



85 OCEAN PARADE COFFS HARBOUR

STATEMENT OF ENVIRONMENTAL EFFECTS
DEVELOPMENT APPLICATION

PROPOSED MIXED-USE DEVELOPMENT

AUGUST 2005

CONSOLIDATED FOR SUBMISSION TO NSW DEPARTMENT OF PLANNING - JULY 2006



PREPARED FOR KAS DEVELOPMENTS PTY LTD AND JK MANAGERMENTS PTY LTD
BY THE KANN FINCH GROUP



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PREPARED BY

**THE KANN FINCH GROUP
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AUGUST 2005

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1. INTRODUCTION

1.1 Purpose

This Statement of Environmental Effects (SEE) accompanies a development application for the demolition of existing motel buildings and the erection of a six-storey residential motel building with basement parking at No. 85 Ocean Parade, Coffs Harbour.

The SEE evaluates the proposed development for compliance with the statutory planning controls embodied in the North Coast Regional Environmental Plan (REP), local Environmental Plan 2000 (LEP2000), State Environmental Planning Policy No 65 (SEPP65), SEPP71 (Coastal Environments Policy Guidelines), and with reference to the relevant information sheets including Acid Sulphate Soils, Potentially Flood Prone Land, Fire Hazard, Landscape and Energy Efficiency.

We note that there is no particular Development control Plan (DCP) related to this site and understand that council is yet to release a Draft DCP. In this regard this SEE evaluates controls anticipated to be covered in a DCP on a merit basis.

The proposal is also assessed against the relevant matters for consideration under Section 79C(i) of the Environmental Planning and Assessment Act 1979.

The SEE demonstrates that the proposal is consistent with the aims and objectives of the abovementioned REP, CEP and SEPP's and with the subject site's redevelopment which on its merits strongly contributes to the revitalisation of the Park Beach Residential/Tourist precinct.

1.2 Consultation

The proposed development has evolved through an in depth consultation process with Council's planning officers with reference to the Department of Infrastructure, Planning and Natural Resources (DIPNR), which included a review of submitted urban design contextual analysis and concept plan proposals.

The proposal submitted shows a reduction in the originally proposed seven (7) storey residential only building.

This has resulted in a six storey (6) mixed use development that contains motel and residential uses as well as ground floor complimentary tenancies anticipated to be used for café / restaurant or appropriate support retail uses such as a convenience store.

The building form proposed acts as a gateway / corner site reinforcing the intersection of Park Beach Road and Ocean Parade and adheres to sound urban design principles in terms of height, set-backs, modulation, landscape and desired future character.

1.3 Documentation

The SEE constitutes part of the documentation of the Development Application (DA) which comprises

1. Urban Context – prepared by King & Campbell
2. Development Application drawings No. 5262, DA01 to DA15
3. Shadow Diagrams prepared by Lucid Metal
4. SEPP65 Report prepared by the Kann Finch Group including:
Schedules of areas, floor and ceiling heights, apartment mix and storage prepared
By the Kann Finch Group
5. Landscape Plan and Report prepared by King & Campbell
6. ESD Report including NatHERS rating, prepared by Envirohome
7. Photomontages prepared by Lucid Metal
8. BCA Report prepared by Advance Building Approvals
9. Bush Fire Risk Assessment Report
10. Acid Sulphate Report

2. THE SITE AND ITS CONTEXT

2.1 The Site

The site located at 85 Ocean Parade, Coffs Harbour is currently used as a motel known as 'Hawaiian Sands Motor Inn'.

It is regular in shape with its 'frontage to Park Beach Road being 60.42m and frontage to Ocean Parade being 31.255m. The site also has a western frontage to a formed rear lane of 33.85m. The southern boundary is 60.565m in length and form. The site has an area of 2037.2m².

The site is relatively flat with only slight variations in levels with the lowest ground level at the proposed building footprint being interpolated as RL 4.61. A site survey is contained in the appendices for reference purposes.

The real property description is Lot1 and Lot2 SEC E DP17053.

2.2 Existing Development

The existing development operates as a motel complex with single and double storey components. It has its vehicular access from Park Beach Road with parking areas generally screened from the street surrounds by the buildings and landscaping.

The buildings have little architectural merit and represent an under utilisation of the site given the interest in the area for its urban renewal potential.

It is therefore proposed to demolish all buildings on the current site as part of this proposal.

2.3 Local Context/Access to Facilities

The site is located between a 3-storey residential apartment building to the north known as 'Hawaiian Gardens' and a 2-storey motel development to the west known as the 'Sea Shells'.

Its frontages to Ocean Parade and Park Beach Road form an important corner site which feature the Park Beach Motel / Hoey Moey Hotel to the east and the Ocean Palms motel to the south.

The site is within easy walking distance to the beach, the local Bowls Club, and parks and with its proposed cafes will make it a very desirable location for its proximity to a variety of recreation activities.

The site is also served by a well developed road network with easy access to Coffs Harbour's main CBD and supermarket complexes. In this regard vehicular access to the site is possible from three frontages being Ocean Parade, Park Beach Road and the unformed laneway to the west of the site. Laneway access has been encouraged by the Council and is proposed for this development thus maximising pedestrian activated frontages to the remainder of the site.

The area in general features a mix in style and scale of buildings with varying degrees of intensity in landscape treatments.

The broader context is one of an urbanised flat grided street pattern with the heavily vegetated sand dune strip dominating to the immediate east and the larger hills of 'The Great Dividing Range' to the more distant west.

The photographic material on the following pages describes some of the local context

2.4 Site and Context Analysis

A graphic analysis has been prepared by King and Campbell Pty Ltd in consultation with the Kann Finch Group. It is contained in Appendix A of this document.

The constraints and opportunities of the site in its context are summarised as follows.

1. The site is flat and regular in shape with frontages for access to Ocean Parade, Park Beach Road and the laneway to the west.
2. It is well located in terms of ready access to facilities within easy walking and driving distance.
3. Its east-west axis allows for the maximisation of north facing apartments and motel accommodation that can be set in a suitably landscaped environment with basement parking.
4. The adjoining property to the north presents a largely masonry wall with punched windows and has its main balconies and living spaces facing away from the site thus minimising potential over viewing from the subject site.
5. The property to the south is separated by Park Beach Road and is a two-storey motel development with its main living spaces and balconies also facing away from the site. This site is suitable for redevelopment to a similar height of that proposed thus reinforcing the 'gateway' intersection with Ocean Parade. Note: Property to the south will not be subject to overshadowing impacts from the proposed development
6. The property located to the west of the laneway features a four-storey motel development that has its high masonry, screen wall and western wall set to the boundary along the laneway. Note: Laneway is currently used for vehicular access and will have no increased detrimental effects caused by its use for vehicular access to the subject site.
7. The Hoey Moey Public Hotel lies to the east of the site and is separated by Ocean Parade. It is generally a single storey complex and will remain operationally unaffected by the proposed development.
8. There are no formal height controls for the site however a mixed motel/residential development of six storeys in a modulated form is appropriate in its urban context particularly given its 'gateway' location.
9. District views are possible to the upper levels particularly to the western end of the site whereas contained courtyard views will feature at the ground level.
10. The ground floor level is proposed at an RL of 5.85 to accommodate potential flood levels as indicated by Council and provide an activated café level that separates the surrounding street and café activity in a desirable fashion while minimising the extent of excavation.
11. The scale of development will be in keeping with the surrounding area both in terms of its current and desired future context.
12. The presentation of the development to its street frontages in the context of established street vegetation combined with the landscape design proposed creates an attractive addition to the public domain.

3. PROPOSED DEVELOPMENT

3.1 General Description

The application seeks approval for the demolition of all existing buildings and structures and the erection of a six storey building comprising 22 motel suites/studios, residential apartments, support amenities and cafes plus basement parking for 82 cars.

The proposal is a contemporary building that strongly reflects the principles of the Residential Flat Design Code and SEPP65.

It complies with the REP and LEP controls and good merit based urban design principals in place of no applicable DCP controls. It provides a level of residential amenity that meets the development potential of the site in a way that adds to the foreshadowed revitalisation of the Park Beach precinct as a desirable residential/tourist area.

The proposal includes 3 apartments that meet the standards for adaptable housing. North facing living spaces have been maximised and an excellent level of street surveillance is provided by the proposed uses at ground level.

A high degree of pedestrian access is provided to the ground floor from various points with security provided to residential and motel lobbies.

The ground level also features a lap pool and spa at the western end of the site that will be screened from the laneway via a combination of masonry wall and landscape screens.

Vehicular access is provided via an entry ramp located on the northern end of the laneway on the western boundary thus maximising pedestrian amenity to both Ocean Parade and Park Beach Road.

It is also proposed to use the laneway for garbage collection.

The two lower levels of the development are generally restricted to motel and retail tenancy uses such as cafes and general store.

The mid level floors feature single level apartments that are serviced by two (2) lift cores thus maximising cross through, north aspect and corner aspect apartments.

The upper most floor contains three penthouse style apartments that are set back from the edge of the floor below and feature a 'winged' roof form and landscaped terraces.

The combination of a definite ground floor and modulated mid levels with a set back upper level create a built form that does feature an activated base, articulated middle and top that addresses the Ocean Parade, Park Beach Road and laneway frontages in an appropriate fashion while the deep soil landscape to the northern boundary will provide a suitable buffer to the adjoining property.

The proposal as a whole is highly articulated and relates positively to its surrounds and the opportunities and constraints presented by the site.

The main development data is provided in the following table while the DA drawings and other detail is contained in Appendix B and C.

Table of Main Development Data

Site Area	2037.2m ²
Gross Floor Space – Residential	5483.0m ²
Private Open Space including balconies and landscape terraces	783.2m ²
Car Parking	82 spaces

Motel Accommodation

UNIT TYPE	NO.	%	SIZE RANGE (m ²)	PRIVATE OPEN SPACE (m ²)
Studios	20	90%	31.3m ²	7.0 – 18.0m ²
1 Bed Apartments	2	10%	43.9m ²	5.0m ²
TOTAL:	22			

Apartment Accommodation

UNIT TYPE	NO.	%	SIZE RANGE (m ²)	PRIVATE OPEN SPACE (m ²)
2 bedroom apartments	12	42.9%	89.1 – 123.2m ²	14.0 – 37.4m ²
3 bedroom apartments	16	57.1%	121.3 – 163.4m ²	16.0 – 86.0m ²
TOTAL:	28			

3.2 Design Statement

The proposal has a high level of compliance with sound urban design planning principles and the recommendations of SEPP65.

The proposal should be considered on its merits particularly in relation to the responsive distribution of building mass and scale in relationship to its immediate surrounds and its positive contribution to the rejuvenation of the Park Beach precinct.

This is reflected in the following.

Context

- The proposal strongly meets the objective of creating a revitalised innovative urban living environment that will provide a range of apartment styles and tourist accommodation in the one flexibly planned complex.

- It respects the existing street pattern and character and will provide upgraded landscape and building aesthetics.
- It will make a positive contribution to the urban renewal of the area without detracting from the positive qualitative aspects of the sites context.

Scale

- The scale of the development proposal is responsive to the particular aspects of the site where they occur, ie provides appropriate set back and height profiles in a modulated building form.
- It effectively denotes its presence at its Ocean Parade and Park Beach intersection and is respectful of future developments as well as acknowledging the scale of the surrounds development.
- It is responsive to the amenity issues of its immediate residential neighbours while balancing the need to create a viable proposal.

Density

- There are no density controls applicable to the site however the mix of tourist and residential accommodation in the one development that is respectful of bulk and scale and provides high quality accommodation is seen as appropriate.

Resource, Energy and Water efficiency

- The proposal embodies good ESD practices as much as appropriate, required and possible.
- It achieves the minimum or better 3.5 NatHERS rating for all apartments and meets the relevant criteria set out in SEPP65.

Landscape

- The proposal combines an urban living solution for its residential component and high level of amenity for its model component and occupies most of the ground level available footprint within the required set backs proposed. The basement parking extends beyond while still making suitable provision for deep soil planting to the northern boundary.
- It does however recognise the value of landscape and open space amenity through the use of extensive balcony terrace and deck areas whilst providing landscape screening where appropriate.

Amenity

- The project may act as a catalyst for the improvement in amenity that can be provided with the rejuvenation of the Park Beach precinct eg redevelopment of other sites.
- There will be a high degree of amenity provided for the user of the apartments through good planning and appropriately allocated uses.
- The project also meets the minimum requirements for adaptable housing required in the planning controls that will meet the potential needs of people with disabilities or the over 55's.

Safety and Security

- Safety and security standards are met with clearly definable access routes and surveillance of public areas including over viewing of Park Beach Road and Ocean Parade.

Social Dimensions

- The thrust of achieving greater amenity for local residents through the rejuvenation of the Park Beach precinct as an attractive residential and tourist location is met with this proposal.
- It offers a mix of high quality apartment and motel design for potential occupiers while minimising adverse impacts on surrounding areas.
- The increase in density will assist in the market potential for upgraded amenity including restaurants, cafes, hotel facilities, convenience store and the like.

Aesthetics

- The proposal needs to be considered on its merits when related to its current and future context.
- It is of a contemporary aesthetic that is responsive to its surrounds and reflects a composition of colours, materials and finishes that is not just "skin deep" but rather an expression of good internal planning well balanced with its outward appearance.
- The use of louvre screens, deep balconies, and strongly modulated and well proportioned forms with an appropriate colour palette will create a worthy contribution to the new urban fabric of this particular area.

4. STATE ENVIRONMENTAL PLANNING POLICY NO 65

4.1. Objectives

The Policy applies to residential flat building developments of three or more storeys comprising four or more self-contained dwellings. The Policy is a matter for consideration in assessment of development applications for residential flat buildings which fit those criteria under Section 79C(1)(a)(i) of the EPA Act, 1979.

The Policy aims to improve the design quality of residential flat developments in New South Wales as:-

- to contribute to the sustainable development of New South Wales;
- to achieve a better built form and aesthetic of buildings, of the streetscape and the public spaces they define;
- to better satisfy the needs of all members of the community including those with disabilities;
- to maximise amenity, safety and security of the occupants and the community;
- to conserve the environment and to reduce greenhouse gas emissions.

4.2 Application

Clause 30(2) of the Policy stipulates as follows:-

“(2) In determining a development application for consent to carry out residential flat development, a consent authority is to take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration):

- the advice (if any) obtained in accordance with subclause (1), and
- the design quality of the residential flat development when evaluated in accordance with the design quality principles, and
- the publication Residential Flat Design Code (a publication of the Department of Planning, September 2002).”

4.3 Design Quality Principles

The Policy identifies ten principles which provide a basis for evaluation of the merit of proposed designs of residential flat buildings and for preparation of subsequent planning policies and design guidelines.

The following table provides an evaluation of the proposed development for its consistency with those design quality principles.

Design Quality Principles

PRINCIPLE	EVALUATION	CONSISTENCY
Principle 1: Context Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area. Responding to context involves identifying the desirable elements of a location's current character or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity of the area.	<p><i>The design is based on a thorough site and context analysis which identified the key natural and built features of the urban environment in the vicinity of the site.</i></p> <p><i>The analysis indicates that the current surrounding development comprises a mix of low rise to high rise residential and tourist accommodation buildings.</i></p> <p><i>It should be noted that the re-development and revitalisation of the Park Beach precinct with mixed use residential/tourist or café/restaurant developments is in line with Council's intent to promote the vitality of local tourist business while consolidating permanent residential use thus resulting in a higher density within this area.</i></p> <p><i>The proposal contributes to the process of revitalisation of the Park Beach precinct by providing tourist accommodation within a mixed use development. It is of high design quality which will significantly enhance the quality of the Ocean Parade and Park Beach Road streetscape, utilising the western laneway.</i></p>	✓
Principle 2: Scale Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings. Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.	<p><i>The scale, form, siting and character of the building establishes an appropriate gateway statement to this important corner site. It also establishes the future desired character in an area that will undergo transition between the likely retention of established high rise developments such as 'Pacific Towers' (18 storeys) to the north and the nine (9) storey 'Trade Winds' tower to the south and their redevelopment of other sites that will range from three (3) to six (6) storeys in forms that are more appropriate in scale while reinforcing the urban grid.</i></p> <p><i>The proposed building height reflects this likely transition in scale while recognising the need to be well mannered and minimising any adverse overshadowing.</i></p>	✓
Principle 3: Built Form Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements.	<p><i>The development responds to the desirable attributes of the built context through uniform street alignment, appropriate scale, compatible materials and façade articulation.</i></p> <p><i>The development will enhance the Ocean</i></p>	

PRINCIPLE	EVALUATION	CONSENSUS
Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.	<p><i>Parade and Park Beach Road streetscape vistas when viewed from both a southerly and northerly direction along Ocean Parade and an easterly and westerly direction along Park Beach Road.</i></p> <p><i>The response to the activation of the ground level with café's / restaurants and possible convenience store adds to the amenity and vibrancy of the area while providing a high degree of connectivity to the public and a mix of residential apartment types for the permanent residents is expressed in a highly articulated form expressed with appropriate finishes and materials.</i></p>	✓
<p>Principle 4: Density</p> <p>Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents).</p> <p>Appropriate densities are sustainable and consistent with the existing density in an area or, in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.</p>	<p><i>The density of the development is appropriate in the context of the site and availability of infrastructure and public amenity.</i></p> <p><i>There are no density controls for the site however the integrated mix of tourist and residential accommodation contained within the building envelop proposed is a natural result of good urban design and high quality architectural and landscape resolution.</i></p> <p><i>The proposed development has good internal amenity, minimises the impact on the amenity of the existing surrounds and will significantly enhance the image of the area.</i></p>	✓
<p>Principle 5: Resource, Energy and Water Efficiency</p> <p>Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction.</p> <p>Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.</p>	<p><i>NatHERS assessment confirms all apartments achieve compliance with the required 3.5 stars energy efficiency rating with 61% of apartments achieve a rating of 4 stars and above.</i></p> <p><i>The apartment layouts ensure good natural ventilation with 82% of apartments being either corner apartments or dual aspect apartments (well above the Residential Flat Design Code minimum 60% recommendation).</i></p> <p><i>100% of single aspect apartments achieve the maximum recommended depth of 8 metres from a window and are north aspect.</i></p>	✓
<p>Principle 6: Landscape</p> <p>Good design recognises that together landscape and buildings operate as an</p>	<p><i>The proposed built form and site cover are consistent with urban design principals for a site</i></p>	

PRINCIPLE	EVALUATION	CONSENSUS
<p>integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.</p> <p>Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by coordinating water and soil management, solar access, microclimate, and tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character.</p> <p>Landscape design should optimise usability, privacy and social opportunity, equitable access and respect for neighbours' amenity and provide for practical establishment and long term management.</p>	<p><i>located in the Park Beach precinct with reinforcement of the street scape and visual connection to the public domain.</i></p> <p><i>The landscape plan shows the use of planting to soften and screen the ground floor areas as well as maximising deep soil areas to the northern boundary that will allow the maximum beneficial effects of landscape screening to the adjoining property.</i></p> <p><i>It is not proposed to retain any existing vegetation as part of this proposal but to provide a high quality new landscaped environment appropriate to the proposal and that fits well with the established larger scale of the street trees particularly those fronting Park Beach Road.</i></p>	✓
<p>Principle 7: Amenity</p> <p>Good design provides amenity through the physical, spatial and environmental quality of a development.</p> <p>Optimising amenity requires 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.</p>	<p><i>The development contains 28 (2 and 3 bedroom) residential apartments. The apartment mix and range of apartment sizes is shown in the attached document. 100% of apartments are above the minimum affordable housing apartment size requirements.</i></p> <p><i>Large useable balconies are provided to all apartments ranging from 14m² to 86m² per apartment. Minimum depth of primary balconies is 2.4m.</i></p> <p><i>The apartment layouts, design and orientation ensure high levels of acoustic and visual privacy and internal amenity in terms of natural light and ventilation.</i></p> <p><i>As previously outlined the apartment layouts ensure good natural ventilation with 82% of apartments being either corner apartments or dual aspect apartments (well above the Residential Flat Design Code minimum 60% recommendation).</i></p> <p><i>100% of single aspect apartments achieve the maximum recommended depth of 8 metres from a window.</i></p> <p><i>71% of apartments receive min 3hrs sunlight between 9am and 3pm mid winter (refer Appendix C). Whilst the Residential Flat Design Code recommendation is for 70%.</i></p> <p><i>As recommended by the Residential Flat Design</i></p>	

PRINCIPLE	EVALUATION	CONSIS- TENCY
	<p><i>Code, a min 50% of storage is provided with all apartments and the remaining 50% remotely located in the secured basement area.</i></p> <p><i>There are 3 adaptable apartments provided in line with the requirements of current Draft Council Documents.</i></p>	✓
<p>Principle 8: Safety and Security</p> <p>Good design optimises safety and security, both internal to the development and for the public domain.</p> <p>This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.</p>	<p><i>The siting, internal planning and design of the building ensures a high level of surveillance of the street domain. It presents a clear definition between public and private secured spaces and provides a high level of security to both private and public areas. – This is primarily achieved through the high degree of street activation.</i></p> <p><i>The apartment lobby and car park will operate on secured access. The car park access will operate with an access point to car park via card reader control (or similar) for residents and guests.</i></p> <p><i>This coupled with appropriate lighting levels and highly visible access points optimise the safety and security of people using the development.</i></p>	✓
<p>Principle 9: Social Dimensions</p> <p>Good design response to the social context and needs of the local community in terms of lifestyles, affordability and access to social facilities. New developments should optimise the provision of housing to suit the social mix and needs of the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community.</p>	<p><i>The project provides a variety of apartments, including 2 adaptable apartments, that contributes to social mix that is part of Council's desire to provide increased residential opportunities in this precinct.</i></p> <p><i>This project as a whole supports the revitalisation of the precinct and reflects its future desired outcomes in terms of increased quality of residential apartment living.</i></p>	✓
<p>Principle 10: Aesthetics</p> <p>Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.</p>	<p><i>The building is of a high design standard, and reflects the design principles of the Residential Flat Design Pattern Book and the Residential Flat Design Code.</i></p> <p><i>As previously outlined the scale, form, siting and character of the building establishes a good transition between the building heights of the established high rise landmark style developments and the need to generate more moderate forms that reflect the transition to greater densities and respond to good urban design principles such as reinforcing the</i></p>	

PRINCIPLE	EVALUATION	CONSIS- TENCY
	<p><i>established street pattern and creating taller buildings on corner or gateway sites.</i></p> <p><i>The building is also stepped particularly from the east end of the site in order to respect a prevailing scale to Ocean Parade. This results in a good mannered transition of scale and minimising any overshadowing to the dune area.</i></p> <p><i>The building has a strongly developed base, middle, top and incorporates a variety of façade articulation devices including varying setbacks, combinations of recessed and expressed balconies which use both glazed and solid balustrades, sunhoods, awning projections and louvred screens. Colour and materials are also used as a means of developing the building composition.</i></p> <p><i>The quality aesthetics developed in this building will contribute the desired future character of the area.</i></p>	✓

5. NORTH COAST REGIONAL ENVIRONMENTAL PLAN (REP)

5.1 Status

The REP is part of legislation made under the Environmental Planning and Assessment Act 1979.

Its provisions are addressed in the following sections.

“ 5.2 Aims

The aims are set out as follows.

(1) The aims of this plan are:

- (a) to develop regional policies that protect the natural environment, encourage an efficient and attractive built environment and guide development into a productive yet environmentally sound future,
- (b) to consolidate and amend various existing policies applying to the region, make them more appropriate to regional needs and place them in an overall context of regional policy,
- (c) to provide a basis for the co-ordination of activities related to growth in the region and encourage optimum economic and social benefit to the local community and visitors to the region, and
- (d) to initiate a regional planning process that will serve as a framework for identifying priorities for further investigation to be carried out by the Department and other agencies.

(2) The aims will be implemented in this plan by:

- (a) specifying objectives for the future planning and development of land within the region,
- (b) specifying regional policies to guide the preparation of local environmental plans within the region, and
- (c) specifying regional policies for the control of development in the region.”

The proposed development meets these aims as follows.

- The development proposed is efficient and attractive with no adverse environmental effects.
- Is highly compatible with the consolidated objective of providing a facility that rejuvenates the area by providing tourist and permanent resident accommodation, which is consistent with the needs of the region.
- Provides desirable growth that optimises economic and social benefits both to visitors and members of the local community by maintaining employment opportunities through the type of uses proposed i.e. motel and cafes and by providing amenities such as cafes and convenience store that would be patronised by locals and tourists.
- Is consistent with the planning policies for the region.

The REP also states.

“ Effect of aims and objectives of this plan on determination of development applications

(1) This clause applies:

- (a) to a consent authority when determining an application for development consent for the carrying out of development on or in relation to land within the region, and
- (b) to the Minister or a public authority when determining whether or not to grant concurrence to the granting of such a consent.

(2) When this clause applies, the consent authority, Minister or public authority must take into consideration such of the aims and objectives of this plan as are relevant to the making of its determination.”

The proposed development does require concurrence with D.P.N.R and to that extent the aims of the REP are met as previously stated and dealt with in greater depth as follows.

5.3 Protection of the natural environment

The REP states

“ 28 Objectives

The objectives of this plan in relation to the natural environment are:

- (a) to protect areas of natural vegetation and wildlife from destruction and to provide corridors between significant areas,
- (b) to protect the scenic quality of the region, including natural areas, attractive rural areas and areas adjacent to waterbodies, headlands, skylines and escarpments, and
- (c) to protect water quality, particularly within water catchment areas.”

Response: The development proposed

- does not remove any areas of natural vegetation or wildlife habitat.
- does not detract from the scenic quality of the area as it cannot be seen from the beach strip to the east and will not affect the coastal dune also to the east.
- Will not affect the water quality within the catchment area- Note: appropriate measures to deal with acid sulphate soils during construction will be required.

5.4 Coastal Development

The REP states

30 Objectives

The objectives of this plan in relation to coastal planning are:

- a) To enhance the visual quality of the coastal environment,
- b) To provide for the appropriate recreational use of beaches,
- c) To protect the water quality of the coastal environment,
- d) To minimise risks to people and property resulting from coastal processes,
- e) To minimise changes to coastal processes resulting from development, and
- f) To encourage retention of natural areas and regeneration of those natural areas which already degraded."

Response: The development proposal

- It is consistent with the desired future character of the area, which by necessity will reflect increased densities. This means developing contemporary style architecture that is consistent with the provisions of SEPP 65 and will lead to a visual enhancement of the local area, which is currently disparate in character.
- Utilizes its location with easy access to the recreation areas set aside along the coastal strip including parks and the beach.
- Will on completion have no adverse effects on water quality while appropriate management during construction will be required to deal with water table, acid sulphate soil and stormwater run off.
- Will not provide any greater risk to people or property other than what currently exists as the proposal is a re development of a site that is currently used for motel purposes. i.e. coastal processes are not envisaged to have any greater impact on the proposal when compared to the current situation.
- Provides no significant changes to coastal processes.
- Note: There is an extremely minor additional encroachment of shadow at 6.30pm Dec 22 on a currently cleared area of the coastal dune.
- Has no effect on the retention of natural areas nor will it effect the regeneration of these areas shouldn't be required.

5.5 Overshadowing

The REP states

" Clause 32 B

The council must not consent to the carrying out of development:

- a) On urban land at Tweed Heads, Kingscliff, Byron Bay, Ballina, Coffs Harbour or Port Macquarie, if carrying out the development would result in beaches or adjacent open space being overshadowed before 3pm midwinter (standard time) or 6.30pm midsummer (daylight saving time)."

Response.

- The proposed development complies with the intent of this clause to the extent that no overshadowing occurs for the mid winter period before 3pm and that only minor additional overshadowing occurs before 6.30pm daylight saving time to the extent that the overshadowing occurs on cleared land and generally matches the extent of existing overshadowing. Note: natural coastal dune vegetation is not overshadowed and therefore the extent of non-compliance is of an extremely minor nature and will have no detrimental effects on the preservation of the coastal dune area. (Ref. Shadow studies.)

5.6 Urban Development

The REP States

"Part 4 Urban Development

Division 1 Strategic planning

37 Objectives

The objectives of this plan in relation to urban development are to:

- a) Provide for the orderly and economic release of urban land and identify growth centres, and
- b) Promote the efficient commercial functioning of subregional and district centres."

Response:

- The proposed development meets this objective in the same that the scheme will intensify an existing use in a way that is compatible with the rejuvenation of the area while not placing undue pressure on existing infrastructure.
i.e. the proposal supports the efficient and commercial functioning of the area while being an orderly intensification of existing development that is compatible with the growth of the Coffs Harbour Centre as a whole.

5.7 Buildings over 14.0m.

The REP States

"Division 5 Tall Buildings

49 Objectives

The objectives of this plan in relation to the erection of tall buildings are to ensure that proposals for buildings over 14 metres are:

- a) Subject to the opportunity for public comment, and
- b) Assessed for their local impact and regional significance."

Response:

- The proposed development will be subject to a public display period and the opportunity for comment under Coffs Harbour City Councils processes.

- An urban design context review has been undertaken and impacts on the local context has been addressed.
- The proposal is also compatible with the objectives of Coffs Harbour City Council as a regional sense. – i.e. appropriate increase in density and accommodation for tourists and permanent residents alike.

The REP also states

“ 51 Development control – Director’s concurrence for tall buildings

- 1) In this clause, a reference to a building does not include an aerial, chimney stack, mast, pole, receiving tower, silo, transmission tower, utility installation or ventilator or any other building, or a building of a class or description of buildings, exempted by the Minister from the provisions of this plan by notice published in the Gazette.
- 2) The council shall not, without the concurrence of the Director, grant consent to a development application for the erection of a building over 14 metres in height.
- 3) In deciding whether to grant concurrence to a development application in respect of development referred to in subclause (2), the Director shall take into consideration the likely regional implications of the development as regards to its social, economic and visual effect and the effect which it will or is likely to have on the amenity of the area.
- 4) The provisions of sections 84, 85, 86, 87 (1) and 90 of the Act apply to an in respect of development for the purpose of a building over 14 metres in height in the same way as those provisions apply to an in respect of designated development.”

Response:

- The proposed development is in excess of 14.0m high and requires the concurrence of the Director.
- The proposal addresses the issues of social, economic and visual effects on the amenity of the area.
- The proposal also is consistent with the relevant provisions of the EP&A Act.

5.8 Environmental hazards

The REP States:

“ Division 3 Environmental hazards

44 Objectives

The objectives of this plan in relation to environmental hazards is to locate urban and tourism developments on land that is free from flooding, land instability, coastal erosion, bush fire risks, aircraft noise pollution and other environmental hazards.”

Response:

- The proposed development site is subjected to flooding and Councils requirements in regard to protection of basement levels and habitable floor levels is included.
- The proposal is the redevelopment of an existing site that does not impact on land stability or coastal erosion and is not subject to aircraft noise pollution or other environmental hazards.
- A bush fire site assessment is included with this submission.

5.9 Tourism & Recreation

The REP States:

“ Part 6 Tourism and recreation

Division 1 Tourism

67 Objectives

The objectives of this plan in relation to tourism development are:

- a) To encourage tourism activity that will compliment the existing natural and man-made features of the region and be of positive benefit to the region’s economy, and
- b) To encourage a range of tourism facilities so that they may benefit from existing air, roads, railways or water transport (or any combination of them) of a high standard and that are in proximity to urban services.”

Response:

- The proposal meets all of the stated objectives with the exception of d) in the sense that the proposal itself is not large scale and is not a resort style development although well serviced by various means of high standard accessible transport.

6. COFFS HARBOUR LOCAL ENVIRONMENTAL PLAN 2000

6.1 Status

The Coffs Harbour LEP2000 is the main document that sets out the zoning for the site and the general controls and objectives that apply to that zone.

More specific controls are usually contained in a DCP that currently does not exist and therefore the proposal will rely on its merits based on satisfying the zoning objectives and SEPP65.

6.2 Objectives and Zoning

The site is zoned 2E Residential Tourist. Multi-Unit residential development is an allowable use for the site with development consent.

The objectives of the zone are

1. "To enable tourist development and other development that is compatible with the surrounding environment."
Response: The proposed mixed use development including residential and tourist's accommodation is a permissible use and is compatible with the surrounding environment and the desired future character of the area as indicated in controls for the adjoining area to the south.
2. "To provide for development that is within the environmental capacity of a high density residential environment and can be adequately serviced."
Response: The proposed residential apartment building will replace the current motel use. The proposed 28 apartments and 22 motel suites / studios can be adequately serviced and represents a density that is compatible with the densities that result from a built form that is appropriate both in its external context and quality of internal planning.

7. MERIT BASED ASSESSMENT (DCP)

7.1 Status

The Park Beach DCP is the main planning control document applying to the 2E (tourist) zoning under Coffs Harbour City LEP2000.

The DCP contains general controls applying to the multi unit residential development proposed with specific reference to criteria contained in Precinct Statements.

Note: No precinct statement exists for the subject site.

However as a guide it says:

"Applicants are to comply with the overall Planning Strategy and detailed Planning Controls unless it can be demonstrated that an alternative to all or any of the controls will meet the strategy objectives."

The following section of this report identifies areas of relevance and evaluates them against likely strategy objectives for compliance.

7.2 General Objectives

Objective (assumed)	Evaluation	Compliance
<ul style="list-style-type: none">• "encourage tourist and high density development which is"	The proposal is for a mixed use motel / high density residential development which will provide tourist accommodation and consolidate permanent residential use.	✓
<ul style="list-style-type: none">• "innovative"	The proposal provides 28 residential apartments and 22 motel suites / studios ranging from garden terrace, penthouse and single level units. The proposal is therefore innovative in the context of Park Beach which is currently dominated by older style motel and walk up residential buildings.	✓
<ul style="list-style-type: none">• "responsive to the site's visual, environmental and cultural characteristics and"	The proposal is highly responsive to its environmental setting while taking full advantage of orientation to prevailing environmental conditions, proximity to amenities both man made and natural as well as creating a visually acceptable solution.	✓

<ul style="list-style-type: none"> “is in accordance with the desired future character of the area; and” 	The proposal is contemporary in nature and reflects the desire to generate higher quality residential environments that will be attractive to the user and will contribute to the revitalisation of the precinct.	✓
<ul style="list-style-type: none"> “provide a range and style of multi-unit and tourist accommodation developments which are appropriate to the diversity of the people who live in and visit Coffs Harbour.” 	As previously described the mixed use motel / residential proposal provides a range in style of accommodation that is likely to attract a diversity of occupants.	✓

7.3 Housing

Objective (assumed)	Evaluation	Compliance
“To provide for a variety of housing types and other compatible uses, protection of residential amenity and sense of community.”	<p>The combination of apartment sizes and styles will attract different types of users thus adding to the numbers and mix of people that will add vibrance to the community.</p> <p>The proposed use will reinforce the level of permanent residents who will be able to partake in the high degree of amenity that the particular location provides without detracting from the level of amenity currently experienced by others.</p>	✓

7.4 Traffic and Transport

Objective (assumed)	Evaluation	Compliance
“To provide for safe, convenient and efficient movement of people.”	The provision of a good existing street network allows the proposal to take advantage of the close vehicular proximity to various amenities including clubs, restaurants, retail and passive and active recreation facilities.	✓

	The proposed access to and from the parking facilities provided in the proposal allows for the efficient and safe movement of people.	
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7.5 Natural Environment

Objective (assumed)	Evaluation	Compliance
“To have a neutral impact upon the water quality in the Solitary Islands Marine Park and to minimise impacts upon the flora and fauna habitat and natural setting of the area.”	<p>No impacts are envisaged on the Solitary Islands Marine Park.</p> <p>No adverse impacts are envisaged upon the flora and fauna habitat and natural setting of the area as the site in question is already developed. However, appropriate measures will be taken to minimise soil erosion and water pollution.</p>	✓

7.6 Landscape, Open Space and Recreation Strategy

Objective (assumed)	Evaluation	Compliance
“To enhance the local streetscape, provide for neighbourhood recreation requirements and to complement and enhance the Solitary Islands Marine Park.”	<p>The local streetscape will be enhanced through activated ground level uses including café tenancies.</p> <p>There are no envisaged effects on the Solitary Islands Marine Park.</p>	✓

7.7 Urban Structure/Context

Objective	Evaluation	Compliance
“To stimulate higher quality public and private development, leading to a better quality public domain in the Park Beach area.”	The proposal is of a high quality design that will contribute to the future character and interface with the public domain. Particularly through activation of the street frontages.	✓
“To provide active guidance in the redevelopment of Park Beach. The area is a tourist hub, located adjacent to Park Beach and reserve; supporting tourist	The proposal is located within close walking distance to the bowls club, hotel, restaurants/café and the park/beach strip. Tourist accommodation is	✓

accommodation, a club, hotel and restaurants; with potential/redevelopment of older building stock and development of vacant lands." "To highlight a role for the access road network within and through the area."	proposed and the increase in permanent population will assist in the patronage of these venues. The site has excellent vehicular access to the established road network.	✓
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	collection and vehicular egress and access.	
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7.8 Street Character

Objective (assumed)	Evaluation	Compliance
Minimise overshadowing of the coastal strip along the eastern side of Ocean Parade is of high importance.	The proposed six-storey development indicates no additional shadow impacts onto the eastern dune area occur for the period 3.00pm June 22 while only minor additional shadows occur for the period 6.30pm 22 December.	✓
It is also assumed that the desire for developments to address street frontages and create the opportunity for mature tree planting and appropriate landscape treatment with activated frontages is desirable.	The proposal highlights various pedestrian entry points to a podium which fronts both Ocean Parade and Park Beach Road with Park Beach Road being the main motel and residential lobby address. The retention of mature landscaping to Park Beach Road is significant and will provide an excellent feature for the motel and residential address. The change in level between the street and the activated uses of the podium creates a good definition between different activities while maintaining a high degree of visual connectivity.	✓
It is also assumed that the utilisation of rear lanes is of importance.	The proposed development indicates the use of the formed lane for the purposes of garbage	✓

7.9 Vision and Character for Park Beach

Objective (assumed)	Evaluation	Compliance
<ul style="list-style-type: none"> Park Beach should be an attractive friendly area with appropriate scale, enhanced landscaping, modernised and revitalised clean environment, with a family oriented tourist focus; 	<p>The proposal provides for secure, contemporary residential accommodation when compared to the older building stock that currently exists in the area. It also provides for tourist accommodation and support amenities including cafe area. The scale reinforces the street corner position and is contained within a highly articulated form.</p>	✓
<ul style="list-style-type: none"> Park Beach should be a safe environment with a mix of tourist and residential facilities, with enhanced linkages to the park, the beach and the local amenities. 	<p>The flexible use of both tourist and permanent residential accommodation will appeal to different users and add to the vibrancy of the area.</p> <p>This will also contribute to the use of the nearby public spaces and patronage of the local amenities.</p>	✓

7.10 Site Analysis

Planning Control (assumed)	Evaluation	Compliance
A site analysis drawing is required.	The site analysis has been provided largely through the Urban Context drawings prepared in conjunction with King and Campbell. Ref. Appendix A.	✓
It describes the following requirements:	A site analysis plan has also been prepared.	✓
<ul style="list-style-type: none"> Site dimensions (length, width); 	<ul style="list-style-type: none"> Indicated 	✓
<ul style="list-style-type: none"> Spot levels or contours; 	<ul style="list-style-type: none"> Indicated 	✓
<ul style="list-style-type: none"> North point; 	<ul style="list-style-type: none"> Indicated 	✓
<ul style="list-style-type: none"> Natural drainage; 	<ul style="list-style-type: none"> Indicated 	✓
<ul style="list-style-type: none"> Any contaminated soils 		

<ul style="list-style-type: none"> or filled areas; Services (easements, utilities); Existing trees (height, spread, species) Views to and from site; Prevailing winds; Heights of adjoining buildings; Location of surrounding buildings; Details of proposed design measures to reduce energy demand, including orientation, shading, thermal mass, insulation and any other passive design measure; Elevations of adjoining buildings and the streetscape; Method of calculation for shadow casts at mid-summer and mid-winter at 9am, 12noon, 3pm and 6.30pm (daylight savings time); Consideration of overshadowing on public open space and adjoining properties; Drying courts and utility courts; Service vehicle access within building and Street address. 	<ul style="list-style-type: none"> none envisaged No easements No on site trees to be retained Indicated Indicated Indicated Indicated Indicated in NatHERS Report – Appendix G. Indicated by photomontage – Appendix E. Indicated in shadow diagrams – Appendix D. Indicated in shadow diagrams – Appendix D. Not applicable Indicated 	<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓
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7.11 Density

Planning Control (assumed)	Evaluation	Compliance
Densities are a result of the type of use and appropriate approach to the built form, in terms of bulk and scale in context (including future context).	The proposal development comprises 28 residential	

Greater density for mixed-use facilities should be encouraged in order to generate a mix of permanent residents and tourists that will add to the vibrancy of the area.	apartments and 22 motel studios / 1 bed apartments (2 only) which is designed in a flexible arrangement to accommodate both permanent residents and tourists in a range of accommodation that is adaptable to local market conditions. This density has been generated by an appropriate response to building bulk and scale given it's corner site / gateway context. It is consistent with the desire to increase density in the area and add to precincts vibrancy through encouraging mixed tourist and residential development.	✓
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7.12 Design

Planning Control (assumed)	Evaluation	Compliance
<p>The following general design principles should be considered:</p> <ul style="list-style-type: none"> Pitched rooflines are encouraged, flat rooflines will be considered if providing shade/shelter to outdoor areas on ground and/or balconies; To achieve variety in the built form, careful consideration shall be given to sun shading devices, balconies, window patterns, roof tops, and overall differentiation of top, middle and base; Construction shall include a mix of compatible materials which are visually defined; Balcony enclosures will only be permitted where the overall design of the façade is not adversely affected and where they exist as temporary measure, e.g. shutters, blinds, shutter doors, etc. <p>Special emphasis should be given to the design of buildings on corner allotments, including consideration of the following:</p> <ul style="list-style-type: none"> How the building addresses its neighbouring buildings, open space, dual frontage; An element (horizontal) that wraps the corner of the building is to be promoted; Design measures to break up the building form. 	<p>The proposal includes a pitched roof to the top floor.</p> <p>The proposal features an activated ground floor podium and residential accommodation to the mid levels and set back penthouse style apartments to the top floor resulting in a base, middle and top.</p> <p>A mix of materials is indicated on the architectural drawings and schedule of finishes.</p> <p>Sun screening devices are used to balcony areas.</p> <p>The proposal strongly addresses its corner location and has the horizontal element of the activated podium that unifies both street frontages. It sits well with the desired future character of the area that will be necessary in order to rejuvenate the area as an attractive environment for tourists and permanent residents. The building is highly articulated and steps away from its eastern coastal frontage. Its frontages are responsive to each particular orientation but is also integrated as a whole.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>

7.13 Adaptable Housing

Planning Control (assumed)	Evaluation	Compliance
<p>Consideration should be given to developing a design which allows residents to 'age-in-place', that is, the housing will adapt to and help support residents' changing needs as they age.</p> <p>Reference shall be made to Council's Adaptable Housing Information Sheet and where possible, the provisions contained within this Information Sheet shall be incorporated into the design of the development.</p>	1 adaptable motel unit & 3 adaptable residential units are contained within this proposal.	✓

7.14 Privacy

Planning Control (assumed)	Evaluation	Compliance
<p>Visual privacy for adjoining properties and within development projects shall, where necessary, be achieved by:</p> <ul style="list-style-type: none"> Providing screening by way of walls, Fences, awnings or planting to prevent overlooking; Staggering windows where possible; Maintaining separation distances between the units of: <ul style="list-style-type: none"> 6m between rooms which are not the main living areas eg bathroom; 9m between rooms which are used frequently but not main living areas eg kitchen; and 	<p>Overlooking to the South, East and to the West are not considered to be an issue as all of these facades front onto public roads or laneways and the distance between rooms is greater than 12m.</p> <p>Setbacks at ground and Level 1, are 11.5 between glass line and the neighbouring building to the north, with the neighbouring building façade being predominantly masonry with small-punched windows. Landscaping / screening at ground will provide additional privacy and amenity between these two facades.</p>	

<ul style="list-style-type: none"> 12m between main living rooms and bedrooms; minimise balconies or common rooms (such as foyer, lobby or similar) overlooking an adjacent dwelling; and minimise balconies or common rooms (such as foyer, lobby or similar) overlooking private open space, screens and pergolas. 	<p>Setbacks at higher levels range from 10.8 to over 12m, balcony to masonry wall. With all setbacks between glazing and neighbouring walls greater than 12m.</p> <p>The separation of 10.8m is considered acceptable due to the nature of the neighbouring wall being predominantly masonry with punched windows indicating rooms of a secondary nature (bathrooms, kitchen etc.)</p> <p>Further privacy is achieved at the uppermost level, level 4 through the use of sliding timber screens.</p>	✓
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7.15 Vehicle Parking and Access

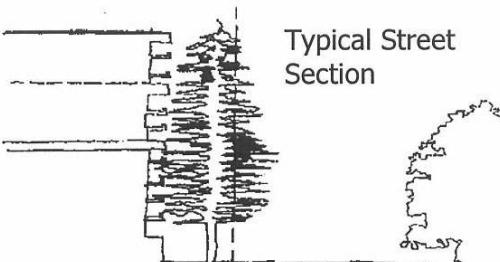
Planning Control (assumed)	Evaluation	Compliance						
<p>Car parking is to be provided as follows:</p> <p>Residential Accommodation</p> <table><tr><th>Dwelling/Units</th><th>Parking Requirement per unit/dwelling</th></tr><tr><td>Small<100m2</td><td>1 space</td></tr><tr><td>Large>100m2</td><td>2 spaces</td></tr></table> <p>Tourist Accommodation 1 space per unit</p>	Dwelling/Units	Parking Requirement per unit/dwelling	Small<100m2	1 space	Large>100m2	2 spaces	<p>Given that the majority of residential apartments are > 100m2 parking has been allocated as follows:</p> <p>12 x 2 Bed Apts = 24 Spaces 16 x 3 Bed Apts = 32 Spaces Total 28 Apts Total 56 Spaces (2 spaces per apt.)</p>	<div>✓</div>
Dwelling/Units	Parking Requirement per unit/dwelling							
Small<100m2	1 space							
Large>100m2	2 spaces							

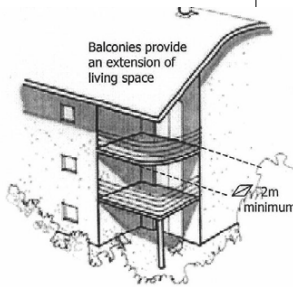
<p>Provision of suitable bus parking and manoeuvring areas on site.</p> <p><i>Note: Bus parking should accommodate a "20 seater/mini bus".</i></p> <ul style="list-style-type: none"> The minimum dimensions of a bus parking space should be 2.7m x 5.5m. Suitable service vehicle and emergency vehicle access shall be provided. Vehicle parking to the rear of the building is preferred and/or screened from the street. Where more than one space per unit is required at least one parking space must be within a garage. Other spaces should be as close as is practical to the development. The minimum dimensions of car parking spaces should be 2.4m x 5.5m. Minimum internal dimensions of enclosed garages is 3m x 6m. Minimum headroom in undercover parking is 2.1m. 	<p>Tourists accommodation 22 units 22 spaces provided</p> <p>Note the provision of an additional 4 car parking spaces in the basement are to be allocated to the 3 retail tenancies at ground floor and mini bus/emergency vehicle.</p> <p>It is assumed that street parking provisions will be sufficient to accommodate patronage of the café tenancies.</p> <p>Note: it is possible to increase street parking provision by introducing 90 degree parking to the eastern site of ocean parade.</p>	
	<ul style="list-style-type: none"> Provided in basement parking 	✓
	<ul style="list-style-type: none"> Complies 	✓
	<ul style="list-style-type: none"> Provided in basement 	✓
	<ul style="list-style-type: none"> All space provided in basement 	✓
	<ul style="list-style-type: none"> Complies 	✓
	<ul style="list-style-type: none"> N/A 	
	<ul style="list-style-type: none"> N/A 	✓

<ul style="list-style-type: none"> Garage doors and parking spaces can be widened if manoeuvring areas are limited. A minimum garage door width of 2.7m is recommended. Refer to Council's Car Parking DCP for further details. <p>Driveways</p> <ul style="list-style-type: none"> Vehicle crossings (driveways from kerb to boundary) are to be constructed of coloured concrete. These shall be limited to one per development and be 4.5 to 6m wide to cater for two-way traffic. Driveway widths are to be as follows: <ul style="list-style-type: none"> one-way driveway width minimum 3.2m; one-way driveway width maximum 3.6m; two-way driveway width minimum 4.5m; and two-way driveway width maximum 6.0m. Prior to construction, a vehicle crossing application is to be submitted and approved by Council. Rear lane access should maintain a pedestrian hierarchy in character and dimension being a maximum of 3.6m wide for trafficable surfaces. Details of any rear lane access are to be submitted with the DA for 	<ul style="list-style-type: none"> N/A 	
<ul style="list-style-type: none"> Will comply 		✓
<ul style="list-style-type: none"> Complies 		
<ul style="list-style-type: none"> Will comply 		✓
<ul style="list-style-type: none"> Will comply 		✓
<ul style="list-style-type: none"> N/A – rear lane already formed. Noted 		

consideration by Council. Upgrading of the rear lane to Council's standard would be at the developers cost.		
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7.16 Open Space and Landscaping

Planning Control (assumed)	Evaluation	Compliance
All development proposals are to be accompanied by a landscaping plan prepared by a qualified landscape architect or designer.	Landscape plans have been provided by King and Campbell.	✓
The plan shall show the precise location of existing trees, proposed gardens, lawns, paving areas and an indication of trees proposed to be removed and retained.	No existing vegetation is proposed to be retained for this proposal as there are no trees of significance on the site.	N/A
Trees, which will attain a minimum height similar to the highest point of the eaves at the front of the building, shall be planted within the front setback	Refer landscape plan in appendices for detail.	✓
		
Balconies or terraces should be provided with the following minimum areas:	The minimum size primary balcony proposed for the apartments is 14m ² with a range of up to 86m ² .	
Motel/Tourist (<50m ²) 6m ² Motel/Tourist (>50m ²) 8m ²	Motel unit no's 21/22 have a minor short fall with these units having a	

Small dwelling (<100m ²) 10m ² Large dwelling (>100m ²) 12m ²	balcony area of 5m ² . Complies Majority of Motel units have a balcony depth of 2.5m with only 2 Apts (Units No. 21/22) having Juliet type balconies. These balconies although shallow in depth improve the apartments amenity running across the full length of the façade.	✓
In order to provide useful open space to dwellings and tourist units above ground level, any balcony or terrace should be directly accessible from the living area of the dwelling/unit and have a minimum dimension of 2m.		✓
	All residential apartments meet or exceed the minimum balcony dimensions of 2m.	

7.17 Erosion and Sediment Control

Planning Control (assumed)	Evaluation	Compliance
<ul style="list-style-type: none"> Proposals are to be accompanied by an Erosion and Sediment Control Plan for approval by Council prior to the release of a construction certificate (refer "Erosion and Sediment Control" Information Sheet). 	Will be provided prior to the release of Construction Certificate.	✓
<ul style="list-style-type: none"> All stockpiles of topsoil, sand, aggregate, spoil, vegetation or other material capable of being moved by running water shall be stored clear of any drainage lines, easements or natural watercourses, footpath, 	To be complied with during construction.	✓

<p>kerb or road surface. Note: A road-opening permit must be obtained from Council prior to carrying out works on Council property.</p> <ul style="list-style-type: none"> Before roofing material is laid, temporary or permanent guttering and downpipes shall be installed and connected to an approved stormwater disposal system. All disturbed areas shall be rendered erosion resistant by revegetation or landscaping prior to occupation. 	<p>To be complied with.</p> <p>To be complied with.</p>	<p>✓</p> <p>✓</p>
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7.18 Services

Planning Controls	Evaluation	Compliance
<p>7.18.1 Water Meters</p> <ul style="list-style-type: none"> A separate water meter is to be provided for each dwelling and is to be readily accessible to Council's meter reader. 	<p>To be complied with.</p>	<p>✓</p>
<p>7.18.2 Mains Extensions</p> <ul style="list-style-type: none"> Plans for water and sewer main extensions are to be prepared by professional consultants in accordance with contracts technical guidelines. 	<p>To be completed with where/if necessary.</p>	<p>✓</p>
<p>7.18.3 Letterboxes</p> <ul style="list-style-type: none"> Provision shall be made for letterboxes located as compact and close to the front boundary entrance 	<p>Letterboxes are provided of the pedestrian secured entry fronting Park Beach Road</p>	<p>✓</p>

<p>as practical.</p> <p>7.18.4 Stormwater</p> <ul style="list-style-type: none"> All stormwater is to be directed to the street drainage system or interallotment drainage easement where available. A stormwater detention system is required for all development, except where directly connected to a trunk drainage system or water body or it is demonstrated that the downstream drainage system can cope with runoff from the development. <p><i>Note: Interallotment drainage via easements may be required.</i></p> <p>7.18.5 Garbage Services</p> <ul style="list-style-type: none"> The garbage stand area is to be located in a position behind the front building alignment and is to be constructed of materials which are in keeping with the character of the development. All garbage enclosures shall be roofed. The garbage shall be screened from a public place or where more than one receptacle can be seen from within the development. Garbage shall be stored a minimum of 2m away from the front alignment. For developments of 12 or more dwellings, provision shall be made 	<p>Stormwater will be directed to the existing trunk drainage system.</p> <p>NA</p> <p>The garbage stand area has been located at the rear laneway at Council's direction.</p> <p>The garbage enclosure is roofed.</p> <p>The garbage area is screened from main public areas.</p> <p>Complies.</p> <p>Council has directed garbage to be collected from rear lane.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>
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for the storage and removal of bulk garbage containers. Appropriate access shall be made for vehicles engaged in bulk garbage collection.		
<ul style="list-style-type: none"> Garbage disposal units discharging to the sewer will not be permitted. Garbage storage areas within buildings shall be provided with wash down facilities and be graded and drained to the sewer. 	Noted.	✓
	No putrescible storage is contained within the building.	✓

7.19 Energy Efficiency

Planning Control (assumed)	Evaluation	Compliance
<p>The development is to be designed to comply with any Council adopted policy for the design of energy efficient housing.</p> <p>Note: Contact Coffs Harbour City Council or SEDA (Sustainable Energy Development Authority) for more ideas and information on energy efficiency.</p>	<p>The proposal achieves a minimum 3.5 star rating under the NatHERS assessment system.</p> <p>The use of energy efficient hot water systems, and appropriately rated energy saving fixtures and fittings and passive solar control assists in providing an energy efficient building proposal.</p>	✓

7.20 Flooding

Planning Control (assumed)	Evaluation	Compliance
Habitable areas of buildings are to have floor levels 500mm above the 1 in 100 year flood level.	The min habitable floor level of RL 5.1 has been established for this proposal.	✓
All electrical wiring, power outlets, building plant and equipment should be located above the 1:100 year flood level. Any electrical wiring or equipment, below this level shall be suitably treated to withstand continuous submergence in water.	To be complied with.	✓

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7.21 Set Backs

Planning Control (assumed)	Evaluation	Compliance
<p>Front Boundary Setbacks – a setback of 3m has been applied to the development.</p> <p>Side and Rear Setbacks – buildings are to be setback 3.0m from side and rear boundaries.</p>	<p>Building setbacks to the front boundaries vary from 3.3m along Park Beach Rd, and 3.1m to 4.1m along Ocean Parade. With a further stepping back of the building at levels 4 & 5. The adopted setbacks along Ocean Parade relate to the existing building alignment of the "Hawaiian Gardens" apartments & neighbouring building reinforcing the built edge. The setbacks along Park Beach Rd emphasise the importance of the corner site, while maximising the open space & building separation to the north.</p> <p>Setbacks to the western boundary (side boundary) vary from 3.5m to 3.8m. The setbacks to the north (rear boundary) range from 4.4m (level1) to 6.2m (upper levels). These setbacks to the north provide access to light & allow</p>	✓

<p>Exceptions to the setbacks include:</p> <ul style="list-style-type: none"> Minor renovations to existing buildings; Garden sheds; When strict compliance with the setback would require substantial alterations of existing landform. <p>The following may encroach without restriction:-pergolas, pumps, screens or sunblinds, light fittings, electricity or gas meters, aerials, unroofed terraces, landings, steps or ramps not more than 1m in height.</p> <p>Pool filters and pumps shall be suitably located and screened to minimise noise and visual impacts.</p>	deep planting & landscaped areas along this boundary improving the apartments outlook & general amenity.	
	Not applicable	N/A
	Not applicable Not applicable	N/A N/A
	Complies	✓
	Pool filtration plant is located on the basement.	✓

7.22 Height

Planning Control (assumed)	Evaluation	Compliance
<p>Tourist Residential: Buildings are not to exceed 6 storeys maximum for corner sites and designed to prevent excessive overshadowing the coastal reserve at 3pm on 22 June (mid winter) or 6.30pm daylight savings time on 22 December (mid summer).</p>	<ul style="list-style-type: none"> Complies (Refer 7.23 for shadow impacts) 	<p>✓</p> <p>N/A</p>

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7.23 Shadow Impacts

Planning Control (assumed)	Evaluation	Compliance
<p>Private Open Space: This applies to land east of Ocean Parade. Buildings are not permitted to overshadow beaches and adjacent open space before 3pm midwinter (22 June) and 6.30pm midsummer (22 December).</p>	<p>Shadow studies prepared for the 22 June indicate compliance, with no over shadowing of open space. Studies prepared for the 22 December indicate minor overshadowing of adjacent open space with additional shadow cast over the proposed 90-degree public parking bays or onto dense coastal scrub, therefore having negotiable impact on useable open space. (Refer shadow studies contained in this document.)</p>	<p>✓</p>

7.24 Acoustics

Planning Control	Evaluation	Compliance
Hours of use of open-air amenities such as pools and 'al fresco' dining areas to comply with council decided hours of operation.	There are no adverse acoustic impacts envisaged as a result of this development proposal.	✓
	Cafés and 'al fresco' dining areas to comply with council imposed conditions.	✓

7.25 Acid Sulphate Soils

Planning Control (assumed)	Evaluation	Compliance
The site is subject to "potential acid sulphate soils" and as such a report prepared by a suitably qualified group is required by Council.	A geotechnical report is being prepared by Coffey and Partners, which will include an assessment of management for acid sulphate soils.	
	Reference made in the appendices of this document.	✓

7.26 Bush Fire Risk

Planning Control (assumed)	Evaluation	Compliance
The Council has advised that the site falls with a bush fire risk zone and as such requires a report from a suitable qualified person.	A bush fire risk assessment report has been prepared by Steven Ellis and is contained in the appendices of this document.	✓

8. ASSESSMENT UNDER SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

This section evaluates the environmental and planning implications of the proposed development against the relevant matters for consideration under Section 79 of the Environmental Planning and Assessment Act, 1979. Most of this assessment has been carried out in previous sections, which evaluates the proposal for its compliance with the North Coast REP, Coffs Harbour LEP 2000 and the Merit Based Assessment. In essence, this section provides a summary of the statement, structured to correspond to heads of consideration under Section 79C(1) of the Act.

8.1 Planning Instruments – S79C(1)(a)(i)

SEPP No 55 – Contamination of Land

The previous uses on the site are unlikely to contaminate the site and therefore the site is suitable for residential development without any remediation works.

SEPP No 65 – Design Quality of Residential Flat Buildings

The proposal satisfies the Design Quality principles of SEPP No 65 as it is contextually appropriate, and has compatible scale, built form and density. It provides acceptable level of amenity, contributes to safety and social cohesion and is of high aesthetic quality.

Coffs Harbour LEP 2000

The proposed mixed use development is fully consistent with objectives of its zone.

The proposed use is permissible and will act to support the revitalisation of the Park Beach precinct.

The proposal is acceptable when related to its adjoining property to the north and it's general surrounds in terms of

- Height, scale siting and character
- Noise generation
- Solar access
- Screening and overlooking

and is not in the immediate vicinity of a heritage item.

8.2 Development Control Plans – S79C(1)(a)(iii)

There is no relevant DCP in place for this site however an extensive justification based on the merits of the proposal have been provided based on assumed D.C.P type controls.

8.3 Matters Prescribed by the Regulations – S79C(1)(a)(iv)

Not applicable.

8.4 The Likely Impacts – S79C(1)(b)

8.4.1 Context and Siting

The building relates satisfactorily in terms of scale, bulk, siting and architectural treatment to the adjoining property, maintains the front street alignment and provides satisfactory definition of streetscape. The building is set back from the rear boundary and side boundaries with further set backs to the top floor.

The proposed development conforms with good urban design and amenity principles and will significantly improve the image and visual quality of the Park Beach precinct. It will replace an underdeveloped site with a high quality residential / tourist building which will reinforce the predominant street pattern, define the street space and generate a certain level of pedestrian street level activity.

8.4.2 Amenity

Solar and Daylight Access

Performance criteria of the SEPP65 indicate that sunlight access to 70% private open spaces and living rooms should be maintained for a minimum of 3 hours between 9.00am and 3.00pm on 21 June. It also states that this is a guideline and that reasonable solar access should be provided to the extent that the site will allow.

The criteria with regard to access to sunlight to living rooms is met for 71% of the apartments and does maximise access to sunlight as much as the site constraints will allow.

Privacy

Windows from habitable rooms are well separated from surrounding residential development with orientation of the proposed apartments and their associated private open space configured to minimise over looking.

The appropriate levels of acoustic privacy are also met.

View Sharing

The proposal and its surrounds do not afford any major vistas or quality views at ground or lower levels and are therefore not impacted.

The upper levels of the proposal will gain district views without incurring any major view loss from surrounding development.

Traffic Access and Transport

The size and scale of development is such that traffic impacts will be insignificant.

Access to parking is off the laneway to the west of the site at a maximum possible distance away from Park Beach Road.

The proposal is well located to take advantage of public bus services as well as meeting all relevant access criteria for people with disabilities.

Social and Economic Impacts

The proposed apartments and tourist accommodation provide a good mix of styles of accommodation but more importantly will act as a catalyst for the urban consolidation and revitalisation of the Park Beach precinct.

8.5 Suitability of the Site – S79C(1)(c)

The site is regular in shape and occupies 2037.2 sqm of land fronting Ocean Parade and Park Beach Road.

It is virtually flat and is currently occupied by a single and two-storey motel complex, which has no heritage significance.

The site has no history of use that would indicate that the land is contaminated.

The uses proposed are allowable and can be adequately serviced by utilities.

The local environment is suitable for tourist / residential development in terms of ambient noise levels, air quality, accessibility to public transport and appropriate levels of amenity, which will improve, with similar future development.

8.6 Submissions Under EPA Act or the Regulations – S79C(1)(d)

Not available at this stage. The development will be advertised in accordance with Council's Notification Policy and any submissions received will be considered by the Council in the determination of this development application.

8.7 The Public Interest – S79C(1)(e)

The public interest will be served by the consolidation and revitalisation effects of the proposed development. It will add to the permanent population of the area, which will lead to the potential increase in use and demand for local amenities.

9. SUMMARY AND CONCLUSION

9.1 The proposed residential / tourist development is permissible within the residential tourist zone which applies to the site under the LEP 2000 and is consistent with the aims and objectives of this primary planning document.

9.2 The development has a maximum height of 6 storeys and is suitable for a 'gateway' site with appropriate setbacks and building modulation / articulation particularly in relationship to its neighbour to the north and general site surrounds.

9.3 The development proposal has no FSR control with density being related back to appropriate design within a suitable built form.

The density is seen as appropriate because of the high quality of the design in its context and it's revitalisation potential without providing adverse imposition on local infrastructure.

9.4 The environmental impacts in terms of privacy and overshadowing conforms to the principles outlined in the merit based issues and SEPP65 while traffic generation will have no adverse impacts of the capacity of the surrounding street system or amenity of existing development, particularly when compared to the current use of the site.

9.5 The development satisfies Council's strategic planning objectives to revitalise the Park Beach precinct through increased tourist / residential development that will lead to a permanent population consolidation and increased tourist activity with likely increase in the patronage of local amenities support facilities.

9.6 The redevelopment of the site will serve the public interest and is consistent with the objectives of the REP and EPA Act, 1999. It will enhance the image of the Park Beach area and provide a mix of residential and tourist accommodation that will assist in the stimulation of further development activity that is desired by the local community.

The proposal is considered worthy of Council's approval.