

Attachment 5 – Bowral Township Development Control Plan Assessment

DA22/0214 – 6-8 Wiseman Road, Bowral

Control	Requirement	Provided	Compliance
Part C – Residential Zoned Land			
Section 8 Seniors Housing			
C8.2 General Objectives	<p>The purpose of these controls is to encourage the provision of seniors housing, including residential care facilities that will:</p> <ul style="list-style-type: none"> (a) increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and (b) make efficient use of existing infrastructure and services, and (c) be of good design. 	<p>The proposed development is generally consistent with the objectives of the DCP relating to seniors housing as it increases the supply of housing for seniors however the proposed development is not considered to be of good design.</p> <p>The development does not appropriately recognise the desirable elements of the location's current character or contribute to the quality and identify of the area by providing a built form, scale and density that is compatible with existing development in the area or the C3 zoning of the site and adjoining land. Insufficient information has been submitted with the application that adequately demonstrates that the proposed dwellings are provided with an appropriate level of residential amenity in regards to solar access, acoustic and visual privacy.</p> <p>Additionally, insufficient information has been provided as to demonstrate that appropriate safe and accessible pathways are provided through the development for residents.</p>	No - Inconsistent

C8.3 Neighbourhood Amenity and Streetscape	<p>The proposed development should:</p> <p>(a) recognise the desirable elements of the location's current character so that new buildings contribute to the quality and identity of the area;</p>	<p>The design of the proposed development does not reflect the desirable elements of the locations current character or contribute to the quality and identity of the area.</p> <p>The site and surrounding area is zoned C3 Environmental Management and is characterised by Low density residential development (seniors housing) with significant landscaped setbacks and rural residential development. The design of the development provides a significant increase in the density of development within the area with reduced setbacks between dwellings and the road frontages. The development does not appropriately recognise the desirable elements of the location's current character or contribute to the quality and identify of the area by providing a built form, scale and density that is compatible with existing development in the area or the C3 zoning of the site and adjoining land.</p> <p>The development proposes the provision of 81 additional seniors living units to connect into the existing development at 8 Wiseman Road (approved for 87 units). The development will essentially double the number of seniors living dwellings located on the consolidated development site. The provision of the additional 81 dwellings on 6 Wiseman Road is being undertaken on a development site that is substantially smaller than the original development at 8 Wiseman Road resulting in a scale and density of development that is</p>	<p>No</p>
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		inconsistent and incompatible with the existing Pepperfields Resort.	
	(b) retain, complement and sensitively harmonise with Items of Heritage or Conservation Areas;	The proposed development does not impact on heritage items or conservation areas.	Yes
	(c) maintain reasonable neighbourhood amenity and appropriate residential character by: (i) providing building setbacks to reduce bulk and overshadowing,	The proposed development does not provide setbacks that are consistent with existing development in the area resulting in an increase in scale and bulk of built form within the area. The reduced setbacks also have the potential to result in adverse residential amenity and solar access impacts. No Shadow Diagrams/Analysis was submitted with the application and therefore the consent authority cannot be satisfied that adequate solar access and amenity is provided for the development.	No
	(ii) using building form and siting that relates to the site's land form, (iii) adopting building heights at the street frontage that are compatible in scale with adjacent development, and	The development has been designed to respond to the landform of the site where possible. The development provides single storey-built form at the street frontage consistent with development within the area however the reduced setbacks and increased density of development is incompatible with the scale and character of development within the area.	Yes No

	(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and	The proposed development does not provide setbacks that are consistent with existing development in the area resulting in an increase in scale and bulk of built form and privacy and amenity impacts on existing development.	No
	(v) be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line,	The proposed development provides a reduced front setback to Wiseman Road that is not in sympathy with the existing building line established by 8 Wiseman Road.	No
	(d) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape,	The proposed development includes the provision of landscaping that is in sympathy with existing planting in the streetscape.	Yes
	(e) retain, wherever reasonable, major existing trees,	The proposed development involves the removal of vegetation to accommodate the proposed built form. The development involves replacement planting however the removal of vegetation along the Wiseman Road frontage and between the properties (6 & 8 Wiseman Road) results in the removal of screening and vegetation that establishes the character of the streetscape and provides privacy and amenity for the existing development at 8 Wiseman Road.	No

	(f) be designed so that no building is constructed in a riparian zone	Noted. The application was referred to the NRAR who issued their General Terms of Approval (GTAs) on 16 November 2021.	Yes
C8.4 Visual and Acoustic Privacy	<p>The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by:</p> <p>(a) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and</p> <p>(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.</p>	<p>The proposed development has not been sited and designed to provide adequate visual and acoustic privacy for residents. The development involves the provision of the principle private open space (PPOS) area of dwelling type B and D at the front of the dwelling adjacent to the internal road network, visitor parking and the garages of the dwellings resulting in a poor acoustic and visual privacy for the residents. It is noted that the PPOS areas are provided with privacy screening however this is considered to be a poor design outcome and adversely impact on the character and amenity of the development. In addition, a number of the proposed bedrooms are located adjacent to the driveways, parking areas and paths within the development.</p>	No
C8.5 Access Design Climate Solar and for	<p>The proposed development should:</p> <p>(a) ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and</p> <p>(b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar heating and lighting by locating</p>	<p>Insufficient information has been submitted in support of the application to demonstrate that adequate daylight is provided to the living areas and private open space areas of the development and adjoining development. No Shadow Diagrams/Analysis was submitted with the application and therefore the consent authority cannot be satisfied that adequate solar access and amenity is provided for the development.</p>	No

	the windows of living and dining areas in a northerly direction.		
C8.6 Crime Prevention	<p>The proposed development should provide personal property security for residents and visitors and encourage crime prevention by:</p> <p>(a) site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins any such area, driveway or street, and</p> <p>(b) where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and</p> <p>(c) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.</p>	The proposed development has been designed to allow for causal surveillance of all public areas from the proposed dwellings.	Yes
C8.7 Accessibility	<p>The proposed development should:</p> <p>(a) have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and</p> <p>(b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.</p>	The proposed development does not provide obvious and safe pedestrian links within the site or for access to public transport services or local facilities. No specific details on pedestrian accessibility within the development has been submitted as part of the development and therefore the consent authority cannot be satisfied that the development provides a safe environment for pedestrians within the site or surrounding area.	No

C8.8 Standards for Hostels and Self-Contained Dwellings	<p>A development application made for the purpose of a hostel or self-contained dwelling shall comply with the following standards:</p> <p>(a) The size of the site must be at least 1,000 square metres.</p> <p>(b) The site frontage must be at least 20 metres wide measured at the building line.</p> <p>(c) If the whole of the site has a gradient of less than 1:10, 100% of the dwellings must have wheelchair access by a continuous accessible path of travel (within the meaning of AS 1428.1) to an adjoining public road.</p> <p>(d) If the whole of the site does not have a gradient of less than 1:10:</p> <p>(e) the percentage of dwellings that must have wheelchair access must equal the proportion of the site that has a gradient of less than 1:10, or 50%, whichever is the greater, and</p> <p>(f) the wheelchair access provided must be by a continuous accessible path of travel (within the meaning of AS 1428.1) to an adjoining public road or an internal road or a driveway that is accessible to all residents.</p> <p>(g) Where the site has a variable gradient, the principle identified in</p>	<p>The site is over 1,000 square metres.</p> <p>The site frontage is over 20m.</p> <p>Insufficient information has been provided with the application to that accessible path of travel is provided within the development or to the adjoining street.</p>	<p>Yes</p> <p>Yes</p> <p>No</p>
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	<p>clauses (a) and (b) above applies. For example, if 70% of the site has a gradient of less than 1:10, then 70% of the dwellings must have wheelchair access as required by clause (a).</p> <p>(h) If more than 50% of the site has a gradient greater than 1:10, development for the purposes of seniors housing is unlikely to be possible.</p>		
C8.9 Height Controls	<p>The proposed development must comply with the standards specified below:</p> <p>(a) If the development is proposed in a residential zone where residential flat buildings are not permitted:</p> <p>(i) the height of all buildings in the proposed development must be 8 metres or less, and</p> <p>(ii) a building that is adjacent to a boundary of the site (being the site, not only of that particular development, but also of any other associated development to which this control applies) must be not more than 2 storeys in height, and</p> <p>(iii) a building located in the rear 25% area of the site must not exceed 1 storey in height.</p>	All proposed buildings are single storey and less than 8m in height.	Yes

C8.10 Design	Site	<p>(a) Access must be provided in accordance with AS 1428.1 so that a person using a wheelchair can use common areas and common facilities associated with the development.</p> <p>(b) Pathway lighting must</p> <p>(i) be designed and located so as to avoid glare for pedestrians and adjacent dwellings, and</p> <p>(ii) provide at least 20 lux at ground level.</p> <p>(c) Letterboxes must</p> <p>(i) be situated on a hard standing area and have wheelchair access and circulation by a continuous accessible path of travel (within the meaning of AS 1428.1), and</p> <p>(ii) be lockable, and</p> <p>(iii) be located together in a central location adjacent to the street entry or, in the case of self-contained dwellings, must be located together in one or more central locations adjacent to the street entry.</p>	<p>Insufficient information has been provided with the application to that accessible path of travel is provided within the development or to the adjoining street.</p> <p>Yes</p>	
			<p>Can be suitably conditioned.</p> <p>Yes</p>	
			<p>Insufficient information has been provided with the application to that accessible path of travel is provided within the development.</p> <p>No</p>	
			<p>The mailboxes are located together adjacent to the street entry however are not located in a central location.</p> <p>No</p>	
C8.11 On Site Car Parking		<p>If car parking (not being car parking for employees) is provided:</p> <p>(a) car parking spaces must comply with the requirements for parking for</p>	<p>The proposed development is provided with sufficient parking. The application was referred to Council's Transport and Traffic Engineers who raised no objection to the development.</p> <p>Yes</p>	

	<p>persons with a disability set out in AS 2890, and</p> <p>(b) 5% of the total number of car parking spaces (or at least one space if there are fewer than 20 spaces) must be designed to enable the width of the spaces to be increased to 3.8 metres, and</p> <p>(c) any garage must have a power-operated door, or there must be a power point and an area for motor or control rods to enable a power-operated door to be installed at a later date.</p>		
Section 23 – Wiseman Road Precinct			
23.1.3 Preferred Development Outcomes	<p>The preferred development outcomes for the Wiseman Road Precinct are stated as:</p> <ul style="list-style-type: none"> ▪ That Wiseman Road be the boundary that defines the interface between seniors living development to the north of Wiseman Road and rural land use activities situated to the south of Wiseman Road. ▪ That development of land within the Precinct respect the transition to a rural landscape south of Wiseman Road in terms of the retention of existing trees and the integration of existing trees into a site appropriate design of 	<p>The proposed development is located to the north of Wiseman Road and is therefore consistent with the interface between seniors living development and rural land uses.</p> <p>The proposed development respects the transition to a rural landscape south of Wiseman Road.</p>	<p>Yes</p> <p>Yes</p>

	<p>development guided by a concept vegetation management plan that is endorsed by Council.</p> <ul style="list-style-type: none"> ▪ That the scale and density of future development, building setbacks and open space areas reflect the transition between the urban interface of developments located to the north of Boardman Road and the rural landscape setting located to the south of Wiseman Road. 	<p>The proposed development does not reflect the desired transition between the urban interface of developments located to the north of Boardman Road and the rural landscape setting located to the south of Wiseman Road.</p> <p>The site and surrounding area is zoned C3 Environmental Management and is characterised by Low density residential development (seniors housing) with significant landscaped setbacks and rural residential development. The design of the development provides a significant increase in the density of development within the area with reduced setbacks between dwellings and the road frontages. The development does not appropriately recognise the desirable elements of the location's current character or contribute to the quality and identify of the area by providing a built form, scale and density that is compatible with existing development in the area or the C3 zoning of the site and adjoining land.</p> <p>The development proposes the provision of 81 additional seniors living units to connect into the existing development at 8 Wiseman Road (approved for 87 units). The development will essentially double the number of seniors living dwellings located on the consolidated</p>	<p>No</p>
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	<p>▪ That the site constraints of flood affected land and drainage lines / depressions be fully considered at the conceptual design stage of development and that the unique sensitivities of seniors living development be a consideration within the ensuing flood / stormwater drainage report(s).</p>	<p>development site. The provision of the additional 81 dwellings on 6 Wiseman Road is being undertaken on a development site that is substantially smaller than the original development at 8 Wiseman Road resulting in a scale and density of development that is inconsistent and incompatible with the existing Pepperfields Resort.</p> <p>The application was referred to Council's Water and Sewer Development Engineers who requested that all dwellings floor levels be designed to be above the probable maximum flood level (PMF). Additional information was submitted to detail all dwellings with floor levels above the PM</p>	Yes
23.1.4 Vegetation Retention	<p>Trees located to the southern and northern frontages of Wiseman Road represent a linear demarcation between development to the north of Wiseman Road and the rural landscape setting south of Wiseman Road. Future development should seek to retain this vegetation as a visual buffer between the urban and rural interface.</p> <p>To maintain the landscape character of the area, a minimum of 40% of the area of the site is to be landscaped.</p>	<p>The proposed development involves the removal of vegetation to accommodate the proposed built form. The development involves replacement planting consistent with the surrounding area to ensure the linear demarcation is re-established.</p> <p>Insufficient information has been submitted with the application to demonstrate that at least 45% of the site is landscaped area.</p>	<p>Considered acceptable</p> <p>No</p>

23.1.5 Flooding and Stormwater	A flood study is to be undertaken prior to the lodgement of any Development Application. In addition to those requirements detailed under Part A, Section 5 of the Bowral DCP, the study is to consider the specific sensitivities to flood events of a seniors living type development.	The application was referred to Council's Water and Sewer Development Engineers who requested that all dwellings floor levels be designed to be above the probable maximum flood level (PMF). Additional information was submitted to detail all dwellings with floor levels above the PMF.	Yes
1.6.1 Built Form, Scale and Density	No buildings within the Wiseman Road and Boardman Road South Precinct shall be in excess of 2 storeys.	All proposed buildings are single storey.	Yes
	Development shall have a maximum floor space ratio of 0.5:1.	The proposed development has a FSR of under 0.5:1.	Yes
	Setbacks shall respect the transition from urban to rural land use south of Wiseman Road though a primary setback that maximises the retention of existing trees and landscaping and allowing for the introduction of new landscaping, including large trees, between the built form of any seniors living development and the Wiseman Road site frontage.	The design of the development provides a significant increase in the density of development within the area with reduced setbacks between dwellings and the road frontages. The development does not appropriately recognise the desirable elements of the location's current character or contribute to the quality and identify of the area by providing a built form, scale and density that is compatible with existing development in the area or the C3 zoning of the site and adjoining land.	No

23.1.7 Transition to Rural Interface	<p>The subject site shall be developed as a transitional interface between the two disparate land use types as outlined above, wherein the density of development, landscape treatment and open space areas shall reflect a graduation in development density to avoid a 'harsh' definition between land use activities.</p>	<p>As outlined the development does not provide an appropriate transitional interface for development within the area based on the proposed scale and density of the development.</p>	<p>No</p>
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