

CHAPTER 5.34 TUGGERAH PRECINCT

5.34.1 INTRODUCTION

The purpose of this Chapter is to provide specific guidelines for development within the Tuggerah Precinct.

5.34.1.1 Objectives of this Chapter

- To strengthen and promote the Tuggerah Precinct as an integral component of the Tuggerah/Wyong Regional Centre
- To establish a clear identity and image for the Precinct as a primary focus of economic activity.
- To promote the orderly use of Tuggerah development land in accordance with its status and development potential as a Regional Centre
- To encourage high quality urban design as appropriate to the presentation, perception and development of a multi-functional Regional Centre
- To provide appropriate controls and incentives to attract investment in the centre
- To promote employment generation in the Tuggerah Regional Centre
- To maintain and reinforce the Precincts existing competitive advantage centred on accessibility
- To encourage higher density development within the Precinct adjacent to the main public transport facilities
- To manage the traffic and parking for the benefit of the residents, business people, service personnel and visitors
- To encourage a well designed, safe and active public domain which contributes to the well being of the community
- To encourage mixed use development (incorporating appropriate retail and commercial uses), which can include residential development where it is attached to other permitted buildings only
- To encourage a high quality building stock which can adapt over time to a range of uses
- To ensure that the built form defines a spatial hierarchy with a human scale which contributes to the legibility of the centre
- To protect, rehabilitate and manage significant environmental features located within the Precinct
- To reduce the impact of development on ecological systems and processes that sustain life
- To allow development that is compatible with the flood hazard of the land

5.34.1.2 Land to which this Chapter Applies

The land to which this Chapter applies is shown edged heavy black in Figure 1.

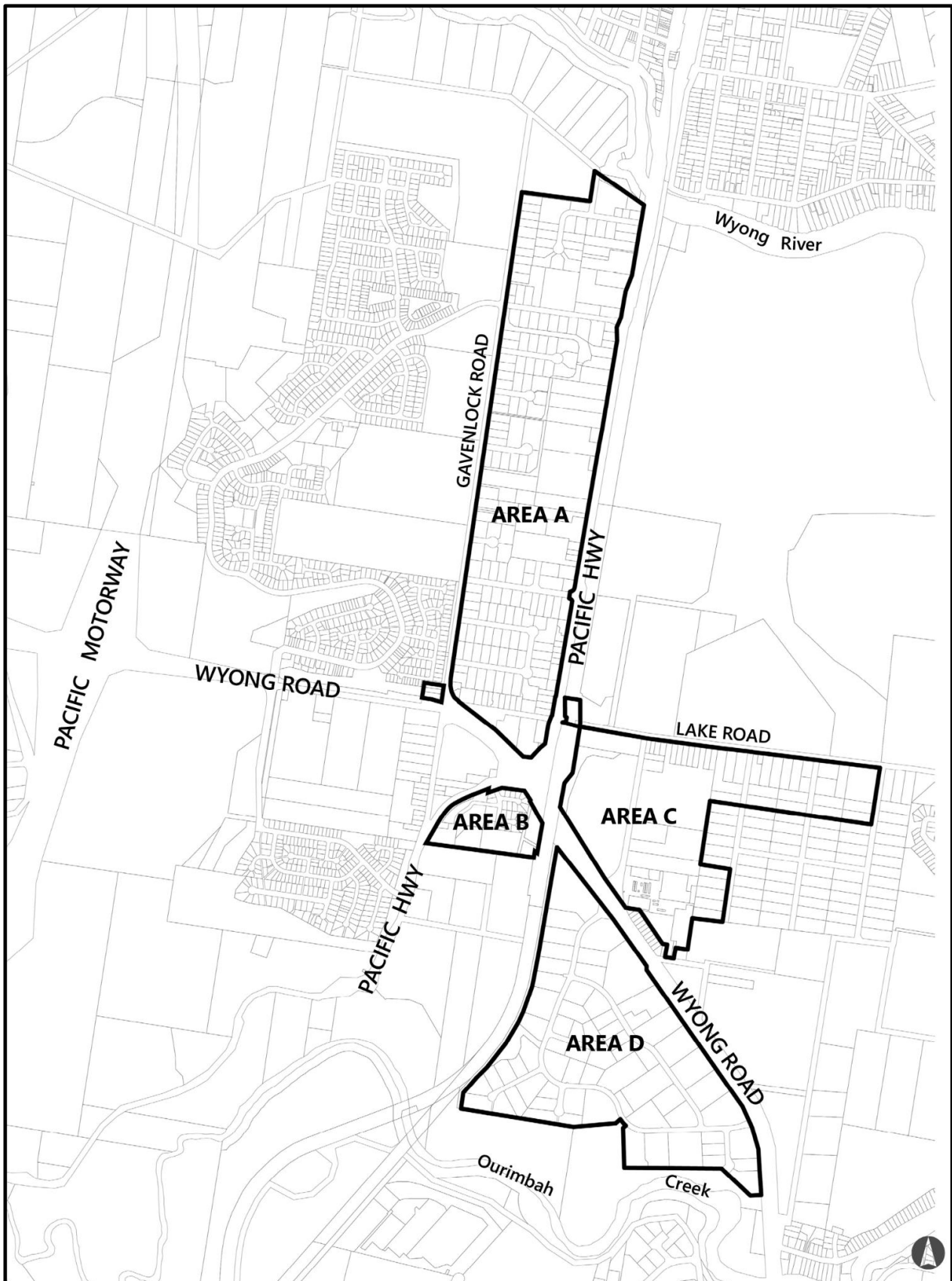


Figure 1 Land to which this Chapter Applies

5.34.1.3 Using this Chapter

5.34.1.3.1 Relationship to other Chapters and Policies

This Chapter should be read in conjunction with other relevant Chapters of this Development Control Plan and other Policy Documents of Council, including but not limited to:

- Chapter 2.4 – Subdivision
- Chapter 2.9 – Industrial Development
- Chapter 2.13 – Transport and Parking
- Chapter 3.1 – Floodplain Management
- Chapter 3.5 – Tree and Vegetation Management
- Council's Civil Works Specification

5.34.1.3.2 Area Plans

For the purposes of this Chapter, the Tuggerah Precinct is divided into four areas. Section 3 of this document contains controls that are specific to each of these areas. The information contained in Section 2 below applies across all, or more than one of the four areas. Both Sections 2 and 3 are to be considered as part of any development proposal.

5.34.2 DEVELOPMENT PRINCIPLES – APPLYING ACROSS SEVERAL PRECINCTS

5.34.2.1 Private Domain Controls

OBJECTIVES

- To encourage a high visual standard and operational compatibility between development sites, public lands, major transport corridors and adjoining residential areas
- To promote development of a visually attractive form, integrating the built and natural environments
- To encourage Ecologically Sustainable Development (ESD) by the incorporation of measures promoting energy efficiency and treatment/reuse of stormwater

REQUIREMENTS

5.34.2.1.1 Built Form

- a Buildings and structures should be appropriately modulated and articulated in their facade in order to provide well-proportioned elevations and human scale when viewed along the street.
- b Important parts of the building such as corners, entrances, the building base and the roof should be articulated.
- c Large expanses of blank walls and curtain walling should be avoided.
- d Minor stepping of the street frontage and articulation of building facades is encouraged. The building entrance may be set back or brought forward for emphasis.

- e Building siting design and construction shall incorporate Ecologically Sustainable Development (ESD) principles and implement best practice approaches to water and energy efficiency including solar access.

5.34.2.1.2 Access and Car Parking

- a Car parking shall be provided in accordance with Chapter 2.13 –Transport and Parking
- b Special access provisions apply in relation to properties fronting the Pacific Highway. See Area A1 Controls for specific details.
- c Parking areas are to be unobtrusive.
- d Natural or mechanical ventilation of the car park may not be achieved through the use of large metal grills or large openings.
- e Car parking adjoining the rail corridor will be screened and densely landscaped, as viewed from the railway corridor

5.34.2.1.3 Flooding and Drainage

- a The Tuggerah area is generally low-lying and potentially affected by flooding. Any development proposal is to consider the requirements of Chapter 3.1 Floodplain Management.
- b All developments shall comply with Council's Civil Works Specification

5.34.2.1.4 Landscaping

- a All development proposals shall include a landscape plan and details of all landscape works associated with the development. In most instances developments will require a landscape plan and landscape design report to be prepared by a suitably qualified landscape professional. Any Landscape Design Report shall also address the following matters:
 - i a strategy for dealing with surface flood flow across the site;
 - ii the integration of sediment pollution control into the landscape design;
 - iii general planting themes within the site and indicative species;
 - iv the proposed street tree theme for Wyong Road and integration of this theme with other sections of Wyong Road;
 - v a thematic strategy for hard surface materials within the site including paving, terracing, ornaments, ponds, street furniture, lighting and the like;
 - vi proposed protection measures of adjoining wetland and riparian systems; and
 - vii protection and treatment of vegetation proposed to be retained on site.

5.34.2.1.5 Materials and Building Finishes

- a Building materials should complement the predominant masonry construction of recent developments within the Tuggerah Precinct. A preference for high quality, durable, UV stabilised/resistant building materials is favoured.
- b The reflectivity index for glass used externally in construction of a building (as a curtain wall or the like) shall not exceed 20%.
- c Development is encouraged to draw upon an indigenous colour palette within the existing natural and cultural landscape.

5.34.2.1.6 Residential Development

- a Mixed use development incorporating a residential component qualifies for a 0.05 FSR bonus where permissible and considered appropriate.

5.34.2.1.7 Roofscape

- a Structures such as masts, stacks, distilling towers, silos and the like shall not be permitted, except where:
 - i they are appropriately integrated with the design of the building in the manner described above; and
 - ii they do not exceed twelve (12) metres in height.

5.34.2.1.8 Servicing and Storage

- a Where practical, loading and manoeuvring areas for service vehicles should be separated from car parking modules and pedestrian access.
- b Service areas should not be visible from roadways or the Great Northern Railway,
- c Garage doors/loading docks are to be slightly recessed so that they are not dominant element in the overall street presentation and should not be located at the end of a street vista.
- d External storage of material or goods shall:
 - i be totally screened from view from Wyong Road, the Pacific Highway and the Great Northern Railway;
 - ii be screened from view from internal roads, open space or wetlands; and
 - iii not be located in the front setback area of any development lot.

5.34.2.1.9 Setbacks

The following building setbacks apply (see also Figure 2).

- a Wyong Road and Wyong Road (West):
 - i buildings are to be setback a minimum of fifteen (15) metres from the Wyong Road property frontage;
 - ii car parking and external storage will not be permitted in the setback area to Wyong Road. The 15 metre setback is to be landscaped.
- b Pacific Highway (North of Wyong Road)/Mildon & Johnson Roads:
 - i buildings are to be set-back a minimum distance of five (5) metres from the Pacific Highway property frontage (after road widening) and no more than fifteen (15) metres;
 - ii the whole of the five (5) metre setback is to be landscaped except for vehicle access. Suitable landscaping would comprise low shrubs, ground covers, and/or flower beds displaying annuals with accent tree planting selected to complement street trees and ensuring that built form is visible;

- iii a building may be setback further than five (5) metres to accommodate short-term visitor car parking between the property frontage and the building, provided that the five (5) metre strip adjoining the frontage is fully landscaped to screen parked vehicles in turn providing more filtered views of the built form.
- c Pacific Highway (South of Wyong Road):
 - i buildings are to be setback a minimum of ten (10) metres to the Pacific Highway property frontage (after road widening).
- d Great Northern Railway:
 - i a minimum of ten (10) metres to the Great Northern Railway property boundary;
 - ii variation to the setback along the Great Northern Railway to permit a minimum of five (5) metres may be considered by Council for car parking and external storage if the following criteria are satisfied:
 - the density of landscape works is sufficient to wholly screen the car parking or external storage area when viewed from the railway;
 - where the placement of electricity poles, easements for access or drainage corridors hinder the provision of screen landscaping within the five (5) metre setback, the setback should be widened to achieve the required level of screening;
 - landscape works on adjoining land (including the public reserve along the railway) combine with landscaping works on a development lot to achieve the railway buffer; and
 - all other setbacks affecting the site are achieved.
- e Landscaping:
 - i the setback areas to Wyong Road, the Pacific Highway and the Great Northern Railway shall be used only for high quality landscaping. Passive recreation facilities for staff may be provided in the area if they are fully integrated with the landscape works.
- f Other Public Roads:
 - i a minimum of ten (10) metres to any internal road;
 - ii a five (5) metre landscaped area must be provided within the above setback, except for vehicle access. Suitable landscaping would comprise tree planting incorporating mulch beds in preference to often neglected grass lawns and poorly maintained shrubs.
- g Power Easements:
 - i development adjoining or adjacent to an easement will be required to satisfy the following criteria:
 - no structures are permitted within the easement;
 - development will be required to demonstrate appropriate setbacks are provided in accordance with the type and intensity of use proposed, ensuring sufficient vertical and physical separation;

- landscape plantings within the easement should be selected to ensure mature landscaping height does not pose a safety hazard to transmission lines or adjoining structures.

h Side and Rear Setbacks:

- i for all other cases, setbacks shall be in accordance with the provisions of the Building Code of Australia. Where the side or rear boundary is likely to be less than 2.5 metres, the building should be set on the boundary unless appropriate provision is made for maintenance of landscaping and general upkeep of the area within the setback.

i Variation:

- i variation to the above setback requirements may be considered by Council. In determining whether to grant a variation, Council will have regard to:
 - the visual impact of the variation;
 - the integration of the development; and
 - the functioning of the development including traffic manoeuvrability and location of car parking and services areas.

j Wetland Buffer:

- i development adjoining the Tuggerah wetland shall incorporate a minimum five (5) metre wetland buffer;
- ii no structures, car parking or external storage is permitted within this buffer area;
- iii development is encouraged to rehabilitate and maintain this buffer area with indigenous wetland vegetation.

5.34.2.1.10 Signage

a Billboard Style Signage:

- i advertising signs will not be permitted in the setbacks to Wyong Road, or the Great Northern Railway;
- ii advertising signs will not be permitted in the setbacks to the Pacific Highway unless presented as a free-standing (totem) style sign which compliments and positively contributes to the streetscape.
- iii a maximum of one (1) free-standing sign is permitted per existing allotment (existing, consolidated or otherwise). The sign is to be made available to all businesses occupying that allotment for business identification, display or advertising purposes.

b Directory Signage:

- i Council will permit with development consent, directory or entry boards at the entry of estates or centres which are located on either private land or road reserve.

c Sandwich-Board Style Signage:

- i sandwich-board style signage is not permitted within the Tuggerah Precinct.

5.34.3 DEVELOPMENT PRINCIPLES AREA SPECIFIC CONTROLS

5.34.3.1 Area A – Tuggerah Straight

OBJECTIVES

- To guide the transformation of the existing industrial development of the Tuggerah Straight into a viable business corridor which links the Wyong Town Centre to the business developments along Wyong Road, Tuggerah
- To encourage mixed use development
- To provide for the protection, rehabilitation and ongoing management of the Tuggerah wetland

REQUIREMENT

- a Floor Space Ratio and Site Coverage - Tuggerah Straight:
- b maximum floor space ratio = 0.8:1 (excludes bonus provisions identified below);
- c maximum site coverage (building only) = 50%.

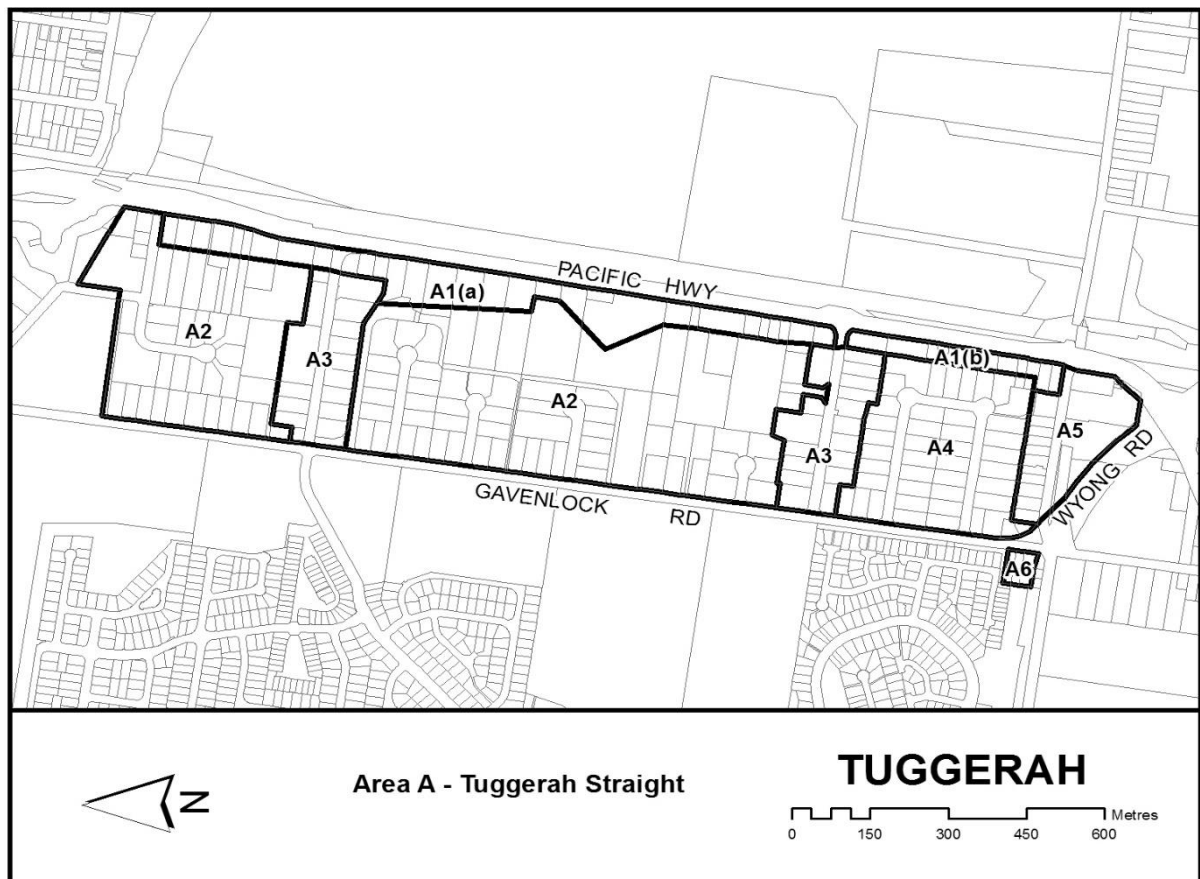


Figure 2 Area A – Tuggerah Straight

5.34.3.1.1 Area A1 – Land fronting the Pacific Highway

- a A maximum of one (1) vehicular access point per existing allotment is permitted.
- b New development is required to rationalise vehicular access to the Pacific Highway by means of shared access with existing adjoining developments, where practical.
- c A Floor Space Ratio bonus of 0.05 shall apply to the new development securing shared access.
- d Adjoining development providing shared access receives a Floor Space Ratio bonus of 0.05 available upon future redevelopment.
- e Consolidation of three or more existing allotments, rationalising access to the Pacific Highway to one entry and one exit point and a 0.1 Floor Space Ratio bonus shall apply to the consolidated development site.
- f Development obtaining access other than via the Pacific Highway qualifies for an additional 0.05 Floor Space Ratio bonus.

Special Note: The maximum bonus available to development relating to access shall not exceed 0.20 FSR.

5.34.3.1.1.1 Area A1(a) – North of Mildon Road

- a Lots fronting McPherson Road must obtain access via that road.
- b No service access to the Pacific Highway is permitted if rear service lane access is available.
- c A maximum height of two (2) storeys or seven (7) metres applies. If the site is a corner allotment and/or development bonus provisions relating to access are satisfied, one (1) additional storey or a maximum height of nine (9) metres is permitted.

5.34.3.1.1.2 Area A1(b) – North of Anzac Road

- a Development should reinforce this concentration of commercial and retail uses creating a consistent block edge urban form.
- b No car parking is permitted in the 5 metre landscaped setback area and development should reinforce the emerging street wall.
- c In assessing any application, Council will consider the visual impact of the height, bulk and scale of a proposed building to ensure that a high quality appearance is achieved. The determination of the height of buildings shall have regard to the backdrop of surrounding landscape and mountains, particularly as viewed from the Pacific Highway, Wyong Road and the Great Northern Railway. Buildings should not dominate the skyline and should include roof lines and facades which provide visual interest and an appropriate sense of scale.
- d Any floors exceeding two (2) storeys must be setback seven (7) metres from the front and rear boundaries.
- e Car parking between the property frontage and the building is to be avoided where possible.

5.34.3.1.2 Area A2 – Tuggerah Industrial Area

This area is overlooked by residential areas. Landscaping of western boundaries fronting Gavenlock Road is very important in providing visual relief.

REQUIREMENTS

- a Development on sites fronting Gavenlock Road are to recognise the interface with residential land on the western side of the road. In particular:
 - ii major openings in buildings are to be directed to the side or rear boundaries;
 - iii outdoor storage and activity areas, including car parking and loading / unloading facilities, must be located at the rear of the building and suitably screened; and
 - iv development sites fronting Gavenlock Road reserve shall incorporate medium height avenue trees with straight symmetrical boles and high crowns in landscaping proposals, to contrast the proposed dense screen planting on the western side of the road.
- b No access is permitted to the Pacific Highway.
- c In assessing any application, Council will consider the visual impact of the height, bulk and scale of a proposed building to ensure that a high quality appearance is achieved. The determination of the height of buildings shall have regard to the backdrop of surrounding landscape and mountains, particularly as viewed from the Pacific Highway, the Great Northern Railway, Areas A1 (a), A1 (b), A4 and the Mardi Urban Release Area. Buildings should not dominate the skyline and should include roof lines and facades which provide visual interest and an appropriate sense of scale.

5.34.3.1.3 Area A3 – Mildon and Johnson Roads

As this area is potentially overlooked by residential areas and provides important visual connections to the surrounding urban patterns, a maximum height of two (2) storeys or seven (7) metres applies. If the site is a corner allotment and/or development bonus provisions relating to access are satisfied, one (1) additional storey or a maximum height of nine (9) metres is permitted.

5.34.3.1.4 Area A4 – Ace Crescent

- a Development fronting Gavenlock Road must recognise the interface with residential land on the western side by ensuring:
 - i. Major openings in buildings are directed to the side or rear boundaries.
 - ii. Outdoor storage and activity areas, including car parking and loading / unloading facilities, are located at the rear of the building.
 - iii. Gavenlock Road reserve in front of development sites is to be planted with medium height avenue trees with straight symmetrical boles and high crowns, to contrast the proposed dense screen planting on the western side of the road.

5.34.3.1.5 Area A5 – Anzac Road

- a A Floor Space Ratio bonus of 0.05 shall apply to adjoining developments that provide a single shared access to parking areas at the rear.
- b Buildings should not dominate the skyline and should include roof lines and facades which provide visual interest and an appropriate sense of scale.
- c Setbacks:
 - i any floors exceeding two (2) storeys must be setback seven (7) metres from the front and rear boundaries;
 - ii car parking is not permitted between the property frontage and the building;

- iii the whole of the five (5) metre set-back is to be landscaped except for vehicle access. Suitable landscaping would comprise low shrubs and/or flower beds displaying annuals with accent tree plantings selected to complement street trees.

Note: This area is heavily constrained by the potential for flooding and it is advisable that this issue be thoroughly investigated as part of any development proposal

5.34.3.1.6 Area A6 - Gavenlock West

- a Development shall address Gavenlock Road as the primary frontage.
- b The reflectivity of external cladding and/or glazing treatments utilised on the proposed development shall not create a traffic hazard for vehicles travelling on adjoining roadways.
- c Dense landscaping/screening shall be planted along the southern boundary adjoining Wyong Road (West) road reserve.
- d Suitable landscaping presenting to Anzac Road, will comprise low shrubs and/or flower beds displaying annuals with accent tree plantings selected to complement street trees.
- e No vehicle or pedestrian access is permitted to Wyong Road (West). In this regard:
 - i access is to be obtained from Gavenlock Road. A Traffic Report assessing proposed access and manoeuvring arrangements shall be submitted with a development application on this site;
 - ii no access shall be obtained from the pedestrian walkway to any existing or proposed development;
 - iii any proposed pedestrian and/or vehicle access constructed over the drainage channel must incorporate suitable safety fencing.
- f Lot 1 DP 258430: Development shall be preferably single storey in height complementing the scale of adjoining residential development, however a maximum of two (2) storey height may be permitted if impacts such as bulk scale, privacy, landscaping and overshadowing can be minimised in respect to adjoining residential development.
- g Lot 1 DP 1011332 - Maximum two (2) storey development.
- h Car parking is not permitted between the property frontage and any proposed building.
- i The whole of the five (5) metre front set-back is to be landscaped except for vehicle access.
- J The setback from the Wyong Road (west) frontage is to be a minimum of three (3) metres and should be landscaped in accordance with the aforementioned requirements.
- k Car parking adjoining residential areas must be suitably landscaped and/or screened.
- l The placement of security lighting must not adversely impact on adjoining residential properties.
- m Proposals to alter the existing drainage channel (such as pedestrian, vehicular bridge access or any other use) must demonstrate no adverse impacts upon drainage function and flood levels on properties within the local catchment.

5.34.3.2.1 Area B – Wyong Road (West)

OBJECTIVES

- To set controls for development in this Area which acknowledge that this area represents the gateway to the Tuggerah Station and that development should be of a high standard
- To provide for mixed land use within this area
- To discourage the development of pad sites fronting Wyong Road (West)

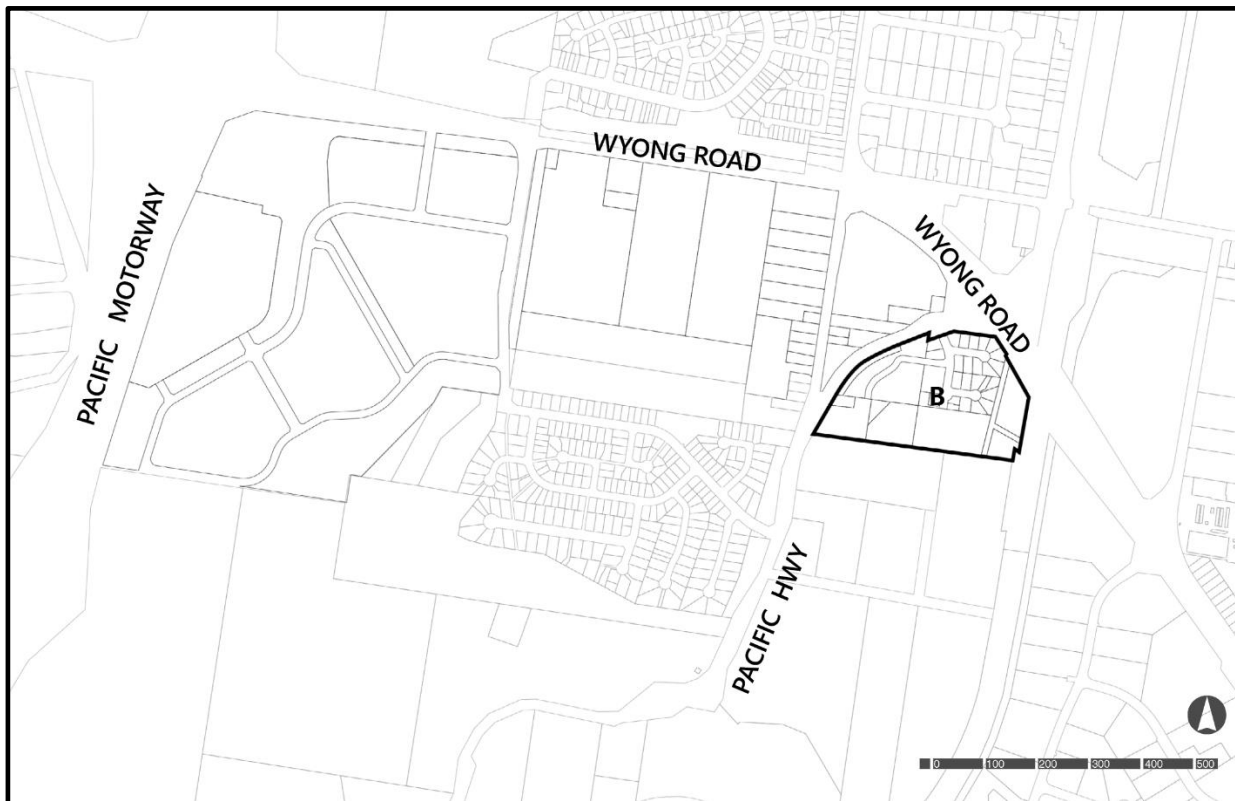


Figure 3 Area B – Wyong Road West

5.34.3.2.1 Area B – Medium Density Residential

- a No direct access to the Pacific Highway.
- b Development proposals to comply with other relevant chapters of this Development Control Plan.

5.34.3.3 Area C – Lake Road

OBJECTIVES

- To encourage high quality design and construction
- To provide for development which takes advantage of the high accessibility of this area to public and private transport

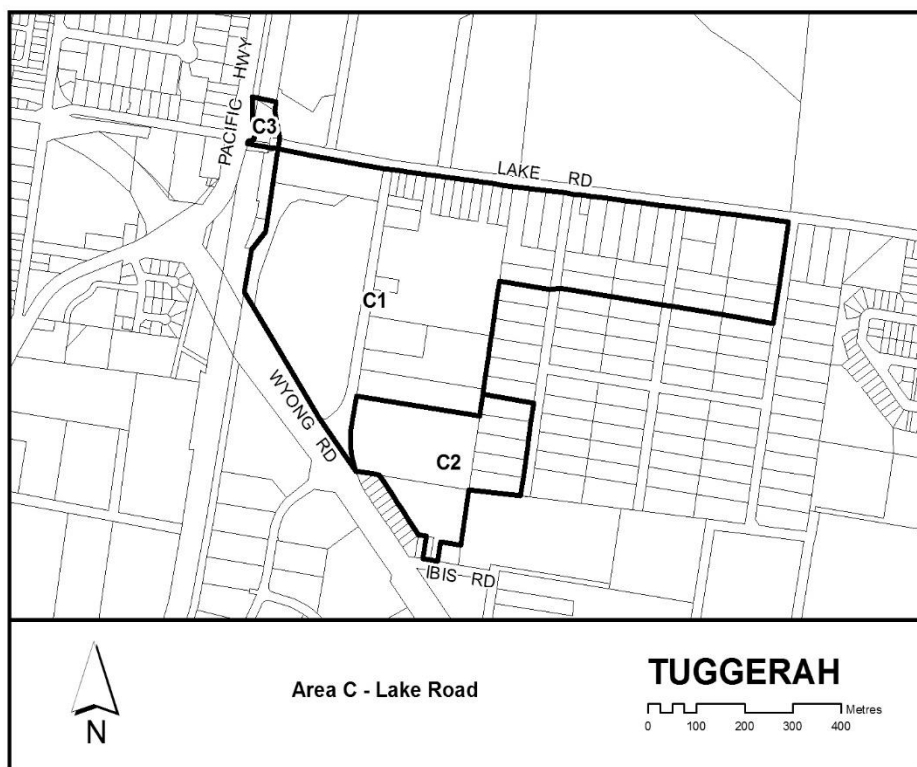


Figure 4 Area C – Lake Road

5.34.3.3.1 Area C1 – Lake Road South and Supa Centre Complex

- a No access to Wyong Road.
- b Maximum floor space ratio = 0.8:1
- c Maximum site coverage (building only) = 50%
- d Council will consider the visual impact of the height, bulk and scale of a proposed building to ensure that a high quality appearance is achieved, particularly as viewed from Bryant Drive and Wyong Road.
- e Landscaping is to pay particular attention to providing an appropriate scale for the development. Buildings should not dominate the skyline and should include roof lines and facades which provide visual interest and an appropriate sense of scale.

5.34.3.3.2 Area C2 – Mariners Complex

- a Development is to comply with the requirements of Section 5.34.3.3.1 above and any other requirements of this Development Control Plan
- b Commercial premises will be considered on this land, but only if the total gross floor area of the development does not exceed 3,500 square metres.

5.34.3.3.3 Area C3 – Tuggerah Station

- a Any future redevelopment of the Tuggerah Railway Station should seek to improve facilities for pedestrian movements between the Tuggerah Straight and Lakes Road Area. It is also considered highly desirable for a sensitively designed, multi-level car parking station to be constructed, providing an asset for the use of commuters and visitors to the regional centre.
- b Redevelopment of Tuggerah Station would require a Master Plan and would be exempt from generic setbacks applying to development adjoining the Great Northern Railway.

5.34.3.4 Area D – Business Park

OBJECTIVES

- To create a "business park" environment that will provide an attractive entry into the Tuggerah Regional Precinct and will provide for investment and employment opportunities
- To encourage high quality design and construction that is clearly superior to development found in traditional industrial areas
- To accommodate a range of business, light industrial, warehousing and high technology activities within the business park
- To provide for ancillary commercial, community and recreational facilities as part of an integrated employment environment
- To provide for reasonable areas of linked landscaped space that are compatible with the built environment and to ensure that the landscape design guidelines detailed in the Visual Assessment and Design Guidelines for Wyong Road are implemented to a high standard
- To preserve the adjoining wetlands and significant vegetation and to minimise the environmental impacts of development

REQUIREMENTS

5.34.3.4.1 General

- a The Tuggerah Business Park Development Master Plan shall generally guides development of the business park site. A copy of the current Development Master Plan is attached as Appendix A.
- b For the development of offices and commercial uses in the Business Park:
 - i office space and showrooms ancillary to manufacturing, processing, storage or distribution functions of a use and located on the same site as that use may be carried out with Council's consent in the B7 - Business Park Zone;
 - ii Council being satisfied that the office component of a proposed development is ancillary to the functions carried out in the factory or warehouse;
 - iii the office area not being leased to a separate firm or firms; and
 - iv the provision of on-site parking facilities adequate to cater for the size of the office component.
- c Business and Office Premises will be considered, but only where they are a single tenant or firm occupying a minimum gross floor area of 200 square metres.
- d Retailing and display in association with goods manufactured or processed on site may be carried out within that zone subject to Council consent and where Council is satisfied that such retailing is an ancillary use.
- e Employer provided recreational facilities for employees of businesses within the business park (such as tennis courts, cycleway/running track network) are encouraged.
- f Only one directory board will be permitted at each entrance from Wyong Road to the Business Park.
- g No signs will be permitted in the building setback to Wyong Road or to the Great Northern Railway.

5.34.3.4.2 Individual Site Development

- a Maximum floor space ratio = 0.8:1
- b Maximum site coverage (building only) = 50%
- c In assessing any application, Council will consider the visual impact of the height, bulk and scale of a proposed building particularly as viewed from Wyong Road. Buildings should not dominate the skyline and should include roof lines and facades which provide visual interest and an appropriate sense of scale.
- d The following setbacks shall apply for side boundaries and rear boundaries (where that boundary is not to Wyong Road or the Great Northern Railway):
 - i a minimum of 5 metres where primary landscape corridors are shown in the Tuggerah Business Park Master Plan (See APPENDIX A); and
 - ii a minimum of 3 metres where secondary landscape corridors are shown in the Tuggerah Business Park Master Plan (See APPENDIX A); and
 - iii where the site has frontage to land adjoining Ourimbah Creek and/or the wetland (i.e.: Lots 207-214 DP 873983) the setback shall, in addition, satisfy the provisions of Chapter 5.46 – Northern Wetlands Management and have regard to the potential for bushfires;
- e In all other cases, zero boundary setbacks may be considered where the applicant demonstrates that a superior urban design, building presentation and site maintenance outcome will be achieved.

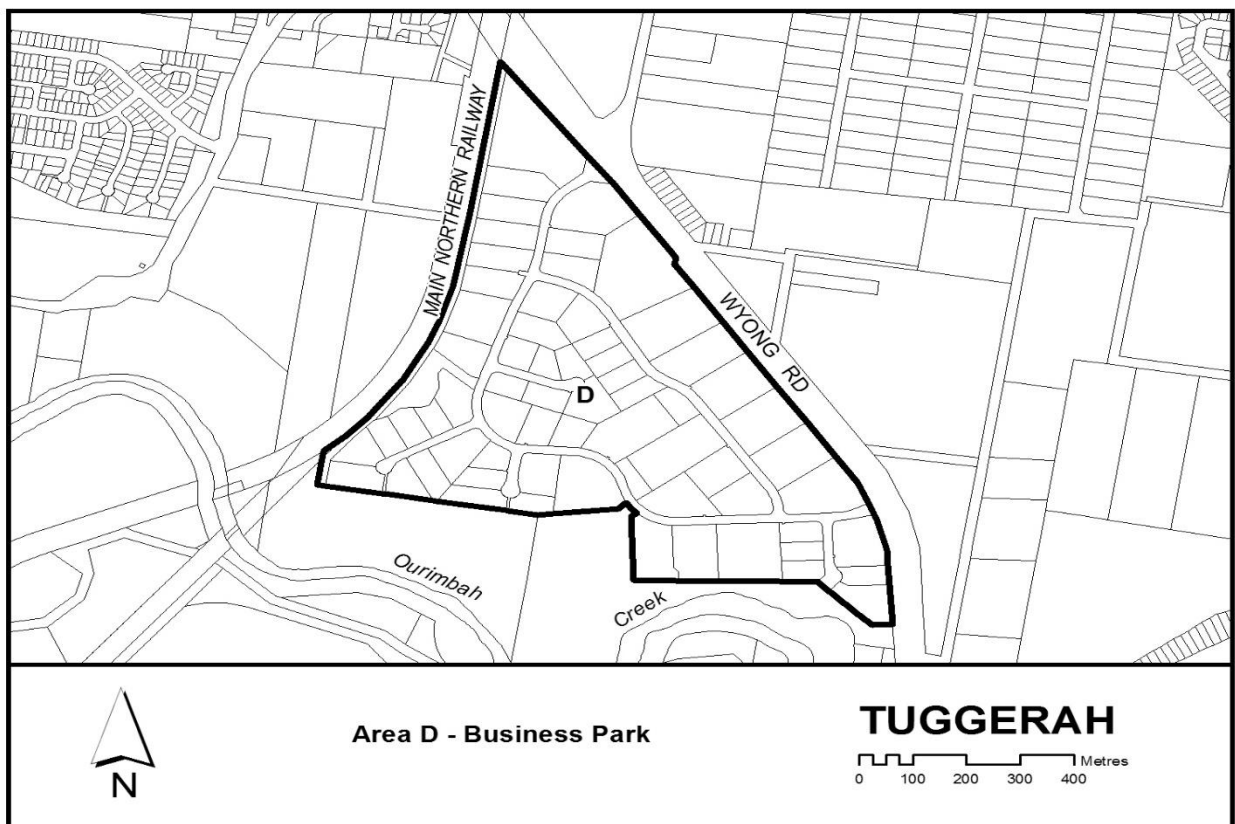


Figure 5 Area D – Tuggerah Business Park

APPENDIX A TUGGERAH BUSINESS PARK MASTERPLAN

