

CHAPTER 6.3 BATEAU BAY – CENTRE SUPPORT DEVELOPMENT

1.0 INTRODUCTION

The purpose of this Chapter is to provide a site specific framework for the assessment of a development application for centre support development on the subject land.

The site adjoins land occupied by the Bay Village shopping centre, which is the main retail and commercial centre servicing the south-eastern part of Wyong Shire. The philosophy for the development of the site is to create supporting retail development area for the Bay Village centre, comprising low intensity commercial and retail uses with extensive floor space requirements (excluding supermarkets) but with shopper vehicular and delivery vehicular movements separated to reduce traffic conflict.

The proposed form of development is intended to complement the existing commercial and residential development (and likely proposed development) of nearby lands.

The development of centre support on the site recognises its relationship to the Bateau Bay district retail/commercial centre and proximity to public transport routes, and is appropriate in response to the principles of WLEP 2013.

Development of the site is to be undertaken in a manner that will encourage the integration of the site with adjoining land uses, and provide a high standard of retail development for present and future residents of the area.

1.1 Objectives of this Chapter

- To provide site specific framework for the assessment of a development application for centre support development on the subject land
- To ensure development includes a high quality of architectural design and consistency with the principles of ecological sustainable development
- To control the density of land use and associated activities
- To ensure that the centre support development of the land is properly integrated with the adjoining Bateau Bay centre
- To acknowledge the 1,800m² of land which has been transferred to Council for the development of community facilities in the application of maximum retail floor space controls
- To encourage the orderly and economic development of the land for the purposes permitted under B5 Business Development Zone
- To enable development of the land to proceed in a manner that is sensitive to the environmental characteristics of the area
- To ensure that the building is designed by an architect in association with a landscape architect
- To facilitate public transport, traffic management, safety and landscaping
- To ensure that the land is adequately serviced

- To ensure that any development on the land complies with the principles of water sensitive urban design
- To encourage the use of energy efficiency principles in the design of any building on the land

1.2 Land to which this Chapter Applies

The land to which this Chapter applies is shown edged heavy black in Figure 1.

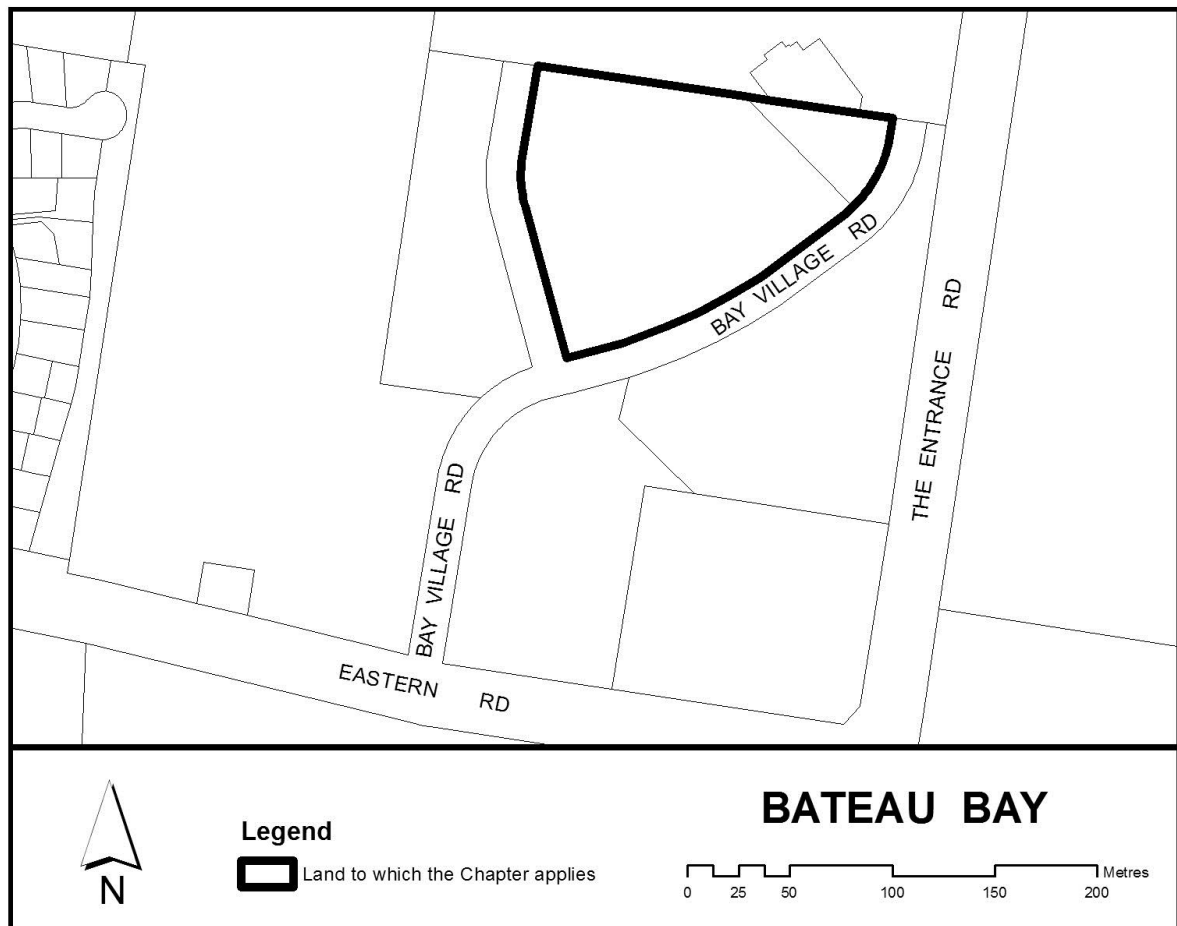


Figure 1 Land to which this Chapter applies

1.3 Relationship to other Chapters and Policies

This Chapter should be read in conjunction with other relevant Chapters of this Development Control Plan and other Policy Documents of Council, including but not limited to:

- Chapter 2.11 – Parking and Access
- Chapter 3.1 – Controls for Site Waste Management
- Chapter 3.6 – Tree and Vegetation Management
- Council's Civil Works – Design Guideline and Construction Specification

2.0 DESIGN PRINCIPLES

These design principles are intended to encourage development that is sensitive to the environmental, scenic quality, and amenity characteristics of the area, having regard to existing and proposed development in the locality. In particular, the guidelines encourage a high quality of development for shoppers, occupiers, users of nearby community facilities and open space and for residents of nearby residential developments.

Sensitive environmental design can lessen the impact of the proposed development if the following principles are considered:

- development to a scale and character that is sensitive and appropriate to the characteristics of the local area;
- siting and designing to present a unified, coherent appearance;
- design which includes natural ventilating features, incorporating cross flow ventilation and insulation;
- creation of an attractive streetscape to enhance the amenity of the street and development and provides maximum opportunity for landscaping.

The following sections detail specific Objectives and Requirements applicable to a range of matters relevant to the development of the land.

2.1 Building Setbacks and Heights

OBJECTIVES

- To ensure that building height is appropriate to the use, and is not visually obtrusive when viewed from surrounding areas
- To ensure building setbacks provide for adequate spatial separation from surrounding areas and provide sufficient area for quality landscaping and noise attenuation measures

REQUIREMENTS

- a A landscape setback of 10m to Bay Village Road is to be observed. This setback must not include any above natural ground level signage, car parking, servicing or other structures.
- b Building heights will need to address the scale of development to each road frontage and how they will impact on existing development.
- c A maximum building height of 9 metres applies to the development. The maximum height is to be measured from the natural ground level to the roof peak. Architectural façade and roof treatments may be considered to project beyond this height, where it can be demonstrated that there is merit in doing so.

2.2 Floor Space Controls

OBJECTIVE

- To include identification of a floor space concession which may apply to a future development application for an appropriate Bulky Goods Retailing development on the land, in recognition of the 1,800m² of land to be transferred to Council for community facilities

REQUIREMENTS

- a The maximum permissible retail floor space on Lot 52 DP 1154778 is 5,000 m². This maximum is not intended to be exceeded until the year 2021.
- b Notwithstanding the above, and subject to the assessment of an appropriate development in accordance with s.79C of the Environmental Planning and Assessment Act, 1979, Council may grant consent for a development of up to 6,800 m² of bulky goods retail floor space on Lot 52 DP 1154778, in recognition of the 1,800 m² of land being transferred to Council for community purposes (Lot 51 DP 1154778).

Note: No guarantee of approval of a development application for bulky goods retail can be given in advance. Such applications will be assessed on their merits in accordance with s.79C of the Act.

2.3 Public Transport, Site Access and Car Parking

OBJECTIVES

- To provide safe, efficient and convenient access to and egress from the site, having regard to the existing street network
- To ensure parking is sufficiently provided to minimise any impact on the amenity of shoppers and of adjoining residents
- To ensure satisfactory on site manoeuvring for vehicles for the loading and unloading of purchases and stock supply, including Council's Community facility building
- To ensure pedestrian access, including that to public transport, is sufficiently provided for
- To promote the use of public transport
- To ensure the adequate provision of car parking facilities and associated infrastructure and within the development site to cater for the adjacent community facilities

REQUIREMENTS

- a Public transport (including bus access) is to be provided to the development which is also to service the existing development of Stockland Bay Village. A formal assessment of the bus interchange options, to the satisfaction of Roads and Maritime Services (RMS) and Council, is to be conducted by appropriately qualified personnel and the proposed works to be undertaken are to be to the satisfaction of the RMS and Council. This assessment must accompany Development Applications for the development of the site.

- b Intersection upgrading of Bay Village Road and the western service road is required to facilitate safe vehicular movements and to minimise potential adverse effects from vehicular access / egress on the local street system (preferably through the installation of a roundabout). This is to be further addressed in a Traffic Study which must accompany any future Development Application on the site.
- c Site access is to be in a manner that separates potentially conflicting users and minimises impacts on neighbourhood amenity.
- d Clear and safe pedestrian paths of travel of appropriate grades are to be provided via pathways and ramps to facilitate safe pedestrian movements to and within the site.
- e Delivery vehicle site access and egress is to be provided from the existing western service road, adjacent to the sites northern boundary. If required this access is also to facilitate access to loading facilities within Council's adjacent community facility building.
- f All loading areas are to be clearly identified via signposting. Loading and service areas are not to be visible from Bay Village Road, The Entrance Road or Eastern Road. They are to be suitably screened with the assistance of landscaping.
- g Access to and from the western service road is to be in a forward movement.
- h The loading / servicing areas are to be separated from customer car parking and pedestrian desire lines.
- i Shopper vehicle access and egress may need to be provided on the existing western service road, approximately 50 to 80 metres north of the intersection with Bay Village Road.
- j Sufficient car parking spaces and associated infrastructure (including access to loading bays, short stay parking) to accommodate users of Council's community facility are to be accommodated within the development site in addition to that car parking requirement generated by the development of the site.
- k Rooftop parking is prohibited.
- l The car parking area is to be designed in accordance with the requirements of Chapter 2.11 – Parking and Access and AS/NZ2890, including at least one major shade tree per 10 car parking spaces and appropriate shopping trolley collection bays.
- m Visual impacts are to be minimised by screen landscaping along road verges, within setbacks and in the car park area.

2.4 External Presentation and Visual Appearance

OBJECTIVE

- To be compatible with the existing Bay Village Shopping Centre in terms of height and general appearance and make a positive contribution to the existing streetscape

REQUIREMENTS

- a Any buildings on the site are to be designed by an architect or building designer experienced in the design of commercial/retail buildings, and in association with a landscape architect to ensure that internal and external design issues are adequately addressed to minimise impacts on adjoining development.
- b No separate retail or commercial buildings are to be designed or constructed in areas designated for landscaping, parking or loading.
- c Suitable architectural features shall be incorporated in the building design to provide visual relief and to minimise the bulk and scale of development.
- d Building design is to include surface relief or surface patterns, which achieve a balance in horizontal and vertical articulation of the façades so as to avoid a large building with blank walls and no variation in architectural treatment.
- e Awnings should be provided on all building frontages and should extend over at least half of the width of the footpath. Awnings provide visual interest to buildings and protect pedestrians from weather elements.
- f Entrances should be clearly expressed through porticos or other devices. Entries to shop fronts should be recessed to clearly define the location of the building access, provide relief to the ground floor façade and provide visual interest.
- g The design of the building is to have regard to the location of access/egress points required by the Building Code of Australia in respect of the outdoor use of the land.
- h Materials (including landscape materials) and colour palette of any building is to complement the existing themes of adjoining development. Buildings are not to use colour schemes which reflect a marketing theme.
- i The roof structure and form is to be interesting and varied to avoid a flat monotonous roof profile, to be consistent with adjoining development roof form.
- j Any roof materials used should be non-reflective and blend in with the local context.
- k Roof top structures such as cooling towers and the like, shall not detract from the architectural merit of the building. All such structures are to be appropriately screened or integrated within the roof design.
- l Rooftop advertising is not permitted.
- m All outdoor storage areas, including areas for waste and bulk bins, are to be screened by fencing and landscaping. Outdoor storage will not be permitted where it can be seen from the public domain. Any proposed storage and waste areas are to be clearly defined.

2.5 Energy and Water Efficiency

OBJECTIVE

- To incorporate ecologically sustainable development, which is one of the fundamental objects of the Environmental Planning and Assessment Act, 1979, in the design and construction of the built elements of the project

REQUIREMENTS

- a High quality architectural design/orientation of the built form to maximise the use of natural lighting and ventilation, and where possible passive heating/cooling.
- b Selection of environmentally sustainable building materials.
- c Incorporation of internal and external energy saving fixtures such as (but not limited to) energy efficient lamps, fittings, switches, dimmers and motion detectors.
- d Incorporation of internal and external water savings fixtures such as (but not limited to) "3 Star WELS" (dual flush) rated toilet cisterns and "6 Star WELS" rated taps and aerators for basins.
- e Waste minimisation and recycling best practice shall apply to the development in accordance with Chapter 3.1 – Site Waste Management.

2.6 Water Sensitive Urban Design

OBJECTIVE

- To apply water sensitive urban design principles and practices where possible to avoid increases in stormwater runoff and erosion, maintain groundwater and in-stream water quality and generally to protect riparian ecosystems

REQUIREMENTS

Any development proposal for this site is to comply with Council's Civil Works Design Guideline and Construction Specification, guided by the following provisions:

- a Water sensitive urban design shall be used to maintain outflow from the site at pre-development levels and should include at source detention devices in addition to any detention pond or wet basin.
- b Drainage design must incorporate water quality treatment drains including pre-treatment devices that remove litter, coarse bedload sediment, oil and grease before discharging to end of pipe water quality treatment device.
- c Water quality treatment must be provided to control suspended solids and nutrients leaving the site and the drainage system shall include a series of catch drains as necessary to ensure that no runoff leaves the development area other than via water quality control structures.
- d Water quality and quantity modelling shall be undertaken for the site to demonstrate that the development will mimic predevelopment flow volumes, nutrient and sediment loads for flows up to 1 in 2 year events. This information is to be provided with the development application.

- e Site design is to minimise impervious areas and maximise on-site infiltration, so increased run-off does not reach the stormwater system.
- f Landscaping should be based on plants indigenous to the locality. This will minimise requirements for water, energy, fertilizers and herbicides. This includes the use of native grasses. The landscaping should seek to capture runoff through the use of depressions, swales, rock channels, ridges, reed beds or similar. Details shall be provided in a Landscape Design Report prepared by a suitably qualified landscape professional.
- g Roof water will be captured in tanks and used to provide water to external taps, landscaped areas and toilet flushing.

2.7 Acoustic and Lighting Controls

OBJECTIVE

- To ensure that nearby residents do not have their amenity unduly impacted upon by noise and light emissions from future development for centre support purposes on the land

REQUIREMENTS

- a Development on the subject land will be required to meet the requirements of the EPA Industrial Noise Policy (EPA, 2000) in evaluating appropriate noise attenuation from any nearby properties.
- b A report by a suitably qualified acoustic consultant shall be submitted with any development application which should address the following issues:
 - i ensure that nearby residential areas are protected from any noise emanating from the site, including during construction as well as future operation;
 - ii treatment of loading areas to ensure their operation remains within the Environmental Protection Authority noise emission criteria; and
 - iii use of devices to reduce noise emissions from any plant and equipment and loading areas.
- c External sources of lighting for security will need to be designed to comply with Australian Standard (AS) 1158 1999 or AS 1680.2.1 as appropriate. Night lighting is to be integrated into the surrounding landscaping to provide continuous lighting levels for security and direction.
- d Appropriate illumination treatment is to be employed to loading areas and around plant and equipment to ensure that their operation complies with the provisions of AS 1680.2.1.

2.8 Design Safety and Security

OBJECTIVES

- To design the built environment to increase the perception of risk to persons engaged in crime, by increasing the possibility of detection, challenge and capture
- To contribute to the safety of the public domain
- To reduce the actual perceived crime rewards and excuse making opportunities

REQUIREMENTS

Building design is to incorporate the principles of Crime Prevention Through Environmental Design (CPTED). Such principles include (but are not limited to):

- a enabling natural (or passive) surveillance such that normal space users are able to see and be seen by others going about their normal business. This may be achieved by the strategic placement of windows and entries, street design, landscaping, building layout, visually permeable fencing and natural lighting;
- b incorporation of access control measures including both physical and symbolic barriers to channel and direct pedestrian and vehicle movement;
- c territorial reinforcement measures to define public and private space. This is to be achieved by design features, actual and symbolic boundary markers and space legibility;
- d pedestrian access and egress routes being clearly defined and appropriately lit, visible to others and provide direct access from car parking and public transport facilities.

2.9 Landscaping

OBJECTIVE

- To utilise landscaping to contribute to the attractiveness and character of the development, its integration with adjoining land uses and as an integral component of water sensitive urban design

REQUIREMENTS

- a A landscape plan and Vegetation Management Plan are to be prepared suitably qualified landscape professional. These plans are to show a theme for the development, considering the local context and justify the species and materials selected. Landscaping is to provide a consistent theme or image, being appropriately integrated with landscaping themes of adjoining development.
- b Building setbacks are to be used for landscaping. The objective of this landscaping is to:
 - i maintain and enhance the vegetation within the setback areas;
 - ii screen the view of the proposed development from nearby residential areas and Bay Village Road, The Entrance Road and Eastern Road;
 - iii provide native trees for shade in car parking areas; and
 - iv enhance the natural features of the site.
- c Slopes, banks and batters are to be stabilized and allowance made for stormwater drainage.

2.10 Infrastructure and Waste Management

OBJECTIVE

- To ensure the efficient and effective provision of services to the site (including waste management) through consistency with the principles of ecologically sustainable development

REQUIREMENTS

- a Service facilities such as drainage outfalls need to be located having regard to physical constraints, but should be designed and constructed to minimise undesirable impacts upon the environment.
- b Services are to be located underground.
- c Solid waste is to be collected on site. It is also desirable that all solid waste is sorted for recycling and reuse purposes before removal to an authorised collection site.
- d Separate loading areas are to be provided for the major uses on the site.
- e Loading and servicing areas should be located away from any of the sites frontages.
- f Existing sewerage and water supply easements traversing the site are to be retained in any future development or alternative arrangements made, only if it can be demonstrated that the alternative arrangements will maintain current servicing standards.
- g Proposed schematic layouts of water, sewer and stormwater drainage systems are to be submitted with any development application.

2.11 Construction Management

OBJECTIVES

- To ensure that construction on the site is undertaken in an environmentally responsible manner
- To ensure that construction on the site does not negatively impact on the adjacent E2 Zoned land and associated Endangered Ecological Community

REQUIREMENTS

- a During construction, on-site management will need to be carried out in accordance with Council's Civil Works – Design Guideline and Construction Specification. This will include but is not limited to the provision of:
 - i external security fencing around the construction site;
 - ii sedimentation and erosion controls in accordance with Council's Civil Works – Design Guideline and Construction Specification; and
 - iii storage of materials is required to be entirely within the site. Materials, equipment, site toilets, amenities etc are not to be located within the drip line of trees to be retained or on the road reserve.
- b During construction, appropriate measures are to be implemented to ensure that there is no negative impact on the adjoining E2 Zoned land including an associated Endangered Ecological Community.

2.12 Signage

OBJECTIVES

- To provide opportunities for identification and business advertising

- To ensure all advertisements are in keeping with the scale and character of the building and locality and do not detract from the architectural style of the building or local context

REQUIREMENTS

- a Future signage is to be a unifying part of the overall building design with a standard sign format, colour and location.
- b All signage is to comply with the requirements of Chapter 2.6 –Signage.
- c Roadside signage to be limited to one directional sign on Bay Village Road at the entry to the development.
- d Roof top signage is prohibited.
- e Any signage lighting whether directional, backlight or other is to comply with the requirements of Section 2.7 above.

3.0 APPLICATION REQUIREMENTS

3.1 Introduction

Council requires the following information to be provided at the time of lodging any application for development on the site.

If each proposed use is not approved as part of original development application, then a development application will need to be lodged for any initial new proposed uses in the development.

The final design details of each of the building elements are to be resolved at development application stage.

3.2 Plans

Any development application for the land is to be accompanied by a detailed Masterplan which considers those design aspects identified within this document, and includes provision for Council's Integrated Library and Customer Service Centre, car parking and associated infrastructure.

3.3 Public Transport, Site Access and Car Parking

- a Any development application for the land is to be accompanied by a formal assessment of the bus interchange options conducted by appropriately qualified personal. Such an assessment is to address the provision of public transport access to and from the site, including the existing Stockland Bay Village. This assessment and the proposed options and works to be undertaken is to be to the satisfaction of the RMS and Council (refer to section 2.3 a).
- b A traffic study is also to be submitted with any development application for the land which is to specify the intersection upgrade technique, design and specifications to be employed at the intersection of Bay Village road and the western service road (refer to section 2.3 b)

3.4 Site Servicing

Information is to be provided to indicate the manner in which services required for the site development are to be connected to existing services in the locality. Such infrastructure services include water, sewerage, electricity and telephone.

3.5 Waste Management Plan

Indicate how solid waste management is to be managed during and post construction to conform to the Central Coast Waste Management Plan to maximise recycling of building materials during construction to minimise landfill.

3.6 Surface Water Drainage & Water Quality Management

- a Submit a report analysing surface water drainage and the manner in which increased drainage flows are to be managed on site to prevent any increase in off-site flows and any reduction in water quality. The report must indicate the soil conservation and nutrient control measures and other measures to comply with the performance criteria for Water Sensitive Urban Design outlined in Section 2.6 of this Chapter.
- b In addition, a preliminary drainage plan will be required to be submitted which details how the existing drainage along the north and west of the site will be redirected. This Chapter must also indicate the methodology proposed to mitigate any potential for any impact arising from this redirection on the adjacent E2 Zoned land and Endangered Ecological Community within this location.
- c An erosion and sedimentation control plan will need to accompany the development application having regard to the information resulting from the surface water drainage report.

3.7 Landscape Plan

The applicant is required to submit a landscape plan to achieve the landscaping objectives in Section 2.9 of this Chapter. A Landscaping Design report is to be provided in accordance with Category 3 of Council's Landscape Policy L1. The landscape plan is to show areas to be landscaped, paved areas and type of fencing.

3.8 Geotechnical Investigations

Preliminary geotechnical information will be required from a suitably qualified and experienced geotechnical engineer to verify that the proposed development is capable of being undertaken on the land. This is to include assessment of the potential for acid sulfate soils and mitigation measures to be implemented to control the disturbance of soils of this nature.

3.9 Colours and Finishes

Indicate the proposed external colours and finishes of any building(s) proposed on the land.

3.10 Acoustic and Lighting Report

A report by a suitably qualified acoustic consultant shall be submitted with any development application, which should address the issues raised in Section 2.7 above:

- a integration of any acoustic fences or barriers with the design of boundary fencing and landscaping (this should also be addressed in the landscape report);

- b ensure that nearby residential areas are protected from any noise emanating from the site, including during construction as well as future operation in accordance with the requirements of the EPA Industrial Noise Policy (EPA 2000);
- c treatment of loading areas to ensure their operation remains within the Environmental Protection Authority noise emission criteria; and
- d use of devices to reduce noise emissions from any plant and equipment and loading areas.

3.11 Staging Details

- a The initial development application for development of the land shall include details of staging (where applicable) and provide the following advice:
 - i any potential conflict points for access to subsequent stages or development sites;
 - ii a concept plan covering all of the subsequent stages which demonstrates that further stages of the development can be undertaken in an orderly manner in accordance with the requirements of this Chapter;
 - iii public transport arrangements
- b Any staging of the proposed development is to be clearly indicated on the plans accompanying the development application.

3.12 Vegetation Management Plan (VMP)

A VMP prepared by a suitably qualified and experienced person is to be prepared in accordance with the provisions of Chapter 3.6 – Tree and Vegetation Management, and submitted with the initial development application. The VMP will provide analysis and a strategy to address issues relating to the staging of works, cumulative impact, long term vegetation monitoring and management of progressive tree works for the site over an extended period of time.

3.13 Safer by Design Assessment

- a Any development application for the site is to be accompanied by a report that details how the principles of the “Safer By Design” program have been incorporated into the design and ongoing management of the development site.
- b The Safer by Design program involves the application of Crime Prevention Through Environmental Design (CPTED) principles in building design and layouts.

3.14 Signage Strategy

A signage strategy complying with the requirements of this Chapter, Chapter 2.6 – Signage, and the relevant State Planning requirements is to be submitted. For development on land to which this Chapter applies, where there is any conflict with regard to signage requirements between this Chapter and Chapter 2.6, the provisions of this Chapter prevail.