



WYONG SHIRE COUNCIL

**WYONG SHIRE COUNCIL**  
**ORDINARY MEETING**  
**ENCLOSURES**

Wednesday, 8 July, 2009



**WYONG SHIRE COUNCIL**  
**ENCLOSURES TO THE**  
**ORDINARY MEETING**  
**TO BE HELD IN THE COUNCIL CHAMBER,**  
**WYONG CIVIC CENTRE, HELY STREET, WYONG**  
**ON WEDNESDAY, 8 JULY 2009 ,**  
**COMMENCING AT 5:00:00 PM**

***INDEX***

**PLANNING REPORTS**

**3.1 The Entrance Peninsula Planning Strategy**

**Attachment 1:** Previous Council Report dated 8 April 2009 ..... 3

**Attachment 2:** Draft The Entrance Peninsula Planning Strategy dated  
 March 2009 (D01942321) (distributed under separate  
 cover) ..... 21

**3.2 DA 2660/2004 - Proposed Managed Resort Facility and Residential  
 Development, The Entrance**

**Attachment 1:** Previous Council Report dated 26 November 2008..... 21

**3.4 Draft Development Control Plan 2005: Chapter 69 - Controls for  
 Site Waste Management**

**Attachment 1:** Development Control Plan 2005 - Chapter 69 -  
 Controls for site Waste Management (D01936590)..... 21

**Attachment 2:** DCP69 Guidelines (D01939650)..... 21

8 April 2009  
To the Ordinary Meeting

Director's Report  
Shire Planning Department

## 2.1 The Entrance Peninsula Planning Strategy

TRIM REFERENCE: D01862339

AUTHOR: SA

### SUMMARY

The Entrance Peninsula Planning Strategy (TEPPS) was publicly exhibited between November 2007 and February 2008 and approximately 300 submissions were received.

This report briefly describes the contents of TEPPS, including the changes proposed to TEPPS as a result of input received during the public exhibition period, analysis of the recently released Central Coast Regional Strategy (CCRS) and the findings of the recently completed Entrance Peninsula Planning Strategy Economic Feasibility Assessment.

This report recommends adoption of TEPPS. The next stage will be the implementation of the Strategy outcomes. This will include the preparation of a draft Local Environmental Plan (LEP) for The Entrance Peninsula, revision of Development Control Plan (DCP) 2005: Chapter 60 - The Entrance and preparation of masterplans for The Entrance North waterfront area, The Entrance Town Centre and Long Jetty Village Centre.

Councillors will note that the recommendation below does not include the usual items pertaining to the preparation of a draft LEP. The reason for the omission is that these matters will be processed as part of the comprehensive LEP process, which has already commenced.

### RECOMMENDATION

- 1 *That Council adopt the draft The Entrance Peninsula Planning Strategy.*
- 2 *That Council advise the Department of Planning of its decision and forward a copy of the adopted Strategy for information.*
- 3 *That Council include the above rezonings in the draft Wyong Local Environmental Plan 2011.*

### ORDINARY MEETING HELD ON 8 APRIL 2009

COUNCILLOR WEBSTER DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT SHE AND HER HUSBAND OWN A UNIT IN THE AREA.

COUNCILLOR WEBSTER STATED:

*"I CHOOSE TO REMAIN IN THE CHAMBER AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY."*

THE MANAGER DEVELOPMENT ASSESSMENT DECLARED A PECUNIARY INTEREST IN THAT PART OF THE MATTER RELATING TO THE NORTH ENTRANCE PRECINCT FOR THE REASON THAT HER HUSBAND IS THE MANAGING DIRECTOR OF ANDREWS NEIL WHO HAS PROVIDED DEVELOPMENT OPTIONS FOR DUNLEITH CARAVAN PARK REMAINED IN THE CHAMBER BUT DID NOT PARTICIPATE IN CONSIDERATION OF THIS MATTER.

MR MICHAEL MILMAN, MILMAN GOODE CONSULTING REPRESENTING LAKESIDE PLAZA, ADDRESSED THE MEETING AT 5.06 PM, ANSWERED QUESTIONS AND RETIRED AT 5.18 PM.

**RESOLVED on the motion of Councillor EATON and seconded by Councillor GRAHAM:**

***That Council re-exhibit the draft The Entrance Peninsula Planning Strategy for a further 28 days and report back on results of exhibition.***

FOR: COUNCILLORS EATON, GRAHAM, McNAMARA, SYMINGTON, WEBSTER AND WYNN.

AGAINST: COUNCILLORS McBRIDE, MATTHEWS AND VINCENT.

## **BACKGROUND**

### **History**

In 1997, Council funded significant upgrading works at The Entrance Town Centre and waterfront, creating a quality public domain and foreshore area. That capital injection was, and continues to be, a strong catalyst for private sector investment.

Council prepared a planning strategy to address the subsequent increase in development, the need to create employment opportunities and desire to maintain the appeal of The Entrance as an attractive holiday destination and pleasant place to live. The Entrance Precinct Study 1998 formed the basis of The Entrance Strategy 2000. New planning controls evolved from this strategy resulting in amendments to Council's principal LEP and the introduction of DCP 2005, Chapter 60 – The Entrance.

In 2003, Council officers reviewed the success of the 2000 Strategy and the new controls. This review found that a number of issues needed to be addressed, including:

- A lack of focus on coastal design in medium to high density developments to achieve the maritime vision sought in the Strategy and planning controls.
- The need to encourage vitality in the town centre and tourist hub by achieving an appropriate mix of uses and concentrating more activity in these areas.
- Maximising long-term investment to ensure that the public and private domains integrate into a high quality, functional built environment.

As part of this review of the existing controls, public concerns were raised regarding a number of elements of the new planning controls relating to bulk, scale, heritage and servicing issues. External professional personnel and land owners also expressed concerns in relation to the constraints (particularly height) provided by the new controls.

In October 2003, Council resolved to comprehensively review The Entrance Strategy 2000. In 2004, following application by Council, State Government Grant Funding (\$60,000) was provided to assist with this review. Work on the strategy commenced midway through 2004 and public consultation sessions were held throughout 2005 and 2006 to ascertain the key community and stakeholder issues.

Following these sessions, the issues were evaluated and project briefs were prepared for technical studies to consider issues relating to hydrology, heritage and economic viability. A separate technical consultancy was conducted jointly with the Roads and Traffic Authority (RTA) into transport issues predominantly related to traffic flow and access options. A project brief was also drafted for the preparation of TEPPS which focused on reviewing aspects of The Entrance Strategy 2000 and current planning controls for The Entrance suburb. It also incorporated comprehensive strategic planning for Long Jetty and The Entrance North suburbs, which had not previously been done.

In 2006, consultants were appointed to carry out studies on hydrology, heritage and economic viability. These studies have been satisfactorily completed and have been used to inform the preparation of draft TEPPS.

### **Main Findings of the Draft Strategy**

The draft TEPPS has been prepared and refined following substantial site and issue investigation and analysis, including careful consideration of community / stakeholder input.

These investigations, analyses and considerations were carried out at a broad level over the entire strategy area, as well as examined in more detail at a neighbourhood level within the precincts. The strategy area was divided into 16 precincts, the extent of which were determined primarily in relation to their relatively uniform characteristics.

It was important to carry out such comprehensive investigation and analysis to confirm that the appropriate planning controls and non-planning aspects were in place to facilitate suitable development types in appropriate locations, and identify any anomalies or issues that needed to be rectified.

The draft strategy makes a substantial number and variety of recommendations to implement Council's vision for The Entrance. Recommendations in relation to improving land use planning (via future masterplanning and LEP and DCP amendments); the public domain (including streetscapes, open spaces, reserves, beaches, lake foreshores and the like); roads, traffic and transport, pedestrian and bicycle facilities, connections between various areas and facilities; and tourism. Important recommendations are also made in relation to facilitating a process of ongoing liaison between stakeholders. While it is recognised that The Entrance Town Centre Management Corporation has a number of roles, including:

- promoting The Entrance Peninsula and its attributes, activities, events, etc to markets both within and outside the locality and Wyong Shire;
- employing event management expertise in The Entrance Town Centre;
- generating ideas for and organising various events, entertainment, attractions, amenity improvement, business improvement and assistance schemes/programs;
- improving communication and understanding of established principles and processes between the various stakeholders;
- maintaining community assets;

It is mooted that, in accordance with Council's support for on-going liaison with all relevant stakeholders, that Council investigate facilitating the following additional items:

- developing comprehensive tourism strategies.
- seeking and obtaining various available grants.
- providing business coaching and/or mentoring expertise.
- the effective liaison of the various stakeholders in generating effective solutions for improving the amenity and function of The Entrance Road Corridor through Long Jetty.

The final action of the TEPPS has resulted in:

A desired future character, objectives and recommended strategies for improvement have been established for the entire study area as well as for each of the individual 16 precincts.

In general terms, the objectives and recommended strategies include improvements to:

Planning controls including;

- changes to zoning, building heights, floor space ratios and introducing new provisions such as coastal design principles/criteria in place of the current maritime theme requirements.

- flexibility for developers to demonstrate better innovative solutions using masterplanning techniques,
- specified floor to floor heights for different types of development, and various other issues.
- The public domain including,
  - improvements to streetscapes;
  - landscaping and paving;
  - Provision of outdoor furniture, signage, lighting and public art.
- Roads and transport including changes to
  - The Entrance Road through Long Jetty, particularly in relation to line marking, parking arrangements and intersection/junction treatments;
  - improvements to the public transport network and facilities, such as introducing a tourist bus circulator route (if determined feasible), express bus services between The Entrance Peninsula and other major Centres/Transport nodes, like Tuggerah, Wyong and Gosford; and
  - improved bus shelter availability/design and other facilities.
- Bicycle and pedestrian facilities including;
  - bicycle/pedestrian track provision, bicycle rack provision and design;
  - improved links between bicycle and pedestrian facilities and public transport.
- Tourist elements including
  - improved identification and marketing of the Peninsula's attributes;
  - directional signage and, branding;
  - additional attractions and facilities; and
  - interpretation of heritage and environmental elements.
- Connections between sites and localities within and outside the strategy area including
  - potential extensions/provision of pedestrian and bicycle pathways;
  - as well as requiring development designs that facilitate or provide direct and functional connections between sites.

In addition to the above improvements, TEPPS also recommends:

- An increased number and varied activities for people of all ages and abilities (including the identification of additional attractions and things to do on The Entrance Peninsula).
- The establishment of mechanisms to assist with such matters as:
  - developing comprehensive tourism strategies.
  - seeking and obtaining various available grants.
  - providing business coaching and/or mentoring expertise.

- the effective liaison of the various stakeholders in generating effective solutions for improving the amenity and function of The Entrance Road Corridor through Long Jetty.

The above provides only a brief description of the items included in more detail below under the heading Strategy Recommendations, and in the TEPPS.

### **Public Exhibition and Consultation**

In late November 2007 through to the end of February 2008, the draft TEPPS was placed on public exhibition. A draft strategy in such a sensitive location will inevitably have controversial aspects. Recognising this the objective of the exhibition period was to involve all relevant stakeholders into the planning and decision making processes to build on local knowledge, to achieve an understanding by all stakeholders of the critical and competing issues, derive clear objectives and statements of desired character, and test the proposed planning and design solutions. This was considered an effective way to ensure that the final adopted strategy best met the collective objectives and visions of the region's residents, visitors, property owners and other relevant stakeholders.

In order to confirm future visions and test proposed strategies for the entire Strategy area, community consultation included:

- A public exhibition period of 12 weeks, commencing late November 2007 through to the end of February 2008). This period provided adequate opportunity for both residents and visitors to The Entrance Peninsula to participate in the exhibition period.
- Community presentations over a two day period (held on 8 and 9 December 2007).
- A bus trip that included the executives of all the various committees and organisations relevant to The Entrance Peninsula.
- A venue in The Entrance Town Centre (in Lakeside Plaza) to display the draft TEPPS and consult with the community and various stakeholders.
- Attending meetings of the State Environmental Planning Policy (SEPP) 65 Design Panel, Precinct Committee, The Entrance District Chamber of Commerce, The Entrance Town Centre Management Corporation, Watch Committee, Community Environmental Network, The Entrance Town Centre Business Owners Group and The Long Jetty Business Owners Group to present the TEPPS, discuss issues and receive feedback.
- Regular advertisements (at least one every week) inserted into the Express Advocate during the public exhibition period between late November 2007 and late February 2008.
- Submission sheets and submission boxes, available at various profile locations around the strategy area.
- Councillor Briefing Sessions at which various groups presented.

It is considered that the objectives of the public exhibition period were achieved and, further, all comments have been acknowledged and carefully considered during the evaluation and subsequent review and revision of the draft TEPPS.

Approximately 300 submissions were received during the public exhibition period.

The main issues raised in the submissions were as follows:

### **Main Stakeholder Issues**

- Support for proposals to improve the public domain.
  - Support for proposals to improve transport options and arrangements.
  - Support for proposals to improve infrastructure.
  - Concern regarding over-supply of residential units and high vacancies.
  - Concern over population targets and infrastructure not coping and the lack of services and facilities.

- Supports proposals to improve and provide more attractions/activities.
- Support for proposals to retain low scale character of The Entrance North.
- Concern over the proposed retail area expansion of The Entrance North and Long Jetty areas.
- Concern over the proposed height increases along Oakland Avenue in The Entrance.
- Concern and support for the overall increase in heights across The Entrance.
- Concern and support re proposed zonings/heights of The Entrance Road business strip in Long Jetty.
- Concern over proposed rezonings between Tuggerah Parade and The Entrance Road at Long Jetty.
- Concern that loss of parking along The Entrance Road and in the Thompson Street vicinity will adversely impact businesses.

Attachment 1 provides a detailed summary of all issues raised, together with an evaluation of each comment and a description of how the draft TEPPS has been altered (where alteration is proposed).

## **OVERVIEW OF TEPPS**

The Entrance Peninsula Planning Strategy (TEPPS) is based, in part, on the review of The Entrance Strategy 2000 (covering The Entrance and part of The Entrance North suburbs) and includes comprehensive strategic planning for the Long Jetty and The Entrance North suburbs.

## **Planning Context**

### ***NSW State Plan***

TEPPS is consistent with the “State Plan – A New Direction for NSW”, as it addresses many of the priorities identified in the Plan, including but not limited to:

- Ensuring employment land is at least maintained and expanded where appropriate to increase potential for increase in the availability of local jobs.
- Improving infrastructure to support the existing and future development.
- Improving the safety and efficiency of the road network.
- Providing opportunity for a range of high quality housing types and affordability.
- Improving the public transport system.

### ***Central Coast Regional Strategy (CCRS)***

TEPPS is consistent with the CCRS, as it:

- Recognises the retail/commercial areas of The Entrance as a Town Centre, Long Jetty as a Village Centre and Toowoan Bay and The Entrance North as Neighbourhood Centres, in accordance with the hierarchy of centres indicated in the CCRS. It also proposes medium to high density residential development close to commercial/retail centres and a wide variety of businesses and services in the centres.
- Facilitates the population and dwelling capacity targets in the CCRS, being a component of the ‘Other Centres’ category, where the population and dwelling targets for the Wyong Local Government Area are 39,500 and 14,500 respectively.
- Proposes planning controls that reflect the housing types recommended by the CCRS in particular: low to medium density development in and surrounding village and neighbourhood centres (within 600m) and medium to high density (multi-storey) development in and surrounding The Entrance Town Centre (within 800m).



- Complies with the economy and employment capacity targets indicated in the CCRS. The Entrance Peninsula is a component of the 'Other Centres' category where the employment capacity target for the Wyong Local Government Area is 9,000 jobs. In addition, it proposes to facilitate a wide variety of businesses and services and, consequently, a wide variety of jobs, via providing:
  - Quality and adequate office space to enable the delivery of professional and commercial services.
  - Manufacturing and logistics enterprises.
  - Quality and adequate retail (particularly speciality retail) space.
  - Adequate health services.
  - Adequate education services.
- Satisfies the environment and natural resource conservation requirements largely by locating future population growth in existing urban areas and maintaining and/or improving open space and recreation buffer areas along the coast and lake. The draft TEPPS also protects groundwater and proposes the use of water sensitive urban design and flood mitigation measures in the sensitive areas (eg. the Saltwater Creek vicinity). The draft TEPPS also addresses heritage matters by proposing amendments to Council's LEP and DCP in regard to treatment of Aboriginal and European heritage.
- Addresses natural hazard issues by calling up Council's Flood Prone Land and Acid Sulphate Soil Policies and the adoption of recommendations contained in Council's draft Coastline Management Plan and adopted Estuary Management Plan. The TEPPS also does not recommend any increased development capacity in potential hazard areas along the coast and lake foreshores.
- Addresses water issues by ensuring there will be adequate supply to cater for the future population.
- Addresses infrastructure and transport provision issues by promoting improvements to The Entrance Road Corridor; additions to shared pedestrian/cycleway facilities on the Peninsula; gives consideration to the introduction of a shuttle circulator bus route that facilitates access to the Peninsula's attributes and places of interest; and express bus services between The Entrance and other major centres (like Tuggerah/Wyong) with bus priority systems in place.

### ***Population and Dwellings***

The population for The Entrance Peninsula Planning Strategy Area in 2006 was 10,941. Under current planning provisions scenario (i.e. the existing zoning regime without the recommendations in draft TEPPS), the predicted total population for The Entrance Peninsula Planning Strategy Area is projected to grow to between approximately 25,390 and 29,620 by 2031. The difference between the estimates being whether an occupancy rate of 8 or 2.1 persons per dwelling is applied.

If the draft TEPPS is adopted, the predicted total population for The Entrance Peninsula Planning Strategy Area would be between approximately 28,955 and 33,781 by 2031. This represents an additional population of between approximately 3,565 and 4,161 (again dependant on the occupancy rate). In addition to the current planning provisions scenario, described in the previous paragraph.

Both these projections assume that all the zoning is developed to its practical full potential by 2031.

The number of dwellings in The Entrance Peninsula Planning Strategy Area during the 2006 Census was approximately 8,128. Of these, about 2,917 (36%) were unoccupied, assumed

to be a reflection on the tourist/visitor population characteristic of The Entrance Peninsula Planning Strategy Area when the census was taken on 8 August 2006. If the TEPPS is adopted, the estimated potential total number of dwellings within the study area will increase to approximately 16,086 by 2031.

Whilst increasing the population is not a key driver behind the strategy, the draft TEPPS will assist in achieving the population and dwelling capacity targets in the Central Coast Regional Strategy, being a component of the 'Other Centres' category, where the population and dwelling targets for the Wyong Local Government Area are 39,500 and 14,500 respectively.

(Sources: ID Consulting (2008), Wyong Shire Community Profile ABS (2006) Dwelling Characteristics.)

### **Existing Character**

Analysis of existing character and urban design on The Entrance Peninsula indicates opportunities for improvement. The following lists the common features of the public domain that make up the general character of The Entrance Peninsula:

- Streetscapes are generally similar comprising mainly straight relatively wide streets with sealed pavements in varying condition; many streets having kerb and gutter, but there are large segments without; relatively wide grassed verges with occasional street tree or shrub planting; power poles with overhead wires; various driveway treatments; various styles, heights of fences in varying condition; varying front boundary setbacks, generally between 3 and 6 metres; reasonable side and rear setbacks and generally well maintained front gardens that are generally consistent comprising lawn with some tree and shrub plantings.
- Open space areas are relatively spacious with most located along the foreshores of Tuggerah Lake and the Pacific Ocean. These areas provide a limited array of attractions and activities. Some of these open space areas appear overgrown and have structures and facilities in need of repair or replacement (eg. seating, dilapidated buildings, playground equipment).
- Built form comprises a mixture of architectural styles, construction materials, colours varying in age from the late 19<sup>th</sup> Century/early 20<sup>th</sup> Century holiday/fishing shacks constructed of fibro-cement, weatherboard, vertical board and face brick through to contemporary designs, generally constructed of face, bagged or rendered brick with other material intrusions (eg. timber, colourbond and cement sheeting, etc).
- Generally, The Entrance Peninsula is evolving as the early small scale holiday/fishing shacks are redeveloped into much larger scale buildings, ranging from detached one storey dwellings to multi-storey unit complexes (generally up to a maximum 8 storeys, but up to 14 storeys in one case) in a variety of styles, not all consistent with designs commonly associated with coastal areas. Roofs are generally low pitch or flat in a variety of forms.

In addition to the planning context, the TEPPS was prepared and refined following substantial site and issue analysis and careful consideration of all community and stakeholder input. These matters have been considered broadly over the entire strategy area, as well as examined in detail at a neighbourhood level within the 16 precincts. The entire strategy area and individual precincts have all been analysed in terms of their character, potential for future development and utilisation of the areas many attributes.

### **Strategy Recommendations (by issue)**

The main findings of the investigations and analysis were as follows, that:

#### **For Land Use Planning Aspects**

- 1 It was confirmed, following careful analysis, that for most of the strategy area, the existing zoning framework is appropriate to cater for the future population. However, some zoning changes, considered to be essential, have been recommended and these include:
- a Extending the 3(a) – Business Centre Zone of The Entrance North Neighbourhood Centre to the southern side of Hargraves Street, currently zoned 2(a) - Residential.
  - b Rezoning the Dunleith Tourist Park site to facilitate higher quality tourist development, considered to be important for this important site alongside The Entrance Channel.
  - c Rezoning the Dening Street Carpark Site to facilitate a higher and better use, which it is capable of supporting;
    - o retail, commercial, entertainment uses on the lower levels with private residential and/or tourist accommodation above.
  - d Rezoning the former The Entrance Infant School site on the corner of Oakland and Battley Avenues to reflect its current land uses and highest and best uses It is proposed to be zoned part 5(a) Special Use - Community Centre, part 2(c) – Medium Density Residential and 6(a) -Open Space and Recreation).
  - e Rezoning the Greens of the Entrance Bowling Club site between Taylor and Park Streets from part 2(b) – Multiple Dwelling Residential, 2(c) – Medium Density Residential and 5(a) Special Use - Carpark to 5(a) Special Use – Club, to reflect its best and highest use.
  - f Rezoning the land bounded by The Entrance Road, Thompson Street, Tuggerah Parade and Pacific Street in Long Jetty from 2(a) - Residential to 3(a) - Business Centre, to provide for the expansion of the Long Jetty Village Centre.
- The intention is to expand the Long Jetty Village Centre by up to an additional 5000 square metres of retail space, as recommended by Council’s Retail Strategy. By consolidating this additional space into the area surrounded by The Entrance Road, Thompson Street, Tuggerah Parade and Pacific Street, strong functional linkages can be fostered between the Long Jetty Village Centre and Tuggerah Lake and its foreshore reserve.
- This additional 5000 square metres of retail space will provide for local convenience services. This will primarily serve the future resident population of Long Jetty which is projected to be approximately 20,000 by 2018. To facilitate such future retail development, the subject lands will need to be rezoned from 2(a) to 3(a), with appropriate building height and floor space ratio controls inserted.
- g Rezoning 309 The Entrance Road from 5(a) Special Use - Club to 2(c) Medium Density Residential, to reflect its best and highest use and to fit in with the desired future character of the vicinity.
  - h Rezoning the Timber Yard site on the corner of Toowoan Bay and Kitchener Roads, from 2(d) High Density Residential to 2(c) Medium Density Residential to reflect its highest and best use, and to fit in with the desired future character of the vicinity which is medium density residential.
  - i Rezoning the Tuggerah Lakes Golf Club site from 6(a) Open Space and Recreation to 5(a) Special Use – Club to facilitate redevelopment of the golf club.
- 2 It was confirmed, following careful analysis, that for most of the strategy area, the existing height control regime is appropriate to cater for the future population and to fit

in with the desired future character of the various areas. However, some height control changes, considered to be essential, have been recommended. In most cases, the changes will facilitate the highest and best use of these lands and provide increased opportunities for view sharing whilst ensuring future development to meet the desired future character of the area and these include:

- a Specifying maximum heights for Dunleith Tourist Park to maintain a relatively low scale of development that fits in with the desired future character of this relatively low density locality.
- b Specifying maximum heights for The Entrance North Neighbourhood Centre on the corner of Hutton Road and Hargraves Street to maintain a relatively low scale of development that fits in with the desired future character of this relatively low density locality.
- c Altering height controls on the land bounded by Wilfred Barrett Drive, Oakland Avenue, Coral and Bent Streets by increasing the maximum height limit from 18 metres to 24 metres.
- d Altering height controls on the lands zoned 3(a) Business Centre on the east side of The Entrance Road in The Entrance Town Centre by increasing the maximum height limit from 12 metres to 18 metres.
- e Altering height controls on the lands zoned 3(a) Business Centre on the east side of The Entrance Road in The Entrance Town Centre by increasing the maximum height limit from 12 metres to 18 metres.
- f Altering height controls on the Lakeside Plaza Site in The Entrance Town Centre by slightly increasing the maximum height limit from 12 metres to 18 metres.

Other land within the Strategy area currently has no height limit. In order to ensure the current character is maintained it is considered necessary to specify heights for the following sites:

- g A maximum height of 24 metres for the lands zoned 2(d) High Density Residential, adjacent to The Entrance Town Centre.
- h A maximum height of 24 metres for the Denning Street Carpark Site in The Entrance Town Centre.
- i A maximum height of 9.6 metres for the community centre component (zoned 5(a) Special Use – Community Uses) on the former The Entrance Infant School Site on the corner of Oakland and Battley Avenues.
- j A maximum height of 14.1 metres for the Diggers at The Entrance Site on The Entrance Road.
- k A maximum height of 11.1 metres for the 3(a) Business Centre Zone and 4(b) Light Industrial Zone and 8.1 metres for the 3(b) Centre Support zone along The Entrance Road.
- l A maximum height of 12 metres (approx. 4 storeys) on the 2(c) Medium Density zoned land surrounding Taylor/Shore Park. These lands currently do have height limits of 3 storeys and it is considered important to provide some incentive for future development to be designed to provide passive surveillance of the parks as well as the streets. A maximum height of 4 storeys will fit in with the desired future character for the vicinity and the transition from the neighbouring higher density town centre and the lower density residential areas adjacent to the coast.
- m A maximum height of 8.1 metres (approx. 2 storeys) for the Toowoona Bay Neighbourhood Centre.

- n A maximum height of 8.1 metres (approx. 3 storeys) for the Tuggerah lakes Golf Club.
- 3 A number of changes to the floor space ratio provisions are required to facilitate and an increase in the design variations/viability of development of retail/commercial development. These proposed changes are in keeping with each area's future desired character. It was confirmed, following careful analysis, that for most of the strategy area, the existing floor space ratio controls are appropriate to cater for the future population and will achieve the desired future character of the various areas. However, some changes to floor space ratio controls, considered to be essential, have been recommended and these include:
- a Increase the floor space ratios from 0.5:1 to 1.0:1 for The Entrance Town Centre.
  - b Increase the floor space ratio from 0.5:1 to 0.6:1 for the 3(a) Business Centre zones, along the Entrance Road through Long Jetty Village Centre.
  - c Insert a floor space ratio of 0.6:1 for the 3(b) Centre Support zones, along the Entrance Road through Long Jetty Village Centre.
  - d Insert a floor space ratio of 1.0:1 for The Greens The Entrance Bowling Club site.
  - e It is proposed to review floor space ratios for Dunleith Tourist Park and Tuggerah Lakes Golf Course as part of future masterplanning, LEP and DCP review processes, recommended by the draft strategy.
- 4 As part of the future master planning, LEP and DCP processes it is proposed to review the current set back provisions at certain locations on The Entrance Peninsula. Locations affected include Dunleith Tourist Park, Long Jetty Village Centre, Taylor / Shore Park environs, The Entrance Road corridor through Long Jetty and the Toowoan Bay Neighbourhood Centre and Tuggerah Lakes Golf Club.

The objective of the review is to:

- o minimise potential overshadowing of the public domain;
  - o Minimise overshadowing of adjoining properties;
  - o Maintain central village scale; and
  - o ensure new developments improve the urban design of the precinct.
- 5 A review of the current clauses that dictate the percentage of permanent and tourist residential mix for development of Residential Tourist and Tourist Business zoned lands, and lands nominated for managed resort facility development is required.

Concerns have been raised by stakeholders that the current percentage split is not appropriate and is causing development viability issues. Research reveals that there appears to be no particular justification for the current percentage splits.

It is intended, as a component of the preparation of a proposed economic and tourism plan, to investigate all potential methods and/or mechanisms that could be used to encourage the optimal mix of private residential and tourist accommodation development in The Entrance Town Centre. This will include:

- a Consideration of the social, economic and environmental feasibility of the current provisions for private residential and tourist accommodation split, in the Wyong Local Environmental Plan 1991.
  - b Mechanisms that could be used to encourage private provision of tourism land uses.
- 6 New LEP and DCP provisions are required including:

- a New coastal design criteria that will clarify the meaning of high quality coastal design. This criteria will require buildings to be designed to reflect the coastal character of The Entrance Peninsula and address elements of local context, design, construction materials, colours and textures. Such criteria will replace of the current maritime design theme requirements that are currently causing confusion, and in some cases resulting in outcomes that are not sympathetic to the Peninsula.
- The design criteria will also take into account of the need to achieve adequate separation from neighbouring developments and streets to minimise potential overshadowing and overlooking impacts, and to provide for the appropriate scale of development that reflects the relatively low scale coastal village character when viewed from street level.
- b Investigating the potential for providing for increased flexibility for developers to demonstrate innovative solutions using masterplanning techniques. Under such an initiative, developers would be expected to demonstrate that proposals which deviate from the normal planning provisions will provide superior outcomes by utilising masterplanning approaches. Strict performance criteria would need to be developed covering a variety of issues including;
- o protection of important view corridors;
  - o general amenity;
  - o flood hazard, coastal hazards, acid sulphate soil hazard; and
  - o visual impact, overshadowing and overlooking.
- c Specified minimum floor to floor heights for different types of development (i.e., retail, commercial, residential and carparking), with tolerances for different slope categories. Developers set floor to floor heights to the minimum permissible with the aim to achieve as many units as possible. Many of the resultant spaces are not suitable for certain developments, particularly retail and/or commercial, resulting in potential tenants having to locate elsewhere.
- d Requirements for new developments to provide adequate on-site vehicle parking with access via side streets, along The Entrance Road through Long Jetty and in the Toowoan Bay Neighbourhood Centre.
- e Requirements for appropriately themed signage that reflects the coastal character of The Entrance Peninsula.
- f Reviewing, current provisions relating to flood, acid sulphate and coastal hazard and heritage issues to reflect contemporary best practices and revisions as required.
- 7 Integrated masterplans for The Entrance Town Centre and Long Jetty Village Centre and the north side of the Entrance Channel need to be prepared to facilitate coordinated, integrated and orderly development of these strategically important areas.
- 8 Masterplans for various sites, including Dunleith Tourist Park, Lakeside Plaza, The Greens The Entrance Bowling Club and Tuggerah Lakes Golf Club need to be prepared to facilitate coordinated, integrated and orderly development of these strategically important sites.
- 9 Appropriate housing diversity provisions need to be developed during preparation of masterplans and amendments to Council's LEP and DCP. These provisions need to provide for a range of housing types to cater for an increased demand for housing choice and affordability with the outcome being a suitable match of housing stock to meet current and future demographic profiles. This needs to be done in accordance with Council's adopted strategy – "Promoting Choice: A Local Housing Strategy for Wyong Shire".

## For Non Land Use Planning Aspects

In addition to the changes identified above, the Strategy also identifies changes to the following “Non Land Use” aspects:

- 1 There is a need to achieve, maintain and promote sustainability by seeking to meet the main objectives:
  - Social cohesion which recognises everyone’s needs.
  - Effective protection, conservation and management of the ‘natural’ environment, biodiversity and cultural heritage.
  - Effective energy management.
  - Effective management of hazards, including those associated with sea and lake level rise, ocean processes, flooding, acid sulphate soils and groundwater resources.
  - Prudent use of The Entrance Peninsula’s attributes and resources.
  - Achievement and maintenance of stable levels of economic growth and employment.
- 2 There is a need to maintain and improve biodiversity by protecting threatened species and their habitats and the Peninsula’s terrestrial and aquatic environments. Promoting biodiversity by improved linkages between the urban environment and the ‘natural’ attributes and open space areas (eg. parklands, beaches, reserves, Tuggerah Lake, islands and the Pacific Ocean).
- 3 There is a need to address climate change issues, particularly in regard to The Entrance North area and the foreshore areas of Long Jetty and The Entrance.
- 4 There is a need to improve the public domain, including improvements to streetscapes, landscaping, paving, outdoor furniture, signage, lighting and incorporating public art.
- 5 There is a need to improve roads, traffic and transport, including:
  - Changes to The Entrance Road Corridor to improve amenity and function, particularly in relation to line marking, intersection / junction treatments, parking and access arrangements, landscaping and improving the quality of the building stock.

Improvement to The Entrance Road Corridor is required to cater for the projected future population of The Entrance Peninsula. It is also required to improve the amenity of the southern gateway to the Peninsula.

Expert consultants were engaged to carry out traffic modelling for The Entrance Peninsula for the purpose of identifying the spread of traffic demands across the existing and possible future road network. The prime objective was to identify how the existing road network would perform with the traffic generated by the ultimate uptake of zonings and the most appropriate way of resolving any issues. A discussion on the findings of this modelling is included later in the report.

In summary, while a number of potential routes were investigated (including the use of Tuggerah Parade on the western side of The Peninsula and the use of a network of roads on the eastern side of the Peninsula), the modelling concluded that the most desirable option in terms of road safety and efficiency, amenity of residents and visitors and cost, is to upgrade The Entrance Road corridor. This upgrade will be required by 2031 when the predicted population approaches 28,000 and will provide two lanes in both directions with modifications at certain intersections to cater for turning movements. The main reasons for this conclusion are based on the following advantages:

- Maintains current levels of residential and visitor amenity and safety in existing residential areas and open space/recreation areas.
- Is more economical to construct and maintain.
- Is not flood prone (except for the relatively small portion in the vicinity of Saltwater Creek Reserve).
- Does not compromise current opportunities to facilitate strong future safe links between the residential and retail/commercial areas of Long Jetty and the Pacific Ocean and Tuggerah Lake foreshore areas.
- Alternative on-site parking arrangements are achievable and can be accessed via side streets and rear lanes in lieu of existing on street parking.
- It is the only corridor option acceptable to the RTA. The RTA will not agree to the inclusion of another classified road to carry traffic flows on its State Road system.

The draft strategy also recommends improved landscaping treatments of the road corridor and abutting properties together with improving the quality of the building stock to improve the amenity of the road corridor. The draft strategy proposes to achieve these aims via bottom-up partnership approaches facilitated by new liaison arrangements.

- Improvements to the public transport network and facilities, including introducing an express bus service between The Entrance Peninsula and other major centres, such as Tuggerah, Wyong and Gosford, a potential tourist bus circulator route, bus interchange facilities and bus shelter availability and design.
- 6 There is a need to improve bicycle and pedestrian facilities to achieve intended social, economic and environmental outcomes. This will include extending the bicycle / pedestrian track network, bicycle parking provision and design. This will include.
- 7 There is a need to improve links between bicycle, pedestrian facilities public transport and various areas. This may require some land acquisition to effectively improve pedestrian and bicycle links between areas.
- 8 There is a need to improve tourist elements including;
- improved identification and marketing of the Peninsula's attributes;
  - directional signage;
  - branding;
  - additional attractions/activities and facilities; and
  - interpretation of heritage and environmental elements.
- 9 There is a need to improve connections between sites and localities within and outside the strategy area. For example, potential extensions of pedestrian and bicycle pathways and development designs facilitating/providing direct and functional connections between sites and areas.
- 10 There is a need to provide opportunities for more activities for people of all ages and abilities, including the identification of additional attractions and things to do on The Entrance Peninsula such as:
- Growers markets.
  - An open air cinema.
  - Quality nightclub(s)/social entertainment venue(s).
  - More festivals (eg, music, opera, jazz).
  - More facilities
  - Ecotourism activities, physical fitness activities, carnivals, and the like.
  - Weekend markets.
  - Permitting 'busking' style entertainment (eg, music, singing, magicians, novelty acts).



- Long running events (ie. week-long rather than just weekend).
  - Commercial and/or educational activities associated with the existing jetties.
- 11 There is need to establish mechanisms to assist with promoting The Entrance Peninsula and its attributes, activities and events to markets both within and outside the locality and Wyong Shire.
- 12 There is need to investigate employing event management expertise in The Entrance Town Centre and Peninsula to develop comprehensive tourism strategies, generating ideas for and organising various events, entertainment and attractions.
- 13 There is need to investigate introducing business improvement and assistance coaching, schemes and programs, seeking and obtaining various available grants, whilst working with business owners and business property owners to improve the amenity of areas, such as The Entrance Road Corridor.
- 14 In accordance with Council's support for enhanced community engagement, facilitate a process of on-going liaison with all relevant stakeholders potentially comprising representatives of Council, The Entrance Town Centre Management Corporation, The Entrance District Chamber of Commerce, Central Coast Tourism, The Entrance Community Precinct Committee and Business Owners, for the purpose of implementing The Entrance Peninsula Planning Strategy.

The purpose of such liaison would include:

- Developing comprehensive tourism strategies.
- Seeking and obtaining various available grants.
- Facilitating business coaching and/or mentoring expertise.
- Facilitating the effective liaison of the various stakeholders in generating effective solutions for improving the amenity and function of The Entrance Road Corridor through Long Jetty.

It is envisaged that these liaison arrangements would establish community / government partnerships, utilising bottom up planning approaches to deliver practical and consensual planning outcomes. These arrangements could be efficiently facilitated through existing structures on The Entrance Peninsula, such as the existing administrations of The Entrance Town Centre Management Corporation or The Entrance District Chamber of Commerce. This would minimise the need to establish additional administration structures, but additional resources are still likely to be required to carry out the required tasks.

Alternatively, a new administrative structure(s) could be formed for the specific purpose of activating and driving the recommendations mentioned above. This is potentially a significant task requiring a number and variety of additional resources. This approach has the benefits of being more focused on the tasks at hand and is likely to be more efficient in achieving quality outcomes. It is envisaged that such a structure(s) would comprise the same stakeholders as mentioned above.

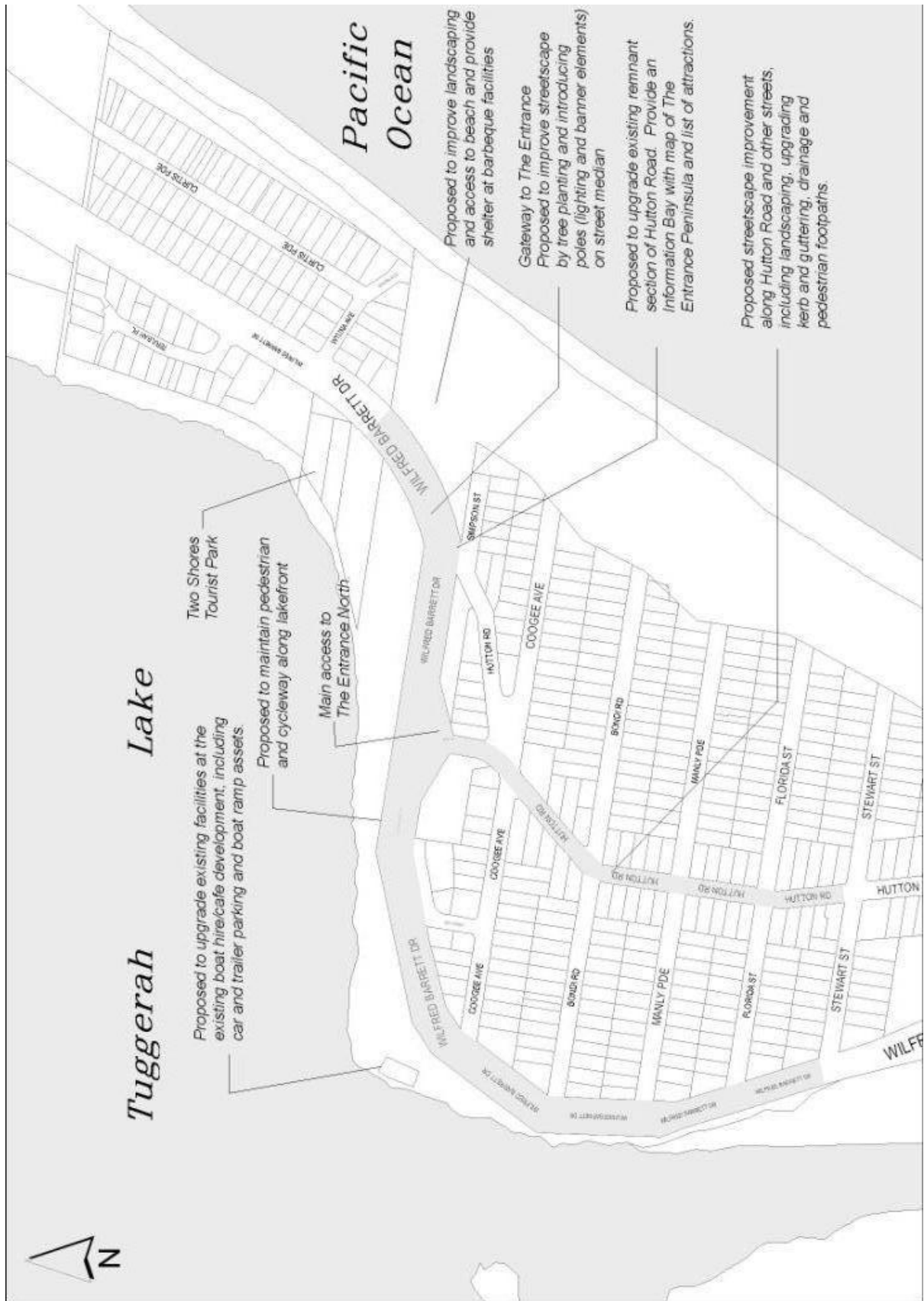
- 15 A strategy has been established, to provide for implementing the proposals put forward in this Strategy. It aims to stage each of the proposals according to priority and funding opportunities. It involves both short and long-term actions.
- 16 In addition, a series of action plans have been established containing recommendations for implementing the issue based actions for pedestrian and bicycle facilities, landscape and the public domain, coastal design and public transport improvement.

### **Key Land Use Planning Recommendations (by area)**

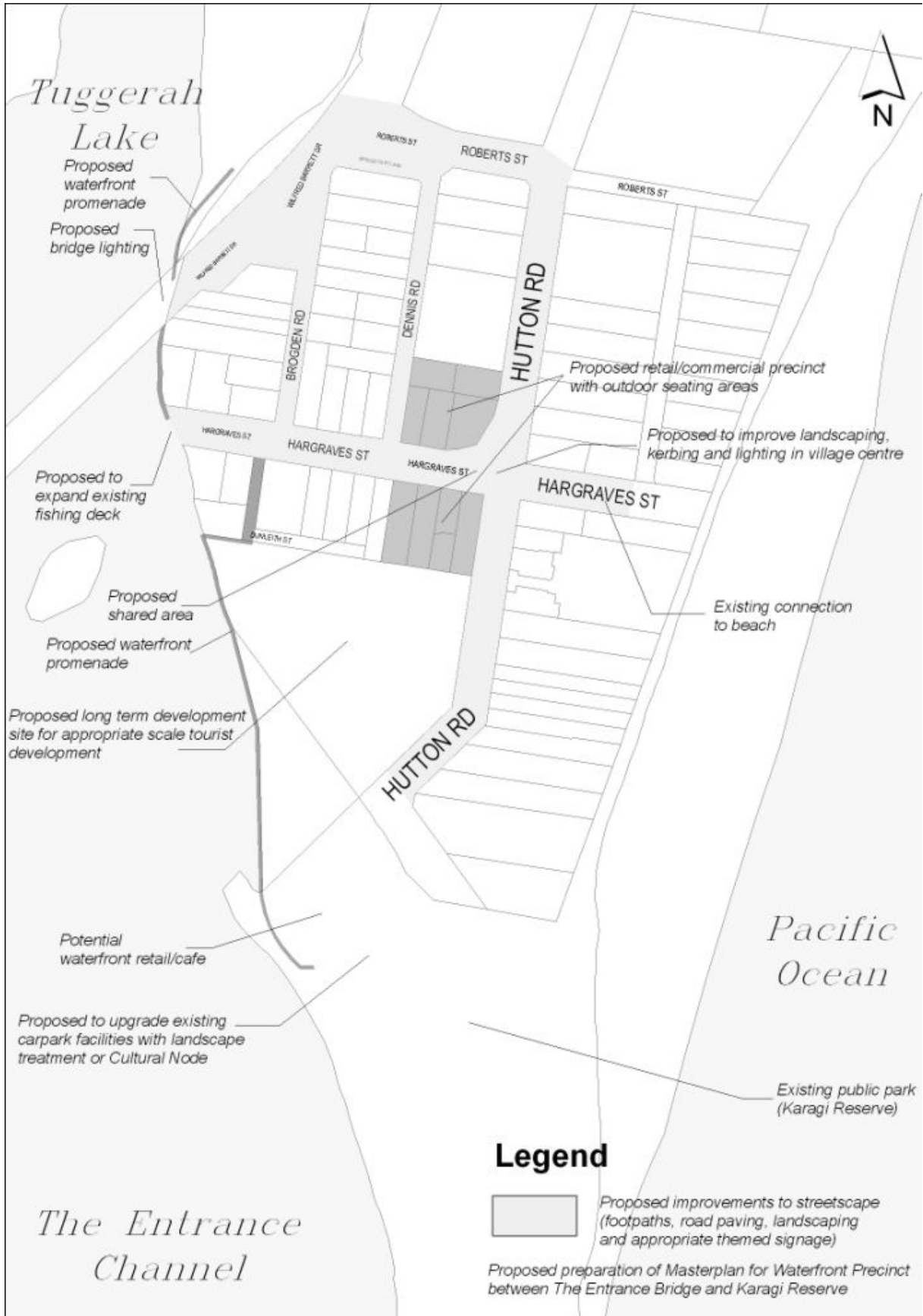
***Key Precinct Specific Land Use Planning Recommendations***

Over the following pages, text and images highlight the main proposals for the various precincts and sites. Some Precincts just include a map while others include additional supporting text. These changes are in addition to the strategy recommendations detailed in the preceding pages.

Precinct 1 – The Entrance North Gateway Precinct



Precinct 2 – The Entrance North Village Centre Precinct

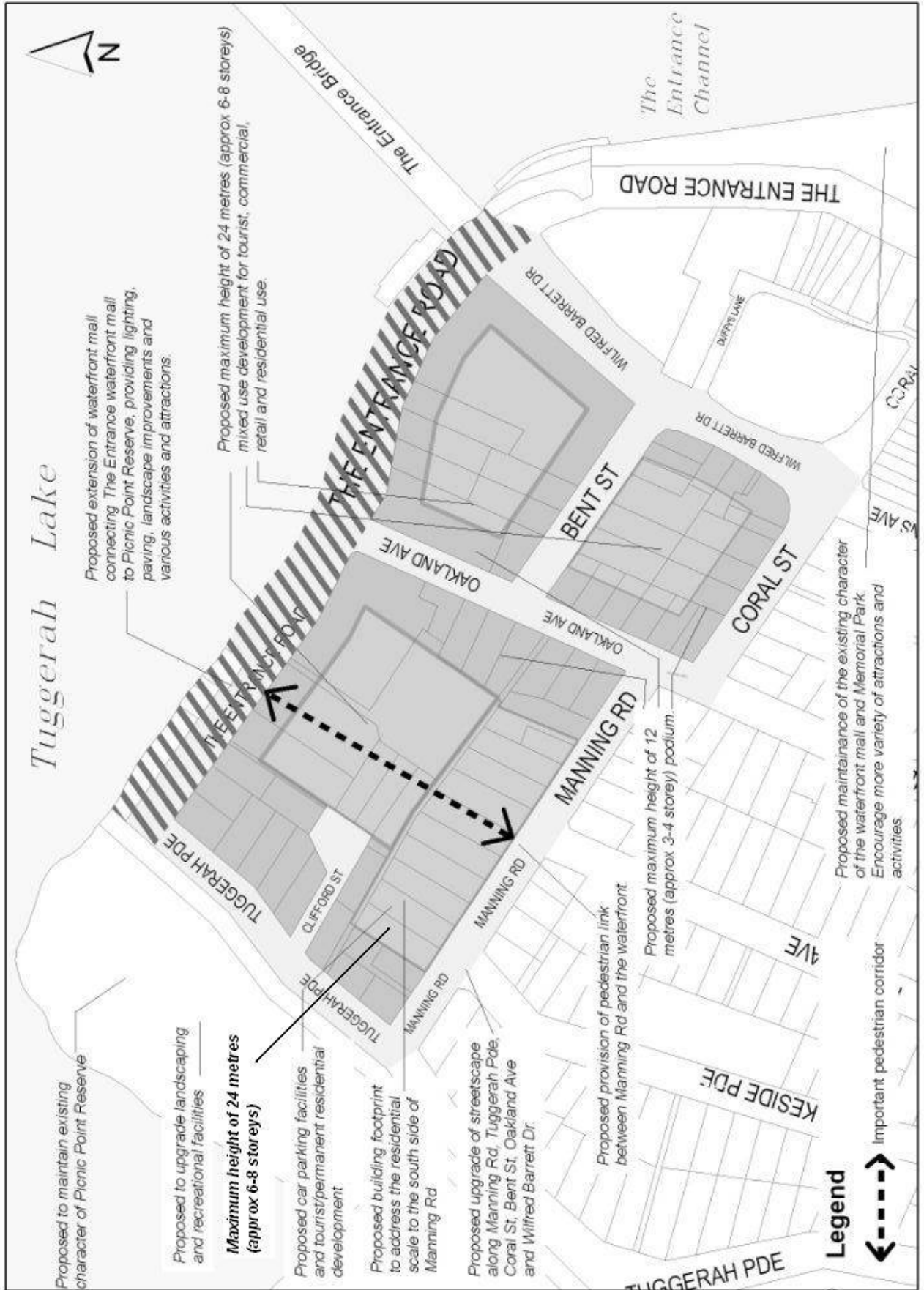


- Expand the 3(a) Business zone onto the southern side of Hargraves Street (between Hutton Road and opposite Dennis Road) to provide for future expansion and create a more defined and integrated village centre.
- Facilitate redevelopment of the Dunleith Tourist Park that respects its waterfront location, provides for public access along The Entrance Channel and connects to the broader pedestrian and cycle pathway network.

Council's planning controls are to be altered to provide suitable zoning and a conservative 'deemed-to-comply' scenario for this site. The controls will specify a maximum height of 7.5 metres (adjacent to The Entrance Channel) stepping up to 15 metres (adjacent to Hutton Road). Appropriate setback, floor space ratio and open space requirements will also be provided.

Alternative non-compliant options may be considered where appropriate site masterplanning is undertaken addressing established performance criteria and which demonstrate a superior design outcome.

Precinct 3 – Picnic Point to Memorial Park Tourist District Precinct



- Raising the maximum height limits of the internal building envelope for the area surrounded by Bent Street, Oakland Avenue, Coral Street and Wilfred Barrett Drive from 18 metres to 24 metres.
- In conjunction with any future application for redevelopment, extend the Waterfront Mall along The Entrance Road (West) to Picnic Point, between the waters edge and property boundaries on the southern side of The Entrance Road (West).
- Review the provisions of Council's planning instruments to allow mixed use (carpark and residential) development on the land currently zoned 5(a) Special Uses (Carpark) in Manning Road.

Any building is to primarily provide for public carparking with a component of permanent residential or tourist accommodation.

Building design must provide for pedestrian movement through the site from Manning Road to connect with a link across the residential tourist zone lands to the north, to the waterfront. Such links must incorporate safety-by-design principles and provide 24 hour access to the waterfront.

Buildings are to be a maximum 24 metres high, including car parking on the lower levels with permanent residential or tourist accommodation above, with a maximum 12 metre high podium with appropriate setbacks from all boundaries to achieve visual separation from, and minimise overshadowing and overlooking impacts on, neighbouring developments.

- Encourage development of the lands currently zoned 2(g) Residential Tourist to provide for high quality mixed uses (eg. retail, commercial, tourist facilities, permanent residential and tourist accommodation) that is a maximum 24 metres high with maximum 12 metres high podium providing high quality design and active edges along all streets.

Alternative non-compliant options may be considered where appropriate site masterplanning is undertaken addressing established performance criteria and which demonstrate a superior design outcome.

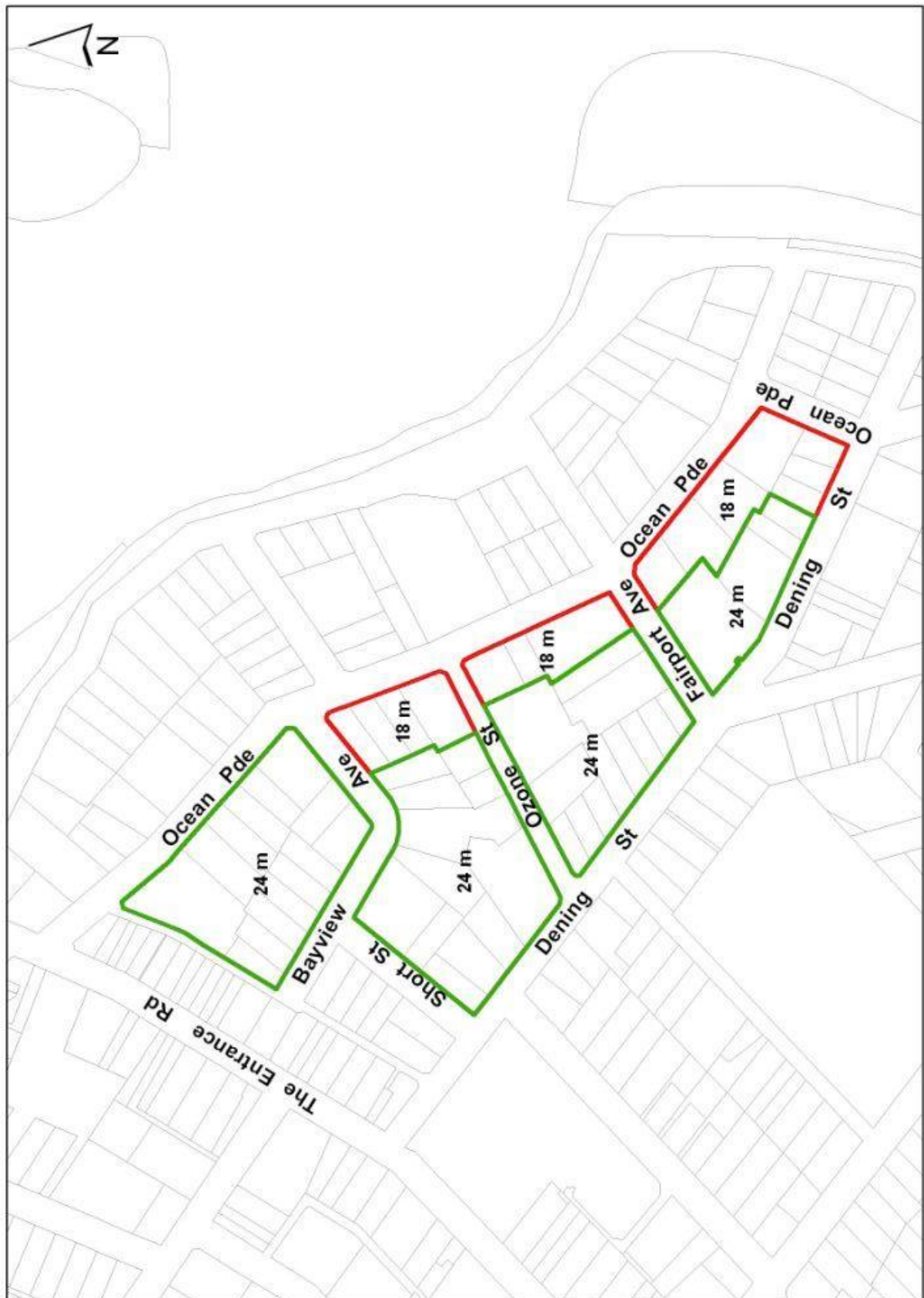
#### **For Both Precincts 3 and 6**

- Prepare an integrated masterplan covering the entire Entrance Town Centre vicinity including the lands covered by Precincts 3 and 6. Such masterplanning will include consideration of the appropriate land use mix, connectivity between land uses, open space areas, the public domain and other areas outside Precincts 3 and 6, adequate vehicle parking and arrangements, circulation patterns (vehicle, pedestrian and cyclist) and infrastructure requirements and provision.





## Precinct 5 – High Density Residential



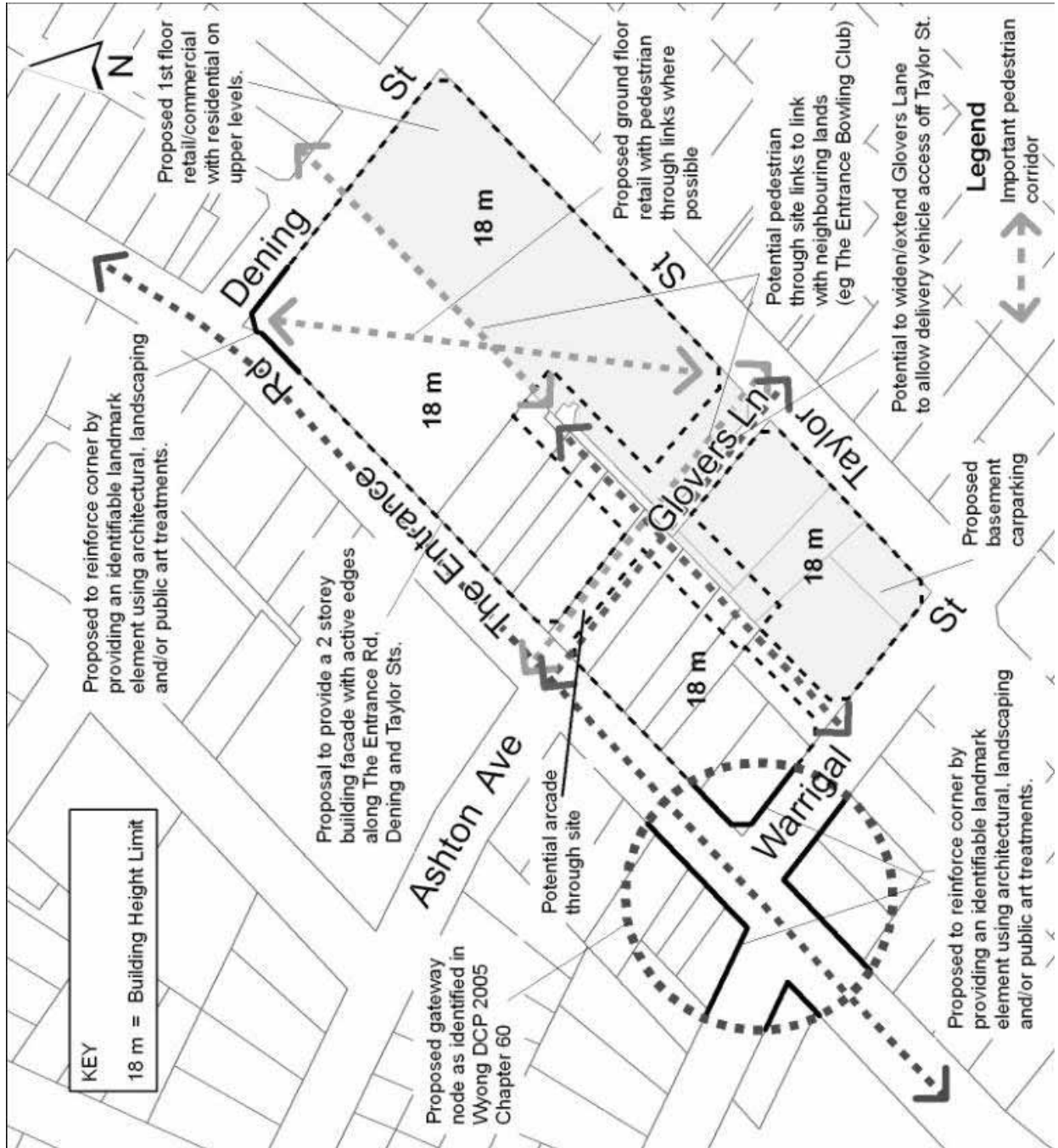
- Insert height controls into Council's planning controls to limit heights in this precinct to a maximum 24 metres and 18 metres in accordance with the above map. Such action will maintain view sharing opportunities, the character of the area and compliment suitable transition from Town Centre to the Coast.

## Precinct 6 – The Entrance Town Centre

Precinct 6 – The Entrance Town Centre includes the following significant sites:

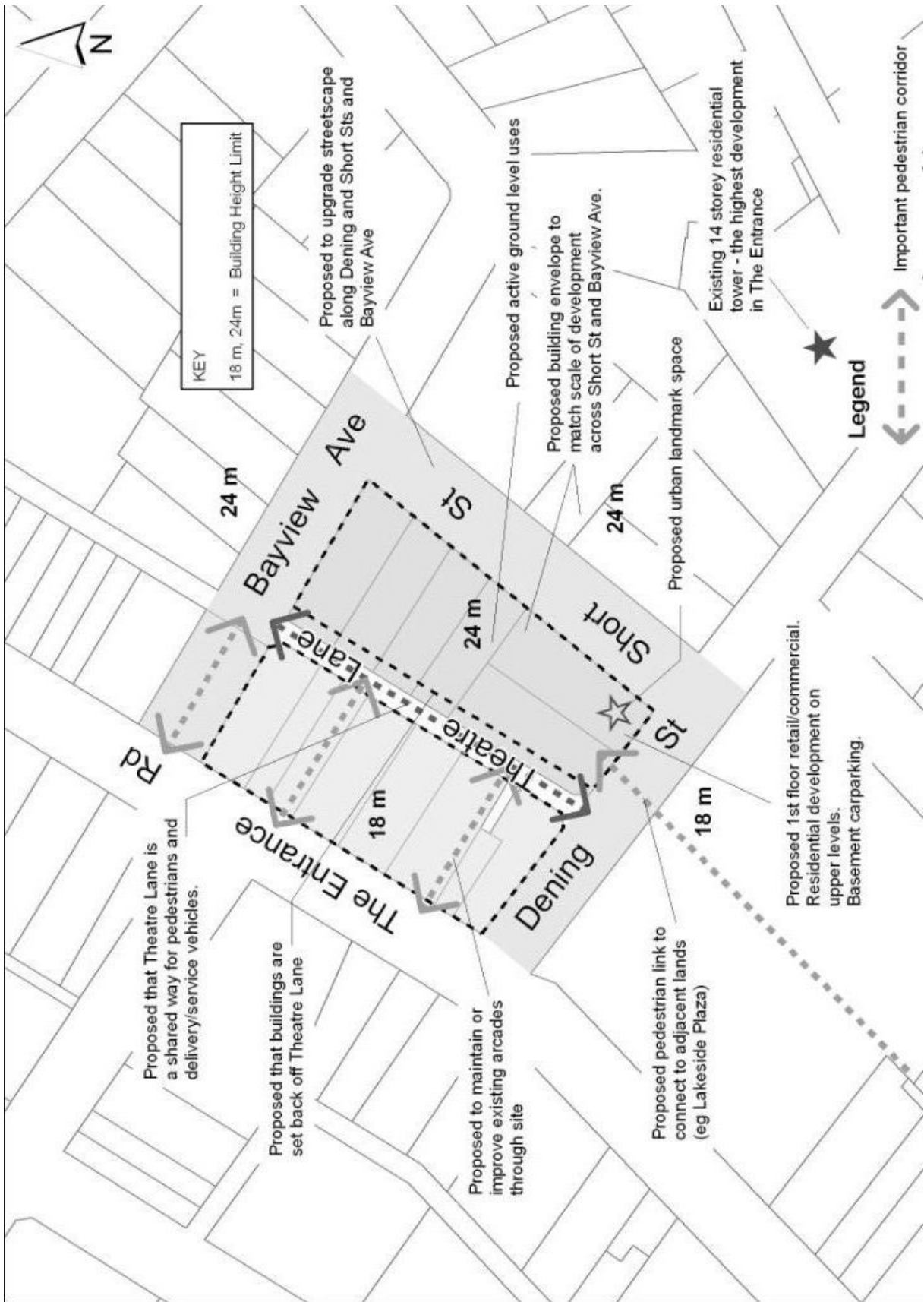
- Lakeside Plaza
- Denning Street Carpark
- The Ebbtide Mall
- The vacant site on the corner of The Entrance Road and Marine Parade.

**Lakeside Plaza Site**



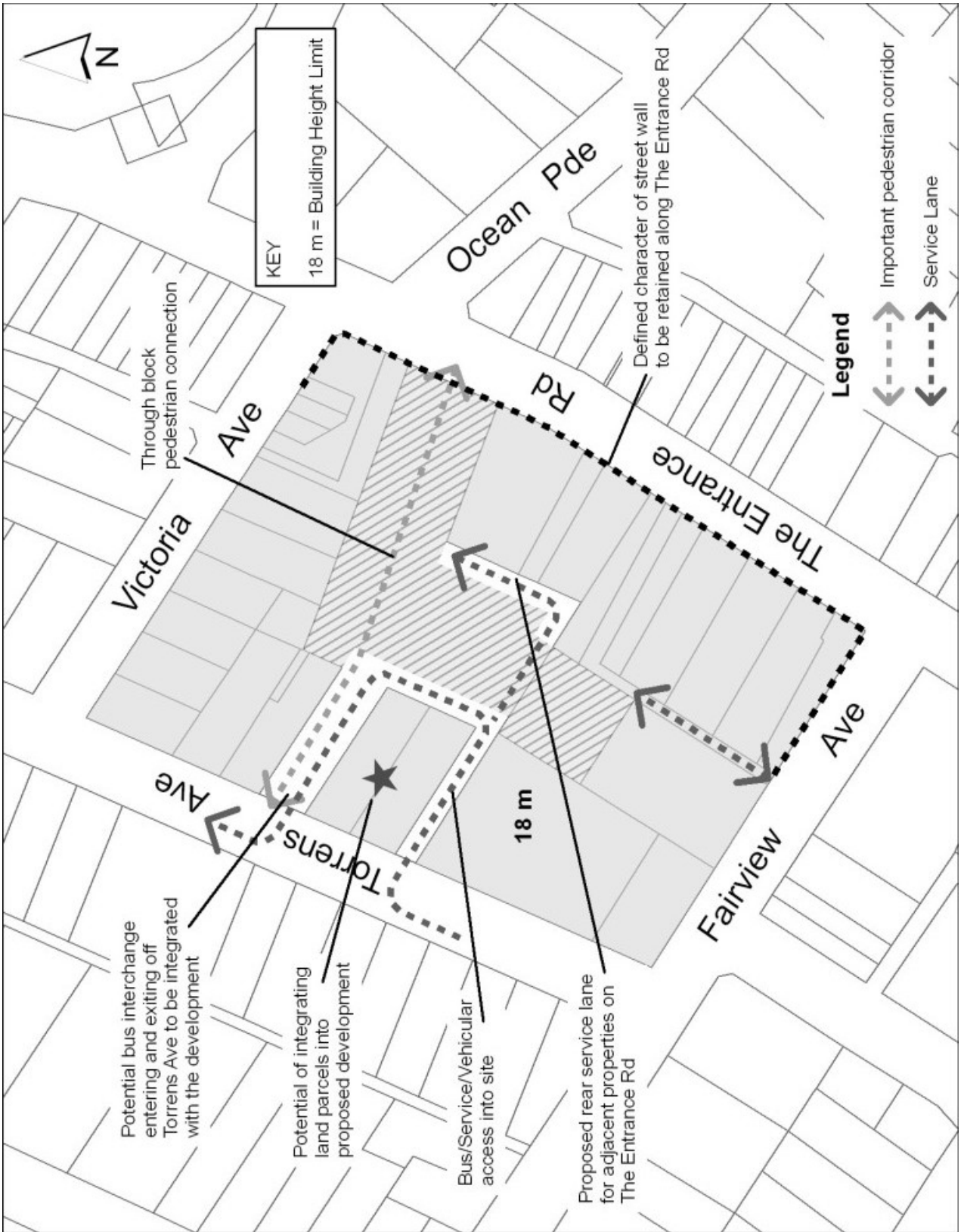
- Provide for appropriate higher density development by raising the maximum permissible building heights from 12 metres to 18 metres for development on the eastern side of The Entrance Road (between Ocean Parade and Warrigal Street), where upper levels are setback over a lower 9 metre podium fronting the street, to ensure adequate solar access to streets and neighbouring properties.
- For the Lakeside Plaza Site, amend Council's planning controls to allow maximum 18 metre high buildings on the eastern side of The Entrance Road with the upper floors set back from a lower 9 metre podium at the property boundary, to permit adequate solar access to the street and neighbouring properties, and to maintain the coastal village character of The Entrance Township, when viewed from street level.
- In any redevelopment of Lakeside Plaza, the design of the building should appear as a number of buildings along The Entrance Road, Denning Street and Taylor Street frontages. Active frontages are to be provided to all buildings along The Entrance Road, Denning Street and Taylor Street.

Dening Street Carpark Site

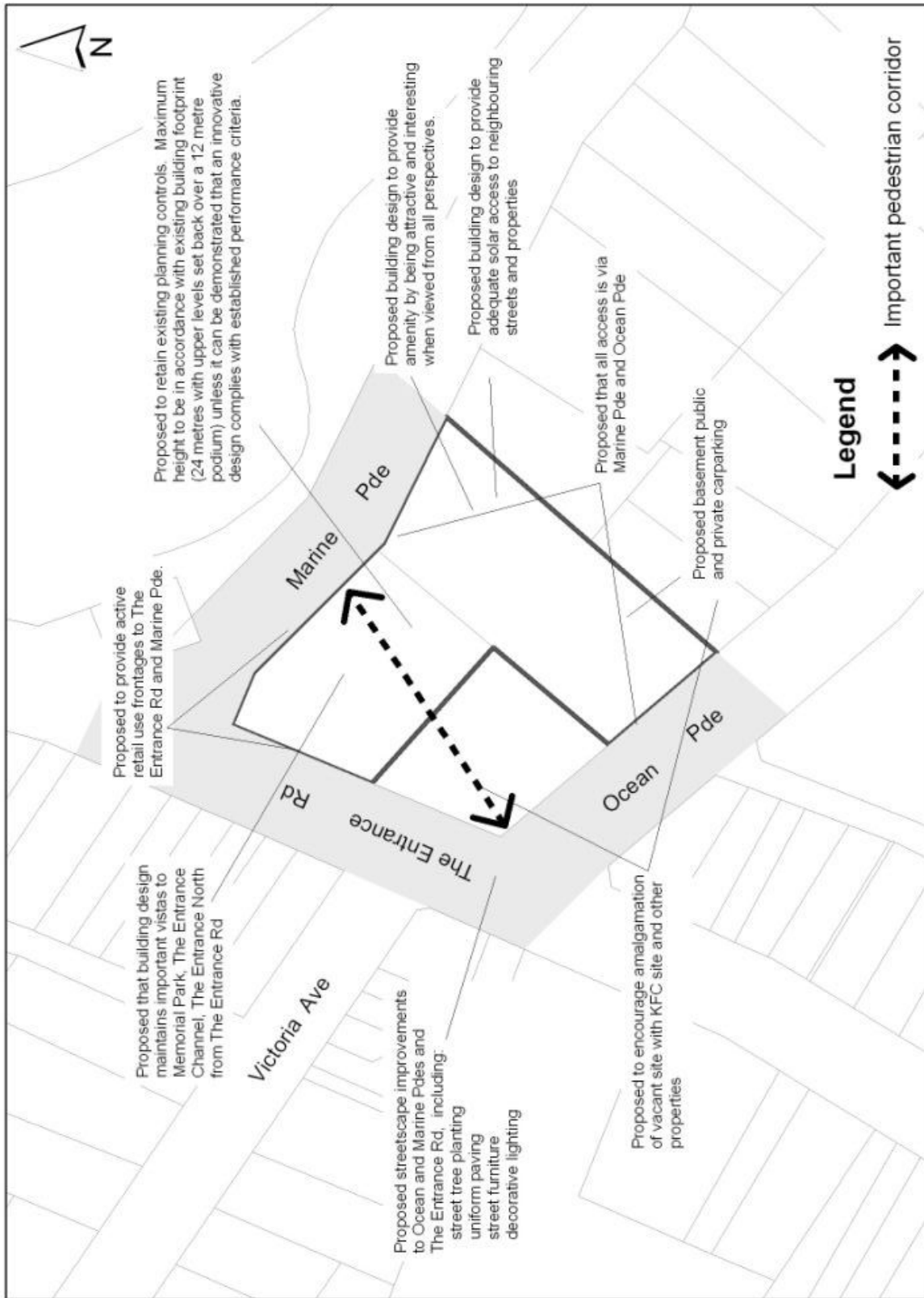


- For the Dening Street Carpark Site, rezone the site from 5(a) Special Uses (Parking) to 3(a) Business Centre to facilitate mixed-use development of the site, incorporating retail and commercial uses, permanent residential apartments, private and public car parking.
- Buildings are to be a maximum 24 metres high, with a maximum 9 metres high podium at the property boundary of all streets, except Theatre Lane to permit adequate solar access and appropriate scale.
- For the Ebbtide Mall Site, buildings are to be a maximum 18 metres high, with a maximum 9 metres podium at The Entrance Road property boundary.
- Building design is to maintain the existing mid-block pedestrian connection between The Entrance Road and Torrens Avenue, either as a skylight arcade or open-to-the-sky pedestrian laneway.
- Investigate the opportunity to incorporate bus interchange facilities into the future design of the site with access to such a facility from either Torrens Avenue and/or Fairview Avenue.

The Ebbtide Mall Site



The Vacant Site on the Corner of The Entrance Road and Marine Parade



- For the vacant site on the corner of The Entrance Road and Marine Parade, buildings are to be a maximum 24 metres high, with a maximum 12 metres high podium at The Entrance Road and Marine Parade property boundaries. Any part of the building above the podium is to be set back from the podium edge within the existing stipulated building envelope.

Precinct 7 – Residential Transition (Low to Medium Density)

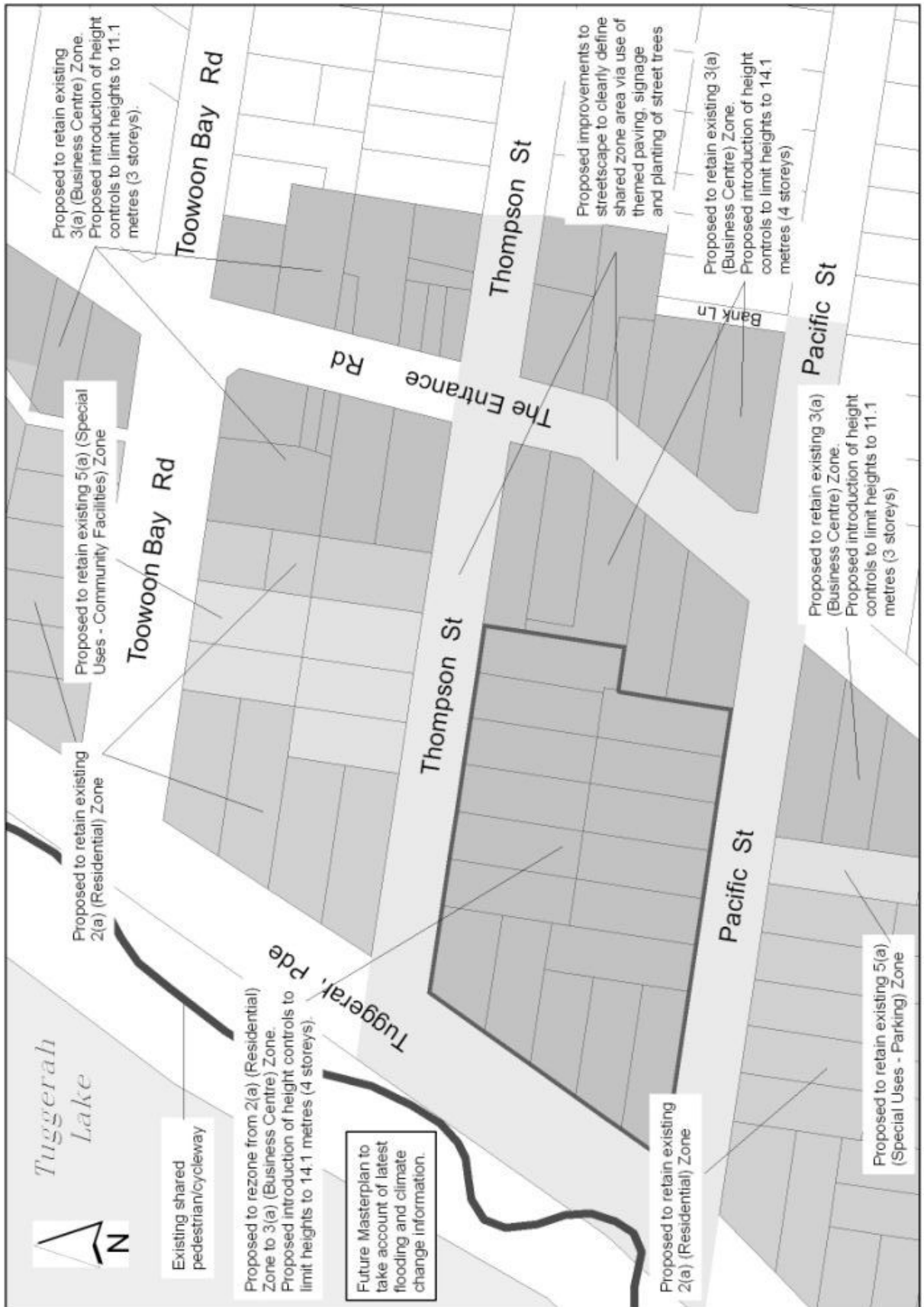




- Review Council's planning instruments to ensure all sites within the precinct are zoned to reflect the most appropriate land use. An example is:
  - Rezoning the former Entrance Infant School site from 5(a) Special Use – School to part 5(a) Special Use – Community Use, part 2(c) Medium Density Residential and part 6(a) Open Space and Recreation.
- Facilitate redevelopment of the Diggers @ The Entrance, The Entrance Public School and The Entrance Community Centre sites, that respects the location of these sites adjacent to a medium density residential neighbourhoods, some with good views to and across Lake Tuggerah.
- Propose a conservative 'deemed-to-comply' a maximum building height of 14.1 metres (approximately four storeys) for the Diggers @ The Entrance site and 11 metres (approximately three storeys) for The Entrance Public School and Community Centre sites. Appropriate setback, floor space ratio, landscaping and open space requirements will also be provided.

Precinct 8 – Long Jetty Village Centre to Saltwater Creek

Long Jetty Village Centre

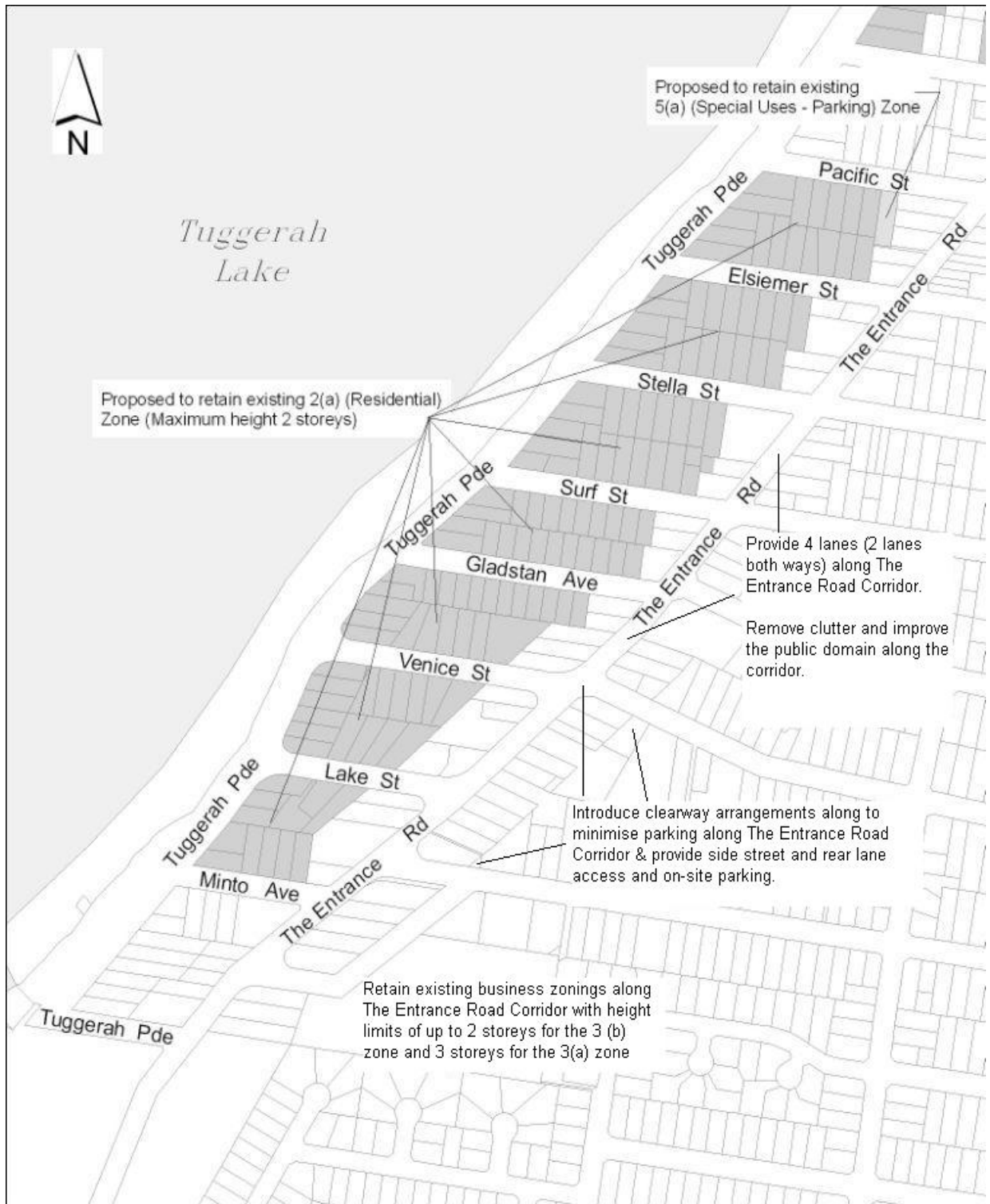


- Consolidate retail/commercial development at Long Jetty within the existing retail/commercial strip along The Entrance Road, with expansion of up to an additional 5000 square metres of retail space, consolidated into the area surrounded by The Entrance Road, Thompson Street, Tuggerah Parade and Pacific Street.

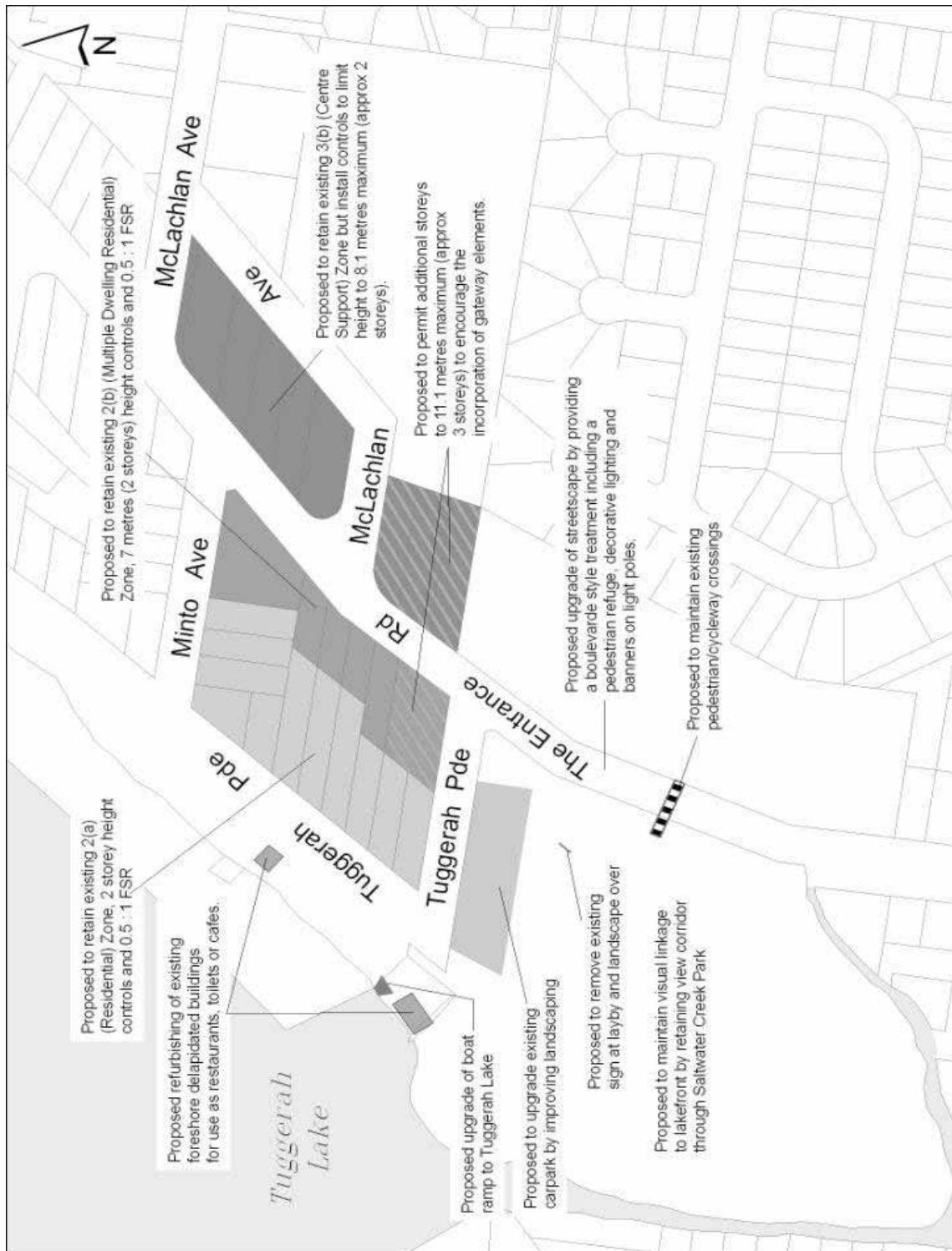
This additional 5000 square metres of retail space is recommended by the Wyong Shire Retail Centres Strategy and will primarily provide for local convenience services, primarily for the future resident population of Long Jetty by 2018, when the population is projected to be approximately 20,000 on The Entrance Peninsula. To facilitate such future retail development, the subject lands will need to be rezoned from 2(a) to 3(a), with appropriate building height and floor space ratio controls inserted.

- Insert height controls that permit mixed use development up to four storeys (approximately 14.1 metres) for the area mentioned above. Retain the existing 3(a) - Business Centre zoning along The Entrance Road.
- Retain the existing 2(a) Residential and 5(a) Special Uses Zoning for properties between the rear of the properties along The Entrance Road and Tuggerah Parade, north of Thompson Street and South of Pacific Street.
- For the 3(a) zone in the existing retail/commercial strip, along The Entrance Road, south of Pacific Street and north of Thompson Street, introduce height controls that permit mixed use development of up to 11.1 metres (approximately three storeys).
- For the 3(a) zone in the existing retail/commercial strip, along The Entrance Road, between Pacific and Thompson Streets, introduce height controls that permit mixed use development up to 14.1 metres (approximately four storeys).
- For all of the Long Jetty Village Centre, floor space ratios are to be inserted to allow ratios of up to 1.0:1, for the 3(a) zone and 0.6:1, for the 3(b) zone.

Residential Areas of Long Jetty



## Saltwater Creek Vicinity



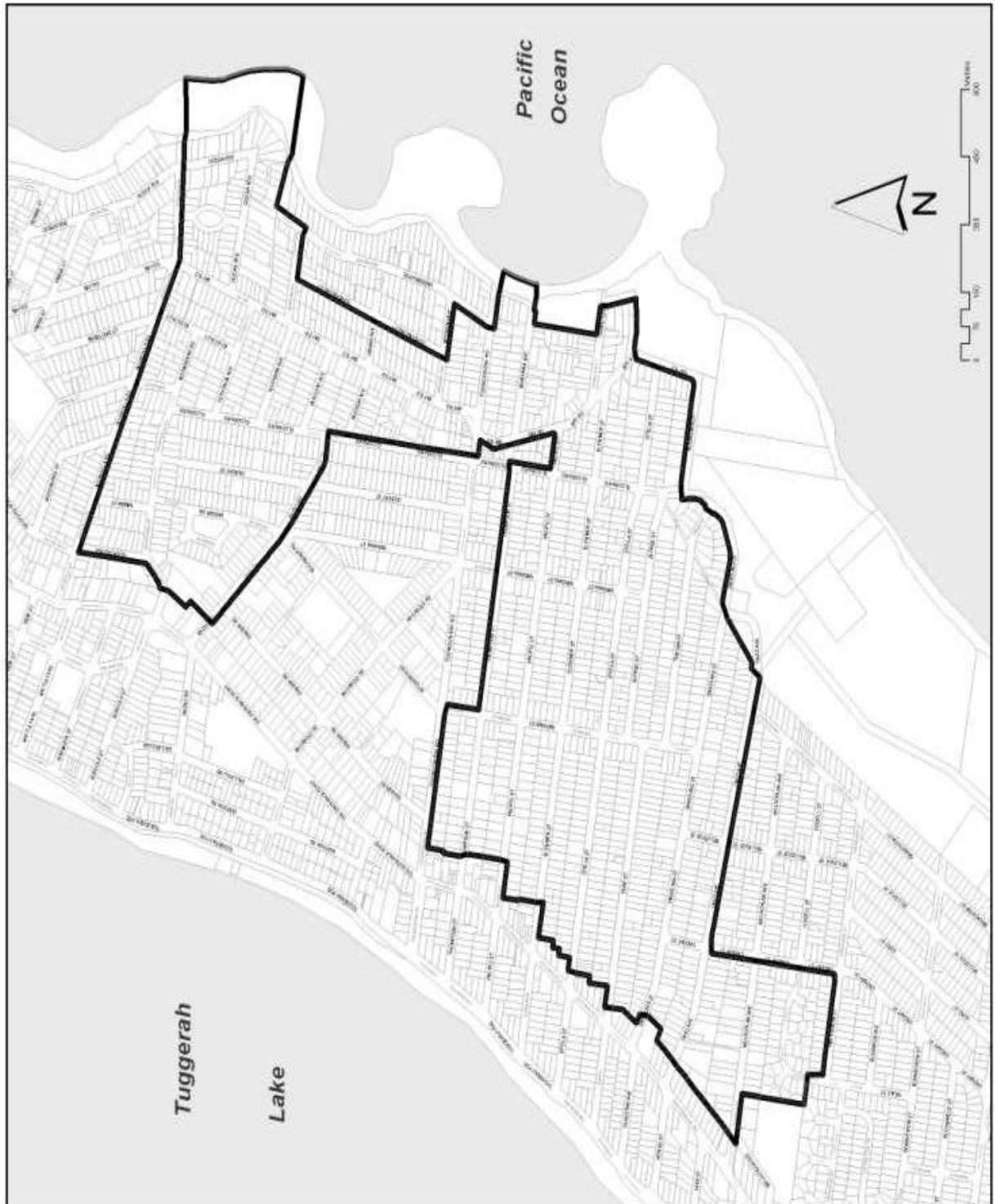
- Proposed to retain existing 3(b) (Centre Support Zone) but install controls to limit height to 8.1 metres maximum (approximately two storeys).
- Proposed to permit additional storeys to 11.1 metres maximum (approximately three storeys) to encourage the incorporation of gateway elements.

**For both Precincts 8 and 11**

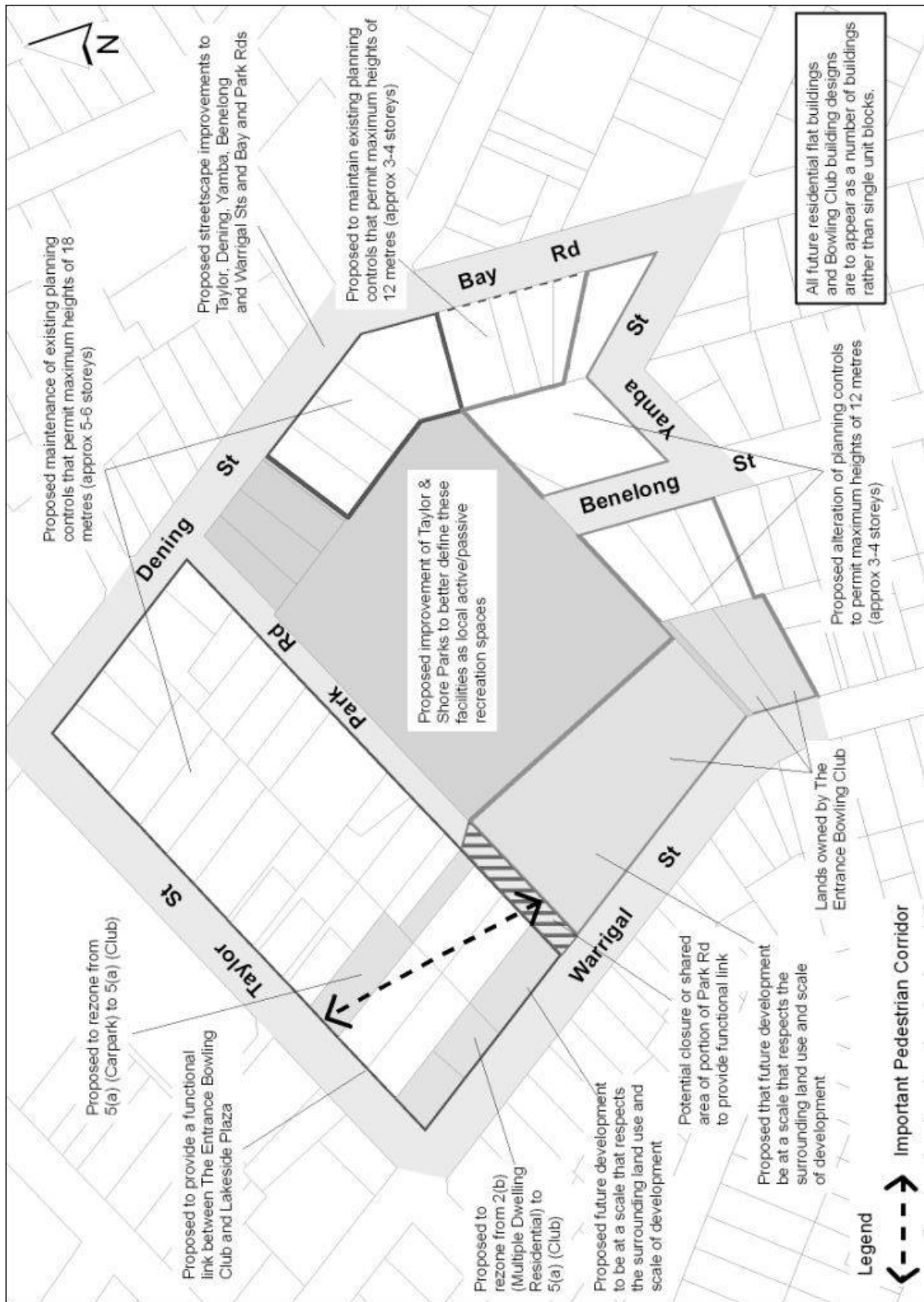
No specific precinct recommendations in addition to the key strategy recommendations.

**Precinct 9 – Low to Medium Density Residential**

- There are no specific land use planning recommendations for Precinct 9.



Precinct 10 - Taylor/Shore Park Residential Transition



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For The Entrance Bowling Club, a Master Plan and/or site specific set of development controls is to be prepared prior to consideration of any development or redevelopment for the Bowling Club lands. The Masterplan is to establish a consistent design approach that relates and connects to Taylor/Shore Parks and adjoining developments, such as Lakeside Plaza.

- Rezone land at 30 Taylor Street, 8A Warrigal Street and 25 Park Road from 2(b) (Multiple Dwelling Residential) to 5(a) (Club) to facilitate redevelopment of the bowling club lands.
- Review council's planning instruments to ensure any redevelopment of the bowling club buildings east of Park Road are a maximum of 11.7 metres (approximately three storeys) high, with buildings laid out and orientated towards the Warrigal and Park Streets and Taylor Park to encourage passive surveillance.
- Buildings are to be located on the front property boundary to a maximum height of 8.1 metres (approximately two storeys).
- New buildings on the bowling green and car park sites between Taylor Street and Park Road are to be a maximum of 18 metres (approximately five to six storeys) high, with buildings laid out and orientated towards public areas to encourage passive surveillance.
- Future buildings will be located on the front property boundary to a maximum height of 8.1 metres (approximately two storeys). This height will form a podium element on which upper levels are to be setback.
- For residential areas adjoining The Entrance Bowling Club, future buildings on the remaining residential zoned properties, between Taylor Street and Park Road, are to be a maximum of 18 metres (approximately five to six storeys) high, and orientated towards Taylor, Warrigal and Park Streets and Taylor/Shore Parks, to encourage passive surveillance and safety by design with a 6 metres (approximately two storeys) podium element on which upper levels are to be setback.





- Maintain the existing business zones for the properties alongside The Entrance Road.
- Review Council's planning instruments to ensure all other sites within the precinct are zoned to reflect the most appropriate land use. An example is:
  - Rezoning the property at 309 The Entrance Road from 5(a) Special Use – Club to 2(c) Medium Density Residential.
- Insert appropriate height controls and floor space ratio controls to facilitate low scale (generally two to three storeys high) mixed use development to complement and encourage the revitalisation of the Long Jetty Village Centre.
- Introduce height controls that permit mixed use development as follows:
  - Introduce floor space ratios of up to 0.6:1 for all future development in the 3(a) Business Centre Zone and the 3(b) Centre Support zone.
  - up to 8.1 metres (approximately two storeys) high for the 3(b) zone, comprising existing bulky goods/light industrial uses, along The Entrance Road, between Minto Avenue/McLachlan Avenue and Surf Street.
  - up to 11.1 metres (approximately three storeys) high for the 3(a) zone in the existing retail/commercial strip, along The Entrance Road, between Surf Street and Elsiemer Street.
  - up to 11.1 metres (approximately three storeys) high for the 3(a) and 4(b) zone, north of Toowoon Bay Road, along The Entrance Road.

The above recommendations represent a substantial departure to the recommendations in the publicly exhibited draft strategy.

The publicly exhibited draft strategy proposed to rezone properties along The Entrance Road Corridor from 3(a) Business Centre and 3(b) Centre Support to 2(c) Medium Density Residential with permissible height limits of up to 4 storeys. The objectives were primarily to provide incentive for redevelopment to improve the amenity and efficiency of the Entrance Road Corridor and achieve a viable revitalised Long Jetty Village Centre. There is a view that maintaining the existing zoning would limit the ability to create a retail and community village off The Entrance Road. There is also a view that increasing the residentially zoned land in this precinct (and the population) would increase the viability of retail and urban design presentation of the gateway to The Entrance.

During the evaluation phase following public exhibition, it was determined that such a strategy would be highly unlikely to achieve its objectives predominantly due to consideration of economic feasibility.

An Economic Feasibility Assessment undertaken after the public exhibition period concluded that rezoning to medium density residential would result in a significant decline in property values (between 45% and 60%) therefore there would have to be considerable improvement in achievable property prices (at least 50%) to make residential development a viable proposition. Also, medium density residential property prices would have to increase at a similar rate over and above business prices for such rezoning to become a relatively more attractive proposition for the property owners.

The Economic Feasibility assessment also suggested that the most feasible types of development along The Entrance Road Corridor were those permissible under the 3(b) Centre Support zoning. The economic feasibility assessment also indicated that there would be a significant decline in business values (between 33% and 48%) and substantial relocation costs for the affected business. The report estimated these costs at approximately

\$165,000 per business with a cumulative cost of around \$22 million). Under such circumstances, there would be little incentive for redevelopment and it is more likely that existing businesses would attempt to retain their existing use rights in perpetuity and the amenity of The Entrance Road Corridor and the Village Centre could continue to decline.

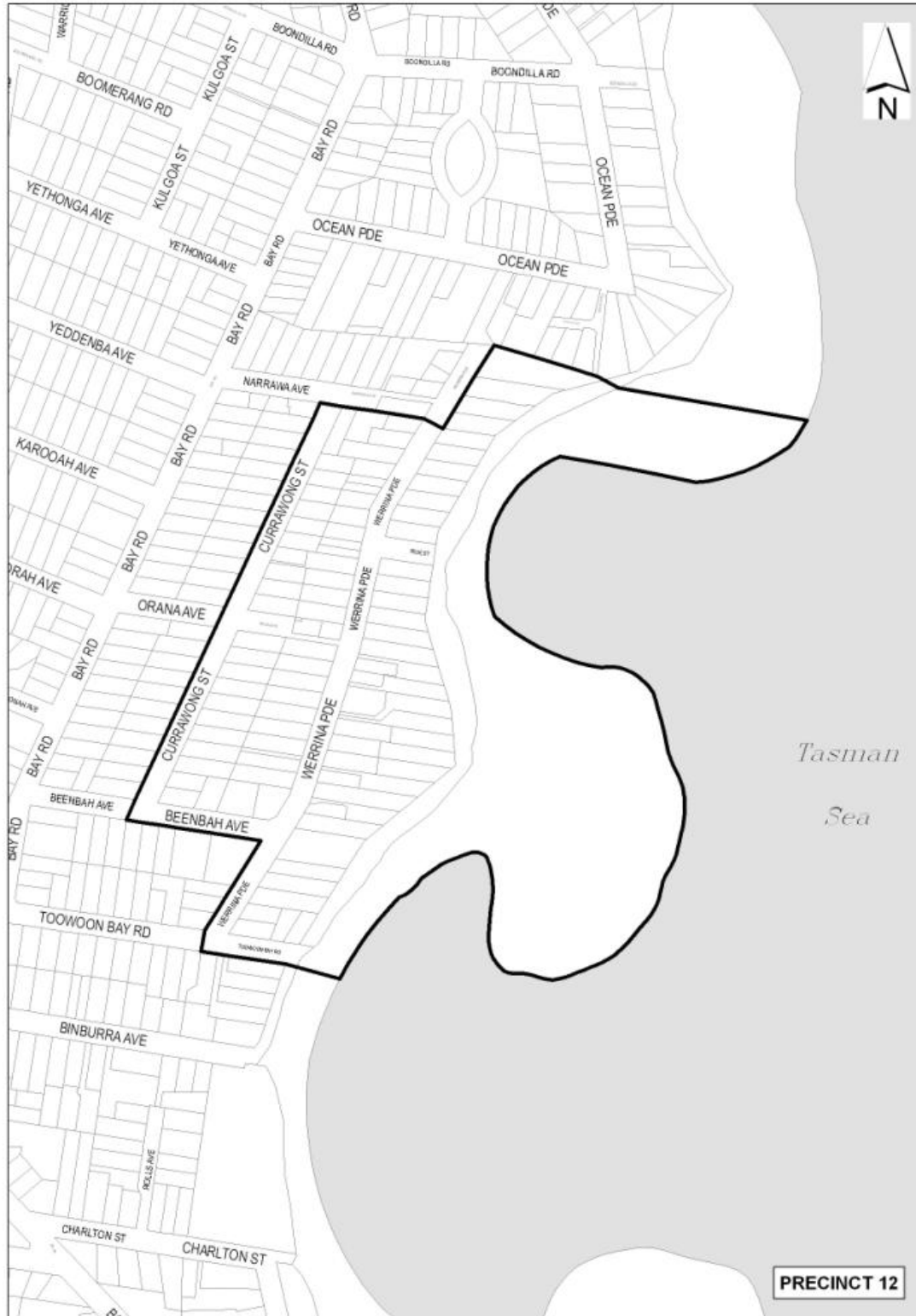
Analysis of the impact of rezoning lands abutting The Entrance Road through Long Jetty from 3(a) Business Centre and 3(b) Centre Support lands to 2(c) Medium Density Residential on the values of affected properties estimates an average decline in land value of between 40% to 60%.

Residential development is currently not viable in The Entrance Road Corridor through Long Jetty. Significant improvements in the residential property market are required to make residential redevelopment viable. Single and two storey retail developments are currently much closer to being viable than residential and given the high traffic volume of the road, and the relationship between retail and residential development is unlikely to significantly change in the foreseeable future.

The above discussion substantiates many of the public submissions received on the exhibited strategy.

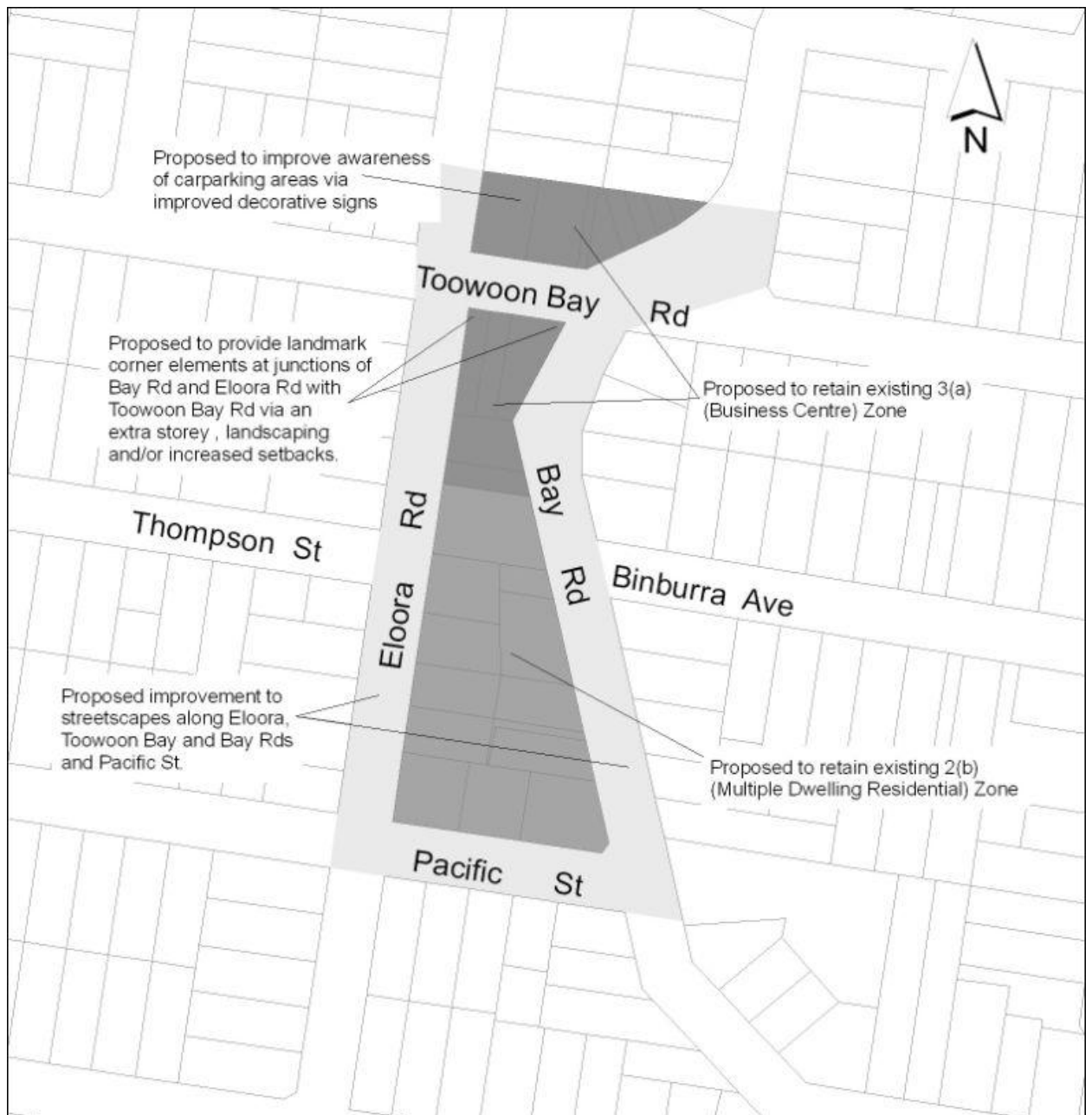
Consequently, the strategy has been revised and now recommends that the 3(a) and 3(b) zones be retained with partnership approaches established, supported by liaison arrangements to facilitate the prime objectives for the Entrance Road Corridor of improved amenity and efficiency and a viable revitalised Long Jetty Village Centre.

## Precinct 12 - Oceanside Residential



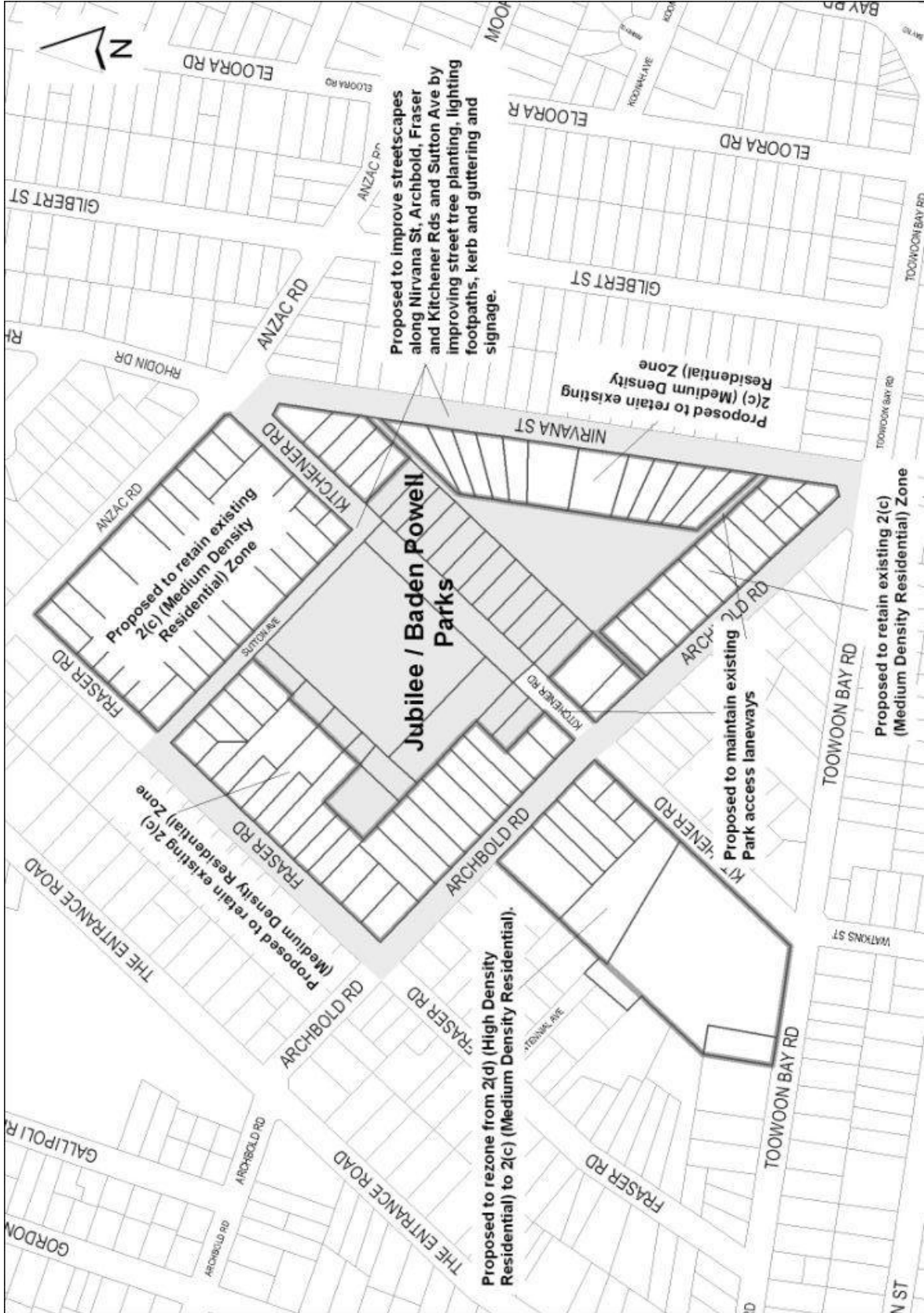
- There are no specific land use planning recommendations for Precinct 12.

## Precinct 13 – Toowoon Bay Neighbourhood Centre



- Limit the height of future development within the precinct to a maximum height of 8.1 metres (approximately two storeys).

Precinct 14 – Jubilee/Baden Powell Parks



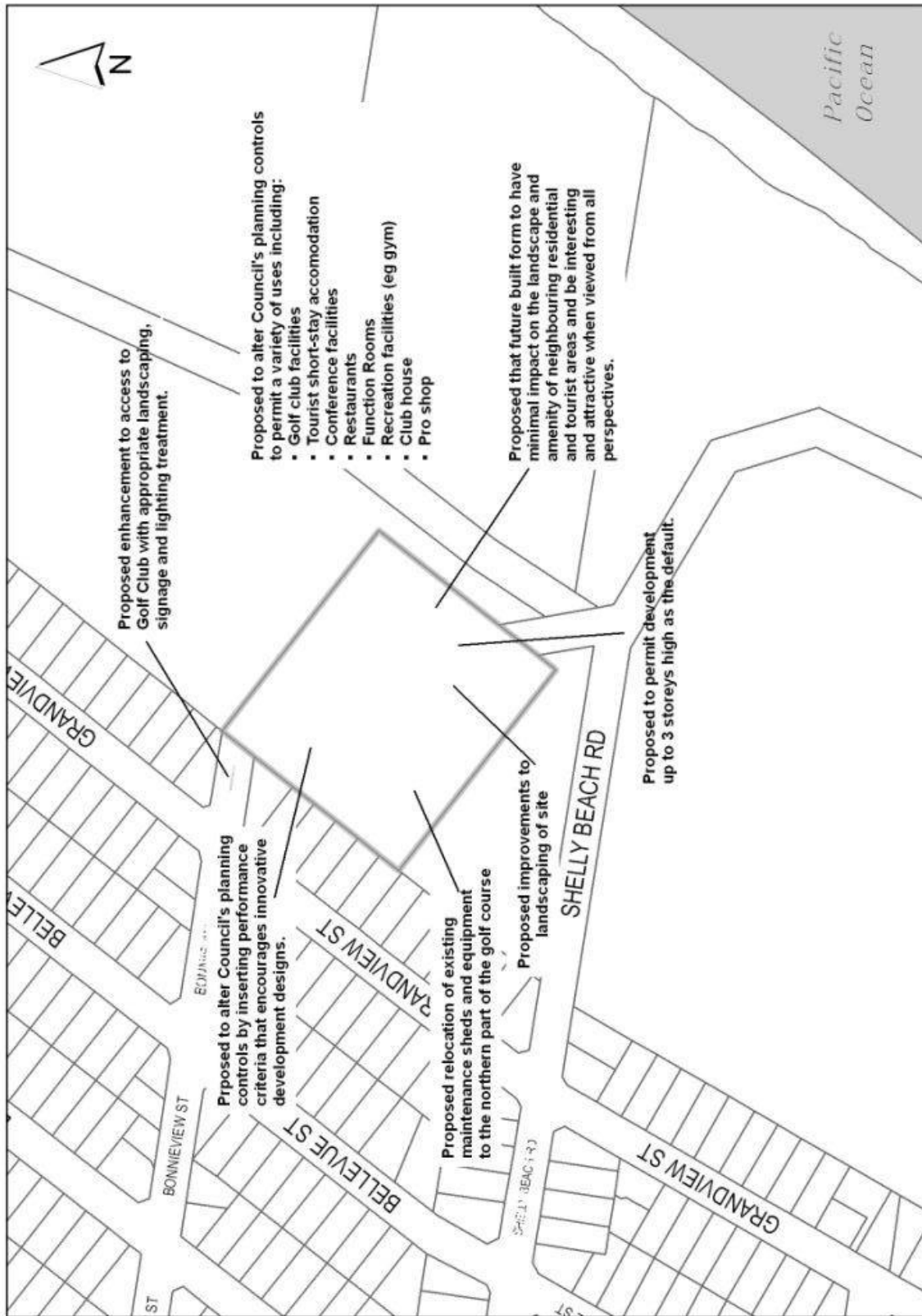
- Rezone the existing 2(d) High Density Residential zoned land surrounded by Toowoon Bay, Kitchener and Archbold Roads to 2(c) Medium Density Residential to be consistent with the low to medium density residential character of the surrounding vicinity.

Precinct 15 – Low Density Residential South



- There are no specific land use planning recommendations for Precinct 15.

Precinct 16 – Tuggerah Lakes Golf Club and Crown Lands





- The Strategy aims to facilitate redevelopment of the Tuggerah Lakes Golf Club at a scale, and of a design, that respects its coastal location and permits the Club to improve and continue as a viable operation.
- Provide suitable zoning and a conservative 'deemed-to-comply' development controls for this site, where buildings are to be a maximum 11.1 metres high (approximately 3 storeys) with appropriate setback, floor space ratio and open space requirements.
- Alternative non compliant options may be considered where appropriate site masterplanning is undertaken addressing established performance criteria and which demonstrate a superior design outcome. The performance criteria will cover a variety of issues, including the protection of important view corridors, maintaining /improving general amenity, addressing coastal hazards, minimising visual impact, overshadowing and overlooking.
- Revise Council's planning controls, including rezoning and/or incorporating enabling clauses in Wyong LEP 1991, to ensure future redevelopment of the Tuggerah Lakes Golf Club facilities can potentially include various uses, such as, hotel/tourist accommodation, restaurants, conference centres and recreational centres.

## **INFRASTRUCTURE, ECONOMIC FEASIBILITY AND TRANSPORT**

The recommendations of the Strategy have been underpinned by comprehensive analysis of infrastructure and service capacity, economic feasibility and alternative transportation options such as a ferry service. The findings of this analysis are summarised under the following headings.

**Infrastructure and Services:** Analysis of the predicted total population for The Entrance Peninsula (i.e. between 28,955 and 33,781 in 2031) and its impact on the provision of adequate infrastructure and services (i.e. public open space/recreation areas, roads, water, sewerage, drainage and community facilities) concludes that capacity is available within the existing network and/or already endorsed upgrades.

**Public Open Space/Recreation Areas:** There is currently a total provision of public open space and recreational areas of just over 174 hectares available when only a minimum total of just over 110 hectares is nominated in Council policies as being required for the projected population. All categories of open space have provision above that nominated in Council policies, except for the category of sports fields and courts. For this category there currently exists 5.4 hectares when a nominal 11.1 hectares is nominated as being required. However, the sports fields and courts category is bolstered to acceptable levels by the existence of a further 17.4 hectares of sports fields close to the southern boundary of the strategy area at Bateau Bay.

**Road/Traffic Infrastructure:** Traffic modelling was carried out in 2007/2008 to identify the spread of demand across the existing and future network for a number of alternative scenarios and various route options. This concludes that the most practicable option is to upgrade The Entrance Road (the Central Coast Highway) to provide four lanes, two lanes in both directions, including some intersection improvements. This upgrade also includes the restriction of kerbside parking at least within a clearway scenario and direct access, where possible.

A number of alternative routes to the Central Coast Highway (The Entrance Road) have been assessed for their suitability as the major access route to and through The Entrance Peninsula and to cater for the future traffic volumes in the area. These alternatives include:

- Western By-pass route utilising Tuggerah Parade in conjunction with the Central Coast Highway in a one way system (Tuggerah Parade being one-way north and the Central Coast Highway one-way south).
- Utilising Tuggerah Parade as a two-way road for through traffic.

- An Eastern By-pass route following Shelley Beach Road, Grandview Street, Oaks Avenue, Swadling Street, Koongara Street, Bay Road, and Dening Street for one-way traffic south, with the Central Coast Highway being one-way north.
- The Eastern By-pass Route as a two-way road.

The modelling was carried out in conjunction with the RTA. Expert traffic modelling consultants were engaged to undertake the traffic modelling for various land use development pattern scenarios for different timeframes. This work was carried out concurrent with The Entrance Peninsula Planning Strategy consultancy in order to provide synergy between the two projects. The modelling was carried out for the years 2016 and 2031.

The prime objective for the RTA was to see how the existing road network would perform with the traffic generated by the ultimate uptake of zonings and if the existing Central Coast Highway had to be upgraded, how and where that may be needed. The RTA has advised that it has no agenda to examine alternative State Road routes in lieu of the Central Coast Highway through Long Jetty, and that it will not agree to the introduction/inclusion of another classified road to carry one-way traffic flows on its main road system.

Any alternative route upgrade and maintenance would, therefore, have to be at Council's expense through some Section 94 contributions, but mainly via revenue funding. Alternative routes were, however investigated.

The modelling for the Preferred Development Land Use Option identified that the Central Coast Highway (The Entrance Road) is the most attractive and, with improvements, has the capacity to cater for predicted population and traffic volume increases to 2031. The improvements are envisaged to involve removing parking and upgrading intersections at strategic locations. In some instances, the intersection upgradings would involve road widening and property acquisition.

The modelling indicated that:

- For 2016 the Central Coast Highway (The Entrance Road), with a single travelling lane in each direction, remained as the most attractive route between The Entrance Bridge and Wyong Road. At this time, traffic flows along the eastern roads (i.e., Shelley Beach Road, Grandview Street, Oaks Avenue, Swadling Street, Koongara Street, Bay Road, and Dening Street) will increase significantly. There will only be a minor increase in traffic volumes along parts of Tuggerah Parade. Although traffic volumes along the Eastern route will be significant, it has the capacity to carry the volume.
- For 2031, with the Central Coast Highway remaining with a single travelling lane in each direction, motorists will continue to utilise both the eastern route and the Central Coast Highway. There also will be a slight increase in traffic volumes along parts of Tuggerah Parade.
- With the Central Coast Highway upgraded to two travelling lanes in each direction, by 2031 the modelling identified that motorists will be attracted back to the Central Coast Highway, in lieu of the Eastern route. Traffic volumes along Tuggerah Parade will reduce to approximately 2007 volumes.
- The modelling identified that intersection upgrading works would most likely be required by 2016 at the following intersections on the Central Coast Highway:
  - Oakland Avenue (Oakland Avenue/Coral Street/Manning Road).
  - Toowoan Bay Road.
  - Thompson Road.
  - Pacific Street.
  - The Entrance Road/Warrigal Street/Campbell Avenue.

The following table compares each of the options for major road access to and through The Entrance Peninsula in terms of a number of issues.

Issue	Route Option 1 (Preferred) The Entrance Road Upgrade	Route Option 2 Tuggerah Parade	Route Option 3 Eastern Route
<b>Estimated order of costs*</b> (includes road works, rear access provision and land acquisition)	\$10's Millions (2007)	\$100's Millions (2007)	\$10's Millions (2007)
<b>Impact on established neighbouring residential areas.</b>	Low impact (Minor increase over existing situation)	High impact (Major increase over existing situation)	Medium to High Impact (Medium to major increase over existing situation)
<b>Impact on existing open space / reserve areas.</b>	Low impact (Minor increase over existing situation)	High impact (Major increase over existing situation)	Medium to High impact (Medium to major increase over existing situation)
<b>Flood Prone</b>	No	Yes	No
<b>Compromises opportunities for safe links between residential / retail / commercial areas.</b>	No impact	High impact	Medium to High impact
<b>Need for off- road parking</b>	Yes	Yes	Yes
<b>Supported by the RTA</b>	Yes	No	No

\* All cost estimates are raw estimates and do not include contingency factors for cases where site conditions may be found to be abnormal and other factors may cause an exclamation in costs. These estimates do not take account of ground conditions, design, constraints, problems encountered during construction, delays, need for works on abnormal days/times (eg, weekends, public holidays, evenings), and the like.

**Water Supply and Sewerage Infrastructure:** Council's draft Development Servicing Plan No.3, which applies to The Entrance Peninsula, indicates sufficient capacity within the existing network and/or already programmed future upgrading works on existing facilities

**Drainage Infrastructure:** A recent (2006) study into the hydrology of The Entrance was undertaken to examine the capacity of the drainage system and the contribution of discharges to pollution of ecosystems and the health of Tuggerah Lake. This concluded that while there are some existing capacity issues resulting in isolated instances of flooding, most are being addressed via Council's current works programs.

In relation to pollution issues (i.e. elevated levels of sediments and nutrients) associated with current drainage discharges, the introduction of certain 'best practice' measures and practices such as those identified as part of the Estuary Management Plan would largely address these issues.

**Community Services and Facilities:** There are adequate facilities currently available or planned to cater for the predicated population in 2031. The following have been identified as the main community services and facilities for The Entrance Peninsula, by relevant Council Departments.

- The Entrance Community Centre on Oakland Avenue will continue to be redeveloped as a vibrant multi-use district facility. Stage 1 was completed in 2006. Stage 2 is scheduled to be complete in 2009. Stage 3 will be constructed when sufficient Section

94 funds are available. This facility is expected to be the key hub of community activity to provide for current and population needs on The Entrance Peninsula.

- A new youth shop front/drop in centre, comprising a café, comfortable informal area to 'hang out', information and referral services, preferably located within or near The Entrance Town Centre, near other attractions and good access to transport facilities.
- Public art needs to be incorporated into the landscape of The Entrance Peninsula to contribute to its uniqueness as a place, preferably being subtly integrated into the designs of other elements (eg. play equipment, buildings, exercise equipment, etc.).

### ***Economic Feasibility***

A recent economic feasibility study, carried out to ascertain the factors that contribute to the economic feasibility or non-economic feasibility of development on The Entrance Peninsula, includes the following key findings:

- Both The Entrance Town Centre and Long Jetty Village Centre currently suffer from a very weak residential market, soft tourism market and oversupply of residential, retail and commercial space. These factors account for development being mostly unviable in the region at present.

This current situation is due, in part, to factors outside of Council's control (i.e. the Greater Sydney property market, interest rates, fuel prices and the global credit crisis). However, an oversupply of residential apartments and townhouses on The Entrance Peninsula is a key contributor for the depth and length of the decline in property prices. Much of this current oversupply has been purpose built for the holiday market and is not attractive to permanent residents.

To improve this situation, property prices need to increase. In order to increase property prices, demand needs to be increased by attracting more permanent residents, jobs, businesses and visitors. The revised draft TEPPS introduces a variety of planning strategies to address issues such as transport, access, infrastructure, marketing and image to ensure the region has maximum appeal to residents, businesses, visitors and investors.

- Planning controls were generally not found to be major factors for the viability of development according to modelling conducted on a number of sites, except for contributing to the outcomes mentioned in the previous dot point.
- For The Entrance Town Centre, investigations support the exhibited draft TEPPS proposals for zoning with the exception of the vacant site on the corner of The Entrance Road and Marine Parade (commonly referred to as the 'Key' Site). For this site, feasibility would improve marginally if the site was developed for mixed use (retail, commercial and permanent residential) as opposed to being developed for a mixed use (retail, commercial and tourist accommodation) and were rezoned from the current 3(d) Tourist Business to 3(a) Business Centre, largely due to the permissibility of more intensive retail and commercial uses, though feasibility still remains negative in the current market.

There is virtually no change in development feasibility through amalgamating lots on the 3(d) zoned lands, unless high property prices were achieved. However, it is considered not prudent to rezone from 3(d) to 3(a) due to other planning factors and the need to maintain a lower intensity of retail and/or commercial development in this tourist precinct.

- For the 2(g) Residential Tourist zoned lands in The Entrance Town Centre, a mixed use of specialist retail and tourist accommodation is considered more likely to be feasible.

While there are some potential economies of scale to be realised from large scale amalgamation and development of the 2(g), this is likely to be outweighed by the practicalities of financing, marketing and the need to stage such a large development.

- For the 3(a) Business Centre zoned lands in The Entrance Town Centre, there is a need for the area to differentiate itself to approximate a 'high street' experience (not necessarily up-market), comprising optimal local convenience shops, but largely specialist retail, boutique and other businesses with unique offerings that appeal to locals and visitors.

This Centre should also aim to attract more commercial (office) tenants in the long-term. However, development of commercial space is unlikely to be attractive in the near future without a pre-negotiated significant tenant. Future office space development should be consolidated within the existing 3(a) and 3(d) zones to create a functional cluster.

While there are some potential economies of scale to be realised from large scale amalgamation and development of the 3(a) Business Centre zoned lands, this is limited at present by the size of the development that the market can absorb. It would not be viable to develop larger lots in a single stage at present with gains from economies of scale outweighed by the risk of tenancies in new development remaining vacant. The Entrance market needs to grow substantially or latent demand needs to develop for larger developments to justify amalgamating lots.

- For Long Jetty, the proposals in the exhibited draft TEPPS to rezone the 3(a) Business Centre and 3(b) Centre Support lands to 2(c) Medium Density Residential and relocate businesses into a new consolidated centre, were not supported. The outcomes of this study for Long Jetty were discussed earlier in the report under Precinct 11.
- Analysis of the impact of rezoning lands abutting The Entrance Road through Long Jetty from 3(a) Business Centre and 3(b) Centre Support lands to 2(c) Medium Density Residential on the values of affected properties estimates an average decline in land value of between 40% to 60%.
- Residential development is currently not viable in The Entrance Road Corridor through Long Jetty. Significant improvements in the residential property market are required to make residential redevelopment viable. Single and two storey retail developments are currently much closer to being viable than residential and given the high traffic volume of the road, and the relationship between retail and residential development is unlikely to significantly change in the foreseeable future.

### ***Ferry Service between The Entrance and Wyong***

Council's Transportation Group carried out a study early in 2008 to determine the viability of a passenger ferry service between The Entrance and Wyong. A briefing session was held with the Councillors on 7 May 2008.

The study considered the following factors affecting the viability of a ferry service between The Entrance and Wyong:

- ***Subsidies:*** Only regular passenger services attract subsidies from the government. These are minimal and only apply to student and senior concessions. For any surety, operators need to enter into a contract with the Ministry of Transport (MOT) to provide a regular service for 5 years. This is not favourable with operators due to tight constraints on routes and timetables and heavy fines for not conforming to the timetable.

- **Previous Services:** Previous tourist services on the lake have not been successful. The “Trinity Queen” operated from 1986 to 1992 and the “Wanderer” in the late 1990’s. Both ceased operations due to lack of market demand.
- **Insufficient Patronage.** Approximately 30 passengers currently catch a bus from The Entrance to Tuggerah or Wyong Railway Stations in the am and pm peak hours. Significantly less use the service outside these peak times. Ferry operators indicated they require somewhere in the order of 30-40 passengers on each commuter service to break even. Transport surveys carried out elsewhere have indicated that when a new public transport system is introduced, there is generally only a shift in the passengers from one public transport system to another. Generally, they do not attract new people from the car to the new public transport service.
- **Cost of Infrastructure:** If the ferry cannot pass under the rail bridge at Wyong (maximum height 3.2 metres), then a new wharf will be required in the vicinity of Howarth Street. The cost of a new wharf, together with toilets and other facilities is in the order of \$400,000.
- **Speed Restrictions:** Speed restrictions, including a “no wash” regulatory requirement, along Wyong River significantly increases travel time of the journey.
- **Journey Time:** Journey time for a ferry from The Entrance to Wyong is in the order of 65-70 minutes (weather dependant). It takes 23 minutes by car and 60 minutes by bus. It takes 50 minutes by bus to Tuggerah Rail Station.
- **Type of Vessel:** The type of suitable vessel is restricted because of shallow water. The craft should have a minimum draught of 1 metre and desirably maximum height of 3.0 metres. A hovercraft is not suitable for acoustic reasons.

The study concluded that a ferry service between The Entrance and Wyong would not be viable.

## BRIEFINGS

### Councillors

Councillor’s will recall the Councillor Briefing Session held on 4 February 2009.

At this session, a presentation was given on the:

- Contents of the draft strategy, including the recommended changes to the draft strategy (which was exhibited from the end of November 2007 through to the end of February 2008) as a result of input received during the public exhibition, analysis of the Central Coast Regional Strategy and the findings of The Entrance Peninsula Planning Strategy Economic Feasibility Assessment.
- Future directions for the draft strategy.
- Intention to brief the executives of the main community groups and stakeholders associated with The Entrance Peninsula.

### Community and Stakeholders

The executives of the main community groups and stakeholders were briefed on 24 March 2009 on the:

- Contents of the draft strategy, including the recommended changes to the draft strategy (which was exhibited from the end of November 2007 through to the end of February 2008) as a result of input received during the public exhibition, analysis of the Central Coast Regional Strategy and the findings of The Entrance Peninsula Planning Strategy Economic Feasibility Assessment.

- Future directions for the draft strategy.

## **FUTURE DIRECTIONS**

The draft TEPPS includes a number of recommended strategies that will need to be actioned over the next 25 years, following adoption of the draft strategy. These strategies will begin to be rolled out as soon as the draft TEPPS is adopted by Council.

The strategies relating to reviewing Wyong LEP 1991 will be incorporated in the work programme and implementation process for the dLEP 2011.

In conjunction with the above the review of Wyong DCP 2005, Chapter 60 will commence and will follow normal State specified DCP preparation processes, including public consultation.

The physical improvements to the public domain will commence, beginning with the preparation of streetscape plans. When completed these will be incorporated into future works programs. Specific examples include the preparation of a streetscape upgrade plan for the Peninsula and review of public parks and reserves plans of management, such as the Taylor/Shore Park Plan of Management.

Detailed masterplans for The Entrance Town Centre, Long Jetty Village Centre and The Entrance North Waterfront Vicinity will commence and will follow systematic planning processes relating to masterplan preparation, including stakeholder engagement.

Implementation of the strategy will also include a review of pedestrian and bicycle facilities on The Entrance Peninsula, with emphasis on the eastern side of the Peninsula. Also involved is the preparation of a plan for upgrading The Entrance Road Corridor, including improved junction treatments, removal of clutter, landscaping, parking and access arrangements.

Strategies relating to economic and tourism matters will be considered during the preparation of an economic and tourism plan for The Entrance Peninsula to be commenced after the draft TEPPS is adopted by Council. Preparation of this plan will involve stakeholder and community engagement.

Commencement of the implementation strategies referred to above will depend on the availability of resources (personnel and funding). Notwithstanding this, it is intended that the majority of the strategies will commence being rolled out over the next two years.

## **CONCLUSION**

The draft TEPPS has been prepared to guide the future planning of the Long Jetty, The Entrance and The Entrance North suburbs. The draft TEPPS has been exhibited with submissions received and reviewed. Changes to the draft strategy have been made to address issues raised during the public exhibition process. The next stage is to adopt the strategy and commence the implementation phase which includes revisions to Wyong LEP, DCP 2005: Chapter 60 – The Entrance as well as master planning The Entrance Town Centre, Long Jetty Village Centre and The Entrance North Waterfront vicinity. Other implementation recommendations involve improvements to the public domain and infrastructure. Implementation of the strategy has the potential to significantly assist in raising The Entrance Peninsula's profile as a quality tourist destination and ensure that it continues to be a pleasant place to live and work.

It is recommended that The Entrance Peninsula Planning Strategy be adopted.

Councillors will note that the recommendation of this report does not include the usual items pertaining to the preparation of a draft Local Environmental Plan in accordance with the relevant provisions of the EPA Act 1979, for the purpose of amending Council's current LEP

in accordance with the relevant recommendations of the draft The Entrance Peninsula Planning Strategy.

Normally, there would be recommendations that Council:

- In accordance with the provisions of Section 54 of the EPA Act 1979, prepare a draft LEP and notify the Director General of Planning of such a decision.
- In accordance with Section 62 of the EPA Act 1979, undertake consultations with all relevant public authorities and bodies.
- In accordance with Sections 65 and 66 of the EPA Act 1979, publicly exhibit a draft LEP.

The reason for the omission on this occasion is that these matters will be processed as part of the Wyong LEP 2011 process, which has already commenced.



**ATTACHMENTS**

- 1 Community Issues Analysis Table - (V2 March 2009)
- 2 TEPPS - A vision for The Entrance
- 3 The draft The Entrance Peninsula Planning Strategy - March 2009 Enclosure

## The Entrance Peninsula Planning Strategy

Draft The Entrance Peninsula Planning Strategy  
dated March 2009 (D01942321)

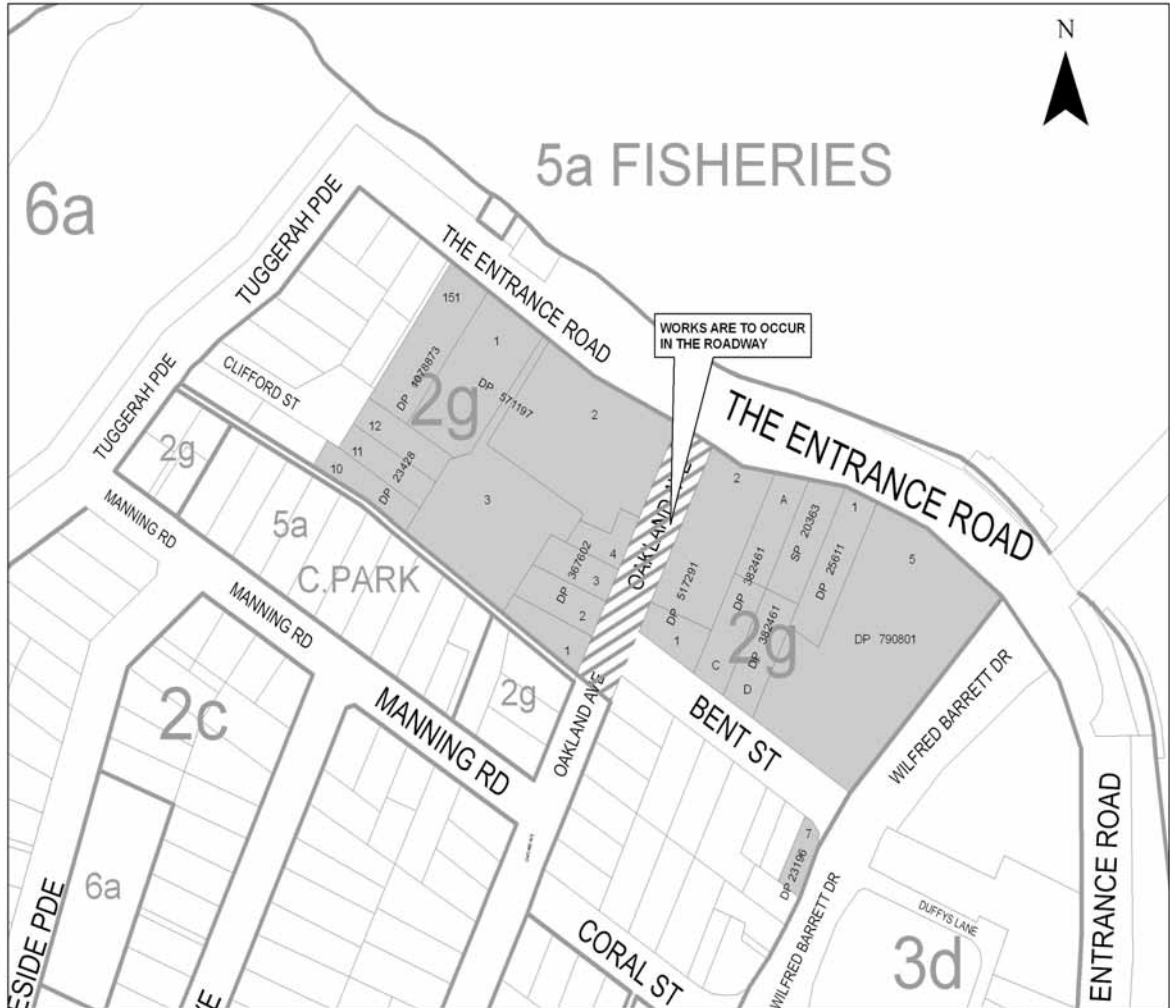
(distributed under separate cover)

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**512 Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 1)**

**Locality Plan**



## WYONG SHIRE COUNCIL

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### 512                    **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance**

DA/2660/2004 DD:JD

<b>Applicant</b>	Terrigal Grosvenor Lodge Pty Ltd
<b>Owner</b>	Terrigal Grosvenor Lodge Pty Ltd, (5 Oakland Avenue) Melinda Janyne Stevens, Minister for Primary Industries (9 The Entrance Road) and Wyong Shire Council (various road reserves)
<b>Application No</b>	2660/2004
<b>Description of Land</b>	<i>Eastern site:</i> 31-47 The Entrance Road West, 4 and 11 Bent Street <i>Western site:</i> 9-29 The Entrance Road West, 2-4, Clifford Street, 3-9 Oakland Avenue. 11 Bent Street (southern side of Bent Street) and the partial closure of Oakland Avenue (north of Bent Street intersection) and The Entrance Road West (fronting the development site)
<b>Proposed Development</b>	Managed Resort Facility comprising 509 apartments (tourist and permanent), with a conference centre, retail area, restaurants, cafes, tavern (converted heritage building), child care centre, indoor amusement park, two levels of basement carpark and associated landscaping
<b>Properties</b>	Lot 1 and 2 DP 517291 Lot A, C, D DP 382461 Lot 1 DP 25611 SP 20363 Part Lot 15 DP 832013 Lot 1, 2, 3 DP 571197 Lot 10, 11, 12, DP 23428 Lot 1, 2, 3, 4, DP 367602 Part Lot 7 DP 23196 That part of Oakland Avenue between Bent Street and The Entrance Road That part of The Entrance Road extending 10m north of the northern boundaries of the subject allotments fronting The Entrance Road including the extension of the 10m line across the Oakland Avenue intersection.
<b>Site Area</b>	Eastern Site – 13,855m <sup>2</sup> Western Site – 15,007m <sup>2</sup> 11 Bent Street – 389m <sup>2</sup> Oakland Avenue – 1,723m <sup>2</sup> (road closure) The Entrance Road West – 2,850m <sup>2</sup> (road closure) <b>Total Area = 33,824m<sup>2</sup></b>

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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<b>Zoning</b>	2(g) Residential Tourist Zone and Road reserve
<b>Existing Use</b>	Motel, caravan park, two storey restaurant (heritage item), various dwellings, vacant allotments and NSW Fisheries building
<b>Value</b>	\$97 Million (note: valued in 2004)

### **EXECUTIVE SUMMARY**

- The site that is the subject of this application is one of Council's most important sites in achieving its aims for redevelopment of The Entrance. Its gateway and very strategic location, natural form and orientation provide excellent opportunity for a development that achieves Council's desire for a quality development of high amenity for both residents and the public.
- The application proposed use and development of the site as a Managed Resort Facility complies with the enabling clause within Wyong LEP 1991.
- Following extensive discussions with the applicant a number of amended plans have been provided by the applicant. However, the proposal still fails to adequately address or resolve the significant urban design and amenity concerns with the application. It is therefore recommended for refusal.
- Minor amendments to the plans have been made by the applicant to resolve the encroachment into "Profile D". Council's solicitors have confirmed that the development is no longer prohibited by Clause 42A of the Wyong Local Environmental Plan 1991 (Wyong LEP 1991).
- At its meeting on 10 October 2005, The Hunter Regional Development Committee (HRDC) (attended by Council officers), verbally approved the applicant's proposed resolution to the duplication of The Entrance Bridge. In correspondence dated 4 November 2005, the Roads and Traffic Authority (RTA) agreed to the general concept in principle, subject to modifications.
- The proposal fails does not comply with the requirements of SEPP No. 65 – Design Quality of Residential Flat Development, with regard to urban design. In addition, an independent urban designer has reviewed the application and favours refusal of the application. The proposal was viewed by the Design Review Panel (DRP) who recommends refusal of the application.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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- The proposal fails to adequately address the requirements of Development Control Plan (DCP) 2005: Chapter 14 – Tree Management, Chapter 60 – The Entrance, Chapter 61 – Carparking, and Chapter 64 – Multiple Dwelling Residential Development, with regard to aesthetics, overshadowing and solar amenity to permanent units and communal open space. If overshadowing of the adjoining developments was the only concern Council may support the application.
- It is considered that the site has a large potential for quality development, given its consolidated nature and its northern orientation. However the density of the proposal and the outdated design approach to the development is essentially the driver of many of Council's concerns with the proposal.
- Given the number of significant outstanding issues, and the applicant's evident unwillingness to amend the proposal, the application is recommended for refusal. The applicant has been made aware of Council's concerns with the application over a number of years and has failed to submit additional information or amended plans which satisfactorily address the issues. This process has included several meetings with Senior Council staff.

#### **RECOMMENDATION**

- 1 *That Council refer the application to the General Manager for determination having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues with an indication that based on the information available to it, Council favours refusal of the application subject to appropriate reasons for refusal.*
- 2 *That Council advise those who made written submissions on the application of its decision.*
- 3 *That Council consider issues raised in the assessment of this application in the finalisation of The Entrance Planning Strategy.*

#### **ORDINARY MEETING HELD ON 26 NOVEMBER 2008**

***RESOLVED on the motion of Councillor EATON and seconded by Councillor BEST:***

- 1 ***That Council defer the application for discussion between the applicant and Council with the indication that:***
  - a ***Council supports the development of the site as a managed resort facility in accordance with the long-term strategic planning for the area.***

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

- b Council recognises the significance of the proposed private investment in the Shire and the resulting potential for increased tourism and job creation.***
- 2 That a comprehensive briefing of the Councillors by the applicant and by staff be arranged as soon as possible and the applicant be requested to address the items mentioned in the Executive Summary of the GMUrban Design and Architecture report dated September 2006.**
- 3 That this matter be reported back to Council no later than 31 March 2009.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, VINCENT, WEBSTER AND WYNN.

AGAINST: COUNCILLOR SYMINGTON.

### **INTRODUCTION**

Council has received a development application for the one of the key sites in The Entrance precinct. The subject site was identified in the preparation of The Entrance Strategy as a potential site for a key tourist resort development. In Development Control Plan 2005 Chapter 60 – The Entrance, Part 5 – Managed Resort Facilities, the site is identified as Sites 2 and 3.

The development application applies for the following development:

The 'eastern side' comprising six buildings of varying heights, setbacks and uses, as follows;

- |   |                       |  |
|---|-----------------------|--|
| 1 | El Lago (East)        | 9 storeys – tourist residential (84 apartments)                                      |
| 2 | El Lago (West)        | 8 storeys – convention centre and tourist residential (71 apartments)                |
| 3 | Waterfront Building   | 5 storeys – child care centre, retail and tourist residential (14 apartments)        |
| 4 | Quarter Deck Building | 9 storeys – laundry, gymnasium, pool, retail and tourist residential (51 apartments) |
| 5 | Piazza Building       | 4 storeys – retail and tourist residential (9 apartments)                            |
| 6 | Foreshore Building    | 5 storeys – amusement park, retail and tourist residential (8 apartments)            |

The 'western side' comprising eight buildings of varying heights, setbacks and uses, as follows:

- |   |                    |  |
|---|--------------------|--|
| 1 | Brentwood Building | 4 - 8 storeys – permanent residential (52 apartments) with roof terraces |
| 2 | Poolside Building  | 8 storeys – permanent residential (39 apartments) with roof terraces     |

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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3	Clifford Building	8 storeys – permanent residential (30 apartments) with roof terraces
4	Pinehurst Building	8 storeys – permanent residential (54 apartments) with roof terraces
5	Winter Garden West	8 storeys – retail and permanent residential (43 apartments) tourist residential (5 apartments) with roof terraces
6	Winter Garden East	4 storeys – residential (16 apartments) with roof terraces
7	Lakefront Building	4 – 6 storeys – retail and permanent residential (19 apartments)
8	Promenade Building	4 storeys – retail and permanent residential (1 apartment) tourist residential (13 apartment)
9	Proposed Tavern	2 storeys - commercial

#### **HISTORY**

Development Consent No 933/89 dated 2 September 1991, approved a 14 storey development known as Megatrend, which was not commenced and the consent has subsequently lapsed.

Development Application No 3239/03 (not dissimilar to the current application) was withdrawn by the applicant on 13 October 2004, following preliminary assessment by Council and the Design Review Panel (DRP). The applicant was provided with the detailed concerns of Council to be addressed prior to the submission of any new application. The major issues identified were:

- Report addressing SEPP 10 – Retention of Low- Cost Rental Accommodation;
- Amended plans/additional information addressing the concerns raised by the Regional Traffic Committee and Council's Transportation Engineer and Development Engineer;
- Amended Heritage Impact Statement to address Clauses 32 and 35 (including plans and photographs) addressing impact of proposed development on the listed item;
- Detailed elevations to address Clause 42B and 42CA (indicating finished ceiling levels) addressing the height limitations and Profile 'D' to The Entrance Road West and Oakland Avenue, the heights of waterslides, rides proposed, plus a survey plan indicating natural ground level;
- Flora and fauna report addressing trees along the southern boundary;



26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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- Amended Vegetation Management Plan to provide larger setbacks to Norfolk Island Pines and trees along the southern boundary;
- Amended shadow diagrams (reference to winter solstice) and addressing solar access of private open space (balconies) and overshadowing of adjoining properties;
- Amended plans to resolve privacy issues between buildings proposed on-site and to common boundaries;
- Amend application with regard to energy efficiency, poor solar access for many units and poor water sensitive urban design;
- Amend Statement of Environmental Effects to provide 'Safer by Design' report, especially given the large scale carparks with a transient population utilising them and the public nature of the theme parks and retail/consumer areas;
- That the Social and Economic Impact Assessment be amended to address the impact of the proposed development upon The Entrance commercial district;
- That details of the proposed tavern be forwarded to Council, addressing matters such as servicing, hours, dining, Building Code of Australia issues and a 'social impact statement';
- The submission of an acoustic report;
- Report regarding isolation of No 5 Oakland Avenue and No 9 The Entrance Road West;
- Details of what is proposed on No 11 Bent Street, The Entrance; and
- Strategies for public access to the Mall via the Coral Street Car Park and to the proposed Manning Road Carpark.

#### **CURRENT APPLICATION**

The applicant's consultant discussed the current application as a preliminary item with Council officers, Councillors and the DRP. The current development application was lodged on 29 October 2004. The following list is a brief outline of Council's actions since lodgement:

Meeting: 4 November 2004 – Landscaping workshop

Meeting: 8 February 2005 – Hunter Regional Development Committee (HRDC) – traffic

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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Meeting: 16 February 2005 – SEPP 65 DRP

Letter: 22 April 2005

The following issues were raised:

- traffic (including the minutes from the HRDC meeting)
- site remediation
- SEPP 65 – DRP comments
- assessment under WLEP 1991 (flooding, heritage, requirements for The Entrance)
- assessment under Chapter 14 – Trees
- assessment under Chapter 60 – The Entrance (setbacks, solar access, communal and private open space)
- assessment under Chapter 61 – Carparking
- assessment under Chapter 69 – Waste Management
- groundwater
- water and sewer
- stormwater
- acoustics
- landscaping

A response was received in June and a meeting was arranged to discuss the information submitted.

Meeting: 21 July 2005 – HRDC - traffic  
The issue of the duplication of the bridge was raised.

Development Management Panel Meeting of 25 July 2005 resolved:

*“That the application be deferred pending an offer to the applicant to discuss the application with the Ordinary Meeting of Council to give the applicant every opportunity to address the application and explore all issues in relation to the site.”*

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26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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*Issues to be addressed:*

- *The proposed development has failed to address the concerns raised by the HRDC with regard to the duplication of The Entrance Bridge;*
- *The proposed development failed to adequately address the design principles stated within State Environmental Planning Policy (SEPP) No 65 – Design Quality of Residential Flat Development;*
- *The proposed development has failed to satisfactorily address Wyong Local Environmental Plan 1991(WLEP), Clauses 9 and 10 – Zones, objectives and the development control table, with regard to two of the objectives of the 2(g) Residential Tourist Zone, being the detrimental impact upon the adjoining zones and that the development is not in context with the locality;*
- *The proposed development has failed to satisfactorily address WLEP 1991, Clause 19 - Development near lakes, rivers and creeks or Clause 23 - Flood prone lands;*
- *The proposed development has failed to adequately address WLEP 1991, Clause 29 - Services, in that the applicant needs to reach agreement with the service providers of the existing services in The Entrance Road West and Oakland Avenue, prior to any sale proceeding;*
- *The proposed development has failed to satisfactorily address WLEP 1991, Clause 32 - Development of heritage items, in that the submitted heritage report has failed to assess the impact on the proposed development upon the listed heritage item;*
- *The proposed development exceeds the restricted height limits and has detrimental impacts upon adjoining residential properties, as a direct result of the reduced setbacks and excessive height of buildings on the western side of the site, contrary to WLEP1991, Clause 42B - Development principles in Zone No's 2(c) and 2(g) – The Entrance;*
- *The proposed development exceeds the restricted setbacks/profile along the Entrance Road West and Oakland Avenue, contrary to WLEP 1991, Clause 42CA - Setbacks for certain buildings fronting The Entrance Road;*
- *The proposed development has failed to adequately address all the trees upon the subject site, including those to be retained (Norfolk Island Pines) and those to be removed (Melaleucas and Norfolk Island Pines), contrary to the requirements of Development Control Plan (DCP) 14 - Tree Management;*

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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- *The proposed development fails to comply with the following requirements of DCP No. 60 - The Entrance: height; overshadowing; privacy; energy efficiency (including water recycling); stormwater; traffic noise; fencing; pedestrian access (restricted to certain hours, utilising security and barriers); utility services; roof treatment and view sharing;*
- *The proposed development fails to comply with the following requirement of DCP No .61 - Carparking: manoeuvring;*
- *The proposed development fails to comply with the following requirements of DCP No. 64 - Guidelines to Medium and High Density Residential Development: setbacks; private open space; communal open space; and solar access;*
- *The proposed development is likely to have detrimental impacts upon the surrounding locality, with overshadowing and privacy concerns to residents in Manning Road and Clifford Street, plus the resultant traffic noise in Clifford and Bent Streets;*
- *The subject site is deemed unsuitable for the proposed development, in that it is deemed to be an overdevelopment of the site, due to the excessive excavation, excessive height, non-compliance with setback provisions, the likely detrimental impacts with regard to overshadowing, privacy, amenity, noise, groundwater, stormwater (overland flowpaths) and vegetation.*

Letter: 1 August 2005 – outlining the issues raised by the Development Management Panel (DMP).

Letter: 3 August 2005 – Further letter regarding the need for bridge duplication.

Meeting: 12 August 2005 – With Senior Management and the applicant's consultant team to work through the issues remaining with the application.

Letter: 18 August 2005 – legal advice Abbott Tout Lawyers regarding the operation of Profile D.

Meeting: 10 October 2005 – Meeting between the RTA, Council and the applicant's consultants.

Meeting 14 November 2005 Ordinary Meeting of Council – The application was reported to DMP for refusal where it was resolved:

*“That the application be deferred at this time for further discussion between the owner Mr John Klumper and the General Manager.”*

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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Meeting: 29 November 2005 – Further meeting with Senior Management, including the General Manager and the applicant's consultants to discuss the issues reported to DMP. Mr Klumper did not attend.

Facsimile: 6 December 2005 – Council provided to the applicant a clear list of outstanding issues to be addressed and the suggested way forward to resolve the matters.

The issues included;

- The Entrance Bridge duplication
- LEP Provisions
- Heritage
- SEPP 65 and the internal amenity of the development
- Impacts on adjoining development
- Impacts on groundwater and flooding
- Lowering of Bent Street (infrastructure)
- Acoustics
- Easement
- Car parking

This correspondence also included advice from an independent urban designer regarding the correct interpretation of the design controls under SEPP 65.

Following this advice a series of meetings were held with Council staff to resolve each of the ten issues through January 2006.

Several further meetings were held in February where sketch plans were discussed, these were also considered by DMP which was of the opinion that the primary issues with the development remained and the sketch plans should not be progressed for submission to Council. This was communicated to the applicant.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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DMP 10 April 2006. The Panel's recommendation was:

- "1 That the application be referred to Council recommending:
- a That the application be referred to the General Manager for determination having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues with an indication that based on the information available to it, Council favours refusal of the application subject to appropriate reasons for refusal.
  - b That the Ordinary Meeting of Council endorse the reasons for refusal contained in the schedule attached to the report should Council determine to refuse the application.
  - c That those who made written submissions be advised of the decision."

- Report finalised for Council mid 2006.
- Report held in abeyance to allow an independent review of the design by a Panel of urban design experts.
- Notification of Panel appointment by applicant 2007.
- 21 November 2007 - Meeting with Councillors.
- Legal advice requested regarding the operation of "Profile D" and whether it acts to prohibit the development.
- 27 February 2008 amended plans received by applicant connecting intrusion into "Profile D".
- March – May ongoing discussions between applicant's solicitors, Council and Council's Solicitors.
- 23 May 2008 – final advice provided from HWL indicating that the amended plans are no longer prohibited by Wyong LEP 1991.
- Council considered a Notice of Motion at its meeting held on 23 April 2008 regarding the site and it was determined that due to the number of Councillors who felt they had a conflict of interest, no quorum was available to determine the application. As such, the application was held in abeyance.
- 29 July 2008-29 August 2008 re-notification of the application (extended period until 30 September 2008).

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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### **CURRENT POSITION**

It is clear from the preceding that Council has had ongoing discussion with the applicant and his consultants for a number of years. Following a meeting in late November 2005 between senior management and the applicant, a concise and specific list of issues was provided to the applicant to enable amendments to be made to the proposal. Included in this advice was a report by an independent urban designer on the interpretation of the urban design controls under SEPP 65.

Prior to the application being considered by Council, it was deferred at the applicant's request to allow a comprehensive redesign of the proposal to address Council's concerns. This intent has not been enacted as the amended plans failed to resolve or address the major issues.

The significant issues that remain with the application are listed below and are discussed in greater detail in the body of the report:

- Major Issue:* SEPP 65 and the Internal Amenity of the Development
- Major Issue:* Consideration of the Heritage Item in the site's redevelopment
- Major Issue:* Impact of Acoustics
- Major Issue:* Impacts of Lowering Bent Street
- Major Issue:* Duplication of The Entrance Bridge
- Major Issue:* Provision of adequate parking
- Major Issue:* Pedestrian access through the site to the Foreshore and the future Manning Street carpark.
- Major Issue:* The road access to the site.
- Minor Issue:* Servicing of the development, especially the Tavern in regard to delivery vehicles.
- Minor Issue:* Impacts on Vegetation
- Minor Issue:* Emergency vehicle access along the foreshore
- Minor issue:* Access provision for waste collection
- Minor Issue:* Location of sanitary provisions below ground.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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### **STATUTORY CONTROLS:**

#### **Environmental Planning and Assessment Act 1979 Section 91 Integrated Development**

The subject site is located within 40m of a natural watercourse (The Entrance Channel) and as such, the proposal is 'integrated development' with a referral having been forwarded to the Department of Natural Resources (DNR). DNR in correspondence dated 6 January 2005 provided its 'general terms of approval' under the *Rivers and Foreshores Improvement Act, 1948* and *Water Act, 1912*. The application was also referred to the Office of Conservation NSW Fisheries, now known as the NSW Department of Primary Industries (DPI) under the integrated development provisions of the EP&A Act 1979. DPI advised that as the work was wholly on land no permits were required, however, conditions were included to ensure the development would minimise any impact on the waterway.

#### **State Environmental Planning Policy No 11 – Traffic Generating Developments**

The provisions of SEPP No 11 apply to the development. It is noted that SEPP (Infrastructure) 2007 has since repealed this instrument, but does not apply to this application due to savings provisions.

The application is listed under various subclauses of Schedule 1: *(a) the erection of ... a residential flat building comprising 300 or more dwellings, (b) shops/retail > 2,225 m<sup>2</sup>, (n) ... any other development having ancillary accommodation for 200 or more motor vehicles;* and as such, required referral to the Hunter Regional Development Committee (HRDC). The applicant provided sufficient information for the application to be referred to the HRDC.

The HRDC met on 8 February 2005 to review the proposed development. The Committee raised a number of issues which were referred back to the applicant to address. On receipt of amended details, the proposal was referred back to the HRDC meeting of 26 July 2005 to review the proposed development.

The major issue arising from the HRDC considerations was allowance for the required road widening (previously not identified) associated with the lane duplication of The Entrance Bridge, which would result in the relocation of the south-eastern property boundary (by between 7–11m) along Wilfred Barrett Drive.

Following a meeting between the RTA, Council representatives and the applicant's consultants, this issue was understood to be resolved. In correspondence dated 4 November 2005 and following extensive negotiations facilitated by Council, the RTA agreed to the general concept in principle, subject to modifications, as discussed below.



26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

---

*"That the dimensions marked on that drawing to mark the "site boundary" being 14.590m at the southern end and 14.500m at the northern be amended to 14.590m at the southern end (no change) and 17.300m at the northern end. The 17.3m is made up of the 14.5m as shown on your drawing + 0.3m additional area required for construction clearance + 0.5m to avoid alteration to the existing bridge structure + 2.0m to allow for cyclists.*

*Please note that the connecting roadway between Bent Street and The Entrance Road required by Wyong Shire Council is to be constructed in the ultimate location and to ultimate levels.*

*An issue that will still need to be resolved is:*

*Provision for cyclists. The lifts alone are not acceptable and another access will need to be provided to The Entrance foreshore to and from the Bridge. This may be ramps or steps with a central ramp where cyclists must dismount to access the bridge/foreshore. Council will be requested to ensure that adequate area is set aside on The Entrance foreshore to enable these works."*

In subsequent discussions and meetings, the applicant's consultant demonstrated that the above concerns of the RTA could be resolved, though no final documentation regarding the pedestrian/ cyclist ramp/ lift has been provided.

#### **State Environmental Planning Policy No 55 – Remediation of Land**

The applicant's consultant, Hyder Consulting, has undertaken an Environmental Site Assessment, given the extent of the subject site and the various uses conducted over the years. Council's Environmental Protection Officer has reviewed the information and raises no objections, subject to the imposition of a condition of consent (if approval were granted) relating to compliance with the conclusions and recommendations of the Environmental Site Assessment.

#### **State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development**

The extent to which the proposed development complies with the design quality principles identified in this SEPP is outlined in the discussion below. It should be noted that the western side of the site is permanent residential and subject to the requirements of the SEPP, the eastern side of the site is tourist accommodation and is not applicable, however, the principles remain the same for both types of residential use. (A table indicating compliance with the core principles of SEPP 65 is included in Attachment 3 to this report.)

In accordance with SEPP 65, the proposal was considered by the DRP on 16 February 2005 and awarded a **D Recommend refusal**. The following comments were made:

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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### **DRP Comment**

*"D Recommend refusal based on:*

- A) *The absence of response to the Panel's recommendations of 9 June 2004, and the applicant's failure to take up the panel's offer of assistance to analyse the context and the site, or to develop a preliminary massing model;*

*The following recommendations were made by the Panel following the preliminary review.*

- *Detailed site and context analysis drawings including plans, sections and elevations indicating the character of the site. This should be a fine grained analysis indicating existing features, attributes and connections to adjacent sites. The Residential Flat Design Code outlines the key components of an analysis;*
- *Draft design objectives which flow from the above analysis;*
- *The proposed programme of uses and gross areas for the site (diagrammatic and/or written form);*
- *Current aerial photos and topographical information of the site and its context;*
- *Existing tree survey and Arborist report identifying primary and critical root zones.*

- B) *The following comments from the presentation on 16 February 2005.*

### **Context:**

- *The development deliberately turns away from its context and creates its own internal reality. The Panel feels this is the wrong approach.*
- *There is inadequate recognition of the clear physiographic constraints of the site. The land is low lying, close to sea level and vulnerable to inundation. The proposed resort development significantly modifies the landscape, not only excavating into marine silts and sands but also generating landfill. The ecological and hydrological impacts of this extractive exercise are unknown."*

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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### **Councils Response**

While the locality is undergoing transition at the present on adjoining sites, the proposed development does not represent good urban design contributing to Council's identified future character.

The lack of building separation (internally and externally) detracts from the amenity of the development and contributes to its excessive bulk and scale.

The development removes significant stands of vegetation and does not adequately address the impacts on the iconic vegetation of the foreshore.

The design does address the street, with tourist/retail activities to the street frontage, however there are significant aspects on the western side of the proposal which internalise the site, failing to contribute to the public realm.

The proposed design will change the sense of place of the precinct to such an extent that the existing character will be lost.

### **DRP Comment**

#### **"Scale:**

- *The Panel believes that an 8/9 storey height is excessive. The applicant has not demonstrated that 8 storeys are appropriate or acceptable for this site in terms of views from the lake and surrounding catchment.*
- *Judging from the façade drawings it is apparent a 5/6 storey maximum height could produce a much more comfortable and harmonious built form outcome."*

### **Councils Response**

The bulk and scale of the proposal is not in context with the adjoining properties, resulting in detrimental impacts to existing and potential development. The non compliance with building separations diminishes the development rights of the adjoining properties. It is noted that the context will change in the future with adjoining properties being redeveloped; as such the consideration of the scale of the development will change over time.

The development has sought to maximise the building envelope, leading to detrimental overshadowing and amenity impacts both internally and externally.

The zero-lot line to the Clifford building on the western boundary is considered inappropriate.

There is no stated density identified for the site, but given the setback concerns and detrimental impacts, the current proposal is considered unacceptable.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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### **DRP Comment**

#### ***"Built Form:***

- *Building separation distances both between buildings on the site and between the proposed buildings on the site and future adjoining developments do not comply with the RFDC resulting in a visual and actual overdevelopment especially when viewed from the lake foreshore and the water.*
- *The current proposal does not accommodate sufficient views into and through the site from the public domain.*
- *Oakland Avenue should be retained as a public street at grade. The view corridor to the water must remain intact as existing from ground level upwards and not be obstructed by any built structures. The maximum intervention could be an avenue of native trees planted along the edges of the existing road corridor.*
- *Fundamentally missing is a clear logic to the design of the site, to the urban form and to the hierarchy of spaces and relationships between the public and private domains in these two large precincts. Circulation and building placement is confused and confusing, and relates to nothing in the surrounding suburban environment.*
- *The current building expression is distinctly institutional or corporate. The nature of this area as a residential and tourist resort precinct is not expressed in a way that is conducive to maintaining or improving the special natural and built characteristics of The Entrance and the Central Coast.*
- *Excavation of approximately 95% of the site to provide basement car parking is excessive.*
- *The many flat roofs proposed do not indicate any ESD provision/treatment."*

### **Councils Response**

Note: Many of the tourist apartments in the development do not achieve the minimum standards for permanent occupation. This includes inadequate solar access and undersized open space. These units will not be able to be converted to permanent residential. As such in reference to the whole site, the percentage of apartments achieving the three hours of sunlight is less.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

---

DCP 2005 Chapter 60 clearly identifies the importance of solar amenity and appropriate scale of design as a consideration in the determination of an appropriate density for the current proposal and the identification of appropriate development yield on the site. The current proposal results in less than 70% of permanent residential development achieving 3 hours of sunlight in mid winter. This is a major deficiency with the design of the site and is discussed further in the report. Similarly, the communal open space experiences significant overshadowing throughout the day. These facts, along with the concerns stated above regarding the bulk and scale of the development, indicate that the density of development proposed is excessive.

The zero-lot line to the western boundary is considered inappropriate.

While the building type is contemporary, the height proposed, lack of separation and reduced setbacks result in poor design and poor internal amenity, especially internal overshadowing, privacy and views.

The building design has a relatively poor northern orientation.

The upper level of units will benefit from views to Tuggerah Lake (northeast to northwest), which will contribute to the amenity and outlook of these units. However, a significant number of units will have views only of adjoining units in close proximity.

### **DRP Comment**

#### ***"Density:***

- *Visually too dense in bulk, scale, horizontality and height, lack of through views and urban form."*

### **Councils Response**

The proposed development comprises 15 buildings with a total of 509 units (254 permanent residential and 255 tourist), plus retail, conference centre, parking, recreation facilities and the like. Given the proposed amenity impacts and the lack of deep soil open space, the density is considered excessive and not sustainable (refer to the urban design comments in the enclosure).

### **"DRP Comment**

#### ***Resource Energy and Water Efficiency:***

- *The Panel recommends that this development should achieve self sufficiency in energy and water use."*

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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### **Councils Response**

The development does not demonstrate efforts to achieve any degree of self sufficiency in energy use or alternative energy generation (eg, solar).

The northeast – northwest orientation of the site should easily permit a minimum of 70% of units to achieve the required 3 hours of direct sunlight to their primary living space; however, only 66.14% achieve the requirement.

Shadow diagrams indicate that a number of adjoining dwellings in Manning Road will be detrimentally impacted.

The redesign has resulted in approximately 80% of the residential units now having adequate cross-flow ventilation. The development now complies with the cross ventilation objectives of the RFDC under SEPP 65.

Rainwater storage and re-use throughout the development has been documented to Council's satisfaction.

### **DRP Comment**

#### ***"Landscape:***

- *Provision of deep soil landscaped areas is inadequate because 95% of the site is covered with basement or road.*
- *The landscape area in the eastern site is unacceptable because it is 6m below natural ground level. (ie 2m below sea level).*
- *The Arborist report tabled assesses only eight trees. This is inadequate as there are many additional trees on the site and in the foreshore area. A survey must be carried out for the remainder of the trees on site. This report should categorise the significance of each tree so that the individual importance of each tree for retention can be assessed.*
- *The treatment of the foreshore reserve is confusing, dysfunctional, alien to the foreshore environment and potentially dangerous at night. It is overly complicated, variations in levels are unnecessary and difficult to negotiate, and it destroys the natural (landscape).*
- *The boardwalk is a barrier and would result in a visual and physical barrier to north/south pedestrian movement.*

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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- *The foreshore road should be maintained as a public vehicle access road and reconfigured to include a bicycle route connecting up with the round the lake cycle path (which should link over the bridge). Pedestrian circulation should remain as a simple, pleasant wide footpath along the lakeshore, and/or "normal" nature strip footpaths.*
- *The Panel is alarmed at the potential of privatisation of the entire foreshore area and its integration into the commercial shopping precinct of this proposal."*

#### **Councils Response**

A communal area of 2730 m<sup>2</sup> is required and has been provided, however, the quality of the communal open space is poorly proportioned and has unacceptable overshadowing at mid-winter.

Minimal area (500m<sup>2</sup>) for additional deep soil planting without basement below has been provided. The area to retain the Norfolk Island Pines is considered to be in addition to this area as its purpose is to maintain the health of these existing trees, rather than to provide opportunity for additional landscaping for the development.

The proposed landscaping does not positively contribute to the subject site. The development will result in the loss of the *melaleucas* along The Entrance Road West and may impact upon all the Norfolk Island Pines as a result of the groundwater issue. These impacts could be mitigated by conditions, but would require the development to maintain the existing conveyance of stormwater to the vegetation and undertake ongoing monitoring. Any impacts on vegetation will diminish the identity of the locality.

#### **DRP Comment**

##### ***"Amenity:***

- *The sunken semi public areas are poorly connected to surrounding streets.*
- *The development has a complete disregard for public through access and proposes to limit access after hours. The existing public link through Oakland Avenue is privatised, severing existing and direct public access to the foreshore."*

#### **Councils Response**

The proposal fails to comply with the requirements of the RFDC for building separation in numerous instances. Due to the lack of building separation, acoustic and visual privacy between units is compromised in a number of places in the design.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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As detailed in the preceding, due to the reduced distances between buildings, a large number of units will not achieve 3 hours of sunlight to their principal living areas.

### **DRP Comment**

#### ***"Safety:***

- *It appears fire and emergency access has not been considered.*
- *The proposal relies on a high level of security personnel. The Panel regards this as an outcome of a flawed design approach. Ideally, all opportunities for passive surveillance should be seized."*

### **Councils Response**

The majority of access will be via the basement carpark and hence the various lifts to the appropriate buildings.

Whilst the pedestrian movement across the site is defined, the individual buildings do not address these core circulation paths with clear entries to individual buildings, creating confusion, lack of safety and visual surveillance.

There is restricted public access through the development, with barriers (dining area in Oakland Avenue and foreshore boardwalk) designed to redirect pedestrian flows to the proposed commercial areas. Public access is to be further restricted between the hours of 10.00 pm and 8.00 am daily.

### **DRP Comment**

#### ***"Social Dimensions:***

- *The proposal creates a secure compound which alienates public access and potentially separates the community from this key waterfront site.*
- *When a project of this scale is being proposed, the public interest in maintaining a wide range of housing, recreation, shopping and cultural activity affordability levels is being jeopardised."*

### **Councils Response**

Housing mix in the permanent residential is poor with 0.3% one bedroom units (1), 23.2% two bedroom units (59), 70.8% three bedroom units (180) and 5.5% four bedroom units (14). The development fails to address the demographics of the ageing population of both The Entrance and Wyong Shire.



26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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The tourist accommodation provided on the eastern side of the site has provided for additional one bedroom units, which slightly improves the housing mix but these are not for permanent accommodation. The high number of existing vacancies in both residential and commercial units within The Entrance has been raised as a significant concern by the community in submissions received for the application.

The restriction of access to The Entrance Channel via Oakland Avenue reduces public access to this public area. Additionally, the proposal has walkways and dining areas positioned across the road, physically blocking access. Public access will be further reduced as a result of proposed security measures between the hours of 10.00 pm and 8.00 am daily.

### **DRP Comment**

#### ***"Aesthetics:***

- *No comment."*

### **Councils Comments**

The composition of the buildings and their orientation add to the visual bulk of the development. This is due to the fact that the development fails to create a rhythm of buildings with appropriate spaces between to allow a view through to the channel.

There are excessive balconies, exaggerating the horizontal perspective of many building façades.

The design dominates the surrounding visual catchment and may result in the loss of culturally significant vegetation on the foreshore of the lake.

### **DRP Comment**

***"In summary this proposal fails on all of the ten points in the SEPP.***

### **Councils Comments**

Council agrees it is apparent from the above that the proposed development does not sufficiently comply with the design quality principles stated under SEPP No 65 to warrant approval.

### **URBAN DESIGN**

Detailed comments provided by an independent urban design company are attached to this report, (See Enclosure 1).

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

#### **State Environmental Planning Policy 71 – Coastal Development (gazetted 1 November 2002)**

While the maps defining the coastal zone were gazetted after the lodgement of this application, SEPP 71 does not contain any savings provisions. As such, the application must be assessed in accordance with the SEPP.

Clause 8 lists relevant matters for consideration, all of which are discussed in Attachment 3. The application is considered to be inconsistent with following provisions of SEPP 71.

	<b>Matters for Consideration</b>	<b>Proposed</b>
A	The aims of the Policy as per Clause 2.	The development will have no detrimental impact in regards to achieving the aims of the Policy.
C	Opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability.	The site has extensive frontage to the foreshore and in its ultimate form will include the closure of Oakland Avenue. No provision has been made for a legible, clear pedestrian access to the foreshore. Council has been working with adjoining landowners to create a pedestrian link adjacent to the western boundary of the site to Council's proposed carpark in Manning Street. The applicant has been unwilling to provide a pedestrian link or adequate setbacks to the boundary to facilitate this. No new opportunities for access to the foreshore have been created.
D	The suitability of development given its type, location and design and its relationship with the surrounding area.	Whilst the site is zoned for high density, the design of the proposal, in particular its bulk, scale and site coverage, make it an unsuitable design response. The development significantly exceeds the density of development that Council has envisaged for the precinct and results in a poor relationship to both the public street and foreshore.
E	Any detrimental impact that development may have on the amenity of the coastal foreshore, including any significant overshadowing of the coastal foreshore and any significant loss of views from a public place to the coastal foreshore.	The proposed development will not overshadow the public foreshore area; however, it will result in the loss of views from public places. The proposed development will limit the views of The Entrance foreshore from surrounding sites, due to both its density and the bulk of development.
F	The scenic qualities of the New South Wales coast, and means to protect and improve these qualities.	The proposed building will detract from the sense of place and character of the precinct, and will not add to the scenic quality of The Entrance.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

	<b>Matters for Consideration</b>	<b>Proposed</b>
p(i)	The cumulative impacts of the proposed development on the environment.	The site has an excessive site coverage reducing the deep soil areas available for groundwater recharge. The applicant has failed to provide documentation demonstrating that the proposed development would not have a detrimental impact on the environment, specifically with regard to Norfolk Island Pines, groundwater and flooding.
p(ii)	Measures to ensure that water and energy usage by the proposed development is efficient.	Water collection and re-use is proposed, but only 66.14% of the permanent units have satisfactory solar access.

#### *Clause 14 Public access*

*A consent authority must not consent to an application to carry out development on land to which this Policy applies if, in the opinion of the consent authority, the development will, or is likely to, result in the impeding or diminishing, to any extent, of the physical, land-based right of access of the public to or along the coastal foreshore.*

The total development proposal includes the closure of the northern end of Oakland Avenue and a 10 metre wide strip of The Entrance Road West along the frontage of the subject site. Council proposes in conjunction with the development, to 'traffic control' (close) the remaining portion of The Entrance Road West fronting the development to create a pedestrian mall in the future. This would be an extension of the current Entrance Mall east of the bridge, allowing it to continue through to Picnic Point Reserve to the west of the site. It is argued by the applicant that the pedestrian mall will increase public usage of the coastal foreshore.

The development application proposes works in Oakland Avenue will become part of the internal serviced part of the site. These areas are proposed to have restricted access at night.

No provision has been made for a legible, clear pedestrian access to the foreshore. Council has been working with other applicants to create a pedestrian link adjacent to the western boundary of the site to Council's proposed carpark in Manning Street. The applicant has been unwilling to provide adequate setbacks to the boundary to facilitate this.

While the closure of the roads will reduce vehicle access to the area, the proposed development will replace the northern end of Oakland Avenue with a slip road along the eastern boundary of the site (adjoining Wilfred Barrett Drive) to retain vehicle access to both The Entrance Hotel and the recreational boat hire operator. Additionally, a large number of public car spaces will be provided within the basement carpark of the development, to which access to the foreshore will be provided via stairways and lifts.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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### *Clause 15 Effluent disposal*

*The consent authority must not consent to a development application to carry out development on land to which this Policy applies in which effluent is proposed to be disposed of by means of a non-reticulated system if the consent authority is satisfied the proposal will, or is likely to, have a negative effect on the water quality of the sea or any nearby beach, or an estuary, a coastal lake, a coastal creek or other similar body of water, or a rock platform.*

The subject site is seweraged and as such, no effluent is likely to enter the coastal lake.

### *Clause 16 Stormwater*

*The consent authority must not grant consent to a development application to carry out development on land to which this Policy applies if the consent authority is of the opinion that the development will, or is likely to, discharge untreated stormwater into the sea, a beach, or an estuary, a coastal lake, a coastal creek or other similar body of water, or onto a rock platform.*

The proposed development will re-use a percentage of water through the site and only discharge treated stormwater to the coastal lake.

### **State Environmental Planning Policy – State Significant Development 2005 (gazetted 25 May 2005)**

The development application was lodged with Council 29 October 2004, and as such, the Policy does not apply.

### *Clause 14 Transitional provisions*

- (1) *This policy does not apply to or in respect of the determination of a development application that was made, but not finally determined, before the commencement of this Policy.*

### **State Environmental Planning Policy – Major Projects 2005 (gazetted 30 September 2005)**

This SEPP replaced State Significant Development 2005 (above) and given the development application was lodged prior to 30 September 2005 and was not State significant development, as the Policy did not apply, this Policy does not apply.

### *Clause 14 Transitional provisions*

- (1) *If, immediately before the commencement of this Policy on 25 May 2005:*

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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- (a) *a development application in respect of any development had been made but not finally determined, and*
- (b) *the development was not State significant development, this Policy (as in force on that commencement) does not apply to or in respect of the determination of that development application.*

#### **Wyong LEP 1991**

##### *Clause 10 – Zone objectives and development control table*

The subject site is zoned 2(g) Residential Tourist Zone and the objectives of the zone are:

- “(a) to encourage residential development of various types primarily intended to accommodate tourists and visitors..., and*
- (b) to accommodate other types of development which complement tourist uses, and*
- (c) to ensure that tourist development does not significantly adversely impact on the amenity of residential areas in adjacent zones, and*
- (d) to ensure that the scale and function of tourist development is appropriate in the context of the form of development which might occur in the zone for tourist purposes.”*

The proposal has not satisfactorily addressed objectives (a) (c) and (d), which are discussed later in the report. The contextual fit of the development is one of Council's key concerns with the proposal.

In addition, the retail component forms a significant part of the proposal. The retail premises/use is otherwise prohibited in this zone unless the use is ancillary to tourist accommodation/development. Given the size of the proposed retail use, it appears, this use is much more than being just ancillary and therefore not permissible unless there is a significant reduction in its proposed size ie, floor area.

##### *Clause 15 – Development on land containing acid sulphate soils*

The subject site is indicated on the Acid Sulphate Soils Planning Map as being Class 2 and 3 and as the proposal includes a two level basement carpark, the applicant was required to address the requirements of subclause 4, and submitted a preliminary assessment in accordance with the Acid Sulphate Soils Assessment Guidelines. Council's Environmental Protection Officer has reviewed the information and raises no objection; subject to the imposition of a condition (should consent be granted) relating to compliance with the conclusions and recommendations of the Assessment.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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### *Clause 19 – Development near lakes, rivers and creeks*

The subject site is located less than 40m from The Entrance Channel and this clause requires consideration of the impact of the development on water quality and quantity, the effects on water supply, detrimental impacts on the watercourse through erosion or sedimentation and whether the development incorporates best practice water sensitive urban design techniques. Concept plans indicate two gross pollutant traps be located downstream of the development, but Council would require modifications to this system to include additional water quality facilities.

### *Clause 23 – Flood prone lands*

The subject site is flood affected, with the majority of the retail area proposed below the 1 in 100 year flood level (2.2mAHD). The application proposes to control flooding from the lake/channel via a landscape levee, along the 10 metre section of The Entrance Road West frontage being set at RL 2.7mAHD. This levee would be required to be continuous across the frontage of the site and divert water into the adjoining public streets at each end. Such a levee, dependent on design, may reduce pedestrian movement in the reserve.

The applicant has also attempted to address the impacts that local flooding/overland flows in Oakland Avenue and Bent Street will have on the development. The documentation and plans originally provided failed to satisfactorily address this issue; however, with appropriate conditions, Council's concerns regarding the inundation of the basement car parks, tourist units and other facilities (child care centre and amusement centre) and the need for evacuation in a flood event could be resolved. The lowering of Bent Street and the impacts upon services and access issues for properties on the opposite side of the street remain unresolved.

### *Clause 29 – Services*

The subject site is serviced with water and sewer. The proposed lowering of Bent Street (500 mm) by the applicant's hydrological engineer in an attempt to redirect overland flows, cannot be agreed to at this stage, given no documentation has been received with regard to the services (water and sewer) located within the road reserve, and whether they are able to be relocated.

There is significant infrastructure located within the road reserves with both Energy Australia and Agility (Gas) having objected to the likely impact of the proposed development upon their infrastructure. The applicant has failed to obtain agreements from the service providers with regard to the proposed development and the purchase of The Entrance Road West frontage (10.0m wide) and the designated portion of Oakland Avenue.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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### *Clause 32 – Development of heritage items*

The subject site contains a listed heritage item of local significance at Lot 2, DP 571197 (western corner of The Entrance Road and Oakland Avenue).

A heritage impact statement was provided with the SEE, prepared by City Plan Heritage dated November 2004. The statement simply refers to the architectural plans, stating that it is proposed to convert the building to a tavern. There will also be adjoining retail development to the south (upper ground level), tavern extension and residences (Level 1), residences (Levels 2 and 3), plus large open balcony (west) and adjoining 'winter garden'.

Council engaged its own heritage consultant to review the proposed development and its impact on the significance and fabric of the heritage item. He concluded that *"this is a very large site and substantial opportunity exists for retention of the building in a meaningful form, with original detail and viable setting."*

Extracts from his assessment are included below:

#### *Significance:*

*"The site formed the north eastern corner of lands developed in 1903 as Pinehurst Guesthouse by Mr A C Taylor, son of The Entrance pioneer R B Taylor. The guesthouse reflected the low cost seaside aspirations of early tourism at The Entrance. Pinehurst comprised a core building located to the west of the subject building, with 'gunyahs' (essentially sophisticated camping structures) between this core building and the subject building.*

*This analysis is supported by a review of the fabric of the current building which suggests that the lightweight infill in the western side of the building may relate to previous openings to serve provisions to the adjoining 'gunyahs'. As such, much of the significance of the building relates to its context, setting and relationship to the adjoining open space that formed the camping grounds. There is no clear evidence in the application that the proposal will retain sufficient detail or setting of the building for this to be considered an acceptable form of conservation."*

#### *Impacts of proposed development on the fabric of the building:*

*"The proposed development retains little of the building beyond elements of the principle street façades and a reconstruction, in altered form, of the existing roof profile. This will result in just the external skin of the façade being retained with the conversion of the building resulting in the demolition of the roof, interiors, shopfront windows and awning. The interiors of the building especially are important to the significance and character of the building.*

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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*Given the proposed excavation underneath the building for basement works (toilets, storerooms and carpark), it is questionable whether the fabric of these façades will survive the demolition/construction phases of the development.*

*To the south of the existing building there is proposed a four storey contemporary building (retail/residential building) abutting the heritage item. The building is not sympathetic and instead seeks to contrast with the heritage item”.*

As discussed earlier in the report, a meeting was held on 13 January 2006 between the applicant's consultant, applicant's heritage consultant, Council's heritage consultant and Council staff to discuss the impact.

It was agreed at the meeting that:

- 1 There would be no excavation beneath the heritage item;
- 2 That the main building would be retained (additions to be removed); and
- 3 Further discussions take place with the applicant's architect to resolve what was appropriate with regard to development sympathetic to the heritage item.

Council's Heritage Consultant's assessment of the current plans is enclosed. In conclusion he states *'as the applicant appears to have substantially ignored previous recommendations and not provided alternative options which maintain and enhance the heritage significance of the listed item, the current application is not supported.'* Council concurs with this assessment.

#### *Clause 42B – Development principles in Zone No 2(g) – The Entrance*

Subclause 1 relates to the building height map, which generally permits a 12 metre building height around the street frontages and a central core height of 24m. A review of the proposed building heights with reference to an incomplete survey plan indicates that the development meets the building height requirement.

In order to achieve compliance with the height restriction the proposal has been detrimentally amended with the floor to ceiling heights reduced from 2.7m to 2.4m. While the restrictive nature of the height is noted, the size of the subject site should be ample in order for the applicant to not have to squeeze units into the designated envelope, in order to achieve a desired density. This reflects Council's position that the proposal is an overdevelopment of the site.



26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

---

Subclause 8 states: *"The objective of this clause is to facilitate the construction of larger scale buildings on amalgamated land parcels in a form that is consistent with the natural topography of the land, and where it can be demonstrated to the Council's satisfaction that the potential impacts associated with such development would be within acceptable limits."*

The proposal has not satisfactorily addressed subclause 2, in that the proposed development has clear impacts (beyond acceptable limits) upon the existing dwellings in Manning Road and to units within the development.

The proposal has not satisfactorily addressed the requirements within subclause 6 with regard to the overshadowing impact of adjacent residential areas, future neighbourhood character, roof structure and various design matters stated within the related development control plans, issues which are supported by the comments of the SEPP 65 – DRP.

#### *Clause 42CA – Setbacks for certain buildings fronting The Entrance Road*

The intent of the profile restriction is to provide guidance on the maximum building line permitted along these road frontages, to ensure that buildings maintain a suitable scale to a pedestrian precinct. Profile D is applicable to the subject site along The Entrance Road West and extends along Oakland Avenue.

Council, in its assessment of the application, raised the issue that the proposed dining/retail area in Oakland Avenue, contravened this clause and that those structures should be removed, as Council has no power to vary the profile, as per subclause 2.

An opinion was sought from Council's legal advisers with regard to the operation of the building profile along Oakland Avenue, as the development envisages that the extent of Oakland Avenue through the site will be closed after the development is determined, recent amendments to the plan have removed this encroachment.

#### *Clause 68 – Managed resort facilities – The Entrance*

This clause specifically states that the subject site permits a managed resort, meaning *"... an establishment providing for holiday accommodation or recreation and may include permanent accommodation, entertainment facilities, recreation facilities, a boat shed, boat landing facilities, a general store, convention facilities, holiday cabins, a hotel, house boat facilities, a marina, a motel, restaurants, tourist shops ancillary to the establishment or a club used in conjunction with any such facility."*

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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Additionally, subclause 4 states that Council may consent to the use for permanent residence of up to 75% of the accommodation provided by the managed resort facility. With 254 permanent residential units proposed from the total 509 units, this equates to 49%, well below the stated maximum. However, the application is likely to be staged, with either the eastern or western sites being developed separately. If the western site was developed first, then all the residential units would exceed the stated 75% requirement and the western site could be completed and the eastern site never commenced.

If consent was able to be granted, Council would need to appropriately condition the consent, to ensure that the development complied at all times with the provisions of Clause 68, which may require a condition stating that a certain number of units on the western side be utilised for tourist accommodation in the short term, if that side of the development was developed first, or a similar restrictive covenant. Additionally, any future retail uses would need to demonstrate consistently with this clause to ensure permissibility.

### **COUNCIL DCP 2005 AND RELEVANT COUNCIL POLICIES:**

The proposed development is required to comply with the requirements of the following Chapters within Council Development Control Plan 2005 and relevant policies.

#### **Chapter 14 – Tree Management**

Whilst this Chapter has not been addressed in the submitted Statement of Environmental Effects (SEE), a landscape plan and report have been submitted. The report fails to satisfactorily address existing trees located on-site, including the *melaleucas* along The Entrance Road West frontage that are proposed to be removed.

Council originally raised concerns regarding the potential impacts of the development on the Norfolk Island Pines located both on-site and along the foreshore, especially the potential impact that the excavation works, and changes to the groundwater regime that will result from the development. It is felt that these trees have cultural and iconic significance to The Entrance foreshore and Council needs to be assured that they are able to be maintained and protected both during and after the development of the site. This could be resolved by detailed conditions requiring the maintenance of groundwater conveyance, ongoing monitoring and protection during construction.

#### **Landscape Policy No L1**

The proposal requires the submission of a Category 3 landscape plan and design report. Both were submitted with the report and plans provided sufficient detail, including proposed planting in reconstituted soil.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

The comments of the SEPP 65 – DRP have been addressed in the further submission from the consultant, refuting issues regarding deep soil planting and stating that on-slab planting will be suitable to ensure the long term success of this landscaping. However, the revised information has failed to address the issue of below ground landscaping and the boardwalk barrier to north/south pedestrian traffic.

With regard to the *melaleucas* along the Entrance Road West frontage, the landscape architect has stated "... *there was limited ability to keep the stand intact and to create a vibrant retail frontage at this most westerly portion of the newly activated foreshore.*"

As stated earlier in the report, Council remains concerned about the removal of the *melaleucas* and the long term health of the Norfolk Island Pines on the foreshore.

#### **DCP 2005 Chapter 64 – Multiple Dwelling Residential**

The primary urban design controls for development are included in the following table. All the remaining relevant provisions of Chapters 60 and 64 to the proposal are tabulated in Attachment 3.

<b>Aspect</b>	<b>Proposal</b>	<b>Complies</b>
<b>Site and Local Context Analysis</b>	Information submitted is inadequate and does not include an opportunity and constraints analysis. Council does not concur with the contextual analysis that initiated the design.	No
<b>Compatibility with the objectives of the zone</b>	The proposed residential flat building is inconsistent with the objectives of 2(g) zone namely:  (a) Primarily intended a) to encourage residential development of various types primarily intended to accommodate tourists and visitors and not exceeding a height of 3 storeys (except as otherwise provided for in clause 42B), and  (c) <i>to ensure that tourist development does not significantly adversely impact the amenity of residential areas in adjacent zones and</i>  (d) <i>to ensure the scale and function of tourist development is appropriate in the context of the form of development which might occur in the zone for tourist purposes.</i>	No
<b>Building Height</b> 12-24m as indicated on Building Height Map (WLEP)	Site area = 33,824 m <sup>2</sup>  WLEP D Profile: this is exceeded in Oakland Avenue. This provision is not able to be varied by Council.	Yes  No

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

<b>Aspect</b>	<b>Proposal</b>	<b>Complies</b>
<b>BUILT FORM</b> Respond sensitively to context in terms of scale, functionality and sustainability.	The scale of development is not consistent with either the objectives of the zone or the surrounding buildings. The internal design of the western site is considered poor with regard to building separation and solar access.	No

<b>AMENITY</b>			
<b>Open Space Objectives</b>	To provide residents with both active and passive recreational opportunities	No the majority of the communal open space is traversed with various ramps and walkways, limiting its usability.	No
	To allocate an area on site that enables soft landscaping as well as deep soil planting.	Some areas of deep soil are provided, although little landscaping with significant trees is proposed.	No
	To ensure that communal open space is consolidated, configured and designed to be usable and attractive.	The main consolidated area of communal open space is utilised for the pool, leaving little quality open space that achieves sunlight for recreation.	No
	To provide a pleasant outlook.	Many balconies will achieve reasonable ocean views	Yes
<b>Private Open Space</b>	10m <sup>2</sup> with min. dimension 2.0 m, directly accessible from living areas.	Western site - permanent residential The southern end units on Lakefront (4 floors) and Pinehurst do not meet the requirements.	No
<b>Solar Access</b>			
All units to have minimum three hours between 9.00 am and 3.00 pm mid-winter to 75% of required private open space	There is poor solar access for many of the permanent residential units (33%) and there is extensive overshadowing of the communal open space area from the Wintergarden, Promenade and Pinehurst buildings.		No
<b>Privacy</b>	Due to the lack of separation between buildings, there are numerous instances where there are both visual and acoustic privacy concerns.		No
<b>Acoustic Privacy</b>	Due to the lack of separation between buildings, there are numerous instances where there are acoustic concerns. Additionally, the design and location of the convention centre, directly across the road from residences in Bent Street remains unresolved		No

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

<b>Aspect</b>	<b>Objective</b>	<b>Proposal</b>	<b>Complies</b>
<b>Views</b>			No
Minimise loss of views.	The development presents a wall of buildings blocking the views of both potential and existing development surrounding the site. Many public vistas will be obscured.		No
Public views and vistas retained.			No
<b>Streetscape</b>		Development does not enhance streetscape character, and will dramatically change the sense of place of the locality	No

#### **DCP 2005 Chapter 60 – The Entrance**

Those issues applicable under Chapter 60, which have not been addressed above are discussed in the following table.

<b>Aspect</b>	<b>Proposal</b>	<b>Complies</b>
<b>Overshadowing</b>	The resort courtyard (eastern side) is below natural ground level and would be overshadowed as would lower level apartments and some south facing units. Although they are not for permanent residential use, they should still experience high amenity.	No
Avoid unreasonable reduction in solar access.	The communal courtyard (western side) is below natural ground level and would be overshadowed. Many units are either overshadowed by other buildings on-site or are overshadowed by their own building (specifics listed below).	No
Required open space is to have a minimum of 3 hours of continuous and unobstructed sunlight.	Significant impact to No's 14–26 Manning Road, due to the height and setback of the Brentwood, Poolside and Clifford buildings (specifics listed below)	No
<b>Critical Design Considerations</b> -Intrusiveness of the development? -Compatibility with broader urban context (existing and future) - Human scale	The proposed development does not represent good urban design and does not contribute positively to Council's identified future character.  A number of specific concerns have been raised by the SEPP 65 – DRP in regard to the buildings contextual fit (comments above).  An independent urban designer has reviewed the application and concluded that: <i>The design standard of the development in terms of its massing, open space, connectivity, sense of address and architectural expression is poor.</i>	No
<b>Maritime Design Theme</b>	The proposed development addresses the concept of a Maritime theme	Yes
<b>Pedestrian Access</b>	Minimal links provided along The Entrance Road and no link provided through to the future Manning Road carpark.	No

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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### **DCP 2005 Chapter 69 – Site Controls for Waste Management**

A report has been submitted with the application, as required by the Chapter and addresses the ongoing requirements for the site. The plans indicate a large garbage collection area within the eastern and western components of the site, with all servicing to occur within the basement levels.

Council's Waste Management Co-ordinator is supportive of the proposal; however, the current plans still indicate that the access grades proposed for all service vehicles still do not comply with AS2890.2 and need to be modified prior to the determination of the application. The ramp transitions need to be amended to resolve this issue and this may require amendments to the floor levels of the basement.

### **DCP 2005 Major Variations**

#### *Solar Access and Amenity*

At the meeting with the applicant in July, negotiations were undertaken regarding the requirements for solar access to the apartments. Council's standard requirements for permanent residential apartments is that 100% of the units receive three hours of direct sunlight to the private open space (balcony) of the unit in mid-winter. In negotiation with the applicant, it was resolved that Council, in order to progress the application, would take the lesser requirements of the Residential Flat Design Code (RFDC) as the benchmark for this development. The RFDC requires only 70% of units to receive the minimum three hours of direct sunlight to their living areas between 9.00 am and 3.00 pm in mid-winter.

The applicant undertook a solar analysis of the permanent residential apartments on the western portion of the site. The diagrams are taken as being accurate, but a review of the analysis undertaken by the consultant has indicated some errors, amending their conclusion that resulted in 168 of 254 units complying = 66.14%. Council's review of the application and the analysis revealed the following errors:

- The applicants review is based on 182 units however the plans detail 181 permanent residential units.
- A detailed review of the tabulated results also revealed discrepancies in the identification of units that received three hours of sun, with some units receiving less than this benchmark being counted as compliant. The affected unit is in the Brentwood building, ground floor unit G.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

---

- A detailed review was then undertaken of the projected vertical shadow elevations. A number of units were then excluded due to insufficient sunlight access to the primary windows of the living space, ie less than 50% of the glass area.

These units were:

Clifford Building:	Ground level Unit B Level 1 Unit B Level 2 Unit B
Poolside Building:	Level 5 Unit B
Brentwood Building:	Ground level Unit B Ground level Unit E Ground level Unit H Level 1 Unit H Level 2 Unit H
Pinehurst Building:	Level 2 Unit F Level 3 Unit F

Once these units are removed, 168 units out of 254 achieve three hours of sunlight (66.14%). This indicates that the applicant has failed to address the agreed bench mark of 70% of permanent residential apartments receiving a minimum of three hours sunlight in mid-winter.

It is also likely that the Lakefront building would experience overshadowing from the adjoining approved building that is finalising construction, however, this was not included in the analysis. This would affect at least a further four units.

The communal open space area for the permanent residential component (western site) will be significantly overshadowed in mid-winter as indicated in the shadow diagrams in the enclosure.

### *Privacy*

The development creates privacy conflicts within the development due to the reduced building separations. These issues have been raised repeatedly by the SEPP 65 panel, the independent urban designer and Council. The applicant has been consistently advised of this concern.

There will be significant safety issues with the arrangement shown including concealment within entry areas, no visual connection from entries to the street and the location of many entry points right next to car park ramps. This does not offer positive amenity or represent good design.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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### **ECOLOGICALLY SUSTAINABLE PRINCIPLES:**

Ecologically sustainable development can be achieved through the implementation of the following principles:

- (a) *the precautionary principle – namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation,*
- (b) *intergenerational equity – namely that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,*
- (c) *conservation of biological diversity and ecological integrity – namely that conservation of biological diversity and ecological integrity should be a fundamental consideration, and*
- (d) *improved valuation, pricing and incentive mechanisms – namely that environmental factors should be included in the valuation of assets and services.*

Principles (a), (b) and (c) are relevant to the assessment of this application.

The proposal has been assessed having regard for ecologically sustainable development principles and is considered to be inconsistent with the principles.

It is Council's view that the proposal represents an overdevelopment of the site in a manner that is not considered to be in the public interest and would set an undesirable precedent for similar development proposals in the locality.

Intergenerational equity requires that Council take into consideration the rights of future generations, by ensuring that the existing quality of the environment is maintain or enhanced by the proposal. It is Council's view that the development proposed is not consistent with this principle as it reduces the landscaped character and visual amenity of the locality and will detrimentally affect the amenity of future residents of the development.

### **RELEVANT ISSUES:**

Having regard to Section 79C EP&A Act 1979, it is considered that the following matters require further consideration and are addressed in the following sections:



26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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### **Access, Transport and Traffic**

#### *Duplication of the Entrance Bridge*

The bridge duplication issue still needs to be confirmed with the RTA as the most recent advice received from the RTA in its letter dated 4 November 2005, requested that a 14.590m setback be provided at the southern end, and a 17.3m setback be provided at the northern end. This is contrary to the agreement the applicant claims was given at a meeting held on 10 October 2005 with the RTA. The RTA also requested that provisions for cyclist facilities were to be provided by the developer, separate to the provision of a lift access to connect Wilfred Barrett Drive with the Entrance foreshore to/from the bridge. As discussed previously, this access is not shown on the current plans.

#### *Road Access to the Site*

Council's Engineers have raised the following concerns with the current design:

- The Oakland Avenue/Bent Street intersection needs to be revised. Turning movements need to be defined and assigned priorities. There is also limited separation/storage capacity between the Bent Street intersection and basement carpark entries which may impact on the operation of the carpark and spill over into Bent Street. Critical surface levels in Bent Street to accommodate for 'bending' the overland flow need to be considered when revising options.
- The taxi/mini bus facility located on the western side of Oakland Avenue and in close proximity to the down/up ramp to the western basement carpark needs to be modified to reduce potential conflicts. The facility may need to be relocated elsewhere i.e. to the northern side of Bent Street near the Centre Point entry. However, this may impact on the space set aside for coach parking.
- The car park access on the eastern side of the site from Bent Street should also be made left in/left out as the right turn manoeuvre would not appear viable.

The proposed carparking layouts do not meet the relevant design standards AS2890.1 and AS2890.2 or best practice as follows:

- The access proposed to the western carpark from the roundabout in Oakland Avenue is unacceptable as it does not provide for the class of users or category of development in accordance with AS2890.1 Section 3. There are over 300 parking spaces off this access and wider separate ingress/egresses should be provided to accommodate the higher level of users.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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- Queue length provisions and grades on the exit ramps to all carparks appear to be unacceptable. For example, for the truckway egress, a 7m standing area at only 6.25% slope is provided. This is of concern as one car would necessitate a truck/car to wait behind on a 15.4% grade. This is unsatisfactory as a starting grade, for a truck or car. Similarly for the 300+ carpark on the western side there is capacity for only two cars to stand on a flat grade before cars are forced to wait on grades as steep as 20%. It is also unclear what queue length is being provided from the property boundary/roundabout at the Bent Street/Oakland Avenue intersection into the eastern and western basement carparks to ensure traffic does not back up in Oakland Avenue.
- Council has determined that the rates of change of grades on both the truckway ingress and egress ways on the east of the site, and the garbage truck ingress/egress on the west of site still do not meet the maximum rates of change of grades permissible in AS2890.2 T3.2. This was raised previously. Resolving these grade issues will have an impact on the building design to accommodate the flatter grades required over longer distances.
- The location of security grills at the bottom of steep grades. Grilles are currently proposed at the bottom of steep grades. For the truck ingress, the location of the grille is on a 15.4% grade, and for the private carpark – east on a 20% grade. This is unacceptable in the event that the grille does not open and a truck/car must reverse out. There are also no provisions for a vehicle to bypass a standing truck in the event that a truck must wait for a grille to open.

#### *Emergency Vehicle Access*

The need to maintain emergency and service vehicle access to The Entrance Road foreshore has been raised with the applicant from the onset, with the applicant previously responding that the comment is noted however the foreshore reserve is not part of the DA site and the design will therefore not be changed. The current plans again do not appear to have been modified to accommodate emergency and service vehicle access to the existing wharf and boat shed, and it appears access along The Entrance Road foreshore area would not be achievable based on the current masterplan.

#### *Service Vehicle Access*

The applicant has been requested to confirm the service arrangements proposed for the retail and tavern components on the Entrance Foreshore, along with the transfer of garbage within all basement carparks from temporary garbage rooms to central garbage rooms.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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The applicant has also previously been instructed that the use of the Entrance Foreshore for access to service components within this development should not be relied upon. All service arrangements need to be confined and provided for within the development boundaries. The applicant's response states that servicing of the tavern component is proposed via the Entrance Foreshore. This access would be across a pedestrian promenade with the potential for conflicts with pedestrians. This is clearly a safety issue and an alternative service arrangement for the tavern should be provided.

The applicant has confirmed that waste will be transferred between temporary garbage and central garbage rooms by small delivery vans or a tractor, which is considered acceptable.

#### *Pedestrian and Cyclist Requirements*

The local bus service (Red Bus) has indicated that it will not service the subject site and as such, provision has been made to ensure that there is pedestrian access to The Entrance Road.

From Council's earliest assessment, the applicant has been requested to confirm proposed pedestrian linkages with public transport facilities, The Entrance foreshore, the Entrance Town Centre and the future Manning Street Carpark. The applicant has since responded with the provision of a Pedestrian Linkages Diagram, outlining the main thoroughfares proposed for the development. Generally, linkages proposed included thoroughfares through the development to connect the Oakland Avenue/Bent Street intersection with Picnic Point and The Entrance foreshore, and a main pedestrian link along the proposed new road adjacent to Wilfred Barrett Drive, connecting the Foreshore with other pedestrian linkages to the Town Centre. In previous correspondence, the applicant also stated that thoroughfares through the development would be restricted to between 8.00 am and 10.00 pm only for the public. This is not considered acceptable.

The applicant has failed to demonstrate that a direct pedestrian linkage between the proposed future Manning Street Carpark and the Entrance Foreshore will be provided. The preferred option would be to provide an additional pathway adjacent to 1 Tuggerah Parade, along the western boundary of the development, linking the foreshore area directly with the future Manning Street Carpark. There is an existing 2.0m drainage reserve (Lot 13 DP 23428) in this vicinity and Council would raise no engineering reasons to restrict its use as a pedestrian thoroughfare. The dedication of a further 1.0m (minimum) along the entire western boundary to accommodate a more desirable thoroughfare is recommended.

Bicycle parking facilities have not been provided on any of the plans.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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### **Public Domain**

As stated earlier in the report, concern is raised with regard to the pedestrian linkages through the site and particularly between the future public carpark in Manning Road and the foreshore. The design of the proposed development also restricts pedestrian traffic along Oakland Avenue, with dining areas and a boardwalk creating a barrier to the lake and channel.

Further to this, it is the developer's intention to close pedestrian links through the resort/retail portion of the development between 10.00 pm and 8.00 am and provide private security. Given this, it is likely that the public carpark would also be restricted between these hours. This will impact on the active use of the foreshore during these times, diminishing the opportunity for locals/tourists to access the recreational/fishing opportunities of the Lake.

### **Utilities**

As stated earlier in the report, the applicant has failed to address the concerns that service providers AGL and Energy Australia have with the proposed works. Critical and non-critical infrastructure will be made redundant and would need to be relocated as a result of the development proceeding, as does the dedication of necessary easements not shown on the revised drawings to ensure relocation is possible prior to approval. Both AGL and Energy Australia have objected to the proposed development to date, due to the conflicts with their existing infrastructure.

The applicant has also not provided details on the infrastructure that will be affected by the proposed lowering of Bent Street.

*The location of rainwater tanks below ground* - Rainwater tanks are proposed in basement parking levels well below ground level and the connection point to Tuggerah Lakes. This is not consistent with Council's approach to keep rainwater tanks at a height which permits free discharge to the downstream system. Some rainwater tanks may be able to be relocated to the lower ground floor level; however, space provisions may impact on the building.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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*The location of sanitary units below ground* - Similar to above, Council's current policy insists on the provision of sanitary provisions above the invert level of sewer to enable gravity discharge. Council does not accept proposed private pumping stations for this reason. The plans indicate Child Minding and Gymnasium centres at RL-0.900 on the eastern side of the development. Council's assessment indicates that it is unlikely that these sanitary devices could drain to the sewer (invert of the existing sewer is approximately RL1.0 in this vicinity). For the western side, there may be similar concerns with the pool and gym amenities set at RL0.35. In this vicinity, the existing invert of the sewer is approximately RL0.5m, which may lead to the same problem. Sewer may be directed to lower manholes downstream; however, a preliminary investigation has also concluded that this would not be possible. To rectify this issue, the building design would need to be amended to ensure that all sanitary facilities are relocated at a level that enables gravity discharge to Council's sewer.

### **Groundwater**

One of the ongoing issues since Council's initial assessment of this application has been the clarification of what the groundwater impacts may be due to the proposed basement carparking construction stretching across the majority of the site at levels ranging from RL - 3.2m on the west and RL -4.7m on the east. Whilst Council has requested additional studies including three dimensional modelling prior to the determination of the application, this information has not been received. However, Council's Flooding Engineer considers that the applicant's consultants could achieve a reasonable outcome at detail design stage.

With regard to quality of groundwater being dewatered from the basement or pumped from the site during construction, consent conditions would require appropriate testing, licensing and disposal requirements to be adhered to throughout construction and post construction.

Thus groundwater issues are now considered to have been addressed satisfactorily and no further information on these issues is required.

### **Noise and Vibration**

Given the extent of the excavation proposed and the likely ongoing nature of works for many years that would result should the proposed development be approved and built, there are likely noise and vibration impacts. A standard condition of consent would require that dilapidation reports be prepared for all adjoining sites prior to any works commencing.

With regard to noise, Council's Senior Environmental Health Officer has raised the issue that the increased traffic flows in Clifford and Bent Streets warrants the review of the noise impact to the existing residents, as does the operation of the convention centre and its impact on residents opposite in Bent Street.

The noise report provided by the applicant has failed to address these concerns.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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### **Natural Hazards**

The subject site is flood affected and a comprehensive flood study was prepared by Hyder Consulting for the project. A number of issues were raised with this original report, generally relating to assumptions and modelling discrepancies. Hyder Consulting has responded to the most recent list of issues raised by Council and the presented information is deemed satisfactory subject to the implementation of appropriate consent conditions ensuring that works recommended by Hyder are implemented and a full flood management/evacuation plan be prepared and approved by Council prior to the issue of any Construction Certificate.

### **Social Impact in the Locality**

The proposed development will significantly change the immediate locality and irrevocably change the public foreshore interface. While the majority of the site is currently utilised for tourist activities (caravan park, motel, restaurant), the public access via Oakland Avenue and The Entrance Road West, will be altered.

The increased number of permanent and temporary residents will change the area from a quiet lakeside area to a bustling and hopefully vibrant precinct, with the interaction of residential and commercial activities, complementing The Entrance Business District.

An increased population will result in the better utilisation of the existing infrastructure and services within The Entrance locality.

### **Economic Impact in the Locality**

The short term benefits relate to construction jobs and longer term will be for those people employed in the resort, retail tenancies and flow on employment into the local community.

The staging of the development, however, will impact on retail supply depending on which component of the development is constructed first. An earlier study of the retail composition of The Entrance indicates that the current retail stocks are approximately 21,787m<sup>2</sup>. This development would add to this stock by up to 3,710m<sup>2</sup>. It is noted that it will also increase demand for retailing by adding up to 254 permanent residential units and 256 tourist units. According to Cordell's, an additional 1,988 dwellings are due for completion in The Entrance in 2008. Assuming that it is averaged at 2.23 persons per permanent household, at the completion of the development this could add up to 4,473 persons in already approved developments and 566 persons within the permanent residential development of this site. There is currently a ratio of square metres of retail space per person of approximately 0.81m<sup>2</sup>/person; following construction of this development the ratio will approximate 0.80m<sup>2</sup>/person. Therefore, the development maintains the current retail supply. The proposed retail area is also consistent with the Regional Retail Strategy which indicates that The Entrance has a retail capacity of 30,000m<sup>2</sup>.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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Given that an earlier study estimated the vacancy rate in the current 'strip shopping' area fronting The Entrance Road is at approximately 3.3%. A 2006 survey of The Entrance (Leyshon Consulting) estimated the vacancy rate at 1,190 m<sup>2</sup> (ie 13 premises) or 6%. Council's concern is the possibility that the development will encourage the focus of the town away from the existing shopping strip, potentially increasing the vacancy rate in this location.

### **Suitability of the Site for the Development**

The subject site is suitable for a development of this nature, although some of the physical restrictions still need to be addressed, eg groundwater and flooding. The proposal has excessive excavation, poor design and detrimental impacts from overshadowing, privacy concerns, road alignments and servicing. As such, the proposed development is considered unsuitable for the subject site, that is, it is an overdevelopment of the site.

### **Public Interest**

The application was placed on public exhibition for an extended period from 8 December 2004 to 4 February 2005. A full schedule of the submissions and the issues raised are included in Attachment 3. Council received seventy-five submissions, with the concerns raised listed and discussed below. The application was more recently placed on public exhibition from 29 July 2008 and extended until 30 September 2008. Council received 33 submissions. A full schedule of the submissions and the issues raised under this more recent exhibition period are included in Attachment 2.

- 1 That the proposal involves the sale of public land to a private developer, and reduces public access to the foreshore.**

#### ***Comment***

The proposal does involve the closure of Oakland Avenue from north of the Bent Street intersection and 10m along the frontage of the site, being The Entrance Road West. It should be noted that the remainder of The Entrance Road West (width varies between 5.0 – 10.0m) will remain under Council's control and the proposed public carparks within the development will provide access to the foreshore area. (albeit at a greater distance).

It should be noted that the closure and sale of these roads is subject to a separate process and is being undertaken by Council's Property Section.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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- 2 That the Lakefront building does not comply with the setback requirements of Chapter 64, resulting in excessive overshadowing, privacy and amenity problems for adjoining properties.**

***Comment***

The Lakefront building does not comply with the building separation/setback provisions of either the RFDC or Chapter 64. While the overshadowing will dissipate before 12 noon to the western properties, there is excessive overshadowing internally which is also a problem. The setback non-compliances also result in privacy and amenity problems, to both adjoining neighbours and internally.

- 3 That the proposed development and subsequent residents/tourists will create additional rubbish in The Entrance.**

***Comment***

The application has been reviewed with regard to the waste management and found to be satisfactory.

- 4 That the proposed development and subsequent residents/tourists will create higher demands for water and electricity.**

***Comment***

Water demand is considered by Council at a strategic level when lots are zoned for development. The proposed development, if approved, would be subject to significant Section 94 Contributions relating to water and sewer infrastructure works. The provision of electricity is subject to the requirements of Energy Australia, which may also require additional works eg substations to be provided as part of the proposal.

- 5 That the proposed development will result in additional congestion of the local road network.**

***Comment***

The development will obviously result in additional traffic in the local road network, the question is whether the existing network could accommodate the additional traffic with the required works to the road network including the works to the Entrance Bridge. The location of the proposal close to the Oakland Avenue by-pass will mean that vehicles (especially tourists) will tend to utilise the by-pass and not congest the smaller interlocking network of roads in the locality.



26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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- 6 That the subject site is flood affected and therefore the proposal should be refused.**

***Comment***

The subject site is flood affected; however, Council can approve developments subject to adequate controls to prevent flooding of the site and detrimental impacts on adjoining properties.

- 7 That the proposed development is an overdevelopment of the site with inadequate building separation and set backs and is too high, bulky and exceeds the height limits. The proposal has poor aesthetics and an unreasonable impact on the character of The Entrance.**

***Comment***

As stated above in the assessment of the application, the proposed development does comply with the height restrictions of the subject site, although the proposed bulk and height of the development along with the poor building separation and reduced setbacks have been issues raised by the DRP and an independent urban design firm.

- 8 That the proposal has insufficient landscape/common areas compared to the increased density.**

***Comment***

The proposed development does have numerically sufficient landscaping/communal open space as stated above in the report, but these areas are provided below natural ground level and deemed to be of a poor quality.

- 9 That the proposed development will overshadow properties in Manning Road.**

***Comment***

The properties in Manning Road are overshadowed by the proposed development as stated above in the report, specifically Numbers 14-26 Manning Road.

It should be noted that a majority of these properties are zoned 5(a) Carpark and in accordance with Clause 44A of Wyong LEP 1991, are to be purchased. Council currently owns four of the 11 properties and while the use of these properties may change in the future, the impact on these residences remains an important consideration with regard to this application.

Furthermore, should the site be developed in a similar manner to the Coral Street Carpark (ie with residential apartments atop the carpark), then any overshadowing from the proposed development would remain a factor.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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- 10 That the 'Clifford Park' building will result in a loss of privacy for residents in Manning Road, due to the orientation of balconies.**

***Comment***

The design has been amended to orient much of the living areas and balconies of these units away from this boundary. The setback has also been increased.

- 11 That the proposed development will result in the removal of many significant trees and the destruction of the natural character of the area.**

***Comment***

As stated above, the *melaleucas* (Paperbarks) fronting The Entrance Road West are proposed to be removed. The extensive excavation of the site will result in the loss of many trees, though the Norfolk Island Pines in the south-western corner of the western site are proposed to be retained.

- 12 That the proposed basement carparks (and related access points) will generate noise and pollution, and reduce the amenity of adjoining residents.**

***Comment***

The proposed basement carparks are located below ground and as such, should not pose any problems with regard to noise and pollution, with the exception of those properties in Clifford Street, which will experience a significant increase in traffic movements. It should be noted that because of the below natural ground level of the centrally located communal areas, this will naturally ventilate parts of the first level of basement carparking.

- 13 That the proposed development will be staged once approved, with the western site to be constructed first.**

***Comment***

Should the application be approved, Council is likely to include conditions of consent that would require the provision of communal services as the western site was developed. Additionally, as Clause 68 of Wyong LEP 1991 only permits permanent residential units to represent 75% of the total accommodation provided on-site, conditions of consent will restrict the amount of permanent residential development that can occur, thereby ensuring that the predominantly residential western site is not all that is built.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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- 14 That the closure of The Entrance Road West will restrict access to the wharf from which Lake Cruises operates, affecting the servicing and operation of the business.**

***Comment***

The closure of The Entrance Road is subject to a different statutory process but it is proposed in conjunction with this development.

- 15 That the slip road to be provided is not of the same standard as Oakland Avenue, can't accommodate tourist coaches, has no on-street parking, has no footpaths on either side and hasn't made provision for the future widening of the bridge.**

***Comment***

These matters have all been assessed by Council's Engineering staff, the Regional Development Committee and the RTA and the slip road will provide a footpath to one side, on-street parking one side and has accommodated the duplication for The Entrance Bridge. The servicing of The Entrance Hotel and boat hire business will be maintained via the slip road.

- 16 That the proposed development has insufficient parking and removes on street parking that is both convenient and available 24 hours.**

***Comment***

The proposed parking exceeds the requirements of Chapter 61 as stated above. Although it is noted that the parking will be less convenient, there will be more spaces provided for visitors and residents of The Entrance than are currently available on the street.

- 17 That the proposed basement carpark is inefficient and confusing, and that the loading facilities are inadequate. There is limited access for emergency vehicles, garbage trucks and tourist coaches.**

***Comment***

These concerns have been noted and aspects of the design have not been amended to satisfactory address these concerns.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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- 18 Economic viability and justification for the development given the unsold units and vacant shops in the vicinity of the site.**

***Comment***

Concerns have been raised regarding the level of future demand that will exist for units in the development given the existence of currently unoccupied units.

- 19 Poor environmental sustainability for the development. Development has a high reliance on non renewable electricity and has not considered climate change.**

***Comment***

This concern has also been raised by the DRP.

- 20 Inadequate security and management measures to reduce opportunities for criminal and anti social behaviour.**

***Comment***

A greater level of detail in the design may be warranted to address this issue, particularly in consideration of additional licensed activities and the overall legibility of the development design and layout.

- 21 That the information provided with the application with regard to the proposed tavern is insufficient for any consent to be granted.**

***Comment***

From the above report, it is clear that the heritage report is deficient and as such, this alone would form a reason for refusal. Other issues such as servicing and waste disposal also need to be addressed, although it would appear that these could be accommodated within the design before Council. As with the retail components of the development, Council would request a separate development application to be submitted for the use of the existing building as a tavern at a later date and proceed to assess and determine that application.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (contd)**

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### **CONCLUSION**

The proposed development for a *Managed resort facility* on the subject site cannot be supported in its current form, due to the applicant's failure to resolve a number of essential issues.

However the most significant design problems associated with the development proposal is the failure to resolve the overdevelopment of the western side (permanent residential), resulting in bulk and scale issues, poor solar access, reduced building separation (noise and privacy problems), communal area predominantly below natural ground level the aesthetically undesirable presentation of the development given its offshore position and high visibility as a gateway site within The Entrance.

There are also numerous non-compliances with various planning instruments, such as: SEPP 11; SEPP 65; Wyong LEP 1991 ,Development Control Plan 2005 Chapter 60 (overshadowing, pedestrian links); Chapter 61 (parking, manoeuvring); and Chapter 64 (solar access, communal open space, setbacks, privacy, noise generation). As such, Council is unable to support the application in its current form.

<b>Attachment 1</b>	<b>Locality Plan (1 page)</b>
<b>Attachment 2</b>	<b>Table of Submissions July 2008-September 2008 (8 pages)</b>
<b>Attachment 3</b>	<b>Table of Submissions December 2004-February 2005 (9 pages)</b>
<b>Attachment 4</b>	<b>Extracts from Compliance tables (35 pages)</b>
<b>Enclosures</b>	<b>Urban Design Advice - GM Urban Design and Architecture Heritage Advice – Colin Brady Architecture and Planning Development plans</b>

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 2)**

Table of Submissions – DA/2660/2008 July 2008 – September 2008

<b>DOC NO.</b>	<b>ISSUES</b>
D01242921	<p>PROPOSAL IS AN OVERDEVELOPMENT WITH INADEQUATE SETBACKS AND BUILDING SEPARATION. OBJECTION TO WESTERN SIDE SETBACK IMPACTS TO ADJOINING PROPERTY (1M –RETAIL LEVEL, 05M- LEVEL 1 BALCONY, 1-2M LEVELS 2 AND 3). INSUFFICIENT PLAN DETAILS FOR SETBACK DIMENSION. INCONSISTENT REQUIREMENTS – AS APPROVAL FOR ADJOINING DEVELOPMENT, DCP CHAPTER 64 AND SEPP 65 ALL REQUIRE PROVISION GREATER SETBACKS AND BUILDING SEPARATION DISTANCES THAN PROPOSED.</p> <p>AMENITY IMPACTS (OVERSHADOWING, PRIVACY LOSS, MINIMAL LANDSCAPING)</p>
D01259794	<p>POPULATION AND DEMAND FOR NEW UNITS IS STATIC DUE TO LACK OF JOBS, PUBLIC TRANSPORT, GEOGRAPHICAL AND INFRASTRUCTURE LIMITATIONS ON GROWTH, HENCE, THE DEMAND AND JUSTIFICATION FOR THIS DEVELOPMENT IS QUESTIONED.</p>
D01258988	<p>CONCERN WITH CLOSURE OF NORTHERN END OAKLAND AVENUE AND WESTERN END THE ENTRANCE ROAD. LOSS OF ON STREET PARKING AND READY ACCESS TO FORESHORE, BOAT RAMP, FISHERMAN'S WHARF, BOTTLE SHOP AND HOTEL AND EXISTING END OF MALL. COSTLY TO RELATE EXISTING UNDERGROUND ELECTRICITY CABLES FROM ROAD. BASEMENT PARKING WILL LIKELY NOT BE AVAILABLE 24 HOURS LIKE THE EXISTING ON STREET PARKING. FUTURE REPLACEMENT OF THE ENTRANCE BRIDGE WILL BE DIFFICULT WITH ROAD CLOSURE. INCREASED TRAFFIC CONGESTION RELATING THE CUMULATIVE DEVELOPMENTS PROPOSED WITHIN THE ENTRANCE.</p>
D01262864	<p>POOR ENVIRONMENTAL SUSTAINABILITY – DEVELOPMENT HAS HIGH RELIANCE ON NON RENEWABLE ELECTRICITY; NO ALTERNATIVE ENERGY PROPOSED (EG SOLAR, GAS); SEA LEVEL RISE AND CLIMATE CHANGE NOT CONSIDERED (EG. IN DESIGN OF BASEMENT PARKING); PRECAUTIONARY PRINCIPLE NOT CONSIDERED; EXCAVATION REQUIRED FOR DEVELOPMENT WILL REQUIRE THOUSANDS OF HEAVY VEHICLES MOVEMENTS TO EXPORT FILL OFF SITE.</p> <p>ECONOMIC VIABILITY – MANY UNSOLD UNITS (ABOUT 1/3) AND VACANT SHOPS (ABOUT 28) ALREADY IN THE VICINITY OF SITE, NO DIRECT ECONOMIC BENEFITS TO LOCAL COMMUNITY (DURING CONSTRUCTION NOT USE LOCAL SUPPLIERS AND NOT PROVIDE LOCAL JOBS); BUILT CAPACITY RETAIL FLOOR SPACE WOULD BE DOUBLE THAT COUNCIL'S ADOPTED RETAIL STRATEGY.</p> <p>SOCIAL/COMMUNITY – DEVELOPMENT COULD REVITALISE TOWN BUT</p>

	<p><b>CLOSURE OF 2 STREETS MEANS REDUCED PUBLIC ACCESS TO FORESHORE, EXISTING TRAFFIC CONGESTION ALONG THE ENTRANCE ROAD WORSENER (1300 NEW PARKING SPACES), CUMULATIVE IMPACTS OF DEVELOPMENT IN THE AREA (MAGENTA, LAKESIDE PLAZA AND PART 3A 'KEY SITE'); NEED RTA AGREEMENT TO WIDEN BRIDGE TO 4 LANES. CLOSING OAKLAND AVENUE WOULD REDUCE POTENTIAL FOR SECOND BRIDGE ACROSS THE LAKE. PROPOSAL DOES NOT INCLUDE GOOD PLANNING TO REDUCE CAR DEPENDENCE; HEIGHT OF BUILDINGS EXCESSIVE (26 METRE HIGH WALL OF BUILDINGS FOR ALMOST LENGTH OF FORESHORE – EXCESSIVELY BULKY AND UNATTRACTIVE ENTRY TO THE ENTRANCE ROAD. LOSS OF FORESHORE ACCESS AND ON STREET PARKING.</b></p>
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26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 2) (contd)**

<b>DOC NO</b>	<b>ISSUES</b>
D01245540	DEVELOPMENT SETS A PRECEDENT. IN CONSISTENCY IN CONSIDERATION OF WHAT IS A SATISFACTORY PROPOSAL.
D1258799	<p>CONTRARY TO PUBLIC INTEREST. INADEQUATE SECURITY AND MANAGEMENT MEASURES TO REDUCE THE OPPORTUNITIES FOR CRIME, ANTI SOCIAL BEHAVIOUR AND TO MITIGATE LIKELY ADVERSE SOCIAL IMPACTS. ALREADY SUFFICIENT LICENSED PREMISES IN THE VICINITY OF DEVELOPMENT TO SERVICE THE NEEDS OF LOCAL COMMUNITY.</p> <p>TRAFFIC AND PARKING. INSUFFICIENT PARKING PROVIDED FOR THE USES PROPOSED AND A REDUCTION IN EXISTING CAR PARKING OPPORTUNITIES. PROPOSAL BASED ON OUT OF DATE AND UNRELIABLE TRAFFIC DATA (5 YEARS AGO). PROPOSAL FAILS TO CONSIDER LONG TERM ALTERNATIVE TRAFFIC OPTIONS AND RESULTS IN AN UNREASONABLE CONCENTRATION OF TRAFFIC ON OAKLAND ROAD AND BENT STREET.</p>
D01257747	<p>PERMANENT ROAD CLOSURES WILL DEPRIVE A LOT OF SENIORS OF THE EXISTING ABILITY TO DRIVE TO VIEW THE FORESHORE BY CAR FOR A SHORT OR LONG STAY AND TO USE THE WHARF INCLUDING THE LOSS OF ON STREET PARKING. UNDER NO CIRCUMSTANCES SHOULD PUBLIC LAND (ROADS) BE GIVEN TO A DEVELOPER PARTICULARLY WHEN RESULTS IN ADVERSE AMENITY IMPACTS TO RESIDENTS AND RATEPAYERS.</p> <p>NO CONSIDERATION OF CLIMATE CHANGE AND THE INCREASED FLOODING RISK OF BASEMENT CAR PARK.</p> <p>DEVELOPMENT IS OF IMMENSE PROPORTIONS OUT OF SCALE WITH EXISTING CBD DESTROYING THE EXISTING CHARACTER OF THE ENTRANCE.</p>
D01251548	<p>STRONGLY OPPOSED TO ROAD CLOSURE. LITTLE CONSIDERATION OF LOSS OF DIRECT ACCESS TO FORESHORE FOR LOCAL FISHERMEN, FAMILIES, THE AGED AND DISABLED. THESE GROUPS ARE THE MAINSTAY FOR BUSINESSES DURING THE LEAN OFF SEASON MONTHS AND HAVE PROBLEMS USING UNDERGROUND PARKING WITH ESCALATORS/ELEVATORS. CLARIFICATION IS SOUGHT REGARDING THE TERMS OF THE TRANSFER OF LAND (WHOLLY PRIVATE OR PUBLIC ACCESS ALLOWED?); THE LIKELIHOOD OF PARKING FEES AND TIME LIMITS BEING IMPOSED FOR PARKING?; WAS THE TRANSFERRED ROAD PREVIOUSLY DONATED BY A PRIVATE INDIVIDUAL (TAYLOR?) FOR COMMUNITY PURPOSES ONLY?; WHAT HAS COUNCIL DONE TO IDENTIFY POTENTIAL TRAFFIC ISSUES IN ABSENCE OF RTA TRAFFIC STUDY PLAN?.</p> <p>THE PROPOSED NEW ENTRY ROAD ONTO THE ENTRANCE ROAD WEST WILL CONFLICT WITH BRIDGE TRAFFIC, THE CORAL STREET CARPARK</p>



	<p><b>EXIT, AND THE ENTRY TO THE PROPOSED HOTEL REDEVELOPMENT OFF WILFRED BARRETT DRIVE.</b></p> <p><b>THE PROPOSAL CHANGES A VITAL PART OF THE ENTRANCE TOURIST ATTRACTION...ITS FISHING AND BOATING AND ACCESSIBILITY TO THE WATERFRONT.</b></p> <p><b>WYONG FAMILIES AND RESIDENTS AND DAY TRIPPERS ARE THE MAINSTAY OF THE ENTRANCE TOURIST INDUSTRY AND COME ALL YEAR ROUND. CONCERN THAT LACK OF RECOGNITION OF THIS WILL CREATE A NEGATIVE EXPERIENCE FOR THE ENTRANCE IN THE CASE OF THIS DEVELOPMENT.</b></p>
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26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 2) (contd)**

DOC NO.	ISSUES
D01251652	<p>NO CONSIDERATION OF CLIMATE CHANGE IN THE DESIGN. NO ADEQUATE CONSIDERATION OF SUSTAINABILITY (HIGH ELECTRICITY DEMAND BUT NO PROVISION FOR SOLAR PANELS).</p> <p>INSUFFICIENT PROVISION OF LARGE TREES.</p> <p>UNDERGROUND PARKING WILL REQUIRE THE REGULAR USE OF PUMPS.</p> <p>ROAD CLOSURES WILL DISADVANTAGE THE ELDERLY AND DISABLED IN REGARD TO FISHING ALONG THE LAKE WALL DURING WINTER MONTHS.</p> <p>WHY IS THERE NO GREEN STAR RATING OR EQUIVALENT FOR THE PROPOSAL THAT THOSE RESPONSIBLE DEVELOPERS ARE ALL CURRENTLY APPLYING FOR TO ENSURE THEIR DEVELOPMENTS ARE ENVIRONMENTALLY RESPONSIBLE?</p>
D01237634	<p>DOES THE PROPOSAL COMPLY WITH AND SATISFY THE PLANNING PRINCIPLE APPLYING TO DEVELOPMENT AT THE ZONE INTERFACE (SEASIDE PROPERTY DEVELOPMENT)?</p>
D01234553	<p>OVERDEVELOPMENT OF EXISTING LOW DENSITY SITE.</p> <p>NATURAL AREA ALREADY OVER STRESSED. WATER QUALITY OF LAKE DETERIORATING AND CHANNEL SILTED UP AND STORMWATER FROM PROPOSAL WILL WORSEN THIS SITUATION. PROPOSAL CONTRAVENES COUNCIL'S CONTROLS. NINE STOREY HEIGHT INAPPROPRIATE AND NOT SUPPORTED. INSUFFICIENT PARKING, OPEN SPACE, POLLUTION CONTROLS.</p> <p>LOSS OF AMENITY TO RESIDENTS AND VISITORS FROM INCREASED ACTIVITY, LIGHT, NOISE IN A CURRENTLY QUIET LOCATION.</p> <p>AESTHETICS OF DEVELOPMENT ARE TERRIBLE AND OUT OF CHARACTER. DESTRUCTION OF THE NATURAL CHARACTER OF THIS AREA BY OVER COMMERCIALISATION. DA DOES NOT OFFSET THE INCREASED PROBLEMS IT WILL CAUSE. BAD AND UGLY PRECEDENT WILL DEGRADE AND DEVALUE THE UNIQUE LAKE FORESHORE AREA MAKING IT INACCESSIBLE.</p>
D01234549	<p>OVERDEVELOPMENT OF THIS OVERSTRAINED NATURAL AREA. ADVERSE IMPACTS OF DEVELOPMENT ON LAKE ARE ALREADY EVIDENT AND THIS PROPOSAL WILL WORSEN.</p>

	<p><b>LOSS OF AMENITY AND INCREASED COSTS FOR RESIDENTS AND VISITORS. INSUFFICIENT PARKING, OPEN SPACE, POLLUTION CONTROLS, BAD AESTHETICS, NON COMPLIANCE WITH COUNCIL'S CONTROLS, AND IRRETRIEVABLY DESTROYING THE NATURALNESS OF AREA.</b></p> <p><b>THE INCREASED IMPACTS OF THE DEVELOPMENT WILL BE BORNE BY THE COMMUNITY (POLICING, TRAFFIC CONTROL, NOISE/WATER/LIGHT POLLUTION, AND WASTE CONTROL). BAD PRECEDENT DESTROYING THE FREE ENJOYMENT OF THIS AREA BY OVER DEVELOPMENT.</b></p>
D01234023	<p><b>PROPOSAL WILL DEGRADE THE APPEARANCE OF THE WATERFRONT. THIS PRISTINE LOCATION AT LAKES EDGE DEMANDS THAT THE BUILDINGS BE OF A MORE SUPERIOR AND GLAMOROUS APPEARANCE THAN THOSE PROPOSED. CONCERN WITH ROAD CLOSURES AND LOSS OF PUBLIC ACCESS.</b></p>

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 2) (contd)**

<b>DOC NO</b>	<b>ISSUES</b>
D01232860	<p>CONCERN ROAD CLOSURE AND LOSS OF PUBLIC USE OF THIS AREA CURRENTLY USED FOR FAMILY AND RECREATIONAL PURSUITS WOULD CHANGE THE NATURE OF THE USE OF AREA. TRANSFER OF THE PUBLIC DOMAIN INTO PRIVATE HANDS AND THE EFFECTIVE PRIVATISATION OF WATERFRONT LAND IS UNACCEPTABLE.</p> <p>ISOLATION OF BOATSHED AND LACK OF ACCESS FOR THEIR HEAVY EQUIPMENT. LACK OF VEHICULAR ACCESS OF PUBLIC MOORINGS ALONG THE WATERFRONT WOULD REQUIRE BOAT OWNERS TO CARRY MOTORS AND OTHER GEAR A LONG DISTANCE TO ACCESS THEIR BOATS.</p> <p>THE SCALE OF DEVELOPMENT EXCESSIVE AND UNCHARACTERISTIC FOR AREA AND CANNOT BE SUPPORTED.</p>
D01236933	<p>LACK OF VEHICULAR ACCESS REQUIRED TO OUR BUSINESS 'THE ENTRANCE BOATHOUSE' INCLUDING ACCESS FOR DELIVERIES, TRAILER BOATS REQUIRING WATERWAYS INSPECTIONS, COUNCIL TRUCKS AND DREDGE PERSONNEL WHO USE OUR WHARF FACILITIES FREE OF CHARGE, EMERGENCY VEHICLES, ELDERLY AND DISABLED CLIENTS, PARENTS WITH PRAMS, TOURISTS WITH ESKIES, RODS, TACKLE BOXES AND NETS. THE LOCATION OF THE BOATSHED IS NOT SHOWN CORRECTLY ON THE PLANS.</p>
D01231138	<p>THE INCLUSION OF A TAVERN WITH GAMING MACHINES WITHIN THE RESORT COMPLEX IS INCONSISTENT WITH GOVERNMENT AND INDUSTRY REGULATOR GUIDELINES AND FOCUS AND NOT IN THE BEST INTEREST OF THE COMMUNITY.</p>
D011231050	<p>OBJECTION TO LAND ALIENATION AS IT DIMINISHES RECREATIONAL USE OF POPULAR PUBLIC OWNED AREA. READILY AVAILABLE PARKING WOULD NEED TO USE INCONVENIENT UNDERGROUND CAR PARK THEREBY REDUCING THE PUBLIC AMENITY OF THE AREA. INADEQUATE JUSTIFICATION FOR GIVING AWAY PUBLIC LAND TO PRIVATE DEVELOPERS. QUESTION THE LEGAL STATUS OF THE ALIENATED LAND – TO BE LEASED OR SOLD AND WHAT OBLIGATIONS DOES NOT THE DEVELOPER NEED TO MEET? NO FINER DETAILS PROVIDED AND THE DEVIL IS IN THE DETAIL. IT IS INFINITELY BETTER FOR WYONG RESIDENTS TO RETAIN ALL THE LAND UNDER COUNCIL'S CONTROL. LOSS OF PUBLIC LAND IN THIS MANNER IS CONTRARY TO THE MAJORITY OF RESIDENTS OPINION. DA IS OUT OF TOUCH WITH THE PUBLIC AND THE REALITY OF WHY PEOPLE LOVE THE ENTRANCE. UNFAIR PROCESS AS ONLY FEW PEOPLE EVER OBJECT EVEN THOUGH CONTRARY TO PUBLIC GOOD. POLL OF RATEPAYERS WOULD CLEARLY SHOW LACK OF SUPPORT.</p>
D01229311	<p>OBJECTION TO MORE RETAIL SHOPS WHEN SO MANY ARE VACANT (KNOW OF 18). COUNCIL NEED TO PROMOTE AND ADVERTISE THE AREA IF DEMAND IS TO GROW.</p>
D01229295	<p>OBJECTION TO PROPOSED ROAD CLOSURE. LONG TERM RESIDENTS AND TOURISTS SHOULD BE CONSIDERED ABOVE THE DEVELOPER.</p>

	<p><b>DOES HEIGHT OF DEVELOPMENT CONTRAVENE STATE GOVERNMENTS HEIGHT RESTRICTIONS OF 8 STORIES FOR LAND FRONTING LAKE OR OCEAN? OBJECTION TO ANY MORE HOTELS.</b></p> <p><b>DEVELOPMENT TOO INTRUSIVE AND LARGE.</b></p> <p><b>WATERFRONT LAND SHOULD BE RESERVED AS COMMUNITY LAND RATHER THAN LOST TO DEVELOPERS.</b></p>
<b>D01227154</b>	<p><b>UNCERTAIN WHETHER DEMAND EXISTS FOR RESIDENTIAL UNITS.</b></p> <p><b>OBJECTION TO ANY MORE TAVERNS OR HOTELS AS TOO MANY ALREADY EXIST IN AREA. INADEQUATE EXISTING ROADS WILL WORSEN.</b></p> <p><b>OBJECTION TO BUILDING HEIGHT AND ITS VISUAL IMPACT AND THE LOSS OF THE EXISTING VILLAGE ATMOSPHERE.</b></p>

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 2) (contd)**

<b>DOC NO</b>	<b>ISSUES</b>
D01225453	<p>SITE SHOULD ACCOMMODATE A DEVELOPMENT THAT IS COMMUNITY BENEFICIAL RATHER THAN ONLY COMMERCIALLY BENEFICIAL. TOO MANY UNITS AND SHOPS HAVE BEEN DEVELOPED AND ARE UNOCCUPIED.</p> <p>IMPACTS OF FLOODING NOT CONSIDERED.</p> <p>DEVELOPMENT NEEDS TO ENHANCE THE AREA. ANY HIGH RISE SHOULD BE LIMITED TO OLD WSC AND EL LAGO SITE ONLY. OAKLAND ROAD SHOULD BE KEPT OPEN FOR A FUTURE BRIDGE.</p>
D01224607	<p>PROPOSAL HAS VARIED LITTLE FROM 2005 AND REMAINS AN OVERDEVELOPMENT AND IS CONTRARY TO THE DESIRED FUTURE CHARACTER FOR THE ENTRANCE. THE PROPOSAL WILL PERMANENTLY CHANGE THE CHARACTER OF THE AREA.</p> <p>INFRASTRUCTURE FACILITIES ALREADY STRETCHED. BURDEN ON WATER SUPPLIES WILL WORSEN WITH DEVELOPMENT. THE DEVELOPMENT WILL WORSEN TRAFFIC CONGESTION IN THE AREA GIVEN THE LACK OF PUBLIC TRANSPORT SERVICING THE ENTRANCE.</p>
D01223975	<p>OBJECTION TO HEIGHT. DEVELOPMENT CONTRADICTS THE BELIEF OF THE CLOSER TO WATER, THE LOWER THE HEIGHT REQUIRED TO ENSURE VIEW SHARING. DOES THE ZONING ALLOW THIS HEIGHT AND DOES THE FSR COMPLY?</p> <p>DEVELOPMENT CONTRARY TO STREETScape CHARACTER AND RESULTS IN EXCESSIVE OVERSHADOWING IMPACTS AND LACK OF ON STREET PARKING.</p> <p>STREET CLOSURES – HOW CAN THE DEVELOPER PURCHASE AND CLOSE PUBLIC OWNED ROADS?</p>
D01219328	<p>OBJECTION TO ROAD CLOSURES AS THIS PUBLIC MOTORIST ACCESS IS WELL USED BY PEOPLE FISHING AND BOATING AND SELLING IT OFF TO DEVELOPERS IS CONTRARY TO PUBLIC RIGHTS TO USE THE AREA. NO SIGNIFICANT AMENDMENT TO PROPOSAL SO THE PREVIOUSLY RAISED ISSUES IN 2005 STILL STAND.</p>
D01218856	<p>OBJECTION TO PROPOSED TAVERN. NO DETAILS OF THE TYPE OF LICENSE. TAVERN NOT DEALT WITH A LICENCE TYPE UNDER NEW CASINO LIQUOR AND GAMING CONTROL AUTHORITY. NO COMMUNITY IMPACT STATEMENT INCLUDED AS REQUIRED UNDER THE NEW LIQUOR GUIDELINES AND NO ISSUES ADDRESSED UNDER NEW LIQUOR REFORMS.</p>

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 2) (contd)**

<b>DOC NO</b>	<b>ISSUES</b>
D01219209	<p>DEPARTMENT OF PRIMARY INDUSTRIES (DPI) CONCERN THAT ANY INCREASED STORMWATER DISCHARGES FROM SITE MAY SIGNIFICANTLY IMPACT ON SEA GRASS BEDS IN THE VICINITY OF DISCHARGE POINTS (BY SCOURING, SEDIMENTATION AND FRESHWATER INUNDATION). COUNCIL SHOULD ENSURE THAT ANY NEW DISCHARGE POINTS SHOULD BE DESIGN TO REDUCE THESE IMPACTS. THE POTENTIAL IMPACTS OF ACID WATER DURING CONSTRUCTION COULD ALSO POTENTIALLY IMPACT ON THE ESTUARY. DPI RECOMMENDS THAT THE ASS MANAGEMENT PLAN STIPULATES ZERO DISCHARGE OF WATER BELOW PH7 FROM THE SITE DURING CONSTRUCTION.</p>
D01218658	<p>WHY IS THE DEVELOPMENT NOT A PART 3A PROPOSAL TO BE CONSIDERED BY THE DEPARTMENT OF PLANNING? UNRESOLVED MATTERS FROM EARLIER PROPOSAL INCLUDE ROAD CLOSURES, ROAD ACCESS THROUGH EL LAGO SITE FOR ACCESS TO HOTEL, UNDERGROUND CAR PARK, STAGING OF DEVELOPMENT, PUBLIC ACCESS TO WATERFRONT, ACCESSIBILITY OF RECREATIONAL ENTERTAINMENT BY NON RESORT GUESTS.</p> <p>INSUFFICIENT CONSIDERATION OF ENVIRONMENTAL SUSTAINABILITY GIVEN THE SCALE OF THE DEVELOPMENT (NO GREENSTAR RATING OR AUSTRALIAN BUILDING GREENHOUSE RATING ABGR). REQUEST PUBLIC FORUMS FOR THE DEVELOPMENT PROPOSAL TO OBTAIN COMMUNITY FEEDBACK.</p>
D01217123	<p>INADEQUATE INFORMATION AND UNRESOLVED ISSUES REGARDING THE PROPOSAL. CONCERN REGARDING INCREASED TRAFFIC GENERATION, ADEQUACY OF ROADS AND DESIGN OF ANY BRIDGE EXTENSION.</p> <p>COUNCIL NEED TO ENSURE 24 HOUR PEDESTRIAN ACCESS TO, IN, AROUND AND ALONG FORESHORE (INCLUDING THROUGH DEVELOPMENT). NEED CLEARER DELINEATION OF PUBLIC/PRIVATE AREAS.</p> <p>STAGING OF CONSTRUCTION AND CONCERN THAT HALF THE SITE WILL REMAIN A WASTE LAND IN LIMBO UNTIL FUNDS AVAILABLE.</p> <p>UNDERGROUND CAR PARK NEED TO BE WHOLLY COMPLETE PRIOR TO CONSTRUCTION OF ANY TOWERS. ALSO CONCERN WITH TIMING/ STAGING OF ROAD CLOSURES AND ANY ROAD WORKS.</p> <p>LIMITED ACCESS TO/WITH THE DEVELOPMENT FOR EMERGENCY VEHICLES AND GARBAGE TRUCKS, TOURIST COACHES.</p> <p>NO EVIDENCE TO DEMONSTRATE HOW THE PROPOSAL REDUCES IT'S CARBON FOOTPRINT IN THE BUILDING DESIGN.</p> <p>BUILDING HEIGHT SHOWS LITTLE IMAGINATION AND NEED TO BE SITE SPECIFIC. LOW VERSUS HIGH RISE DEBATE.</p> <p>POOR AESTHETICS IN THE BUILDING DESIGN RESULT IN UNREASONABLE VISUAL IMPACTS (IE WALL OF BUILDINGS VIEWED FROM NORTH SIDE OF LAKE)</p>

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 2) (contd)**

<b>DOC NO</b>	<b>ISSUES</b>
D01212052	<p>ISSUE OF FLOODING AND CLIMATE CHANGE NOT ADDRESSED.</p> <p>NO DEMONSTRATED DEMAND FOR ADDITIONAL RESIDENTIAL UNITS OR NEW SHOPS WHERE SO MANY ARE CURRENTLY VACANT. TOURISTS PERCEPTION OF THE ENTRANCE NEEDS TO BE OF A THRIVING COMMUNITY NOT APPEARING HALF DESERTED DUE TO THE OVERDEVELOPMENT.</p>
D01213468	<p>OBJECTION TO USE OF EXISTING CUL-DE-SAC (CLIFFORD STREET) TO ACCESS 500 PARKING SPACES IN UNDERGROUND CAR PARK. NEED TO FIND AN ALTERNATIVE ACCESS ARRANGEMENT (EG. OPPOSITE BENT STREET). INCREASED NOISE AND FUMES FROM VEHICULAR TRAFFIC FOR EXISTING RESIDENTS. INCREASED PEDESTRIAN ACTIVITY AND ON STREET PARKING ALONG CLIFFORD STREET.</p> <p>INADEQUATE PARKING PROVISION (NEED AROUND 3000 SPACES)</p> <p>FLOOD IMPACTS UNDERESTIMATED, WILL RESTRICT EXITS FOR THE DEVELOPMENT.</p> <p>REDUCTION IN PROPERTY VALUES FOR CLIFFORD STREET RESIDENTS. INFRASTRUCTURE ALREADY OVER BURDENED AND NEEDS UPGRADING (WATER, ELECTRICITY, SEWERAGE, ROADS). INCREASED POLLUTION IMPACTS</p>
D01213314	PETITION OBJECTION
D01234697	<p>OBJECTION TO PROPOSED ROAD CLOSURES. REMOVING EASY ACCESS OF WATERFRONT LAND PARTICULARLY FOR THE ELDERLY AND DISABLED. VISUAL IMPACT OF THE RESIDENTIAL BUILDINGS WILL DETRACT FROM AREA AND CREATE EYESORES.</p> <p>ENVIRONMENTAL IMPACT ON THE AREA NOT ADEQUATELY CONSIDERED.</p> <p>INADEQUATE ENERGY INFRASTRUCTURE FOR EXISTING DEVELOPMENT LET ALONE PROPOSED.</p> <p>HIGH NUMBER OF UNOCCUPIED UNITS ALREADY – QUESTION JUSTIFICATION FOR THE DEVELOPMENT WHEN THERE IS LITTLE DEMAND. PUBLIC VIEWS OF THE LAKE ARE BEING LOST BY HIGH RISE BUILDINGS. THE DEVELOPMENT WILL DETRACT FROM THE SCENIC APPEARANCE OF THE AREA.</p> <p>REDUCTION IN PROPERTY VALUES DUE TO IMPACTS FROM HIGH RISE.</p> <p>THE DEVELOPMENT SHOULD HAVE WATER CONSERVATION MEASURES INCLUDED. ROADS NEED TO BE UPGRADED AND PUBLIC TRANSPORT TO</p>



	<p><b>THE AREA IMPROVED. THERE IS A LACK OF PLANNING FOR THE INCREASED POPULATION AND IMPACTS (PRIVACY, SHADOWING) AND AN OVERABUNDANCE OF UNITS WITH INFERIOR WORKMANSHIP.</b></p>
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26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 2) (contd)**

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<b>DOC NO</b>	<b>ISSUES</b>
D01275476	<p><b>OBJECTION TO ROAD CLOSURE. THE ENTRANCE ROAD PROVIDES VITAL PARKING FOR FISHING, BOAT HIRE AND FISHERMAN'S WHARF. OAKLAND ROAD PROVIDES THE MAIN ACCESS ROAD FOR FISHERMAN'S WHARF, THE LAKEFRONT, BOAT RAMP AND THE HOTEL AND BOTTLE SHOP.</b></p> <p><b>MAIN ELECTRICITY SUPPLY CABLES (RECENTLY UPGRADED) WILL NEED TO BE RELOCATED AT HIGH COST AND DIFFICULTY. UNDERGROUND PARKING UNLIKELY TO BE AVAILABLE 24 HOURS A DAY AND SO ARE NOT THE SAME AS REPLACING ON STREET PARKING.</b></p> <p><b>THE ENTRANCE BRIDGE WILL NEED TO BE REPLACED OR DUPLICATED AT SOME TIME IN THE FUTURE AND THE ROAD CLOSURE OF PART OF OAKLAND AVENUE WOULD MAKE THIS EXTREMELY DIFFICULT.</b></p> <p><b>CUMULATIVE IMPACT OF THIS DEVELOPMENT AND OTHERS- COUNCIL SHOULD ENTER INTO CONSULTATION RTA AND RESIDENTS REGARDING UPGRADING WORKS TO BRIDGE.</b></p>

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 3)**

**Table of Submissions – December 2004 – February 2005**

Doc No	Issue
D00106062	Closure of Oakland Avenue unacceptable. This development will generate another 1352 extra vehicles. How will this impact on local traffic network? 500 Apartments - how can you approve this development in light of water crisis?
D00107601	Road Closures - Effect on residents Selling off Foreshores to greedy Developers
D00111599	Overdevelopment of the site; Impact on the character of the area; Impact on current infrastructure; Current water shortage - impacts; Motor vehicle movements - impact on local road network; Carparking for construction workers.
D00107601	Road Closures - Effect on residents Selling off Foreshores to greedy Developers
D00111599	Overdevelopment of the site; Impact on the character of the area; Impact on current infrastructure; Current water shortage - impacts;
D00112295	Road Closures; Proposal to replace lost parking along The Entrance Road; Monetary contributions for future parking not acceptable compromise; Proposed substitute access road inadequate to allow for existing vehicular movements along The Entrance Road to and from the western extremity of The Entrance Mall; Safety Concerns - Access to Bent Street from Wilfred Barrett Dr, should be closed and Bent Street and Oakland Avenue upgraded to handle traffic flow to the resort, lakefront, The Entrance Hotel, The Mall that will never impact upon the unrestricted access of emergency vehicles; Lack of internal access roads for emergency vehicles within the development; No nominated proposal for service vehicles access roads to cafes, function centre, tavern etc; Vehicle access to Bent Street should be banned. Vehicle access to the development via Oakland Avenue will alleviate traffic conflict between resort and local vehicular traffic; Vehicle access to the development via Clifford Street should be banned to maintain some sense of residentially for the area outside of the proposed resort; All 'new' buildings should have 5 m landscape buffer to separate development from surrounding residential neighbourhood; Size and scope of proposed landscaping appears very lacking for a development of this size; No landscaping indicated on the western, Southern and eastern boundaries; Proposed speed humps, pedestrian crossings at Oakland Avenue/Bent Street intersection is not compatible with the anticipated traffic flow.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 3) (contd)**

Doc No	Issue
D00160161	Road closures; Access to Foreshore effected for nearby residents; Traffic congestion at holiday times.
D00160168	Access to Foreshore; Road sale to Developers
D00173933	Road sale to Developers; Road Closures.
D00174865	Road Closures; Access to foreshores severely effected
D00114891	Overall height and scale of the proposed buildings too high, keep to 6 storeys;
D00160161	Road closures; Access to Foreshore effected for nearby residents; Traffic congestion at holiday times.
D00160168	Access to Foreshore; Road sale to Developers
D00173933	Road sale to Developers; Road Closures.
D00174865	Road Closures; Access to foreshores severely effected
D00114891	Overall height and scale of the proposed buildings too high, keep to 6 storeys;
D00114996	Size of the facility - should be in keeping with surrounding areas; Occupancy - The number of proposed residential and resort apartments are too high for the area. The site itself, the surrounding support and density of people are not in keeping with the nature and facility offered in the area. Traffic Density - total occupancy and proposed car spaces will abate serious congestion and danger for the surrounding area.' Additional area - Contribution. The developer should contribute to additional lifestyle and activity centres and attractions in the area, especially in the age groups of 8-16 yrs old. Conference Centres - no indication of size of attendees, could impact on parking and traffic, should be limited to 50.
D00115208	Impact on noise with regard to extra traffic, congestion on the bridge. Existing area used for walkers, foreshore activities, cutting off access will severely impact. Additional area - Contribution. The developer should contribute to additional lifestyle and activity centres and attractions in the area, especially in the age groups of 8-16 yrs old. Conference Centres - no indication of size of attendees, could impact on parking and traffic, should be limited to 50.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 3) (contd)**

Doc No	Issue
D00115208	Impact on noise with regard to extra traffic, congestion on the bridge. Existing area used for walkers, foreshore activities, cutting off access will severely impact.
D00114996	Size of the facility – should be in keeping with surrounding areas; Occupancy – The number of proposed residential and resort apartments are too high for the area. The site itself, the surrounding support and density of people are not in keeping with the nature and facility offered in the area. Traffic Density – total occupancy and proposed car spaces will abate serious congestion and danger for the surrounding area.' Additional area – Contribution. The developer should contribute to additional lifestyle and activity centres and attractions in the area, especially in the age groups of 8-16 yrs old. Conference Centres – no indication of size of attendees, could impact on parking and traffic, should be limited to 50.
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D00115208	Impact on noise with regard to extra traffic, congestion on the bridge. Existing area used for walkers, foreshore activities, cutting off access will severely impact.
D00115881	Object to the size of the development in respect to the no of units. Is there a demand for more units in this area? Water shortage – will a development of this size cope? Roads are overcrowded now, what impacts? Population – where will people come from to fill these units?
D00116063	Road Closures – impact on fisherman; Isolation of boat shed for those wishing to hire boats would be required to carry equipment a significant distance from cars to the boats; Lack of access to private moorings along the water front. Scale of proposal is not in keeping with the surrounding area.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 3) (contd)**

Doc No	Issue
D00116405	Height of the building, keep to 6 storeys only; Were not notified directly of the proposal, I am a ratepayer, why can't Council notify me direct and not go through Strata Plan.
D00116445	Height of the building, keep to 6 storeys only; Were not notified directly of the proposal, I am a ratepayer, why can't Council notify me direct and not go through Strata Plan.
D00116713 Petition	Letter stating that the same petition lodged against DA 3239/2004 should be lodged against this DA.
D00117506	Area already over developed with high rise, we do not need this one. Services greatly impacted on Closures of roads Bulk and scale of the development - unacceptable Parking proposed totally inadequate for a development of this size.
D00118008	Height of proposal - too high Not notified, Strata plan does not notify me Notification - not enough time, bad time as people are away on holidays.
D00118084	Why are owners of units not notified? 9 storeys - too high Major traffic issues, How can you approve without traffic study. Council only concerned with money revenue.
D00118102	Should not exceed height limit of 6 storeys; Not notified of the proposal - Why
D00118408	Was not notified; Over the top development, serious percussions on the well being of residents Exceed the six storeys in height
D00118416	Was not notified 9 storeys too high.
D00118670	Overall height of the development too high Not notified direct
D00119606	Car park entrance/exit to the western section for vehicular traffic via Clifford Street 500 spaces - impacts Currently houses in Clifford Street are built close to roadway, - impact on this. Pedestrian traffic increase in Clifford S near out home. Parking - where will people par their 2nd car? Flood impacts

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 3) (contd)**

Doc No	Issue
D00120252	Height of development Setbacks to The Entrance Road non complying with DCP 60 Scale of Development Impact on residents in surrounding area eg overshadowing, traffic noise etc. Road closures
D00120285	Overdevelopment of the site; Not in keeping with surrounding area; Citigate Sebel will appear to be boxed in around high rise development. Not informed about DA - why does Council not inform directly unit holders? 6 storey limit, not 9 storeys.
D00120287 Dept Primary Industries	Stormwater discharges from the site. Significant impact on sea grass beds; Acid water during construction phase also has the potential to cause impact on the estuary.
D00120763	Overall height and bulk of building 9 storeys too high. Not notified. Advertised during holiday period, not enough time for people to respond.
D00120874	Overall height of the development; Not notified; 6 storeys would be better than 9 storeys.
D00121505	Road closures Sale of public road way to Developers Impact on not accessing foreshore especially residents that own boats Water shortage, how will development deal with water restrictions?
D00121920	Development much too large for the area. This development will spoil the village atmosphere of the area. Pollution to the Channel Impacts on infrastructure Not exhibited at Tuggerah Library on 15/1/05 why?
D00122115	Height - out of scale for area Bulk of proposed development; Loss of views Overshadowing to our property Should only be 6 storeys.
D00122365	Closures of roads which will alienate this area from public use. Bulk of development Its unimaginative style Lack of landscaping Overshadowing of adjoining properties

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 3) (contd)**

Doc No	Issue
D00122115	Height - out of scale for area Bulk of proposed development; Loss of views Overshadowing to our property Should only be 6 storeys.
D00122365	Closures of roads which will alienate this area from public use. Bulk of development Its unimaginative style Lack of landscaping Overshadowing of adjoining properties lack of car parking Occupancy of the units.
D00122568	Height of the building Bulk and scale of development – out of context Overshadowing impacts on neighbouring properties Keep up to 6 storeys only.
D00122588	Closure of roads Lack of public parking when closures happen, where will the public park? Social and Economic Impact Statement – deficient in information. Deferral of road closures – how can this happen before DA approved? No architectural merit for the units.
D00122674	Arrange for Council to have a public meeting, but still waiting. Public access will be severely impacted Public land being sold to private developers for leased for long terms. Clear of access to the water front in The Entrance Road must be opposed.
D00122687	Closures of the roads Sale of public road way to Developers Impacts on fishing along foreshore Impact on young families that come here for a holiday
D00122703	Concern for public amenity in relation to road closures. Swimming feature is to be fresh water not sea water? Traffic impacts
D00123071	No extra facilities have been provided for all proposed extra people and visitors except for them to go to eat at an expensive restaurant. The Entrance natural built environment is struggling Bulk of the development FSR does not comply Light reflection and pollution fro roof material Small living areas will result in roof tops being used, thus creating noise Will set a precedent in the area. Negative impact on residential amenity. Lack of carparking manoeuvring space Stormwater impacts not resolved strain on services Plans submitted to Council can't understand them, lack of detail.



26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 3) (contd)**

Doc No	Issue
D00123589	Road closures No easy access to foreshore Not enough public parking Impact on services, especially traffic Water shortage
D00123609	Height, too big Breezes, wind flows affected
D00123716	Impact on traffic for residents in Clifford Street traffic impacts Relocate Council car park from Manning Road to Development entrance Safety - Traffic impacts
D00123911	The development being assessed even though The Entrance Strategy not completed. No research on truck and traffic movements to be used, dumping of waste and building materials while construction underway. Height – consider SEPP 65 comments Commence building from western side where residential component is proposed so tourist activities will not be built for some time Overshadowing of proposed Council carpark to neighbouring properties. Overshadowing, loss of privacy for the residents in local area Removal of trees adjoining residences along Manning Road. Council to call a public meeting to discuss development – needs to be organised.
D00124068	Height of building keep to 6 storeys Demand – is there a need of have
D00124212	Not in context with surrounding area. Overshadowing of dwellings Closures of roads , impact on local fishing Who is going to fill the 500 units?
D00124216	Closure of roads Extending the property boundary to The Entrance Road Traffic congestion Lack of public car parking Height
D00124221	Closure of roads Public roadway – do not sell to greedy developer Traffic impacts Access to the foreshore for elderly residents Height and bulk – too big Advertising time should be extended
D00124284	No sale of public land to developers for this site. Traffic impacts – road closures Social impacts on residents of the area.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 3) (contd)**

Doc No	Issue
D00124299	Height of the development Wind breezes, flows severely impacted Traffic issues
D00124544	Closure of roads Public roadway – do not sell to greedy developer
D00124557	Height of buildings Services – impact on roads, water, electricity etc.
D00125002	Closure of roads Deprive residents of their pleasures
D00125064	Closure of roads Public roadway - do not sell to greedy developer
D00125268	Road closures Scale of development - too large Demand for these units - who will fill them?
D00125193	Closure of roads Water crisis - surely an impact to consider Impact on services The Entrance is becoming a Gold Coast.
D00125741	Setbacks - don't comply with DCP 64 Overshadowing of adjoining properties Loss of a residential community
D00125955	Transfer 10m of public land to Developer - no way Flooding issues - have they been resolved? Likelihood of parking fees to be imposed - another way for Council to raise their revenue No RTA Study received as yet; the DA cannot be approved until resolved. Gas emissions from underground carpark Will resort activities be open to the community as a whole?
D00126369	Road closures Accessing the water front via proposed underground carpark using elevators/escalators would be detraction for this area who is responsible for ownership and maintenance of public car park Will there be parking fees Flood levels 1;100 year event has this been taken into account Are CCTV cameras being installed in public carpark for safety Traffic issues what has been resolved.
D00126571	Effect of development on the environment
D00126588	Road closures Deliveries to my business will be effected due to the road closure Access for emergency vehicles Car parking at our wharf no longer will be there, effect on my business Loss of accessibility to our business will effect cruises Lack of landscaping No architectural merit for the units.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 3) (contd)**

Doc No	Issue
D0127236	Road Closures; Is there a demand for another 500 units at The Entrance?
D00129965	Not informed of DA, Council should inform unit holders directly Too high, bulky, should not exceed 6 storeys Overshadowing on adjoining properties Lack of landscaping details Traffic studies not provided
D0013285	Water crisis, impact on development Sale of private road to Developer Impact on Services
D00139300	Road closures, very important to keep business going Traffic impacts on surrounding businesses, keep in mind Road closures to keep same the character and amenity of what is there now 9 m does not allow kerb side parking to be provided to both sides of new road when potentially widening of The Entrance Bridge is taken into account. Road widths Proposed parking facilities Carpark layout Projected traffic generation
D0014391	Traffic Analysis - Study to take in the following: Road network/access, carparking, pedestrian/cyclist, service vehicles and public transport
D00158255	Road closures Keep public roads, don't give to Developers
D00160134	Road closures Access by residents, tourists effected to the foreshore
D00160141	Road should not be sold to private Developer
D00160157	Road Closures access to foreshore affected

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4)**

### **State Environmental Planning Policy No 71 – Coastal Development**

	<b>Matters for Consideration</b>	<b>Proposed</b>
A	The aims of the Policy as per Clause 2.	The development will have no detrimental impact in regards to achieving the aims of the Policy.
B	Existing public access to and along the coastal foreshore for pedestrians or persons with a disability should be retained and, where possible, public access to and along the coastal foreshore for pedestrians or persons with a disability should be improved.	The development will change/improve the public access to and along the coastal foreshore (discussed below re: Clause 14).
C	Opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability.	The site has extensive frontage to the foreshore and will provide new opportunities for public access.
D	The suitability of development given its type, location and design and its relationship with the surrounding area.	Whilst the site is zoned for high density the design of the proposal, in particular its bulk, scale and site coverage, make it an unsuitable design response. The development exceeds the density of development that Council has envisaged for the precinct and results in a poor relationship to both the public street and foreshore.
D	The suitability of development given its type, location and design and its relationship with the surrounding area.	The proposed development is consistent with the aims and objectives of the Residential Tourist zoning and would provide additional commercial and recreational space and housing choice, optimising the coastal location.
E	Any detrimental impact that development may have on the amenity of the coastal foreshore, including any significant overshadowing of the coastal foreshore and any significant loss of views from a public place to the coastal foreshore.	The proposed development will not overshadow the public foreshore area nor will it result in the loss of views from public places. The proposed development will limit the views of The Entrance foreshore, due to the density and bulk of development.
F	The scenic qualities of the New South Wales coast, and means to protect and improve these qualities.	The proposed building will detract from the sense of place and character of the precinct, and will not add to the scenic quality of The Entrance.
G	Measures to conserve animals (within the meaning of the <a href="#">Threatened Species Conservation Act 1995</a> ) and plants (within the meaning of that Act), and their habitats.	Council would be conditioning the consent to ensure that the stormwater leaving the site will have no impact on any threatened species.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

	<b>Matters for Consideration</b>	<b>Proposed</b>
H	Measures to conserve fish (within the meaning of Part 7A of the <a href="#">Fisheries Management Act 1994</a> ) and marine vegetation (within the meaning of that Part), and their habitats.	There will be no impact on the conservation of fish or marine vegetation.
I	Existing wildlife corridors and the impact of development on these corridors.	No wildlife corridors are located near the subject site.
J	The likely impact of coastal processes and coastal hazards on development and any likely impacts of development on coastal processes and coastal hazards.	The site does not have ocean frontage and is not located on sand dunes. However, the applicant's failure to address groundwater processes, raising concern with regard to detrimental impact on coastal processes.
K	Measures to reduce the potential for conflict between land-based and water-based coastal activities.	The proposed development will not create any conflicts between land and water based activities.
L	Measures to protect the cultural places, values, customs, beliefs and traditional knowledge of Aborigines.	There are no aboriginal characteristics related to the proposed development or the subject site.
M	Likely impacts of development on the water quality of coastal water bodies.	Stormwater runoff from the site would need to comply with Council's water quality and quantity requirements.
N	The conservation and preservation of items of heritage, archaeological or historic significance.	There is a likely detrimental impact upon the heritage item (Lot 2, DP 571197), which the applicant proposes to excavate beneath, remove the majority of the structure and build unsympathetic structures adjoining.
O	Only in cases in which a council prepares a draft local environmental plan that applies to land to which this Policy applies, the means to encourage compact towns and cities.	Not applicable.
P(i)	The cumulative impacts of the proposed development on the environment.	With appropriate conditions and ongoing monitoring, the development should have no cumulative impacts on the environment.
P(ii)	Measures to ensure that water and energy usage by the proposed development is efficient.	Water collection and re-use is proposed. In terms of thermal design but less than 70% of the permanent residential units have satisfactory solar access, reducing their energy efficiency.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

**State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development**

Principle	Proposal	Meets SEPP 65 objectives
<p><b>Principle 1 – Context</b></p> <ul style="list-style-type: none"> <li>• Good design responds and contributes to its context.</li> <li>• Context is defined as key natural and built features of an area.</li> <li>• In responding to context of an area has the development/application identified the desirable elements of a location's current character, or in the case of precincts (areas) undergoing a transition, the desired future character stated in planning and design policies?</li> <li>• Does the new building contribute to the quality and identity of the area?</li> </ul>	<p>While the locality is undergoing transition at the present on adjoining sites, the proposed development does not represent good urban design contributing to Council's identified future character.</p> <p>The lack of building separation (internally and externally) detracts from the amenity of the development and contributes to its excessive bulk and scale.</p> <p>The development removes significant stands of vegetation and does not adequately address the impacts on the iconic vegetation of the foreshore.</p> <p>The design does address the street, with tourist/retail activities to the street frontage, however there are significant aspects on the western side of the proposal which internalise the site, failing to contribute to the public realm.</p> <p>The proposed design will change the sense of place of the precinct to such an extent that the existing character will be lost.</p>	<p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p>

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

Principle	Proposal	Meets SEPP 65 objectives
<p><b>Principle 2 – Scale</b></p> <ul style="list-style-type: none"> <li>• Good design provides an appropriate scale in terms of bulk and height that suite the scale of the street and surrounding buildings.</li> <li>• What is the scale of existing development? Has the proposal considered and responded to this scale?</li> <li>• In areas undergoing transition, does the proposed bulk and height achieve the scale identified for the desired future character of the area?</li> </ul>	<p>The bulk and scale of the proposal is not in context with the adjoining properties, resulting in detrimental impacts to existing and potential development. The non compliance with building separations diminishes the development rights of the adjoining properties.</p> <p>The development has sought to maximise the building envelope, leading to detrimental overshadowing and amenity impacts both internally and externally.</p> <p>The zero-lot line to western boundary is deemed inappropriate.</p> <p>There is no stated density identified for the site, but given the setback, separation concerns and detrimental impacts, is deemed unacceptable.</p>	<p>No</p> <p>No</p> <p>No</p> <p>No</p>

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

Principle	Proposal	Meets SEPP 65 objectives
<p><b>Principle 3 – Built form</b></p> <ul style="list-style-type: none"> <li>• Good design achieves appropriate built form for a site and the buildings purpose, in terms of building alignments, proportions, building type and manipulation of building elements.</li> <li>• Does the built form define the public domain, contribute to the character of the streetscape and parks, including their views and vistas and provide internal amenity and outlook?</li> </ul>	<p>DCP 2005 Chapter 60 clearly identifies the importance of solar amenity and appropriate scale of design as a consideration in the density of development for the site. Given the identified issues with the application is considered that the proposal does not have and appropriate development yield.</p> <p>The zero-lot line to western boundary is deemed inappropriate.</p> <p>While the building type is contemporary, the lack of separation and reduced setbacks results in poor design and poor internal and external amenity especially internal overshadowing, privacy, views.</p> <p>The building design has a relatively poor northern orientation.</p> <p>Cross-flow ventilation is generally satisfactory.</p> <p>The upper level of units will benefit from views to Tuggerah Lake (northeast to northwest), which will contribute to the amenity and outlook of these units. However, a significant number of units will have views only of adjoining units in close proximity to their private open space.</p>	<p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>Yes</p> <p>Yes</p>



26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

Principle	Proposal	Meets SEPP 65 objectives
<p><b>Principle 4 – Density</b></p> <ul style="list-style-type: none"> <li>• Good design has a density appropriate for the site and its context in terms of floor space yield (or no. units or residents).</li> <li>• Is the density sustainable and consistent with the area?</li> <li>• In areas undergoing transition are densities consistent with the desired future density?</li> <li>• Sustainable densities respond to the regional context, availability of infrastructure, public transport community facilities and environmental quality.</li> </ul>	<p>The proposed development comprises of 15 buildings with a total of 509 units (254 permanent residential and 255 tourist), plus retail, conference centre, parking, recreation facilities and the like. Given the proposed amenity impacts, setback and separation concerns and the lack of deep soil open space the density is deemed excessive and not sustainable.</p> <p>The proposed development does not represent good urban design contributing positively to Council's identified future character. Being such a key site in Council's vision for The Entrance, it is considered that the development has a role in establishing the character of The Entrance. It is Council's view that the development proposal is not a positive contribution.</p> <p>The increased density of the locality will enable the existing infrastructure to be better utilised.</p>	<p>No</p> <p>No</p> <p>Yes</p>
<p><b>Principle 5 – Resource, energy and water efficiency</b></p> <ul style="list-style-type: none"> <li>• Good design makes efficient use of natural resources, energy and water through its full life cycle including construction. Sustainability is integral to the design process.</li> <li>• Aspects include demolition of existing structures, recycling of materials, selection of appropriate sustainable materials, adaptability and reuse of existing buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.</li> </ul>	<p>The northeast – northwest orientation of the site should permit a majority of units to achieve the required 3 hours direct sunlight to their primary living area 75%, however, only 66.14% achieve the requirement.</p> <p>Shadow diagrams indicate that a number of adjoining dwellings in Manning Road will be detrimentally impacted.</p> <p>A majority of the units will have adequate cross-flow ventilation.</p> <p>Rainwater storage and re-use throughout the development has been documented to Council's satisfaction.</p>	<p>No</p> <p>No</p> <p>Yes</p> <p>Yes</p>

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

Principle	Proposal	Meets SEPP 65 objectives
<p><b>Principle 6 – Landscape</b></p> <ul style="list-style-type: none"> <li>• Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.</li> <li>• Does the landscape design build on the existing site natural and cultural features in responsible and creative ways?</li> <li>• Does landscaping enhance the developments natural environmental performance by co-ordinating water and soil management, solar access, microclimate, tree canopy and habitat values?</li> <li>• Does the landscaping contribute to the positive image and contextual fit of the development through respect for streetscape and neighbourhood character, or desired future character?</li> </ul>	<p>A communal area of 2730 m<sup>2</sup> is required and has been provided however the quality of the communal open space is poorly proportioned and almost totally overshadowed at mid-winter.</p> <p>A significant portion of the communal open space (half) is below natural ground level and the remainder is located between buildings.</p> <p>Minimal area (500m<sup>2</sup>) for deep soil planting has been provided. The area to retain the Norfolk Island Pines has not been considered (already planted).</p> <p>The proposed landscaping does not positively contribute to the subject site. The development will result in the loss of the <i>melaleucas</i> along The Entrance Road West and may impacts upon the Norfolk Island Pines. These impacts on vegetation will diminish the identity of the locality.</p>	<p>No</p> <p>No</p> <p>No</p> <p>No</p>

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

Principle	Proposal	Meets SEPP 65 objectives
<p><b>Principle 7 – Amenity</b></p> <ul style="list-style-type: none"> <li>• Good design provides amenity through the physical, spatial and environmental quality of the development.</li> <li>• Has the development optimised amenity through appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility?</li> </ul>	<p>The proposal has several non compliances with the Residential Flat Design Code (RFDC) in terms of solar access and natural ventilation.</p> <p>The proposal fails to comply with the requirements of the RFDC for building separation in numerous instances. This will unfairly impact on the development potential of the adjoining sites, as they will be forced to provide more than 50% of the required setback.</p> <p>Due to the lack of building separation acoustic and visual privacy between units is compromised in a number of places in the design.</p> <p>A majority of units would have direct water views, with lifts provided to all units.</p>	<p>Yes</p> <p>No</p> <p>No</p> <p>Yes</p>

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

Principle	Proposal	Meets SEPP 65 objectives
<p><b>Principle 8 – Safety and security</b></p> <ul style="list-style-type: none"> <li>• Good design optimises safety and security both internal to the development and for the public domain.</li> <li>• Has this been achieved by maximising overlooking of the public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activities on streets, providing clear safe access points, providing quality public spaces that cater for the desired recreational uses, providing lighting appropriate to the location and desired activities, and a clear definition between public and private spaces?</li> </ul>	<p>The majority of access will be via the basement carpark and hence the various lifts to the appropriate buildings.</p> <p>Whilst the pedestrian movement across the site is defined, the individual buildings do not address these core circulation paths with clear entries to individual buildings, creating confusion, lack of safety and visual surveillance.</p> <p>As indicated in the proceeding the development does not create quality communal open space that is able to be utilised for a variety of recreational opportunities.</p> <p>The eastern side of the development generally relates to existing street frontages, providing passive surveillance to the adjoining road and retail activities.</p> <p>There is restricted public access through the development, with barriers (dining area in Oakland Avenue and foreshore boardwalk) designed to redirect pedestrian flows to commercial areas. Further public access is to be restricted between the hours of 10.00 pm and 8.00 am daily.</p>	<p>Yes</p> <p>No</p> <p>No</p> <p>Yes</p> <p>No</p>

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

Principle	Proposal	Meets SEPP 65 objectives
<p><b>Principle 9 – Social dimensions</b></p> <ul style="list-style-type: none"> <li>• Good design responds to the social context and needs of the local community in terms of lifestyles affordability and access to social facilities.</li> <li>• Has the development optimised the provision of housing to suit the social mix and needs in the neighbourhood or in the case of areas undergoing transition, provide for the desired future community?</li> </ul>	<p>0.3% 1 bedroom units, 23.2% 2 bedroom units, 70.8% 3 bedroom units and 5.5% 4 bedroom units. Fails to address the ageing population of both The Entrance and Wyong Shire.</p> <p>The tourist accommodation provided on the eastern side of the site has provided for some more 1 bedroom units, which slightly improves the housing mix.</p> <p>The restriction of access to The Entrance Channel via Oakland Avenue reduces public access to this public area. Additionally, the proposal has walkways and dining areas positioned across the road, physically blocking access. Further public access is to be restricted between the hours of 10.00 pm and 8.00 am daily.</p> <p>Disabled access is provided to the units, the applicant has demonstrated than 10% of units achieve AS4299 Adaptable housing</p>	<p>No</p> <p>Note</p> <p>No</p> <p>Yes</p>
<p><b>Principle 10 – Aesthetics</b></p> <ul style="list-style-type: none"> <li>• Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development.</li> <li>• Does the aesthetics respond to the environmental and context, particularly to desirable elements of the existing streetscape or in areas undergoing transition, contribute to the desired future character of the area?</li> </ul>	<p>The composition of the buildings (height, dimensions and setbacks) and their orientation add to the visual bulk of the development.</p> <p>There are excessive balconies, exaggerating the horizontal perspective of many building facades.</p> <p>The design dominates the surrounding visual catchment and may result in the loss of culturally significant vegetation on the foreshore of the lake.</p>	<p>No</p> <p>No</p> <p>No</p>

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

**Chapter 60 – The Entrance (Major Aspects)**

Aspect	Requirement	Proposal	Meets Council's Objectives
<b>Part 2 - Controls and Design Guidelines</b>		Survey plan doesn't cover the eastern side of eastern site.	
<b>Building height</b>	Building height map indicates 12 – 24m	East NGL low as RL 2.20m Ceiling 14.02m (assuming 2.4m floor – ceiling) = 11.82m	Yes
		East NGL low as RL 2.25m Ceiling 25.95m (assuming 2.4m floor – ceiling) = 23.70m	Yes
	Architect stated that top floors would have floor-ceiling height 2.4m to comply. This is below the 2.7m recommended by the RFDC	West NGL low as RL 2.10m Ceiling 14.02m (2.4m floor – ceiling) = 11.92m	Yes
		West NGL low as RL 2.10m Ceiling 25.95m = 23.85m	Yes

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

Aspect	Requirement	Proposal	Meets Council's Objectives
<p><b>Overshadowing</b></p> <p>Detailed analysis of the permanent residential component provided earlier in the report.</p>	<p>Avoid unreasonable reduction in solar access.</p> <p>Required open space is to have a minimum of 3 hours of continuous and unobstructed sunlight.</p>	<p>The resort courtyard (east side) is below natural ground level and would be overshadowed as would lower level apartments and some south facing units., though they are not for permanent residents they should still achieve good solar access.</p> <p>The communal courtyard (west side) is below natural ground level and would be overshadowed. Many units are either overshadowed by other buildings on-site or are overshadowed by their own building (specifics listed above)</p> <p>Significant impact to No's 14–26 Manning Road, due to the height and setback of the Brentwood, Poolside and Clifford buildings (specifics listed below).</p>	<p>No</p> <p>No</p> <p>No</p>
<p><b>Privacy</b></p>	<p>Avoid overlooking of living spaces. How is it achieved?</p>	<p>Eastern site. There are numerous instances of privacy loss due to minimal distances between balconies, which could be reduced if the plans were amended to reduce the amount and predominance of balconies.</p> <p>Western site. Within the Brentwood building there are balconies 2.4m apart. The Clifford and Lakefront buildings have balconies at 1.0 m from the common boundary.</p>	<p>No</p> <p>No</p>

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

Aspect	Requirement	Proposal	Meets Council's Objectives
<b>Part 3 - Design Considerations</b>	Intrusiveness of the development (bulk, scale, design or colour). Compatibility with broader urban context (relationship with existing and future development),	The proposed development does not represent good urban design and does not contribute positively to Council's identified future character.	No
	Human scale (relationship of building compared to the scale of activities at street level).	A number of specific concerns have been raised by the SEPP 65 – DRP (comments above)	No
	Vehicle access and local street system capacity and main road impact,  Adequacy of carparking, Impact of road noise on development, and  Pedestrian access at street frontage and shelter from the elements.	Vehicular access to the development is acceptable. Local and main roads have capacity to handle additional traffic. Unsatisfactory parking design. Traffic noise on development, not addressed. Pedestrian access to the street satisfactory, with various awnings for shelter provided.	Yes Yes No No Yes
	Boundary treatments and fencing.	1800 mm high decorative walls to various boundaries, though no specific details provided. Nothing indicated along the western or southern boundary.	No
<b>Part 4 Land Use Precinct 1 – Tourist Activities</b>			
<b>Development Principles</b>	Buildings should address the street with a quality urban residential streetscape and character.	Buildings address street and foreshore frontages.  Fail to provide quality urban residential/commercial streetscape and character.	Yes  No
	View sharing	Concern that the proposal to construct over Oakland Avenue will reduce the view corridor to the lake and channel.	No
	Carparking and impact on street frontages.	Basement carpark does not detrimentally affect any frontage.	Yes



26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

Aspect	Requirement	Proposal	Meets Council's Objectives
<b>Part 5 – Managed Resort Facilities</b>			
<b>Pedestrian Access</b>	Provision is to be made for pedestrian access from The Entrance Road through the development to link to alternative pedestrian routes and carparking in Manning Road.	Minimal links provided along The Entrance Road and no link provided through to the future Manning Road carpark.	No

**Minor Aspects of Chapter 60 – The Entrance**

Aspect	Requirement	Proposal	Meets Council's Objectives
<b>Ceiling heights</b>	Residential 2.7m habitable rooms.  Commercial 3.3m.	Residential floor – ceiling heights generally 2.7m, with a 190 mm slab, but some reduced to 2.4m. (top floor)  Commercial floor – ceiling height appear to be 3.4m, with a 190 mm slab.	Yes  No  Yes
<b>Landscaping</b>	Category 3 Landscape Plan and report required.	Category 3 Consultant has provided the Landscape Plan and Design Report.	Yes
<b>Footpath</b>	Footpath pavement materials in accord with Council preferred treatment.	Would form a condition of consent if consent granted.	Yes
<b>Maritime Design Theme</b>	Precinct 1 requires proposals to incorporate architectural design features and cosmetic elements that adopt a maritime theme. Desired features: water features, sails, wave and dune shapes, murals, bollards, ropes, masts and flags, cable and decking. Colour schemes for residential buildings shall be maritime theme related.	The proposal has a stepped building form, curves, bollards, water features, is a contemporary design, utilising a sympathetic seaside colour scheme with subdued colours.	Yes

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

Aspect	Requirement	Proposal	Meets Council's Objectives
<b>Stormwater nutrient and sediment control</b>	Comply with Council's Stormwater Management Plan by submitting a Stormwater Concept Plan.	Stormwater drainage concept plan is not deemed satisfactory, with many outstanding issues.	No
<b>Security</b>	Safety, security and crime prevention.	Security for permanent residents is satisfactory.  There are pedestrian access problems through the site, especially from the future Manning Road carpark, along Oakland Avenue to the foreshore and through the retail component, with barriers and security guards proposed after general business hours.	Yes  No
<b>Utility Services</b>	Utility Services.	Available in locality, but may need relocating.	Yes
<b>Restrictions</b>	Easements, covenants or agreements.	There are various easements and covenants which haven't been resolved. It is understood that there is a recent agreement, regarding the road reserve closure and sale.	No
<b>Building Code of Australia</b>	Building Code of Australia	Satisfactory, can be resolved at the construction certificate stage.	Yes
	Disabled access	Numerous lifts and ramps provided throughout the development, with a number of disabled car spaces provided.	Yes

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

### **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

#### **Chapter 61 – Carparking**

Component	DCP Requirement (without consideration for co-use)	Req'mnt	Discount % for co-use at peak	Discounted Council's Req'mnt	Proposal
<b>Western Site</b>					
Residential Units 273					
198 – 3/4 bdrm	2 spaces/unit	396	100%	396	
75 – 1/2 bdrm	1.5 spaces/unit	113	100%	113	
Commercial Retail 1410m2					
cafés/ restaurants (50%)	15 spaces/100m2 GFA	106	50%	53	
- 705m2 retail (50%)					
- 705m2	1 space/30m2 GFA	24	50%	12	
Tavern 500m2					
Lic. Floor area - 450m2	1 space/5m2	90	50%	45	
Bistro – 50m2	15 spaces/100m2 GFA	8	50%	4	
<b>Total West</b>		<b>737</b>		<b>623</b>	<b>753</b>
(incl. Public Parking)	residual			(350)	(270)
(incl. Private Parking)	273 units @1 space/unit			(273)	(483)
<b>Eastern Site</b>					
Tourist Apartments 312 (potential units)					
74 - 3 bdrm					
79 - 3 bdrm dual apartments, can be split into 2 units (=158)	1 space/unit +	312	100%	312	
80 - 1/2 bdrm					
1 - manager	1 space/mgr +	1	100%	1	
20 - staff	1 space/2 staff	10	100%	10	
Commercial Retail 1750m2					
cafés/restaurants (50%)	15 spaces/100m2 GFA	131	50%	66	
- 875m2 retail (50%)					
- 875m2	1 space/30m2 GFA	29	50%	15	
Child Care Centre - 250m2	1 space/4 children	0*			
Gymnasium - 200m2	7 spaces/100m2 GFA	14	0%**		
Convention Centre - 975m2 or 600 seats	Lesser of 15 spaces/100m2 GFA or 1 space/3 seats (Reception establishment)	146	60%	88	

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

<b>Total East</b>		808		<b>575</b>	<b>606</b>
Entertainment/Amusement Centre - 1650m <sup>2</sup>	1 space 10m <sup>2</sup> GFA (Place public assembly)	165	50%	83	
(incl. Public Parking)	residual			(252)	(151)
(incl. Private Parking)	312 @ 1space/unit + 11 staff			(323)	(455)
<b>TOTAL</b>		1619		<b>1198</b>	<b>1359</b>
(incl. Public Parking)				(602)	(421)
(incl. Private Parking)				(596)	(938)
Spaces lost as a result of closure of Oakland Avenue and the Entrance Road		+ 92	100%	+ 92	
Spaces added as a result of the new access road on eastern side of development		- 12	100%	- 12	
<b>TOTAL incl on street</b>				<b>1278</b>	<b>1359</b>
(incl. Public Parking)	As previous + lost on-street			(682)	(421)
(incl. Private Parking)	As previous			(596)	(938)

\* Likely a crèche or walk up facility for patrons staying in tourist accommodation only or nearby residents. Consent could be conditioned to ensure this assumption is valid.

\*\* Likely to be used by patrons staying in tourist accommodation only or nearby residents. Consent could also be conditioned to ensure this assumption is valid.

As seen above whilst the total parking provision is adequate, a discrepancy in the allocation of public versus private parking spaces is evident. At a previous meeting with the applicant 1 March 2006 however Council resolved with the applicant that the discrepancies in parking allocation could be resolved at detail design stage via a condition of consent.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

Aspect	Requirement (without consideration of co-use components)	Proposal	Complies (Discount for co-use shown)
<b>Lost On-Street Parking (Oakland Avenue and The Entrance Road West)</b>	80 spaces (92 spaces lost, but 12 spaces provided in slip road).		80 spaces (None)
<b>Grand total</b>	1628 spaces	<b>1371 spaces</b>	<b>Yes 1279 spaces</b>
Manoeuvring	Entry/exit in forward direction and internal access sufficient.	There remain unresolved issues with regard to height clearances and various manoeuvring issues.	No
Aisle Width	2.5 metre wide spaces require a 6.7 metre wide aisle.	Generally acceptable.	Yes

Note: The retail/café (restaurants) areas have been combined and it is assumed that there will be an even split between the uses, especially given the restricted retail/commercial uses permissible on the site. This will only become a problem later on when these percentages are not met, with regarding to parking and Section 94 Contributions.

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

## **Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

### **Chapter 64 - Multiple Dwelling Residential Development (Major Aspects)**

	<b>REQUIREMENT</b>	<b>PROPOSED</b>	<b>COMPLIES</b>
<b>2.0 APPLICATION REQUIREMENTS</b>			
	Kerb and guttering existing?	Kerb and gutter exist to The Entrance Road West and Oakland Avenue., but nothing to Bent Street. Standard conditions to construct crossings and repair any damage.	Yes
<b>4.0 SCALE</b>			
<b>Building Height</b>	12-24m as indicated on Building Height Map (WLEP 1991).	Site area = 33,824 m <sup>2</sup>  Height = Proposal within 12-24 metre height limit.	Yes  Yes
<b>5.0 BUILT FORM</b>			
<b>Construction and Appearance</b>	Respond sensitively to context in terms of scale, functionality and sustainability.	The scale of development is consistent with the zoning and surrounding buildings, however, the internal design of the western site is considered poor with regard to separation and solar access.	No
<b>Roof Design</b>	Relate roof design to desired built form and the size and scale of the building.	Roof terraces are incorporated into roof design. Some concern though with regard to the conservatory on the eastern side of the site.	No
	Minimise intrusiveness of service elements.	Concern with regard to the lift overruns.	No
	Roof terraces to be setback from building edge.	Roof terraces setback from building edge.	Yes
<b>Setbacks</b>			
<b>North - (The Entrance Road West)</b>	<b>Permitted</b>	<b>Proposal</b>	<b>Meets Council's Objectives</b>
<b>Profile D</b>	Ground and 1 <sup>st</sup> floor - boundary 2 <sup>nd</sup> floor - 2.5m  3 <sup>rd</sup> floor – 5.0m  4 <sup>th</sup> – 7 <sup>th</sup> floors	Building Profile amended to comply.	Yes  Yes  Yes  Yes

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

	REQUIREMENT	PROPOSED	COMPLIES
	Ground and 1 <sup>st</sup> floor - boundary 2 <sup>nd</sup> floor - 2.5m 3 <sup>rd</sup> floor - 5.0m  4 <sup>th</sup> - 7 <sup>th</sup> floors	Building Profile amended to comply.	Yes  Yes Yes  Yes
<b>Central – Oakland Avenue</b>			
<b>Profile D</b>	Development meets requirements ground and 1 <sup>st</sup> floor - boundary	Separation between easements in the roadway and those on development lots	Yes
<b>Bent Street</b>			
<b>Front setback</b>	7.5m	Convention Centre – on the boundary Tourist building – on the boundary Further encroachments to building envelope by El Lago building – 4 <sup>th</sup> to 6 <sup>th</sup> floor. 200 mm setback at 3 bed unit.	No  No No
<b>Wilfred Barrett Drive</b>			
<b>Front setback</b>	7.5m	El Lago building – 5.5m Further minor encroachments to building envelope by El Lago building – 4 <sup>th</sup> to 7 <sup>th</sup> floor.	No

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

	REQUIREMENT	PROPOSED	COMPLIES
<b>Western boundary – Western Site</b>			
	Ground - 6.0m	Boundary - Clifford building, 10m – Pinehurst building and 2.5 metre Lakefront building.	No Yes
	1 <sup>st</sup> floor – 6.0m	Boundary - Clifford building, 10m – Pinehurst building and 2.0 metre Lakefront building.	No Yes
	2 <sup>nd</sup> floor – 6.0m	Boundary - Clifford building, 10m – Pinehurst building and 2.0 metre Lakefront building.	No Yes
	3 <sup>rd</sup> floor – 6.0m	Boundary - Clifford building, 10m – Pinehurst building and 2.0 metre Lakefront building.	No Yes
	4 <sup>th</sup> floor – 9.0m	Boundary - Clifford building, 10m – Pinehurst building and 2.5 metre Lakefront building.	No No
	5 <sup>th</sup> floor – 9.0m	Boundary - Clifford building, 10m – Pinehurst building and 2.5 metre Lakefront building.	No No
	6 <sup>th</sup> floor – 9.0m	Boundary - Clifford building and 10m – Pinehurst building.	No Yes
	7 <sup>th</sup> floor – 9.0m	Boundary - Clifford building and 12m – Pinehurst building.	No Yes



26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

	REQUIREMENT	PROPOSED	COMPLIES
<b>Southern boundary – Western Site</b>			
Note the applicant has mounted an argument that they comply with the given setback as the site adjoins a Council easement 1.5m wide, they have considered this as part of their setback. The dimensions given here are from the property boundary.	Ground - 6.0m	14.0m Clifford building, 7.5m Poolside building and 4.5m Brentwood building.	Yes Yes No
	1 <sup>st</sup> floor – 6.0m	7.5m Clifford building, 7.5m Poolside building and 4.5m Brentwood building	Yes Yes No
	2 <sup>nd</sup> floor – 6.0m	7.5m Clifford building, 7.5m Poolside building and 4.5m Brentwood building	Yes Yes No
	3 <sup>rd</sup> floor – 6.0m	7.5m Clifford building, 7.5m Poolside building and 4.5m Brentwood building	Yes No No
	4 <sup>th</sup> floor – 9.0m	7.5m Clifford building, 7.5m Poolside building and 7.5m Brentwood building.	No No No
	5 <sup>th</sup> floor – 9.0m	7.5m Clifford building, 7.5m Poolside building and 7.5m Brentwood building.	No No No
	6 <sup>th</sup> floor – 9.0m	7.5m Clifford building, 7.5m Poolside building and 7.5m Brentwood building.	No No No
	7 <sup>th</sup> floor – 9.0m	7.5m Clifford building, 3.5m Poolside building and 5m Brentwood building	No No No
<b>Vehicular Access Design</b>			
<b>Basement Parking</b>	Facilitate natural ventilation.	Mechanical ventilation required, some ventilation into the sunken communal space (west)	Not applicable
	Ventilation grills to be integrated with design or screened.	Ventilation grill not visible from street.	Yes
<b>Pedestrian Access Design</b>	Clear pedestrian access to development	Pedestrian access improved to the site, with the future closure of The Entrance Road West.	Yes
	Consider public through-site access ways in larger developments.	Pedestrian access restricted through the site and Manning Street carpark connection not addressed.	No

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

	REQUIREMENT	PROPOSED	COMPLIES
<b>7.0 SUSTAINABILITY</b>			
<b>BASIX</b>	BASIX Certificate.	Lodged prior to 1 October 2005	Not applicable
<b>Waste Management</b>	WMP submitted.	WMP submitted.	Yes
	Location of bins to be accessible and not visually intrusive.	It is proposed to store bulk bins within the basement car parks, where they will be serviced.	Yes
	Garbage chute to be provided.	Garbage chutes not provided.	No
<b>Stormwater Management</b>	SWMP submitted	Assessed by Council's Development Engineer and found to be satisfactory, subject to conditions.	Yes
	On-site detention	Not applicable, given the location of site to lake.	NA
	Evidence of agreement for easements.	Not applicable.	NA
	Groundwater study.	Report provided is not satisfactory.	No
<b>8.0 LANDSCAPE</b>			
<b>Landscape Design</b>	Category 3 Landscape design.	Category 3 Landscape design and report provided.	Yes
<b>Deep Soil Zones</b>	Residential zones require 50%, but site is a mixed zone.	Approximately 1000m <sup>2</sup> - eastern side and 960.25m <sup>2</sup> - western side. Equates to 5.7%	No
<b>Street Trees</b>	2 semi advanced trees per 15 m frontage.	Category 3 Landscape design and report provided.	Yes
<b>9.0 AMENITY</b>			
<b>Private Open Space</b>	Grade not to exceed 1:14	Balconies basically level.	Yes
	10m <sup>2</sup> with min. dimension 2.0 m, directly accessible from living areas.	Western site - perm. residential The southern end units on Lakefront (4 floors) and Pinehurst do not meet the requirements.	No
<b>Communal Open Space</b>	10 m <sup>2</sup> per unit = 2730m <sup>2</sup> , minimum dimension 5.0m, in 2 locations.	Western site - perm. residential Communal courtyard 1100m <sup>2</sup> , but below natural ground level – overshadowed. Another 1500m <sup>2</sup> in linked areas throughout the site, and some overshadowed.	No
	Communal open space not to be within front setback.	Located centrally.	Yes
	Provide facilities e.g. BBQ, seating, pool.	Gymnasium, indoor and outdoor pools, BBQ and lounge area.	Yes

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

	REQUIREMENT	PROPOSED	COMPLIES
<b>Solar Access</b>	All units to have 75% of required private open space to have unobstructed sunlight for min 3 hours between 9.00 am - 3.00 pm mid-winter.	There is poor solar access for many of the permanent residential units (38%) and there is extensive overshadowing of the communal open space area from the Wintergarden, Promenade and Pinehurst buildings.	No
	Development not to unreasonably impact adjoining properties.	Overshadowing of the properties in Manning Road, will also lead to further energy inefficiencies.	No
<b>Privacy</b>	Building layout (windows, balconies, screening and landscaping) to min. direct o/looking of internal living areas and private o/space.	Due to the lack of separation between buildings, there are numerous instances where there are privacy concerns.	No
<b>Acoustic Privacy</b>	Site layout should separate active recreation areas, parking areas, vehicle accessways etc., from bedrooms.	Due to the lack of separation between buildings, there are numerous instances where there are acoustic concerns. Additionally, the design and location of the convention centre, directly across the road from residences in Bent Street.	No
<b>Views</b>	Minimise loss of views.	Generally complies with building envelopes, but some excessive roof structures.	Yes
	Public views and vistas retained.	Buildings and structures encroaching into Oakland Avenue.	No
<b>10.0 SAFETY AND SECURITY</b>			
Crime Prevention	Crime Risk Assessment (CPTED)	The western side will be secured for permanent residents, with the remainder of the site controlled by barriers and private security.	Yes
<b>11.0 SOCIAL DIMENSIONS</b>			
Housing Choice	Mix of 1, 2 and 3 bedroom units	Housing mix is poor and fails to address the ageing population of both The Entrance and Wyong Shire.	No

26 November 2008  
To the Ordinary Meeting of Council

Director's Report  
Shire Planning Department

**Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance (Attachment 4) (contd)**

	REQUIREMENT	PROPOSED	COMPLIES
	10% of units to be suitable for adaptation for disabled/elderly persons.	Given the eight permanent buildings (western side) all have lifts and the majority have ground floor access, it is deemed that more than 10% could be made suitable for adaptation for disabled/elderly persons.	Yes
Facilities and Amenities	Each dwelling to have individual laundry.	Provided within each unit.	Yes
	Drying areas in accordance with BCA.	Internal drying is proposed.	Yes
	Car wash facility	Provided within the basement.	Yes
	Mailboxes	Provided in building foyers.	Yes
	Storage: 1-2 beds - 3m <sup>2</sup> 3+ beds - 6m <sup>2</sup>	Built in storage provided within each unit (linen cupboards).	Yes
<b>12.0 AESTHETICS</b>			
Fencing	Details to be provided.	No details provided with regard to fencing.	No
Streetscape	Development is to enhance streetscape character.	Development will dramatically change the streetscape character of the locality.	No

DCP No.  
**69**

# Draft Wyong Controls For Site Waste Management Development Control Plan

## OBJECTIVES

The aims of this plan are:

- to identify Council's expectations and requirements for the management of waste (not including sewage) on individual sites including information required in applications;
- to identify approaches and techniques which promote waste minimisation in Wyong Shire; and
- to promote best practice in waste management and quality environmental outcomes.

**This Development Control Plan (DCP) may be amended from time to time by Council. Proposed amendments are required to be advertised and exhibited in draft form and any submissions received must be considered by Council before the amended plan is adopted. People using this DCP should ensure that they have the current copy of the plan, including any amendments. If in doubt, please check with Council's Customer Service Centre.**

Proposed for Adoption at Council meeting of 8 July 2009	
Effective: 17 July 2009	
Certified in accordance with the Environmental Planning and Assessment Act 1979 and Regulations	General Manager:  Dated:

## **1.0 INTRODUCTION**

### **1.1 What is this plan called?**

This Plan is called "Development Control Plan No. 69 - Controls For Site Waste Management" which may be abbreviated to "DCP 69".

### **1.2 Where does this plan apply?**

This plan applies to the whole of Wyong Shire. It may apply by itself or in conjunction with other planning controls such as Council's Development Control Plans for Residential Subdivision, Car parking, Dual Occupancy, Multiple Dwelling Residential, Commercial and Industrial Development and so on.

### **1.3 What is the purpose of this plan?**

The purpose of this plan is to provide Council's requirements for the management of waste including storage, handling and disposal of waste and recyclable materials on individual sites in Wyong Shire.

### **1.4 What are the aims of this plan?**

The aims of this plan are:

- to identify Council's expectations and requirements for the management of waste (not including sewage) on individual sites including information required in applications;
- to identify approaches and techniques which promote waste minimisation in Wyong Shire; and
- to promote best practice in waste management and quality environmental outcomes.

### **1.5 What type of development does this plan cover?**

The plan applies to all categories of development.

### **1.6 How does this plan relate to other plans?**

This plan has been prepared in accordance with Clause 74C of the Environmental Planning and Assessment Act, 1979 having regard to the provisions of the Waste Minimisation and Management Act, 1995 and the Protection of the Environment Operations Act, 1997.

The plan is generally consistent with the provisions of Wyong Local Environmental Plan 1991 as amended.

Where an activity or development or is proposed pursuant to any Environmental Planning Instrument, Council will require the submission of a Waste Management Plan with the development application or application for the approval of that activity.

In circumstances where there may be any inconsistency between the requirements contained in this plan and any other Council Development Control Plan relating to the management of waste (not including sewage), the provisions of this plan shall apply.

## 1.7 What does this plan contain?

This plan contains two (2) sections identifying Council's requirements for waste management on development sites including advice on the preparation and submission of Waste Management Plans.

Section 1 - The INTRODUCTION Section provides information on preparation of this plan.

Section 2 - The WASTE MANAGEMENT CONTROLS Section details matters relating to waste management to be considered in the design, construction and operation of any development or activity in Wyong Shire.

## 1.8 How do I use this plan?

Section - INTRODUCTION

Use this section to identify the aims and purpose of this plan and the circumstances in which it applies.

Section 2 - WASTE MANAGEMENT CONTROLS

Use this section to identify the requirements applying to your development, building or activity and what information relating to waste minimisation and management is required to be submitted with a Development Application or application for the approval of that activity.

Where approval or development consent is required, this section needs to be read in conjunction with Council's **WASTE CONTROL GUIDELINES**. Different information may be required for different types and scales of development so applicants are encouraged to consult with Council staff to determine critical issues and applicable standards prior to the preparation of plans and documentation.

## 2.0 WASTE MANAGEMENT CONTROLS

### 2.1 Waste Control Guidelines

Waste Control Guidelines have been prepared by Council to assist applicants with the preparation of Waste Management Plans (WMPs) for all development.

A Waste Management Plan shall be prepared in accordance with the **WASTE CONTROL GUIDELINES** to provide the following information:

- type and amount of waste / recyclable materials which will be generated;
- how waste / recyclable materials will be stored and treated on site;
- how disposal of waste / management or resale of recyclable materials will take place; and
- how on-going waste management will be accommodated in the design of the building or use.

The Waste Management Plan is required to cover the following relevant stages of a development:

- clearing;
- demolition;
- site preparation;
- subdivision;
- construction; and
- on-going operation.

### 2.2 Standard Forms

A Waste Management Plan form has been prepared to assist with the presentation of the required information. The Waste Management Plan should be submitted on this form with any supporting material or additional information attached.

The standard form for completion of the Waste Management Plan will be issued with the Development Application form.

### 2.3 State Significant Development

The New South Wales Department of Planning is the consent authority for State Significant Development. Council will liaise with the Department to ensure that the interests of the people of Wyong Shire are protected in terms of appropriate waste management for such developments. The minimum requirement sought for State Significant Development will be compliance with the provisions of this plan for the preparation and submission of a Waste Management Plan.



## **2.4 Complying Development**

Where a use or activity falls into the category of complying development, the preparation of a Waste Management Plan is not required. However, any Complying Development Certificate Application lodged in accordance with Council's LEP/DCP (Chapter 86) must be accompanied by the completed Waste Management Checklist (refer Waste Control Guidelines), and any Complying Development Certificate issued will include conditions identifying Council's requirements for waste management of the approved use.

## **2.5 Exempt Development**

Where a use or activity falls into the category of exempt development and may be carried out without the need for Council consent, preparation of a Waste Management Plan is not required. However, a person carrying out exempt development should seek to minimise the generation of waste in the construction and operation of any such use or activity and deal with any waste generated in accordance with the objectives of this plan.

## **2.6 Development by Council**

Where development or works proposed by Council are subject to assessment under Part V of the Environmental Planning and Assessment Act 1979, a Waste Management Plan shall be prepared in accordance with this Plan. Waste minimisation and management shall be considered integral to the design of the proposal and be documented within the Review of Environmental Factors (REF) in accordance with the aims of this plan. If the original Part 5 approval considered and approved maintenance works, no further part 5 is required. Consideration of waste generated on a site by site basis is considered under the standard operating procedures. However, should the method of the approved maintenance works change (eg, from hand to machinery) a new Part 5 is necessary.

## **2.7 Can I use an existing approved Waste Management Plan?**

A Waste Management Plan must directly address the development which is the subject of a development application. Where alterations and additions or a change of use is proposed to premises where a Waste Management Plan is in place, a new plan is still required. However, that plan may make use of whatever material in the existing plan which is relevant to the new proposal. In other words, the information previously identified can form the basis of the new Waste Management Plan.



# **WYONG SHIRE COUNCIL**

**DRAFT**

# **WASTE CONTROL GUIDELINES**

**Commencement Date: 17 July 2009**

## Table of Contents

<b>1.</b>	<b><u>INTRODUCTION</u></b> .....	4
1.1	<u>Objective - Minimise Waste</u> .....	4
1.2	<u>Government Responses</u> .....	4
1.2.1	<u>NSW Government</u> .....	4
1.2.2	<u>Local Government</u> .....	5
1.3	<u>Purpose of these Guidelines</u> .....	6
1.4	<u>Key Features</u> .....	7
1.5	<u>Glossary of Terms</u> .....	7
<b>2.</b>	<b><u>WASTE MANAGEMENT PLANS</u></b> .....	10
2.1	<u>What is a Waste Management Plan?</u> .....	10
2.2	<u>How are Waste Management Plans Assessed?</u> .....	10
2.3	<u>How to Prepare a Waste Management Plan</u> .....	10
2.4	<u>What Information does Council Require?</u> .....	11
2.5	<u>When is a Different or Additional Application Needed?</u> .....	14
<b>3.</b>	<b><u>SUBDIVISIONS AND/OR DEMOLITION OF BUILDINGS (Site Preparation)</u></b> .....	15
3.1	<u>Potential for Waste Minimisation</u> .....	15
<b>4.</b>	<b><u>CONSTRUCTION STAGE</u></b> .....	17
4.1	<u>Potential for Waste Minimisation</u> .....	17
<b>5.0</b>	<b><u>ALL DEVELOPMENTS</u></b> .....	18
5.1	<u>Contracts</u> .....	18
5.2	<u>Indemnity</u> .....	18
5.3	<u>Service</u> .....	18
5.4	<u>Collection Point</u> .....	19
5.4.1	<u>Location of garbage and recycling collection point</u> .....	19
5.5	<u>Access to the Collection Point for the Waste Collection Contractor</u> .....	20
5.5.1	<u>On-site collection</u> .....	20
5.6	<u>Noise</u> .....	20
5.7	<u>Odour</u> .....	21
5.8	<u>Visual Amenity</u> .....	21
5.9	<u>Signs and education</u> .....	21
<b>6.0</b>	<b><u>MULTI UNIT RESIDENTIAL DEVELOPMENT</u></b> .....	22
6.1	<u>Individual Unit Waste Storage and Recycling Areas</u> .....	22
6.2	<u>Communal Waste Storage Facilities</u> .....	22
6.2.1	<u>General</u> .....	22
6.2.2	<u>Storage of Mobile Garbage Bins (MGB)</u> .....	23
6.2.3	<u>Storage of Bulk Waste Bins</u> .....	25
6.3	<u>Multi-Storey Buildings</u> .....	27
6.3.1	<u>Garbage Chute Systems</u> .....	27
<b>7.0</b>	<b><u>MIXED USED DEVELOPMENT</u></b> .....	29
7.1	<u>Key problems</u> .....	29
7.2	<u>Provision of services</u> .....	29
7.3	<u>Commercial</u> .....	29
7.4	<u>Waste Storage and Recycling Area</u> .....	30
7.5	<u>Garbage Chute</u> .....	31
7.6	<u>Foods Shops, Restaurants and Refrigerated Garbage Rooms</u> .....	31
7.7	<u>Grease Arresters</u> .....	31
<b>8.0</b>	<b><u>INDUSTRY</u></b> .....	31
8.1	<u>Waste Storage and Recycling Area</u> .....	31
<b>9.</b>	<b><u>PUBLIC EVENTS</u></b> .....	32
<b>10.</b>	<b><u>HAZARDOUS WASTE</u></b> .....	32

## Appendices

<u>Appendix 1: Sample Waste Management Plan</u> .....	33
<u>Additional Information</u> .....	38
<u>Appendix 2 : Waste Generation Rates</u> .....	39
<u>Appendix 3: Hazardous Waste</u> .....	44
<u>Appendix 4: Council’s Bin Types and Servicing Requirements</u> .....	45
<u>Appendix 5: Bin Specifications and dimensions</u> .....	47
<u>Appendix 6: Collection Vehicle Specifications</u> .....	50
<u>Appendix 7: Location and Design of Waste Storage and Handling Facilities</u> .....	51
1. <u>General Principles</u> .....	51
2. <u>Location and Access</u> .....	52
3. <u>Design of Waste Storage Areas</u> .....	54
4. <u>Design of Waste Storage and Recycling Rooms</u> .....	55
<u>Appendix 8: Waste Management Checklist for Complying Development</u> .....	59

# 1. INTRODUCTION

## 1.1 Objective - Minimise Waste

Waste has become a high profile issue at all levels of government as landfill sites become scarce and the environmental and economic costs of disposal rise.

The solutions to the waste problem have been summarised in what is called the waste management hierarchy:

- waste avoidance and reduction;
- re-use;
- recycling; and
- disposal to landfill (as a last resort).

All waste streams contain many resources that may be useful products for our communities. Recovering, recycling and using these as secondary resources are key elements in working towards Ecologically Sustainable Development.

A large proportion of waste can be reduced with action at its source. A further high percentage can be re-used and recycled if time is taken to source-separate, promote local markets and arrange for transportation.

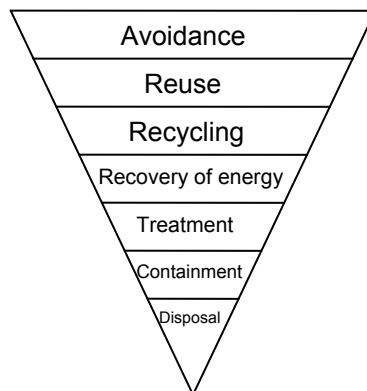


Figure 1: Waste Hierarchy

## 1.2 Government Responses

### 1.2.1 NSW Government

The NSW Government gazetted the Waste Avoidance and Resource Recovery Act, 2001. The objectives of the WARR Act are to encourage the most efficient use of resources, provide for the continual reduction in waste generation and minimise the consumption of natural resources and the final disposal of waste by encouraging the avoidance of waste and the reuse and recycling of waste.

The WARR Act requires the introduction of extended producer responsibility (EPR) provisions and for the Department of Environment and Climate Change (DECC) to develop a waste strategy which is to be based on continuous improvement and benchmarked against international best practice, and has to include targets for waste reduction, resource recovery and the diversion of waste from landfill disposal. The NSW Waste Avoidance and Resource Recovery Strategy (WARR Strategy) developed in 2007 provides a framework for minimising

environmental harm from waste management and disposal, reducing waste and maximising conservation of our natural resources.

The WARR Strategy identified waste avoidance and resource recovery goals and targets in four key result areas. The targets for the Key Result Areas are detailed in Table 1 below, which can be identified as the following goals:

- preventing and avoiding waste;
- increasing recovery and use of secondary materials;
- reducing toxicity in products and materials; and
- reducing litter and illegal dumping.

Key Result Area	Target
<b>Preventing and avoiding waste</b>	To hold level the total waste generated for 5 years from the release of Waste Strategy 2003.
<b>Increased recovery and use of secondary materials</b>	By 2014, to: Increase recovery and use of materials from the municipal waste stream, from 26% (in 2000) to 66%  Increase recovery and use of materials from the commercial and industrial waste stream, from 28% (in 2000) to 63% and  Increase recovery and use of materials from the construction and demolition sector, from 65% (in 2000) to 76%.
<b>Reducing toxic substances in products and materials</b>	By 2014 or earlier: To phase out priority substances in identified products as a first choice or, if not possible, to achieve maximum recovery for re-use.
<b>Reduce litter and illegal dumping</b>	Reduce total amount of litter reported annually.  Reduction in total tonnages of illegally dumped material reported by regulatory agencies and RID squads annually.

Table 1: Broad Targets for each Key Result Area

The *Protection of the Environment Operations (Waste) Regulation 2005* creates an integrated, streamlined system for 'waste tracking'. 'Waste tracking' is used across Australia to minimise the possibility that wastes will be transported or disposed of inappropriately. The new regulations have delivered a clear, practical and enforceable system to ensure the appropriate transport and disposal of high-risk wastes.

In addition, a major economic instrument to reduce waste in NSW is the Waste Levy. The waste levy is payable on all waste materials disposed of at landfill. In 08/09 the levy was \$40 per tonne and will increase annually by \$11.50 plus CPI in Extended Regulated Areas. It is expected that the levy will exceed \$118 per tonne by 2018.

## 1.2.2 Local Government

Councils have a key dual role to play in waste management. Firstly, as a service provider - arranging for the collection of recyclable materials and waste, and secondly, as a regulator - of building and land use activity.

In this latter role Wyong Shire Council developed DCP 2005: Chapter 69 – Controls for Site Waste Management and these Waste Control Guidelines, which promote waste avoidance, reduction, re-use, recycling and (as a last resort) disposal to landfill. Design criteria for collection, storage and recycling areas and facilities are detailed within these Guidelines. The DCP requires the preparation of Waste Management Plans (WMP) for submission with any of the following applications:

- local development;
- state significant development; and
- designated development.

*Note:*

*The New South Wales Department of Planning is the consent authority for state significant and designated development. Council will liaise with the Department of Planning to ensure that the interests of the people of Wyong Shire are protected in terms of appropriate waste management for such developments. The minimum requirement sought will be compliance with the provisions of DCP 2005: Chapter 69, for the preparation and submission of a Waste Management Plan with the application.*

Where a use or activity falls into the category of Complying Development, the preparation of a Waste Management Plan is not required. However, any Complying Development application lodged in accordance with Council's LEP/DCP for Complying Development (Chapter 86), must be accompanied by the completed Waste Management Checklist (refer Appendix 8), and any Complying Development Certificate (CDC) issued will include conditions identifying Council's requirements for waste management of the approved use.

Where a use or activity falls into the category of Exempt Development and may therefore be carried out without the need for Council consent, the preparation of a Waste Management Plan is not required. However, a person carrying out exempt development should seek to minimise the generation of waste in the construction and operation of any such use or activity and deal with any waste generated in accordance with the objectives of DCP 2005: Chapter 69 and these Guidelines.

The provisions of the Development Control Plan apply only to development applications and to Complying Development Certificate applications lodged under Part IV of the Environmental Planning and Assessment Act 1979. Council has therefore also adopted Policy C6 - Controls for Site Waste Management to require the preparation of a Waste Management Plan to address applications for the approval of activities, whether by Council or other applicants, in accordance with Part V of the Act.

Where development or works proposed by Council are subject to assessment under Part V of the Act, waste management shall be considered integral to the design of the proposal and be documented within the Review of Environmental Factors (REF). Further a Waste Management Plan shall be prepared and lodged in accordance with the objectives of DCP 2005: Chapter 69 and these Guidelines.

To ensure an orderly development control process, Council is committed to the regular review of the performance of the DCP and these associated Guidelines, and to their amendment if required. A systematic review of the document will be undertaken on a five yearly basis.

### **1.3 Purpose of these Guidelines**

These guidelines have been prepared to assist applicants to prepare Waste Management Plans that comply with all requirements.

These guidelines will also provide advice to applicants on how to avoid and minimise waste and how to improve existing facilities.

These guidelines will also set submission requirements and standards in relation to waste for subdivision, demolition, site preparation, construction and ongoing use of premises.

## 1.4 Key Features

These guidelines have four key features:

1. The provision of advice regarding the preparation of a waste management plan by applicants seeking development approval (including sub-divisions and demolition). The applicant is required to specify waste and recyclable materials generated by type and volume, and to nominate re-use and recycling potential for each waste type;
2. The provision of general advice for all applicants on matters such as source separation, sub-divisions, demolition, construction, design and location of waste storage and recycling facilities;
3. The provision of specific advice for particular uses and activities such as multi-unit dwellings, shops, offices, restaurants clubs/hotels, hospitals and industry; and
4. The provision of detailed appendices providing a sample Waste Management Plan, advice on calculating waste generation rates, identifying hazardous waste, facility design, Council bin sizes and servicing requirements, and the preferred location and design of waste storage and handling facilities (and a list of recycling contacts).

For further information or assistance please contact Wyong Shire Council's Customer Service Centre on telephone 02 4350 5555.

## 1.5 Glossary of Terms

For the purposes of these Guidelines the following terms have the meaning specified:

**Class** means the classification of a building as determined by the Building Code of Australia.

**Clinical and related waste** means:

1. clinical waste, or
2. cytotoxic waste, or
3. pharmaceutical, drug or medicine waste, or
4. sharps waste

**Clinical waste** means any waste resulting from medical, nursing, dental, pharmaceutical, skin penetration or other related clinical activity, being waste that has the potential to cause injury, infection or offence, and includes waste containing human tissue (other than hair, teeth and nails), bulk body fluids or blood, visibly blood-stained body fluids, materials or equipment, laboratory specimens or cultures, animal tissue, carcasses or other waste from animals used for medical research. It does not include any such waste that has been treated by a method approved in writing by the Director-General of the Department of Health.

**Collection Point** means the usual (or agreed) point of the footpath/roadway, or on-site, where the contents of bins are loaded onto vehicles.



**Collection Area** means the location where waste or recycling is transferred from a building's storage containers to a collection vehicle for removal from the site. Collection Areas are generally only found in multi-unit developments.

**Complying Development** is routine development which can be certified in its entirety as complying with certain predetermined standards. Contact Council for a full list of the types of development included in this category and their standard requirements.

**Compostable material** means vegetative material capable of being converted to humus or compost by a biological decay process.

**Dwelling** means a room or number of rooms occupied or used, or so constructed or adapted, as to be capable of being occupied or used, as a separate domicile.

**Ecologically Sustainable Development** has the definition as contained in S.6 (2) of the Protection of the Environment Administration Act, 1991. It involves the effective integration of environmental and economic considerations in decision making processes through the application of concepts such as the precautionary principle, intergenerational equity, conservation of biological diversity and ecological integrity, and improved valuation, pricing and incentive mechanisms.

**Exempt Development** is development of a minor nature for which there is no need to seek approval in Wyong Shire. Contact Council for a full list of the types of development included in this category.

**Garbage and recycling room** means a room where waste and recycling receptacles are stored, awaiting removal from the premises.

**Garbage chute** means a duct in which deposited material descends from one level to another within the building due to gravity.

**Garden organics** means vegetative matter including trees, branches, shrubs, cuttings, lawn clippings and untreated timber and wood products.

**Guidelines** means this document.

**Hazardous waste** means any waste as defined as hazardous waste in accordance with Schedule 1, Part 3 of the Protection of the Environment Protection Act 1997. Hazardous Materials cannot be placed in standard waste and recycling bins and include waste items such as lead paint, coal tar, dangerous goods containers that have not been cleaned out or waste with a ph less than 2.0 or greater than 12.5.

**Recyclable** means capable of being reprocessed into usable material.

**Sharp Waste** means any waste collected from designated sharps waste containers used in the course of business, commercial or community service activities, being waste resulting from the use of sharps for human health care by health professionals and other health care providers, medical research or work on cadavers, veterinary care or veterinary research, skin penetration or the injection of drugs or other substances for medical or non-medical reasons. It does not include waste that has been treated on the site where it was generated to an approved standard

**Storey** means a habitable or occupied space within a building between one floor level and the next floor level above, or if there is no floor level above, the roof.

**Trade waste** means liquid waste arising from a commercial / industrial enterprise.

**Volume reduction equipment** means devices, which reduce the volume of waste or recyclable material including compressing devices such as compactors and bailers, and shredding, pulverising or crushing devices.

**Waste** means:

- Any substance (whether solid, liquid or gaseous) that is discharged, emitted or deposited in the environment in such volume, consistency or manner, so as to cause an alteration in the environment, or;
- Any discarded, rejected, unwanted, surplus or abandoned substance, or
- Any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or for recycling, reprocessing, recovery or purification by a separate operation from that which produced the substance, or
- Any substance prescribed by regulation to be waste for the purpose of the Protection of the Environment Operations Act, 1997.

A substance is not precluded from not being waste for the purpose of the Protection of the Environment Operations Act, 1997 merely because it can be reprocessed, re-used or recycled.

**Waste management plan** means the completed waste plan in accordance with Appendix 1. The plan shall identify the volume and type of waste and recyclable material expected to be generated, stored and treated on site, and how the residual is to be disposed of during site development, construction and habitation. Information must also include location and design of waste storage and recycling areas.

**Waste storage and recycling area** means a designated area or a combination of designated areas within the boundary of a site for the storage waste and recycling bins. Waste storage areas maybe covered but are not a designated room within a building. Waste storage and recycling areas are generally found in multi-unit developments.

#### **LIST OF ABBREVIATIONS**

<b>BCA</b>	<b>Building Code of Australia</b>
<b>CDC</b>	<b>Complying Development Certificate</b>
<b>DA</b>	<b>Development Application</b>
<b>DCP</b>	<b>Development Control Plan</b>
<b>DoP</b>	<b>NSW Department of Planning</b>
<b>DECC</b>	<b>Department of Environment and Climate Change (includes the Environmental Protection Authority (EPA))</b>
<b>ESD</b>	<b>Ecologically Sustainable Development</b>
<b>MGB</b>	<b>Mobile Garbage Bin</b>

## 2. WASTE MANAGEMENT PLANS

### 2.1 What is a Waste Management Plan?



A Waste Management Plan is a plan prepared in conjunction with the application to ensure that waste issues have been considered in the planning and design stage of the development and that appropriate measures will be put in place to minimise the generation of waste during the subdivision/demolition and construction stage as well as during the on-going use of the development. Waste measures should follow the waste hierarchy of waste avoidance, re-use and recycling and as a last resort, waste disposal at landfill.

#### **A Waste Management Plan should provide the following information:**

- the type and amount of waste / recyclable material to be generated during all relevant stages;
- how waste / recyclable material is to be stored and treated on-site;
- how residual waste / recyclable material is to be disposed of;
- the location, design and size of waste storage and recycling areas or rooms;
- truck access, should on-site servicing of bins be required; and
- how on going waste management will operate.

**Note:** [A sample Waste Management Plan is provided in Appendix 1.](#)

### 2.2 How are Waste Management Plans Assessed?

In assessing applications, details provided in the Waste Management Plan and on the site plan drawings will be checked for compliance with the performance criteria for the proposed use (e.g. Multi-unit housing, demolition, etc.), against the general aims and objectives of DCP 2005: Chapter 69 and these Guidelines.

### 2.3 How to Prepare a Waste Management Plan

**Step 1** Read Table 2 (S. 2.4) to identify which section(s) of the Waste Management Plan should be completed and the information to be included on the site plan drawings.

**Step 2** Read the Sections 3 - 9 of these Guidelines relevant to your specific proposal

- Step 3** Read the sample Waste Management Plan within Appendix 1 to assist you with preparing your Waste Management Plan.
- Step 4** Complete the relevant section(s) of the Waste Management Plan as identified in Step 1. For assistance or advice please contact Wyong Shire Council's Customer Service Centre on telephone (02) 4350 5555.
- Step 5** Include relevant details as identified in Step 1 on your plan drawings.
- Step 6** Submit both the completed Waste Management Plan and the site plan drawings together with your application for approval to council.

## 2.4 What Information does Council Require?

A Waste Management Plan must be completed and included with your application. Relevant details of waste storage facility design and access must be shown on plan drawings submitted with your application. Should your specific development not be included in the following table please contact Council's Customer Service Centre: 4350 5555.

Land Use or Activity Proposed	Is a Waste Management Plan required?	Specific details to be provided on plan drawings	Performance Criteria
Subdivision, demolition, or site preparation - including vegetation removal, excavation and major internal renovations	Yes Section 1 only	<ul style="list-style-type: none"> <li>on-site storage areas for storage of source separated waste and recyclable materials for re-use, recycling or disposal.</li> <li>vehicular access to the site and on-site</li> </ul>	<ul style="list-style-type: none"> <li>details of on-site storage areas for source separated waste and recyclable materials are provided.</li> <li>waste disposal is minimised and waste avoidance, reuse and recycling maximised</li> </ul>
Single dwellings, terraces, villa homes, Class 1a buildings	Yes Section 1 & 2 only	<p><b>Construction stage:</b></p> <ul style="list-style-type: none"> <li>on-site storage areas for storage of source separated waste and recyclable materials for re-use, recycling</li> <li>vehicular access to the site and on-site</li> </ul> <p><b>Post construction</b></p> <ul style="list-style-type: none"> <li>location of waste and recycling containers</li> <li>provision for composting or worm farming facilities</li> </ul>	<ul style="list-style-type: none"> <li>waste disposal is minimised and waste avoidance, re-use and recycling, particularly of construction material, is maximised</li> <li>an accessible and usable waste and recyclable material storage area is provided on site that encourages the source separation of waste and recyclables (for construction stage and post construction)</li> </ul>

Table 2: Requirements for Waste Management Plans (Continued Over)

Land Use or Activity Proposed	Is a Waste Management Plan required?	Specific details to be provided on plan drawings	Performance Criteria
Multi unit residential development (flats, town houses, villas)	Yes Section 1, 2, 3 and 4	<p><b>Construction Stage:</b></p> <ul style="list-style-type: none"> <li>• on-site storage areas for storage of source separated waste and recyclable materials for re-use, recycling</li> <li>• vehicular access to the site and on-site</li> </ul> <p><b>Post-construction:</b></p> <ul style="list-style-type: none"> <li>• waste storage and recycling area(s) or garbage and recycling room(s) and design details e.g. floor plans, cross section, materials used etc.</li> <li>• a collection area, service lifts, chute system or volume reduction equipment (compactor), where appropriate and design details</li> <li>• access - collection vehicles including turning circles or turning areas</li> </ul>	<ul style="list-style-type: none"> <li>• waste disposal is minimised and waste avoidance, re-use and recycling, particularly of construction material is maximised</li> <li>• on-site source separation of waste and recyclable materials is facilitated</li> <li>• an accessible and usable waste storage &amp; recycling area is provided for each unit or a communal storage area(s) is provided which is accessible to occupiers of all units</li> <li>• location and design of storage facilities complement the streetscape and do not impact on adjoining premises and the amenity of the units within the development</li> <li>• suitable access provided for collection vehicles</li> <li>• appropriate strategies are proposed to educate occupants to minimise contamination of recyclable material.</li> </ul>
Commercial and Retail development (shops, offices, food premises, hotels, motels, licensed clubs, hospitals, entertainment facilities, education establishments)	Yes Section 1, 2, 3 and 4	<p><b>Construction stage:</b></p> <ul style="list-style-type: none"> <li>• on-site storage areas for storage of source separated waste and recyclable materials for re-use, recycling</li> <li>• vehicular access to the site and on-site</li> </ul> <p><b>Post construction:</b></p> <ul style="list-style-type: none"> <li>• waste storage and recycling area(s) or garbage and recycling room(s) and design details e.g. floor plans, cross section, materials used etc.</li> </ul>	<ul style="list-style-type: none"> <li>• waste disposal is minimised and waste avoidance, re-use and recycling of construction material is maximised</li> <li>• on-site source separation of waste and recyclable materials is facilitated</li> <li>• appropriately designed and accessible waste storage and recycling area(s) and / or garbage and recycling room(s) is provided on-site</li> </ul>

Table 2: Requirements for Waste Management Plans (Continued Over)

Land Use or Activity Proposed	Is a Waste Management Plan required?	Specific details to be provided on plan drawings	Performance Criteria
		<ul style="list-style-type: none"> <li>• a collection area, service lifts, chute system or volume reduction equipment (compactor), where appropriate and design details</li> <li>• access for collection vehicles including turning circles or turning areas</li> </ul>	<ul style="list-style-type: none"> <li>• suitable access provided for collection vehicles</li> </ul> <p>appropriate arrangements are in place for ongoing waste management</p>
Industry	Yes Section 1, 2,3 and 4	<p><b>Construction stage:</b></p> <ul style="list-style-type: none"> <li>• on-site sorting and storage areas for re-use, recycling and disposal of material</li> <li>• vehicular access to the site and on-site</li> </ul> <p><b>Post-construction:</b></p> <ul style="list-style-type: none"> <li>• waste storage and recycling area(s) including design details e.g. floor plans, cross section, materials used etc.</li> <li>• design details of any volume reduction equipment (compactor), where appropriate</li> <li>• access for collection vehicles including turning circles or turning areas</li> </ul>	<ul style="list-style-type: none"> <li>• waste disposal is minimised and waste avoidance, re-use and recycling of construction material is maximised</li> <li>• on-site source separation of waste and recyclable materials is facilitated</li> <li>• sufficient space provided on-site for separation and storage of recyclables and waste</li> <li>• for multi-use and industrial units, an appropriately designed and accessible waste storage and recycling area is provided per unit or a communal storage area(s) is provided which is accessible from each unit.</li> <li>• suitable access provided for collection vehicles</li> <li>• appropriate arrangements are in place for on ongoing waste management</li> </ul>

Table 2: Requirements for Waste Management Plans

## 2.5 When is a Different or Additional Application Needed?

In most circumstances waste management is considered as part of the DA process. However, some waste related uses/activities require different or additional applications. These requirements are summarised in Table 3:

Proposed Activity	Application Required	Comment
<b>Major waste management facilities</b>	<ul style="list-style-type: none"> <li>• “Designated Development” - Application to Council, supported by an EIS.</li> <li>• Application to the EPA for registration</li> </ul>	Refer to DOP Landfill Guidelines (1996) and EPA Landfill Guidelines (1996)
<b>Controlled waste activity / facility</b>	Application to the EPA for licence	
<b>Placing waste on a State road including builders waste storage container</b>	Application to Roads & Traffic Authority (RTA) for approval under the Roads Act	
<b>Disposal of liquid trade waste into the sewer</b>	Application to Council	
<b>Discharge into any water body</b>	Application to the EPA/Council	

Table 3: Uses/Activities requiring Specific Applications

If this applies to you, contact the authority listed in the above table.

### 3. SUBDIVISIONS AND / OR DEMOLITION OF BUILDINGS (Site Preparation Stage)



#### 3.1 Potential for Waste Minimisation

The demolition of buildings is the stage with the greatest potential for waste minimisation, particularly on the Central Coast where there are high levels of development.

The first issue that developers should consider is whether it is possible to re-use existing buildings, materials or parts thereof, for the proposed use.

The potential to incorporate existing trees / shrubs into the landscape plan should be a high priority consideration. Trees which are to be removed should be chipped on site and the material stored for use as mulch in landscaped areas.

Design that reduces excessive excavation of the site is to be encouraged.

With careful on-site sorting and storage and staging work programs it is possible to re-use many materials, either on-site or off-site.

***Note: It is not acceptable to simply demolish the building and dispose of all material to landfill. Instead a number of colour coded or clearly labelled bins on site or an ordered retrieval program should be used to reduce the need for waste disposal.***

Some examples of avoiding waste and recycling of materials are provided within Table 4 to help you in preparing your Waste Management Plan.



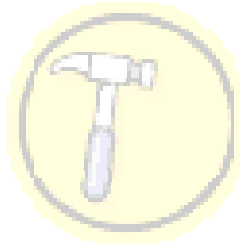
Materials On-Site	Avoidance	Reuse	Recycling
Concrete	Retain existing driveways, paths, footings, slabs etc	Filling, levelling materials, road base	Take to a building material recycling / reprocessing facility. Those materials are generally accepted at a significantly reduced cost compared to land filling.
Bricks	Retain existing walls, buildings and fences	Cleaned and / or rendered over for re-use on-site or offsite	
Roof-tile	Retention of existing roofs or colour treatments / cleaning	Crushed, used for drainage, landscaping and driveways, for re-use on-site or off-site	
Hardwood beams	Re-use or recycling on site.	Fencing, mulching	Take to processing facility at reduced cost
Other timber (untreated)	As above	Formwork, bridging, blocking and propping	
Garden Organics / Trees	As above	Mulching, composting, for reuse as landscaping / fertiliser	
Doors, windows, fittings	Design into new development	Relocated on-site or sold for use off-site	Take to a building material recycling / reprocessing facility
Synthetic & recycled rubber (e.g. Under carpets)	Protect / cover and re-use	Used for safety barriers, speed humps, sports surfaces	
Overburden	Avoid excess excavations	Stockpile top soil and re-use	Waste management facilities generally accept clean fill at reduced cost
Steel (e.g. Corrugated iron)			Metal recyclers

Table 4: Re-Use and Recycling Potential

Where such materials cannot be recycled or re-used on-site there is a growing market for such product off-site. A list of local outlets (e.g. second hand building yards) is provided in Council's Recycling Guide.

## 4. CONSTRUCTION STAGE

### 4.1 Potential for Waste Minimisation



Overseas studies show that up to 10% of timber delivered for residential construction is wasted, while a recent Australian pilot projects suggests that up to 30% of plasterboard could be wasted on certain projects. These produce unacceptable environmental and economic costs.

The following construction wastes should be close to 100% recyclable if properly source separated and kept uncontaminated:

- Steel;
- non-ferrous metals;
- glass;
- paper;
- concrete; and
- cardboard packaging material.

It is important to note that waste separation may offer savings on the usual costs on disposing of mixed waste at landfills, and that savings may also be achieved at the construction stage by purchasing reusable and recycled-content materials or reusing materials salvaged from the subdivision / demolition stage.

The following measures should be considered at the construction stage:

- Purchasing policy, in particular considering measures such as;
  - ordering the right quantities of materials,
  - prefabrication of materials where possible
- Re-using formwork;
- Modular construction and basic designs to reduce the need for off-cuts;
- Minimising site disturbance, limiting unnecessary excavation;
- Careful source separation of off-cuts to facilitate re-use, resale or efficient recycling;
- The demolition of the building when its usable life has expired (e.g. can components be easily dismantled?);
- Choice of landscaping to reduce garden organics; and
- Co-ordination and sequencing of various trades.

## **5.0 ALL DEVELOPMENTS**

(Multi unit residential development, commercial and industry)

### **5.1 Contracts**

The structure of waste collection and recycling contracts let by Wyong Shire Council plays an important role in ensuring efficient servicing, particularly of Multi-Unit Developments (MUD's). Indemnity and waste service flexibility are two important contract issues that should be considered in relation to deciding an appropriate better practice system for your development. It is important to talk to Council as early as possible to identify potential servicing issues.

### **5.2 Indemnity**

Council may provide on-site collection where:

- There is insufficient space on the kerbside to temporarily place bins for waste collection
- Collection of waste from the kerbside would be unsafe
- Collection of waste from the kerbside would cause significant traffic disruptions
- Collection of waste from the kerbside would occur in an excessively restrictive area
- Council considers kerbside collection inappropriate

Council's Waste Collection Contractor, however, will not enter private property with their vehicles unless indemnity against liabilities, losses, damages and other costs arising from the onsite collection service has been provided by the owner.

To enable better practice waste management in MUDs:

#### **Designers / developers:**

- Decide the preferred waste management system to install having regard to the principles outlined in this guide
- Before submitting your development application, meet with council to discuss if on-site collection is required or allowed.

#### **If on-site collection is required:**

- Ensure design of facilities can safely accommodate on-site collection;
- Liaise with Council to find out if it can provide the on-site service; and
- Identify indemnity arrangements that would be needed to service the development

### **5.3 Service Flexibility**

The design of the waste management system should accommodate services provided by Council. In many cases, particularly for medium to high-rise developments, the efficient provision of cost-effective garbage and recycling collection services for MUDs may require using an alternative service options such as bulk bins.

## **5.4 Collection Point**

### **5.4.1 Location of garbage and recycling collection point**

Consideration should be given to identifying a suitable waste collection point. Collection points where possible should not be located:

- Near intersections
- Near roundabouts or slow-points
- Along busy arterial roads
- In narrow lanes
- Near possible obstructions, including trees, overhanging building elements and overhead powerlines; or
- Where they pose a traffic hazard

The collection point(s) should enable collection operations to be carried out on a level surface away from gradients and vehicle ramps.

Where MGBs will be used and collected from the kerb, there should be sufficient space on the street for them to be lined up neatly in (preferably) a single row along the kerb. Remember cars parked along the street and bins placed two or more rows deep are an obstacle for safe and efficient kerbside collection, as they require collection operators to get out of the collection vehicle and manually move bins to an appropriate position for collection. They also create amenity issues for residents, can impede pedestrian access and can be a traffic hazard for motorists.

Identifying a suitable collection point is particularly important for servicing sites where there are a large number of bins to be collected, there is limited direct access to the development (for example battle-axe block developments), or where the site has specialised servicing requirements due to equipment used to provide the waste service. For example, the collection point for bulk bins or bins containing compacted waste should be located such that the bins can be accessed with minimal manual handling required.

Developers should consider what alternatives are available for locating collection points, particularly for developments built on small blocks with steep gradients, to enable safe presentation and uplift of bins. Council's Waste Collection Contractor will not enter private property to make collections, or will only do so if an indemnity has been provided.

It is important to confirm potential arrangements for onsite collection with Council before assuming that it will be possible. Where an agreement for onsite collection is made, the onsite collection points should be located:

- So that collection vehicles do not interfere with the use of access driveways, loading bays or parking bays during collections
- Close to waste storage facilities to permit easy transfer of bins to the collection point, if relocation of bins is required.
- In a relatively flat area and on the same level as the collection vehicle (ie bins should not be placed for collection on elevated loading bays or nature strips/footpaths).
- In a position that provides collection vehicles safe access to the collection point and which has adequate clearance and manoeuvring space.
- So oncoming traffic can be clearly seen as the collection vehicle leaves the property.

## **5.5 Access to the Collection Point for the Waste Collection Contractor**

Specific access requirements for collection vehicles will vary slightly site to site, depending upon the waste collection arrangements. In all cases, however, collectors need to be able to move bins from the collection point to the vehicle as quickly as possible, preferably with no manual handling, particularly if bulk bins are used.

Irrespective of the bin type used, the developer needs to ensure there is sufficient space for the collection vehicle to drive to the collection point, empty the bin and safely leave the collection point. Wherever possible, collection vehicle movement should be in a forward direction with no need to reverse.

The design aspects to take into account for vehicle access include:

- the presence of parked cars on access roads;
- heavy vehicle access and turning circle requirements (refer Appendices 6 and 7);
- collection vehicle overhang and possible interference with bins and street furniture; and
- clearance height for servicing, particularly when developments are serviced internally, or where an external collection point is near trees or overhead obstacles (refer Appendix 6).

In addition to the above design aspects, general access to the collection point should be considered in the development design and operation. Locked gates and security systems that prevent access to waste collection points can cause serious delays and problems in servicing if not well designed and/or waste collection operators are not provided with the required authority for access. Designers and developers should consider the likely ongoing operational arrangements for access to locked gate communities and how this needs to be incorporated in the design. Council's Collection Contractor will require a set of keys or remote control access to enter secured developments.

Remember, garbage and recycling collection will occur at different times thus access should not be restricted at any time.

### **5.5.1 On-site collection**

If a collection vehicle is required to drive onto a private road or private property, the driveway and road need to be suitable for the collection vehicle in terms of strength, width, geometric design and height. The access points and collection area should be free from overhead obstacles and of an appropriate gradient. When making an on-site collection from within a building, the 'clearance height' should be clear of any air conditioning ducts, sprinklers or other potential obstructions.

Appropriate heavy vehicle standards should be incorporated into the development design, including those specified in acts, regulations, guidelines, and codes administered by Austroads, the NSW Roads and Traffic Authority, NSW WorkCover and any local traffic requirements.

## **5.6 Noise**

The main sources of noise associated with domestic waste collection are emptying glass into bins, emptying glass from bins into the collection vehicle and reversing alarms on collection vehicles.

Better practice principles that should be incorporated to reduce noise include:

- Locating bin bays and collection points far enough away from residents as to reduce the impact of noise during bin use and waste collection.
- Eliminating the need for collection vehicles to reverse.
- Chutes, if installed, should be well insulated to avoid noise disturbing neighbouring units. The noise associated with waste falling out the bottom of the chute and with compactors can also be problematic and should be dealt with.
- Select appropriate surfacing materials that will assist in minimising noise for pathways and driveways that bins will need to be wheeled over.
- Consider how material will be transferred into bins or static compactors at storage points.

## **5.7 Odour**

Odour problems can be minimised by having well-ventilated waste storage areas.

For enclosed storage and service areas, the air flowing from interim storage areas and central garbage rooms should not exit close to units. Ventilation openings should be protected against flies and vermin and located as near the ceiling and floor as possible, but away from the windows of dwellings.

If a forced ventilation or air conditioning system is used (for enclosed storage areas):

- It should be in accordance with the ventilation requirements of the Building Code of Australia and Australian Standard 1668.2 The use of Ventilation and Air Conditioning in Buildings; and
- It should not be connected to the same ventilation system supplying air to the units

## **5.8 Visual Amenity**

All waste management facilities (including storage areas) should be adequately screened, not readily visible from any public place and should blend in with the development (Refer Figure 2).

A poorly designed and poorly located bin storage area can detract from the overall development, encourage misuse of the facilities provided and affect recycling outcomes.

Remember to consult with council engineers, planners and waste managers regarding specific requirements for facility design and placement in accordance with Council's DCP 2005: Chapter 69 – Controls for Site Waste Management.

## **5.9 Signs and education**

Ongoing education, in addition to having dedicated ongoing management services, is one of the most important factors in encouraging residents to continue to use services and systems as originally planned.

The importance of signs and education is two-fold: to inform residents why it is important to recycle (raise awareness and perceived importance of resource recovery and the environment), and secondly to provide clear instruction on how to recycle using the services provided. Both these factors influence people's attitude towards recycling. Ensuring education is 'ongoing' is beneficial because it tackles the transient nature of residents and differences between council services.

Clearly and correctly label all garbage and recycling bins or receptacles. Make sure communal waste storage areas are well signposted, with signs instructing residents in the correct separation of garbage, recycling and organics. Also clearly identify any hazards or potential dangers associated with the waste facilities, including those from the use of any waste handling equipment.

It is recommended you also display information in communal areas that identifies who can be contacted to find out more about the recycling and/or other services in the development.

## **6.0 MULTI UNIT RESIDENTIAL DEVELOPMENT (Units, Townhouses, Villas)**

### ***6.1 Individual Unit Waste Storage and Recycling Areas***

Development with sufficient street frontage and where practical to do so, shall provide each dwelling with its own waste and recycling bins, to be stored within the curtilage of the dwelling. Individual unit holders shall be responsible for the placement of the bins on the kerb on collection day. This would be the case for most small-scale town house and villa developments, dual occupancy and other residential buildings of a similar nature. (For larger scale residential developments, see s.6.2.3 Communal Facilities – Storage of Bulk Waste Bins).

### ***6.2 Communal Waste Storage Facilities***

#### **6.2.1 General**

Communal waste storage facilities can be either:

- Waste Storage and recycling areas (common external areas for the storage of waste and recycling bins which are not part of a dwelling); or
- Waste Storage and recycling rooms (common areas for the storage of waste and recycling bins which are accommodated within a building but not within a dwelling).

Determining the best location for communal bin storage areas can be difficult. Garbage and recycling storage facilities should be located in positions that:

- Permit easy, direct and convenient access for the users of the facility
- Permit easy transfer of bins to the collection point if relocation of bins is required
- Permit easy, direct and convenient access for collection serviced providers
- Are well screened and do not reduce amenity
- Are secure and provide protection against potential vandalism

However, the aesthetics of the development, in particular its appearance from the street, must not be compromised. Design and construction of a bin storage area that integrates with the overall development and landscape plan should avoid this problem. Applicants should also refer to the design requirements within DCP 2005: Chapter 64 – Multiple Dwelling Residential Development. Separate waste storage and recycling shall be provided for mixed use developments.

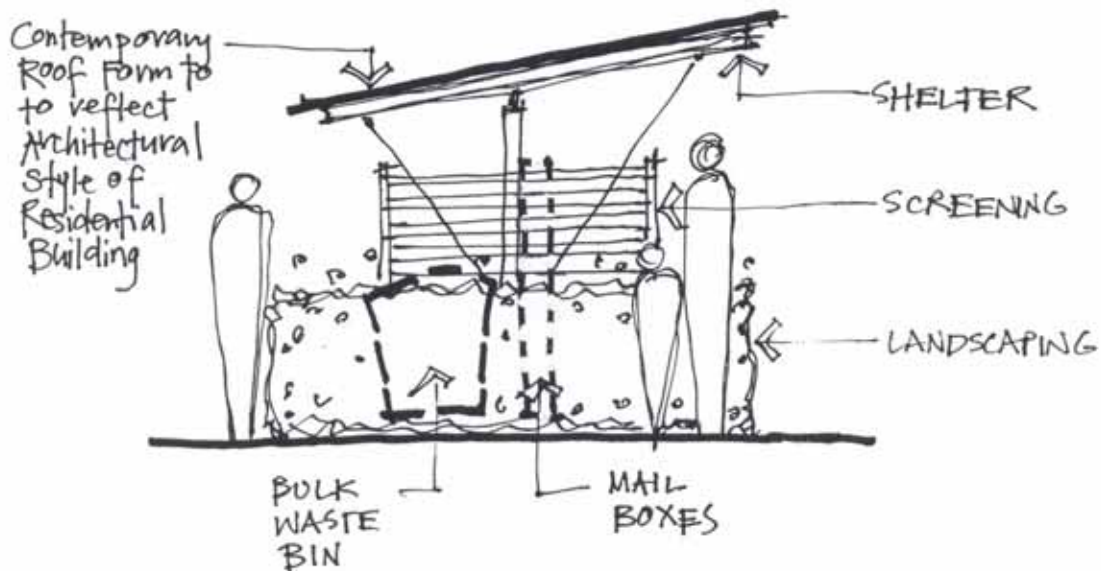


Figure 2: Example of Screening the Waste Storage Area

## 6.2.2 Storage of Mobile Garbage Bins (MGB)

### Waste Storage and Recycling Areas and Rooms

A communal on-site storage and recycling area for MGBs, or a garbage and recycling room, must be provided for multi-unit developments or townhouses, where:

- the development is limited to no more than 12 units or townhouses; and
- it is not possible, or it is impractical, to store individual bins within the curtilage of each dwelling.

The waste storage and recycling area shall be of sufficient size to accommodate the number and types of waste MGBs and 240 litre recycling MGBs required, commensurate with the size of the development (refer to Appendix 4 for number and types of bins required and Appendix 5 for bin dimensions).

On difficult or steep sites, sites with particular natural features (such as watercourses), sites with two street frontages, etc., it may be appropriate or necessary to have more than one waste storage and recycling area to minimise travel distances for residents. Information on location and construction details, size of the waste and recycling storage area and number of bins proposed shall be attached to the Waste Management Plan.

It shall be the responsibility of residents or a caretaker to wheel bins from waste storage and recycling area to the collection point at the kerb. Consideration should be given to manual handling requirements and slope.



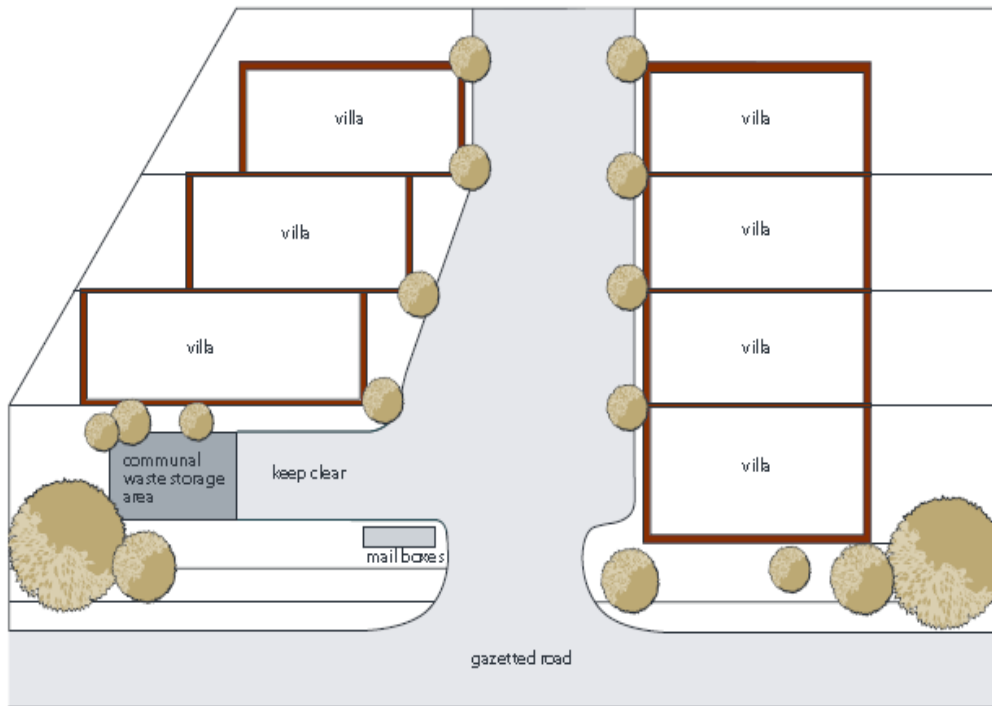


Figure 3: Example of Communal Storage Area for MGB's suitable for Villas

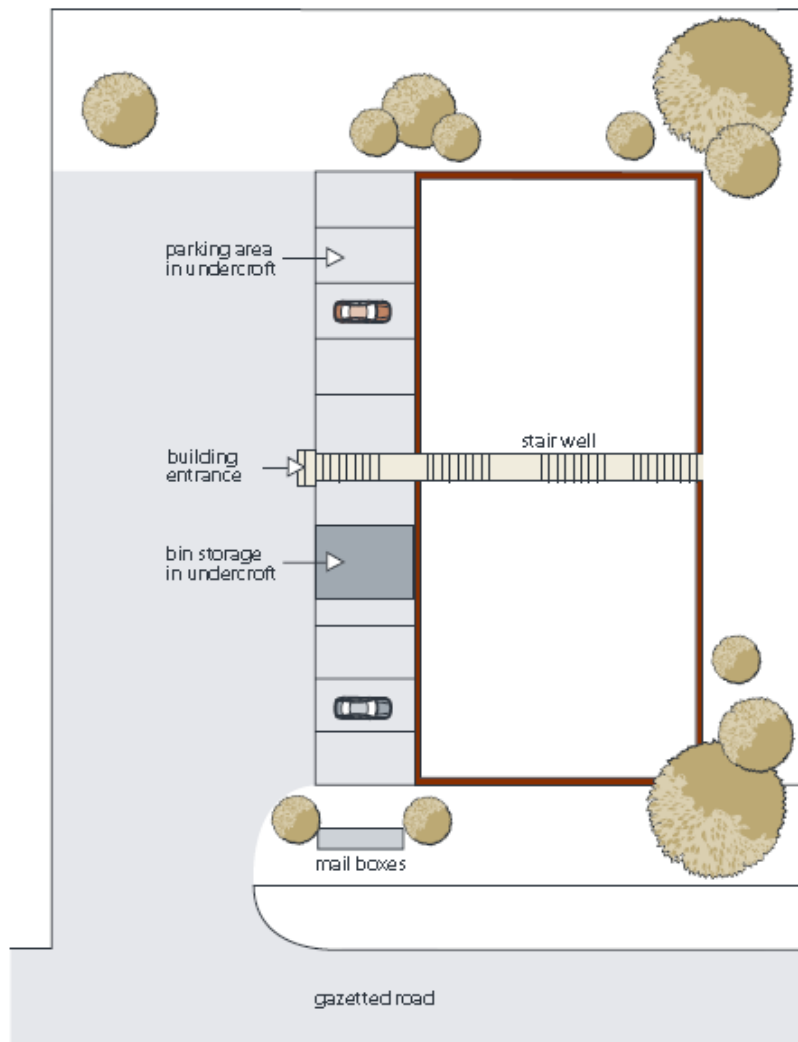


Figure 4: Example of Communal Storage Area for MGB's suitable for Low Rise Developments

### 6.2.3 Storage of Bulk Waste Bins

#### Waste Storage and Recycling Areas and Rooms

In the following circumstances a communal on-site waste storage and recycling area or room for bulk bins must be provided for multi-unit developments:

- where the size of the development exceeds 12 units or townhouses;
- where it is not possible or practical to store individual bins within the curtilage of each dwelling; and
- where the number of bins would not fit comfortably on the street frontage or would detrimentally affect residential amenity.

The Waste Storage and Recycling Area shall be of sufficient size to accommodate the number and types of bulk bins and 240 litre recycling MGBs required commensurate with the size of the development (refer to Appendix 4 for number and types of bins required and Appendix 5 for bin dimensions)

On difficult or steep sites, sites with particular natural features (such as watercourses), sites with two street frontages or particularly large developments it may be appropriate or necessary to have more than one waste storage and recycling area to minimise travel distances for residents and facilitate collection arrangements.

The Waste Storage and Recycling Area for bulk waste bins shall be located in the basement of the development or if located above ground must be appropriately screened. Information on the size, location and construction details and the number and types of bins proposed, shall be shown on the plans and attached to the waste management plan.

If garbage and recycling rooms are proposed in conjunction with waste storage areas it is necessary to indicate in the Waste Management Plan how waste and recyclables are to be transported from the garbage room to the storage area (refer Appendix 7).

Adequate space shall be provided within the site to accommodate a rear-loading collection vehicle and to ensure that the vehicle is allowed to enter and exit in a safe manner. This may require the provision of a turning bay for trucks or provision of adequate turning circles. If turning circles are proposed they must comply with the turning circle for garbage trucks in Wyong Shire. A copy of this turning template is provided in Appendix 7.

Applicants shall provide information on turning circles in the waste management plan to demonstrate compliance. Pedestrian and traffic safety must be considered in the design of the storage and collection points for bins. It is essential that bulk bins be stored on a level area, as close to the entry of the development as practical to avoid service trucks having to enter or traverse the site to collect the waste. Wherever possible waste collection vehicle movement should be in a forward direction. Indemnity is required in situations where the collection truck is required to enter the site to perform on-site services.

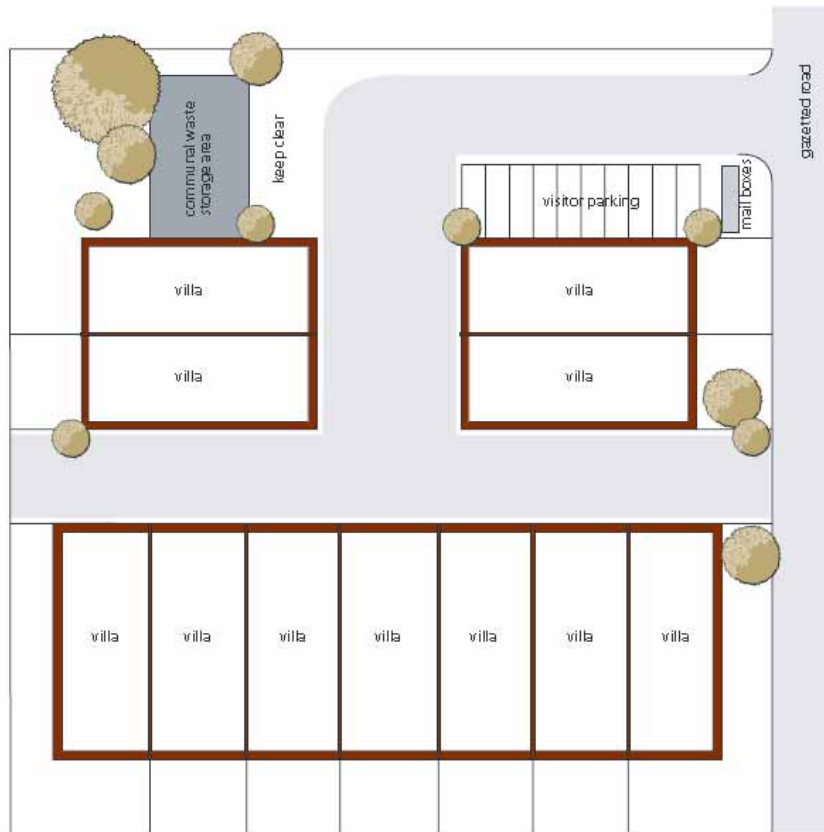


Figure 5: Example of Communal Storage Area for Bulk Bins suitable for Villas



Figure 6: Example of Communal Storage Area for Bulk Bins suitable for Low Rise Developments

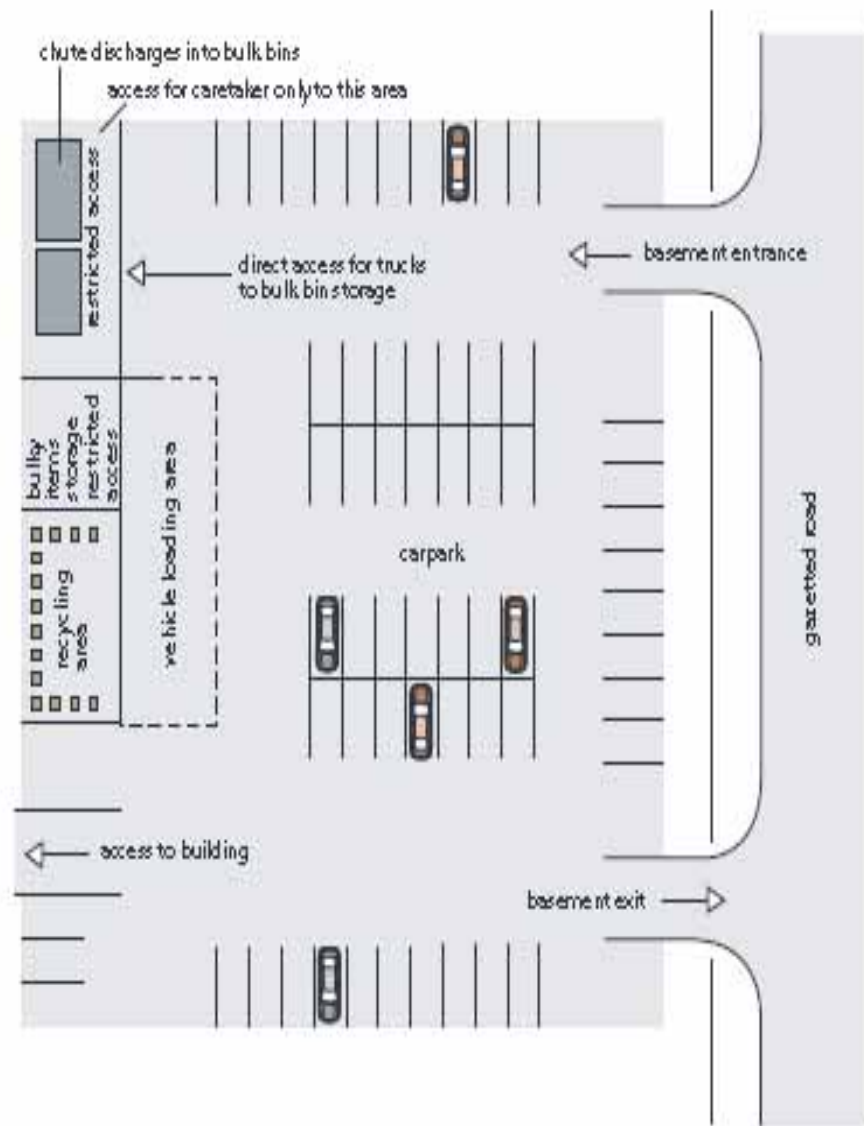


Figure 7: Example of Communal Storage Area for Bulk Bins suitable for Multi Unit Developments

## 6.3 Multi-Storey Buildings

### 6.3.1 Garbage Chute Systems

Development exceeding three storeys must be provided with an acceptable method for transporting waste from each level to a garbage and recycling room. This could be a goods lift, a chute system (refer to Appendix 7 for further information), or some other means of providing direct and convenient internal access. Where garbage chutes are proposed, recycling rooms must be provided on each floor to accommodate sufficient 240 litre recycling bins to store at least one day's volume of recyclables. The recycling bins must be transported to the waste storage and recycling area daily or when full and replaced with empty recycling bins. Information must be provided on the design of the garbage chute, location, design and size of the recycling room(s) and how recyclables are transported to a waste storage and recycling area.

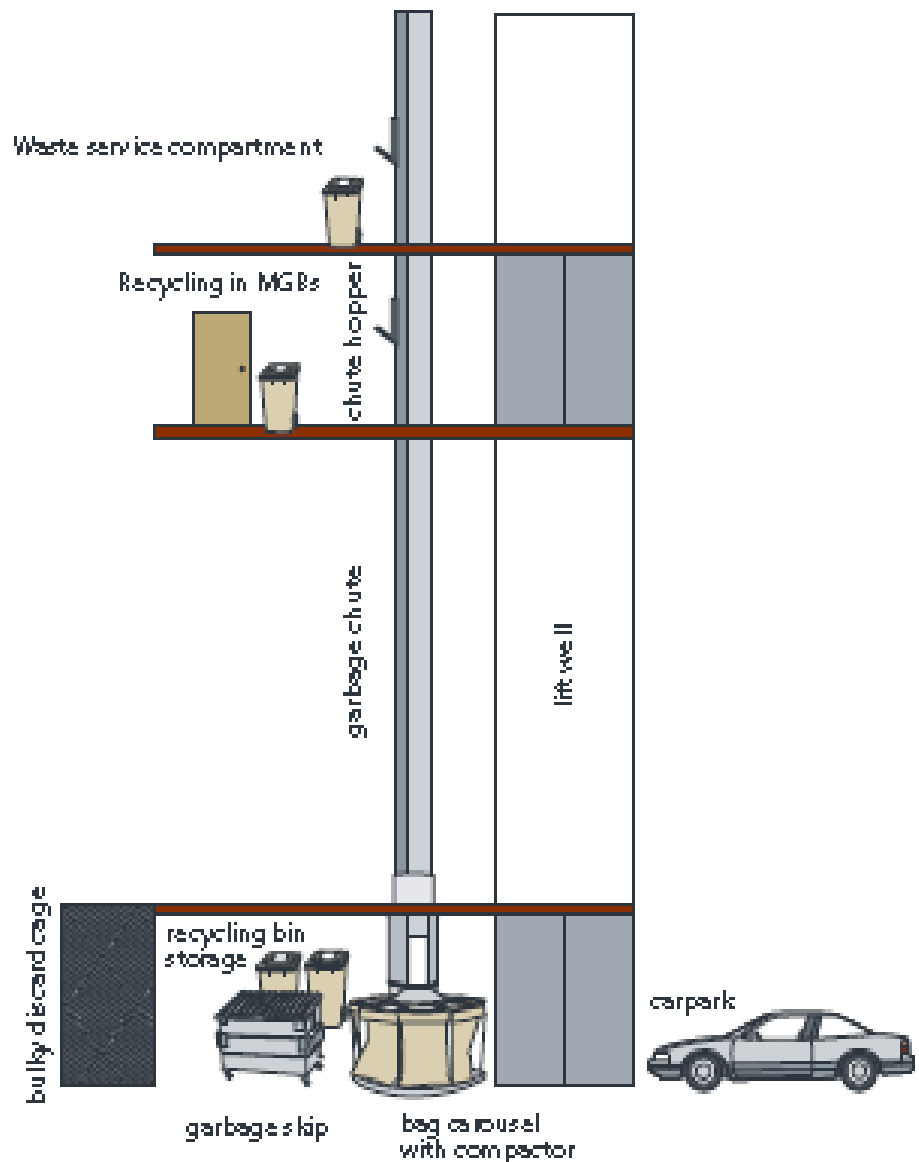


Figure 8: Example of Interim Storage Area and Chute System

### 6.3.2 Volume Reduction Equipment and Food Waste Disposal Units

Where it is considered necessary, compaction and other volume reduction equipment may be provided in the waste storage and recycling room. Such equipment could save space on site, where difficult design constraints occur. Waste reduction equipment should be considered for all buildings greater than 25 metres high. Volume reduction equipment must not be used for recyclables as removing contaminants from compacted recyclables is almost impossible and markets will reject compacted loads containing contaminants. Compaction equipment must be suitably soundproofed. In normal circumstances, there will not be a reduction in area requirements where such equipment is proposed. Council considers that area requirements should allow for possible changes in on-site waste management arrangements.

*Note: The installation of food waste disposal units e.g. Insinkerators, are NOT permitted in Wyong Shire.*

## **7.0 MIXED USED DEVELOPMENT**

Mixed use developments incorporate residential dwellings and commercial establishments within the same development and would include, for example, shop-top housing.

Mixed use developments may be small, for example, two storeys, incorporating a residential unit on the top floor and commercial outlet on ground level, or they may be large, with one or more levels of commercial property beneath low-rise or larger medium to high-rise residential developments.

### **7.1 Key problems**

There are often serious problems with commercial tenants using the residential waste facilities (or vice versa) in mixed use developments, which can cause overloading of the waste management system, unhygienic conditions and disputes over payment for collection.

Better practice waste management in mixed use developments requires the complete separation of the residential and commercial waste facilities. Residential and commercial tenants should be actively discouraged from using each other's waste facilities.

Design garbage and recycling systems for the management of commercial wastes so they reduce potential adverse impacts on residential units within the development.

### **7.2 Provision of services**

Wyong Council is not required to provide waste services to commercial businesses, so they may elect to only service the residential dwelling component of mixed use developments. In this situation a private waste contractor would need to remove the commercial waste, or a private waste contractor may be engaged to remove both the residential and commercial garbage and recycling.

It should be noted that if a private contractor were used to provide the garbage and recycling services, residents may still be required to pay a service availability charge to Council, as stipulated under section 146 of the Local Government Act 1993, in addition to the contractor's fee.

### **7.3 Commercial**

The garbage and recycling systems installed in commercial developments will vary according to the types and quantities of waste and recyclables generated.

Better practice waste management should be achieved by applying the general principles as outlined in Section 5 to commercial developments. Some indicative commercial waste generation rates are included in Appendix 2 as a guide.

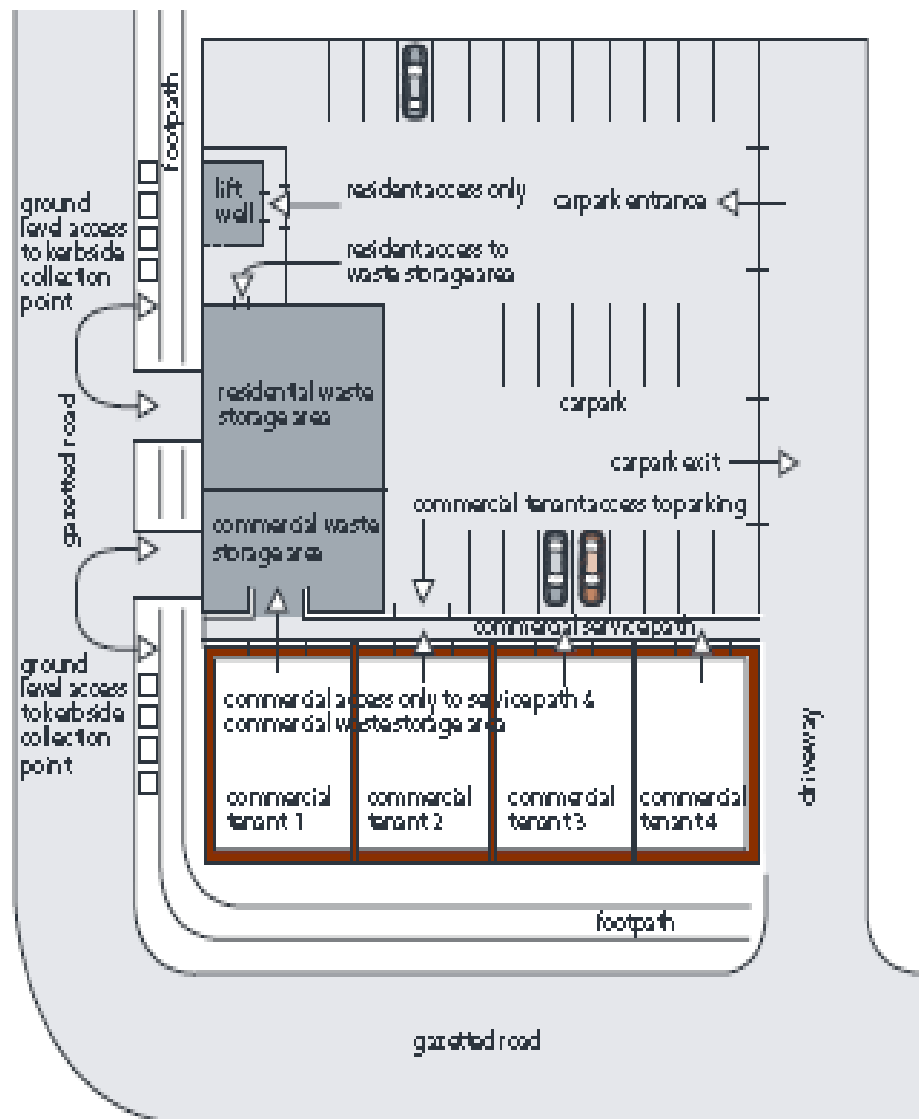


Figure 9: Example of waste storage in mixed used development

## 7.4 Waste Storage and Recycling Area

Waste Storage and Recycling Areas must be provided for commercial premises where it is not possible or impractical to store bins within the curtilage of each commercial unit. The waste storage and recycling area shall be of sufficient size to accommodate the number and types of waste bins (bulk bins and/or MGBs) and 240 litre recycling MGBs required commensurate with the size of the development (refer to Appendix 4 for number and types of bins required and refer to Appendix 5 for bin dimensions)

The size of the waste storage and recycling area shall be calculated on the basis of waste generation rates and proposed bin sizes. Calculation of waste generation rates should be based on industry standards. General advice on anticipated generation rates is provided in Appendix 2, as a cross check.

Information on the location and construction details and sizes and of the waste and recycling storage area and the number and types of bins proposed shall be attached to the Waste Management Plan.

Where it is proposed to service bins on-site, adequate space shall be provided within the site to accommodate a waste collection vehicle and to ensure that the vehicle is allowed to enter and exit in a safe manner. This may require the provision of a turning bay for trucks or provision of adequate turning circles. If turning circles are proposed, they must comply with the turning circle for appropriate garbage trucks. The Waste Management Plan must provide information on the turning circles proposed.

The use of volume reduction equipment may be appropriate where space is a problem. If volume reduction equipment is proposed details must be provided in the Waste Management Plan.

Separate waste storage and recycling areas shall be provided for mixed use developments.

### **7.5 Garbage Chute**

Buildings containing more than three storeys shall be provided with an acceptable method for transporting waste from each level to a garbage and recycling room. This could be a goods lift, a chute system (refer to Appendix 7 for further information), or some other means of providing direct and convenient internal access. Where such facilities are utilised, space must be provided at each level for temporary storage of recyclables. Information shall be provided on the design of the garbage chute, location, design and size of the recycling room(s) and how recyclables are transported to a waste storage and recycling area.

Ongoing management is a significant issue and details are required in the Waste Management Plan.

### **7.6 Foods Shops, Restaurants and Refrigerated Garbage Rooms**

Special attention should be paid to food waste generation. Specialised containment should be provided and a regular and frequent collection service arranged to ensure that no impacts result from the activity.

### **7.7 Grease Arresters**

Contact should be made with Council's Water and Sewerage Section to obtain trade waste requirements for the installation of grease arresters and liquid waste.

## **8.0 INDUSTRY**

### **8.1 Waste Storage and Recycling Area**

Waste Storage and Recycling Areas shall be required for commercial premises where it is not possible or impractical to store bins within the curtilage of each industrial unit.

The waste storage and recycling area shall be of sufficient size to accommodate the number and types of waste bins (bulk bins and/or MGBs) and 240 litre recycling MGBs required commensurate with the size of the development (refer to Appendix 4 for number and types of bins required and refer to Appendix 5 for bin dimensions).



The size of the waste storage and recycling area shall be calculated on the basis of waste generation rates and proposed bin sizes. Calculation of waste generation rates should be based on industry standards. General advice on anticipated generation rates is provided in Appendix 2, as a cross check.

Information on the location and construction details and sizes and of the waste and recycling storage area and the number and types of bins proposed shall be attached to the Waste Management Plan.

Where it is proposed to service bins on-site, adequate space shall be provided within the site to accommodate a waste collection vehicle and to ensure that the vehicle is allowed to enter and exit in a safe manner. This may require the provision of a turning bay for trucks or provision of adequate turning circles. If turning circles are proposed, they must comply with the turning circle for appropriate garbage trucks. The Waste Management Plan must provide information on the turning circles proposed.

The use of volume reduction equipment may be appropriate where space is a problem. If volume reduction equipment is proposed details must be provided in the Waste Management Plan.

Separate waste storage and recycling shall be provided for mix use developments.

The area(s) should be flexible in design so as to allow for future changes of use of the units.

## **9. PUBLIC EVENTS**

An adequate number of waste and recycling bins shall be provided based on the number of visitors expected. Special Event litter bins and recycling bins can be provided by council's contractor at cost. For further information contact Council's Customer Service Centre on (02) 4350 5555. Strategies must be developed incorporating adequate signage to educate the public on the correct use of the recycling bins in order to minimise contamination of the recyclable material.

## **10. HAZARDOUS WASTE**

Generation, storage and disposal of hazardous wastes (refer definition of hazardous waste) require particular attention. Hazardous waste must not be placed in household or commercial waste bins and special arrangements need to be made for its collection and disposal. Some hazardous waste generating activities are required to be licensed by the DECC. Types of hazardous waste are listed in Appendix 3.

For more information contact Wyong Sire Council on 4350 5555

## Appendix 1: Sample Waste Management Plan

To facilitate waste minimisation, Council requires the preparation of a Waste Management Plan. To assist you in this process, this Appendix contains a completed sample Waste Management Plan, detailing the types of waste likely to be generated and potential waste solutions, and a blank Waste Management Plan form.

Completing the Waste Management Plan will assist you in identifying the type of waste that will be generated and also assists you in advising Council how you intend to re-use, recycle or dispose of the waste. Demolition and construction waste dockets are to be retained on site so that the location of the receiving facility for recycling or disposal can be confirmed by DECC or Council.

The information provided on the form (and your plans) will be assessed against the objectives of Council's Policy C6 – Controls for Site Waste Management or of DCP 2005: Chapter 69 – Controls for Site Waste Management (e.g. to maximise re-use and minimise disposal) and the performance criteria for your particular use. The applicable sections of this form must be completed and submitted with all development applications or any application to carry out activities requiring the approval of Council.

If the space is insufficient in the table please provide attachments.

*Note: a blank version of this form is also annexed to Council's Policy C6 – Controls for Site Waste Management, addressing requirements for the approval of activities under Part V of the EP & AAct, 1979.*

*Sample Waste Management Plan*

<b>Waste Management Plan</b>			
<b>Site Address:</b>	<i>452 River Road Wyong NSW 2259</i>		
<b>Applicants Name and Address:</b>		<i>J.A. Smith 123 River Road Wyong NSW 2259</i>	
<b>Phone:</b>	<i>4343 1234</i>	<b>Fax:</b>	<i>4343 1235</i>
<b>Buildings and other structures currently on the site:</b>			
<i>Nil</i>			
<b>Brief Description of Proposal:</b>			
<i>New Two Storey Dwelling</i>			
<p>The detail provided on this form are the intentions for managing waste related to this project. Demolition and construction waste docket will be retained on site so that the location of the receiving facility for recycling or disposal can be confirmed by DECC or Council.</p>			
<b>Signature of Applicant:</b>	<i>J.A. Smith</i>	<b>Date:</b>	<i>24/4/2008</i>

<b>Section 1: Subdivision, Demolition Stage (Site preparation stage)</b>				
<b>MATERIALS ON-SITE</b>		<b>DESTINATION</b>		
		<b>RE-USE &amp; RECYCLING</b>		<b>DISPOSAL</b>
<b>Type of Material</b>	<b>Estimated Volume (m<sup>3</sup>)</b>	<b>On Site</b>	<b>Off Site</b>	
		<ul style="list-style-type: none"> <li>Specify proposed re-use or on site recycling methods</li> <li>See Guidelines for suggestions</li> </ul>	<ul style="list-style-type: none"> <li>See Guidelines for suggestions</li> <li>Specify contractors and recycling outlet</li> <li>See recycling Guide for outlets</li> </ul>	<ul style="list-style-type: none"> <li>Specify contractor and land site</li> <li>See Recycling Guide for contracts</li> </ul>
Excavation Material	20	<i>Reuse part as on site fill Stockpile top soil and re-use for landscaping purposes</i>		<i>Remainder to XYZ landfill by waste contractor</i>
Garden Organics/ Trees	10	<i>Store on-site</i>	<i>To green waste facility for composting</i>	<i>Nil</i>
Bricks	100		<i>To XYZ concrete recycling company</i>	
Concrete	-			
Timber Please Specify <i>Oregon Pine</i>	-	<i>Separated on-site Proportion used as framework</i>	<i>Usable remainder to XYZ recycling for denailing and resale. Fencing sold for firewooded</i>	<i>Unusable waste to ABC landfill</i>
Plasterboard	-			
Metals Please Specify <i>Hot water system Copper pipes Roof gutters</i>	20		<i>To metal recycler</i>	<i>Nil</i>
Other Please Specify <i>Windows</i>	-		<i>To Tender Centre for sale as 2<sup>nd</sup> hand building products</i>	

**SAMPLE ONLY**

<b>Section 2: Construction Stage</b>				
<b>MATERIALS ON-SITE</b>		<b>Destination</b>		
		<b>RE-USE &amp; RECYCLING</b>		<b>DISPOSAL</b>
<b>Type of Material</b>	<b>Estimated Volume (m<sup>3</sup>)</b>	<b>On-Site</b>	<b>Off Site</b>	
		<ul style="list-style-type: none"> <li>specify proposed re-use on site recycling methods</li> <li>see Guidelines for suggestions</li> </ul>	<ul style="list-style-type: none"> <li>see Guidelines for suggestions</li> <li>specify contractors and recycling outlet</li> <li>see Recycling Guide for outlets</li> </ul>	<ul style="list-style-type: none"> <li>specify contractor and landfill site</li> <li>see Recycling Guide for contacts</li> </ul>
Excavation Material		<i>See site Preparation (Section 1)</i>		
Garden Organics		<i>See Site Preparation (Section 1)</i>		
Bricks	2	<i>Use as fill material behind retaining wall</i>	<i>Remainder to XYZ concrete recycling company</i>	
Concrete	5	<i>Use as fill material behind retaining wall</i>	<i>Remaining to XYZ concrete recycling company</i>	
Timber – Please Specify: <i>Oregon, pine particle board</i>	3	<ul style="list-style-type: none"> <li>* <i>Mulch for landscaping purposes</i></li> <li>* <i>Re-use as fire wood</i></li> </ul>	<i>Untreated timber to ABC composting facility</i>	<i>Treated timber to XYZ landfill</i>
Plasterboard	2		<i>To ABC recycling facility for crumbing and re-use</i>	
Metals – Please Specify: <i>Copper</i>	0.5		<i>To metal recyclers</i>	
Other – Please specify: <i>Cardboard</i>	2	<i>To cardboard recycler</i>		
<i>Plastics</i>	1			<i>To XYZ landfill</i>

**SAMPLE ONLY**

<b>Section 3: Use of Premises</b>		
<b>TYPE OF WASTE TO BE GENERATED</b>	<b>PROPOSED ON SITE STORAGE &amp; TREATMENT FACILITIES</b>	<b>DESTINATION</b>
Please specify.  For example: glass, paper, food waste, off cuts, etc.	For example: <ul style="list-style-type: none"> <li>• Waste storage &amp; recycling area</li> <li>• Garbage chute</li> <li>• Compact equipment</li> </ul>	For example: <ul style="list-style-type: none"> <li>• Recycling</li> <li>• Disposal</li> <li>• See Recycling guide for contracts</li> <li>• Specify contractor</li> </ul>
<i>Household Recyclables – Plastics Cardboard Bottles Cans</i>	<i>Place recyclables into yellow recycling bin</i>	<i>Place bin on kerb for collection by Council's Collection Contractor. Transport to materials recovery facility for sorting.</i>
<i>Household waste – Non recyclable waste e.g. Nappies and wrappers</i>	<i>Place waste into red waste bin or bulk bin</i>	<i>Place bin on kerb for collection by Council's Collection Contractor. Transport to Buttonderry Waste Management Facility</i>
<i>Vegetation – Grass clippings Tree prunings</i>	<i>Place vegetation into green garden vegetation bin</i>	<i>Place bin on kerb for collection by Council's Collection Contractor. Transport to green waste processing facility</i>

**SAMPLE ONLY**

#### **Section 4: Ongoing Management**

**This section provides the ability to supply additional information as to how waste is to be managed during the ongoing operation of the development.**

Describe how you intend to ensure ongoing management of waste on-site (eg: lease conditions, caretaker / manager on site). For example:

1. Original proprietor to prepare a waste management system addressing waste collection, recycling and disposal for implementation. System to outline expectations and achievable objectives for sorting and separating waste and the on-site management of the waste area.
2. A formal information package to be presented to each new occupant for individual implementation.
3. Staff to be trained in the system with regular six monthly reviews.
4. Staff to oversee waste system to ensure the area is maintained in a tidy and clean condition and that waste bins are in position for collection on the scheduled dates.
5. All bins in waste area to be clearly marked indicating their use.

**Additional Information**

<b>Issues</b>	<b>Information required</b>
Waste and Recycling generation rate	Quantity of waste and recyclables generated per week for ongoing use of facility
Waste Storage and Recycling Area	Location, size, number of bulk bins, number of MGBs (waste and recycling)
Garbage and recycling rooms	Location, size, number of MGBs (waste and recycling), mode to transport to waste storage and recycling area
Garbage chute	Location, design details,
Compaction systems	Design and application details
On-site servicing	Turning circles for trucks, provision of turning bays, height of basement, proposed movement of collection vehicle through the site.

Table 5: Additional information required

**SAMPLE ONLY**

**WASTE MANAGEMENT PLAN (Blank Form)**

<b>Waste Management Plan</b>			
<b>Site Address:</b>			
<b>Applicants Name and Address:</b>			
<b>Phone:</b>		<b>Fax:</b>	
<b>Buildings and other structures currently on the site:</b>			
<b>Brief Description of Proposal:</b>			
<p>The detail provided on this form are the intentions for managing waste related to this project. Demolition and construction waste dockets will be retained on site so that the location of the receiving facility for recycling or disposal can be confirmed by DECC or Council.</p>			
<b>Signature of Applicant:</b>		<b>Date:</b>	



<b>Section 1: Subdivision, Demolition Stage (Site preparation stage)</b>				
<b>MATERIALS ON-SITE</b>		<b>DESTINATION</b>		
		<b>RE-USE &amp; RECYCLING</b>		<b>DISPOSAL</b>
<b>Type of Material</b>	<b>Estimated Volume (m<sup>3</sup>)</b>	<b>On Site</b>	<b>Off Site</b>	
		<ul style="list-style-type: none"> <li>Specify proposed re-use or on site recycling methods</li> <li>See Guidelines for suggestions</li> </ul>	<ul style="list-style-type: none"> <li>See Guidelines for suggestions</li> <li>Specify contractors and recycling outlet</li> <li>See recycling Guide for outlets</li> </ul>	<ul style="list-style-type: none"> <li>Specify contractor and land site</li> <li>See Recycling Guide for contracts</li> </ul>
Excavation Material				
Garden Organics/ Trees				
Bricks				
Concrete	-			
Timber Please Specify	-			
Plasterboard	-			
Metals Please Specify	-			
Other Please Specify	-			

<b>Section 2: Construction Stage</b>				
<b>MATERIALS ON-SITE</b>		<b>Destination</b>		
		<b>RE-USE &amp; RECYCLING</b>		<b>DISPOSAL</b>
<b>Type of Material</b>	<b>Estimated Volume (m<sup>3</sup>)</b>	<b>On-Site</b>	<b>Off Site</b>	
		<ul style="list-style-type: none"> <li>• specify proposed re-use on site recycling methods</li> <li>• see Guidelines for suggestions</li> </ul>	<ul style="list-style-type: none"> <li>• see Guidelines for suggestions</li> <li>• specify contractors and recycling outlet</li> <li>• see Recycling Guide for outlets</li> </ul>	<ul style="list-style-type: none"> <li>• specify contractor and landfill site</li> <li>• see Recycling Guide for contacts</li> </ul>
Excavation Material				
Garden Organics				
Bricks				
Concrete				
Timber – Please Specify:				
Plasterboard				
Metals – Please Specify:				
Other – Please specify:				

<b>Section 3: Use of Premises</b>		
<b>TYPE OF WASTE TO BE GENERATED</b>	<b>PROPOSED ON SITE STORAGE &amp; TREATMENT FACILITIES</b>	<b>DESTINATION</b>
<p>Please specify.</p> <p>For example: glass, paper, food waste, organic wastes, off cuts, etc.</p>	<p>For example:</p> <ul style="list-style-type: none"> <li>• Waste storage &amp; recycling area</li> <li>• Turning circles for trucks, provision of turning bays, proposed movement of collection vehicle through the site.</li> <li>• Garbage chute.</li> <li>• Compaction equipment.</li> </ul>	<p>For example:</p> <ul style="list-style-type: none"> <li>• Recycling</li> <li>• Disposal</li> <li>• See Recycling guide for contracts</li> <li>• Specify contractor</li> </ul>

## Appendix 2 : Waste Generation Rates

Type of Premises	Waste Generation	Recyclable Material Generation
Backpackers accommodation	40L / occupant / week	20 litres / occupant / week
Boarding house, Guest house	60L / occupant / week	20 litres / occupant / week
Food Premises		
• Butcher	80L / 100m <sup>2</sup> floor area / day	Discretionary
• Delicatessen	80L / 100m <sup>2</sup> floor area / day	Discretionary
• Fish Shop	80L/ 100m <sup>2</sup> floor area / day	Discretionary
• Greengrocer	240L / 100m <sup>2</sup> / day	120L / 100m <sup>2</sup> /day
• Hairdresser	60L / 100m <sup>2</sup> floor area / day	Discretionary
• Restaurants	660L/100m <sup>2</sup> floor area / day	130L /100m <sup>2</sup> floor area/ day
• Supermarket	660L/100m <sup>2</sup> floor area / day	240L / 100m <sup>2</sup> day
• Takeaway	80L / 100m <sup>2</sup> floor area / day	Discretionary
Hotel	5L / bed / day 50L / 100m <sup>2</sup> bar area / day 660L/100m <sup>2</sup> dining area/ day	50L / 100m <sup>2</sup> bar area / day or dining areas / day
Licensed club	50L / 100m <sup>2</sup> bar area / day	50L / 100m <sup>2</sup> / bar area / day or dining areaa / day
Motel (without public restaurant)	5L / bed / day 660L/100m <sup>2</sup> dining area/ day	1L / bed / day
Offices	10L / 100m <sup>2</sup> /day	10L / 100m <sup>2</sup> / day
Shops (non-food sales) less than 100m <sup>2</sup> – floor area	50L / 100m <sup>2</sup> floor area / day	25L / 100m <sup>2</sup> floor
Shop over 100m <sup>2</sup> floor area	50L / 100m <sup>2</sup> floor area /day	50L / 100m <sup>2</sup> floor area / day
Showrooms	40L / 100m <sup>2</sup> floor area / day	10L / 100m <sup>2</sup> floor area / day

Table 6: Typical Waste Generation Rates

## Appendix 3: Hazardous Waste

According to Table 4 of the Environmental Guidelines: Assessment, Classification & Management of Liquid & Non-Liquid Wastes (DECC) the following materials are classified as hazardous:

1. **Any waste that meets the criteria for assessment as dangerous goods under the Australian Code for the transport of Dangerous Goods by Road and Rail, and categorised as one of the following:**
  - a) explosives
  - b) gasses (compressed, liquified or dissolved under pressure)
  - c) flammable solids (excluding, organic waste and all physical forms of carbon such as activated carbon and graphite),
  - d) flammable liquids
  - e) substance liable to spontaneous combustion (excluding organic waste and all physical forms of carbon and graphite),
  - f) substances which in contact with water emit flammable gases
  - g) oxidising agents and organic peroxides
  - h) toxic substances
  - i) corrosive substances
2. **Pharmaceuticals and poisons being waste generated by activities carried out for business or other commercial purposes and that consist of pharmaceutical or other chemical substances specified in the Poisons List under the Poisons and Therapeutic Goods Act 1966).**
3. **Clinical waste**
4. **Cytotoxic waste**
5. **Sharps waste**
6. **Any radioactive waste, being waste that:**
  - a) contains a substance that emits ionising radiation spontaneously, and
  - b) consists of, or contains more than, the prescribed activity of any radioactive element listed in Schedule 1 to the Radiation Control Regulation 1993
7. **Any liquid radioactive waste, being waste that:**
  - a) contains a substance that emits ionising radiation spontaneously, and
  - b) has specific activity ratio or a total activity ratio (as determined in accordance with procedures set out in the Waste Guidelines) that is greater than one.
8. **Any declared chemical waste that:**
  - a) is the subject of a chemical control order under the Environmentally Hazardous Chemicals Act 1985, and
  - b) is not permitted to be disposed of to a landfill site because of such an order
9. **Quarantine waste.**

**Hazardous Waste cannot be placed in the standard waste or recycling bins.**

## Appendix 4: Council's Bin Types and Servicing Requirements

**Single residential dwellings and multi-unit development (up to 12 units) are provided with:**

1. 140 litre waste bin with a red lid. This bin is serviced weekly.
2. 240 litre recycling bin with a yellow lid. This bin is serviced fortnightly.
3. 240 litre garden vegetation bin with a green lid. This bin is serviced fortnightly but on alternate weeks to the recycling bin.

Note: Single residential dwelling west of the Freeway (F3) are not entitled to the 240 litre garden vegetation bin.

**Multi-unit residential developments (more than 12 units) are provided with:**

1. Bulk bins (660 litre, 1100 litre or 1500 litre) for the storage of non-recyclable waste. Size and service frequency depends on unit numbers. Generally 140 litre capacity is allowed per unit. Adequate truck access must be available to service bulk bins.
2. 240 litre waste bins with a red lid. These bins are serviced weekly.
3. 240 litre recycling bins with a yellow lid. These bins are generally serviced fortnightly, but weekly servicing can be arranged.
4. 240 litre garden vegetation bins with a green lid. These bins are serviced fortnightly

**Commercial and industrial building can be provided with:**

1. Bulk bins (660 litre, 1100 litre or 1500 litre) for the storage of non-recyclable waste. Size and service frequency depends on unit numbers. Generally 140 litre capacity is allowed per unit. Adequate truck access must be available to service bulk bins.
2. 240 litre waste bins with a red lid. These bins are serviced weekly.
3. 240 litre recycling bins with a yellow lid. These bins are generally serviced fortnightly, but weekly servicing can be arranged.
4. 240 litre garden vegetation bins with a green lid. These bins are serviced fortnightly

Bins must not be kept in front of the premises, unless an appropriately screened Waste Storage and Recycling Area is approved and provided.

Bins are to be placed at the collection point (20-50cm from the kerb of the street's pavement with handle closest to roadway), no earlier than the evening prior to the collection day.

Bins are to be removed from the public place by the property owner or occupier as soon as practicable after service, but no later than the evening of collection day.

Council generally does not collect waste from within the site. If on-site collection is essential (eg bulk bins are being utilised), Councils contractor will require indemnity against potential damage to access roads.

<b>Bulk bin requirements and service frequencies for Multi-unit Residential Development</b>		
No. of Units	Bulk Bin Capacity (litre)	Services per Week
Up to 12 units or townhouses	Mobile Garbage Bins shall be used	
12	1 x 660	2
15	1 x 660	3
20	1 x 1100	2
25	1 x 1500	2
30	1 x 1100	3
35	1 x 1500	3

Table 7: Bulk bin requirements and service frequencies

**Note: For multi-unit residential developments with more than 35 units contact Council's Waste Management Section.**

*Note: Retirement Units all calculated at half the above rates or as considered appropriate by Council for the particular development.*

## Appendix 5: Bin Specifications and dimensions

### 240 Litre Mobile Bin

■ A	1060 mm	■ D	730 mm	■ G	550 mm
■ B	990 mm	■ E	585 mm		
■ C	660 mm	■ F	400 mm		

Measurements to be used as a guide only – variations will occur

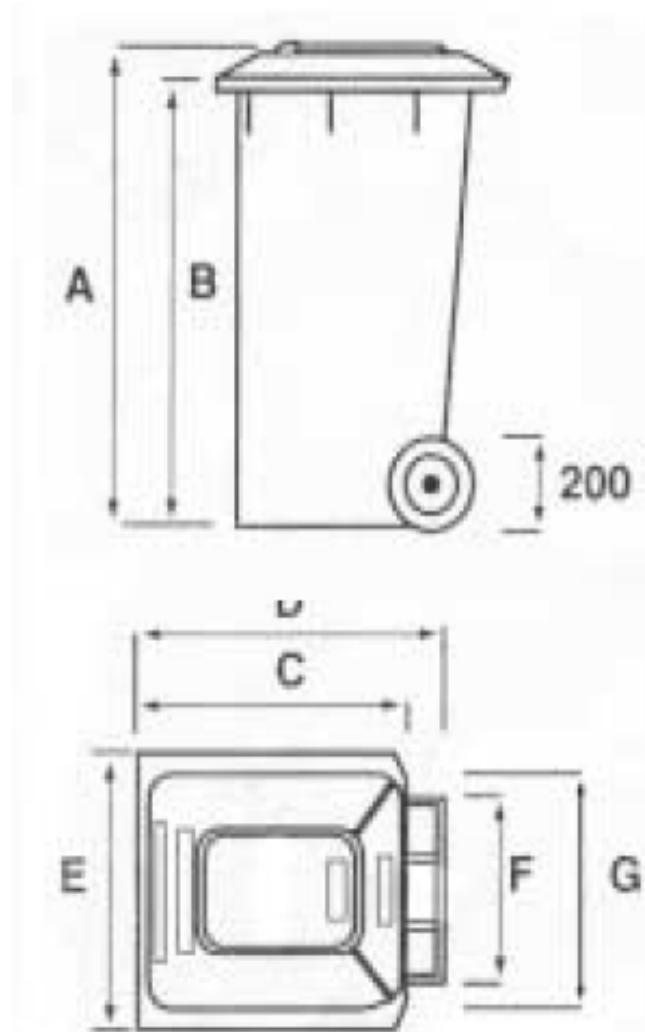


Figure 10: Dimension for 240 litre MGB. (Adapted from Sulo Brochure: [www.sulo.com.au](http://www.sulo.com.au))



### 140 Litre Mobile Waste Bin

■ A	925 mm	■ D	615 mm	■ G	505 mm
■ B	870 mm	■ E	535 mm		
■ C	550 mm	■ F	395 mm		

Measurements to be used as a guide only – variations will occur

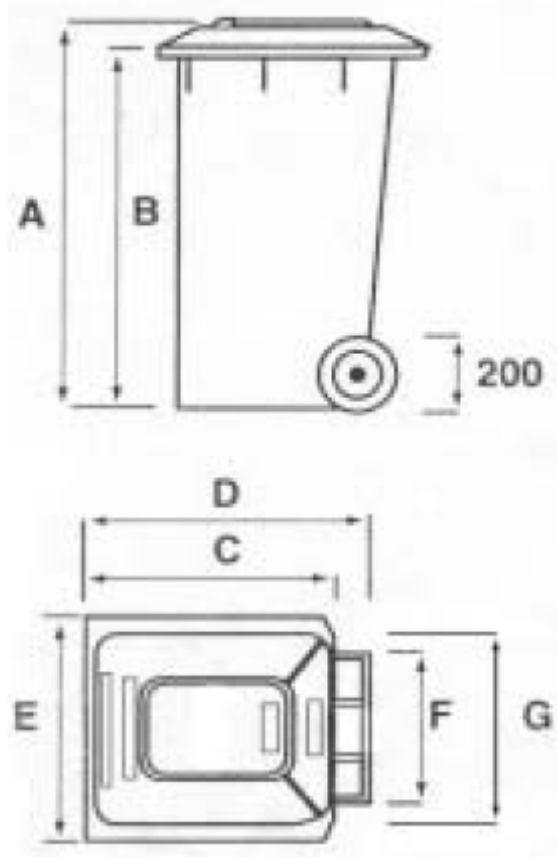
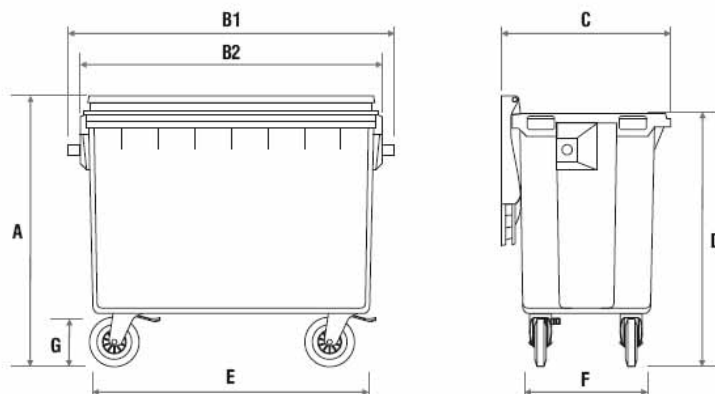


Figure 11: Dimension of 140 l waste bin (Adapted from Sulo Brochure: [www.sulo.com.au](http://www.sulo.com.au))

### 660 Litre Bulk Bin



#### 660 Litre

Weight (approx)	45 kg
Volume	660ltr
A	1200mm
B1	1360mm
B2	1225mm
C	770mm
D	1120mm
E	1095mm
F	630mm
G	200mm

Figure 12: Dimensions of 660 litre bulk bin ([www.Mastec.com.au](http://www.Mastec.com.au))

**1100 Litre Bulk Bin**

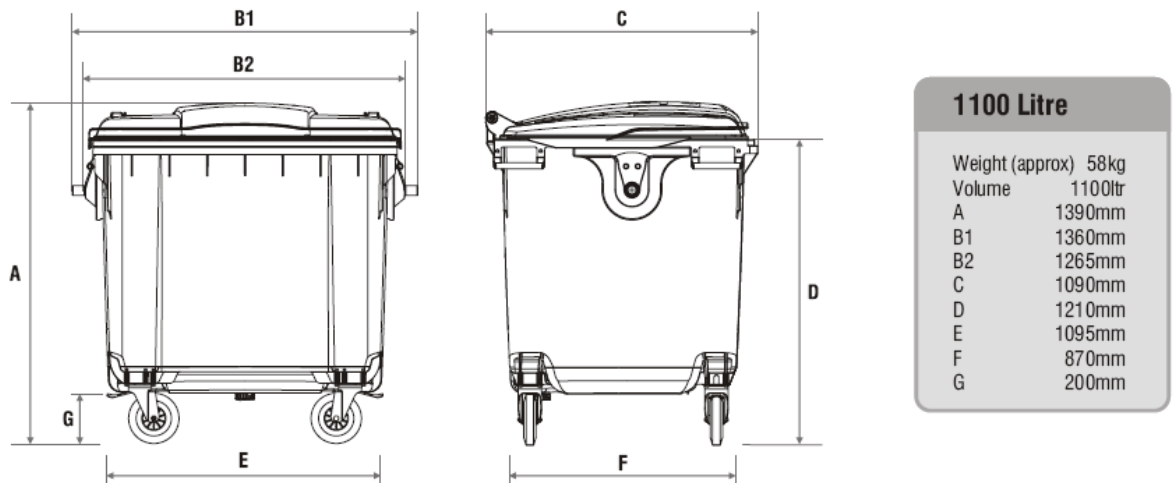


Figure 13: Dimensions of 1100 litre bulk bin (www.Mastec.com.au)

**1500 Litre Bulk Bin**

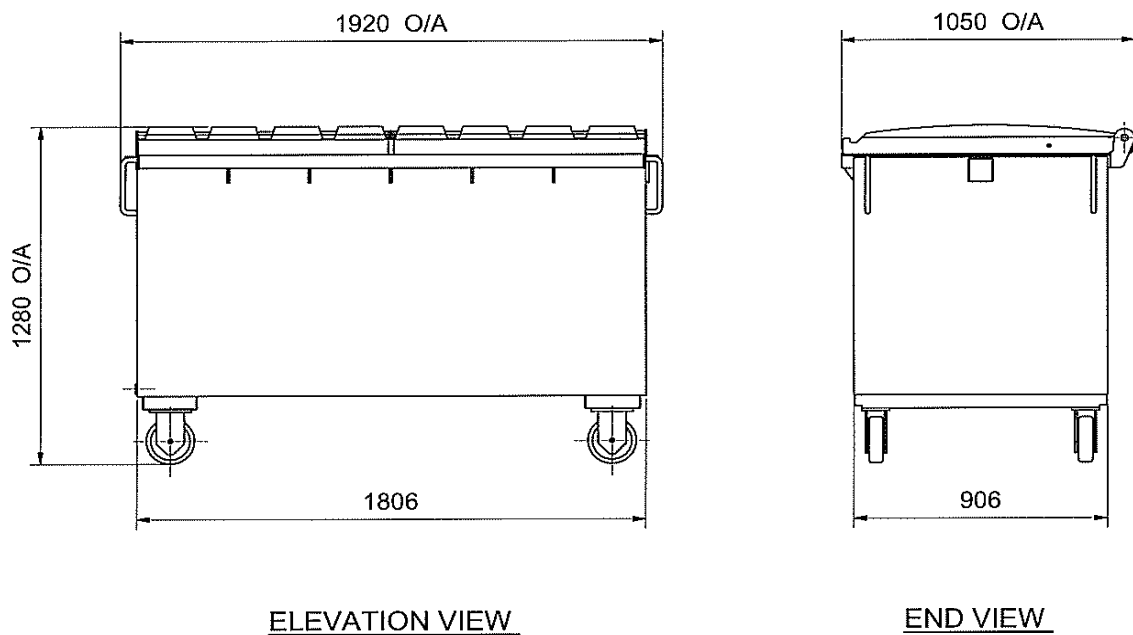


Figure 14: Dimensions for 1500 litre bulk bin (www.Mastec.com.au)

**Bin Dimensions**

	140 litre bin	240 litre bin	660 litre bulk bin	1.1 m <sup>3</sup> bulk bin	1.5 m <sup>3</sup> bulk bin
<b>Width (m)</b>	.535	.580	.630	.870	1.920
<b>Length (m)</b>	.640	.730	1.095	1.095	.906
<b>Height (m)</b>	.920	1.060	1.200	1.390	1.280

Table 8: Summary of bin dimensions

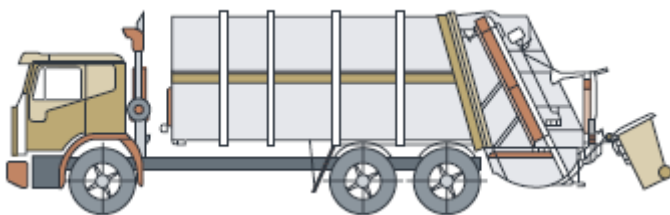
## Appendix 6: Collection Vehicle Specifications

Dimensions in millimetres	Waste Truck (side loader)	Recycling & Garden Vegetation Truck (side loader)	Bulk Bin Truck (rear loader)
Width	3200	3200	3200
Length	9460	9828	9599
Height	3546	3700	3257
Minimum height to service 240 litre MGB	3857	3857	n/a
Minimum height to service 1.1 m <sup>3</sup> bulk bin	n/a	n/a	3800
Min space (length) to service 1.1 m <sup>3</sup> bulk bin	n/a	n/a	11600
Minimum height to service 1.5 m <sup>3</sup> bulk bin	n/a	n/a	3800
Minimum space (length) to service 1.5 m <sup>3</sup> bulk bin	n/a	n/a	11600
Turning Circle	20560	20560	21390

Table 9: Collection vehicle specification

### Collection Vehicles

#### Rear loading vehicle



#### Side Loading vehicle

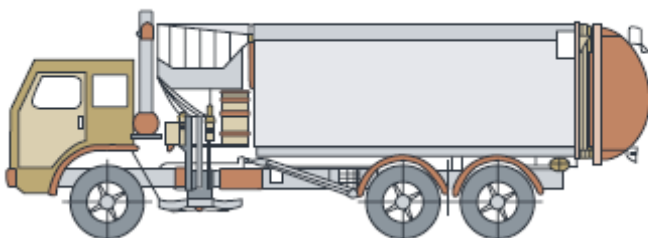


Figure 15: Types of Collection Vehicles

## Appendix 7: Location and Design of Waste Storage and Handling Facilities

Waste storage and handling facilities can be:

- **Waste Storage and Recycling Areas**, where waste and recycling material are stored in the open and properly visually screened;
- **Garbage and Recycling Rooms**, within buildings for holding waste and recyclable material, (Compaction equipment can be provided);
- **Garbage Chute and Service Lift Systems**, for transporting waste in multi storey buildings; and
- **Collection Areas**, separate from storage areas, where waste is located immediately before collection.

Which facilities are used will depend upon the nature and size of the development. The facilities can also be used in combination. Figures 2-9 provide a number of examples.

### 1. General Principles

There are a number of general principles for the design and on-site location of waste management facilities.

Waste storage and handling facilities should:

- be conveniently located to enable easy access for on-site movement and collection;
- relate to other loading / unloading facilities;
- have sufficient space for the quantity of waste and recyclable materials generated and careful source separation of materials (e.g. recyclables);
- have sufficient space to comfortably contain any on-site treatment facilities (eg. Compaction equipment);
- have adequate weather protection where appropriate or required be enclosed or undercover;
- be secure and lockable, where appropriate;
- be well ventilated and drained to the sewer;
- be screened by landscaping or sympathetic materials, adding to the streetscape not detracting from it; and
- be clearly signposted to ensure appropriate use.

## 2. Location and Access

Perhaps the most obvious matter to consider for waste collection services is accessibility to the on site waste storage and recycling area if servicing is required on site. Access to the waste storage and recycling area is required if bulk bins are proposed.

For commercial and industrial developments servicing of MGBs and bulk bins may occur on site depending on the collection contractor used and service arrangements entered into. If access onto the site is proposed, the following matters should be considered:

- the convenient placement of waste storage and recycling areas or garbage and recycling rooms;
- proposed sizes of collection vehicles that will enter the site;
- driveway widths and adequate height at entrance ways to basements etc;
- structural capability of driveway to carry fully loaded waste collection vehicles;
- turning circles, turning bays or three point turn arrangements so that vehicles enter and leave the site moving in a forward direction;
- on-site manoeuvrability, for all site users;
- ensuring legality of access. This could be by the creation of an easement. In some circumstances, private arrangements may be necessary for such on-site collection;
- The owners or beneficiaries of the access road are to provide Council with an indemnity, against any claims for damage to the access road in servicing the development.
- The access for vehicles collecting waste (where the vehicle has to turn on or off a roadway or turn within a property) the access must be designed in accordance with the AUSTROADS / STANDARDS AUSTRALIA 1995 PUBLICATION "Design Vehicles and Turning Path Templates". A sample turning circle for a Heavy Rigid Vehicle is show at Figure 16.

In all cases provision of communal waste storage and recycling areas or garbage rooms shall include consideration of the following:

- access for individual occupants; and
- proximity to site occupants and adjacent properties in terms of noise and odour control.

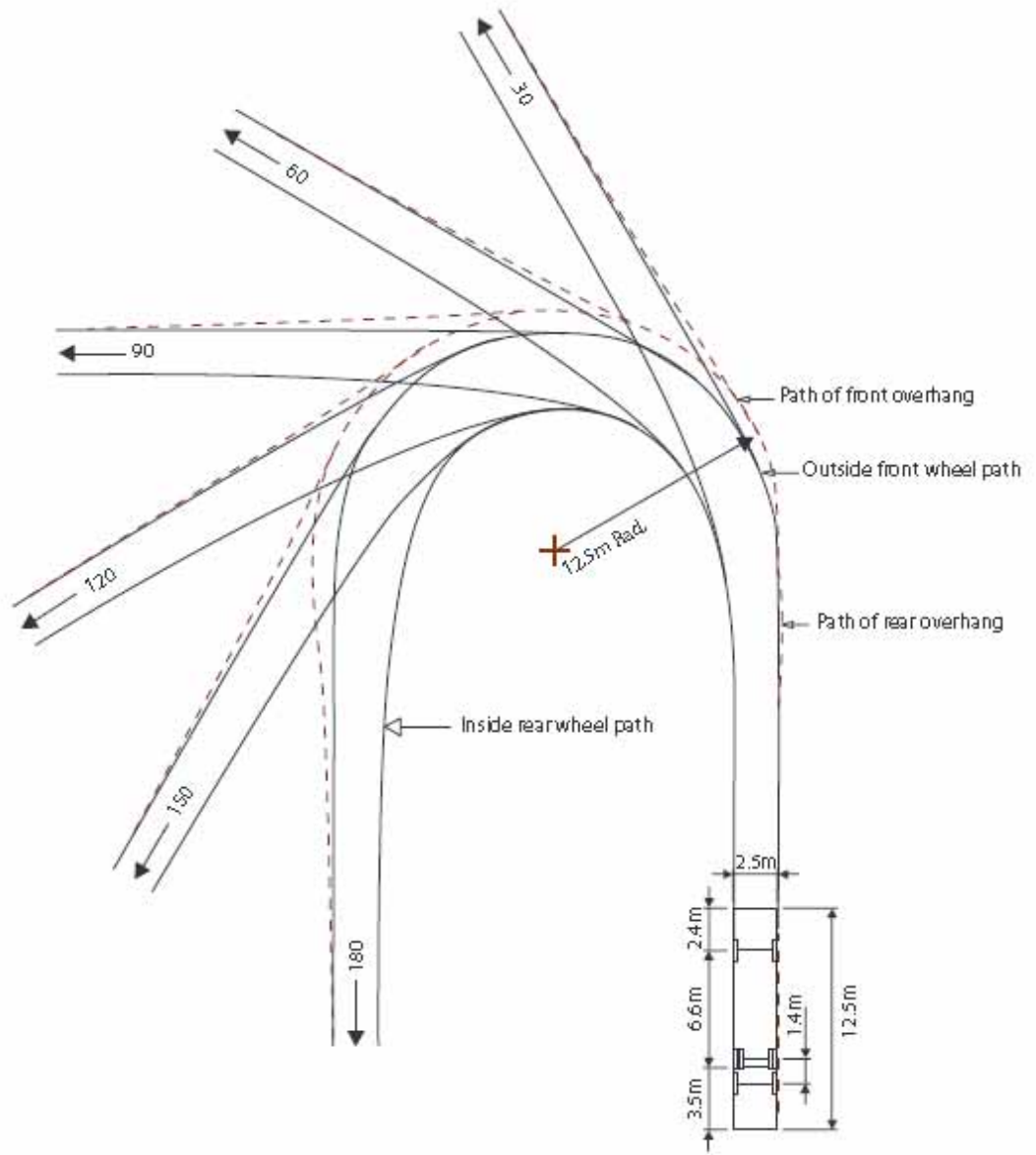


Figure 16: Turning Circle for Heavy Rigid Vehicle

### 3. Design of Waste Storage Areas

#### Requirements for Waste Storage and Recycling Areas:

Intent of Controls	Performance Criteria The intent may be achieved where:	Standards-based Solution
Adequate dimensions to accommodate waste and recyclables	<p>The area is of adequate size</p> <p>Determine the number and size of bins required for the proposed development. Refer to Appendix 2 for waste generation rates and Appendix 4 for bin capacities for multi-unit developments.</p> <p>Calculate the floor area requirements. Allow sufficient space to manoeuvre bins and for residents to be able to access bins comfortably.</p>	Council standard bin sizes (refer to Appendix 5)
Aesthetically pleasing	Materials, design & landscaping complement the building & streetscape (Comply with DCP 2005: Chapter 64).	
Ready access to waste and recycling bins	<p>The area is easily accessible by all occupants and sufficient space is provided to access all bins.</p> <p>If on-site servicing of bins is required then:</p> <ul style="list-style-type: none"> <li>• driveways are of adequate strength, width and design vehicle movement is in a forward direction</li> <li>• Bins can be serviced in a safe manner</li> <li>• entrance heights to basements allow access for collection vehicles</li> </ul>	<p>Maximum grade of driveway: 1:10</p> <p>Minimum vertical clearance: 3.6 m</p> <p>Minimum width of driveway: 4 metres</p> <p>Minimum turning circle: 22 metres</p> <p>Designed in accordance with AS2890.1</p>
Area does not impact on safety environment and residents' ambience	<p>The area is located away from living / working space in buildings</p> <p>The area is weather protected</p> <p>The area is appropriately signposted e.g for recycling bins</p> <p>Manoeurability of all bins is easy with adequate space for ease of movement</p>	Workcover Authority requirements

Table 10: Waste Storage and Recycling Areas

#### 4. Design of Waste Storage and Recycling Rooms

##### Requirements for Waste Storage and Recycling Rooms:

Intent of Controls	Performance Criteria The intent may be achieved where:	Standards-based Solution
Adequate dimensions to accommodate garbage and recyclables.	<p>The area is of adequate size.</p> <p>Determine the number and size of bins required for the proposed development. Refer to Appendix 2 for waste generation rates and Appendix 4 for bin capacities for multi-unit developments.</p> <p>Calculate the floor area requirements. Allow sufficient space to manoeuvre bins and for residents to be able to access bins comfortably.</p> <p>For recycling rooms required in conjunction with garbage chutes, the area must be of sufficient size to store bins that hold at least 1 day's volume of recycling.</p> <p>Ceiling height is appropriate to type of service.</p> <p>Door width is sufficient for installation and maintenance of bins.</p> <p>Equipment is carefully installed including clear of walls and supported on plinths or legs.</p>	<p>2100 mm</p> <p>820 mm minimum width (1800 for bulk bins)</p> <p>Plinths at least 75mm</p> <p>Legs 150 mm high</p>
Ready access to waste and recycling bins	<p>The room is easily accessible by all occupants and sufficient space is provided to access all bins.</p> <p>Bins can easily be manoeuvred to Waste Storage and Recycling area.</p> <p>If servicing of bins in the room is required then:</p> <ul style="list-style-type: none"> <li>• driveways are of adequate strength, width and design</li> <li>• vehicle movement is in a forward direction</li> <li>• bins can be serviced in a safe manner</li> <li>• entrance heights to basements allow access for collection vehicles</li> </ul>	



Intent of Controls	Performance Criteria The intent may be achieved where:	Standards-based Solution
Area does not impact on safety environment and residents' ambience	<p>Adequate ventilation provided:</p> <ul style="list-style-type: none"> <li>• mechanical</li> <li>• natural</li> </ul> <p>Adequate water supply provided:</p> <ul style="list-style-type: none"> <li>• hot water for commercial uses</li> <li>• hose cocks protected</li> <li>• hose available</li> </ul> <p>The room is well drained to a floor waste connected to the sewer.</p> <p>Floors, walls and ceiling are of impervious material.</p> <p>Entry of Vermin is prevented.</p> <p>Adequate separation from walls where containers area is provided.</p>	<p>BCA</p> <p>Openings 5% of floor area and positioned to provide cross-floor ventilation.</p> <p>Recessed into the wall.</p> <p>Floor waste is located beneath hose cock or in close proximity to it.</p> <p>Steel trowel finished concrete floor (Min. 75 mm thick) and cement rendered walls.</p> <p>Ceilings to be durable and smooth.</p> <p>Doors to be self-closing and close fitting.</p> <p>Bump rail 50mm clear of walls</p>
Safety	<p>Doors are durable and door must be able to be opened from inside by a single handed action without the use of a key.</p> <ul style="list-style-type: none"> <li>• manoeuvrability of full bins is easy;</li> <li>• adequate space and ease of movement</li> <li>• the room is appropriately signposted e.g for recycling bins</li> </ul> <p>Adequate lighting, controllable from outside and inside, is provided.</p>	<p>Solid core doors Workcover Authority requirements. BCA.</p> <p>Flat surface over which bins are manoeuvred</p> <p>BCA, Workcover Authority requirements.</p>

Table 11: Garbage and Recycling Rooms

## 5. Design of Garbage Chute systems and Service Lifts

Development exceeding three storeys must be provided with one or more garbage chute systems or a passenger lift. A service room needs to be provided on each floor of the development to allow access to the garbage chute. Chutes should not open onto any habitable or public space. Hopper doors must have an effective self-sealing system. Where garbage chutes are proposed, the recycling rooms shall be provided on each floor to accommodate sufficient 240 litre recycling bins to store at least one day's volume of recyclables. It is acceptable to combine the service room for the chute system and the recycling room.

The recycling bins shall be transported to the waste storage and recycling area daily or when full and replaced with empty recycling bins. Information shall be provided within the application on the design of the garbage chute, location, design and size of the garbage and recycling room(s) and how recyclables are transported to a waste storage and recycling area.

Chutes are only suitable to transfer garbage and are not suitable to transfer recyclables. The drop generally results in the damage or even destruction of the recyclable material, particularly glass and cardboard could easily become stuck in the chute and cause a fire hazard.

Chutes should be designed to reduce noise and fire risks associated with their use.

The key features of a garbage chute and recycling system are shown in Figure 8.

### Requirements for Waste Chute System:

Intent of Controls	Performance Criteria The intent may be achieved where:	Standards-based Solution
Ensure suitable design & materials	<p>Chutes are cylindrical and have appropriate capacity for volume of materials.</p> <p>Internal overlaps follow direction of flow.</p> <p>Chutes, hoppers, service openings &amp; service compartments are of appropriate, smooth faced, durable, impervious, non-corrosive, distortion &amp; fire resistant material.</p> <p>There are minimal number of seamless joints and chutes has no bends in main shaft.</p>	At least 500mm diameter
Unimpaired flow directly to facilities in garbage room	<p>Distances to hopper are not too long</p> <p>Hoppers are of appropriate size and flush with chute. Hopper doors must have self-sealing system</p> <p>Size of service openings relates to diameter of chute</p>	<p>Not exceeding 1000mm</p> <p>Area not less than 60% size of chute</p>
Ventilation	Chutes are effectively ventilated.	Ventilation in accordance with BCA

## Requirements for Waste Chute System (Continued):

Intent of Controls	Performance Criteria The intent may be achieved where:	Standards-based Solution
Health & Safety	<p>Chutes and hoppers are contained in a service compartment or room, so as not to open directly into a habitable area.</p> <p>Cut-off door at or near the base of chute to allow container movement and work on facilities such as compactors is provided. Note: this can double as a fire damper</p> <p>Appropriate system for cleaning &amp; maintenance of chute and hoppers is provided</p>	brushes, sanitisers water supply point & sanitisers at the top of chute
Safe to load	Service openings are of adequate height from floor level	850mm to 1000mm, from the floor to the lowest edge of the opening
Fire Separation	<p>Chutes shall be fire separated as required by the BCA.</p> <p>Chutes should be fully enclosed in a fire-rated shaft, constructed of an approved material and fitted with sprinklers</p>	BCA

Table 12: Garbage Chute Systems

## Appendix 8: Waste Management Checklist for Complying Development

### Aims: Waste Minimisation, Avoidance and Management

Tick the waste types you anticipate will be generated	How will you manage this waste? (ie take it to a recycler? take it to a landfill?)
<input type="checkbox"/> Mixed waste	
<input type="checkbox"/> Concrete	
<input type="checkbox"/> Bricks or roof tiles	
<input type="checkbox"/> Plastics	
<input type="checkbox"/> Cardboard	
<input type="checkbox"/> Construction Timber (non-treated)	
<input type="checkbox"/> Treated timber	
<input type="checkbox"/> Gyprock	
<input type="checkbox"/> Metals	
<input type="checkbox"/> Topsoil/excavation material	
<input type="checkbox"/> Tree waste	
<input type="checkbox"/> Other (please list)	