

Appendix P

Planning Report

Planning Report

Seniors Living Development

Main Rd, Toukley

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INTRODUCTION

The proposal for a SEPP Seniors Living development is being assessed under the provisions of the Environmental Planning and Assessment Act 1979.

The development site is in a transition area of Toukley close to the town centre and identified as an area for higher density infill development.

The site and the development proposal are subject to a significant range of planning controls and planning considerations. The assessment framework for the proposal is specified in the project DGRS which require the matters listed below to be addressed.

1.0 THE DIRECTOR GENERALS REQUIREMENTS (DGRS)

Under the EPA Act, once a project is declared as a 3A project, the DGRs become the environmental assessment criteria for the project.

The DGRS require the consideration of all relevant statutory and non-statutory matters which brings into consideration a range of State Environmental Planning Policies. Wyong Local Environmental Plan is a consideration under the DGRs. The DGRs are listed at **Attachment A** of the Environmental Assessment Report (EAR) which covers the required scope of the DGRs.

2.0 OBJECTS EPA ACT

The objects of this Act are:

(a) to encourage:

- (i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
- (ii) the promotion and co-ordination of the orderly and economic use and development of land,*
- (iii) the protection, provision and co-ordination of communication and utility services,*
- (iv) the provision of land for public purposes,*
- (v) the provision and co-ordination of community services and facilities, and*
- (vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
- (vii) ecologically sustainable development, and*

- (viii) the provision and maintenance of affordable housing, and*
- (b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

The proposal is generally consistent with the above objectives. The proposal directly addresses objectives a(i), a(ii), a(vi) and a(viii) of the Act.

3.0 ESD PRINCIPLES

Compliance with the principles of Ecologically Sustainable Development (ESD) is a primary objective of environmental assessment in NSW. ESD requires the effective integration of economic and environmental considerations in decision-making processes. Sustainability encompasses a range of considerations under the principles of ecologically sustainable development.

Redevelopment of an urban infill site is generally consistent with sustainable patterns of land use as the development is contained within an existing urban footprint. The proposed SEPP Seniors Living development will provide significant social benefits through the provision of housing without significant adverse environmental or economic effects. The building will be constructed in accordance with SEPP Basix (see **Appendix T of EAR**) to achieve energy and water use efficiencies.

No particular environmental threats have been identified as arising from the proposed development. Where issues have arisen, adequate management and mitigation measures are proposed. The potential effects of the development are such that the likelihood of environmental harm is very low. No unacceptable risks of development or environmental harm have been identified.

The proposal is subject to a rigorous and public environmental assessment process, which ensures that issues and risks to the environment are appreciated and understood. Consultation with the community and public authorities has commenced and will continue as part of the assessment process.

The proposed development is in keeping with the principles and practice of ecologically sustainable development. Specific matters under the principles of ecologically sustainable development are addressed below.

Integration

The development proposal integrates environmental social and economic considerations. The development proposed is consistent with applicable planning policies covering sustainable site use. The proposal provides for urban infrastructure development without significant environmental risk. The proposal achieves the balance generally sought by planning policy.

Precautionary Principle

A risk adverse approach to development is promoted by the precautionary principle. Consideration of threats, risk and proportionality are related to the precautionary principle.

Threats

There are no particular environmental threats arising from the proposed developments as adequate management and mitigation measures can be implemented. The building is above flood levels there are no evacuation issues development area is not flood prone and there is no local bushfire hazard.

Risk

The likely effects of development are such that the likelihood of environmental harm is very low. The effects of the development can be adequately managed with standard mitigation measures and processes. The risk of loss of biodiversity or ecological integrity is very low. The risk to the proposal as a result of climate change and sea level rise is separately assessed as low with the opportunity for adaptive management if required.

Unacceptable Risks

No unacceptable risks of development have been identified. Flood risk has been addressed by achieving floor levels over those required by local flood policy.

Proportionality

The management measures proposed as part of the development are in proportion to the likely risk and potential effects. The potential effects of climate change and the rate and extent of sea level are addressed through draft benchmark levels set by the NSW Government. The proposal meets the policy requirements.

Inter-generational Equity

The development does not involve a potential loss of opportunity or resources for future generations. Increased provision of aged housing is consistent with social aspects of sustainability being an investment in the future. The proposal also provides intra-generational equity by providing for existing specific housing needs.

Conservation of Biodiversity and Ecological Integrity

The proposal will not result in a loss of biodiversity. Ecological integrity will be protected through appropriate stormwater controls. The location of the development within an urban footprint is consistent with minimising the ecological effects.

Improved Valuation, Pricing and Incentive Mechanisms

The developer will pay for the establishment of infrastructure as required by contributions plans and for appropriate environmental management measures on the development areas of the site. Longer term

management costs will be borne by the operators of the development consistent with the polluter pays principle.

Environmental Assessment

The proposal is subject to a rigorous and public environmental assessment process under Part 3A of the Environmental Planning and Assessment Act. This includes assessment of matters under the Commonwealth Environmental Protection and Biodiversity Conservation Act. The EA process under Part 3A ensures that a broad range of issues are considered and weighed appropriately and integrated for the development.

Public Consultation

Consultation with the community and public authorities has commenced and will continue as part of the assessment process. The consultation process provides for input from a diverse range of individuals, interest groups and statutory authorities consistent with the social aspects of sustainability. A separate Consultation Report is provided as part of the project Environmental Assessment.

Conclusion

The proposed SEPP SL aged housing development is in keeping with the principles and practice of ecologically sustainable development.

4.0 PART 3A EPA ACT

The Minister has determined that the proposal is a major project and that the proposal can be assessed under Part 3A of the EPA Act.

The Director General of Planning has issued environmental assessment requirements.

The processes under Part 3A of the Act apply.

5.0 SEPP SENIORS LIVING

The SEPP permits development for seniors living in a range of forms that may not always comply with the land use definitions and zoning controls in local planning instruments. The SEPP provides the permissibility of the proposal. The SEPP applies design standards and considerations for seniors living developments. There is a non-compliance with height standards of the SEPP that is addressed in the height justification for the project (see **Appendix Q** of the Environmental Assessment Report).

Statutory Compliance tables covering SEPP Seniors Living planning matters are provided at the end of this report. SEPP Seniors Living requirements are also addressed in the separate Design Report (see **Appendix D** Environmental Assessment Report).

6.0 SEPP MAJOR PROJECTS

Under SEPP Major Projects the site is a sensitive coastal location. The SEPP specifies projects in sensitive coastal locations that may be subject to assessment under Part 3A of the EPA Act. As the height of the building is over 13 metres under SEPP Major Projects the criteria for a major project are met.

7.0 SEPP 65 DESIGN OF RESIDENTIAL FLAT BUILDINGS

SEPP 65 applies to any development containing 3 or more dwellings in 3 or more storeys.

The 10 design principles are addressed in the Design Report by the project architects (see **Appendix D** of **EAR**). The proposal addresses the design principles. The requirements of the Residential Flat Design Code are also addressed in Appendix D. The Code requirements are all addressed.

8.0 SEPP BASIX

The water and energy conservation provision of Basix have been applied to the proposal (see **Appendix T** of Environmental Assessment Report). The proposal meets the required Basix standards.

9.0 SEPP 71 COASTAL PROTECTION

This SEPP Applies to all development in the mapped coastal zone. All matters requiring consideration under the SEPP are addressed below.

2 Aims of Policy

(1) *This Policy aims:*

(a) *to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast, and*

The proposal is consistent with this aim.

(b) *to protect and improve existing public access to and along coastal foreshores to the extent that this is compatible with the natural attributes of the coastal foreshore, and*

There is no public access to the foreshore in the immediate locality, but there is an extensive and accessible foreshore reserve approximately 300 metres to the east. Although there is a strip of Crown land outside the property boundary there is no practical public access. The current proposal will not affect any existing public access to this strip of Crown land.

(c) *to ensure that new opportunities for public access to and along coastal foreshores are identified and realised to the extent that this is compatible with the natural attributes of the coastal foreshore, and*

There is no reasonable new opportunity for public access.

- (d) to protect and preserve Aboriginal cultural heritage, and Aboriginal places, values, customs, beliefs and traditional knowledge, and*

Archaeological survey did not identify any items of indigenous value on the site.

- (e) to ensure that the visual amenity of the coast is protected, and*

The proposal is consistent with the urban foreshore amenity of the locality.

- (f) to protect and preserve beach environments and beach amenity, and*

There is no beach involved.

- (g) to protect and preserve native coastal vegetation, and*

The proposal will not affect natural foreshore or coastal vegetation.

- (h) to protect and preserve the marine environment of New South Wales, and*

The proposal incorporates adequate environmental protections.

- (i) to protect and preserve rock platforms, and*

No rock platforms are involved.

- (j) to manage the coastal zone in accordance with the principles of ecologically sustainable development (within the meaning of section 6 (2) of the [Protection of the Environment Administration Act 1991](#)), and*

The proposal is generally consistent with the principles of ESD (see section 3 above).

- (k) to ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area, and*

The proposal is in accordance with an agreed built form outcome for the site.

- (l) to encourage a strategic approach to coastal management.*

Not applicable, this requirement relates to overall administration of the coastal zone not individual developments.

8 Matters for consideration

The matters for consideration are the following:

- (a) the aims of this Policy set out in clause 2,*

See above.

- (b) existing public access to and along the coastal foreshore for pedestrians or persons with a disability should be retained and, where possible, public access to and along the coastal foreshore for pedestrians or persons with a disability should be improved,*

There is no reasonable existing public access.

- (c) opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability,*

There is no reasonable current public access opportunity.

- (d) the suitability of development given its type, location and design and its relationship with the surrounding area,*

The proposal is consistent with strategic settings for the locality and with the built form of existing large buildings and proximity to Toukley town centre.

- (e) any detrimental impact that development may have on the amenity of the coastal foreshore, including any significant overshadowing of the coastal foreshore and any significant loss of views from a public place to the coastal foreshore,*

The proposal will not affect the amenity of the coastal foreshore and will not result in overshadowing. There are screened views of Lake Budgewoi from Toukley Gardens Park but they are only available because structures on the site have been demolished. The views are not significant. The views can only be obtained by going into garden bed areas and are through or over site fencing.

- (f) the scenic qualities of the New South Wales coast, and means to protect and improve these qualities,*

The proposal is within an urban area and so will have little effect on coastal scenic quality.

- (g) measures to conserve animals (within the meaning of the [Threatened Species Conservation Act 1995](#)) and plants (within the meaning of that Act), and their habitats,*

The site is over grown urban garden and contains no significant habitat features.

- (h) measures to conserve fish (within the meaning of Part 7A of the [Fisheries Management Act 1994](#)) and marine vegetation (within the meaning of that Part), and their habitats*

No effect on aquatic or marine habitat is likely as a result of the proposal.

- (i) existing wildlife corridors and the impact of development on these corridors,*

The site is not part of a corridor.

- (j) the likely impact of coastal processes and coastal hazards on development and any likely impacts of development on coastal processes and coastal hazards,*

The development will be largely unaffected by coastal processes and hazards and the proposal is unlikely to adversely affect processes or hazards. A separate assessment of these issues has been prepared ((see **Appendix M** of Environmental Assessment Report).

- (k) measures to reduce the potential for conflict between land-based and water-based coastal activities,*

No conflicts are likely. The adjoining lake is very shallow and there are no public boat ramps or the like to generate conflicts.

- (l) measures to protect the cultural places, values, customs, beliefs and traditional knowledge of Aboriginals,*

No measures are necessary as the site has no significant values.

- (m) likely impacts of development on the water quality of coastal waterbodies,*

No significant impact is likely. The site will be protected/managed during construction and being sewered and landscaped will have no ongoing effects. Stormwater will be managed via a treatment system.

- (n) the conservation and preservation of items of heritage, archaeological or historic significance,*

No items of significance have been identified on or near the site.

- (o) only in cases in which a council prepares a draft local environmental plan that applies to land to which this Policy applies, the means to encourage compact towns and cities,*

NA

- (p) only in cases in which a development application in relation to proposed development is determined:*

- (i) the cumulative impacts of the proposed development on the environment, and*

No significant unmanaged cumulative impacts are likely.

- (ii) measures to ensure that water and energy usage by the proposed development is efficient*

The proposal complies with SEPP Basix.

10.0 SEPP 55 – REMEDIATION OF LAND

The site has only been used for residential and tourism purposes. Former structures have been demolished and removed. One dwelling house and concrete footings and slabs remain on the site.

Geotechnical investigation suggests that no significant fill has occurred on the site. The site history does not include potentially contaminating land uses. No remediation is likely to be required on the site.

11.0 WYONG LEP 1991

Wyong LEP zones the site part Residential 2(a) which and part Residential 2(b). As dwelling houses are permitted in both zones SEPP Seniors Living development is permitted. The application of the SEPP means that the relevant zone objectives are subordinate to the aims of the SEPP. The relationship between the SEPP and the local instrument is discussed in the Height Assessment (see **Appendix Q** of Environmental Assessment Report) for the proposal.

The zones are as shown in **Attachment 1**.

Clause 19 LEP

The Council is required to take into consideration matters relating to Lake Budgewoi as follows:

- (a) the impact of that development on water quality and quantity, existing vegetation, fish, aquatic life and the location of the water body or watercourse, and*
- (b) any effects of the development on water supply, and*
- (c) whether the development is likely to cause detrimental effects on a watercourse or water body through erosion, sedimentation or the emission of pollutants, and*
- (d) whether the development incorporates best practice water sensitive urban design techniques.*

These requirements are addressed mostly under SEPP 71 above and are incorporated into the DGRs. Enquiries of Wyong Council have established that there is adequate capacity in the water supply for the proposal.

Clause 23 LEP

A 20 metres foreshore building line (FBL) applies to the site under the LEP. The line is shown on the zone map. The balconies of the proposal in some cases extend past the building line. Locally the building line is not achieved. Some nearby dwellings are located well with the foreshore area. The location of the FBL is shown in **Attachment 1**.

Council can approve other structures within the in foreshore area under the Clause. The walls of the proposed building are on the required set back of 20 metres. The distance to the foreshore from the wall of the building is some 25 to 27 metres.

The balconies of the proposed building extend into the 20 metre area. In the circumstances the non compliance is not considered significant because of the lack of public access to the foreshore area and the general non compliances in the locality. The building balconies will not have any affect on the public amenity or the public use of the foreshore area.

The foreshore residential dwellings to the east all have a setback in the order of 15 metres. Similarly the 4 storey WhiteSails to the west has a main building setback of 15m. Structures on the Beachcomber site range from around 2 metres (the tennis court fence) to shelters at about 6 metres.

Strict application of the building line is unnecessary because it will not have a discernable effect in the locality, and unreasonable because of the existing non compliances in the locality. Under Wyong DCP 99 variations to foreshore building lines are allowed on the grounds of "*matching and being sympathetic to the desirable character and placement of adjoining development*". The proposal achieves the DCP 99 criterion by being behind the foreshore setbacks achieved on adjoining land.

12.0 WYONG DCP CHAPTER 64 MULTIPLE DWELLING RESIDENTIAL DEVELOPMENT

The local controls for higher density development are specified in this document. The controls applying to the proposal under the DGRs are Chapter 64. Compliance with the provisions of the DCP are summarised in the compliance tables at the end of this report. Compliance is achieved except for minor variations on building setbacks. Chapter 99 also applies but defers to Chapter 64 for medium density development.

13.0 CENTRAL COAST REGIONAL STRATEGY 2008

In the overall strategic vision for the Central Coast, Toukley is identified as a town centre. The development site is within the proposed town centre core radius. The built form within the core radius is specified (in appendix A2 of the Strategy) as up to 6 storeys of low to mid rise living opportunities where appropriate. See Attachment 2.

The Regional Strategy identifies the proportion of the population over 65 increasing to around 24% over the next 25 years.

Key population challenges are identified as including:

Providing housing choice in appropriate locations, reflecting changing demographics and associated reduction in household sizes

Ensuring quality urban design and amenity that is sensitive and complementary to the character and lifestyle of the Region's centres

Focusing population growth to ensure efficient use of infrastructure including public transport

....and revitalising other town centres to attract both residential and business investment

The proposal is consistent with the anticipated built form and the key population challenges identified in the Strategy. The proposal is also consistent with the designation of Toukley as a town centre under the strategy.

14.0 DRAFT TOUKLEY PLANNING STRATEGY 2006

The strategy is not yet complete and it is expected that it will be updated to reflect the Regional Strategy 2008. The development site is within area identified for development of higher density and height.

Discussions with Wyong Council (and NSW Department of Planning) over the strategy have determined that the appropriate built form for the site is 3 storeys to Main Road and 4 storeys to Lake Budgewoi grading to 2 storeys at Rowland Terrace. These built form principles are consistent with the identified strategy for the site. An extract of the strategy is provided in Attachment 2.

15.0 NSW COASTAL POLICY

The Coastal Policy *"sets the context in providing for population growth and economic development at the same time protecting the natural, cultural, spiritual and heritage values of the coastal environment"*.

Overall the proposal is consistent with the policy in that it provides for coastal development without loss of coastal values.

Table 3 of the policy sets out criteria for assessing coastal development. Relevant considerations for this proposal are:

i) Overshadowing;

There are no overshadowing issues

ii) Height; and

The height is consistent with the built form principles negotiated for the site with Wyong Council and the NSW Department of Planning and the height of existing large buildings in the locality.

iii) Foreshore setbacks.

The foreshore setbacks exceed those of adjoining development and are addressed in more detail under the Wyong LEP 1991 heading.

16.0 NSW COASTAL DESIGN GUIDELINES

Under the guidelines Toukley is a coastal town. The guidelines identify development issues for coastal towns and preferred building and development design outcomes.

The guidelines suggest a general building height limit of 4 storeys in town centres and that new development be appropriate based on local built form (either present or future). The proposed design is consistent with the height limit and future built form.

Section 2.5 of the guidelines Appropriate Buildings for a Coastal Context sets out built form objectives for new development. There are 12 built form guidelines for all sites which all overlap with SEPP 65 and SEPP SL design requirements. These 12 guidelines are thus considered to be addressed.

The specific requirements for the proposal relate to sites in settlement centres adjacent to the coastal edge. The building will be consistent with the centres proposed and existing built form hierarchy. There will be no significant overshadowing of public open space. The site is not part of an important vista and is not in a view corridor. The ground floor on Main Rd is at street level reinforcing and creating edges to adjacent public spaces. The building is well articulated and sectioned. Parking is provided under the building.

The specific requirements of the Coastal Design Guidelines are met.

17.0 WYONG DCP CHAPTERS 64 AND 99

The DCP provides more detailed controls for development. Compliance with the controls is addressed in in the compliance tables at the end of this report.

18.0 COMPLIANCE WITH PLANNING CONTROLS

The proposed project is a self contained units development under SEPP Seniors Living. The proposal has been assessed for compliance with all relevant statutory planning controls.

The permissibility of the project has been established by the Minister in making a decision under Clause 6 of SEPP Major Projects. The assessment criteria for the project are established by the Director General's Requirements. The DGRS require consideration of all relevant planning controls.

Although the proposal is seniors living under a SEPP the proposal is also a residential flat building for the purposes of SEPP 65 and the applicable local controls.

Compliance issues

There are non compliance issues related to height under SEPP Seniors Living and with the Wyong Foreshore Building Line that applies to the site. There are also minor variations to boundary setbacks mainly by third floor balconies. The extent of these non compliances is as shown on Attachment 3.

The non compliances related to height arise from the agreed built form principles for the project. While the built form principles are consistent with the relevant strategic settings for the locality the local planning controls reflect past land use rather than the strategic settings for the locality. The statutory non compliances arise because of the location of a zone boundary through the centre of the site.

A detailed justification of the height of the proposal is provided as a separate report. SEPP 65 and SEPP SL design matters are dealt with in the design report (see Appendix D and Appendix Q of EAR).

The variation to the foreshore building line is not significant; the established building line for the locality is about 15 metres from the foreshore property boundary.

Conclusion

Overall the proposal is consistent with recent new development in the area and with the strategic direction for the area as set out in the Central Coast Regional Strategy and the draft Toukley Planning Strategy.

The permissibility of the proposal arises from SEPP SL. In the circumstances the local controls of Wyong LEP 1991 are subordinate to SEPP SL. The proposal is consistent with the aims of SEPP SL. There are however height non compliances under SEPP SL arising from the local instrument. The height of the proposal is consistent with built form principles developed for the site and a variation to the height controls of SEPP SL is sought on this basis. The height justification and variation request is provided separately.

The minor boundary setback non compliances are to the third and fourth storey setbacks and the foreshore building line.

There is a non compliance with the foreshore building line but the building is set well back compared to adjoining developments.

The site is in a foreshore location and is thus subject to the suite of controls over coastal development. The proposal meets all relevant coastal planning requirements.

The proposal is generally consistent with the applicable planning controls. While there are some minor non - compliances these do not result in any unacceptable consequences.

Compliance Tables

SEPP SL generally (more compliance detail is provided in Appendix D and Appendix Q of the EAR).

	Comply
Aims of Policy This Policy aims to encourage the provision of housing (including residential care facilities) that will: <ul style="list-style-type: none"> (a) increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and (b) make efficient use of existing infrastructure and services, and (c) be of good design. 	Yes Yes Yes
These aims will be achieved by: <ul style="list-style-type: none"> (a) setting aside local planning controls that would prevent the development of housing for seniors or people with a disability that meets the development criteria and standards specified in this Policy, and (b) setting out design principles that should be followed to achieve built form that responds to the characteristics of its site and form, and (c) ensuring that applicants provide support services for seniors or people with a disability for developments on land adjoining land zoned primarily for urban purposes. 	Yes Yes N/A urban zone
40 (1) Compliance with standards	N/A
40 (2) Minimum site size 1000 sqm - proposal 5288 sqm	Yes
40 (3) Site frontage 20m – proposal 48m	Yes
40(4)(a) Height (2(a) zone) 8m or less – proposal is up to 11 m in the 2(a) zone	Partial – variation sought to 8m height limit, see Height Assessment Report
40(4)(b) 2 storeys in 2(a) zone	Partial – variation to 2 storey rule sought

	see Height Assessment Report
40(4)(c) 1 storey rear 25% of site – proposal no building in rear 25%	N/A
41 Schedule 3 standards (these have been incorporated into the detail of the architectural design and are not individually addressed).	Yes

Wyong LEP 1991

<i>Control</i>	<i>Comply</i>
2(a) Zone objectives (generally 2 storeys)	Subordinate to aims of SEPP SL
2(b) Zone objectives (generally 2 storeys)	Subordinate to aims of SEPP SL
Clause 19 Development near lakes & rivers	Yes
Clause 23 Flood prone land (part site only)	Yes
Clause 31 Foreshore building line	Variation sought, balconies extend beyond the FBL but walls comply

Wyong DCP Chapter 64

As the proposal provides for a medium density building form, application of the relevant Wyong DCP controls is appropriate in the circumstances.

<i>Controls - Chapter 64 Multiple Dwelling Residential Development</i>	<i>Comply</i>
3 Context - Location /orientation, etc	Yes
4 Scale - Response to existing/desired future character	Yes
4.2 Height under current zones	See SEPP SL
4.2 Height in storeys to Main Rd under draft Toukley Strategy	Yes

4.2 Height under CC Regional Strategy - up to 6 storeys for town centre	Yes
4.3 Site cover of 25% soft landscaping	Yes
5.1 Design	Yes
5.2 Cut & fill	Yes
5.3.3 Building line to Main Rd - 7.5 metres	Minor variations on balconies
5.3.3 Building line side Required 1.5 metres for storeys 1 & 2 Required 4.5 metres for storeys 3 & 4	Yes Minor variations
5.3.3 Building line to rear - 20 m provided	Yes
5.4 Parking - doesn't comply with Council controls but complies with SEPP SL	Yes
5.5 Vehicle access	Yes
5.5 Basement parking provision	Yes
5.6 Pedestrian access	Yes
6.0 Density (as site is in a transition precinct, overall objective is consistency with "desired future density")	Yes
6.2 Development bonuses - applies to 2(d) and to lots over 1500sqm	N/A
7.1 Basix	Yes
7.2 Waste management	Yes
7.3 Stormwater	Yes
8 Landscape	Yes
9 Amenity	Yes
9 Communal space	Yes

9	Solar access	Yes
9	Privacy	Yes
9	View sharing	Yes
10	Safety & security	Yes

Wyong DCP Chapter 99 Building Lines

Chapter 99 defers to Chapter 64 for buildings greater than 2 storeys in height.

Under Wyong DCP 99 variations to foreshore building lines are allowed on the grounds of *"matching and being sympathetic to the desirable character and placement of adjoining development"*. The proposal achieves this by being behind the foreshore setbacks on adjoining land.

19.0 SCHEDULE OF APARTMENTS

Overall the project achieves a floor space ratio of 1:1.01 as measured in accordance with the Residential Flat Design Code. The full schedule of apartment floor areas is provided below.

Schedule of Apartment Areas

	Unit No.	Beds	Net Area		Balcony/Courtyard	
<i>Ground</i>	G.01	2	95.3	m ²	45.0	m ²
	G.02	2	95.5	m ²	45.0	m ²
	G.03	2	95.3	m ²	45.0	m ²
	G.04	2	100.5	m ²	45.0	m ²
			386.6	m ²		
<i>Level 1</i>	1.01	2	104.5	m ²	27.0	m ²
	1.02	2	95.3	m ²	27.0	m ²
	1.03	2	95.3	m ²	27.0	m ²
	1.04	2	95.5	m ²	27.0	m ²
	1.05	2	95.3	m ²	27.0	m ²
	1.06	2	100.5	m ²	27.0	m ²
	1.07	2	95.2	m ²	25.4	m ²
	1.08	2	97.4	m ²	32.5	m ²
	1.09	2 + St	130.7	m ²	48.9	m ²
			909.7	m ²		

Level 2	2.01	1	72.5	m ²	43.3	m ²
	2.02	2	95.7	m ²	69.9	m ²
	2.03	2	100.5	m ²	74.9	m ²
	2.04	2	94.6	m ²	60.2	m ²
	2.05	1	64.0	m ²	49.6	m ²
	2.06	1	95.7	m ²	67.1	m ²
	2.07	2	104.1	m ²	31.2	m ²
	2.08	2	95.3	m ²	27.0	m ²
	2.09	2	95.3	m ²	27.0	m ²
	2.10	2	95.5	m ²	27.0	m ²
	2.11	2	95.3	m ²	27.0	m ²
	2.12	2	100.5	m ²	27.0	m ²
	2.13	2	95.2	m ²	25.4	m ²
	2.14	2	97.4	m ²	32.5	m ²
	2.15	2 + St	148.0	m ²	26.1	m ²
			1449.6	m ²		

Unit No.	Beds	Net Area	Balcony/Courtyard
----------	------	----------	-------------------

Level 3	3.01	1	64.0	m ²	18.4	m ²
	3.02	2	95.7	m ²	25.5	m ²
	3.03	2	98.8	m ²	50.1	m ²
	3.04	2	95.7	m ²	22.2	m ²
	3.05	2	109.4	m ²	53.0	m ²
	3.06	2	95.7	m ²	25.5	m ²
	3.07	2	95.7	m ²	25.5	m ²
	3.08	2	104.0	m ²	27.0	m ²
	3.09	2	95.3	m ²	27.0	m ²
	3.10	2	95.5	m ²	27.0	m ²
	3.11	2	95.3	m ²	27.0	m ²
	3.12	2	95.0	m ²	27.0	m ²
	3.13	2	100.0	m ²	27.0	m ²
	3.14	2 + St	127.5	m ²	69.8	m ²
	3.15	2 + St	127.5	m ²	56.1	m ²
			1495.1	m ²		

Level 4	4.01	1	64.0	m ²	18.4	m ²
	4.02	2	95.7	m ²	25.5	m ²
	4.03	2	98.8	m ²	50.1	m ²
	4.04	2	95.7	m ²	22.2	m ²
	4.05	2	109.4	m ²	53.0	m ²
	4.06	2	95.7	m ²	25.5	m ²
	4.07	2	95.7	m ²	25.5	m ²
	4.08	2	104.0	m ²	27.0	m ²
	4.09	2	95.3	m ²	27.0	m ²
	4.10	2 + St	125.5	m ²	70.4	m ²
			979.8	m ²		

Net Total	5220.8	m ²
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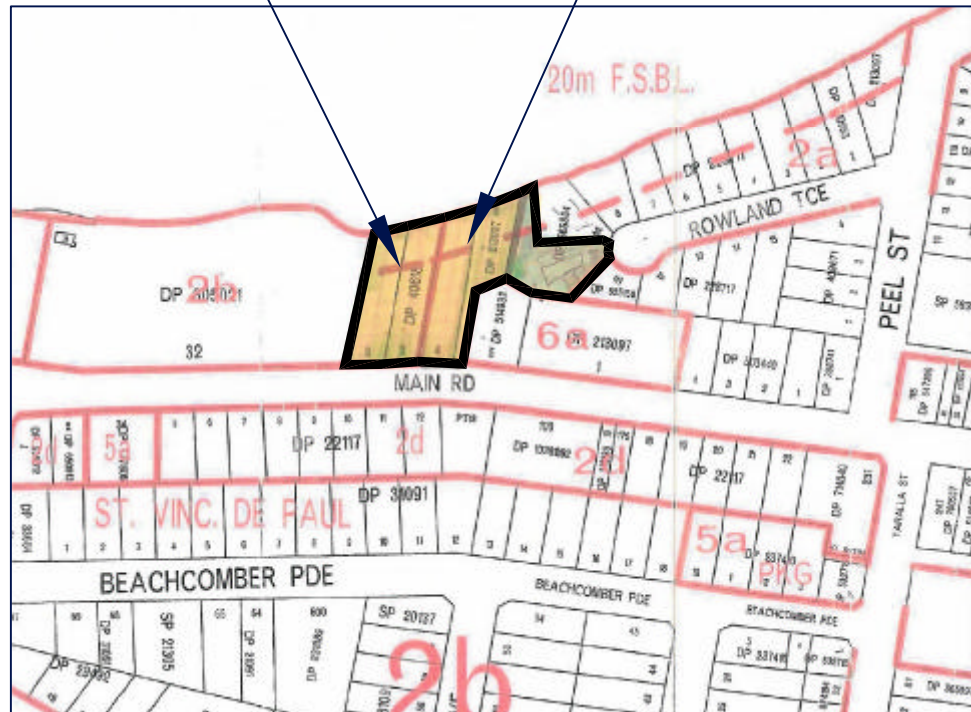
Summary table

level	apartments	1 bedroom	2 bedroom	2 bedroom + study
ground	4	-	4	-
1	9	-	8	1
2	15	3	11	1
3	15	1	12	2
4	10	1	8	1
total	53	5	43	5

ATTACHMENT 1 CURRENT PLANNING & DEVELOPMENT

2(a) & 2(b) Zone

Generally 2 Storeys



Wyong LEP Current Zones & Height Limits

White Sails
4 Storeys to Lake
(Residential)

Beachcomber
4 Storeys to Lake
(Commercial)

Subject Site



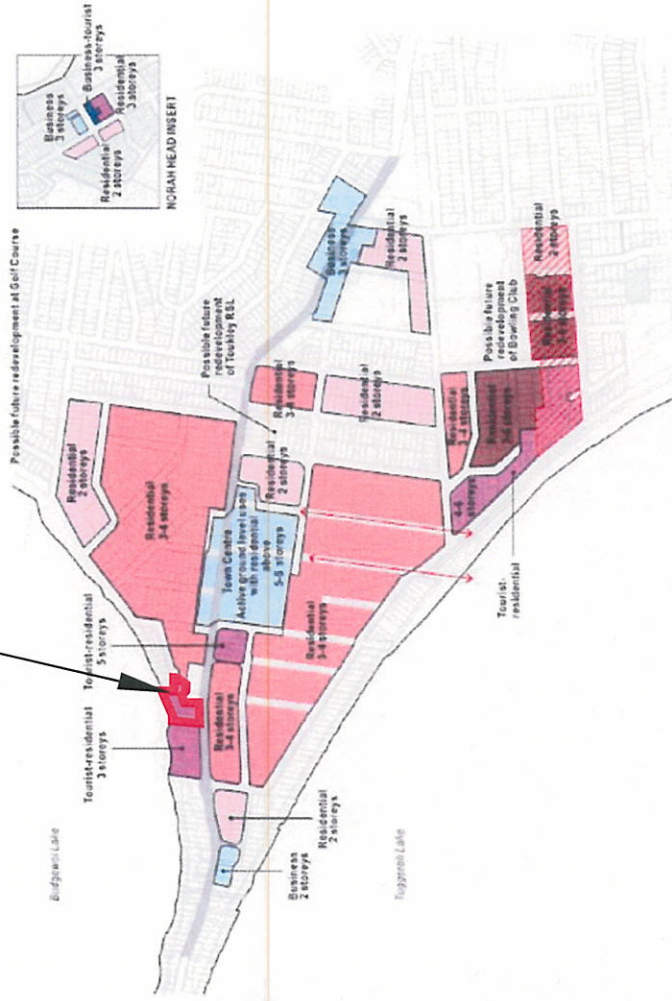
Current Development

222 Main Road, Toukley Current Planning & Context

n:\36418\dwg\36418plan-1b

ATTACHMENT 2 - FUTURE PLANNING CONTROLS

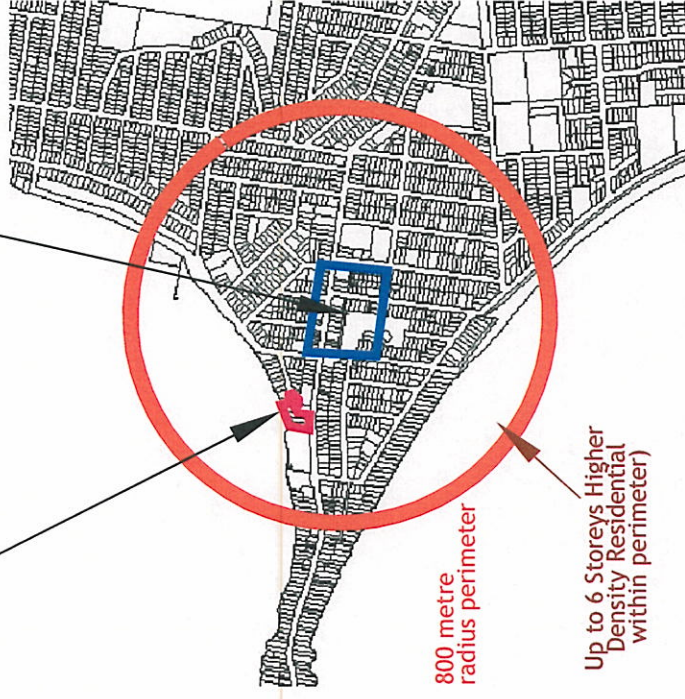
Proposed
3 Storeys to
Main Rd.



Draft Toukley Planning Strategy

Mixed Use around
Commercial Core

Toukley Town
Centre



800 metre
radius perimeter

Up to 6 Storeys Higher
Density Residential
within perimeter

Central Coast Regional
Strategy 2006-2031
(Appendix 2)

222 Main Road, Toukley Future Planning & Context

n:\36418\dwg\36418plan-2a

ATTACHMENT 3 - NON COMPLIANCES PLANS

Plan of: SET BACK NON-COMPLIANCES
WYONG PLANNING CONTROLS

Location: MAIN ROAD
TOUKLEY

Council: WYONG

Datum: AHD
Origin: PM 17507*
Projection: MGA (approx)
Origin: DCDB
North Direction: Grid
Contour Interval: 0.5m

Date: 30th March 2009
Sheet: 2
Plan by: MS
Project Manager: I.McN
Office: Hunter
Plan Purpose: DA

Version: A (30th March 200*)
Client:
Survey:
AutoCad: N:\36418da-1a.dwg
Our Ref: 36418

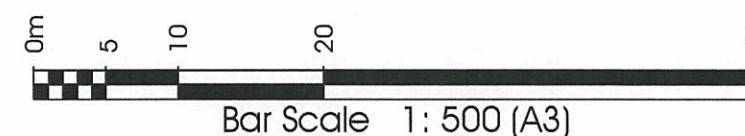


- SITE BOUNDARY
- PROPOSED BUILDING FOOTPRINT
- NON-COMPLIANCE-
BOUNDARY SETBACK
- NON-COMPLIANCE SETBACK -
FORESHORE BUILDING LINE

NOTES
Side boundary set back non-compliance is 3rd & 4th storeys only and applies mostly to balcony areas.

Ver.	Date	Comment
A	1/4/2009	First draft

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Plan of: SEPP SL
HEIGHT NON-COMPLIANCES

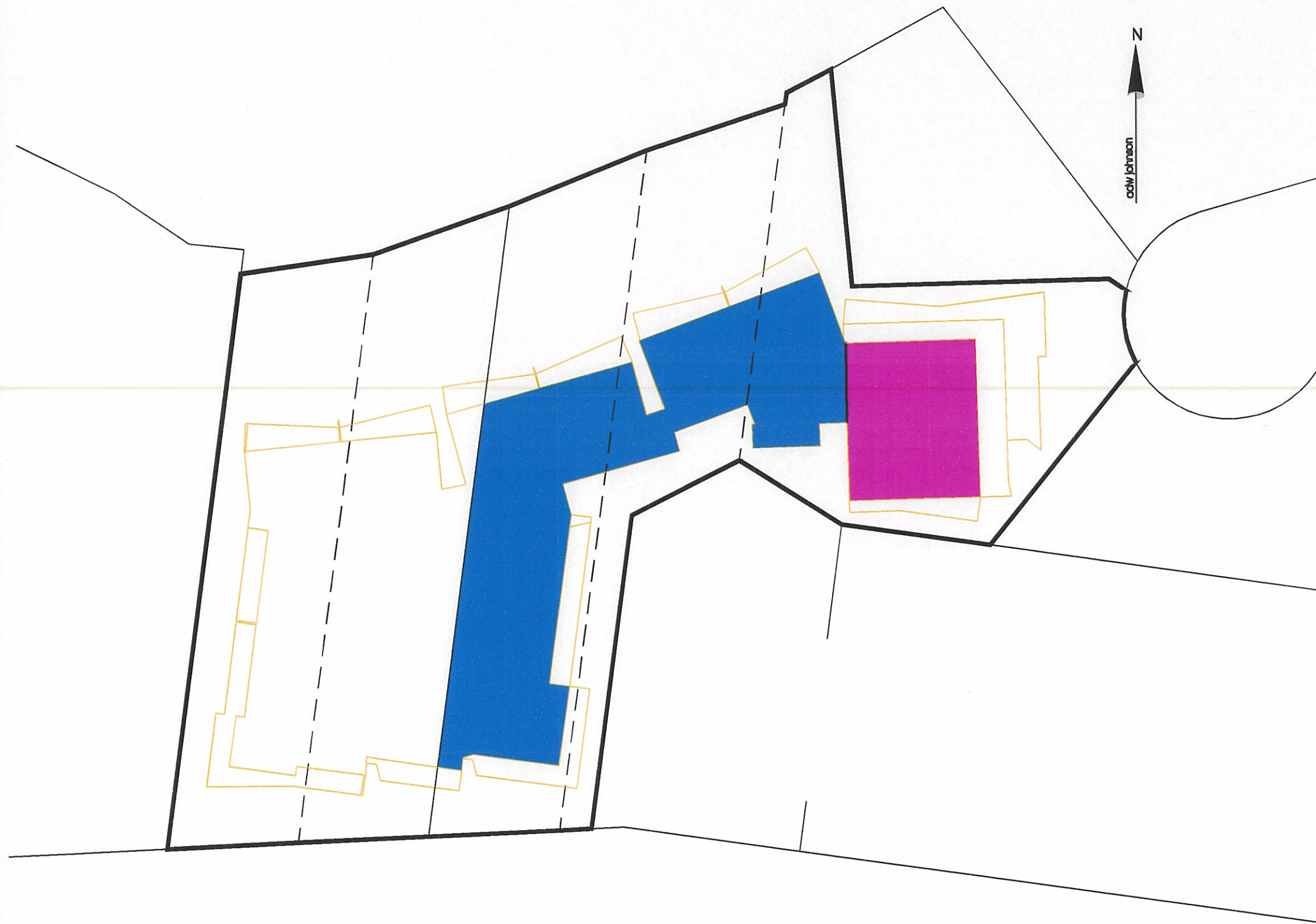
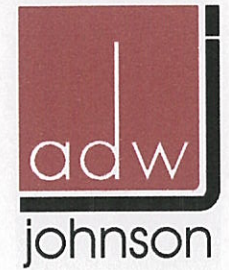
Location: MAIN ROAD
TOUKLEY





Council: WYONG

Datum: AHD
Origin: PM 17507
Projection: MGA (approx)
Origin: DCDB
North Direction: Grid
Contour Interval: 0.5m

Date: 30th March 2009
Sheet: 1
Plan by: MS
Project Manager: I.McN
Office: Hunter
Plan Purpose: EA

Version: A (30th March 2009)
Client:
Survey:
AutoCad: N:\36418da-1a.dwg
Our Ref: 36418

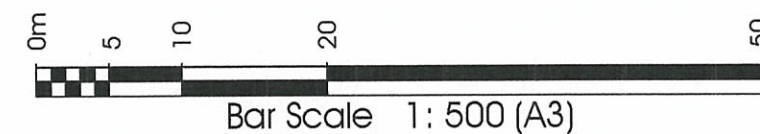


-  SITE BOUNDARY
-  PROPOSED BUILDING OUTLINE
-  8m HEIGHT LIMIT SEPP SL
NON-COMPLIANCE
-  MORE THAN 2 STOREYS NON-COMPLIANCE.

NOTE:
Height is measured under SEPP SL from
existing ground level to upper most ceiling.

A	1/4/2009	First draft
Ver.	Date	Comment

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Appendix Q

Building Height Assessment