



Park Beach



Development Control Plan



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PART 1 - THE PLAN

PREAMBLE

- This Development Control Plan (DCP) applies to multi-unit housing and tourist accommodation development (such as motels, etc) on land at Park Beach. The DCP applies to the land shown in the Masterplan on page 3 of this DCP.
- This Plan came into force on 1 February 2003 and repeals the following DCPs only for development proposals:
 - Notification
 - Signs
 - Off Street Car Parking
 - Park Beach.
- This Plan was amended on 21 June 2006.
- This Plan was further amended on 7 February 2008.

Note:

The provisions of the DCPs cited above are repealed only by applications for development in the lands to which this plan applies.

OBJECTIVES

The controls in this DCP seek to encourage tourist and multi-unit residential developments which:

- are responsive to the site's visual, environmental and cultural characteristics;
- are in accordance with the Masterplan for the area; and
- 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.

Note:

Proponents of development shall engage a professional design consultant to prepare proposals for tourist and multi-unit housing development.

Applicants need to consider the provisions of State Environmental Planning Policy (SEPP) No 71 (Coastal Protection), SEPP No. 65 (Design Quality of Residential Flat Development) and SEPP (Major Projects) when proposing residential developments as defined by that policy.

Applicants also need to consider the compliance requirements of the Building Sustainability Index (BASIX). Refer to page 18 of this DCP.

HOW TO USE THIS DCP

The DCP is divided into four parts:

- **Part 1 - The Plan;** introduction;
- **Part 2 – Masterplan;** sets out the overall strategy for the area; and
- **Part 3 - Planning Controls;** details the specific controls for development of lands to which this DCP applies.

This DCP contains the general controls applying to all residential and tourist accommodation development. Reference must also be made to appropriate precinct controls.

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

To lodge a development application, applicants shall follow the step-by-step process shown in the procedures flow chart (refer page 2).

PROCEDURES FLOW CHART

Step 1

Review all relevant Council Plans, Policies and Information Sheets including Acid Sulfate Soils, Koala Habitat and Flood Prone Lands

**Step 2**

Undertake site analysis (including lot consolidation layout – refer to Precinct Controls)

**Step 3**

Prepare draft proposal (refer to Masterplan)

**Step 4**

Discuss the draft proposal with Council staff

**Step 5**

Check the proposal meets the general controls in this DCP, any specific matters in the relevant Precinct Controls and is consistent with the Masterplan. Refer to SEPP 71, SEPP 65, check BASIX requirements (page 18)

**Step 6**

Check environmental constraints maps for flood prone land

**Step 7**

Consult with adjoining land owners – consider their opinions on the proposal

**Step 8**

Consult with Council's Technical Liaison Committee if appropriate

**Step 9**

Prepare plans/report, obtain BASIX compliance certificate

**Step 10**

Lodge development application with Council, Council will notify and exhibit plans in accordance with this DCP and/or State Government Planning Requirements



Where approval granted

**Step 11**

Commence work in accordance with the conditions of approval

PARK BEACH

VISION

Park Beach will be a relaxed, holiday precinct that provides for a mix of uses such as permanent accommodation, and tourist facilities which will create a unique destination for residents and visitors.

OBJECTIVE

To provide an overall plan for Park Beach which enables a harmonious combination of public and private development, with a view to facilitate local employment, social benefits and preservation of the coastal environment.

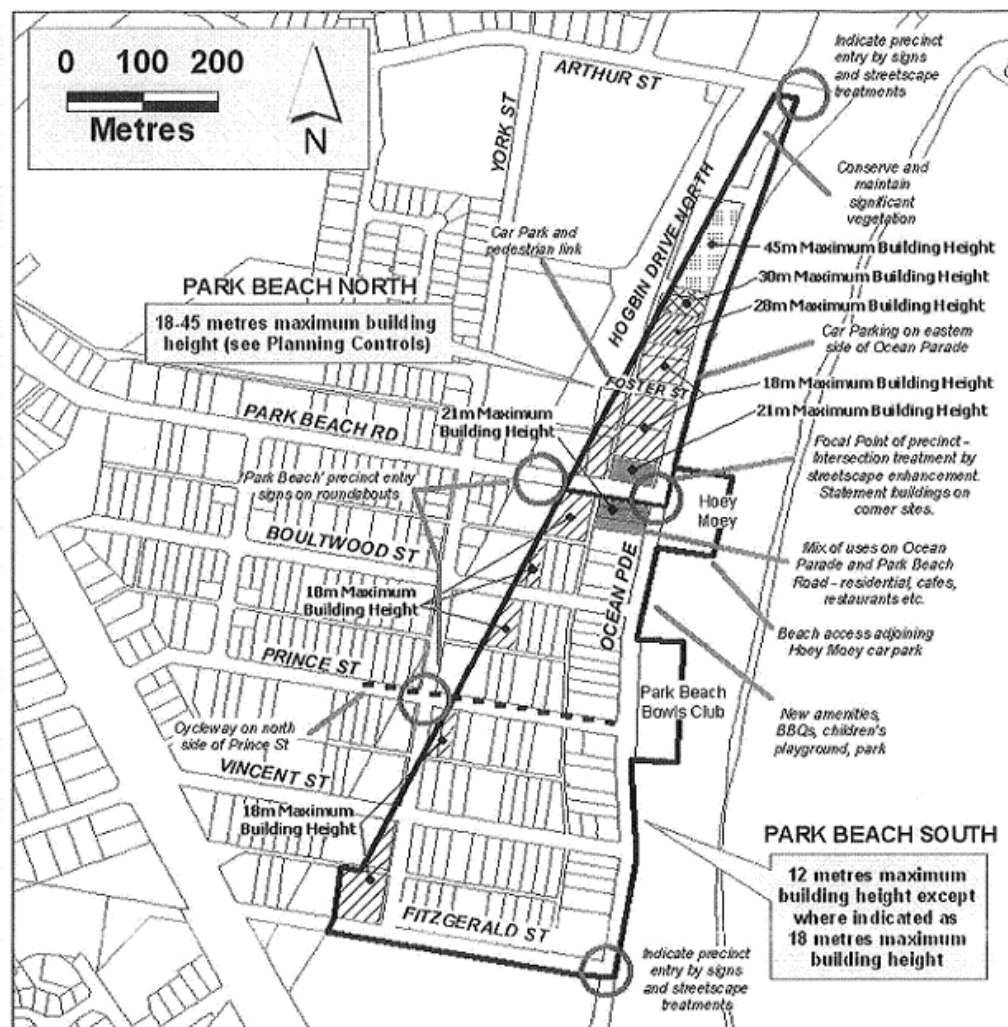
SPECIFIC STRATEGIES

Economic Sustainability

- Stimulate high quality public and private development.
- Support tourist facilities in the area such as cafes and restaurants which provide stimulus to economic growth and job creation.
- Provide active direction for the redevelopment of Park Beach by providing guidelines which support tourist and residential accommodation; upgrading of existing buildings; and development of vacant land.

Social Sustainability

- Provide and maintain pedestrian and bicycle access to and through open space areas and Park Beach.
- Encourage appropriate commercial enterprises (e.g. cafes and restaurants).
- Enhance street car parking facilities.
- Enhance the local streetscape and improve social amenity through tree planting and green space links.
- The provision for higher quality public and private development will lead to a better public domain in the Park Beach area.
- Provide convenient links to primary nodes such as the Jetty Area and Park Beach Plaza.
- Provide green space links between open space areas and Park Beach.

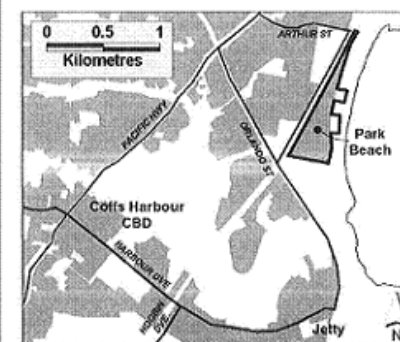


PART 2: MASTERPLAN

SPECIFIC STRATEGIES

Environmental Sustainability

- Protect and maintain significant or native vegetation.
- Ensure that the environmental values of the Solitary Islands Marine Park are recognised and protected.
- Ensure that the natural setting and local flora and fauna habitat is not adversely affected.
- Maintain regionally significant vegetation and minimise bushfire risk.
- Encourage use of pedestrian facilities and cycleways where possible by providing links to shops, parks, the beach and community facilities.
- Require on-site soil and water management practices to minimise soil erosion and maintain water quality.
- Ensure that incorporation of Water Sensitive Urban Design in accordance with Council's adopted policy.



PART 3 - PLANNING CONTROLS

SITE ANALYSIS

All applicants are required to submit a site analysis drawing at a scale of 1:200 or larger with their application which includes:

- site dimensions (length, width);
- spot levels or contours;
- north point;
- natural drainage;
- any contaminated soils 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 measures;

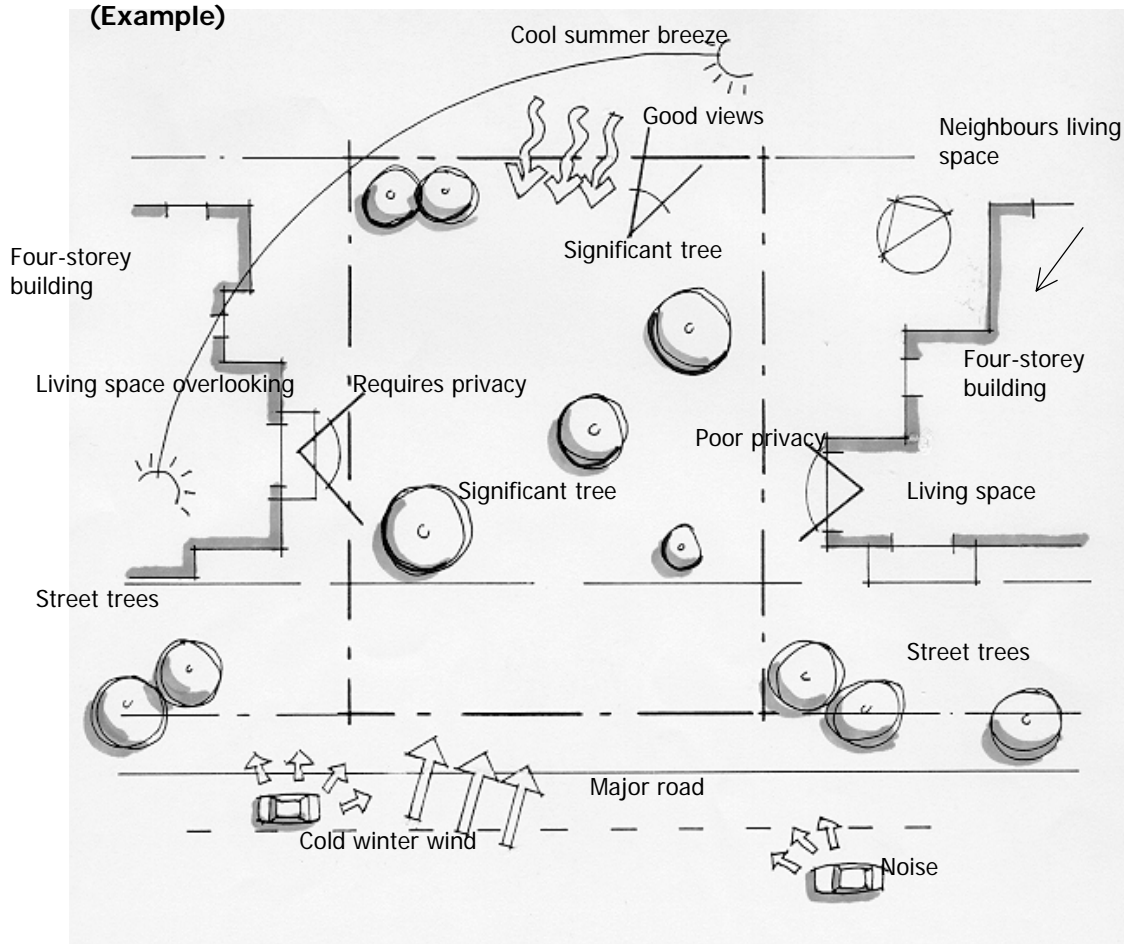
- elevations of adjoining buildings and the streetscape;
- method of calculation for shadows cast at mid-summer and mid-winter at 9.00am, 12.00 noon, 3.00pm and 6.30pm (daylight savings time);
- consideration of overshadowing on public open space and adjoining properties;
- courtyards;
- existing car parking;
- service vehicle access; and
- street address.

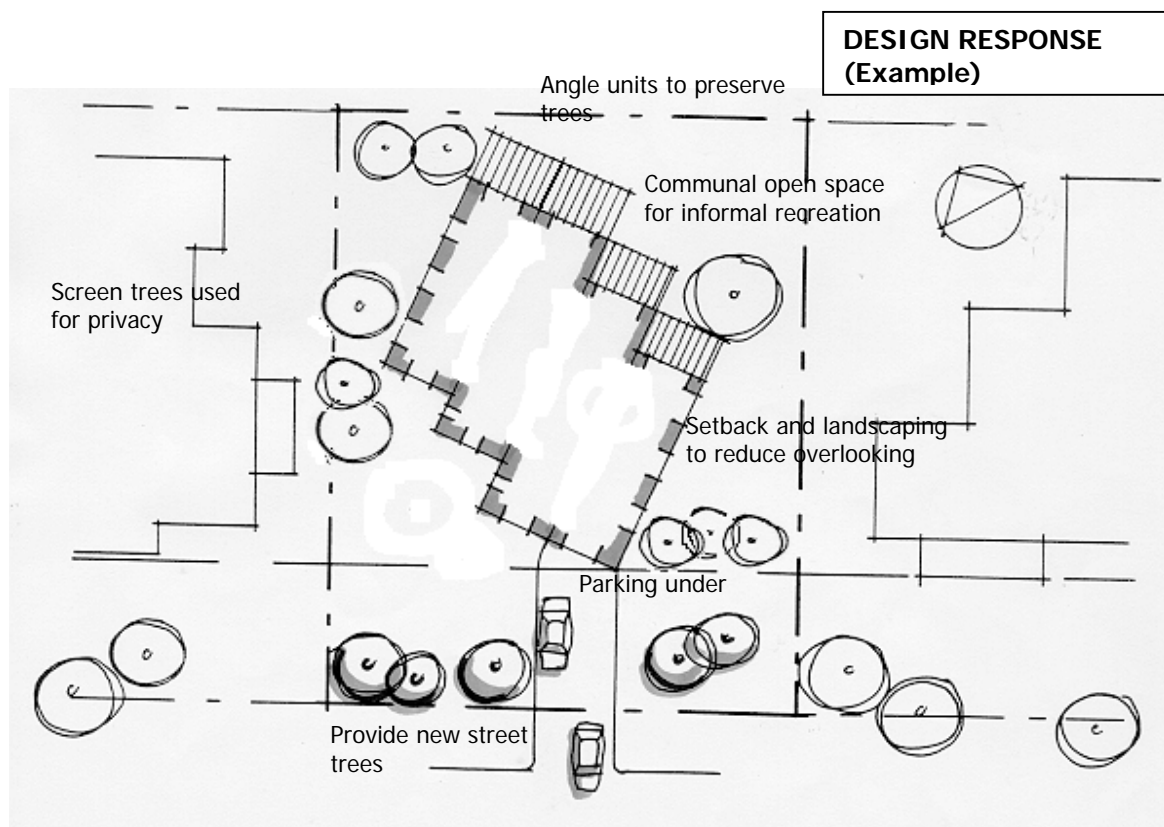
All applicants are to demonstrate that these factors have been considered in the design of the development.

Note:

Applicants are to comply with the provisions of State Environmental Planning Policy (SEPP) No. 65 – Design Quality of Residential Flat Development, which requires the involvement of a qualified designer throughout the design, approval and construction stages.

SITE ANALYSIS (Example)





DENSITY

Development proposals are to meet the following densities:

Unit Size (GFA)	Min. Site (land) Area required per unit
Motel/Tourist Accommodation (<50m ²)	40m ²
Small residential dwelling (<55m ²)	50m ²
Medium residential dwelling (55-70m ²)	60m ²
Large residential dwelling (>70m ²)	80m ²
NB: Motel/Tourist accommodation >50m² must comply with residential provisions	

- Proposals which involve a mix of dwelling sizes will be determined on merit, consistent with the maximum allowable height limit which applies to the site.

Note:
Gross Floor Area (GFA) – building area within outer face of external walls excluding car parking areas and balconies.

- The consolidation of allotments may be necessary to meet these densities.
- Real property subdivisions creating smaller allotments are considered to be inconsistent with this DCP and will not be supported.

SETBACKS

Building setbacks serve as a means of protecting public amenity and form part of the character of the streetscape of the area. They may provide:

- landscape and visual settings for buildings;
- noise attenuation;
- privacy from the street;
- buffer to activities on the street;
- definition between public and private domain; and
- areas for solar access to buildings.

The setback guidelines can be found in the precinct controls on pages 25, 32 and 33 of this DCP.

DESIGN

- Architecture is to be of contemporary coastal form incorporating well-articulated facades, traditional coastal finish materials (timber paneling / screening, steel and glazing) in colours consistent with the coastal character of the locality. Large expanses of any single material are to be avoided.
- Roofing will be of lightweight materials with substantial roof overhangs for shade to upper storeys and to reflect coastal character.
- Articulate the primary elements of a building into a clear base, middle and top (or sculptured roof element).
- Buildings are to fit within a landscape setting that wherever possible incorporates large trees in street front setbacks.
- Buildings are to address and overlook the street. Street front cafes and restaurants are to incorporate outdoor eating areas at street level or close to street level. Boundary walls to street boundaries are discouraged. Pedestrian entrances to buildings are to be clear and legible.
- Building facades are to be articulated to avoid a perception of continual wall plane lengths in excess of 30 metres.
- Balcony enclosures will only be permitted where the overall design of the façade is not adversely affected and where they exist as a non-fixed measure, e.g. shutters, blinds, shutter doors, shade sails, etc.
- Special emphasis shall be given to the design of buildings on corner allotments including consideration of the following:
 - how the building addresses its neighbouring buildings, open space, dual frontage;
 - a design element (horizontal) that highlights and includes the corner of the building is to be promoted; and
 - design measures to break up the building form.



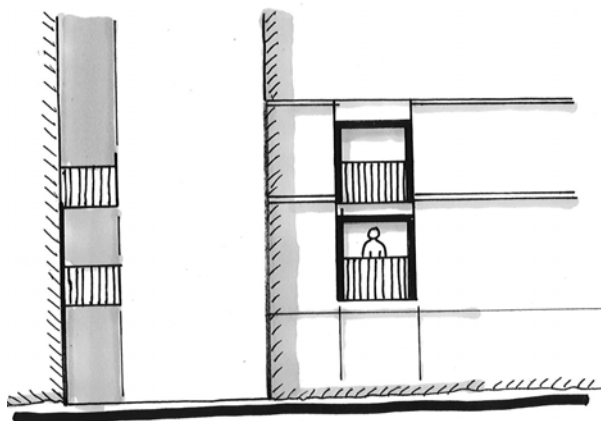
Buildings are to address and overlook the street. Landscaping and trees can enhance the character of the building.

- Buildings are to be designed to take advantage of views without significantly compromising the views from surrounding buildings, in particular residential buildings.

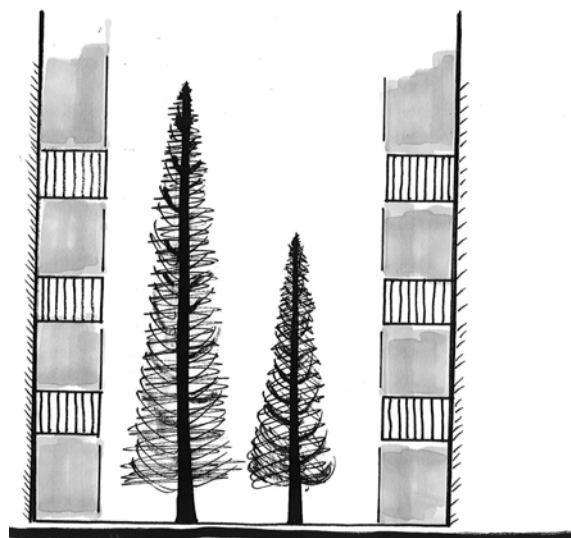
PRIVACY

Visual privacy for adjoining properties and within development projects shall be achieved by:

- providing screening by way of walls, fences, awnings or landscape planting to prevent overlooking;
- staggering windows where possible;
- maintaining separation distances between the buildings of:
 - six metres between rooms which are not the main living areas e.g. bathroom;
 - nine metres between rooms which are used frequently but not main living areas e.g. kitchen; and
 - 12 metres 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 a foyer, lobby or similar) overlooking private open space, screens and pergolas.



Careful location and screening of balconies can increase privacy and separation between dwellings



Use vegetation and landscaping to provide separation between dwellings and privacy

NOISE MITIGATION

Developments adjacent to Hogbin Drive North are to consider potential traffic noise and vibration impacts, particularly those parts of buildings on lots which adjoin Hogbin Drive North.

VEHICLE AND PARKING ACCESS

DESIGN AND SAFETY

Car parking areas will be constructed to an all weather hard stand surface and be graded and drained to Council's stormwater system.

Motorists shall easily be able to locate the car parking area. Parking spaces are to be clearly marked and signposted. Vehicles shall be able to enter and leave the site in a forward direction where a development has access along a main route, or a battle-axe site.

All car parking and manoeuvring areas are to be located on the development site and be clear of the footpath and verge.

LANDSCAPING

Proposals for parking areas are to be accompanied by a landscape plan illustrating means to soften the visual impact of any structure and parked cars.

Car parks for developments in residential areas are not to occupy the entire front of the allotment. Landscaping is required at least around the boundary of the car park. The use of grass swales to capture pollutants is to be considered (see diagram on page 9).



Maintain the dominance of trees over buildings in the Ocean Parade and Park Beach Road streetscapes

PARKING SPACES

The number of parking spaces required for different land uses are to be provided on-site in accordance with the schedules on pages 10 and 11 of this DCP.

Parking spaces are to be designed in accordance with Australian Standard 2890.1 and 2890.2. The diagram on page 9 provides a guideline for designing parking areas.

Car parking for people with disabilities shall be provided for proposals for business activities, motels and other developments where public access to the building is required. Parking spaces for people with disabilities are to have a minimum dimension of 5.4 metres by 3.2 metres and located as close as practicable to the main entrance of the building.

The minimum vertical clearance for parking areas is 2.3 metres.

VISITOR/OVERFLOW CAR PARKING REQUIREMENTS FOR ALL RESIDENTIAL DEVELOPMENT

Visitor/overflow car parking is to be provided at a rate of one space per every five dwellings or part thereof.

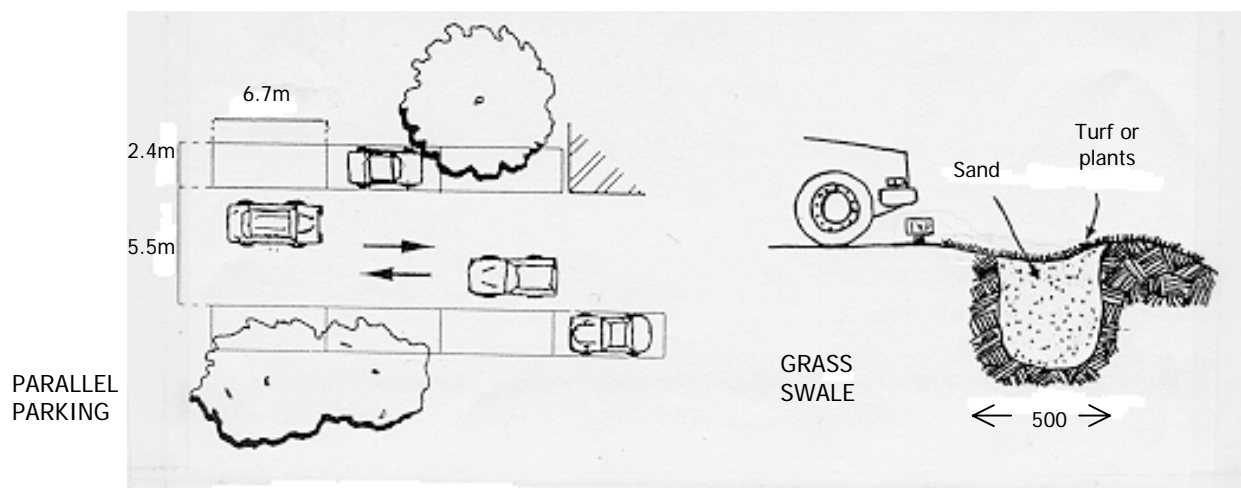
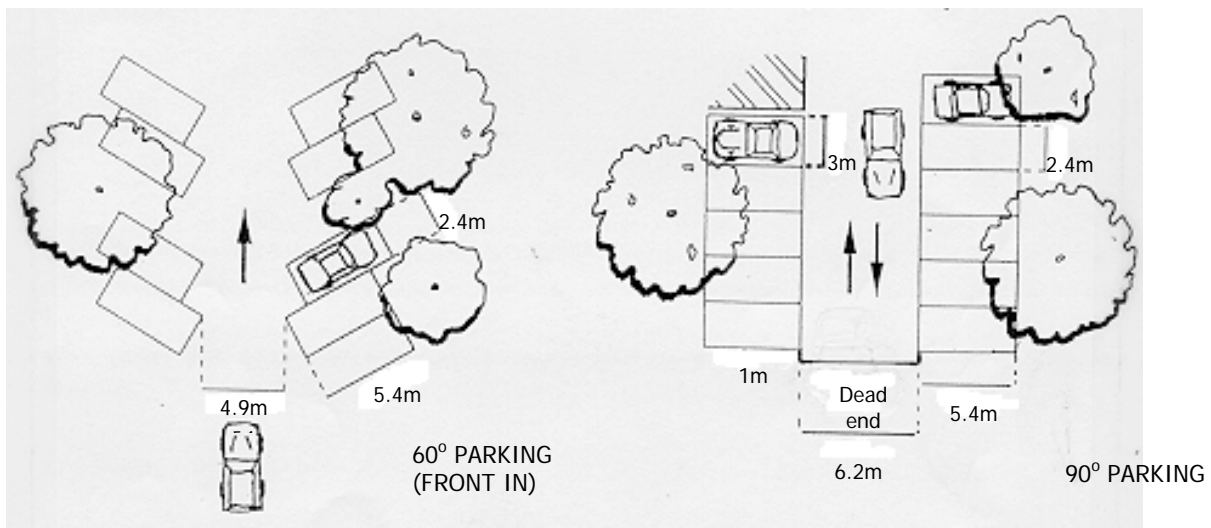
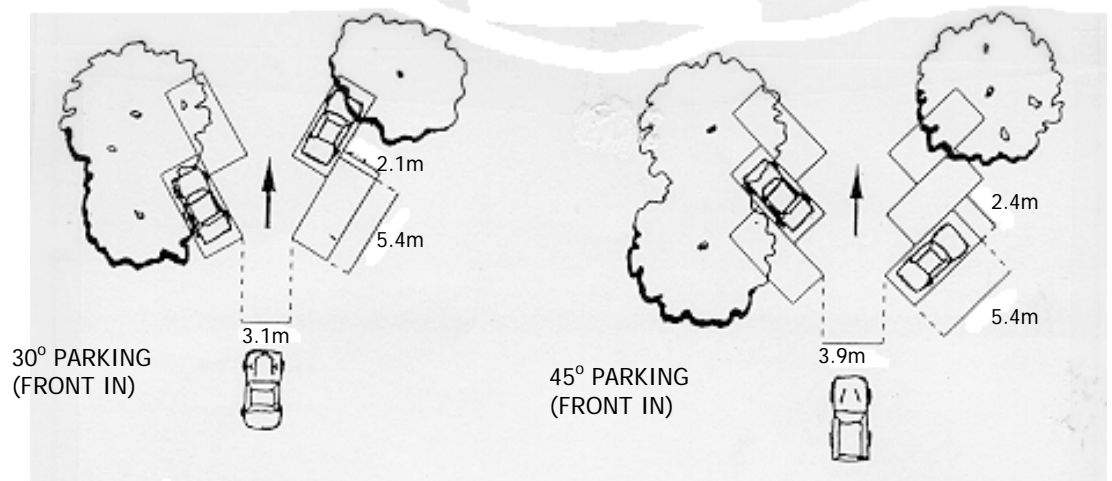
Visitor/overflow car parking is to be provided within the development site. Visitor/overflow parking is to be behind the front setback and freely accessible at all times.

Visitor/overflow car parking where proposed must be clearly detailed in the development documentation.

SITE SPECIFIC REQUIREMENTS

Mixed-Use Developments on Ocean Parade

- Mixed-use development proposals involving allotments with frontage to Ocean Parade requires the applicant to contribute to the cost of on-street parking in Ocean Parade, Park Beach Road or Foster Street (see Masterplan). This provision only applies to the café/restaurant/general store component of the development. All resident and staff parking must be provided on-site.
- Mixed-use developments in all other streets must comply with the off-street car parking requirements of this DCP.



LAND USE	PARKING REQUIREMENTS
RESIDENTIAL	
Dwellings <ul style="list-style-type: none"> • Small ($\leq 100\text{m}^2$ GFA) • Large ($> 100\text{m}^2$ GFA) Housing for Aged and Disabled Persons SEPP (Seniors Living) provisions. <ul style="list-style-type: none"> • Self Contained Units • Hostels 	1 space (behind building line) 2 spaces (at least 1 space behind building line) PUBLIC 1 space per 5 units PRIVATE 0.5 spaces per small unit ($< 55\text{m}^2$) 0.85 spaces per medium unit ($55 - < 85\text{m}^2$) 1 space per large unit ($> 85\text{m}^2$) PUBLIC OR PRIVATE 1 space per 10 beds + 1 space per 2 employees + 1 space per ambulance
COMMERCIAL AND RETAIL	
Service Stations and convenience stores	Requirements are additive: 6 spaces per work bay 1 space per 20m^2 GFA of convenience store <i>If restaurant present, then greater of:</i> 1 space per 6.6m^2 GFA, or 1 space per 3 seats)
REFRESHMENTS	
Restaurants	For new development sites: 1 space per 6.6m^2 GFA For change of use of existing premises: 1 space per 23m^2 GFA
Clubs	Subject to Parking Study (see Note 4)
RECREATIONAL AND TOURIST FACILITIES	
Recreational facilities <ul style="list-style-type: none"> • Squash courts • Tennis courts • Bowling alleys • Bowling greens • Gymnasiums 	3 spaces per court 3 spaces per court 3 spaces per alley 30 spaces for first green + 15 spaces for each additional green Regional centres 1 space per 33m^2 GFA Sub-regional centres 1 space per 22.2m^2 GFA (minimum)

LAND USE	PARKING REQUIREMENTS
RECREATIONAL AND TOURIST FACILITIES	
Tourist facilities <ul style="list-style-type: none"> • Motels • Hotels • Caravan parks 	<p>1 space per unit + 1 space per 2 employees <i>If restaurant included then add the greater of:</i> 1 space per 13.2m² GFA of restaurant/function room, or 1 space per 6 seats + 1 space for managers residence</p> <p>Subject to parking study (see Note 4)</p> <p>1 space per caravan and tent site + 1 visitor space per 10 long term sites and 1 per 20 short term sites 1 visitor space per 40 tent sites A minimum of 4 visitor spaces must be provided in any caravan park</p>
HEALTH AND COMMUNITY SERVICES	
Child care centres	<p>1 space per staff member + the provision of a safe set-down and pick-up area of 1 space per 10 children, with a minimum of 2 spaces</p>
OTHER	
Other developments not specified	Subject to Parking Study (see Note 4)

Note:

1. Depending on land use type, parking for delivery/service vehicles, courier vehicles, bicycles, buses, taxis is to be provided.
2. For mixed developments the number of car parking spaces will be calculated on the basis of each separate use eg shops with housing above would be calculated on the basis of the number of dwellings and gross floor area.
3. Calculations will be rounded up to the nearest whole number eg if the calculation determines that 2.3 spaces are required then three spaces would be required.
4. Where developments are subject to a parking study, the applicant will be required to undertake a parking study of a similar type of development in a similar location to determine the number of parking spaces required for the proposed development. Parking studies must be undertaken by a suitably qualified professional.
5. GFA – Gross Floor Area – see appendix for definition.

- Suitable service vehicle access shall be provided for mixed use developments.
- 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 will be as close as is practical to the building.
- Enclosed car parking facilities must be provided with adequate ventilation complying with the relevant Australian Standard. Natural ventilation systems are recommended where possible.
- Tandem or stacked parking is not permitted.

Access

Access to parking areas is to be designed to minimise conflict between pedestrians, cyclists and traffic. Council may require road or traffic management works to ensure safe access to parking areas. Where developments front a busy road, access to rear lanes (if available) will be provided.

For additional information on car parking provisions, please refer to the Off Street Car Parking DCP.

Driveways

- Vehicle crossings (driveways from kerb to boundary) are to be constructed of concrete. These shall be limited to one per development and be 4.5 to 6.0 metres wide to cater for two-way traffic.
- There may be instances where a maximum of two driveways may be allowed. This only applies if, in the opinion of Council, traffic conditions, on-street parking, landscaping treatments, use of the building and pedestrian safety considerations are met.
- Driveway widths are to be as follows:
 - one-way driveway width minimum 3.2 metres – maximum 3.6 metres;
 - two-way driveway width minimum 4.5 metres – maximum 6.0 metres.
- Prior to construction, a vehicle crossing application is to be submitted and approved by Council.
- Details of any rear lane access are to be submitted as part of the Development Application for consideration by Council. Upgrading of the rear lane to Council's standard will be at the developers cost.

Note:

A road-opening permit must be obtained from Council prior to carrying out works on Council property.

OPEN SPACE AND LANDSCAPING

All development proposals are to be accompanied by a landscaping plan prepared by a qualified landscape architect.

The plan shall show the precise location of existing trees, proposed gardens, lawns, paving areas and an indication of trees proposed to be removed, retained or relocated.

For development up to 18 metres in height, trees of a similar height will be planted in the front setback area. For buildings over 18 metres in height, these trees will attain a height of at least 18 metres. Approximate required locations of these trees are shown in the precinct Masterplans on pages 22 and 26.

A mixture of local endemic and exotic species shall be used.

Refer to Council's Landscape Information Sheet for landscape planting and species selection.

Where windows and balconies overlook each other, trees and shrubs shall be used to provide screening. Trees shall be planted to allow for full development of the tree.

Applicants shall provide street trees if required by Council to do so, using species recommended by Council.



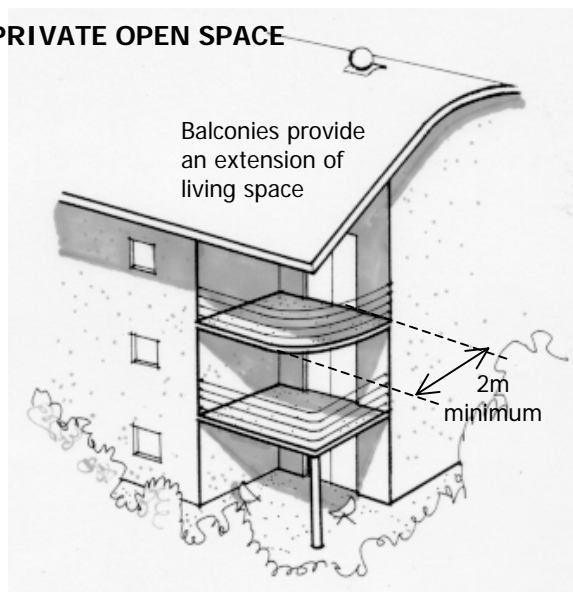
Large trees in proximity to tall buildings provide human scale

Balconies or terraces shall be provided with the following minimum areas:

Motel/Tourist (<50m ²)	6m ²
Motel/Tourist (>50m ²)	8m ²
Small dwelling (≤100m ²)	10m ²
Large dwelling (>100m ²)	12m ²

In order to provide useful open space to dwellings and tourist units above ground level, any balcony or terrace shall be directly accessible from the living area of the dwelling/unit and have a minimum dimension (length/width) of two metres.

PRIVATE OPEN SPACE



The delineation of Community Open Space and Private Open Space areas shall be clearly defined as part of any application for multi-dwelling developments.

Balconies and terraces shall not protrude over the landscape area to allow for growth of large trees.

WATER QUALITY

Sediment and Erosion Control

- Proposals involving earthworks or vegetation removal shall be accompanied by a Sediment and Erosion Control Management Plan.

Drainage

- Development is to be designed to incorporate the principles of Water Sensitive Urban Design (WSUD).

Note:

Interallotment drainage via easements may be required.

Deep Soil Zones

Deep Soil Zones are parts of the allotment which are not to be built upon, and not to incorporate underground car parking, or overhanging balconies or terraces. This part of the site allows for deep, soft soil which contains deep-rooted vegetation and may include existing mature trees. Deep Soil Zones and vegetation provides:

- natural drainage;
- privacy;
- shade;
- habitat for native fauna; and
- reduction in stormwater runoff.

The preferred location for Deep Soil Zones are in the front and side setbacks of the allotment. Ideally the Deep Soil Zones will have inter allotment connection which provides corridors of vegetation to maintain streetscape and improve the urban character of the precinct.

Note:

Deep Soil Zones may be incorporated as part of setback and landscape plantings. See Precinct Controls for further details.

SERVICES

Water Meters

A separate water meter is to be provided for each dwelling and is to be readily accessible to Council's meter reader.

Mains Extensions

- Water and sewage connections, where not available to the lot, will require the extension of Council's mains to service that lot.
- Plans for water and sewer main extensions are to be prepared by professional consultants in accordance with Council's Technical Guidelines.

Note:
The service must be installed as per the Technical Guidelines and be inspected by Council during installation.

Letterboxes

Provision shall be made for letterboxes located as compact and close to the front boundary entrance as practical.

Garbage Collection Services

Refer to Council's Waste Management Development Control Plan for specific requirements.

SIGNS

Any signs associated with proposed developments shall enhance visual amenity of the proposal and the precinct.

1. Signs requiring Consent

All signs other than those listed below require consent.

2. Signs not requiring Consent

There is no need to apply for consent if the sign falls into the categories in **Table 1**. This means you may erect the sign without Council approval.

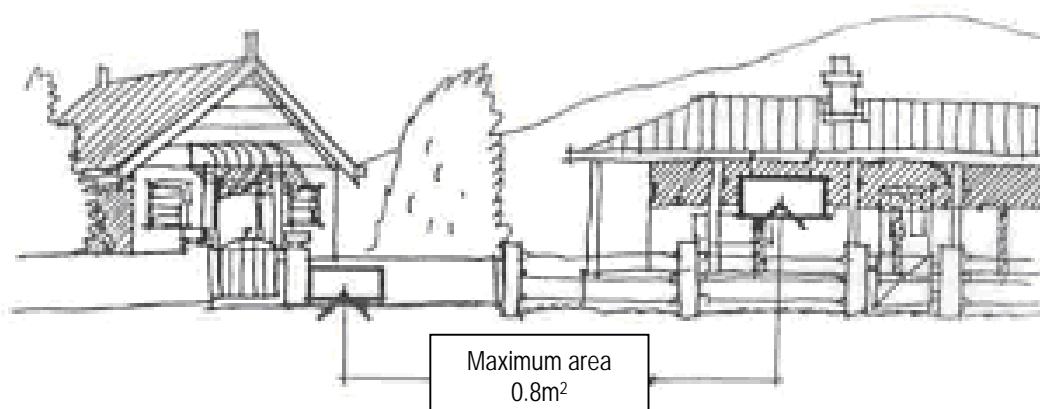
Table 1
Signs Allowed Without Consent

Zone	Type of Sign
Residential	One residential sign per allotment Discretionary signs
Open Space	Discretionary signs

Note:
1. Refer to dictionary (Appendix) for explanation of these signs.
2. Signs are to be ancillary to the land use function on the site.

SIGNS NOT REQUIRING CONSENT

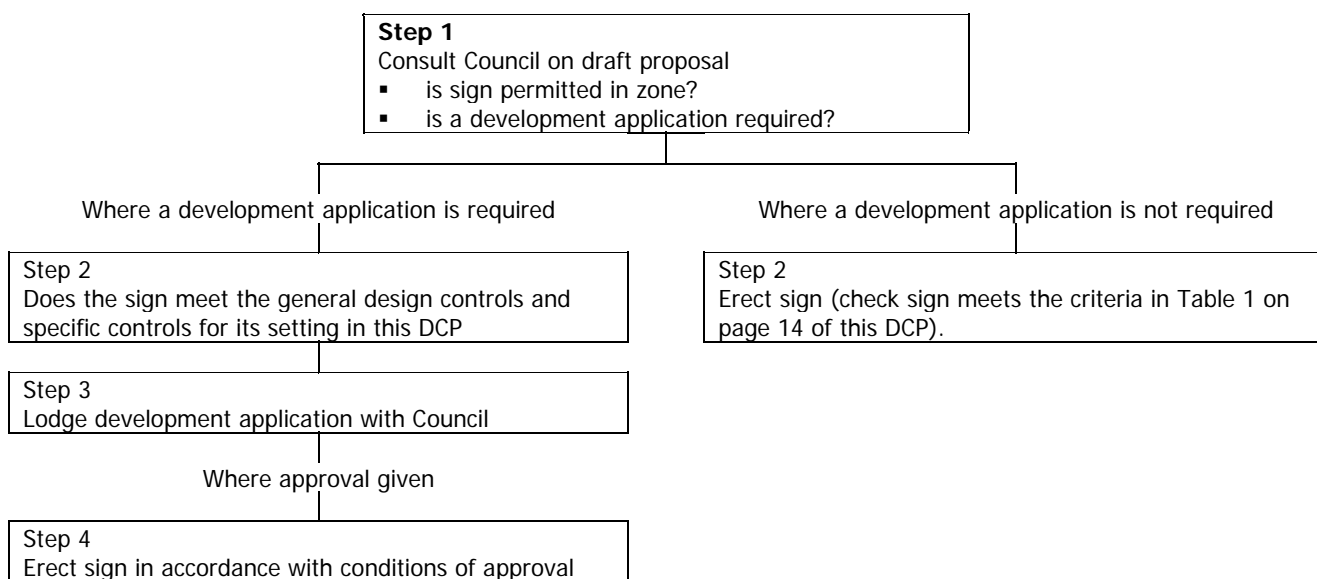
Residential



Tourist



PROCEDURES FLOW CHART



GENERAL DESIGN CONTROLS

These controls apply to all areas.

- ♦ The number of signs on a site shall be minimized to avoid visual clutter.
- ♦ The scale of signs will be complimentary to the architecture of buildings, proportional to the scale of buildings or development and be in keeping with the setting of the surrounding area.
- ♦ Signs shall not cause a hazard to traffic, including vehicles and pedestrians/ cyclists.

PRINCIPLES

The following general principles apply to signs:

- signs are to provide a simple and clear message (symbols are easier to comprehend than words).
- signs are not to cause a traffic hazard by inhibiting driver vision of the: road; traffic signals or signs; pedestrians; or vehicles.

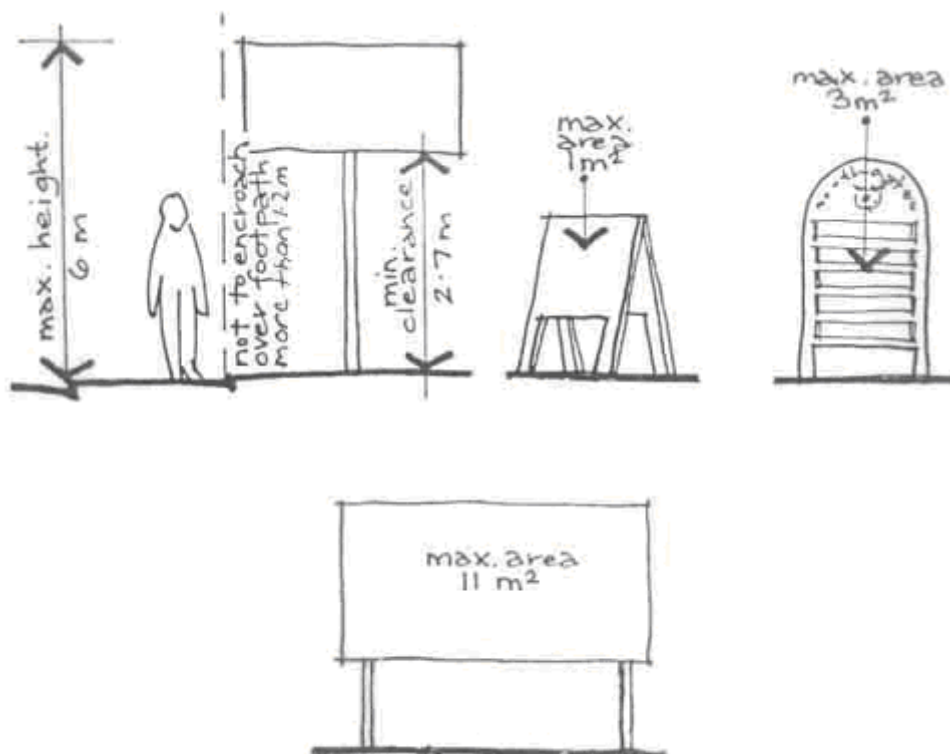
- signs on footpaths are not to cause a hazard to pedestrians or cyclists (refer to Council's Policy on A-Frame signs).
- signs are not to extend beyond the roofline or be erected on top of awnings which, in the opinion of the Council, detracts from the design values of the building façade.
- signs are not to be erected on trees, light poles and the like.

Size of Signs

The size of signs is to be in accordance with the diagram below.

Existing Signs

Where a number of approved signs that would not comply with this DCP exist on a property, an endeavour is to be made to consolidate the number of signs or simplify the sign messages.



TOURIST FACILITIES

- Tourist facilities providing accommodation on sites with an area less than 2,000m² are to have no more than two signs per site;
- Signs that detract from the architectural appearance of a building are not permitted.

Note:

Signs on larger tourist resort developments and tourist theme developments (with a site area greater than 2,000m²) will be considered on merit having regard to the principles of this DCP.

RESIDENTIAL SETTINGS

- ◆ These controls apply to residential settings:
 - to be located on the building(s) or fence associated with the use;
 - not to exceed dimension standards and design guidelines described in the general design controls;
 - not to be erected on walls facing adjoining residences;
 - to be below the roof eaves line or parapet line and relate to the architectural appearance of the building and its environs;
 - signs for home occupations and home industries are limited to an area of 0.8m² and are to indicate the name and occupation and other related matters of the resident only; and
 - no more than one permanent sign per site will be permitted.

BASIX (Building Sustainability Index)

All applications for residential developments require a BASIX compliance certificate.

To obtain a BASIX Certificate

To carry out a BASIX assessment, applicants need to complete an on-line assessment at www.basix.nsw.gov.au

Safer By Design

Development proposals need to address Safer By Design requirements to promote community surveillance and minimise crime opportunities, by using design examples such as:

- provision of views over public open space areas from living areas;
- provision of casual views of common internal areas such as entrances, hallways, car parks and communal open space;
- window locations and/or balconies;
- separate entries and courtyards to ground level apartments;
- a clear definition between public and communal space; and
- provision of appropriate lighting to all communal areas.

FLOODING

Habitable areas of buildings are to have floor levels 500mm above the 1 in 100 year flood level.

All electrical wiring, power outlets, building plant and equipment are to 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.

ADVERTISING/NOTIFICATION OF PROPOSALS

WHEN WILL DEVELOPMENT BE NOTIFIED/ADVERTISED?

General

- Adjoining landowners will be notified if, in the opinion of Council the enjoyment of land (see note) adjoining the development may be detrimentally affected by the proposed development.
- Owners of land other than adjoining land will be notified by an advertisement in a local newspaper circulating in the Council area where in the opinion of Council (see note), the enjoyment of that land may be detrimentally affected by the proposed development.

Note:

Council will consider the following in forming its opinion as to whether or not the enjoyment of land may be detrimentally affected by a proposed development:

- *the views to and the views from the land;*
- *the overshadowing of the proposal on adjoining lands;*
- *the privacy of the land;*
- *the likelihood of the land being detrimentally affected by the proposed use; and*
- *the streetscape.*

The following development is not usually notified:

- *dwellings of single storey construction;*
- *minor alterations/additions including internal work;*
- *development in rural areas; and*
- *private swimming pools or outbuildings.*

- Public authorities Council considers may have an interest in the determination of the application will be notified.

Designated Development

Applications for Designated Development will be placed on public exhibition for a period of not less than 30 days, commencing the day following notice of the application in a local newspaper.

Integrated Development

Integrated Development involving an approval:

- under Section 58 of the Heritage Act 1977;
- under the Water Act 1912; and
- under the Pollution Control Act 1970,

is advertised in accordance with the Environmental Planning and Assessment Act Regulations.

Major (State Significant) Development

State Significant Development is advertised in accordance with the Environmental Planning and Assessment Act Regulations.

Notes:

A notice to an association for a community, precinct or neighbourhood parcel within the meaning of the Community Land Development Act 1989 or to a body corporate for a parcel within the meaning of the Strata Titles Act 1973 or the Strata Titles (Leasehold) Act 1986 is taken to be a notice under this section to the owner of each lot within the parcel concerned.

If a parcel of adjoining land is owned by more than one person, a notice to one owner is taken to satisfy the requirements of this section.

Notice is not required to be given to an owner of adjoining land if that owner is the person, or one of the persons, who made the application for approval to erect the building.

Advertisements for tall buildings (over 14 metres in height) under the provisions of the North Coast Regional Environmental Plan, are advertised in accordance with the Environmental Planning and Assessment Act regulations, as per the provisions for designated development.

CONTAMINATED LAND

Category 1 remediation work, as defined in State Environmental Planning Policy No. 55 - Remediation of Land, is advertised in accordance with the Environmental Planning and Assessment Act Regulations for a period of 30 days.

A notice of completion of a category 1 remediation work must be provided to Council (with a copy to the consent authority if Council was not the consent authority) within 30 days after the completion of the work.

Notice must be given to the Council, at least 30 days prior to the commencement of category 2 remediation work.

In respect of category 2 remediation work of contaminated land, the notice must be in writing and:

- provide the name, address and telephone number of the person who has the duty of ensuring that the notice is given;
- briefly describe the remediation work;
- show why the work is category 2 remediation work;
- provide a property description, street address and map of the location of the land; and
- provide estimates of the dates for the commencement and completion of the work.

FORM OF NOTICE/ADVERTISEMENT

The following is to be included in a written notice or published advertisement:

- description of the land (including address);
- name of applicant;
- name of consent authority;
- description of development;
- a statement, including the dates, that the application and any accompanying documents may be inspected at Council's office during working hours; and
- a statement that any person during the exhibition period may make a written submission.

Note:

Minimum exhibition period is 14 days.

CIRCUMSTANCES IN WHICH NOTICE REQUIREMENTS MAY BE DISPENSED WITH:

If:

- a development application is amended, or substituted, or withdrawn and later replaced before it has been determined by Council; and
- Council has notified/advertised the original application, in accordance with the format in this DCP; and
- Council is of the opinion that the amended, substituted or later application differs only in minor respects from the original application,

Council may decide to dispense with further notification/advertising in relation to the amended, substituted or later application.

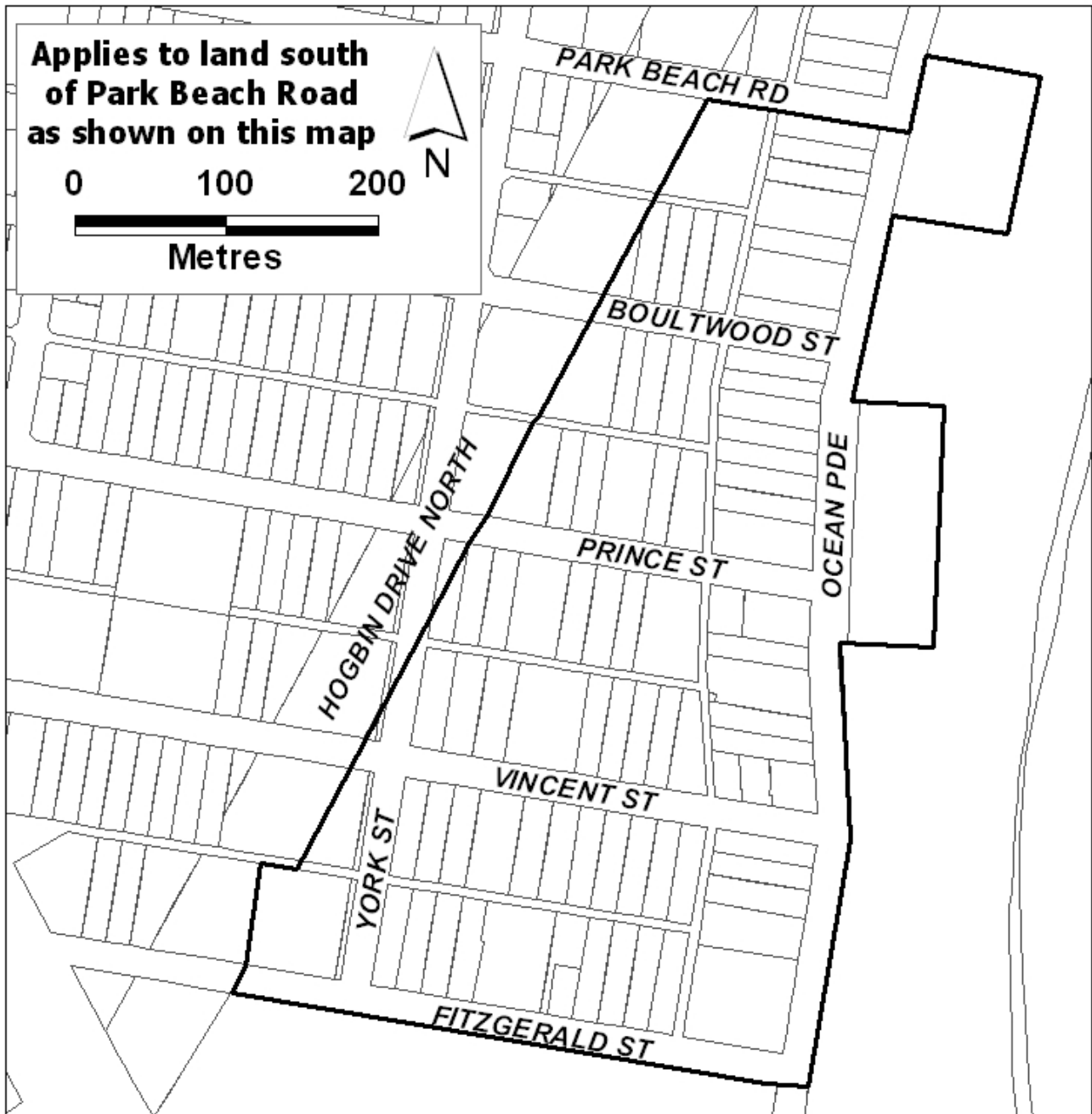
NOTICE OF DETERMINATION

All persons making written submissions will be given written notice of the determination of the application.

NOTIFICATION/ADVERTISING FEE

A fee to cover Council's costs for notifying or advertising in relation to this DCP will be charged on each application.

PARK BEACH SOUTH





OBJECTIVES

The objectives of the Park Beach South Precinct are:

- to provide a diverse mix of accommodation, building types and styles;
- to reinforce the area as a vibrant tourist attraction/destination;
- to maintain and enhance the linkages and recreational opportunities with the beach and natural dunal vegetation;
- create a sense of entry into the precinct;
- to provide for safer pedestrian/cycle movements within the precinct;
- to encourage development which ensures no visual intrusion into the beach areas; and
- to increase opportunities for community spaces.

CHARACTER

- The desired future character of the precinct is a vibrant, colourful attractive place for tourists and permanent residents.

Note:

'Height' means the distance measured vertically from the topmost point of the building to natural ground level.

SETBACKS

Front Boundary Setbacks - a setback of six metres applies to all buildings.

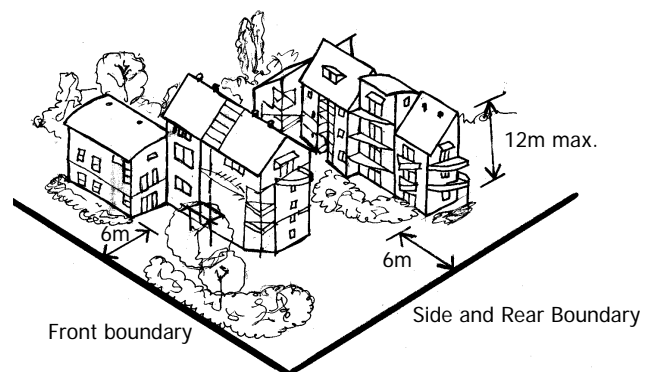
The front setback shall address landscaping objectives.

Side and Rear Setbacks - buildings are to be setback six metres from side and rear boundaries. An encroachment to three metres for buildings with a height less than six metres is permitted.

Exceptions to the setbacks include:

- minor renovations to existing buildings;
- garden sheds;
- when strict compliance with the setback would require substantial alterations of existing landform;
- pergolas;
- pumps;
- screens or sunblinds;
- light fittings;
- electricity or gas meters;
- letterboxes;
- waste storage areas;
- aerials; and
- unroofed terraces, landings, steps or ramps not more than one metre in height above natural ground level.

Air Conditioning motors/exhausts, pool filters and pumps shall be suitably located and screened to minimise noise and visual impacts.



HEIGHT

Buildings are not to exceed 12 metres in height.

A greater height not exceeding 18 metres may be achieved for selected allotments immediately adjoining the Hogbin Drive Extension, which are shown on the Height Controls diagram on page 25 of this DCP.

A maximum building height of 21 metres is permitted on the allotments indicated on the Height Controls diagram on page 25 of this DCP, as the site is considered to be central to the Park Beach locality.

Buildings are not permitted to overshadow beaches.

Where the ground floor is located on a podium, the podium is to be no higher than 600mm above natural ground level.

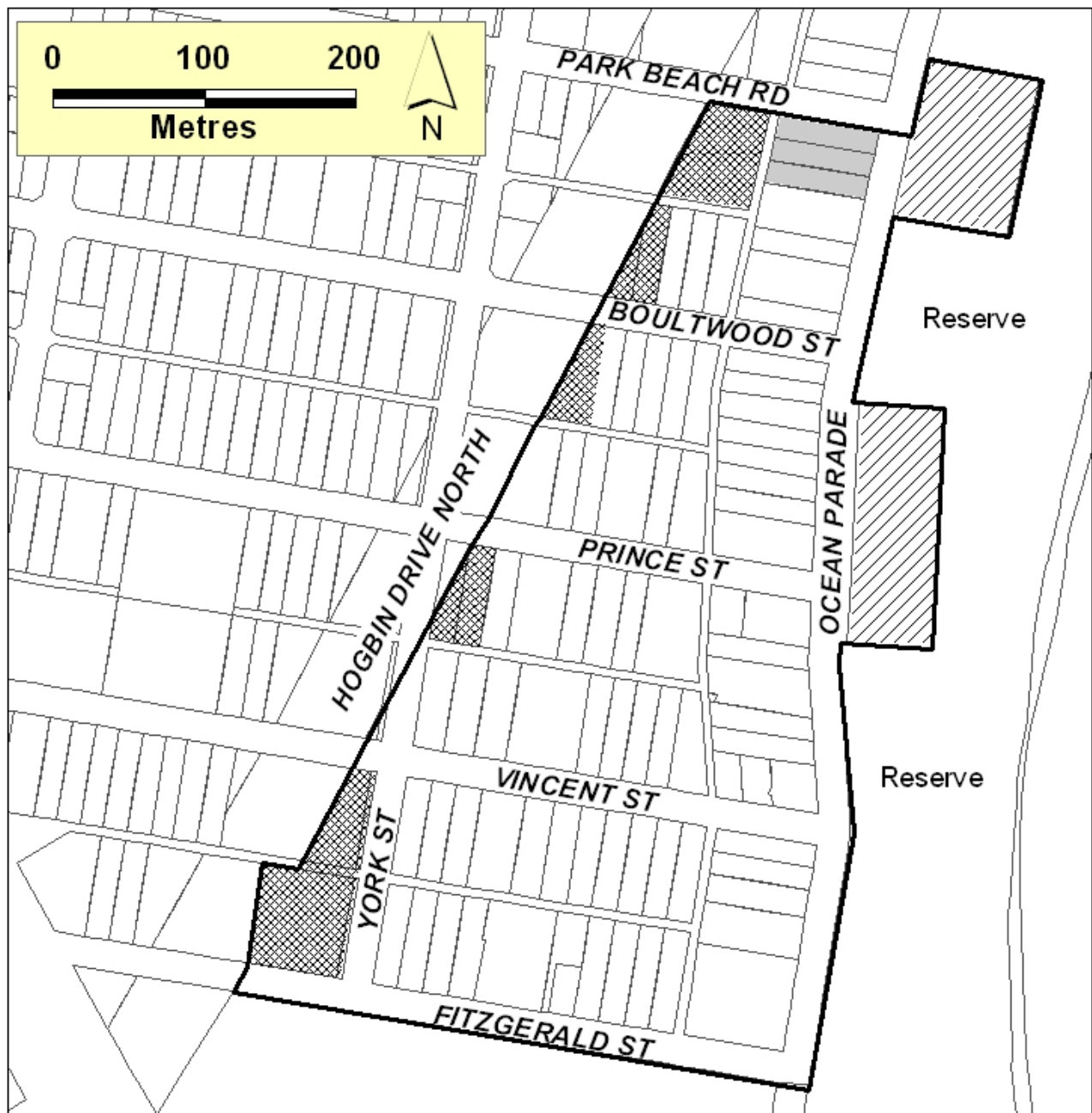
Tall Buildings





Concurrence from the Department of Planning (DoP) is required for buildings over 14 metres in height, which is considered to be a Major (State Significant) Development. This concurrence is required under the provisions of the North Coast Regional Environmental Plan.

DoP will take into consideration any likely regional implications regarding:

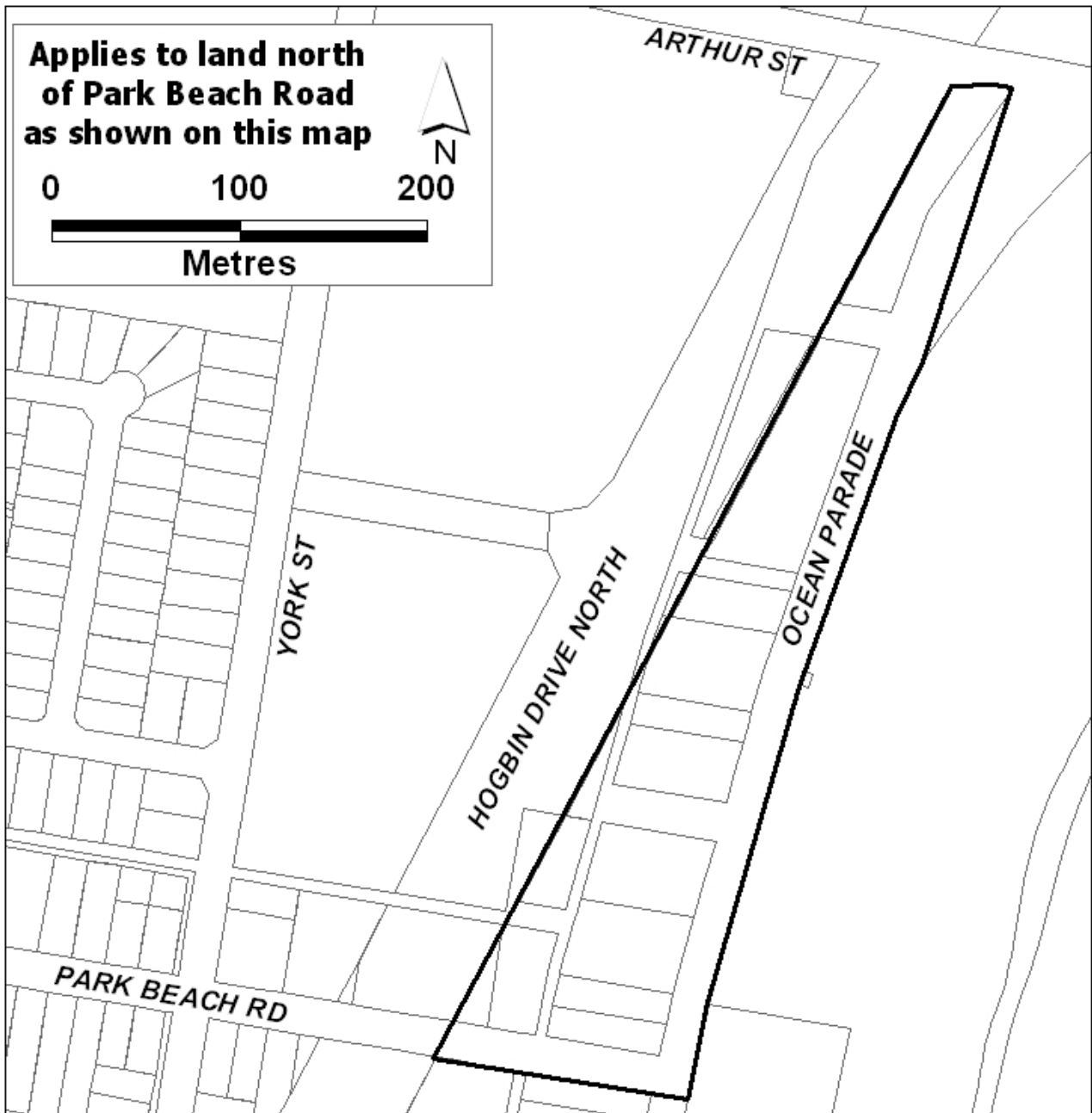
- social effects;
- economic effects;
- environmental effects; and
- effects of the proposal on the general amenity of the area, which includes effects of overshadowing of the beach east of Ocean Parade, if an application for a building over 14 metres in height is proposed.

HEIGHT CONTROL DIAGRAM

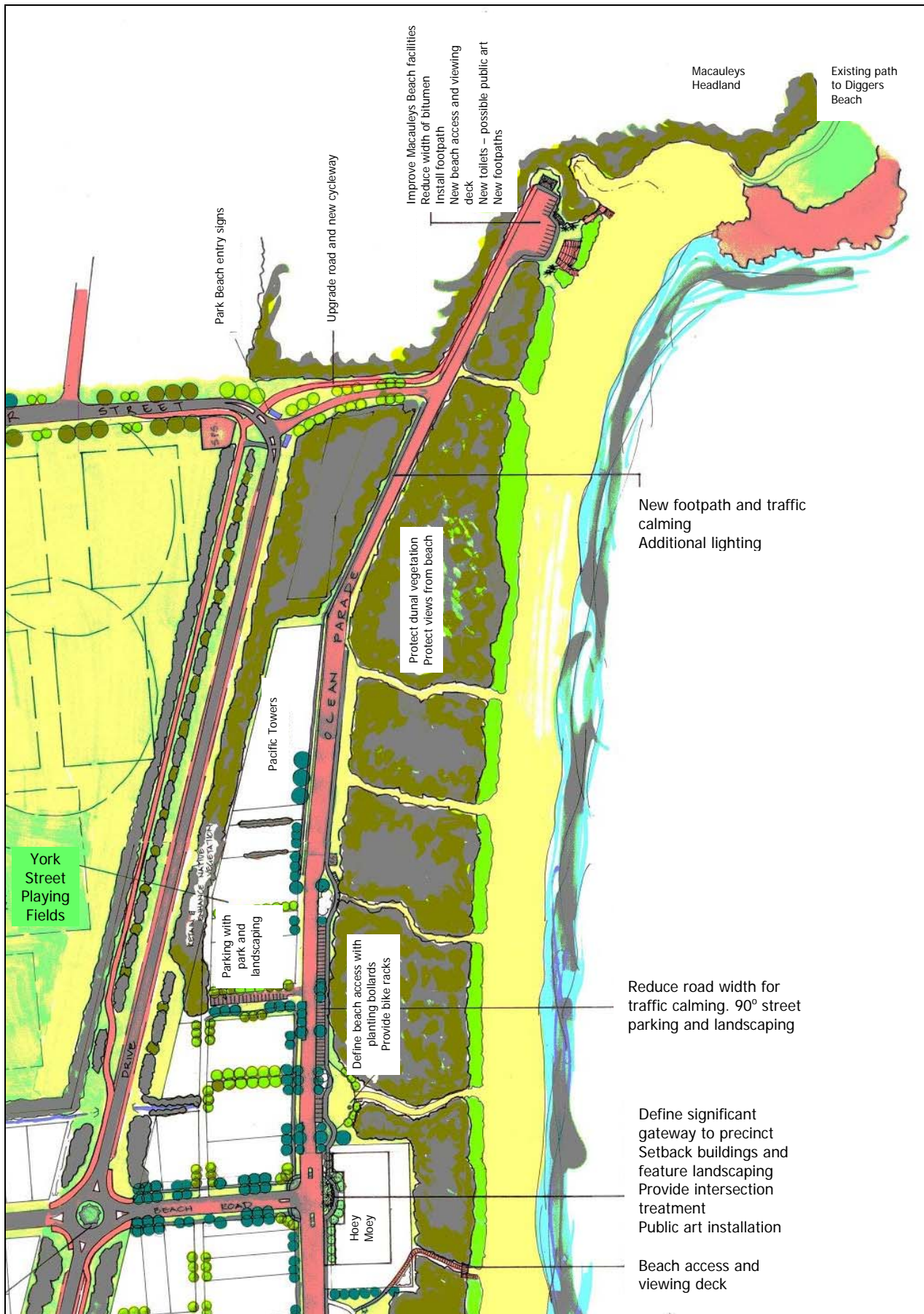


-  21 metres maximum height
-  18 metres maximum height
-  12 metres maximum height
-  Buildings not to overshadow beach

PARK BEACH NORTH



MASTERPLAN



OBJECTIVES

The objectives of the Park Beach North Precinct are:

- to provide well designed higher density housing which minimises environmental impacts and overshadowing on the coastal reserve;
- to maintain and enhance the links between residential areas and the beach, reserve and natural dunal vegetation;
- to provide for safer pedestrian/cycle movements within the precinct;
- to encourage development which ensures minimal visual intrusion into the beach areas; and
- to increase opportunities for development of activities within community spaces.

CHARACTER

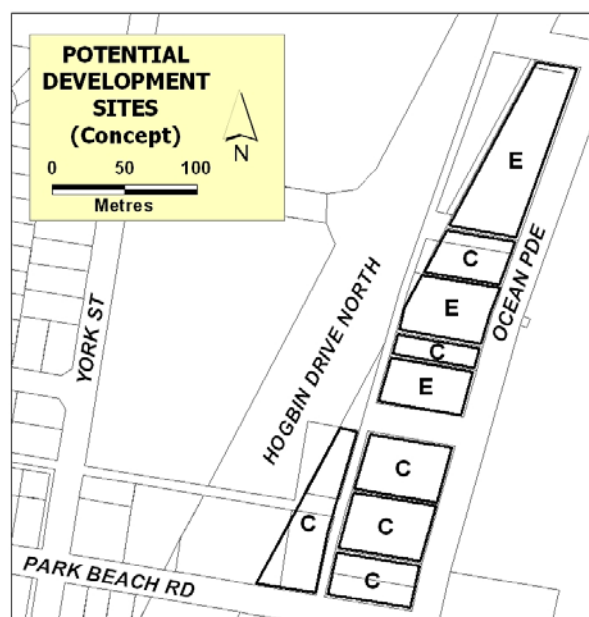
The desired future character of the precinct is a vibrant, colourful attractive place for tourists and permanent residents. High density residential areas will be of an innovative and functional design which minimises impacts on the aesthetic, recreational and environmental values of Park Beach and the adjacent reserve.

Note:

'Height' means the distance measured vertically from the topmost point of the building to natural ground level.

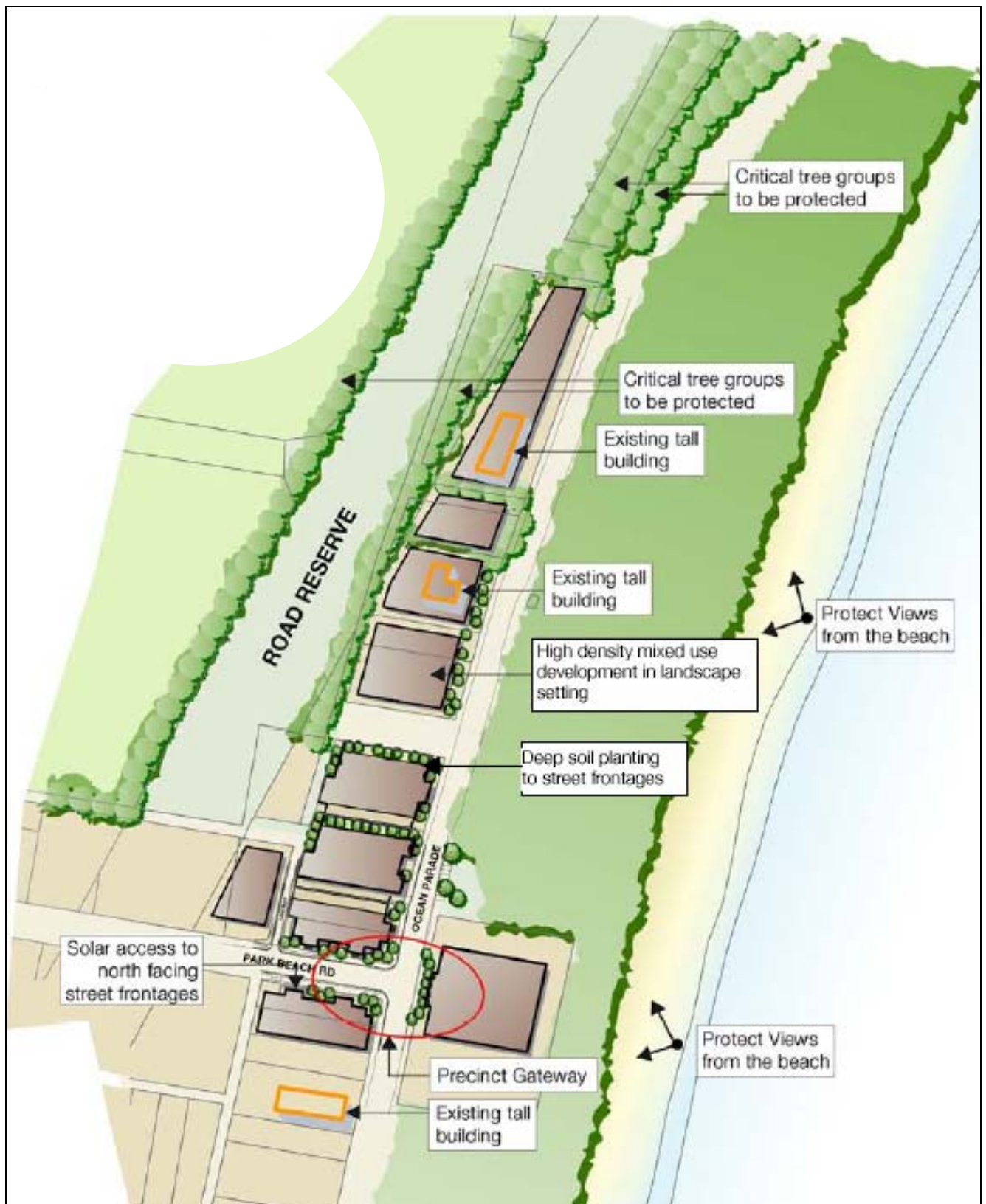
POTENTIAL DEVELOPMENT SITES

The Park Beach North precinct comprises several allotments with development potential. The potential sites are indicated as 'C' on the concept plan below. Some lots have been shown as consolidated with adjoining lands to maximize development potential.



Sites marked 'E' comprise substantial existing buildings, and are unlikely to be developed.

URBAN DESIGN PRINCIPLES



SETBACKS

Setbacks for the Park Beach North Precinct are indicated in the diagram shown below and on page 31 of this DCP.

Exceptions to the setbacks include:

- minor renovations to existing buildings;
- garden sheds;
- when strict compliance with the setback would require substantial alterations of existing landform;
- pergolas;
- pumps;
- screens or sunblinds;
- light fittings;
- electricity or gas meters;
- letterboxes;
- waste storage areas;
- aerials; and
- unroofed terraces, landings, steps or ramps not more than one metre in height above natural ground level.

Pool filters and pumps shall be suitably located and screened to minimise noise and visual impacts.

The following plan indicates building envelopes based on the setbacks mentioned above.

BUILDING HEIGHT

General

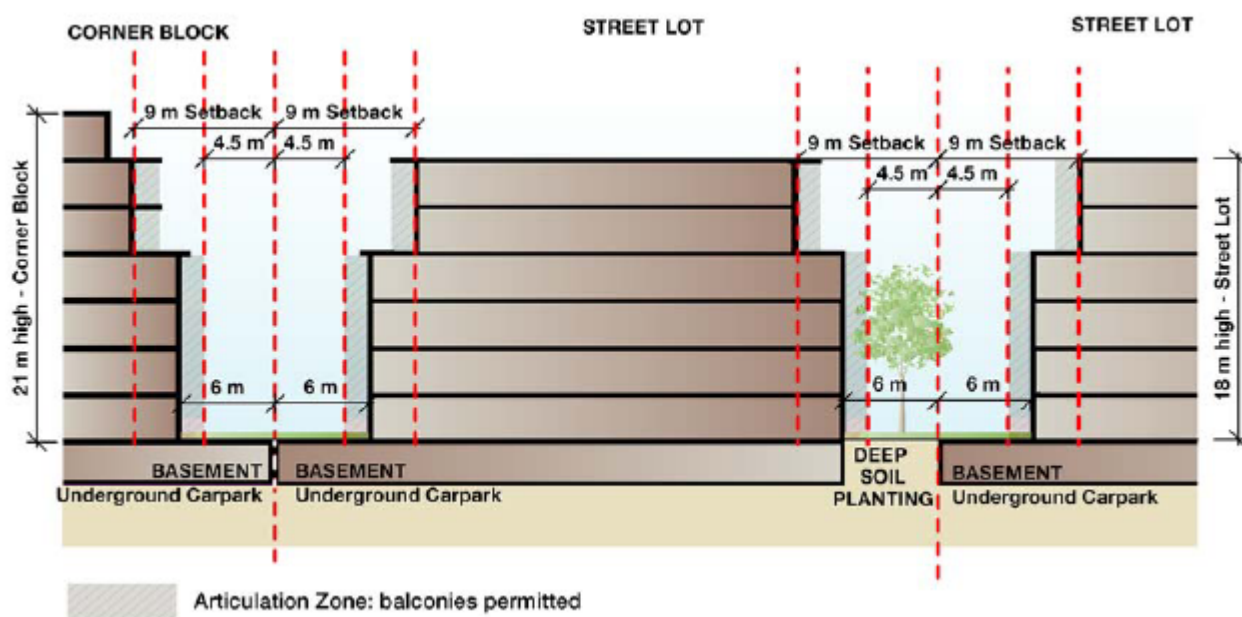
Maximum building heights are indicated on the plan below.

Tall Buildings

Concurrence from the Department of Planning (DoP) is required for buildings over 14 metres in height. This concurrence is required under the provisions of the North Coast Regional Environmental Plan.

DoP will take into consideration any likely regional implications regarding:

- social effects;
- economic effects;
- environmental effects; and
- effects of the proposal on the general amenity of the area, which includes effects of overshadowing of the Beach Reserve on the eastern side of Ocean Parade.

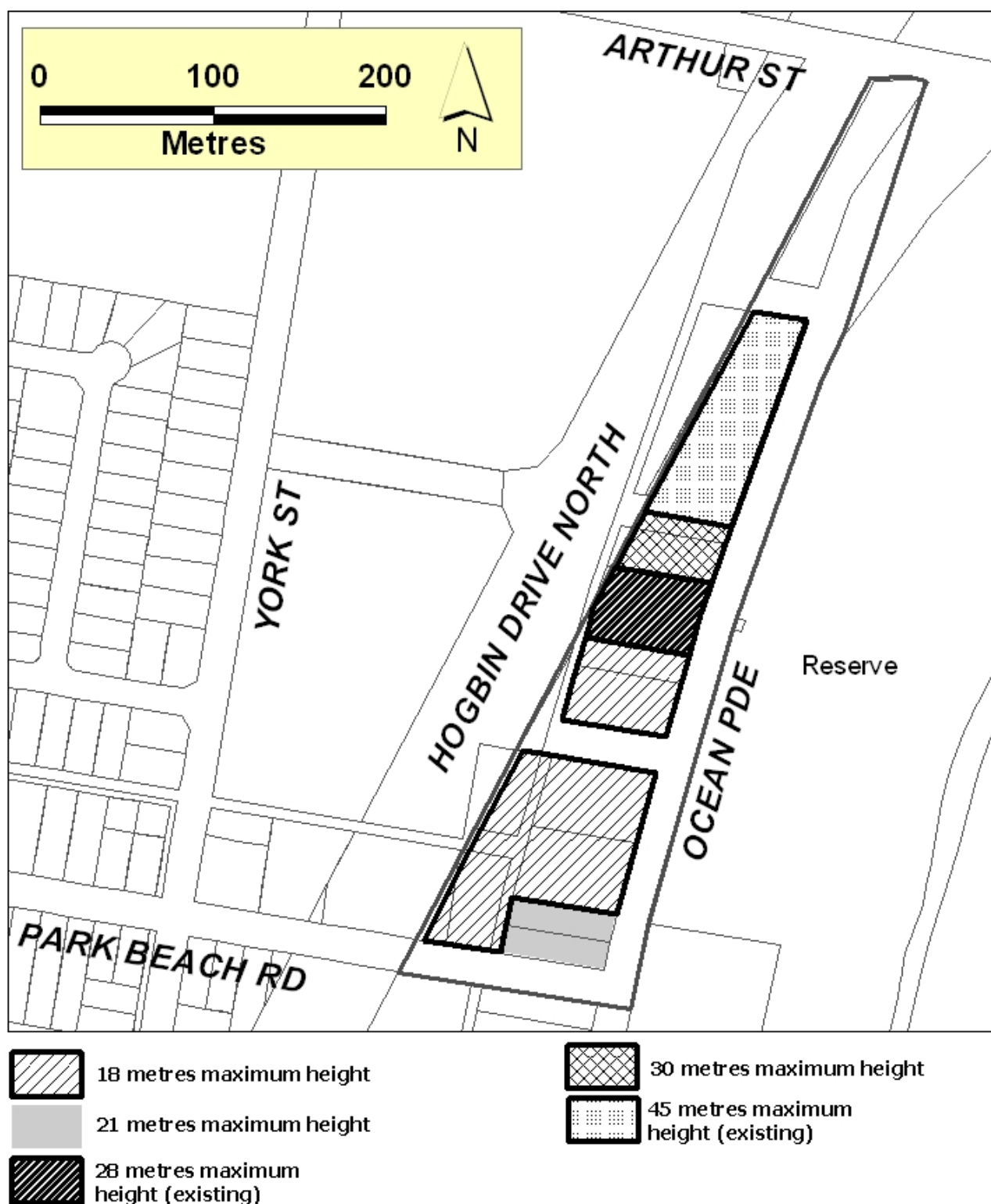


PARK BEACH NORTH PRECINCT: BUILDING ENVELOPES



PARK BEACH NORTH PRECINCT - SETBACKS

HEIGHT CONTROL DIAGRAM



APPENDIX

GLOSSARY

Parking Requirements

Gross Floor Area (GFA): the sum of the areas of each floor of a building where the area of each floor is taken to be the area within the outer face of the external enclosing walls as measured at a height of 1,400 millimetres above each floor level excluding:

- columns, fin walls, sun control devices and any elements, projections or works outside the general line of the outer face of the external wall;
- life towers, cooling towers, machine and plant rooms, and ancillary storage space and vertical air-conditioning ducts;
- car parking areas which meet requirements of Council and internal access thereto; and
- space for the loading and unloading of goods.

Gross Leasable Floor Area (GLFA): the sum of the area of each floor of a building where the area of each floor is taken to be the area within the internal faces of the walls, excluding stairs, amenities, lifts, corridors and other public areas but including stock storage area.

Sign Dictionary

“advertisement” means the display of symbols, messages or other devices for promotional purposes or for conveying information, instructions, directions or the like.

“business sign” means an advertisement at a site that:

- (a) indicates the use of premises or nature of goods or services sold or provided from premises on that site; and
- (b)
 - (i) is located below the level of the awning or where there is no awning;
 - (ii) is located not more than 4.6 metres above ground level or the level of the bottom of the first floor window, whichever is less; and
- (c) if it appears on the surface in conjunction with other advertisements covers no more than 50% of the surface.

“discretionary advertisement” means:

- (a) an advertisement that is not visible from outside the site where it is located;
- (b) **a real estate sign;**
- (c) **a temporary sign;**
- (d) a public notice displayed by a public authority;
- (e) advertisements behind the glass line of a shop window;
- (f) a single **pylon sign** erected on a site lawfully used for the purpose of a tourist facility; or
- (g) **a painted wall sign.**

“painted wall sign” means an advertisement painted onto a wall of a building (including an advertisement affixed as adhesive vinyl or similar material) and covering a maximum of 25% of the surface of the wall.

“pylon sign” means an advertisement erected on a pole (or pylon) that is independent of a building and has a height of not more than 6m but not less than 2.7 metres above ground level.

“real estate sign” means a ‘For Sale’ or ‘To Let’ sign erected at or affixed to the property the subject of the sign and:

- (a) in the case of an advertisement in respect of residential premises does not exceed 2.5m² in area;
- (b) in all other cases does not exceed 4.5m² in area; and
- (c) is not displayed for more than 14 days after sale or letting.

“residential sign” means a non-illuminated advertisement not exceeding 0.8m² in area that indicates the name, occupation and other particular matters of the resident(s) of the premises upon which the advertisement is displayed.

“temporary sign” means an advertisement of a temporary nature which:

- (a) concerns any local event of a religious, educational, cultural, political, social, or recreational nature;
- (b) does not include advertising of a commercial nature, except for the name of any sponsor; and
- (c) is not displayed earlier than 28 days before the commencement date of the event and is removed within 14 days after the end of the event.

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