

6 Residential Apartment Buildings, Mixed Use Development and Business Premises

This section contains site and building controls for residential apartment buildings (flat buildings), mixed use development (shop top housing) and business (commercial) premises. Definitions of these types of development are contained in Great Lakes LEP.

These controls do not specifically address commercial or retail buildings that do not contain a residential component however they should be considered when designing this type of development. Within the coastal town centres, any commercial or retail development that does not include a residential component will have to be consistent with the associated [Coastal Town Centres Character Statement](#) and satisfy the [Pedestrian Amenity](#) requirements.

Some of the land use zones where these types of development may be permitted include:

- R3 Medium Density Residential
- R4 High Density Residential
- B1 Neighbourhood Centre
- B2 Local Centre
- B4 Mixed Use

The development provisions in this section of the Plan on building form are intended to encourage high quality design for high density residential development and mixed use development incorporating a residential component.

The controls in this section aim to:

- Establish the scale, dimensions, form and separation of buildings appropriate for the setting in the business precincts.
- Provide a strong definition of the public domain.
- Achieve active street frontages where appropriate with good physical and visual connections between buildings and the street.
- Ensure there is consistency in the main street frontages of buildings to provide a common alignment.
- Provide for pedestrian comfort and protection from weather conditions.
- Define the public street to provide spaces that are clear in terms of public accessibility and safety.
- Ensure building depth and bulk is appropriate to the environmental setting and landform by providing for view sharing and good internal building amenity.
- Ensure building separation is adequate to protect amenity, daylight penetration and privacy between adjoining developments.
- Achieve an articulation and finish of building exteriors that contribute to a high quality of design excellence.
- Provide for high quality landscape that contributes to the amenity and sustainability of the urban environment.
- Ensure that new buildings are responsive to the character and setting of the surrounding area.

6.1 General Building Design

Objectives

- Design medium and high density residential development to respond to the streetscape character.
- Complement and enhance the visual character of the street and neighbourhood through appropriate building scale, form and detail.
- Reduce the visual dominance of garages as viewed from the street.
- Promote high quality architectural design that is contemporary and innovative.
- Ensure corner sites are developed as visually significant elements to promote a strong and legible character.
- Provide an identifiable and desirable street address to each building and dwelling.
- Define the street edge by creating a clear transition between private and public spaces along the street

frontage.

- Allow for outlook and surveillance towards the street and the public domain.

Controls

- (1) The design, height and siting of the development must respond to its context, being both the natural and built features of an area. The Site and Context Analysis must be utilised as the process by which the opportunities and constraints of the site are identified and the character of a local area defined.
- (2) The appearance of new development must be complementary to the buildings around it and the character of the street. New development must contain or respond to the essential elements that make up the character of the surrounding urban environment. This character is created by elements such as building height, setbacks, architectural style, window treatment and placement, materials and landscaping.
- (3) The following elements must be incorporated in the building design:
 - (a) Articulate and fragment building walls that address the street and add visual interest. The appearance of blank walls or walls with only utility windows on the front elevation is not permitted.
 - (b) Utilise high quality and durable materials and finishes.
 - (c) Entrances must be visible at eye level from the street and well lit.
 - (d) For those dwellings adjacent to the street frontage, the habitable rooms must face the street.
 - (e) Ensure entrances can accommodate the movement of furniture.
 - (f) Avoid blank or solid walls and the use of dark or obscured glass on street frontages.
 - (g) Air conditioning units must not be visible from the street.
 - (h) Avoid bathroom windows on street frontages.
 - (i) All residential buildings must be designed with building frontages and entries clearly addressing the street frontage. Dwellings adjacent to the street boundary must have individual entries from the street.
 - (j) For multi-dwelling developments on corner sites, each frontage of the development must present as the primary street frontage.
 - (k) Where garages are proposed on the front elevation they must be recessed, unless it can be demonstrated that the garages will not visually dominate the streetscape appearance of the building.

6.2 Pedestrian Amenity

Objectives

Pedestrian amenity incorporates all those elements of individual developments that directly affect the quality and character of the public domain. The pedestrian amenity provisions are intended to achieve a high quality of urban design and pedestrian comfort in public spaces. The pedestrian environment provides people with their primary experience of and interface with the towns and villages of Great Lakes.

This environment needs to be safe, functional and accessible to all and needs to take account of the significant proportion of elderly people residing in Great Lakes and the seasonal tourist influx. It should provide a wide variety of opportunities for social and cultural activities. The pedestrian environment is to be characterised by excellence of design, high quality materials and a standard of finish appropriate to the established character of the area.

The controls in this section aim to increase the vitality, safety, security and amenity of the public domain by:

- Ensuring a high degree of pedestrian permeability throughout the business centres and adjoining areas.
- Encouraging future through block connections at ground level, where appropriate.
- Ensuring active street frontages and positive building address to the street.
- Ensuring provision of awnings along the retail, commercial and tourist areas.
- Mitigating adverse visual impacts on the street arising from excessive driveway crossings and inappropriate selection of building finishes and materials.

- Addressing 'Safer-by-Design' principles for the design of public and private domain, and in all developments (including the NSW Police 'Safer by Design' crime prevention through environmental design (CPTED) principles).
- The design of facilities (including car parking) for persons with a disability must comply with the relevant Australian Standard (AS 1428 Pt 1 and 2, or as amended) and the Disability Discrimination Act 1992 (as amended).

6.2.1 Site Permeability

Ease of pedestrian movement is critical to the efficient functioning of the business / retail centres. Through block connections which provide links between street blocks improve accessibility and thereby improve the relationship between the commercial centres and the surrounding uses.

Objectives

- To improve access by providing additional through block connections where appropriate as redevelopment occurs.
- To retain and enhance existing through block connections where appropriate as redevelopment occurs.
- To encourage active streets fronts and facilitate passive surveillance along the length of through block connections.
- To provide for pedestrian amenity and safety.
- To encourage removal of vehicular entries from primary street frontages.
- To retain and develop lanes as useful and interesting pedestrian connections as well as for service access.

Controls

- (1) Where possible, links are to be open to the air, rather than enclosed or internal.
- (2) Where possible, existing dead-end lanes are to be extended through to the next street as redevelopment occurs.
- (3) New through block connections should provide convenient links to the existing and proposed pedestrian network.
- (4) Existing publicly and privately owned links are to be retained where appropriate.
- (5) Through block connections are to:
 - (a) be a minimum width of 3m clear of all obstructions,
 - (b) have active street frontages, casual surveillance and/or a street address along their length,
 - (c) be clear and direct throughways for pedestrians,
 - (d) be open to the air and publicly accessible at all times,
 - (e) have signage at street entries indicating public accessibility and the street to which the through block connection links,
 - (f) demonstrate the application of 'Safer-by-Design' principles, and
 - (g) provide a direct line of sight along their length.
- (6) Arcades located within buildings should:
 - (a) have a minimum width of 3m and be clear of all obstructions (including columns, stairs, escalators),
 - (b) have active frontages along their length,
 - (c) be clear and direct throughways for pedestrians,
 - (d) provide public access at all business trading times,
 - (e) where practical, have access to natural light, for at least 50% of their length,

- (f) where air conditioned, have clear glazed entry doors comprising at least 50% of the entrance, and
- (g) have signage at street entries indicating public accessibility and the street to which the arcade links, and
- (h) must be suitable for disabled access,
- (i) provide a direct line of sight along their length.

6.2.1.1 Coastal Town Centres Additional Controls

- (1) Through block connections are to be provided as shown in the through block connections plans.

Tuncurry



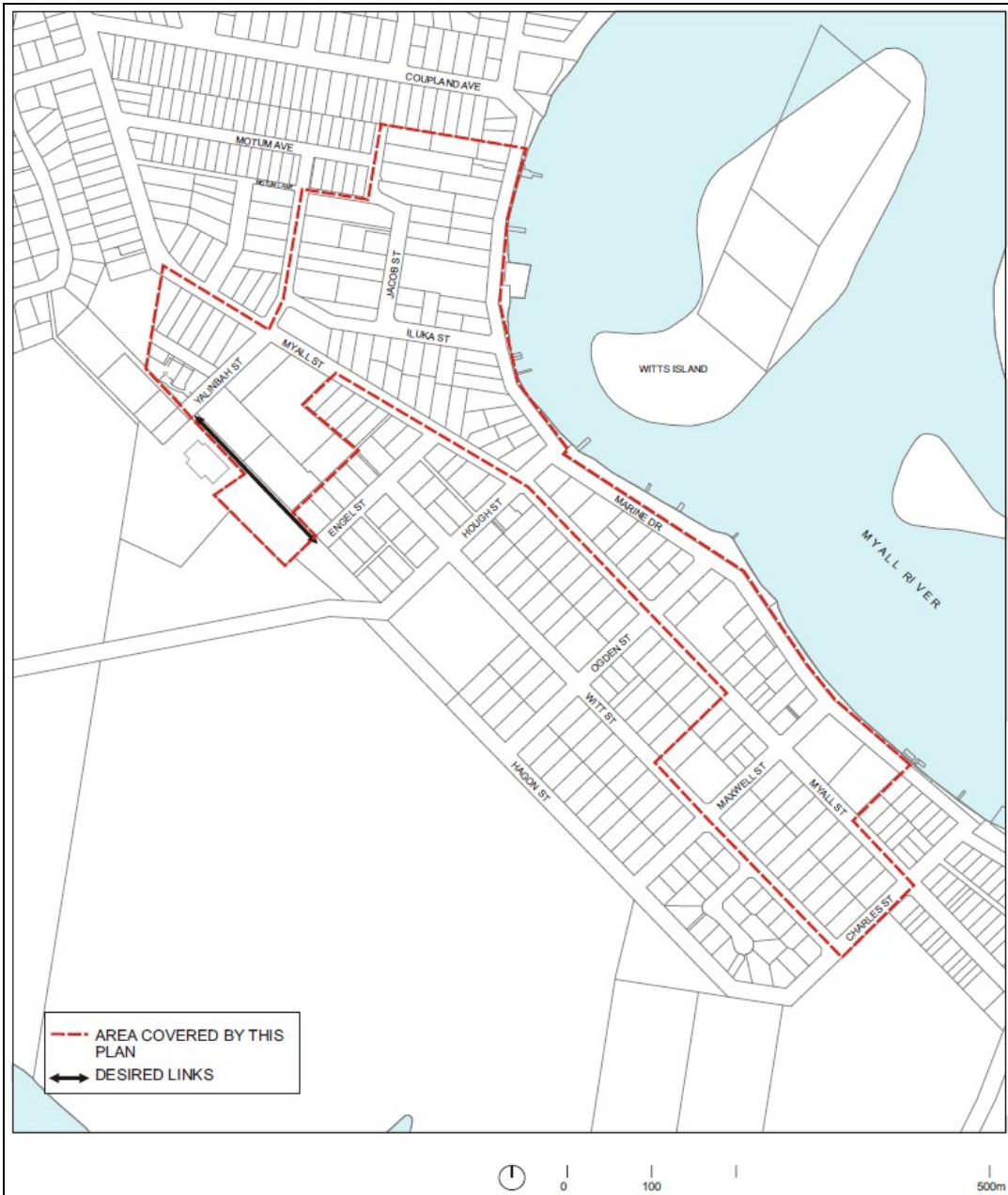
Tuncurry town centre through block connections plan ([click here to view original image](#))

Forster



Forster town centre through block connections plan (click here to view [original image](#))

Tea Gardens



Tea Gardens town centre through block connections plan (click here to view [original image](#))

Hawks Nest



Hawks Nest town centre through block connections plan (click here to view [original image](#))

6.2.2 Street Address

Commercial and retail buildings with a well designed street address promote an interesting and safe pedestrian environment. Busy pedestrian areas and uses such as shops, studios, offices, cafes, and community facilities provide the most active street fronts.

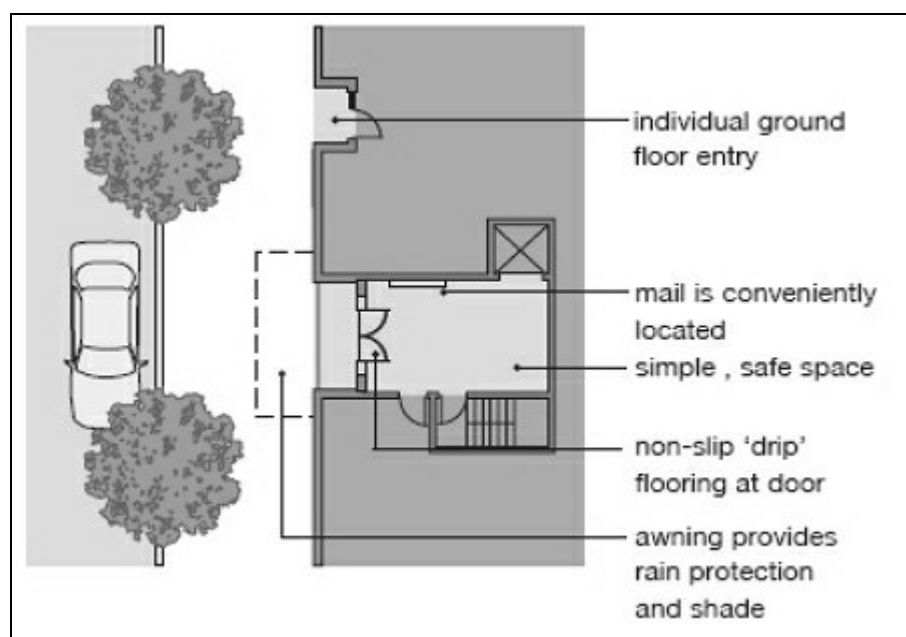
Residential buildings contribute positively to the street by providing a clear street address, direct access from the street for ground floor units and an outlook over the street. Street address for residential buildings is considered appropriate where it includes entries, lobbies, and habitable rooms with clear glazing overlooking the street not more than 1.2m above street level, but excludes car parking areas.

Objectives

- To promote pedestrian activity and safety in the public domain.
- To encourage building design incorporating a well designed street address.

Controls

- (1) Active ground floor uses are to be at the same general level as the footpath and be accessible directly from the street.
- (2) Open grill or transparent security (at least 50% visually transparent) shutters are encouraged to retail frontages.
- (3) Provide multiple entrances for large developments including an entrance on each street frontage.
- (4) Residential developments are to provide a clear street address and direct pedestrian access to the primary street front, and allow for residents to overlook all surrounding streets.
- (5) Provide direct 'front door' access to ground floor residential units.
- (6) Residential buildings are to provide not less than 65% of the lot width as street address.



(Source: RFDC)

Building Entry: Individual ground floor entry provides a more active street frontage (click here to view [original image](#))

6.2.3 Awnings

Awnings increase the useability and amenity of public footpaths by protecting pedestrians from sun and rain. They encourage pedestrian activity along streets and, in conjunction with active street frontages such as retail frontages, support and enhance the vitality of the local area. Awnings, like building entries, provide a public presence and interface within the public domain and contribute to the identity of a development.

Objectives

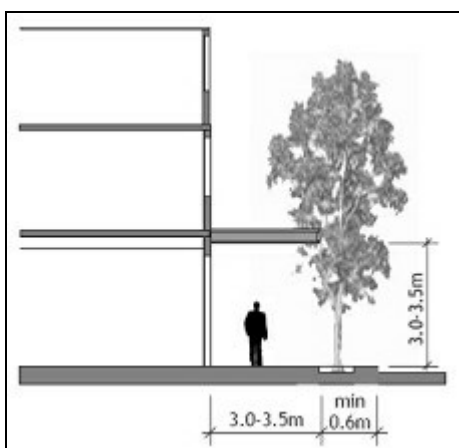
- To provide shelter for public streets where a high level of pedestrian activity occurs.
- To address the streetscape by providing a consistent street front appearance.

Controls

- (1) Awnings are to be a minimum height of 3.0m and a maximum height of 3.5m above the footpath level with provision for street trees.
- (2) Awnings or similar structures are to be located over all building entries to contribute to the legibility of

residential and mixed use buildings and to provide weather protection for residents and visitors.

- (3) Awnings are to be designed so that they are:
- (a) clear of powerlines;
 - (b) allow for the maintenance and protection of street trees; and
 - (c) direct stormwater from the awning to the internal stormwater system associated with the proposed development.



Source: RFDC

Awning design for Commercial buildings (click here to view [original image](#))

6.2.4 Pedestrian Access

Designing for pedestrian access to buildings focuses on delivering high quality, safe and pleasant walking environments. Any new development must be designed to ensure that safe and equitable access is provided to all, including people with a disability and the mobility impaired, so that people who live in and visit the development can enjoy the public domain, and can access apartments and communal use areas in residential developments.

Objectives

- To provide safe and easy access to buildings whilst also contributing to the vitality, vibrancy and safety of the public domain.
- To ensure buildings and places are accessible to people with a disability.
- To create entrances which provide a desirable identity for residential and mixed use developments.
- To contribute positively to the streetscape and building façade design.

Controls

- (1) Main building entry points should be clearly visible and identifiable from primary street frontages. They should be enhanced as appropriate with awnings, building signage or high quality architectural features that improve clarity of building address and contribute to visitor and occupant amenity.
- (2) Achieve clear delineation of the transition between the public street and the building entry.
- (3) Provide separate entries for different uses from the car park (e.g. separate residential and commercial entries in mixed use development).
- (4) Design entries and associated circulation space of an adequate size to allow movement of furniture and other bulky items between public and private spaces.
- (5) Provide and design mailboxes to be convenient for residents and other occupants.

- (6) The design of facilities (including car parking) for persons with a disability must comply with the relevant Australian Standard and the Disability Discrimination Act 1992 (as amended).
- (7) The development must provide at least one main pedestrian entrance with convenient barrier free access to all of the ground floor.
- (8) The development must provide convenient internal access, linking to public streets and building entry points.
- (9) Pedestrian access ways, entry paths and lobbies must use durable materials commensurate with the standard of the adjoining public domain (street) with appropriate slip resistant materials, tactile surfaces and contrasting colours.

6.2.5 Safety and Security

The design of buildings and public spaces has an impact on perceptions of safety and security, as well as actual opportunities for crime. Safe ground level entry and exit during all times of the day will minimise opportunities for crime and will encourage activity, vitality and viability. Design for safety works by enabling casual surveillance, territory reinforcement and controlling access to development.

Objectives

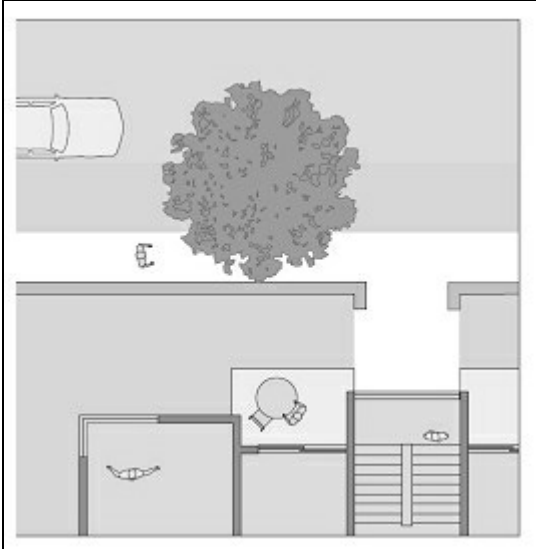
- To promote space management by ensuring that public and private open space is effectively utilised and maintained.
- To ensure residential developments are safe and secure for residents and visitors.
- To ensure that ground floor uses (residential, commercial and retail) provide for casual surveillance and promote pedestrian activity.
- To contribute to the safety of the public domain.
- To encourage a sense of ownership over public and communal open spaces.

Controls

- (1) Address 'Safer-by-Design' principles for the design of public and private domain, and in all developments (including the NSW Police 'Safer by Design' crime prevention through environmental design (CPTED) principles).
- (2) Ensure that the building design allows for casual surveillance of streets, accessways, entries, driveways, open car parks and public areas.
- (3) Avoid creating blind corners in pathways, arcades, stairwells, hallways and car parks.
- (4) Optimise the visibility, functionality of building entrances by:
 - (a) providing clear lines of sight between entrances, foyers and the street.
 - (b) providing direct entry to ground floor units from the street.
 - (c) providing separate and defined entries to residential and non-residential uses.
 - (d) providing controlled access to residential units.
- (5) Where private open space is located within the front building setback any front fencing must be of a design and/or height, which allows for passive surveillance of the street.
- (6) The number of dwellings accessible from a single corridor is limited to a maximum of eight (8) per floor.
- (7) Provide adequate lighting of all pedestrian access ways, parking areas and building entries. Such lighting should be on a timer or movement detector to reduce energy consumption.
- (8) Ensure that commercial/retail/business uses on the ground floor open onto or overlook the street.
- (9) Avoid the creation of obscure or dark alcoves, which might conceal intruders. Provide clear lines of sight and well-lit routes throughout the development.

- (10) Where a pedestrian pathway is provided from the street, allow for casual surveillance of the pathway. Ensure that pathways do not provide concealment opportunities.

Safety and Security



Source RFDC

Safety and security windows, balconies and building entries address the street (click here to view [original image](#))

6.2.6 Fences

The design of front fences impacts significantly on the quality of the development, the public domain and adjoining properties. Appropriate design of front fences promotes surveillance and defines the interface between the public and the private domain. Fences between the property boundary and the building setback line should be predominantly constructed to allow a visual connection between the dwelling and the street.

Objectives

- To allow for the physical separation of properties for resident privacy and security.
- To ensure that the design, heights and materials of fencing are appropriately selected.
- To ensure fencing design and location should aim to complement the building design and enhance the streetscape.
- To ensure that the design allows for casual surveillance of the street.
- To ensure that clear lines of sight are maintained for motorists and pedestrians to and from the development.

Controls

- (1) Front and side fences between the property boundary and the building setback line must be a maximum average height of 1.2m if solid or 1.5m if 50% transparent.
- (2) The maximum height of any portion of a front fence must not exceed 1.5m above street level.
- (3) Side fences between the front building line and the rear property boundary must be a maximum of 1.8m in height.
- (4) Fences must be constructed of timber, metal, lightweight materials or masonry.
- (5) The height and design of any proposed fence on top of a retaining wall must be included in the consideration of

the height of the fence.

- (6) Protect and retain existing mature trees in the design and location of fences.
- (7) All fences are to be constructed to allow the natural flow of stormwater drainage or runoff.

Hawks Nest Town Centre Additional Controls

- (1) In Hawks Nest, front fences are to be designed and constructed such that they do not impede the movement of koalas.

6.3 Building Configuration

6.3.1 Adaptable Housing

Flexibility in building design is important to ensure that buildings remain functional over their life. Flexible buildings can accommodate uses other than residential when first constructed and they can accommodate future changes in use, particularly on ground and lower floor levels, for example from residential to commercial.

Flexible design ensures that buildings have the capacity for adaptability to accommodate a wide range of occupants and their changing lifestyle and business needs, such as:

- household structure change; single, couple, family, extended family, special access needs; and
- flexible living/working spaces.

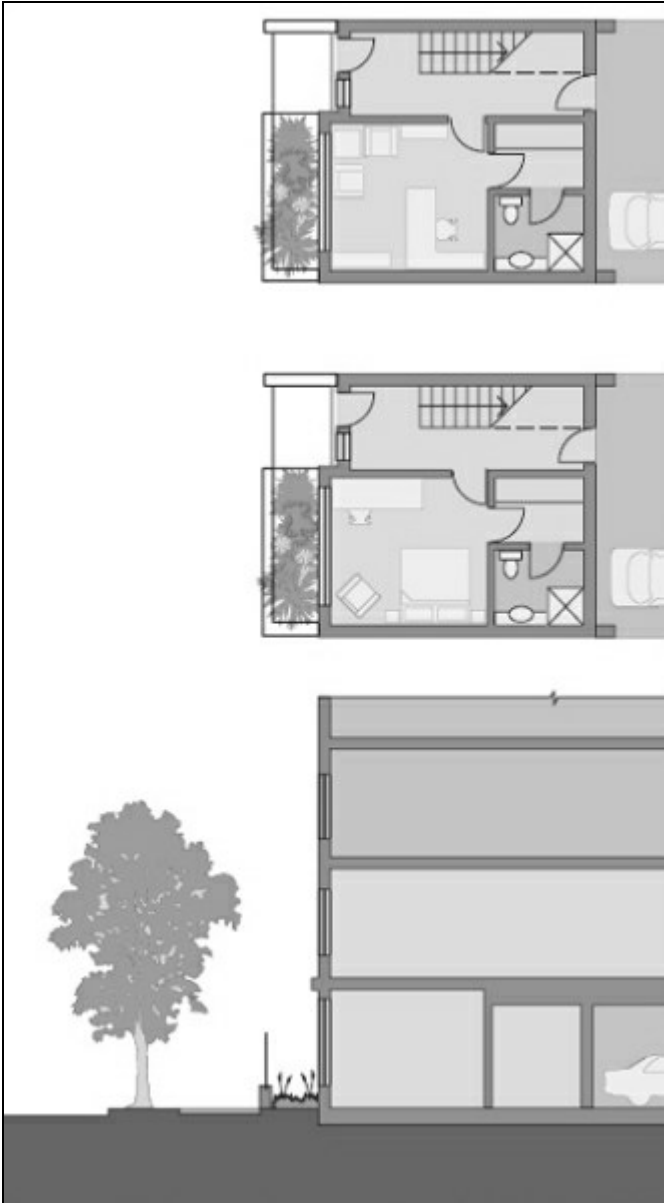
Objectives

- To ensure that building design is sufficiently flexible to allow for changes in use for the life of the building.
- To ensure a sufficient proportion of dwellings include accessible layouts and features to accommodate changing requirements of residents over time.
- Ensure the provision of housing that will, in its adaptable features, meet the access and mobility needs of any occupant.
- To save the embodied energy expended in building demolition.

Controls

- (1) Within developments subject to this Plan, 10% of all dwellings (or at least one dwelling) must be designed to be capable of adaptation for disabled or elderly residents. Dwellings must be designed in accordance with the Australian Adaptable Housing Standard, which includes “pre-adaptation” design details to ensure visitability is achieved.
- (2) Where possible, adaptable dwellings shall be located on the ground floor, for ease of access.
- (3) Dwellings located above the ground level of a building may only be provided as adaptable dwellings where lift access is available within the building. The lift access must provide access to all levels including the basement to allow access for people with disabilities.
- (4) Incorporate increased ceiling heights for the lower levels in buildings.
- (5) The development application must be accompanied by certification from an accredited Access Consultant confirming that the adaptable dwellings are capable of being modified, when required by the occupant, to comply with the Australian Adaptable Housing Standard.

Flexible design



Source RFDC

Demonstrates flexibility in design to allow transition between residential and non-residential uses ([click here to view original image](#))

6.3.2 Dwelling Layout and Mix

A mix of dwelling types provides housing choice and supports equitable housing access. By accommodating a range of household types, a mix of dwellings can ensure that residential buildings support the needs of society now and in the future. This is particularly important for buildings used for residential purposes as they form a significant and often permanent part of the urban fabric.

Objectives

- Provide variety in apartment sizes and layouts to cater for a range of household types.
- Provide flexible living/work spaces within dwellings design.
- Ensure that building design is sufficiently robust to accommodate mixed use and potential changes in use for the life of the building.

Controls

- (1) Provide a mix of dwelling types and sizes as follows:
 - (a) studio apartments – maximum 15%
 - (b) 1 bedroom apartments – maximum 15%
 - (c) 2 bedroom apartments – minimum 40%
 - (d) 3 bedroom+ apartments – minimum 15%
- (2) Substantive variations to unit mix must be supported by an independent analysis of current and future market demand prepared by an appropriately qualified and experienced person.
- (3) Consideration should be given to the design of apartments to encourage future flexibility. This may include opportunities to combine smaller apartments with adjacent dwellings should resident's lifestyle change or may include the ability to accommodate other activities such as a home office.
- (4) Consideration should also be given to the location of one and three bedroom apartments on the ground level where accessibility is more easily achieved for disabled or elderly people and families with children.
- (5) Apartments should be designed with internal space which is flexible and adaptable to resident's requirements. This should involve the efficient utilisation of available floor space to maximise useable room areas.
- (6) Apartment layouts should also respond to the site opportunities, including views and aspect.
- (7) Provide apartments with the following minimum internal floor area:
 - (a) Studio and 1 bedroom apartments 50m²
 - (b) 2 bedroom apartments 70m²
 - (c) 3 bedroom apartments 95m²

6.3.3 Ceiling Heights

Ceiling heights are measured from finished floor to finished ceiling level. Ceiling heights are design elements for defining the three-dimensional space of a dwelling in conjunction with walls and floors. Well designed and appropriately defined ceilings ensure quality residential amenity and create spatial interest and hierarchy in dwellings. Generous ceiling heights are particularly important in residential and mixed use developments.

Objectives

- To increase the sense of space in apartments.
- To promote the penetration of daylight into the depths of dwellings.
- To contribute to the flexibility in future use of residential buildings.
- To achieve high quality interior spaces while considering the external building form requirements.

Controls

- (1) Provide the following minimum floor to ceiling heights:
 - (a) Minimum 3.3m for ground and first floor to encourage future flexibility of use as residential, retail or commercial.
 - (b) A minimum 3.3m floor to ceiling height must be provided for all levels of a development within the town centre proposing only commercial or retail occupation.
 - (c) For all other residential floors provide the following minimum floor to ceiling heights:
 - (i) 2.7m minimum for all habitable rooms on all floors.
 - (ii) 2.4m minimum for non-habitable rooms on all floors.
 - (d) Attic spaces, must have a 1.5m minimum wall height at edge of room with a 30 degree minimum ceiling slope.

- (2) Maximise heights in habitable rooms by stacking wet areas from floor to floor.
- (3) Promote the use of ceiling fans for cooling and heat distribution.
- (4) Coordinate internal ceiling heights and slab levels with external heights requirements and key datum points, such as:
 - (a) Parapet lines set by the context of adjoining buildings.
 - (b) Elements of heritage or character buildings.
 - (c) Exterior awning levels or colonnade heights.

6.3.4 Storage

Providing storage space for items ancillary to people's living needs is particularly important in residential and mixed use developments where the size of dwellings and their configuration are constrained. Storage is conventionally calculated on a unit by unit basis, proportional to the size of the unit.

Objectives

- To provide accessible storage for household and recreational items which cannot be readily accommodated within dwellings.

Controls

- (1) Residential and mixed use buildings are to provide a secure space to be set aside exclusively for storage for each residential dwelling unit.
- (2) The storage area must comply with the following requirements:
 - (a) One bedroom apartments: storage area of 3m² and storage volume 6m³
 - (b) Two bedroom apartments: storage area of 4m² and storage volume 8m³
 - (c) Three or more bedroom apartments storage area of 5m² and storage volume 10m³
- (3) A minimum of 50% of the required storage within each apartment is to be accessible from either the hall or the living area.
- (4) Basement storage is to be provided either adjacent to the unit parking area or within a separate storage area that forms part of the unit title.
- (5) Where basement storage is provided, ensure that it does not compromise natural ventilation in car parks or create potential conflicts with fire regulations.

6.3.5 Basements and Podiums

Objectives

- To integrate the siting, scale and design of basement parking into the site and building design.

Controls

- (1) The construction of a basement must respond to the site constraints and reduce the overall bulk and scale of a development.
- (2) Basements should not encroach upon the minimum setbacks to any property boundary.
- (3) The roof of any basement podium, measured to the top of any solid wall located on the podium, must not be greater than 1m above natural or finished ground level, when measured at any point on the outside walls of the

building. On sites with a greater slope, a change in level in the basement must be provided to achieve this maximum height.

- (4) Council recognises that there may be occasions where this standard cannot be achieved. Should such a circumstance arise, the additional portion of the basement podium above 1m height must be included in the total gross floor area calculation for the development.
- (5) In addition, the following must be satisfied:
 - (a) landscaped terraces are provided in front of the basement podium to reduce the overall visual impact;
 - (b) the height of the basement does not result in the building having a bulk and scale which dominates the streetscape; and
 - (c) the main pedestrian entry to the building is identifiable and readily accessible from the street frontage.
- (6) The following setbacks from front, side and rear boundaries apply to basement podiums:
 - (a) Where the height of the basement podium (measured to the top of any solid wall located on the podium) is less than 1m above natural or finished ground level (whichever distance is greater), the basement podium may extend to the property boundary.
 - (b) A minimum 1.5m wide landscaped planter must be provided on the perimeter of any section of the basement podium which is located on a side or rear property boundary. Such planter must prevent direct access to the outer edge of the podium, to minimise direct overlooking of adjacent dwellings and open space areas.
 - (c) Any portion of the basement (measured to the top of any solid wall located on the podium, excluding planter) which exceeds 1m above natural or finished ground level (whichever distance is greater) must be setback a minimum of 1.5m from the property boundaries, and thereafter at a ratio of 1:1 (height:setback), with this area to be landscaped.
- (7) Basements must be protected from inundation from 100 year ARI flood levels (or greater).
- (8) Driveways are to be designed with the crest at or above the local or mainstream 100 year flood level.
- (9) Driveway gradients are to be in accordance with AS 2890.1.

6.4 External Building Elements

Streetscape and public domain are defined by their buildings, streets and public places. The maintenance and improvement of the public domain is dependent on a consistent approach to the design of new development including the articulation and finish of building exteriors.

6.4.1 Facade Articulation

The composition and detailing of the building façade has an impact on its apparent scale as well as appearance. The pattern or rhythm established by the proportions of the façade, the modulation of external walls, the design of façade elements, their materials and their detailing are all important considerations. The maintenance and improvement of the public domain is dependent on a consistent approach to the design of new development including the articulation and finish of building exteriors.

Objectives

To ensure that new buildings:

- contribute positively to the streetscape and public domain by means of high quality architecture and robust selection of materials and finishes,
- provide richness of detail and architectural interest especially at visually prominent parts of buildings
- present appropriate design responses to nearby development that complement the streetscape,
- clearly define the adjoining streets, street corners and public spaces and avoid ambiguous external spaces with poor pedestrian amenity and security,
- maintain a pedestrian scale in the articulation and detailing of the lower levels of the building, and

- contribute to a visually interesting skyline.

Controls

- (1) Adjoining buildings (particularly heritage buildings) are to be considered in the design buildings in terms of:
 - (a) appropriate alignment and street frontage heights,
 - (b) setbacks above street frontage heights,
 - (c) appropriate materials and finishes selection,
 - (d) facade proportions including horizontal or vertical emphasis, and
 - (e) the provision of enclosed corners at street intersections.
- (2) Horizontal elements of new buildings at the street edge, such as string courses, cornices, parapets, window sills and heads are to relate to those of existing buildings, particularly heritage buildings.
- (3) Articulate facades so that they address the street and add visual interest. Buildings are to be articulated to differentiate between the base (street frontage height) and the top in design.
- (4) Establish a well proportioned vertical rhythm particularly up to street frontage height by breaking the facade into bays of up to 6m wide.
- (5) Visible parts of side and rear boundary walls are to be treated with similar consideration of proportion, detailing and materials as other elements of the façade.
- (6) Finishes with high maintenance costs, those susceptible to degradation or corrosion from a coastal environment or finishes that result in unacceptable amenity impacts, such as reflective glass, are to be avoided.
- (7) To assist articulation and visual interest, no single wall plane shall exceed 120m².
- (8) The top storey of a building is to be setback from the outer face of the floors below on all sides.
- (9) Limit sections of opaque or blank walls greater than 4m in length along the ground floor to a maximum of 30% of the building frontage.
- (10) Highly reflective finishes and curtain wall glazing are not permitted above ground floor level.
- (11) A materials sample board and schedule is to be submitted with applications for development.
- (12) Limit excessive repetition of building modules to avoid monotony.

6.4.2 Roof Design

The roof is an important architectural element for the overall composition and expression of a building. The shape and form of a roof and its associated elements responds to the environment and the context. Quality roof design responds to various viewpoints within the local context, such as the roofscape observed from adjacent taller buildings and the silhouette viewed from the street below. In some areas, the roof forms part of a distant view and sits within a larger skyline.

Objectives

- To provide quality roof designs, which contribute to the overall design and performance of buildings.
- To integrate the design of the roof into the overall façade, building compositions and desired contextual response.

Controls

- (1) Roof design shall relate to the desired built form by:

- (a) articulating the roof to minimise the apparent bulk and relate to the context of smaller building forms.
 - (b) using a similar roof pitch or material to adjacent buildings, particularly in areas with an identifiable character.
 - (c) using special roof features, which relate to the desired character of an area, to express important corners.
- (2) The roof height of a building shall be a maximum of 5.5m above the top-most floor level. This does not include any vent, chimney, flue, antennae or the like.
- (3) Roof design must respond to the orientation of the site and solar access. For example, by using eaves and skillion roof forms.
- (4) Roof projection is allowed beyond the outer face of the top storey.
- (5) Lift over runs and service plants must be concealed within the roof of the building to minimise the visual intrusiveness of service items.
- (6) Rooftop structures, such as air conditioning, lift motor rooms, satellite dishes, and the like are to be incorporated into the architectural design of the building.
- (7) Communication towers such as mobile phone towers and the like, but excluding satellite dishes, are not to be located on residential buildings.
- (8) Landscaped and shaded areas on the roof of buildings will be considered where residential amenity, e.g. by way of noise generation or overlooking, and building appearance is not unreasonably affected.

6.5 Building Amenity

6.5.1 Acoustic Privacy

Acoustic privacy is a measure of sound insulation between apartments and between external and internal spaces. Designing for acoustic privacy relates to the location and separation of buildings within a development and the arrangement of apartments and internal spaces within apartments. The proximity of the building to major external noise sources such as busy roads is also a major consideration.

Objectives

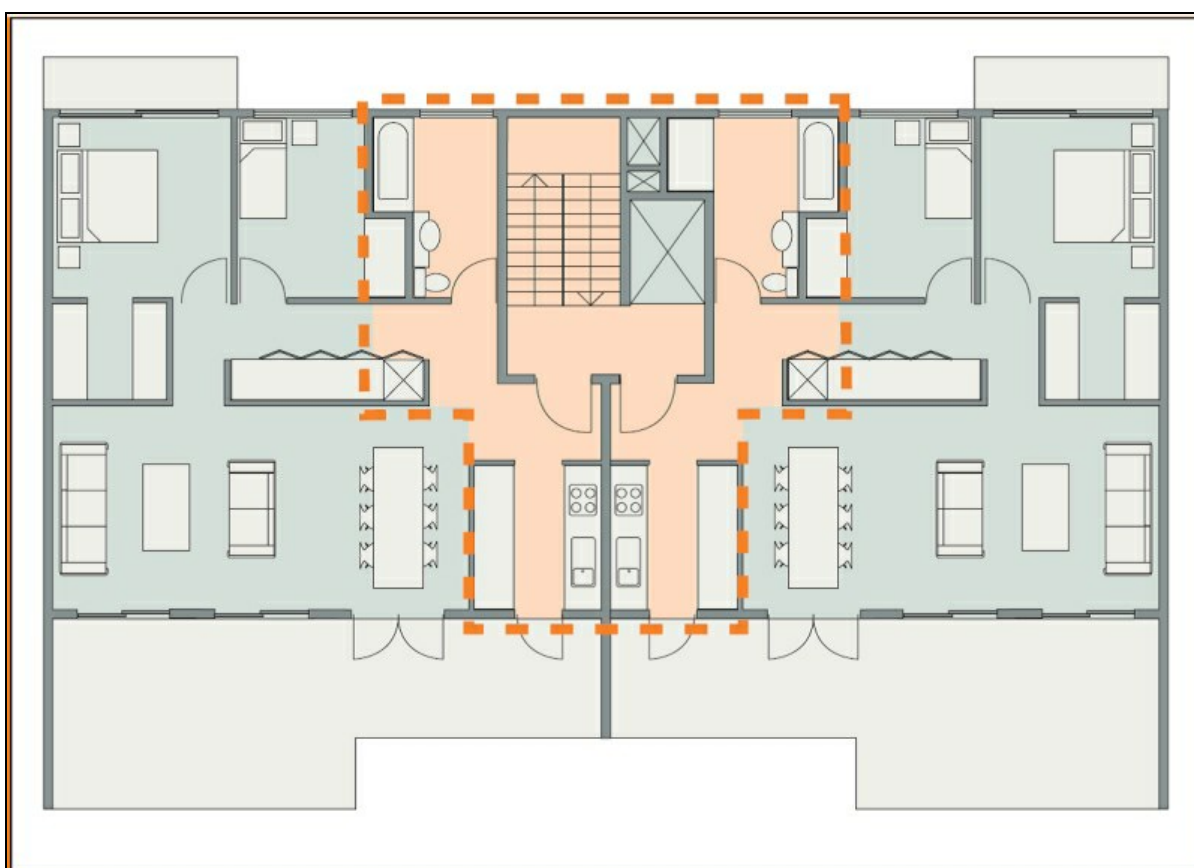
- To ensure a high level of amenity by protecting the acoustic privacy of residents within residential and mixed use developments within apartments and in private open spaces.
- To minimise impacts from noise generating uses (traffic, service vehicles, air conditioners and other plant equipment).
- To ensure acoustic privacy within mixed-use buildings between uses and between adjacent buildings.

Controls

- (1) Maximise acoustic privacy with regard to the site and building layout by:
 - (a) providing adequate building separation within the development and from neighbouring buildings,
 - (b) ensuring vertical as well as horizontal separation between conflicting uses generating different noise levels.
- (2) Where there are commercial/retail and residential uses located adjacent to each other, or within the same building, pay particular attention to the location of air conditioning units, building entries, and the design and layout of areas serving after hours uses.
- (3) Provide a minimum RW rating of 55 between apartments and between shared walls and floors of apartments,

unless the BCA specifies a higher rate, in which case the higher rating will apply.

- (4) Arrange dwellings within a development to minimise noise transmission between units by:
 - (a) locating busy areas next to each other and quieter areas next to other quieter areas (i.e. living rooms with living rooms, bedrooms with bedrooms)
 - (b) using storage and circulation areas within an apartment to buffers noise from adjacent apartments, mechanical services, corridors and lobby areas.
 - (c) minimising the amount of shared (party) walls between apartments.
 - (d) using service areas and corridors to buffer quiet areas such as bedrooms from noise generators including traffic areas and service vehicle entries.
- (5) Resolve conflicts between noise, outlook and views by using design measures such as double glazing, screened balconies and continuous walls to ground level courtyards.
- (6) Reduce noise transmission from common corridors or from outside the building by providing seals to entry doors of units.



Source RFDC

Acoustic privacy: living spaces are located away from noise sources such as lift and stairs (click here to view [original image](#))

6.5.2 Solar Access and Overshadowing

Daylight penetration within dwellings is important, particularly for upper level apartments where there are limited opportunities to move outside. Access to daylight within a dwelling reduces reliance on artificial light, improving energy efficiency and residential amenity.

In addition, the heat loading resulting from direct solar penetration into buildings during the hotter part of the year can have a major impact on residential amenity and energy efficiency. It is therefore important to ensure development is planned and designed to optimise the benefits of sunlight access, whilst minimising the negative effects.

Objectives

- To ensure that daylight access is provided to all habitable rooms and encouraged in all other areas of residential and mixed use development.
- To provide adequate ambient lighting and minimise the need for artificial lighting during daylight hours.
- To provide for controllable sunlight access into the principal living rooms of dwellings.
- To provide residents with the ability to adjust the quantity of daylight to suit their needs.
- To minimise the extent of loss of sunlight to living areas and private open spaces within the development and of adjacent dwellings.
- To minimise the extent of loss of sunlight to surrounding public areas such as waterways, foreshores and public reserves.

Controls

- (1) Provide at least 75% of residential apartments with at least 3 hours of sunlight to living rooms and private open spaces between 9.00am and 3.00pm in mid-winter.
- (2) Limit the number of single aspect apartments with a southerly aspect (SW-SE) to a maximum of 10% of the total number of units proposed. Developments which seek to vary from the minimum standards must show how site constraints and orientation prohibit the achievement of these standards and address the energy efficiency requirements of this Plan.
- (3) Design for shading and glare control through the use of shading devices (eaves, awnings, balconies, etc).
- (4) Adjacent residential buildings and their open spaces must receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on June 21.
- (5) Public foreshore reserves and beaches are not to be overshadowed by the development after 9.30am and before 3.00pm midwinter or after 8.30am and before 5.00pm midsummer.
- (6) In determining access to sunlight, overshadowing by fences, roof overhangs and changes in level must be taken into consideration. Overshadowing by vegetation should also be considered where dense vegetation appears as a solid fence.
- (7) In areas undergoing change, the impact of overshadowing on development likely to be built on adjoining sites must also be considered in addition to the impacts on existing development.
- (8) Shadow diagrams showing the impact of the proposed development on reserves, beaches, adjacent residential developments and their private and communal open spaces, are required.

6.5.3 Natural Ventilation

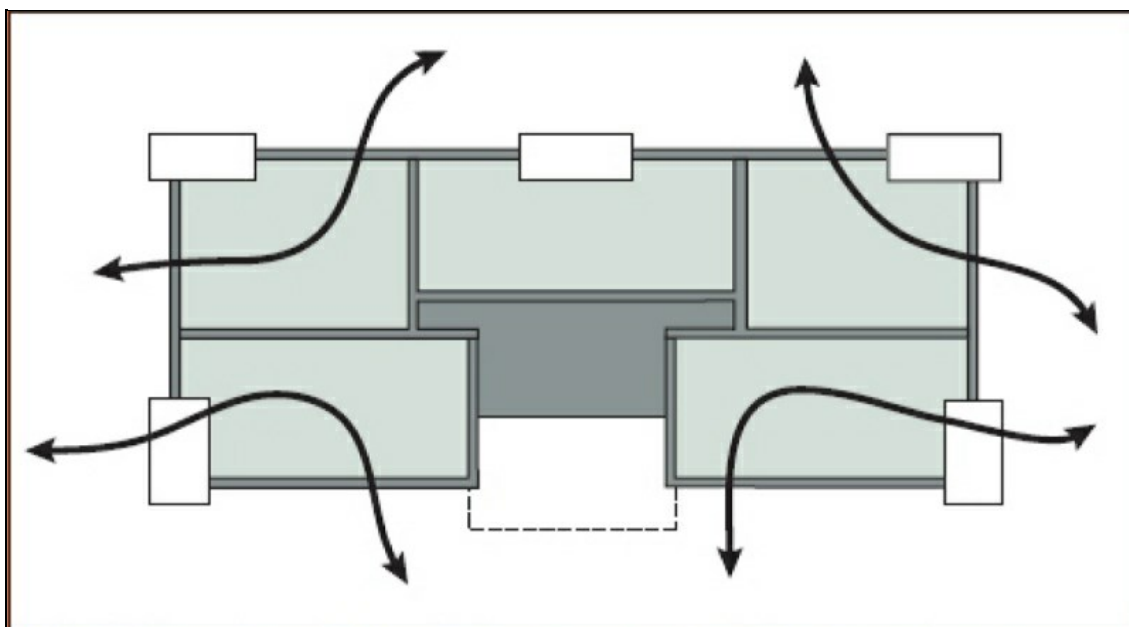
Natural ventilation is the circulation of sufficient volumes of fresh air through dwellings and other building spaces to create a comfortable indoor environment. Designing for natural ventilation exercises sustainable building practice by responding to local climatic conditions and by reducing or eliminating the need for mechanical ventilation. To achieve adequate natural ventilation, the design must address the building's orientation, the configuration of the dwelling and the external building envelope.

Objectives

- To encourage apartment design which allows for natural ventilation of habitable rooms.
- To provide natural ventilation in non-habitable rooms, where possible.
- To reduce energy consumption by minimising the use of mechanical ventilation.

Controls

- (1) Provide residential apartment buildings with a building depth of between 10m and 18m. The depth is measured across the shortest dimension of the building. Dwellings should be a maximum depth of 21m measured from the outside of the balcony.
- (2) Variation to this standard will only be considered where it can be demonstrated that apartments will achieve the minimum requirements with regard to natural ventilation. This may be achieved where apartments have a wider frontage, or increased ceiling and window height to allow for greater penetration of natural light. The building depth is measured across the shortest axis, excluding the depth of any unenclosed balconies.
- (3) A minimum 60% of all residential apartments shall be naturally cross ventilated.
- (4) A minimum 25% of kitchens within a development must have access to natural ventilation. Where kitchens do not have direct access to a window, food preparation and cooking areas must be no more than 8m from a window.
- (5) Single aspect apartments must be limited in depth to 8m from a window.



Internal layout - natural ventilation (click here to view [original image](#))

6.5.4 Night Lighting

The design of lighting has a very significant influence on the visual environment during the night. The benefits of well designed lighting include a pleasant night environment, safety, energy saving, and better visibility of the night sky.

Objectives

- To minimise visually intrusive lighting.
- To minimise light pollution and light looms.
- To ensure that lighting design aids orientation around buildings making entries easy to identify.
- To emphasize positive architectural and landscape qualities of the development.
- To provide safe movement for pedestrians.

Controls

- (1) Light elements (globes and tubes) are not to be visible from the public domain, rather light is to be orientated to illuminate surfaces.
- (2) All light sources are to be oriented so that they are invisible from an aerial view.
- (3) Pedestrian level lighting is preferable to high level lighting.
- (4) Illuminated signs are to have moderate visual prominence in the night and comply with all relevant Australian Standards.
- (5) Warm coloured lighting is to be used in preference to cold colours.
- (6) Lighting is to be designed and located so that it does not cause nuisance especially that which spills from one building into the living spaces of another. A light spill plan is to be provided where flood lighting is proposed within any development.
- (7) Measures are to be taken to minimise energy use.

6.5.5 Site Facilities and Servicing

Development should make appropriate provision for site servicing facilities which include:

- Mail boxes.
- Communication structures.
- Air conditioners.
- Services vents.
- Loading and unloading areas.

Poorly designed, visually incompatible or unattractive site servicing facilities can significantly detract from the overall appearance or image of a development. The location and design of all such facilities should minimise impact on the streetscape and building envelope as well as being safe and convenient to users.

Objectives

- To ensure that site facilities (such as clothes drying areas, mail boxes, recycling and garbage disposal units/areas, screens, lighting, storage areas, air conditioning units and communication structures) are effectively integrated into the development and are unobtrusive.
- To ensure that site services and facilities are adequate for the nature and quantum of development.
- To establish appropriate access and location requirements for servicing.
- To ensure service requirements do not have adverse amenity impacts.

Controls

- (1) Mail boxes for residential buildings and/or commercial tenancies should be provided in one accessible location adjacent to the main entrance to the development.
- (2) Mail boxes should be integrated into a wall where possible and be constructed of materials consistent with the appearance of the building
- (3) Mail boxes shall be secure and large enough to accommodate articles such as newspapers.
- (4) Satellite dish and telecommunication antennae, air conditioning units, ventilation stacks and any ancillary structures should be located:
 - (a) away from the street frontage,
 - (b) integrated into the roofscape design and in a position where such facilities will not become a skyline feature at the top of any building, and
 - (c) adequately setback from the perimeter wall or roof edge of buildings,

- (5) A master antenna should be provided for residential and mixed use buildings. This antenna should be sited to minimise its visibility from surrounding public areas.
- (6) Adequate facilities are to be provided within any new development for the loading and unloading of service/delivery vehicles.
- (7) Service access is to preferably be located off rear lanes, side streets or rights of way.
- (8) All service doors and loading docks are to be adequately screened from street frontages and from active overlooking by existing development.
- (9) Circulation and access to service docks is to be in accordance with AS 2890.1.

6.6 Building Performance

The ability of development to optimise thermal performance, thermal comfort and daylight access will provide increased amenity to occupants, contribute to the energy efficiency of the building, reduce greenhouse gas emissions and reduce energy costs.

Objectives

- To minimise the need for artificial lighting and the necessity for mechanical heating and cooling.
- To minimise greenhouse gas emissions.
- To provide thermal comfort by minimising temperature variations within buildings.

Controls

- (1) Development applications for new buildings and alterations and additions to existing buildings must comply with the SEPP (Building Sustainability Index: BASIX) 2004. This requires that an application must be accompanied by a BASIX certificate or BASIX certificates for the development issued no earlier than 3 months before the date on which the application is made. All commitments listed on a BASIX certificate must be marked on all relevant plans and specifications.
- (2) Reduce reliance on artificial lighting by providing a mix of lighting fixtures and using high efficiency lighting (e.g. Fluorescent), particularly for common areas.
- (3) Incorporate passive solar design techniques to optimise heat storage in winter and heat transfer in summer.
- (4) Reduce reliance on mechanical heating and cooling by:
 - (a) Allowing for adjustable awnings or blinds to be attached to the outside of windows
 - (b) Providing ceiling fans for improved air circulation.

6.7 Minimum Allotment Frontages

Objectives

- Allow for development of sites which are of sufficient size to accommodate the required building envelope, car parking and landscaping requirements.
- Locate and design development in response to flood, geo-technical or other environmental hazards.
- Promote the efficient utilisation of land.
- Encourage amalgamation of allotments to provide for improved design outcomes, including solar access and amenity.

6.7.1 Medium Density Residential Zone Controls

- (1) A minimum site width of 18m is required for medium density development. Exceptions will only be considered for social housing developments. Site width shall be measured for the full length of the primary street frontage boundary and perpendicular to the side boundary.
- (2) Sites may be amalgamated, where required, to achieve the minimum site width requirements.

6.7.2 High Density Residential & Mixed Use Zones Controls

- (1) Amalgamation of allotments will be required in the circumstance where an isolated allotment would otherwise be created.
- (2) Council will only allow development which would result in the creation of an isolated allotment with a frontage of less than the minimum frontage where it is demonstrated that negotiations to purchase the isolated allotment have been entered into but have been unsuccessful.
- (3) Council will only allow development of a site with a frontage less than the minimum frontage for the purpose of a building 3 storeys or more in height, where it is demonstrated that:
 - (a) Sufficient amenity for future residents is achieved in terms of solar access, daylight penetration and privacy;
 - (b) The proposed development does not adversely impact on the amenity of adjoining buildings with respect to solar access and privacy to living areas and private open space areas; and
 - (c) The building form and height positively contributes to the streetscape and townscape character.

6.7.2.1 Coastal Town Centres Additional Controls

Forster and Tuncurry

- (1) A minimum site width of 30m is required. Site width must be measured for the full length of the primary street frontage boundary and perpendicular to the side boundary.

Tea Gardens and Hawks Nest

- (1) A minimum frontage of 18m is required for the construction of a 3 storey building. Site width shall be measured for the full length of the primary street frontage boundary and perpendicular to the side boundary

6.8 Building Depth and Bulk

Controlling the building depth in new buildings allows for good internal amenity in regards to natural light and ventilation and mitigates potential adverse effects that bulky buildings may have on the public domain, including overshadowing and street amenity.

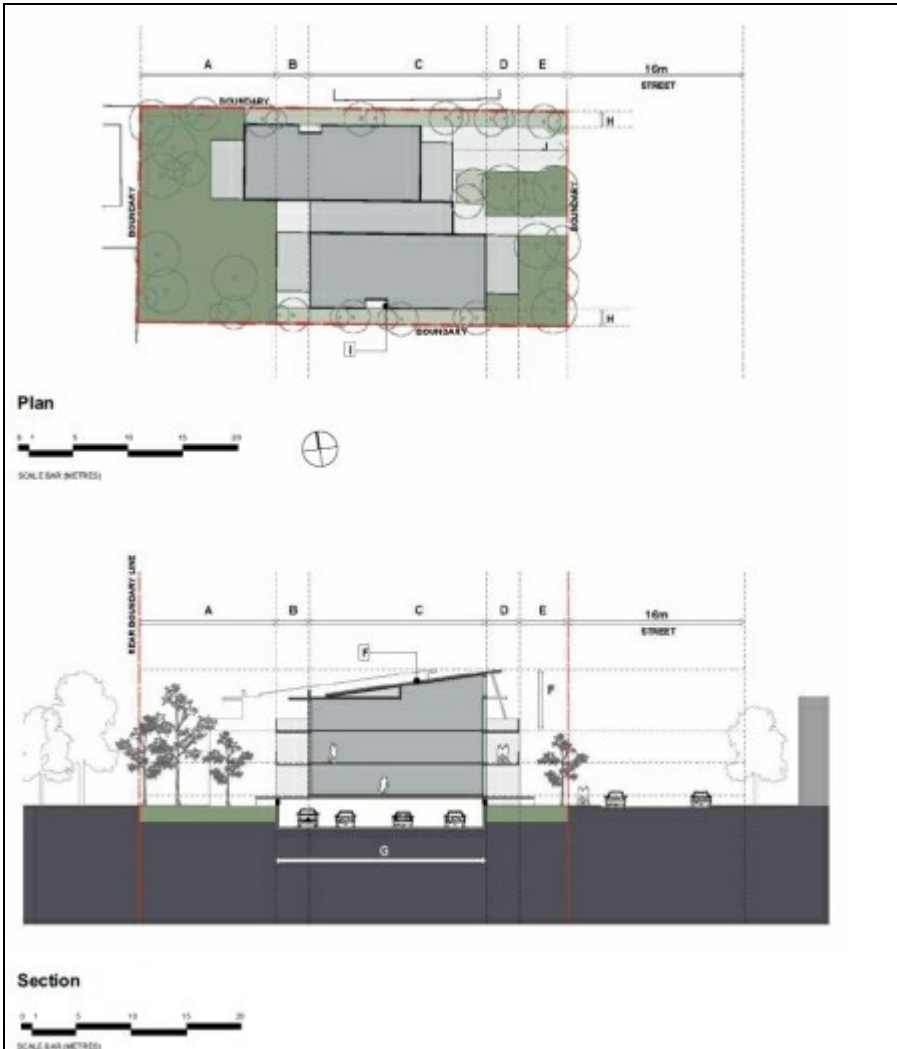
Objectives

- To promote the design and development of sustainable buildings.
- To achieve the development of living and working environments with good internal amenity and minimise the need for artificial heating, cooling and lighting.
- To achieve useable and pleasant streets and public domain at ground level by controlling the size of upper level floor plates of buildings.
- To reduce the apparent bulk and scale of buildings by breaking up expanses of building wall with building separation, modulation of form and articulation of facades.

6.8.1 Medium Density Residential Zone Controls

- (1) The maximum floor-plate depth of any residential floor is 18m, exclusive of balconies.

- (2) The gross floor area of the top-most level of the building can be a maximum of 60% of the floor level directly below.
- (3) Atria, light wells and courtyards should be used as appropriate to improve internal building amenity and achieve cross ventilation and/or stack effect ventilation.



Building and Site Use




-  Residential Use
-  Deep Root Planting
-  Raised Planter Beds

Key Notes

- A** Minimum 6 metre rear setback.
- B** 3 metre building articulation zone.
- C** Maximum residential building depth to be 18 metres.
- D** 3 metre building articulation zone.
- E** Minimum 4.5 metre front setback.
- F** Roof form to integrate services. Height of roof must not exceed 5.5m above upper most unit floor level.
- G** Extent of Basement Carparking. Top of carpark does not exceed 1.2 metres above natural ground level.
- H** Minimum 1.5 metre setback from side boundary.

Medium density small lot (20x50m) residential layout (click here to view [original image](#))



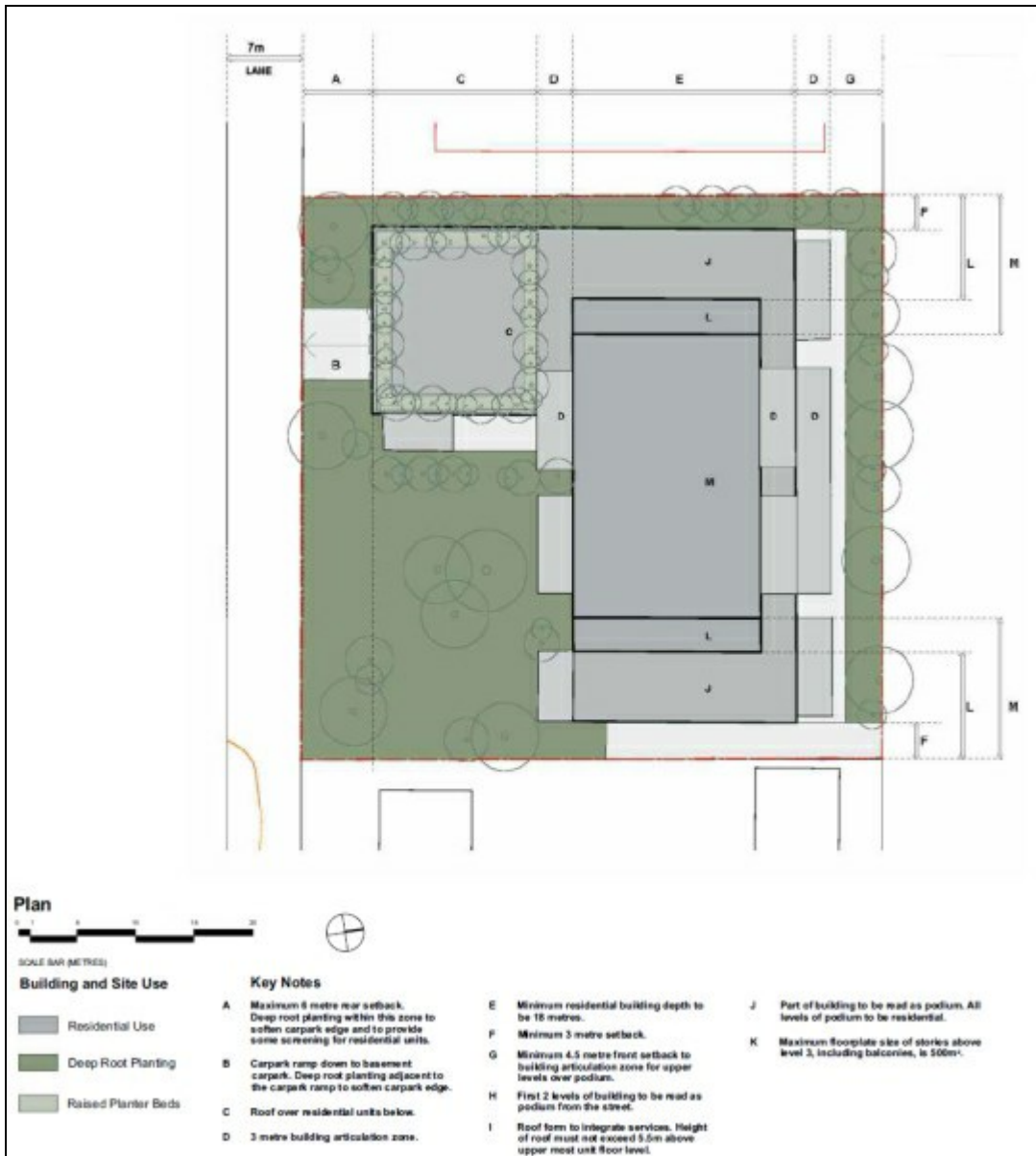
Building and Site Use		Key Notes	
	Residential Use	A	Minimum 6 metre rear setback.
	Deep Root Planting	B	3 metre building articulation zone.
	Raised Planter Beds	C	Maximum residential building depth to be 18 metres.
		D	3 metre building articulation zone.
		E	Carpark ramp down to basement carpark.
		F	Minimum 4.5 metre front setback.
		G	Extent of Basement Carparking. Top of carpark does not exceed 1.2 metres above natural ground level.
		H	Roof form to integrate services. Height of roof must not exceed 5.5m above upper most unit floor level.
		I	Minimum 6 metre setback from side boundary.
		J	Smaller building form facing street.

Medium density large lot (40x50m) residential layout (click here to view [original image](#))

6.8.2 High Density Residential & Mixed Use Zone Controls

- (1) The maximum floor-plate size of buildings above 5 storeys is 500m², inclusive of balconies.
- (2) The maximum floor-plate depth of any residential floor is 18m, exclusive of balconies.
- (3) The gross floor area of the top-level of the building can be a maximum of 60% of the floor level directly below.
- (4) Atria, light wells and courtyards should be used as appropriate to improve internal building amenity and achieve cross ventilation and/or stack effect ventilation.

High Density Residential Building Design Examples



High density large lot (40x50m) residential layout (click here to view [original image](#))



Section



Building and Site Use

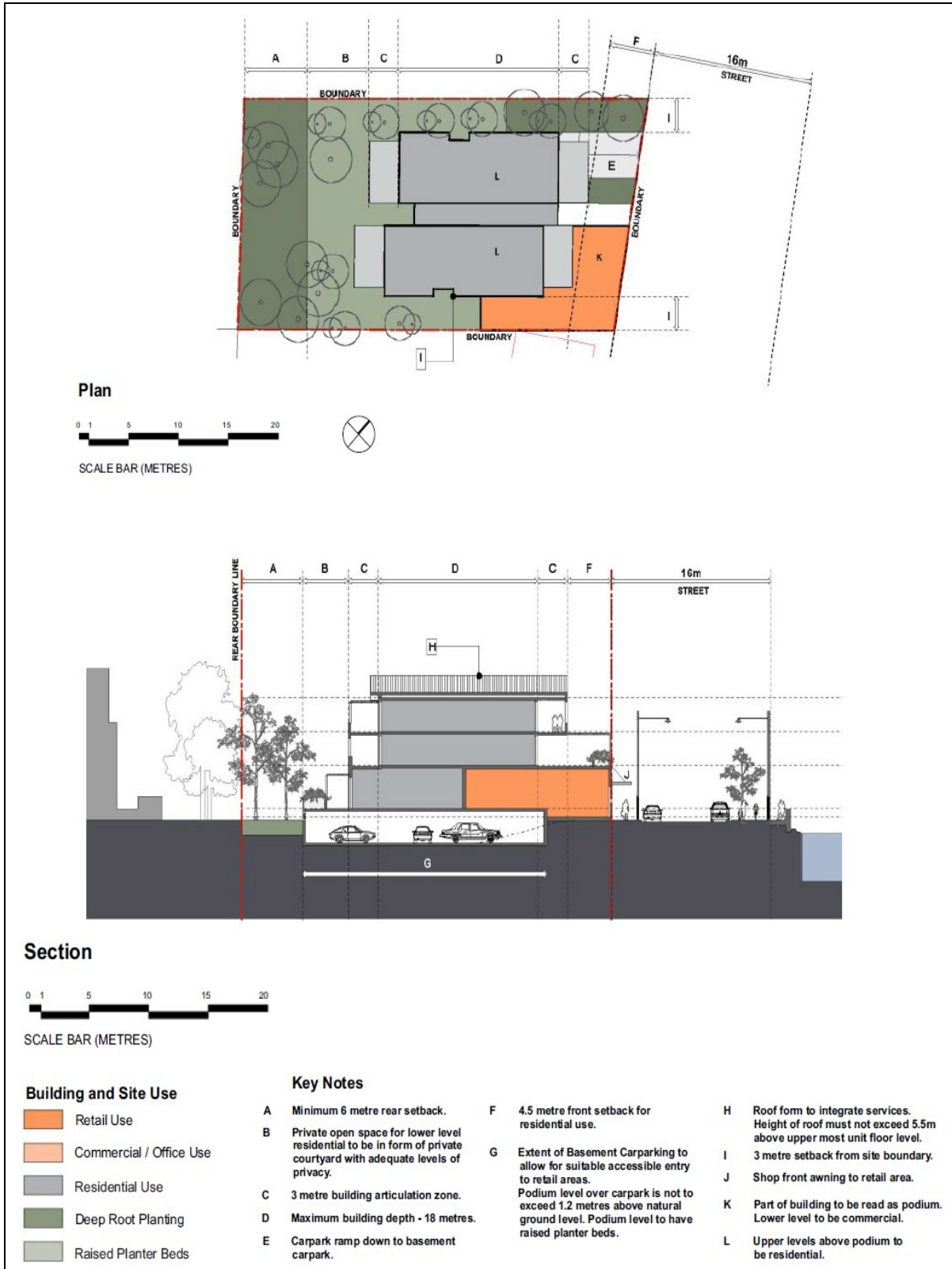
- Residential Use
- Deep Root Planting
- Raised Planter Beds

Key Notes

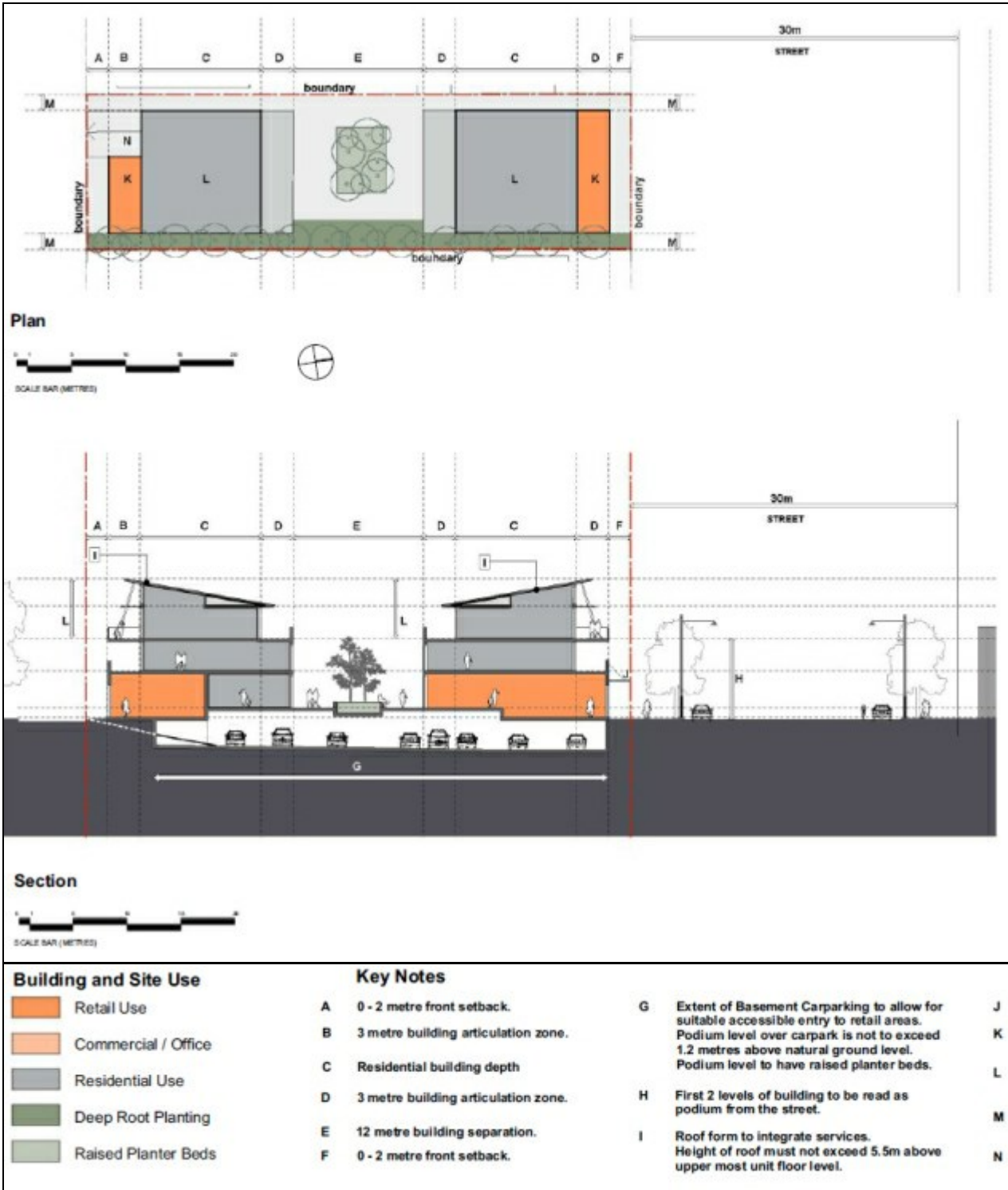
- | | | |
|---|---|--|
| <p>A Maximum 6 metre rear setback. Deep root planting within this zone to soften carpark edge and to provide some screening for residential units.</p> <p>B Carpark ramp down to basement carpark. Deep root planting adjacent to the carpark ramp to soften carpark edge.</p> <p>C Roof over residential units below.</p> <p>D 3 metre building articulation zone.</p> | <p>E Minimum residential building depth to be 18 metres.</p> <p>F Minimum 3 metre setback.</p> <p>G Minimum 4.5 metre front setback to building articulation zone for upper levels over podium.</p> <p>H First 2 levels of building to be read as podium from the street.</p> <p>I Roof form to integrate services. Height of roof must not exceed 5.5m above upper most unit floor level.</p> | <p>J Part of built levels of podium.</p> <p>K Maximum floor level 3, incl.</p> |
|---|---|--|

High density residential flat large lot (40 x 50m) layout (click here to view [original image](#))

Mixed Use Building Design Example



Mixed use building small lot (20 x 50m) layout (click here to view [original image](#))



Mixed use building small lot (20 x 50m) layout (click here to view [original image](#))

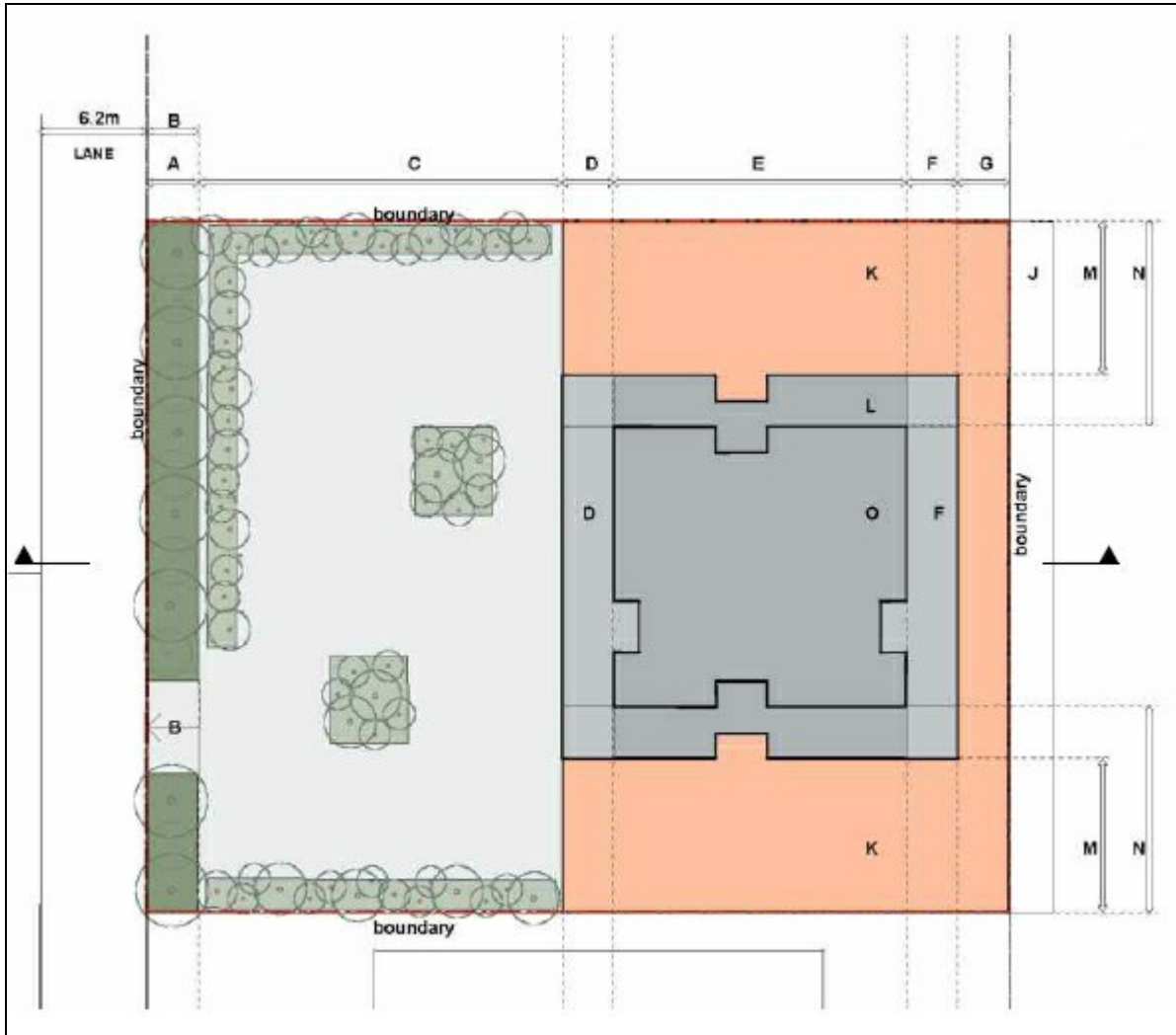


Mixed use building in local centre small lot (20 x 50m) layout (click here to view [original image](#))



Building and Site Use	Key Notes		
Retail Use	A Minimum 3 metre rear setback.	G Extent of Basement Carparking to allow for suitable accessible entry to retail areas. Podium level over carpark is not to exceed 1.2 metres above natural ground level. Podium level to have raised planter beds.	L Upper levels to
Commercial / Office Use	B Carpark entry ramp down to basement carpark.	H First 2 levels of building to be read as podium from the street.	M Top floor: 60 %
Residential Use	C Maximum residential building depth - 18 metres.	I Roof form to integrate services. Height of roof must not exceed 5.5m above upper most unit floor level.	N Minimum 6 met boundary to lev
Deep Root Planting	D Minimum 12 metre building separation.	J Shop front awning to retail area.	O Minimum 9 met boundary to th podium.
Raised Planter Beds	E 3 metre building articulation zone.	K Part of building to be read as 2 storey podium. 2 levels to be commercial.	P Podium level. One level of ba carpark to havi
	F Minimum 3 metre front setback to building articulation zone for upper levels over podium.		Q Through site pi

Mixed use building large lot (35 x 65m) layout (click here to view [original image](#))



Plan



Building and Site Use

- Retail Use
- Commercial / Office
- Residential Use
- Deep Root Planting
- Raised Planter Beds

Key Notes

- | | | |
|--|--|---|
| <p>A Minimum 3 metre rear setback. Deep root planting within this zone to soften carpark edge and to provide some screening.</p> <p>B Carpark entry / exit zone. Deep root planting adjacent to the carpark ramp to soften carpark edge.</p> <p>C Podium level. Carpark at rear of site with one level of basement carparking. Roof over carpark to have raised planter beds.</p> <p>D 3 metre building articulation zone.</p> | <p>E Maximum residential building depth to be 18 metres.</p> <p>F 3 metre building articulation zone.</p> <p>G Minimum 3 metre front setback to building articulation zone for upper levels over podium.</p> <p>H First 3 levels of building to be read as podium from the street.</p> <p>I Roof form to integrate services. Height of roof must not exceed 5.5m above upper most unit floor level.</p> <p>J Shop front awning to retail area.</p> | <p>K Part of building 1 levels of podium</p> <p>L Upper levels to b</p> <p>M 9 metre setback / levels above pod</p> <p>N 12 metre setback to upper most le</p> <p>O Upper most level</p> |
|--|--|---|

Mixed use large lot (40 x 50m) building in local centre ([click here to view original image](#))



Section



Building and Site Use

	Retail Use
	Commercial / Office Use
	Residential Use
	Deep Root Planting
	Raised Planter Beds

Key Notes

A	Minimum 3 metre rear setback. Deep root planting within this zone to soften carpark edge and to provide some screening.	E	Maximum residential building depth to be 18 metres.	K	Part of build levels of pod
B	Carpark entry / exit zone. Deep root planting adjacent to the carpark ramp to soften carpark edge.	F	3 metre building articulation zone.	L	Upper levels
C	Podium level. Carpark at rear of site with one level of basement carparking. Roof over carpark to have raised planter beds.	G	Minimum 3 metre front setback to building articulation zone for upper levels over podium.		
D	3 metre building articulation zone.	H	First 3 levels of building to be read as podium from the street.		
		I	Roof form to intergrate services. Height of roof must not exceed 5.5m above upper most unit floor level.		
		J	Shop front awning to retail area.		

Mixed use large lot (40 x 50m) building in local centre (click here to view [original image](#))

6.9 Primary Street Setbacks

Primary street setbacks and building alignments establish the front building line. They help to create the proportions of the street and can contribute to the public domain by enhancing streetscape character and the continuity of street facades.

The way in which buildings address the street has important implications for the quality of the public domain. In general terms, streets should be fronted by buildings that respond to the street alignment by orientation of their main entrances and facades.

6.9.1 Medium Density Residential Zones

Objectives

- Reinforce the existing character of the street by acknowledging existing building setbacks.
- Promote compatibility in front setbacks to provide for unity in the building line and to create a distinction between the public and private domain.
- Provide adequate setbacks from boundaries and adjoining dwellings to retain privacy levels, views, sunlight and daylight access and to minimise overlooking.
- Provide appropriate separation between buildings to achieve the desired urban form.
- Minimise overshadowing of adjacent properties and private or public open space.
- Create usable spaces that add to the amenity of ground floor dwellings.

Controls

- (1) The following setback requirements apply from the primary street frontage to the front façade of the building:
 - (a) The same distance as one adjoining residential building, provided the difference between the setbacks of the two adjoining buildings is less than 2m.
 - (b) The average of the setbacks of the two adjoining residential buildings, if the difference between the setbacks of the buildings is greater than 2m.
 - (c) An absolute minimum front setback of 4.5m applies.
- (2) The front setback shall be a minimum of 4.5m for all levels.
- (3) On corner allotments a minimum setback of 3m to the secondary street frontage from the dwelling façade must be provided.
- (4) Balconies may project up to 900mm into front building setbacks, within the building articulation zone within the property boundary, provided the cumulative width of all balconies at each particular level totals no more than 50% of the horizontal width of the building façade, measured at that level.
- (5) An increase in setbacks may be required to retain existing trees or respect adjacent heritage items or buildings located in a Heritage Conservation Area.
- (6) Council may only consider granting a variation to the setback controls where the following can be demonstrated:
 - (a) The siting of the building satisfies the setback objectives; and
 - (b) Windows which are located on the side or rear boundary are primarily provided for natural light or ventilation purposes. This would include highlight windows with a minimum 1.7m sill, fixed obscure glass windows, glass bricks or windows with fixed louvres; and
 - (c) The amenity of the adjoining property is not unreasonably affected; and
 - (d) The design will result in a significant improvement in amenity for residents who will occupy the proposed dwelling.

6.9.2 High Density Residential & Mixed Use Zones

Objectives

- To achieve a strong and consistent definition of the public domain.
- To ensure that the external facades of buildings are aligned with the streets that they front.
- To provide front setbacks appropriate to building function and streetscape character.
- To establish the desired spatial proportions of the street and define the street edge.
- To create a transition between public and private space.
- To allow an outlook to, and passive surveillance of, the street.

- To allow for street landscape character where appropriate.
- To maintain reasonable solar access to the public domain.

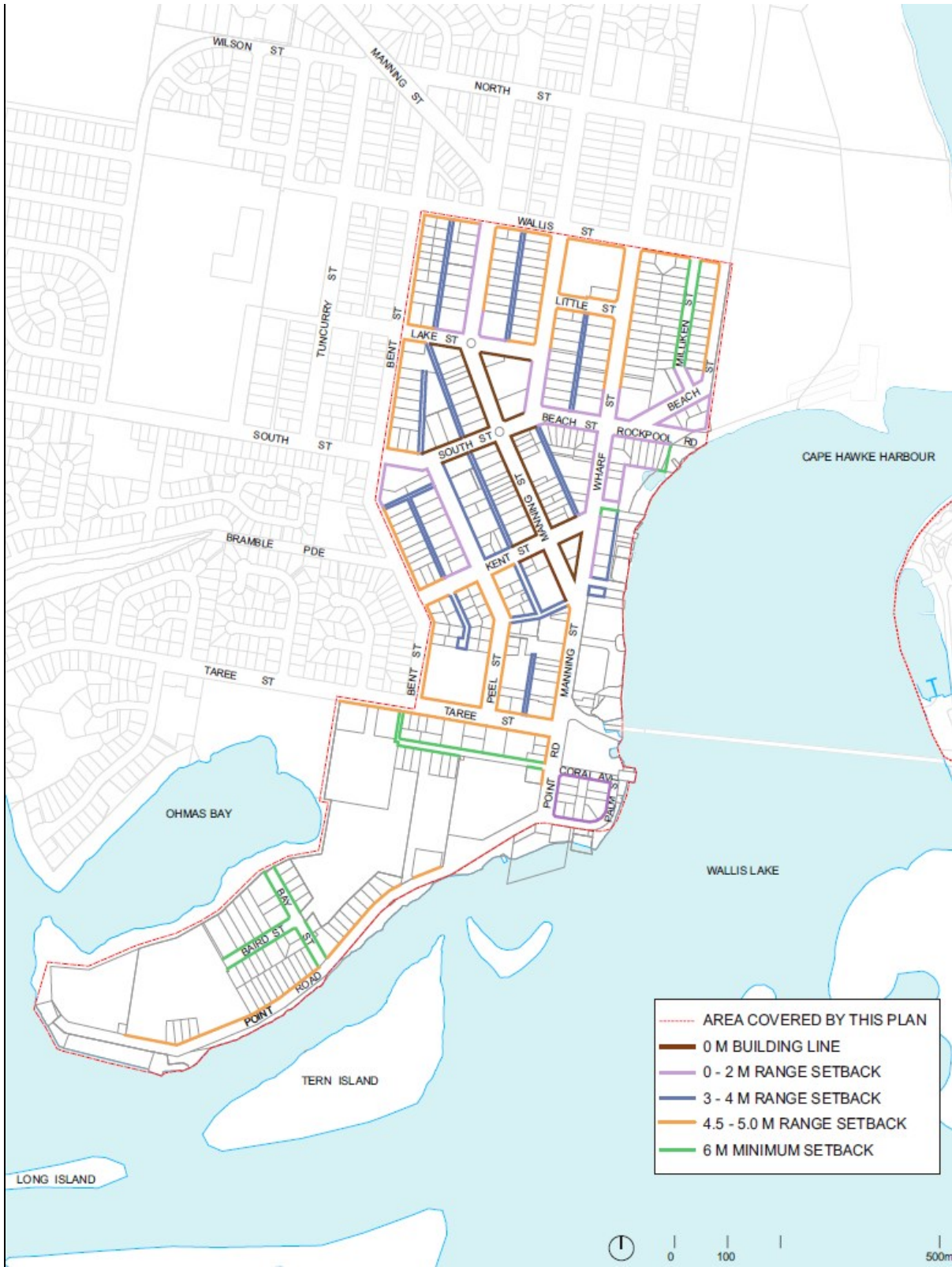
Controls

- (1) Balconies may project up to 600mm into front building setbacks, within the building articulation zone within the property boundary, provided the cumulative width of all balconies at each particular level totals no more than 50% of the horizontal width of the building facade, measured at that level.
- (2) Minor projections into front building setbacks for sun shading devices, entry awnings and cornices are permissible.
- (3) The front building setback of the upper levels shall be a minimum of 4.5m.
- (4) Where buildings are built to the street alignment, balconies may project over the road or footpath.
- (5) An increase in setbacks may be required to retain existing trees or respect adjacent heritage items.

6.9.3 Coastal Town Centres Additional Controls

- (1) Street building alignment and street setbacks are to comply with the setbacks shown in the street alignment and setback plan.
- (2) In the situation of an inconsistency between and the street alignment and setback plans and the development controls in this section, the provisions of the plans shall take precedence.

Tuncurry



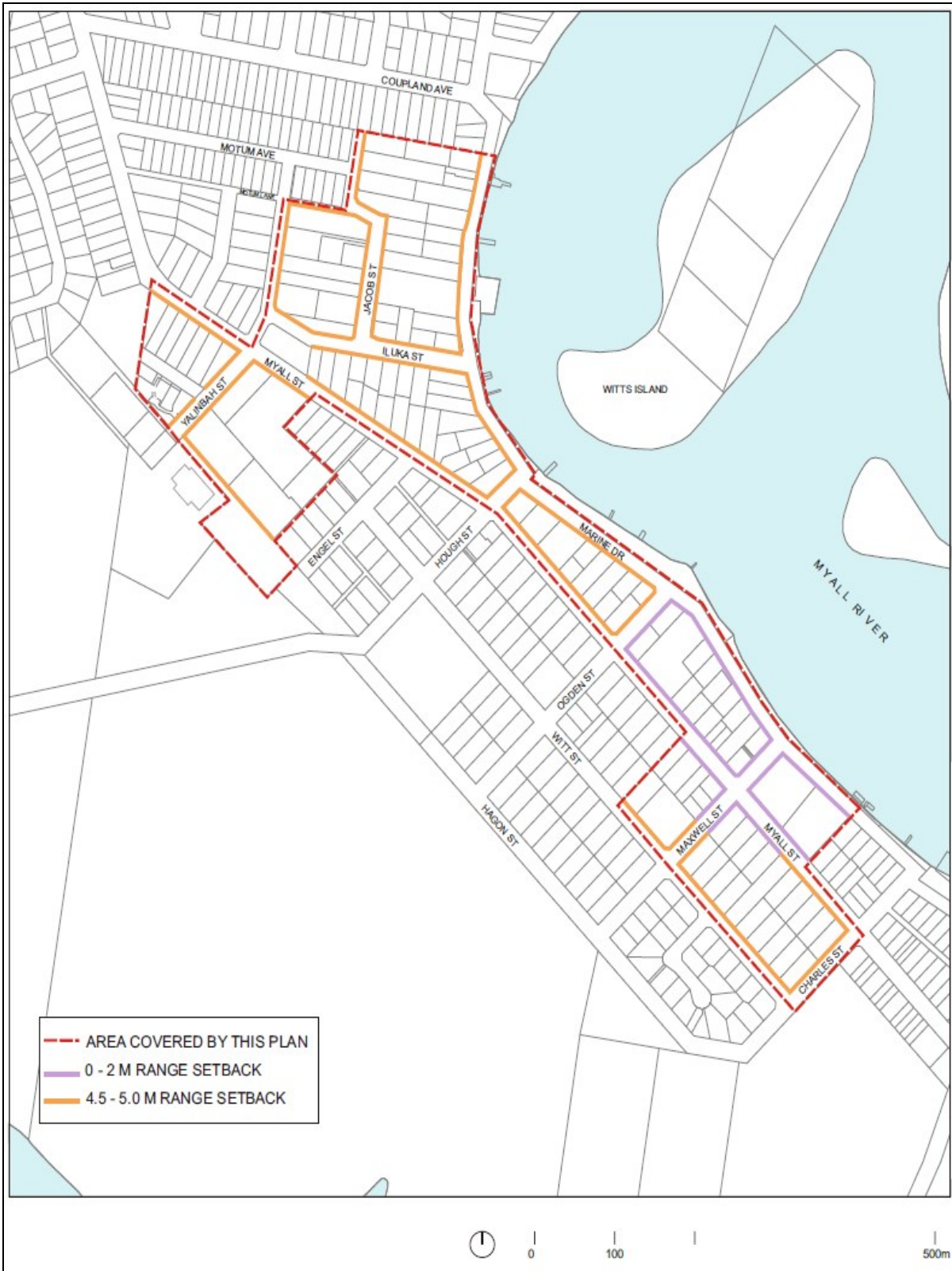
Tuncurry town centre street alignment and setback plan (click here to view [original image](#))

Forster



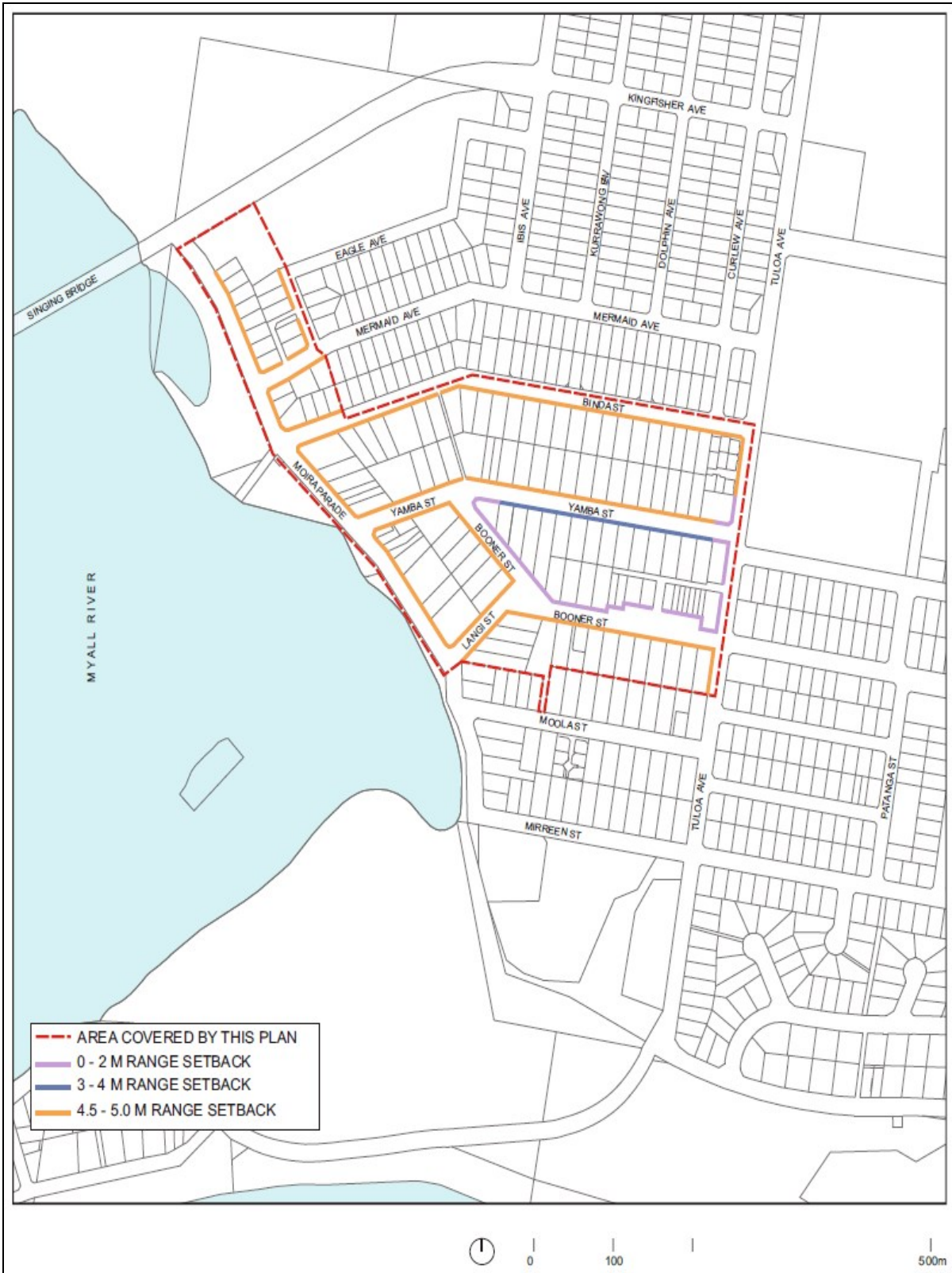
Forster town centre street alignment and setback plan (click here to view [original image](#))

Tea Gardens



Tea Gardens town centre street alignments and setback plan (click here to view [original image](#))

Hawks Nest



Hawks Nest town centre street alignments and setback plan (click here to view [original image](#))

6.10 Side and Rear Setbacks

Side and rear setbacks, where provided, allow ventilation, solar access, increase privacy, and reduce adverse wind effects. Building separation increases in proportion to building height to ensure appropriate urban form, amenity and privacy for building occupants.

Side setbacks that increase with building height will mean that only consolidated lots will achieve the full height

allowed. These side setbacks are based on the SEPP 65 reference document “Residential Flat Design Code”.

In residential buildings, separation between windows on side and rear facades and to other buildings is particularly important for privacy, acoustic amenity and view sharing.

In mixed use buildings, the inclusion of reduced setbacks at the lower level of the building promote active uses at the street front and enable an efficient floor plate for non-residential uses. The separation between windows on side and rear facades and other buildings for the upper level residential component is particularly important for privacy acoustic amenity and view sharing. Accordingly, separation for mixed use buildings containing residential and commercial uses is to be in accordance with specified distances for each component use.

6.10.1 Medium Density Residential Zones

Objectives

- Provide adequate setbacks from boundaries and adjoining dwellings to retain privacy levels, views, sunlight and daylight access and to minimise overlooking.
- Provide appropriate separation between buildings to achieve the desired urban form.
- Optimise the use of land at the rear of the property and surveillance of the street at the front of the property.
- Minimise overshadowing of adjacent properties and private or shared open space.

Controls

- (1) For multi dwelling housing the side or rear boundary setbacks are measured from the wall of the building or the outer edge of a balcony/deck, to the adjacent property boundary. The minimum side and rear boundary setbacks are as follows:
 - (a) 6m where a habitable room/balcony faces an adjacent property
 - (b) 1.5m where non-habitable rooms/blank walls face an adjacent property
- (2) Council may only consider granting a variation to the setback requirements where the following can be demonstrated:
 - (a) The siting of the building satisfies the setback objectives; and
 - (b) Windows which are located on the side or rear boundary are primarily provided for natural light or ventilation purposes. This would include highlight windows with a minimum 1.7m sill, fixed obscure glass windows, glass bricks or windows with fixed louvres; and
 - (c) The amenity of the adjoining property is not unreasonably affected; and
 - (d) The design will result in a significant improvement in amenity for residents who will occupy the proposed dwelling.

6.10.2 High Density Residential, Mixed Use and Business Zones

Objectives

- To ensure an appropriate level of amenity for building occupants in terms of daylight, outlook, view sharing, ventilation, wind mitigation and privacy.
- To achieve usable and pleasant streets and public domain areas in terms of wind mitigation and daylight access.
- To ensure that new development is scaled to support the desired area character with appropriate massing and spaces between buildings.
- To provide deep soil zones for stormwater management and landscaping.

Controls

- (1) Buildings are to comply with the side and rear boundary setbacks listed in the relevant table for its zone and locality.
- (2) The separation distance between buildings on the same site are not to be less than that required between buildings on adjoining sites, unless it can be demonstrated that reducing the separation distances provides adequate privacy and solar access to the buildings concerned.
- (3) If the specified setback distances cannot be achieved when an existing building is being refurbished or converted to another use, appropriate visual privacy levels are to be achieved through other means. These will be assessed on merit by the consent authority.
- (4) Built to boundary walls will be considered for upper level commercial uses subject to adequate amenity provision for occupants and adjoining sites and appropriate streetscape appearance.

6.10.2.1 High Density Residential Zones Setbacks Table

Side and Rear Setback Controls in High Density Residential Zones	
Building Height	Minimum Side and Rear Setback
Levels up to 3 storeys	6m
Levels over 3 storeys	9m where a habitable room/balcony faces a habitable room/balcony on an adjacent property
	6.5m between habitable rooms/balconies and non-habitable rooms/balconies on an adjacent property
	4.5m where a non-habitable room/blank wall faces a non-habitable room/blank wall on an adjacent property

6.10.2.2 Coastal Town Centres Mixed Use and Business Control Tables

- (1) In the situation of an inconsistency between the street alignment and setback plans and the development controls in this section, the provisions of the diagrams shall take precedence.

Forster and Tuncurry Setbacks Table

Side and rear setback controls in Forster and Tuncurry mixed use and business zones	
Building Height	Minimum Side and Rear Setback
Levels up to 3 storeys	Nil for 1 side boundary and 2.5m for 1 side boundary
	Nil for commercial development
	6m where no rear lane access is possible
	3m where rear lane access is provided.
Levels over 3 storeys	9m where a habitable room/balcony faces a habitable room/balcony on an adjacent property
	6.5m between habitable rooms/balconies and non-habitable rooms/balconies on an adjacent property
	4.5m where a non-habitable room/blank wall faces a non-habitable room/blank wall on an adjacent property

Tea Gardens and Hawks Nest Setbacks Table

Side and rear setback controls in Tea Gardens and Hawks Nest business zones	
Building Height	Minimum Side Setback
Ground Floor	Nil for non-residential
	3m for ground floor residential

First and second floor	9m where a habitable room/balcony faces a habitable room/balcony on an adjacent property
	6.5m between habitable room/balcony and non-habitable room/balcony on an adjacent property
	4.5m where a non-habitable room/blank wall faces a non-habitable room/blank wall on an adjacent property
	Minimum Rear Setback
	6m where no rear lane is provided
	3m where rear lane access is provided

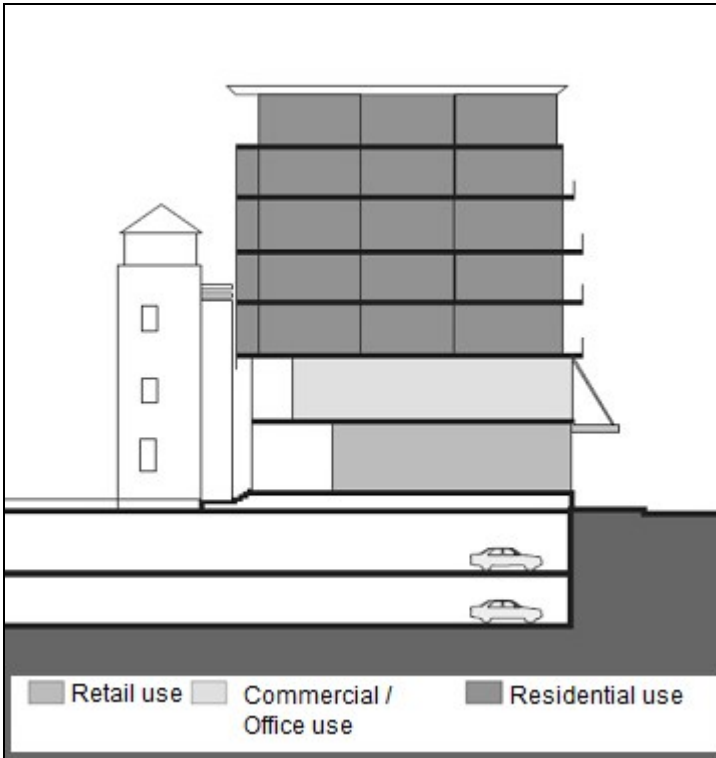
6.11 Ground Level Uses

Objectives

- Support the integration of appropriate retail and commercial uses with housing.
- Provide an identifiable and desirable street address to each building and dwelling.
- Create safe and more active lively streets and urban areas, which encourage pedestrian movement, and services to meet the needs of residents.
- Ensure that the design of mixed-use developments maintains residential amenity and preserves compatibility between uses.
- Allow for outlook and surveillance towards the street and the public domain.

Controls

- (1) Provide a variety of different sized non-residential spaces (e.g. boutique shops and cafes, art galleries, suites for local commercial services, etc).
- (2) All common areas (including the principal entrance to the building) are accessible by all persons.
- (3) Locate retail/commercial uses on the ground floor, retail/commercial uses on the first floor, and residential uses on the upper floors.
- (4) Provide services and facilities within the development that meet the needs of different population groups and build flexibility into communal space to meet changing needs.
- (5) Minimum floor to ceiling heights are to 3.3m for the first three floors of a building to provide flexible tenancy layouts.
- (6) A minimum 3.3m floor to ceiling height must be provided for all levels of a development within the town centre proposing only commercial or retail occupation.
- (7) Commercial service requirements, such as loading docks, are to be separate from residential access and primary outlook.
- (8) Clearly demarcated residential entries are to be directly accessible from the public street. The main pedestrian entrance or foyer must be 1.2m or less above natural ground level.
- (9) Where ground floor residential units are provided, they must have separate entrances and be accessible directly from the street.
- (10) Provide security access controls to all entrances into private areas, including car parks and internal courtyards.
- (11) Avoid the use of blank building walls at the ground level.



Mixed use building ground level uses (click here to view [original image](#))

6.12 Coastal Town Centres Street Frontage Heights

Street frontage heights refer to the height of the building that directly addresses the public street from the ground level up to the first (if any) setback.

Objectives

- Provide a strong, consistent and appropriate definition of the public domain.
- To achieve comfortable street environments for pedestrians in terms of daylight, scale, sense of enclosure and wind mitigation as well as a healthy environment for street trees.
- To protect solar access to key streets and public spaces.

Controls

- (1) The street frontage height of buildings should comply with the heights above mean ground level on the street front as shown in the street frontage height plan.
- (2) Notwithstanding the controls in the street frontage height plans, the street frontage height controls of any new building adjacent to any heritage item is to incorporate appropriate scale and massing.

Tuncurry



Tuncurry town centre street frontage height plan (click here to view [original image](#))

Forster



Forster town centre street frontage height plan (click here to view [original image](#))

Tea Gardens



Tea Gardens street frontage height plan (click here to view [original image](#))

6.13 Coastal Town Centres Concept Plans

The coastal town centre concept plans provide an overview of the desired pedestrian linkages and their relationship to the existing residential, recreational and commercial uses.

Tuncurry



Tuncurry town centre concept plan (click here to view [original image](#))

Forster



Forster town centre concept plan (click here to view [original image](#))

Tea Gardens



Tea Gardens town centre concept plan ([click here to view original image](#))

Hawks Nest



Hawks Nest town centre concept plan ([click here for original image](#))