

COMPLIANCE TABLE - TWEED DEVELOPMENT CONTROL PLAN (DCP)
 TWEED CITY CENTRE PLAN

CONTROLS		COMMENT	COMPLIES
BUILDING FORM			
3.1 Building Alignment and Setbacks	<p>a) Street building alignment and setbacks requirements are to comply with Figures 3-1 and 3-2.</p> <p>b) The external façade of buildings are to be aligned with the streets that they front.</p> <p>c) Balconies may project up to 1.2m into the front building setback in the Medium Density Residential Zone and up to 600mm in all other zones, provided that the cumulative width of all balconies at that particular level has a total of no more than 50% of the horizontal width of the building façade, measured at that level.</p> <p>d) Minor projections into front building lines and setbacks for sun shading devices, entry awnings and cornices are permissible (see also Building Design and Materials at Section 3.5 of this Plan).</p> <p>(e) Notwithstanding the setback controls, where development must be built to the street alignment (see Figures 3.1 and 3.2), it must also be built to the site boundaries (0m setback) where fronting the street. The minimum height of development built to the site boundary must comply with the minimum street frontage height requirement.</p>	<p>The subject site observes a 0m from boundary setback - for all street frontages, including Thomson Street, Bay Street and Enid Street. - it was determined that 0m tower setbacks be maintained as per the current approved designs by BDA Architects DA 43-3-2005 MOD 1 (approved November 2009) + Heran Building Group DA 43-3-2005 MOD 2 (approved August 2011).</p>	Variation required
3.2 Street Frontage Heights	<p>a) Buildings are to comply with Figure 3-4 street frontage heights and as illustrated in Figure 3-6 Street frontage height 'B'</p>	<ul style="list-style-type: none"> • Bay Street Frontage - a height of 12m min. - 24m max applies. A podium (base street frontage) height of 13m above street level is proposed in accordance with previous approvals (height measured above RL5.0). • 0m front boundary setbacks on all towers and their bases have been proposed, in line with previously approved proposal by Heran Building Group DA 43-3-2005 MOD 2 (approved August 2011). • A maximum building height of RL 49.5m applies across the site, however previous approved heights of buildings involve building heights of RL 36.40 Stage 1, RL 52.60 Stage 2 and RL 56.450 Stage 3 (excluding plant). The current proposal is in keeping with these heights. A total of 196 apartments is achieved by means of 1 x 9 storey, 1 x 15 storey and 1 x 16 storey tower. 	Variation required
3.3 Building Depth and Bulk	<p>a) The maximum floor plate size and depth of buildings are specified in Table 3-1 and illustrated in Figure 3-11.</p> <p>b) Notwithstanding control (a) above, no building above 24 metres in height in the Commercial Core and 22 metres in height in all other zones, is to have a building length in excess of 45 metres.</p> <p>c) Where no street frontage is specified in Figure 3-4 and the building height exceeds 22 metres, the maximum GFA per floor must comply with Table 3-1.</p> <p>d) All points on an office floor should be no more than 10 metres from a source of daylight (eg windows, atria or light wells in buildings less than 24 metres in height, and no more than 12.5 metres from a window in buildings over 24 metres in height.</p> <p>e) Use atria, light wells and courtyards to improve internal building amenity and achieve cross ventilation and/or stack ventilation.</p>	<ul style="list-style-type: none"> • In the 'Commercial Core' for Residential apartments, the maximum GFA per floor is to be 900sqm, and a building depth of 18m - applicable to the 'tower' element of each proposed building, above it's street frontage podium base. The total GFA per floor plate of each building proposed does not exceed a maximum of 589sqm Stage 1, 734sqm Stage 2 and 605sqm Stage 3. • Length of buildings in the proposal do not exceed a maximum of 37.6m to Thomson Street, 39.1m to Bay Street and 35.6 to Enid Street. 	✓
3.2.1 Side and rear building setbacks and building separation	<p>Note: For the purposes of this section, commercial uses mean all non-residential buildings (including hotel accommodation, but not serviced apartments).</p> <p>a) The minimum building setbacks from the front, side and rear property boundaries are specified in Table 3-2, and the associated explanatory notes, and illustrated generically in Figure 3-12.</p> <p>Note: The explanatory notes outline development that may depart from the minimum setback distances outlined in Table 3-2.</p> <p>b) In mixed use buildings, setbacks for the residential component are to be the distances specified in the table below for residential development in the specified zone.</p> <p>c) If the specified setback distances cannot be achieved when an existing building is being refurbished or converted to another use, appropriate visual privacy levels are to be achieved through other means. These will be assessed on merit by the consent authority.</p> <p>d) In exceptional circumstances where the required setback distances are not possible, proposals for tall buildings (over 40 metres in height) may be considered on merit by the consent authority so long as the minimum separation distance between these buildings, or potential future tall buildings are adhered to.</p>	<ul style="list-style-type: none"> • 0m front boundary setbacks on all towers and their bases have been proposed, in line with previously approved proposal by Heran Building Group DA 43-3-2005 MOD 2 (approved August 2011). 	✓

CONTROLS		COMMENT	COMPLIES
BUILDING FORM			

<p>3.5 Building Design and Materials</p>	<p>a) Adjoining buildings are to be considered in the design of new buildings in terms of:</p> <ul style="list-style-type: none"> • Appropriate alignment and street frontage heights, • Setbacks above street frontage heights, • Appropriate materials and finishes selection, • Façade proportions including horizontal or vertical emphasis, and • The provision of enclosed corners at street intersections. <p>b) Balconies and terraces should be provided, particularly where buildings overlook parks and on low rise parts of buildings. Gardens on the top of setback areas of buildings are encouraged.</p> <p>c) Articulate façades so that they address the street and add visual interest. Buildings are to be articulated to differentiate between the base, middle and top in design.</p> <p>d) External walls should be constructed of high quality and durable materials and finishes with 'self cleaning' attributes, such as face brickwork, rendered brickwork, stone, concrete and glass.</p> <p>e) Finishes with high maintenance costs, those susceptible to degradation or corrosion from a coastal or urban environment or finishes that result in unacceptable amenity impacts, such as reflective glass, are to be avoided.</p> <p>f) To assist articulation and visual interest, avoid expanses of any single material.</p> <p>g) Limit opaque or blank walls for ground floor uses to 30% of the street frontage.</p> <p>h) Maximise glazing for retail uses, but break glazing into sections to avoid large expanses of glass.</p> <p>i) Highly reflective finishes and curtain wall glazing are not permitted above ground floor level (see Section 6-4 of this Plan).</p> <p>j) A material sample board and schedule is required to be submitted with applications for development over \$1 million or for that part of any development built to the street edge.</p> <p>k) Minor projections up to 450 millimetres from building walls in accordance with those permitted by the Building Code of Australia may extend into the public space providing it does not fall within the definition of gross floor area and there is a public benefit, such as:</p> <ul style="list-style-type: none"> • Expressed cornice lines that assist in enhancing the streetscape, and • Projections such as entry canopies that add visual interest and amenity. <p>l) The design of roof plant rooms and lift overruns is to be integrated into the overall architecture of the building.</p> <p>m) Communication towers, such as mobile phone towers (but not satellite dishes), are not to be located on residential buildings or mixed use buildings within residential zones.</p>	<p>See Architect's Design Statement attached.</p>	<p>✓</p>
<p>3.6 Landscape Design</p>	<p>a) Provide shade to all outdoor spaces through the use of shade trees, pergolas, shade cloth and other shading measures.</p> <p>b) Remnant vegetation must be maintained throughout the site wherever practicable, particularly significant trees.</p> <p>c) Landscaped areas are to be irrigated with recycled water.</p> <p>d) To enhance the subtropical character of landscaping, the planting of native tree and palm species and subtropical understorey is encouraged.</p> <p>e) A long-term landscape concept and management plan must be provided for all private landscaped areas in residential flats and multi-housing developments. This plan must outline how landscaped areas are to be maintained for the life of the development.</p> <p>f) All developments, including commercial and retail developments, are to incorporate landscape planting into accessible outdoor spaces.</p> <p>g) Relevant Council landscape guideline documents must be considered for site planning and landscape design.</p> <p>h) Council's Tree Preservation Order outlines requirements for the protection of trees.</p> <p>i) For residential flat building developments, the minimum area of communal open space should be 30% of the site area.</p> <p>j) For residential flat building developments, a minimum 25% of the open space area of a site shall be a deep soil zone.</p>	<p>Revised landscaping plans have been prepared and are attached to this submission.</p> <p>Rainwater retention storage tanks may be located in the building's carpark levels to supply the development with irrigation water. The minimum requirement for communal open space is satisfied with 33.8% achieved. The minimum requirement for deep soil zone is 410m² (7.5% of total Site Area). This figure is more than adequately achieved when factoring in all proposed planting across the landscaped podium, communal courtyards on Level 10, and terraced planting zones to the rear & side boundaries of the property, as a 'soft edge' to proposed carparking that faces adjoining neighbouring buildings.</p>	<p>✓</p>
<p>3.7 Planting on Structures</p>	<p>a) Design for optimum conditions for plant growth by:</p> <ul style="list-style-type: none"> • providing soil depth, soil volume and soil area appropriate to the size of the plants to be established, • providing appropriate soil conditions and irrigation methods, and • providing appropriate drainage. <p>b) Design planters to support the appropriate soil depth and plant selection by:</p> <ul style="list-style-type: none"> • ensuring planter proportions accommodate the largest volume of soil possible and soil depths to ensure tree growth, and • providing square or rectangular planting areas rather than narrow linear areas. <p>c) Increase minimum soil depths in accordance with:</p> <ul style="list-style-type: none"> • the mix of plants in a planter for example where trees are planted in association with shrubs, groundcovers and grass, • the level of landscape management, particularly the frequency of irrigation, • anchorage requirements of large and medium trees, and • soil type and quality. <p>d) Provide sufficient soil depth and area to allow for plant establishment and growth. The minimum standards in Table 3-3 are recommended.</p>	<p>Minimum soil depths and volumes for deep soil zones have been observed in the proposal. (Note: As per Table 3-3, a minimum soil depth of 1.3m for large trees, 1.0m for medium trees, 800mm for small trees & 500mm for shrubs applies).</p>	<p>✓</p>

PEDESTRIAN AMENITY	CONTROLS	COMMENT	COMPLIES
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4.1 Permeability	<p>a) Through site links, arcades, shared ways and laneways are to be provided as shown in Figures 4-1 and 4-2. b) Where possible, existing dead end lanes are to be extended through to the next street as redevelopment occurs. c) New through site links should be connected with existing and proposed through block lanes, shared zones, arcades and pedestrian ways, and opposite other through site links. d) Existing publicly and privately owned lanes are to be retained.</p>	No through site links, arcades, shared ways and laneways are required at the subject site.	not applicable
	<p style="text-align: center;"><u>Pedestrian links</u></p> <p>e) Through site links for pedestrians are to be provided as shown in Figures 4-1 and 4-2, and:</p> <ul style="list-style-type: none"> • are to be open to the air and publicly accessible (refer to Figure 4-3), <ul style="list-style-type: none"> • have active frontages or a street address, • be clear and direct thoroughfares for pedestrians, • have a minimum width of 4m clear of all obstructions (including columns, stairs, etc), and • have signage at street entries indicating public accessibility and the street to which the through site link connects. 	No through site links, arcades, shared ways and laneways are required at the subject site.	not applicable
	<p style="text-align: center;"><u>Arcades</u></p> <p>f) Arcades are to:</p> <ul style="list-style-type: none"> • have active frontages for their length, • be clear and direct thoroughfares for pedestrians, • provide public access at all business trading times, • have a minimum width of 4m clear of all obstructions (including columns, stairs and escalators), <ul style="list-style-type: none"> • where practical, have access to natural light for at least 30% of their length, • where air conditioned, have clear glazed entry doors comprising at least 50% of the entrance, and • have signage at street entries indicating public accessibility and the street to which the through site links. <p>g) Internal arcades will not be approved in preference to the activation of an existing or required pedestrian link or lane.</p>	No through site links, arcades, shared ways and laneways are required at the subject site.	not applicable
	<p style="text-align: center;"><u>Lanes</u></p> <p>h) New through site laneways for pedestrians and vehicles are to be provided as indicated in Figures 4-1 and 4-2. i) Lanes are to:</p> <ul style="list-style-type: none"> • have active frontages • be clear and direct thoroughfares for pedestrians • provide public access at all times or as otherwise stipulated by Council's conditions of consent, <ul style="list-style-type: none"> • have a minimum width of 6m clear of all obstructions, and • have signage indicating public accessibility and the street to which the lane connects. <p>j) Where lanes are primarily used for building access and servicing, Crime Prevention Through Environmental Design principles must be demonstrated (refer to Section 4-3 of this Plan).</p>	No through site links, arcades, shared ways and laneways are required at the subject site.	not applicable

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PEDESTRIAN AMENITY		

<p>4.2 Active Street Frontages</p>	<p style="text-align: center;"><u>Active street frontages</u></p> <p>a) Active frontage uses are defined as one of a combination of the following at street level:</p> <ul style="list-style-type: none"> • entrance to retail and shopfront (with clear glazing), • glazed entries to commercial and residential lobbies occupying less than 50% of the street frontage, to a maximum of 12 metres frontage, • café or restaurant if accompanied by an entry from the street, • active office uses, such as reception, if visible from the street, and • public building if accompanied by an entry. <p>b) Active street frontages are required on the ground level of all areas identified in Figures 4-5 and 4-6, including adjacent through site links.</p> <p>c) In the Commercial Core and Mixed Use zones and within the Minjungbal Drive Enterprise Corridor Precinct, active street frontages are required in the form of nonresidential uses on the ground level. In addition to the ground level, non-residential active uses are also required at the first floor level in the Commercial Core and along Wharf Street.</p> <p>d) Active ground floor uses are to be at the same general level as the footpath and be accessible directly from the street.</p> <p>e) Restaurants, cafés and the like are to consider providing permeable shopfronts.</p> <p>f) Only open grille or transparent security shutters (at least 50% visually transparent) are permitted on retail frontages.</p>	<p style="text-align: center;">See Architect's Design Statement attached.</p>	<p style="text-align: center;">✓</p>
	<p style="text-align: center;"><u>Street Address</u></p> <p>g) Street address is defined as entries, lobbies, and habitable rooms with clear glazing to the street not more than 1.2m above street level where habitable rooms do not have to be raised due to flooding concerns. Where habitable rooms are raised about ground level due to flooding concerns, opportunities for casual surveillance from the building to the street must be maintained, and the visual impact at street level of the raised ground level minimised.</p> <p>h) Street address is required on the ground level of buildings as identified in Figures 4-5 and 4-6.</p> <p>i) Residential developments are to provide a clear street address and direct pedestrian access off the primary street frontage, and allow for residents to overlook all surrounding streets.</p> <p>j) Provide multiple entrances for large developments including an entrance on each street frontage.</p> <p>k) Provide direct 'front door' access from ground floor residential units.</p> <p>l) Residential buildings are to provide not less than 65% of the lot width as street address.</p>	<p style="text-align: center;">See Architect's Design Statement attached.</p>	<p style="text-align: center;">✓</p>
<p>4.3 Safety and Security</p>	<p>a) Address 'Safer-by-Design' principles to the design of public and private domain, and in all development (in accordance with the NSW Police 'Safer by Design: Crime Prevention Through Environmental Design (CPTED) guidelines.</p> <p>b) Ensure that the building design allows for passive surveillance of public and communal space, accessways, entries and driveways.</p> <p>c) Avoid creating blind corners and dark alcoves that provide concealment opportunities in pathways, stairwells, hallways and carparks.</p> <p>d) Maximise the number of residential 'front door' entries at ground level.</p> <p>e) Provide entrances which are in visually prominent positions and which are easily identifiable, with visible numbering.</p> <p>f) Clearly define the development boundary to strengthen the transition between public, semi-private and private space. This can be actual or symbolic and can include landscaping, fences, changes in paving material, etc.</p> <p>g) Provide adequate lighting of all pedestrian accessways, parking areas and building entries.</p> <p>h) Provide clear lines of sight and well-lit routes throughout the development.</p> <p>i) Where a pedestrian pathway is provided from the street, allow for casual surveillance of the pathway.</p> <p>j) For large scale retail and commercial development with a gross floor area of over 5,000 square metres, provide a 'safer by design' assessment in accordance with the CPTED guidelines from a suitably qualified consultant.</p>	<p>The proposal provides good passive surveillance with sight lines across the site and to the adjacent streets. The mixed use of the development will provide active use of the site, which in turn will have the positive outcome of lengthened surveillance during the day where there will be a high use by the public and in the evening/ night by residents within the complex. This is an encouraged as a design element under the Crime Prevention Through Environmental Design Principles (CPTED).</p> <p>Suitable street and ground level lighting will be provided within the development to maximise surveillance opportunities at night and to reduce concealed areas. The basement car park will have security doors restricting access to resident parking and suitable lighting will be provided within the basement.</p> <p>As demonstrated within the accompanying plans and information, the development is consistent with the principles contained within CPTED.</p>	<p style="text-align: center;">✓</p>
<p>4.4 Front Fences and Boundary Treatments</p>	<p>a) Front fences include fences to the primary and secondary street frontages, and side boundary fences forward of the building alignment.</p> <p>b) Front fences and boundary treatments are not to have a greater height to public domain than one metre in height (Figures 4.7 and 4.8).</p> <p>c) The use of varied materials is preferred. The use of sheet metal is not permitted as a front fence material.</p> <p>d) Front fences should:</p> <ul style="list-style-type: none"> • Be integrated with the building and landscape design through the use of materials and detailing; • Highlight building entrances and allow for outlook and street surveillance; and • Conform with the predominant line of fences in the street. 	<p style="text-align: center;">Complies.</p>	<p style="text-align: center;">✓</p>

CONTROLS	COMMENT	COMPLIES
PEDESTRIAN AMENITY		

4.5 Awnings	<p>a) Continuous street frontage awnings are to be provided for all new developments as indicated in Figures 4-10 and 4-11. Outside these areas weather protection is to be provided at the main entrance to each building.</p> <p>b) Awning design must match building façades and be in design and height to those of adjoining buildings.</p> <p>c) Wrap awnings around corners for a minimum of 6m from where a building is sited on a street corner.</p> <p>d) Awning dimensions should generally be:</p> <ul style="list-style-type: none"> • Minimum soffit height of 3.3 metres, • Low profile, with slim vertical facias or eaves (generally not to exceed 300 millimetres in height), • Setback a minimum of 1.2 metres from the kerb, and • Generally a minimum of 2.4 metres deep. <p>e) To control solar access, vertical blinds may be permitted along the outer edge of awnings.</p> <p>f) Signage on blinds is not permitted.</p> <p>g) Provide under awning lighting to facilitate night use and to improve public safety. Lighting is to be recessed into the soffit of the awning or wall mounted.</p>	<p>Under the DCP, Awnings are required on all 3 street frontages. Awnings proposed are lightweight glazed & cantilevered - complimentary to the strong street wall language developed in the architectural language of the proposed, and in keeping with previous approved designs. Whilst the finality of the shopfront will be to future tenant fit out, the proposal is consistent with the 'Cantilevered Awning' approach for the frontage type as set out in the DCP.</p>	✓
4.6 Vehicle Footpath Crossings	<p><u>Location of vehicle access</u></p> <p>a) One vehicle access point only (including the access for service vehicles and parking for non-residential uses within mixed use developments) will be generally permitted.</p> <p>b) Vehicular access is to be limited from major streets including Wharf Street and Bay Street. Where practicable, vehicle access is to be from lanes and minor streets rather than primary street frontages or streets with major pedestrian activity.</p> <p>c) Where practicable, adjoining buildings are to share or amalgamate vehicle access points. Internal on-site signal equipment is to be used to allow shared access. Where appropriate, new buildings should provide vehicle access points so that they are capable of shared access at a later date.</p>	<p>A single vehicle entry point is provided on Enid Street (a secondary street) to support the entire development - built as part of Stage 1 construction works, and is separated from the pedestrian entrances. This arrangement is consistent with the DCP objectives. All parking is contained within secure basements across 3 levels.</p>	✓
	<p><u>Design of vehicle access</u></p> <p>d) Wherever practicable, vehicle access is to be a single lane crossing with a maximum width of 2.7 metres over the footpath, and perpendicular to the kerb alignment. In exceptional circumstances, a double lane crossing with a maximum width of 5.4 metres may be permitted for safety reasons (refer to Figure 4-12).</p> <p>e) Ensure vehicle entry points are integrated into building design.</p> <p>f) Vehicle access ramps parallel to the street frontage will not be permitted.</p> <p>g) Doors to vehicle access points are to be roller shutters or tilting doors fitted behind the building façade.</p> <p>h) Vehicle entries are to have high quality finishes to walls and ceilings as well as high standard detailing. No service ducts or pipes are to be visible from the street.</p>	<p>Complies.</p>	✓
	<p><u>Porte cochères</u></p> <p>i) Porte cochères disrupt pedestrian movement and do not contribute to active street frontage. They may only be permitted in exceptional circumstances for hotels and major tourist venues subject to urban design, streetscape, heritage and pedestrian amenity considerations.</p> <p>j) If justified, porte cochères should preferably be internal to the building with one combined vehicle entry and exit point, or one entry and exit point on two different street frontages of the development.</p> <p>k) In exceptional circumstances for buildings with one street frontage only, an indented porte cochère with separate entry and exit points across the footpath may be permitted, as long as:</p> <ul style="list-style-type: none"> • it is constructed entirely at the footpath level, • provides active street frontage uses in addition to any hotel entry or lobby at its perimeter, • is of high quality design and finish, and • provides for safe and clear pedestrian movement along the street. 	<p>No porte cocheres have been proposed.</p>	not applicable

CONTROLS	COMMENT	COMPLIES
PEDESTRIAN AMENITY		

<p>4.7 Pedestrian Overpasses and Underpasses</p>	<p>a) New overpasses over streets, and underpasses, will generally not be approved. In exceptional circumstances, new overpasses over service lanes may be considered by the consent authority subject to an assessment of impacts on safety and crime prevention, streetscape amenity, and the activation of the public domain. In such circumstances, overpasses are to be fully glazed, not greater than 6m wide or more than one level high.</p>	<p>No overpasses or underpasses are proposed.</p>	<p>not applicable</p>
<p>4.8 Advertising and Signage</p>	<p><u>General location and design of signs</u> a) Signs are to be designed and located to:</p> <ul style="list-style-type: none"> relate to the use of the building be visually interesting and exhibit a high level of design quality, be integrated and achieve a high degree of compatibility with the architectural design of the supporting building having regard to its composition, fenestration, materials, finishes, and colours, and ensure that architectural features of the building are not obscured (refer to Figures 4-13 and 4-14), have regard to the view of the sign and any supporting structure, cabling and conduits from all angles, including visibility from the street level and nearby higher buildings, and against the skyline, and have only a minimal projection from the building. <p>b) Signs that contain additional advertising promoting products or services not related to the approved use of the premises or site (such as the logos or brands of products eg soft drinks, brewers, photographic film, etc) are not permitted. c) Signs painted on or applied on the roof are prohibited. d) Corporate colours, logos and other graphics are encouraged to achieve a very high degree of compatibility with the architecture, materials, finishes and colours of the building and the streetscape. e) In considering applications for new signs the consent authority must have regard to the number of existing signs on the site and in its vicinity and whether that signage is consistent with the provisions of this section and whether the cumulative impact gives rise to visual clutter.</p>	<p>There are a total of 5 building signs. This Proposed residential entry signage is carefully designed & integrated into the architecture of the building, at 5 key entrance points. There are 2 entrance points on Enid Street, 2 on Bay Street & 1 on Thomson Street frontages. Refer to Architectural Elevations. Additional retail tenancy signage shall be subject to future application & approval.</p>	<p>✓</p>
	<p><u>Illuminated signs</u> f) Illuminated signs are not to detract from the architecture of the supporting building during daylight. g) Illumination (including cabling) of signs is to be:</p> <ul style="list-style-type: none"> concealed, or integral with the sign, or provided by means of carefully designed and located remote or spot lighting. <p>h) The ability to adjust the light intensity of illuminated signs is to be installed where the consent authority considers necessary. i) Limitation on hours of operation may be imposed for illuminated signs where continuous illumination may impact adversely on the amenity of residential buildings, serviced apartments or other visitor accommodation, or have other adverse environmental effects. j) Uplighting of signs is prohibited. Any external lighting of signs is to be downward pointing and focused directly on the sign and is to prevent or minimise the escape of light beyond the sign.</p>	<p>Five pedestrian entrances to the residential component of the building are proposed and are to be security controlled and lit after daylight hours for safety. Each entrance is identifiable via the employment of the same accent colour as the corner ribbon, lighting, signage & cantilevered awnings in accordance with council's controls. of additional retail tenancy signage shall be subject to future application & approval.</p>	<p>Lighting ✓</p>
	<p><u>Signs and Road Safety</u> k) Signs are regarded as prejudicial to the safety of the travelling public if they:</p> <ul style="list-style-type: none"> obscure or interfere with road traffic signs and signals or with the view of a road hazard, oncoming vehicles, or any other vehicle or person, or an obstruction which should be visible to drivers or other road users, give instructions to traffic by use of the word 'stop' or other directions, which could be confused with traffic signs, are of such a design or arrangement that any variable messages or intensity of lighting impair drivers' vision or distract drivers' attention, and are situated at locations where the demands on drivers' concentration due to road conditions are high such as at major intersections or merging and diverging lanes. <p><u>Signage in the Minjungbal Drive Precinct Enterprise Corridor</u> l) The total allowable area of all signs should not exceed one square metre of advertising per three metres of street frontage. m) Controls for specific sign types are identified in Table 4-1. Multiple identification signs and pole signs are generally only permissible in the Enterprise Corridor Zone and Business Development Zone.</p>	<p>Complies.</p>	<p>✓</p>

ACCESS, PARKING AND SERVICING	CONTROLS	COMMENT	COMPLIES
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<p>5.1 Pedestrian Access and Mobility</p>	<p>a) Main building entry points should be clearly visible from primary street frontages & enhanced as appropriate with awnings, building signage or high quality architectural features that improve clarity of building address and contribute to visitor & occupant amenity. b) The design of facilities (including car parking requirements) for disabled persons must comply with the relevant Australian Standard (AS 1428 Pt 1 and 2, AS 2890 Pt 1, or as amended) and the Disability Discrimination Act 1992. c) Barrier free access is to be provided to not less than 20% of dwellings in each development and associated common areas. d) The development must provide at least one main pedestrian entrance with convenient barrier free access in all developments to at least the ground floor. e) The development must provide continuous access paths of travel from all public roads & spaces as well as unimpeded internal access. f) Pedestrian access ways, entry paths and lobbies must use durable materials commensurate with the standard of the adjoining public domain (street) with appropriate slip resistant materials, tactile surfaces and contrasting colours.</p>	<p>Five pedestrian entrances to the residential component of the building are proposed – 3 of which are at street level grade - designed for access & mobility of the disabled. Disabled carparking spaces have been provided in accordance with the Australian Standards., and are in addition to required cars for other uses.</p>	<p>✓</p>
<p>5.2 Vehicular Driveways and Manoeuvring Areas</p>	<p>a) Driveways should be: • provided from the lanes and secondary streets rather than the primary street, wherever practical, • located taking into account any services within the road reserve, such as power poles, drainage inlet pits and existing street trees, • located a minimum of 6 metres from the perpendicular of any intersection of any two roads, and • located to minimise noise and amenity impacts on adjacent residential development. b) Vehicle access is to be integrated into the building design so as to be visually recessive. c) All vehicles must be able to enter and leave the site in a forward direction without the need to make more than a three point turn. d) Design of driveway crossings must be in accordance with Council's standard Vehicle Entrance Designs. Works within the footpath and road reserve will be subject to an approval under section 138 of the Roads Act 1993. e) Driveway widths must comply with the relevant Australian Standards. f) Car space dimensions must comply with the Australian Standards 2890.1. g) Driveway grades, vehicular ramp width/ grades and passing bays must be in accordance with the relevant Australian Standard (AS 2890.1). h) Vehicular ramps less than 20m long within developments and parking stations must have a maximum grade of 1 in 5 (20%). Ramp widths must be in accordance with AS 2890.1. i) Accessways to underground parking should be sited to minimise noise impacts on adjacent habitable rooms, particularly bedrooms. j) For development in Medium and Low Density Residential zones, use semipervious materials for all uncovered parts of driveways and parking areas to assist with stormwater infiltration.</p>	<p>The entrance for vehicles is separated from the pedestrian entrances and is located of Enid Street, - a secondary street. This arrangement is consistent with the DCP objectives. All parking is contained within secure basements across 3 levels. The proposal complies with the Australian Standards for off-street carparking.</p>	<p>✓</p>

ACCESS, PARKING AND SERVICING	CONTROLS	COMMENT	COMPLIES
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5.3 On-Site Parking	<p style="text-align: center;"><u>General (all development)</u></p> <p>a) Car parking rates for land uses are to be provided for in accordance with the Table 5-1.</p> <p>b) Car parking and associated internal manoeuvring areas provided over and above that required by this DCP and the Tweed Local Environment Plan is to be calculated towards gross floor area.</p> <p>c) On-site parking must meet the relevant Australian Standard (AS 2890.1 2004 – Parking facilities, or as amended).</p> <p>d) A minimum of 2% of the required parking spaces, or minimum of 1 space per development, (whichever is the greater) is to be appropriately designated and signposted for use by persons with a disability.</p> <p>e) Bicycle parking is to be provided in accordance with Table 5.1, in secure and accessible locations, with weather protection. Where no rates are specified, bicycle parking is to be provided at a rate of 1 space per 200m² of GFA.</p> <p>f) Motorcycle parking is to be provided in accordance with Table 5.1.</p> <p>g) Council may require the provision of a supporting geotechnical report prepared by an appropriately qualified professional as information to accompany a development application to Council.</p> <p>h) Natural ventilation should be provided to underground parking areas where possible, with ventilation grilles and structures:</p> <ul style="list-style-type: none"> • Integrated into the overall façade and landscape design of the development, • Not located on the primary street façade, and • Oriented away from windows of non-habitable rooms and private open space areas. 	The subject site falls within the 'commercial core parking area' for carparking rates calculation purposes. Refer to TTM Traffic Report.	✓
	<p style="text-align: center;"><u>Parking above ground level</u></p> <p>i) All car parking is to be below ground level, except where site physical constraints prevent all of the required parking to be provided below ground level. Where parking is demonstrated to be required to be provided above ground level due to site physical constraints, above ground car parking may be excluded from gross floor area calculations, where development complies with the built form controls in section 3.0 of this Plan.</p> <p>j) Above ground parking is not to address the primary street frontage where active street frontages are required under this Plan.</p> <p>k) Above ground parking structures are to comply with rear setbacks where relevant as shown in Figures 5-3 and 5-4.</p> <p>l) Above ground parking structures are to be artistically and imaginatively screened from view from the public domain (refer to Figures 5-5, 5-6 and 5-7 for examples).</p> <p>m) Car parking above ground level is to have a minimum floor to ceiling height of 2.7m so it can be adapted to another use in the future.</p> <p>n) Within the Commercial and Mixed Use Zones, exposed, but screened natural parking ventilation may be permitted fronting onto service lanes if agreed to by Council.</p> <p>o) The impact of any at-grade parking is to be minimised by:</p> <ul style="list-style-type: none"> • locating parking on the side or rear of the lot away from the street frontage, • provision of fencing or landscape to screen the view of cars from adjacent streets and buildings, • allowing for safe and direct access to building entry points, and • incorporating car parking into the landscape design of the site (such as plantings between parking bays to improve views, selection of paving material and screening from communal and open space areas). 	The subject site is steeply sloping, with a cross fall of approximately 7m - the lowest entry point of which is approximately RL 4.5. There are 3 levels of carparking proposed to support the development - 1 below ground, 2 above ground level due to the site's physical constraints of excavation. Above ground parking is carefully integrated into the active street frontage of Bay Street with the implementation of decorative privacy screening that forms a part of the architectural 'ribbon' language of the podium base. The integration of Double Height Retail shopfronts & apartments help to break up the impact & visibility of the carparking to the streetscape. Soft planting at the Thomson Street frontage helps to soften the appearance of the boldly coloured decorative carpark screening, and enhance the Residential Entry to Stage 3 tower. It is intended that the carpark screening allow for natural ventilation of the carparking levels, whilst affording a high level of privacy screening to the active street fronts.	✓
	<p style="text-align: center;"><u>Bicycles lockers and shower facilities</u></p> <p>p) For non-residential development providing employment for 40 persons or more, adequate change and shower facilities are to be provided for cyclists. Facilities should be conveniently located close to bike storage areas.</p>	Does not apply.	not applicable

ACCESS, PARKING AND SERVICING	CONTROLS	COMMENT	COMPLIES
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5.5 Site Facilities and Services	<p><u>Mail boxes</u></p> <p>a) Provide mailboxes for residential buildings and/or commercial tenancies in one accessible location adjacent to the main entrance to the development.</p> <p>b) Mailboxes should be integrated into a wall where possible and be constructed of materials consistent with the appearance of the building.</p> <p>c) Mailboxes are to be secure and large enough to accommodate articles such as newspapers.</p> <p><u>Communication structures, air conditioners and service vents</u></p> <p>d) Locate satellite dish and telecommunication antennae, air conditioning units, ventilation stacks and any ancillary structures:</p> <ul style="list-style-type: none"> away from the street frontage, • integrated into the roof scape design and in a position where such facilities will not become a skyline feature at the top of any building; • adequately setback from the perimeter wall or roof edge of buildings. <p>e) A master antenna must be provided for residential apartment buildings. This antenna shall be sited to minimise its visibility from surrounding public areas.</p>	<p>Refer architectural plans for location of proposed mail rooms and integrated mailboxes.</p> <p>Air Conditioning Condenser units are housed within a dedicated plant room within each building's core. Additionally, it is proposed that every balcony to each street aspect has a partly solid or obscured portion to afford privacy and provide screening should a future occupier require AC plant.</p>	✓
	<p><u>Waste (garbage) storage and collection General (all development)</u></p> <p>f) All development is to adequately accommodate waste handling and storage on-site. The size, location and handling procedures for all waste, including recyclables, is to be determined in accordance with Council waste policies and advice from relevant waste handling contractors.</p> <p>g) Access for waste collection and storage is preferred from rear lanes, side streets or rights of ways.</p> <p>h) Waste storage areas are to be designed to:</p> <ul style="list-style-type: none"> ensure adequate driveway access and manoeuvrability for any required service vehicles, located so as not to create any adverse noise impacts on the existing developments or sensitive noise receptors such as habitable rooms of residential developments, and • screened from the public way and adjacent development that may overlook the area. <p>i) The storage facility must be well lit, easily accessible on grade for movement of bins, free of obstructions that may restrict movement and servicing of bins or containers, and designed to minimise noise impacts.</p> <p>j) Waste storage areas are to be designed to:</p> <ul style="list-style-type: none"> Ensure adequate driveway access and manoeuvrability for any required service vehicles, <p>• Located so as not to create any adverse noise impacts on existing development or sensitive noise receptors such as habitable rooms of residential developments, and screened from the public way and adjacent development that may overlook the area.</p>	<p>Garbage disposal & waste collection are accommodated on-site, with dedicated chute collection rooms at Ground Level. An additional waste collection storage area has been provided adjacent to the dedicated Garbage Truck turnaround facility at the vehicular entrance to the site off Enid Street - in accordance with the DCP controls.</p>	✓
	<p><u>Location requirements for waste storage areas and access</u></p> <p>k) Where waste volumes require a common storage and handling area, this is to be located:</p> <ul style="list-style-type: none"> for residential flat buildings, enclosed within a basement or enclosed car park, • for multi-unit housing, at ground behind the main building setback and façade, or within a basement or enclosed car park, and • for commercial, retail and other development, on-site in basements or at ground within discrete service areas not visible from main street frontages. <p>l) An above ground collection storage area is to be provided within the property boundary situated to provide easy access for the collection vehicles designed in accordance with the requirements of this Plan.</p> <p>m) Where a mobile compaction vehicle is required to enter the site, the access and circulation area shall be designed to accommodate a vehicle with the dimensions in Table 5-2.</p> <p>n) Provide adequate space within any new development for the loading and unloading of service/delivery vehicles.</p> <p>o) Screen all service doors and loading docks from street frontages and from active overlooking from existing developments.</p> <p>p) Design circulation and access in accordance with AS 2890.1.</p>	<p>Complies.</p>	✓
	<p><u>Fire service and emergency vehicles</u></p> <p>q) For developments where a fire brigade vehicle is required to enter the site, vehicular access, egress and manoeuvring must be provided to, from & on the site in accordance with the NSW Fire Brigades Code of Practice.</p> <p>r) Generally, provision must be made for NSW Fire Brigade vehicles to enter and leave the site in a forward direction where:</p> <ul style="list-style-type: none"> NSW Fire Brigade cannot park their vehicles within the road reserve due to the distance of hydrants from the building or restricted vehicular access to hydrants, or the site has an access driveway longer than 15m. <p><u>Utility Services</u></p> <p>s) The provision of utility services & access for regular servicing and maintenance must be considered at the concept stage of site development.</p> <p>t) Development must ensure that adequate provision has been made for all essential services including water, sewerage, electricity and telecommunications and stormwater drainage to the satisfaction of all relevant authorities.</p> <p>u) The applicant must liaise with the relevant power authority with regard to the need for a conduit to be installed within the footway area for the future provision of an underground power supply and extension of the conduit up to the wall of the existing or proposed building.</p> <p>v) The development must ensure that ready connection of the building(s) can be made in future when underground power is installed and the overhead line connection is replaced with a connection to the underground line.</p> <p>w) The applicant must liaise with the power authority with regard to the retention, relocation, or removal of any existing power pole.</p>	<p>Complies.</p>	✓

ENVIRONMENTAL MANAGEMENT	CONTROLS	COMPLIES
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6.1 Energy Efficiency and Conservation	<p><u>Residential</u></p> <p>a) New dwellings, including multi-unit development within a mixed use building and serviced apartments intended or capable of being strata titled, are to demonstrate compliance with State Environmental Planning Policy – Building Sustainability Index (BASIX).</p> <p><u>Non-residential</u></p> <p>b) All non-residential development Classes 5-9 must comply with the Building Code of Australia energy efficiency provisions.</p> <p>c) Improve the control of mechanical space cooling by designing cooling systems to target only those spaces which require cooling, not the whole building.</p> <p>d) Improve the efficiency of hot water systems by:</p> <p>i) insulating hot water systems, and</p> <p>ii) installing water saving devices, such as flow regulators, 3 stars rated shower heads, dual flush toilets and tap aerators.</p> <p>e) Reduce reliance on artificial lighting by designing lighting systems to target only those spaces which require lighting at any particular 'off-peak' time, not the whole building.</p> <p>f) All commercial development over \$5 million is to provide an Energy Efficiency Report from a suitably qualified consultant that demonstrates a commitment to achieve no less than a 4 stars under the Australian Building Greenhouse Rating Scheme.</p>	Refer BASIX report.	Report required
6.2 Water Conservation	<p><u>Residential</u></p> <p>a) New dwellings, including a residential component within a mixed use building and serviced apartments intended or capable of being strata titled, are to demonstrate compliance with State Environmental Planning Policy - Building Sustainability Index (BASIX).</p> <p><u>Non-residential</u></p> <p>b) The following water saving measures are to be incorporated into non-residential building: Water consumption reduction</p> <p>c) Use an alternative to mains water source for the irrigation of public or private open space.</p> <p>d) Provide all irrigation of public and private open space by sub-surface, drip irrigation systems controlled by timers and soil moisture or rainfall sensors.</p> <p>e) All water fixtures in non-residential buildings including public facilities should be rated to deliver maximum water flows of:</p> <ul style="list-style-type: none"> • 6 litres per minute for hand basins, and • 9 litres per minute for showers <p>f) Provide other water efficiency measures in non-residential buildings and public facilities including:</p> <ul style="list-style-type: none"> • all toilets to be provided with dual flush systems of no more than 6 litres per full flush and 3 litres per half flush. • manual or sensor operated, low volume flush systems fitted to all urinals (excluding waterless, or ultra waterefficient urinals), • trigger nozzles on all hoses and kitchen dishwashing facilities, and • automatic shut off for all public hand basin taps. <p>g) Locate all non-residential hot water systems as close as practical to the hot water enduse (for example, shower facilities)</p> <p>h) Appliances (dishwashers, clothes washers etc) are to be 3 stars or better rated with respect to water use efficiency. Demonstrate, if necessary, how these requirements will be achieved for replacement appliances, appliances not installed at construction, or bought in by occupants following construction.</p> <p>i) Stormwater runoff control, capture and reuse, including water quality management in accordance with Council's guidelines.</p> <p>j) Select water efficient plants and/or, indigenous vegetation for landscape in accordance with Council's recommendations.</p> <p>k) Use non- potable water for watering gardens and landscape features.</p> <p>l) Specifying operating details for swimming pools and water features including filling, draining and maintenance activities. Covers are to be included in the design and operational aspects of swimming pool installations.</p> <p>m) Alternatives to the above water savings methods can be presented to Council and will be assessed on merit.</p>	Refer BASIX report.	Report required
	<p><u>Alternative water supply and treatment options</u></p> <p>n) Potable water must not be drawn on for the following uses in non-residential development, unless as a backup supply:</p> <ul style="list-style-type: none"> • toilet and urinal flushing, • fire service testing, • clothes laundering, • hosing-down, and • car washing. <p>o) As long as 'fit for purpose' treatment measures, appropriate to the water source and the water end uses, are applied, alternative water sources for non-potable uses may include:</p> <ul style="list-style-type: none"> • rainwater harvested from roofs, or • treated waste water, stormwater or greywater (such as collected from showers, hose-down, car wash or laundry facilities). <p><u>Cooling towers</u></p> <p>p) Cooling towers, or other forms of evaporative coolers for the provision off cooled air to, or the rejection of heat from, heating, ventilation, air conditioning, chilling or refrigeration systems, must (except in the case of emergency, such as failure of the particular water supply), draw 100% of their water use from an alternative water supply. Suitable alternative water supplies include harvested rainwater or appropriately treated waste water, stormwater or greywater (such as collected from showers, hose-down, carwash or laundry facilities).</p>	Refer BASIX report.	Report required

ENVIRONMENTAL MANAGEMENT	CONTROLS	COMMENT	COMPLIES
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6.3 Climate Change and Floodplain Management	a) Design flood levels for the city centre shall be consistent with the requirements of Section A3 – Development of Flood Liable Land in Tweed Shire Council's Development Control Plan.	Complies.	✓
6.4 Reflectivity	a) New buildings and façades should not result in glare that causes discomfort or threatens safety of pedestrians or drivers. b) Visible light reflectivity from building materials used on the façades of new buildings should not exceed 20%. c) Subject to the extent and nature of glazing and reflective materials used, a Reflectivity Report that analyses potential solar glare from the proposed development on pedestrians or motorists may be required.	Complies.	✓
6.5 Wind Mitigation	a) To ensure public safety and comfort the following maximum wind criteria are to be met by new buildings: • 10 metres/second in retail streets, • 13 metres/second along major pedestrian streets, parks and public places, and • 16 metres/second in all other streets b) Site design for tall buildings (towers) should: • Set tower buildings back from lower structures built at the street frontage to protect pedestrians from strong wind downdrafts at the base of the tower, • Ensure that tower buildings are well spaced from each other to allow breezes to penetrate city centre, • Consider the shape, location and height of buildings to satisfy wind criteria for public safety and comfort at ground level, and • Ensure useability of open terraces and balconies. c) A Wind Effects Report is to be submitted with the development application for all buildings greater than 35m in height. d) For buildings over 50m in height, results of a wind tunnel test are to be included in the report.	Tower building setbacks have been previously approved as being built to boundary. The current proposal maintains this approach. Stage 2 tower at the intersection of Enid & Bay Street has a total building height of 47.6m above natural ground level. Stage 3 tower at the intersection of Thomson Street & Bay Street has a total building height of 44.5m above natural ground level. As such, a wind effects report is required for impact on Bay Street.	Report required
6.6 Waste and Recycling	a) All development must comply with Council's building site waste management policy. <u>Non-residential development</u> b) Development applications for all non-residential development must be accompanied by a waste management plan that addresses: • best practice recycling and reuse of construction and demolition materials. • use of sustainable building materials that can be reused or recycled at the end of their life. • handling methods and location of waste storage areas in accordance with the provisions of Section 5.4 of this Plan, such that handling and storage has no negative impact on the streetscape, building presentation or amenity of occupants and pedestrians, and • procedures for the on-going sustainable management of green and putrescible waste, garbage, glass, containers and paper, including estimated volumes, required bin capacity and on-site storage requirements. c) The waste management plan is to be prepared by a specialist waste consultant and is subject to approval by Council. <u>Residential development</u> d) Provision must be made for the following waste generation: • In developments not exceeding six dwellings, individual waste storage facilities may be permitted. • In development of more than six units or dwellings, or where the topography or distance to the street collection point makes access difficult for individual occupants, a collection and storage area is required. The storage area must be located in a position which is: – not visible from the street, – easily accessible to dwelling occupants, – accessible by collection vehicles (or adequately managed by the body corporate to permit relocation of bins to an approved collection point), – has water and drainage facilities for cleaning and maintenance, and – does not immediately adjoin private open space, windows or clothes drying areas. e) Subject to Council collection policy, common garbage storage areas must be sized to either accommodate the number of individual bins required or to accommodate sufficient larger bins with the minimum dimensions in Table 6-1. f) The size and number of the waste bins shall be determined having regard to the need for either on-site access by collection vehicles or the requirement for bins to be wheeled to the street for collection by a contractor. If transferred to the street for collection, the body corporate or a caretaker must be responsible for the movement of bins to their collection point.	Complies.	✓

CONTROLS	COMMENT	COMPLIES
RESIDENTIAL DEVELOPMENT CONTROLS		

<p>7.1 SEPP 65 and Residential Flat Design Code</p>	<p>In addition to other controls in this Plan, the provisions in the Residential Flat Design Code associated with State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development (SEPP 65) are adopted in this Plan to apply to residential development in the Tweed City Centre including flats, multi dwelling housing, any residential component of a mixed use development, and serviced apartments that are strata titled. In particular, Parts 2 and 3 of the Code are to apply to the city centre and include provisions for the following:</p> <ul style="list-style-type: none"> • Site configuration including deep soil zones, fences and walls, landscape design, open space, orientation, planting on structures, and stormwater management, <ul style="list-style-type: none"> • Site amenity including safety and visual privacy, • Site access including building entries, parking, pedestrian and vehicle access, • Building configuration including apartment layout, balconies, ceiling heights, flexibility, ground floor apartments, internal circulation, mixed use and storage, <ul style="list-style-type: none"> • Building amenity including acoustic privacy, daylight access and natural ventilation, • Building form including awnings and signage, façades and roof design, and • Building performance including energy efficiency, maintenance, waste management and water conservation. <p>Where there is an inconsistency between other provisions in this Plan and the Residential Flat Design Code, this Plan prevails to the extent of the inconsistency.</p>	<p>A detailed review of the proposal in the context of the requirements contained within SEPP 65 is attached within the revised architectural booklet & SEPP 65 Compliance Tables.</p> <p>It is concluded that the proposal has made significant headway in relation to satisfying the general principles and broad objectives of the SEPP, in addition to satisfying within reason, the specific development control requirements contained within the policy.</p>	<p>✓</p>
<p>7.2 Housing Choice and Mix</p>	<p>a) To achieve a mix of living styles, sizes and layouts within each residential development, comply with the following mix and size:</p> <ul style="list-style-type: none"> • studio and one bedroom units must not be less than 10% of the total mix of units within each development, • three or more bedroom units must not be less than 10% of the total mix of units within each development, and • For smaller developments (less than six dwellings) achieve a mix appropriate to the locality. <p>b) For development built by (or on behalf of) the Department of Housing, an alternative mix of unit types may be approved, subject to housing needs being demonstrated by the Department.</p> <p>c) For residential apartment buildings and multi-unit housing, 10% of all dwellings (or at least one dwelling) must be designed to be capable of adaptation for disabled or elderly residents. Dwellings must be designed in accordance with the Australian Adaptable Housing Standard (AS 4299- 1995), which includes "pre-adaptation" design details to ensure visitability is achieved.</p> <p>d) Where possible, adaptable dwellings shall be located on the ground floor, for ease of access. Dwellings located above the ground level of a building may only be provided as adaptable dwellings where lift access is available within the building. The lift access must provide access from the basement to allow access for people with disabilities.</p> <p>e) The development application must be accompanied by certification from an accredited Access Consultant confirming that the adaptable dwellings are capable of being modified, when required by the occupant, to comply with the Australian Adaptable Housing Standard (AS 4299-1995).</p> <p>f) Car parking and garages allocated to adaptable dwellings must comply with the requirements of the relevant Australian Standard for disable parking spaces.</p>	<p>There is a total of 196 residential apartments. After rigorous analysis of the Tweed City demographic, population mix and desired type of living, it was determined that the most desirable dwelling type be a minimum 2 bedrooms, as large as possible to suit market expectation. A minimum amount of 1 Bedroom apartments has been proposed to suit this market demand. As such, the proposed mix is as follows: 1 Bedroom = 7%, 2 Bedroom = 80%, 3 Bedroom = 13%.</p> <p>The proposal will provide a wide variety of apartment layouts and sizes which will compliment type of housing within available within the area. Affordability has been a key driver in the design of the apartments.</p> <p>The site is highly sustainable in terms of location to local public transport, leisure and infrastructure.</p> <p>These design principles ensure consistency with the principles of the SEPP 65 Design of Residential Flat Development code.</p> <p>A minimum of 10% of all dwellings are designed to be capable of adaptation for disabled purposes. The development is considered to cater for disabled access across all 3 stages, providing access from ground level to all levels of carparking & residential apartment living. A dedicated disabled access (adaptable) apartment is shown on Level 2 Tower A (Apartment 2-04), for example.</p>	<p>Variation required Report required</p>
<p>7.3.1 Natural Ventilation</p>	<p>a) All new residential development to demonstrate how sufficient natural ventilation can be achieved in principal habitable rooms.</p> <p>b) Natural ventilation is to be provided via doors or openable windows:</p> <ul style="list-style-type: none"> • The aggregate opening size should not be less than 5 percent of the floor area of the room to be ventilated, where such openings face the sky or a suitably sized courtyard or verandah which is open to the sky. • Natural ventilation may be provided from an opening in a wall shared with an adjoining room: the size of that opening should not be less than 5 percent of the floor area of the room to be ventilated, and the size of the window or other openings in the adjoining room should not be less than 5 percent of the combined floor areas. <ul style="list-style-type: none"> • Where dependent on natural ventilation, dwellings should not have sole access to outside air via lightwells or enclosed building setbacks. <p>• When mechanical ventilation is incorporated it should only be used as a supplementary measure in the following situations:</p> <ul style="list-style-type: none"> – high noise, – high levels of air pollution or odour, and – where site constraints prohibit apartment layout that facilitates natural ventilation. 	<p>Complies. Refer Architectural drawings A06-01, A06-02, A06-03.</p>	<p>✓</p>
<p>7.3.2 Shading</p>	<p>a) Provide for external shading to a dwelling's north, east and west facing windows.</p> <p>b) For north facing windows, use horizontal shading devices (adjustable or fixed) that maximise winter sun penetration and reduce summer sun penetration. Examples of horizontal shading devices are deep awnings, upper floor balconies, pergolas, eaves and overhangs.</p> <p>c) For east and west facing windows, use vertical shading devices to block the low rays of the rising and setting summer sun. Examples of vertical shading devices are blinds, shutters, adjustable external awnings and landscaping. Where practical, and without compromising the design elements, reduce the extent and size of east and west facing windows to reduce low summer sun penetration into the dwelling.</p> <p>d) Use landscaping to reduce summer heat gain, by controlling sun penetration and shading dwellings and outdoor spaces, without reducing solar access in winter.</p>	<p>A mix of horizontal and vertical shading devices have been implemented on north and west facing facades. Strong vertical powdercoated aluminium blades on full height glazed windows to the west are a feature that also acts to break up the language of the built-to-boundary tower. Horizontal expressed slab edges serve to shade exposed glazing to the north, whilst adding to a distinct modern architectural language. Heavily landscaped common areas act as a sanctuary, providing relief for residents in the summer months. Whilst a northern aspect maintains sun penetration & encourages solar access during winter. Eaves overhangs to balconies provide adequate cover at the top storey of the residential apartment buildings.</p>	<p>✓</p>

RESIDENTIAL DEVELOPMENT CONTROLS	COMMENTS	COMPLIES
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7.3.3 Balconies and terraces	<p>a) Balconies are to:</p> <ul style="list-style-type: none"> • have a minimum depth of: <ul style="list-style-type: none"> - 2 metres for 1 and 2 bedroom dwellings, and - 2.4 metres for 3 bedroom dwellings. • have a minimum area of: <ul style="list-style-type: none"> - 6 square metres for 1 and 2 bedroom dwellings, and - 7 square metres for 3 + bedroom dwellings. • include sun screens, pergolas, shutters, openable walls and other devices for the control of sunlight and wind to increase the usefulness of balconies, particularly in the upper levels of high rise buildings, and • in certain circumstances, allow fully enclosed balconies with openable louvres or screens to become rooms and extensions of the living area. <p style="text-align: right;">outdoor</p>	complies.	✓
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CONTROLS FOR SPECIAL AREAS

8.2.1 Architectural design competitions	<p>To improve the design quality of city buildings, the Tweed Local Environmental Plan requires all buildings proposed to be 35m or higher, to be designed as a result of an architectural design competition.</p>	The proposal is a modification of an existing approved DA, therefore the architectural design competition does not apply.	not applicable
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