposed development is required to comply with the controls of E1 Biodiversity, which is addressed below.</p> <p><u>D1.18 Contaminated Land Requirements</u></p> <p>The proposed development is required to comply with the controls of E3 Contaminated Land, which is addressed below.</p> <p><u>D1.20 Amenity</u></p> <p>Appropriate measures have been proposed to minimise acoustic and visual impacts upon neighbouring properties.</p>	

EPI	Matters for Consideration	Comply (Y/N)
	<p><u>Part E Biodiversity</u></p> <p><u>E1.1 Preservation of Trees and Vegetation</u></p> <p>Seven (7) trees are proposed to be removed from the subject site.</p> <ul style="list-style-type: none"> • T1 – Illawarra flame tree, previously landscaping tree and can be compensated for. • T2 – Illawarra flame tree, previously landscaping tree and can be compensated for. • T3 – Illawarra flame tree, previously landscaping tree and can be compensated for. • T4 – This tree is a weed species and therefore does not require consent to be removed. • T5 – This tree is a weed species and therefore does not require consent to be removed. • T6 – Tuckeroo, this tree has a poor structure and therefore can be removed. • T7 – This tree is a weed species and therefore does not require consent to be removed. <p><u>E3.1 Potentially Contaminated Land</u></p> <p>A Preliminary Site Investigation Report for contamination was submitted with the development application. The recommendations made in the report require further action from the developer prior to the issuance of a construction certificate.</p> <p><u>E3.2 Detailed Site Contamination Investigation Requirements</u></p> <p>A detailed site investigation report will be required prior to the CC stage.</p> <p><u>Part F General Development Controls</u></p> <p><u>F1.1 Vehicular Access and Manoeuvring – Commercial/Industrial</u></p> <p>Council's engineer is satisfied at the standard in which access is provided in the proposed development. The proponent meets all the requirements within this section, including pedestrian access.</p> <p><u>F4.1 On-Site Parking – Residential Uses</u></p> <p>There are 82 units with a proposed GFA of 100m² or less, and therefore 1 parking space per unit is required. There are 17 units with a proposed GFA of over 100m², and therefore, 2 parking spaces are required per unit. For residential</p>	

EPI	Matters for Consideration	Comply (Y/N)
	<p>purposes, 116 parking spaces are required. 137 residential parking spaces are proposed, of which 6 are stacked spaces. For residential purposes stacked spaces are not permitted. 131 standard car parking spaces have been proposed thus still complying.</p> <p><u>F4.5 On-Site Parking – Non-Residential Uses</u></p> <p>There is an 82m² commercial space on the ground floor of the proposed development. For this purpose, one space per 40m² is required, thus 3 spaces are required. 8 parking spaces are provided for visitors, which could also be utilised by the visitors of the commercial unit.</p> <p><u>F3 Landscaping</u></p> <p>Appropriate landscaping has been proposed at the frontage of the development, including street trees which provide a canopy over the proposed walkway. Council have included conditions of consent regarding species and specifications. The landscaping is complimentary to the existing environment and contributes to amenity and the streetscape.</p> <p><u>Part G Special Area Controls</u></p> <p><u>G3.2 Setback Requirements</u></p> <p>See above discussion on the proposed zero metre setback to the south-western boundary.</p>	

4. REFERRALS AND SUBMISSIONS

4.1 Agency Referrals and Concurrence

The development application has been referred to various agencies for comment/concurrence/referral as required by the EP&A Act and outlined below in **Table 4**.

Table 4: Concurrence and Referrals to agencies

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved
Concurrence Requirements (s4.13 of EP&A Act)			
N/A			

Referral/Consultation Agencies			
Essential Energy	SEPP (Transport and Infrastructure) 2021 <i>Part 2.2 Subdivision 2 Development likely to affect an electricity transmission or distribution network</i>	<p>The referral claimed that there were issues with the following;</p> <ul style="list-style-type: none"> • access to the substation; • the existing substation and easement not being large enough; • fire compliance; • access to the substation not being available; and • the area not being safe to operate any equipment etc. <p>It has been assessed that the issues raised by EE can be conditioned.</p>	Yes
TfNSW	SEPP (Transport and Infrastructure) 2021 <i>clause 2.122 Traffic-generating development and Schedule 3 Traffic-generating development to be referred to TfNSW</i>	TfNSW provided a response to the amended plans on 10 May 2023. TfNSW raise no objections to the proposed development. The advice provided by TfNSW have been included as conditions of consent where appropriate.	Yes
Integrated Development (S 4.46 of the EP&A Act)			
N/A			

4.2 Council Referrals

The development application has been referred to various Council officers for technical review as outlined **Table 5**.

Table 5: Consideration of Council Referrals

Officer	Comments	Resolved
Engineering	<p><u>Traffic & Access:</u></p> <p>A review of the Traffic Impact Assessment has been undertaken and is generally acceptable. Observation of the area would indicate that intersections in the area are close to capacity. However, it is acknowledged that users have a variety of routes to enter and exit the area and TfNSW raise no objections to the proposal.</p>	Yes

Officer	Comments	Resolved
	<p><u>Access</u> The development will now have between 101-300 parking spaces. McLean St is a local road (when considering local/arterial), the parking facilities classification is 1A (Table 1.1) subsequently in accordance with Table 3.1 the access facility classification is Category 2.</p> <p>Entry/Exit width = 6-9 meters – can be combined.</p> <p>The existing access width is in the order of 7.5m. This is adequate as there is unimpeded access to the gated entry points within the development site.</p> <p>Adequate queuing lengths to each gated access have been provided when considering the number of parking spaces in each area.</p> <p>It was noted when undertaking an inspection on the morning of 9/5/23 that vehicles parked close to the access affecting sight distances and subsequent safety when exiting the site. Intensification of the site would exasperate this situation. Consideration should be given to “no parking signage” required to be installed prior to OC.</p> <p><u>Parking</u> Adequate car parking has been provided. Stacked spaces parking spaces are to be allocated to the same unit. Appropriate conditions are to be included to ensure allocation of spaces (residential/commercial/visitors/loading)</p> <p><u>Ramp to Basement Level</u> Adequate headroom is to be provided. Details demonstrating compliance o be included in the driveway long section condition and provided prior to CC.</p> <p><u>Sewer</u> A sewer main extension is required. Appropriate conditions of consent have been included in the recommendation of this report.</p> <p><u>Water</u> Appropriate conditions of consent have been included in the recommendation of this report requiring connection to the existing 250dia water main on McLean Street.</p>	
Local Planning	<u>20/02/2023</u>	Yes

Officer	Comments	Resolved
	<p>It is noted that the application will require assessment against a number of CHLEP 2013 provisions including clause 4.3 Height of buildings, and that the proposed development is inconsistent with clause 4.3 and therefore the application seeks an exception to a development standard via clause 4.6.</p> <p>The proposed development involves erection of a 10-storey building including two levels of car parking at ground level and first storey. The highest point of the building is the lift overrun which has a height of approximately 33.4 metres; this is an exceedance of the 28 metres height of buildings (HoB) of 5.4 metres or 19%. The upper storey of the building has a roof height of 32.7 metres at the eastern edge of the building which represents an exceedance of 4.7 metres or 17%.</p> <p>The current 44 metre HoB control in the city centre east of the highway was established through an amendment to CHLEP 2013 that commenced in 2019. The planning proposal was informed and supported by a review of building height and built form controls. The HoB on land in Zone E2 west of the highway (40 metres and 28 metres) were already in place at this time and were unaffected by the amendment to CHLEP 2013. The building height and built form controls review considered the existing maximum heights of buildings of 28 and 22 metres to provide a logical transition from the building heights in the city centre to residential land adjoining the city centre. An extract from page 47 of the review is provided below;</p> <p style="padding-left: 40px;">This strategy reinforces the core area, at 13-14 storeys, as the centre of the Coffs Harbour CBD, with buildings stepping down in height to eight, six, and then four (with some two storey areas) at the periphery. The lower building heights at the periphery assist in the transition to surrounding low density residential neighbourhoods and to the Coffs Creek environment. In the preferred built form</p> <p>There appears to be no adequate justification for exceeding the 28 metre HoB limit at this location, especially given both levels of car parking are located above ground when one or both could be delivered as basement parking. Approving the development with such a substantial exceedance of the HoB standard would set an undesirable precedent.</p> <p>Having the two parking levels located at and above ground level results in blank walls of approximately 6 metres in height on the site's boundaries which creates a poor urban design outcome and poor amenity for the</p>	

Officer	Comments	Resolved
	<p>existing residential development on the adjoining site to the west. This is considered inconsistent with two of the Objectives of Zone E2 which seek to achieve development that provides a positive contribution to the streetscape and high visual quality in its presentation to the public realm. Ensuring one or both levels of car parking as basement would bring the building within or closer to the maximum HoB and improve the development's relationship with, and presentation to, its surroundings whilst meeting the objectives of the zone.</p> <p>The 28m HoB applying to the subject site has been established to provide a logical transition between 40 and 44 metre HoB in the core of the city centre and 22 metre HoB on land in Zones R3 and R4 surrounding the city centre. Local Planning Section cannot identify any environmental planning grounds or public interest matter that would justify approval being granted to exceed the 28 metre HoB standard by the extent proposed, especially given the development could employ basement car parking to reduce the overall height of the building. Approving the application would set an undesirable precedent in regard to approval of development that does not meet established controls.</p> <p><u>29/04/2023</u></p> <p>The applicant has submitted amended plans which address all of the above non-compliances.</p>	
Waste	No objections subject to conditions included in the recommendation of this report.	Yes
Finance	<p>The Section 7.11 contribution is currently \$306,444.52 for the 99-unit development. This includes a credit of \$147,792.82 for the existing development.</p> <p>The applicant has nominated their intention to apply for the Coffs Harbour City Centre Development Incentive Policy. This incentive may provide a maximum exemption of \$500,000 across section 7.11 contributions (excluding car parking) and section 64 contributions. The application currently meets the criteria; however, construction will need to be completed by 23 June 2025 and before the \$2.5m incentive allowance is exhausted. The exemption amount becomes payable prior to the release of the occupation certificate, if conditions relating to the Coffs Harbour City Centre Development Incentive Policy are not satisfied or the 2.5m allowance has been exhausted.</p>	N/A

Officer	Comments	Resolved																																																
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Water Sensitive Urban Design	<p><u>02/05/2023</u></p> <p>The Finished Floor Level is now 11.0mAHD, which is 0.5m lower than the previous Stormwater Management Plan, meaning all internal stormwater would be now lowered by at least 0.5m as well, to reflect the proposed ground floor.</p> <p>The invert of the existing detention tank has been surveyed at 8.7mAHD, with a proposed inlet IL of 9.16mAHD. The Surface level of lower south-east corner is 10.03mAHD, no information provided re: depth of tank, but is assumed around ~1m.</p> <p>By amending these lines by 0.5m, the design can conceptually work, however hydraulically will have less capacity in their stormwater system due to flatter grades and less elevation head available at ground level. The Applicant will need to demonstrate this can work with the existing detention tank at CW stage. Conditions of consent recommended:</p>	Yes																																																

Officer	Comments	Resolved
	<ul style="list-style-type: none"> Updated hydraulic analysis including detention volume, long-sections etc. (including updated pipe sizes) to confirm adequacy of existing infrastructure to be provided at CC/CW stage. The condition of the current internal infrastructure (which will remain) to be verified. 	

a. Community Consultation

The proposal was notified in accordance with the CHCC Community Participation and Engagement Plan from 11 July 2022 until 25 July 2022. The amended plans were notified from 8 May to 21 May 2023.

A total of seven (7) unique submissions, comprising objections and submissions raising concerns, were received.

The issues raised in these submissions included the following:

Issue	Council Comment
The development impacts the existing commercial premises in regard to how much noise they can omit. The POEO Act does not give priority to existing rights.	Acoustic treatments have been employed to mitigation acoustic disturbances.
The development will overshadow the clothesline area of an adjacent property, which will have impacts upon the manner in which residents dry their clothes.	No extensive overshadowing into the neighbouring private open space (at 18 Lyster Street) was observed in the submitted shadowing diagrams.
The development will have impacts upon the ventilation of surrounding properties.	The applicant has submitted amended plans which lower the wall significantly. Plantings are also provided on this wall. The amenity impact is not expected to be significantly detrimental to surrounding properties.
The development will overshadow surrounding lots.	Overshadowing has been observed in some surrounding properties, specifically the Church across the road from the proposed development. Evidence was submitted to differentiate between the overshadowing of the proposed development in comparison to a 28m building and very little change is noted.
The wall adjacent to surrounding properties is going to have negative impacts in the construction and	Prior to the final architectural amendments, in addition to the zero-metre setback, the applicant was proposing the property line between the two sites be defined by a concrete wall which at its lowest point is over 4.6m tall (measured from natural ground level). Whilst this was an improvement from the

Issue	Council Comment
operational phases/Clarification of proposed wall height.	<p>originally proposed 5.7m high wall, there was still a significant impact upon the amenity of the neighbouring property. Council requested amendments or justification of this amenity issue in relation to the neighbouring property. The applicant amended the architectural drawings by moving the ground floor parking to the basement, bringing the lowest floors level to 8m AHD (3 metres below the originally proposed). This has lowered the concrete wall on the boundary to have a height of approximately 3.6m with podium plantings to face the property at 18 Lyster Street.</p> <p>Shadow diagrams have been submitted as per Council's request, which show that the proposed development does not produce extensive overshadowing into the private open space of the property at 18 Lyster Street, but instead the townhouses overshadow their own private open spaces. Given that the private open spaces are separate from one another and as only two have air circulation from the street, air circulation was an important consideration in this assessment. The amendments in the height of this wall will allow for proper ventilation of the private open spaces. The applicant's amendments are considered to be appropriate.</p>
Car parking will be diminished as a result of the proposed development.	Parking for residential and commercial purposes has been provided for on the site and meets the requirements of the DCP.
The development will affect the existing trading licenses which operate in the nightclub in the vicinity of the subject site.	Acoustic treatments have been employed to mitigate acoustic disturbances.

2. KEY ISSUES

The following key issues are relevant to the assessment of this application having considered the relevant planning controls and the proposal in detail:

- Bulk and scale
- Building height
- Consistency with planning controls
- Noise

Likely Impacts of the Development

The proposal will not have significant adverse impacts on the locality within which it is located. The proposal takes into account the desired future character of the Coffs Harbour City Centre, is of a high standard of design and will provide additional housing opportunities for the community. The mixed-use development will better serve the surrounding community than the existing Ibis Hotel. The ground floor commercial unit will provide employment in future and will serve as a local shop or café for residents above and around.

The proposed development has been amended to reduce it from its originally proposed height of 33.4m to 29.8m. This is 1.8m above the CHLEP 2103 height limit, however this exceedance is considered to have minimal impacts in the context of the site and the desired future character of the Coffs Harbour City Centre. The wall height to the western boundary has also been reduced by 2.1m from the originally proposed design, to provide a much improved and acceptable interface with the residential property adjacent to this boundary.

No significant environmental impacts of the development are expected. The removal of seven trees is proposed, however the proposed development includes extensive podium planting. Plantings at the ground level entrance are also proposed.

The development will generate minor impacts during its construction. Conditions of consent are recommended to control hours of work, builders waste, construction noise, installation of sedimentation and erosion control measures and the like to ameliorate such impacts.

Site Suitability

The site is capable of being adequately serviced, has manageable constraints, is in the vicinity of services and local shops and is suitable for the proposed development.

Public Interest

The proposed development is unlikely to prejudice or compromise the public interest or create an undesirable precedent.

3. RECOMMENDATION

That the Northern Regional Planning Panel:

1. Pursuant to cl 37 of the Environmental Planning & Assessment Regulation 2021, accept the application made on 1 May 2023 via the NSW Planning Portal by the Applicant to amend the development application.
2. Grant development consent to development application 1037/22DA be granted for a period of five (5) years within which physical commencement is to occur from the Notice of Determination, subject to the recommended conditions.

4. ATTACHMENTS

The following attachments are provided:

- Appendix A: Assessment of the development against the Apartment Design Guide 2015
- Appendix B: Locality and Context Plan
- Attachment C: Architectural Plans
- Attachment D: Clause 4.6 Request
- Attachment E: Draft conditions

Appendix A – Assessment of the development against the Apartment Design Guide 2015

Control	Proposed	Compliant (Y/N)										
Part 3 Siting the Development												
3D Communal and Public Open Space <ol style="list-style-type: none"> Communal open space has a minimum area equal to 25% of the site. 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 9 am and 3 pm on 21 June (mid-winter). 	<p>The site has a communal open space of 641m², which is 20.0% of the total site area.</p>	<p>No, however the communal open space provided is of high quality. Diverse spaces are included, with outdoor pools and indoor rooms being provided. The 5% non-compliance is considered acceptable in this instance as the spaces are proposed to be very usable and will encourage socialisation between residents.</p>										
3E Deep Soil Zones <ol style="list-style-type: none"> Deep soil zones are to meet the following requirements: <table border="1"> <thead> <tr> <th>Site Area</th><th>Minimum Dimensions</th><th>Deep Soil Zone (% of site area)</th></tr> </thead> <tbody> <tr> <td>Less than 650m²</td><td>-</td><td rowspan="3">7%</td></tr> <tr> <td>650m² - 1,500m²</td><td>3m</td></tr> <tr> <td>Greater than 1,500m²</td><td>6m</td></tr> </tbody> </table>	Site Area	Minimum Dimensions	Deep Soil Zone (% of site area)	Less than 650m ²	-	7%	650m ² - 1,500m ²	3m	Greater than 1,500m ²	6m	<p>The site provides 100m² of deep soil, which is 3.1% of the total site area.</p>	<p>No, however given the high quality of landscaping proposed for the site, including the amount of</p>
Site Area	Minimum Dimensions	Deep Soil Zone (% of site area)										
Less than 650m ²	-	7%										
650m ² - 1,500m ²	3m											
Greater than 1,500m ²	6m											

Control				Proposed	Compliant (Y/N)												
<div><div>Greater than 1,500m² with significant existing tree cover</div><div>6m</div><div></div></div>					podium tree plantings, this non-compliance is considered to have only minor impacts.												
<div><div>3F Visual Privacy</div><div>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:</div><div><table><tr><th>Building Height</th><th>Habitable Rooms and Balconies</th><th>Non-habitable Rooms</th></tr><tr><td>Up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr><tr><td>Up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr><tr><td>Over 25m (9+ storeys)</td><td>12m</td><td>6m</td></tr></table></div></div>				Building Height	Habitable Rooms and Balconies	Non-habitable Rooms	Up to 12m (4 storeys)	6m	3m	Up to 25m (5-8 storeys)	9m	4.5m	Over 25m (9+ storeys)	12m	6m	The minimum distance between a balcony and habitable room is 12.3m.	Yes
Building Height	Habitable Rooms and Balconies	Non-habitable Rooms															
Up to 12m (4 storeys)	6m	3m															
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<div><div>3G Pedestrian Access and Entries</div><div><div>1. Building entries and pedestrian access connects to and addresses the public domain.</div><div>2. Access, entries and pathways are accessible and easy to identify.</div><div>3. Large sites provide pedestrian links for access to streets and connection to destinations.</div></div></div>				Vegetation flows from the private to the public domain thus linking the two spaces. The accessway for residential use can be identified from the street easily as it is a 4m wide entrance next to signage identifying the building.	Yes												
<div><div>3H Vehicle Access</div><div><div>1. Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.</div></div></div>				The covered entry path is a crossing over the driveway into the car parking area. It is unlikely that any conflicts will arise as a result of this.	Yes												
<div><div>3J Bicycle and Car Parking</div><div><div>1. For development in the following locations:<div><div>on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or</div></div></div></div></div>				Car parking has been assessed by Council’s engineer and is adequate subject to conditions.	Yes												

Control	Proposed	Compliant (Y/N)
<ul style="list-style-type: none"> on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre. <p>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 is less.</p> <p>The car parking needs for a development must be provided off street.</p> <ol style="list-style-type: none"> Parking and facilities are provided for other modes of transport. Car park design and access is safe and secure. Visual and environmental impacts of underground car parking are minimised. Visual and environmental impacts of above ground enclosed car parking are minimised. 		
Part 4 Designing the Building		
4A Solar and Daylight Access <ol style="list-style-type: none"> Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the 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 9 am and 3 pm at mid-winter. A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter. 	<p>The subject site is located in the Coffs Harbour CBD. 15 out of the 99 (15.15%) units proposed do not receive at least 3 hours of sunlight between 9am and 3pm mid-winter. 8 out of the 99 (8.08%) units proposed receive 0 hours of sun between 9am and 3pm mid-winter.</p>	Yes
4B Natural Ventilation <ol style="list-style-type: none"> 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 	<p>61 out of the 99 (62%) units are cross ventilated.</p>	Yes

Control	Proposed	Compliant (Y/N)												
<p>the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.</p> <p>2. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.</p>														
<p>4C Ceiling Heights</p> <p>1. Measured from finished floor level to finished ceiling level, minimum ceiling heights are:</p> <table><tr><th colspan="2">Minimum Ceiling Height for all apartment and mixed use buildings</th></tr><tr><td>Habitable rooms</td><td>2.7m</td></tr><tr><td>Non-habitable rooms</td><td>2.4m</td></tr><tr><td>For 2 storey apartments</td><td>2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area.</td></tr><tr><td>Attic spaces</td><td>1.8m at edge of room with a 30 degree minimum ceiling slope.</td></tr><tr><td>If located in mixed use areas</td><td>3.3m for ground and first floor to promote future flexibility of use.</td></tr></table> <p>These minimums do not preclude higher ceilings if Desired.</p>	Minimum Ceiling Height for all apartment and mixed use buildings		Habitable rooms	2.7m	Non-habitable rooms	2.4m	For 2 storey apartments	2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area.	Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope.	If located in mixed use areas	3.3m for ground and first floor to promote future flexibility of use.	<p>Each storey has a ceiling height of 3.1m. The ground and first storey are 0.2m shy of compliance.</p>	<p>No, however the non-compliance is considered minimal as the ceiling heights on these levels remain substantial.</p>
Minimum Ceiling Height for all apartment and mixed use buildings														
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If located in mixed use areas	3.3m for ground and first floor to promote future flexibility of use.													
<p>4D Apartment Size and Layout</p> <p>1. Apartments are required to have the following minimum internal areas:</p> <table><tr><th>Apartment Type</th><th>Minimum Internal Area</th></tr><tr><td>Studio</td><td>35m²</td></tr><tr><td>1-Bedroom</td><td>50m²</td></tr><tr><td>2-Bedroom</td><td>70m²</td></tr><tr><td>3-Bedroom</td><td>90m²</td></tr></table> <p>The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m2 each.</p> <p>A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m2 each.</p>	Apartment Type	Minimum Internal Area	Studio	35m ²	1-Bedroom	50m ²	2-Bedroom	70m ²	3-Bedroom	90m ²	<p>1-bedroom units range from 57m² to 67m². All 2-bedroom units are 85m². 3-bedroom units range from 111m² to 152m².</p>	<p>Yes</p>		
Apartment Type	Minimum Internal Area													
Studio	35m ²													
1-Bedroom	50m ²													
2-Bedroom	70m ²													
3-Bedroom	90m ²													

Control	Proposed	Compliant (Y/N)															
<ol style="list-style-type: none"> Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms. Habitable room depths are limited to a maximum of 2.5 x the ceiling height. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window. Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space). Bedrooms have a minimum dimension of 3m (excluding wardrobe space). Living rooms or combined living/dining rooms have a minimum width of: <ul style="list-style-type: none"> 3.6m for studio and 1 bedroom 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. 																	
<p>4E Private Open Space and Balconies</p> <ol style="list-style-type: none"> All apartments are required to have primary balconies as follows: <table border="1"> <thead> <tr> <th>Apartment Type</th><th>Minimum Area</th><th>Minimum Depth</th></tr> </thead> <tbody> <tr> <td>Studio</td><td>4m²</td><td>-</td></tr> <tr> <td>1-Bedroom</td><td>8m²</td><td>2m</td></tr> <tr> <td>2-Bedroom</td><td>10m²</td><td>2m</td></tr> <tr> <td>3-Bedroom</td><td>12m²</td><td>2.4m</td></tr> </tbody> </table> <p>The minimum balcony depth to be counted as contributing to the balcony area is 1m.</p> 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. 	Apartment Type	Minimum Area	Minimum Depth	Studio	4m ²	-	1-Bedroom	8m ²	2m	2-Bedroom	10m ²	2m	3-Bedroom	12m ²	2.4m	Private open spaces range from 20m ² to 112m ² .	Yes
Apartment Type	Minimum Area	Minimum Depth															
Studio	4m ²	-															
1-Bedroom	8m ²	2m															
2-Bedroom	10m ²	2m															
3-Bedroom	12m ²	2.4m															

Control	Proposed	Compliant (Y/N)										
<div>3. Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building.</div> <div>4. Private open space and balcony design maximises safety.</div>												
<div>4F Common Circulation and Space</div> <div>1. The maximum number of apartments off a circulation core on a single level is eight.</div> <div>2. For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.</div> <div>3. Common circulation spaces promote safety and provide for social interaction between residents.</div>	The number of apartments circulating from one common space on each level ranges from 4 to 7. Two lifts are provided in each common space.	Yes										
<div>4G Storage</div> <div>1. In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:</div> <table><tr><th>Apartment Type</th><th>Storage Size Volume</th></tr><tr><td>Studio</td><td>4m³</td></tr><tr><td>1-Bedroom</td><td>6m³</td></tr><tr><td>2-Bedroom</td><td>8m³</td></tr><tr><td>3-Bedroom</td><td>10m³</td></tr></table> <div>At least 50% of the required storage is to be located within the apartment.</div> <div>2. Additional storage is conveniently located, accessible and nominated for individual apartments.</div>	Apartment Type	Storage Size Volume	Studio	4m ³	1-Bedroom	6m ³	2-Bedroom	8m ³	3-Bedroom	10m ³	The volume of storage provided in each unit ranges from 3m ³ to 5m ³ . The volume of storage provided in each unit is matched with the volume of storage provided in the basement.	Yes
Apartment Type	Storage Size Volume											
Studio	4m ³											
1-Bedroom	6m ³											
2-Bedroom	8m ³											
3-Bedroom	10m ³											
<div>4H Acoustic Privacy</div> <div>1. Noise transfer is minimised through the siting of buildings and building layout.</div> <div>2. Noise impacts are mitigated within apartments through layout and acoustic treatments.</div>	Appropriate noise mitigation has been employed.	Yes										
<div>4J Noise and Pollution</div>	Appropriate design choices have been proposed to mitigate noise from surrounding land uses.	Yes										

Control	Proposed	Compliant (Y/N)								
<div><div>1. In noisy or hostile environments, the impacts of external noise and pollution are minimised through the careful siting and layout of buildings.</div><div>2. Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission.</div></div>										
<div><div>4K Apartment Mix</div><div><div>1. A range of apartment types and sizes is provided to cater for different household types now and into the future.</div><div>2. The apartment mix is distributed to suitable locations within the building.</div></div></div>	There are twenty (20) 1-bedroom units proposed, fifty-nine (59) 2-bedroom units proposed, and twenty (20) 3-bedroom units proposed.	Yes								
<div><div>4M Facades</div><div><div>1. Building facades provide visual interest along the street while respecting the character of the local area.</div><div>2. Building functions are expressed by the façade.</div></div></div>	The proposal includes the use of vertical gardens and variation in balcony design to create visual interest. The mixture of materials utilised is complimentary to the surrounding area.	Yes								
<div><div>4N Roof Design</div><div><div>1. Roof treatments are integrated into the building design and positively respond to the street.</div><div>2. Opportunities to use roof space for residential accommodation and open space are maximised.</div><div>3. Roof design incorporates sustainability features.</div></div></div>	The roof design creates visual interest whilst also serving as a means to integrate solar access into the top level’s private open spaces.	Yes								
<div><div>4O Landscape Design</div><div><div>1. Recommended tree planting in deep soil zones:<table><tr><th>Site Area</th><th>Recommended Tree Planting</th></tr><tr><td>Up to 850m²</td><td>1 medium tree per 50m² of deep soil zone.</td></tr><tr><td>850 – 1,500m²</td><td>1 large tree or 2 medium trees per 90m² of deep soil zone.</td></tr><tr><td>Greater than 1,500m²</td><td>1 large tree or 2 medium trees per 80m² of deep soil zone.</td></tr></table></div><div>2. Landscape design is viable and sustainable.</div><div>3. Landscape design contributes to the streetscape and amenity.</div></div></div>	Site Area	Recommended Tree Planting	Up to 850m²	1 medium tree per 50m² of deep soil zone.	850 – 1,500m²	1 large tree or 2 medium trees per 90m² of deep soil zone.	Greater than 1,500m²	1 large tree or 2 medium trees per 80m² of deep soil zone.	Landscaping in deep soil is appropriate, however only 3.1% of the site is deep soil as opposed to the required 7%.	Yes
Site Area	Recommended Tree Planting									
Up to 850m²	1 medium tree per 50m² of deep soil zone.									
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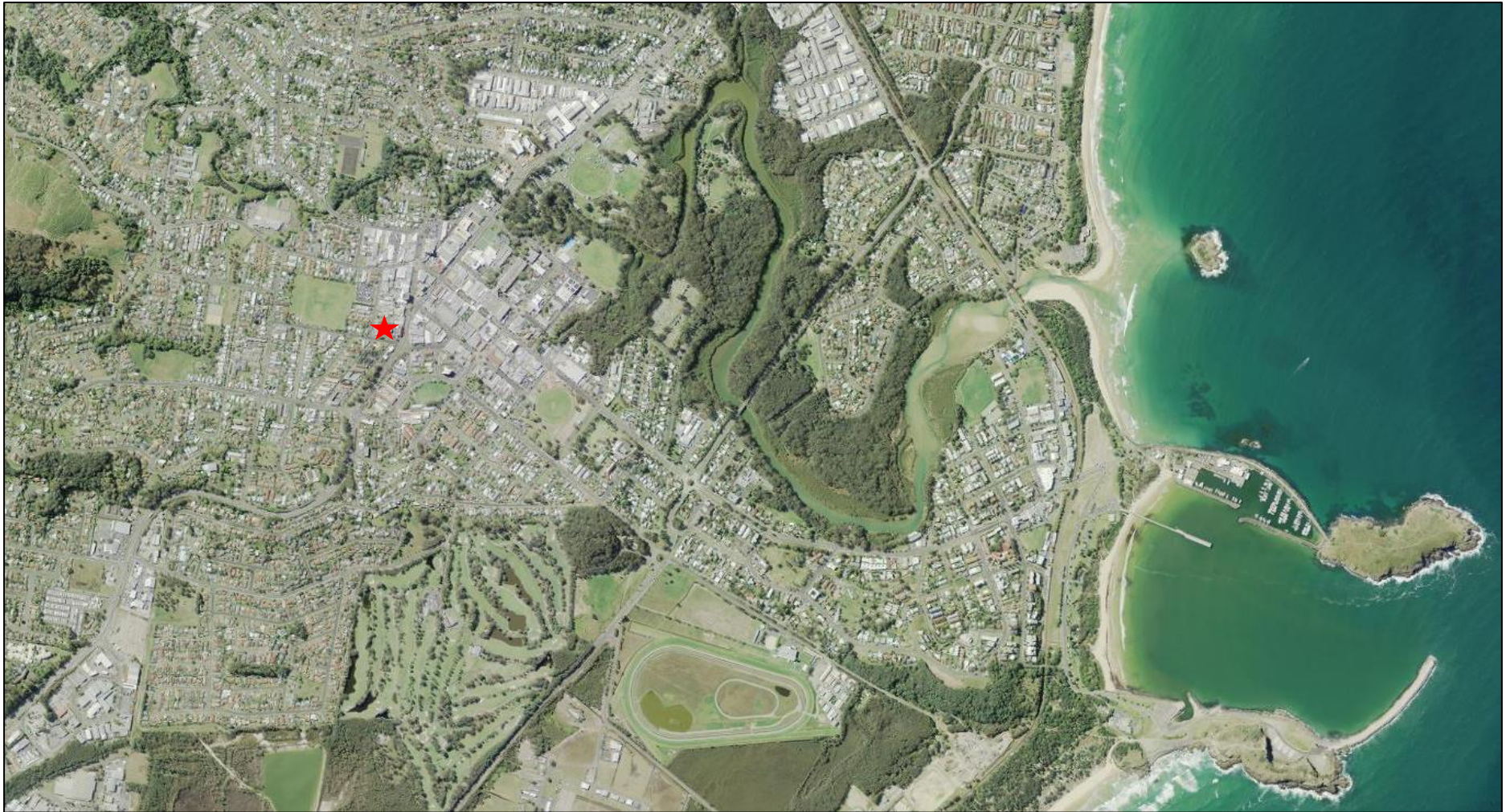
Control						Proposed	Compliant (Y/N)																																			
4P Planting on Structures <table><tr><th>Plant Type</th><th>Definition</th><th>Soil Vol.</th><th>Soil Depth</th><th>Soil Area</th></tr><tr><td>Large tree</td><td>12-18m high, up to 16m crown spread at maturity.</td><td>150m³</td><td>1,200mm</td><td>10x10m</td></tr><tr><td>Medium tree</td><td>8-12m high, up to 8m crown spread at maturity.</td><td>35m³</td><td>1,000mm</td><td>6x6m</td></tr><tr><td>Small tree</td><td>6-8m high, up to 4m crown spread at maturity.</td><td>9m³</td><td>800mm</td><td>3.5x3.5m</td></tr><tr><td>Shrubs</td><td></td><td></td><td>500-600mm</td><td></td></tr><tr><td>Ground Cover</td><td></td><td></td><td>300-400mm</td><td></td></tr><tr><td>Turf</td><td></td><td></td><td>200mm</td><td></td></tr></table> <ol style="list-style-type: none">Appropriate soil profiles are provided.Plant growth is optimised with appropriate selection and maintenance.Planting on structures contributes to the quality and amenity of communal and public open spaces.						Plant Type	Definition	Soil Vol.	Soil Depth	Soil Area	Large tree	12-18m high, up to 16m crown spread at maturity.	150m³	1,200mm	10x10m	Medium tree	8-12m high, up to 8m crown spread at maturity.	35m³	1,000mm	6x6m	Small tree	6-8m high, up to 4m crown spread at maturity.	9m³	800mm	3.5x3.5m	Shrubs			500-600mm		Ground Cover			300-400mm		Turf			200mm		Planting on structures is proposed. All of these plantings are proposed in planter boxes.	Yes
Plant Type	Definition	Soil Vol.	Soil Depth	Soil Area																																						
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Turf			200mm																																							
4Q Universal Design <ol style="list-style-type: none">Universal design features are included in apartment design to promote flexible housing for all community members.A variety of apartments with adaptable designs are provided.Apartment layouts are flexible and accommodate a range of lifestyle needs.						The unit designs incorporated in the proposed development would be capable of serving a wide variety of individuals and family/household structures.	Yes																																			
4R Adaptive Reuse <ol style="list-style-type: none">New additions to existing buildings are contemporary and complementary and enhance an area's identity and sense of place.Adapted buildings provide residential amenity while not precluding future adaptive reuse.							Yes																																			

Control	Proposed	Compliant (Y/N)
4S Mixed Use <ol style="list-style-type: none"> Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement. Residential levels of the building are integrated within the development, and safety and amenity is maximised for residents. 	The commercial unit on the ground floor of the proposed development interacts with the public domain appropriately. Furthermore, the applicant has proposed adequate landscaping on the street frontage and clear visualisation of the entrance to the private areas of the proposed development.	Yes
4T Awnings and Signage <ol style="list-style-type: none"> Awnings are well located and complement and integrate with the building design. Signage responds to the context and desired streetscape character. 	The awning will provide shade and protection from weather at the entrance of both the commercial space and the private space.	Yes
4U Energy Efficiency <ol style="list-style-type: none"> Development incorporates passive environmental design. Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer. Adequate natural ventilation minimises the need for mechanical ventilation. 	Solar access and ventilation are adequately addressed in the architectural design proposed.	Yes
4V Water Management <ol style="list-style-type: none"> Potable water use is minimised. Urban stormwater is treated on site before being discharged to receiving waters. Flood management systems are integrated into site design. 	Coffs Harbour City Council's development engineer is satisfied with the stormwater management systems and WSUD elements implemented in the design.	Yes
4W Waste Management <ol style="list-style-type: none"> Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents. Domestic waste is minimised by providing safe and convenient source separation and recycling. 	The waste management facilities are located in the basement of the proposed development and thus do not abut any proposed units. Coffs Harbour City Council's waste officer is satisfied that the area utilises adequate means of ventilation.	Yes
4X Building Maintenance <ol style="list-style-type: none"> Building design detail provides protection from weathering. Systems and access enable ease of maintenance. Material selection reduces ongoing maintenance costs. 		Yes

Appendix B – Locality and Context Plan



Local Context Map of the site outlined in red (Source: SixMaps 2022)



Regional Plan with the Site Identified with a Red Marker (Source: SixMaps 2022)