

CHAPTER 5.28 LAKE MUNMORAH VILLAGE CENTRE

5.28.1 INTRODUCTION

The purpose of this Chapter is to provide an overall land use structure and policy framework for the carrying out of village centre development on land to which this Chapter applies.

The site is located at the intersection of Tall Timbers Road and the Pacific Highway at Lake Munmorah. The site will perform the role of a village centre for Lake Munmorah and will service the Northern Lakes/Budgewoi area.

The shopping centre will contain a mix of facilities which include a supermarket, a comprehensive range of food and non-food specialty shops and a limited range of non-retail services and community facilities.

5.28.1.1 Staging of Development

The development of the shopping centre is to be constructed in stages, with Stage 1 providing up to 5,000m² gross retail floor space by 2011/2012, and Stage 2 providing up to an additional 5,000m² gross retail floor space in the future. The maximum total gross retail floor space for the site is 10,000m². Gross retail floor space means the floor space for the leasable retail component of the shopping centre, including both general retail floor space and bulky goods floor space. Additional non-retail floor space may be permitted where it provides a supporting role to strengthening the overall viability and vitality of the centre.

The timing of expansion of the retail floor space beyond the 5,000m² provided in Stage 1 would need to be determined by a retail capacity and impact assessment report which demonstrates:

- a that the expansion of the Lake Munmorah Village Centre would not have an overall adverse impact on the extent and adequacy of services and facilities available within existing centres within the Northern Lakes trade area
- b Development of the site is to be undertaken in a manner which:
 - i. provides optimal access, service and consumer choice for residents of Lake Munmorah and the Northern Lakes trade area;
 - ii. integrates with adjoining lands;
 - iii. provides adequate opportunities for expansion;
 - iv. provides a high standard of retail development for present and future residents within the Northern Lakes trade area;
 - v. encourages and facilitates the use of modes of transport other than the private car.

5.28.1.2 Objectives of this Chapter

- To provide a site specific framework for the assessment of a development application for a village centre on the land at Lot 2 DP 520220, Corner Tall Timbers Road and Pacific Highway, Lake Munmorah, as identified by heavy black edging in Figure 1
- To ensure development includes a high quality architectural design and consistency with the principles of ecologically sustainable development
- To ensure adequate transport and traffic arrangements are in place to establish a safe and efficient transport and traffic service is provided for the development
- To encourage the orderly and economic development of the land for the purposes permitted under Zone B2 (Local Centre Zone)
- To control the scale and density of land use and associated activities on the land
- To enable development of the land to proceed in a manner that is sensitive to the environmental characteristics of the area
- To encourage and facilitate the use of modes of transport other than the private car
- To ensure adequate internal and external safety, efficiency and traffic management arrangements are in place for motorists, cyclists, motorised scooters and pedestrians
- To ensure that the land is adequately serviced
- To provide and facilitate landscaping
- To ensure that the buildings are designed by an architect in association with a landscape architect (to ensure that the buildings are well designed)
- To ensure that any development on the land complies with the principles of water sensitive urban design
- To encourage the use of energy efficiency principles in the design of all buildings on the land

5.28.1.3 Land to which this Chapter Applies

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

5.28.1.4 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 2.11 – Transport and Parking
- Chapter 2.14 –Waste Management
- Chapter 3.5 – Tree and Vegetation Management
- Council's Civil Works Specification

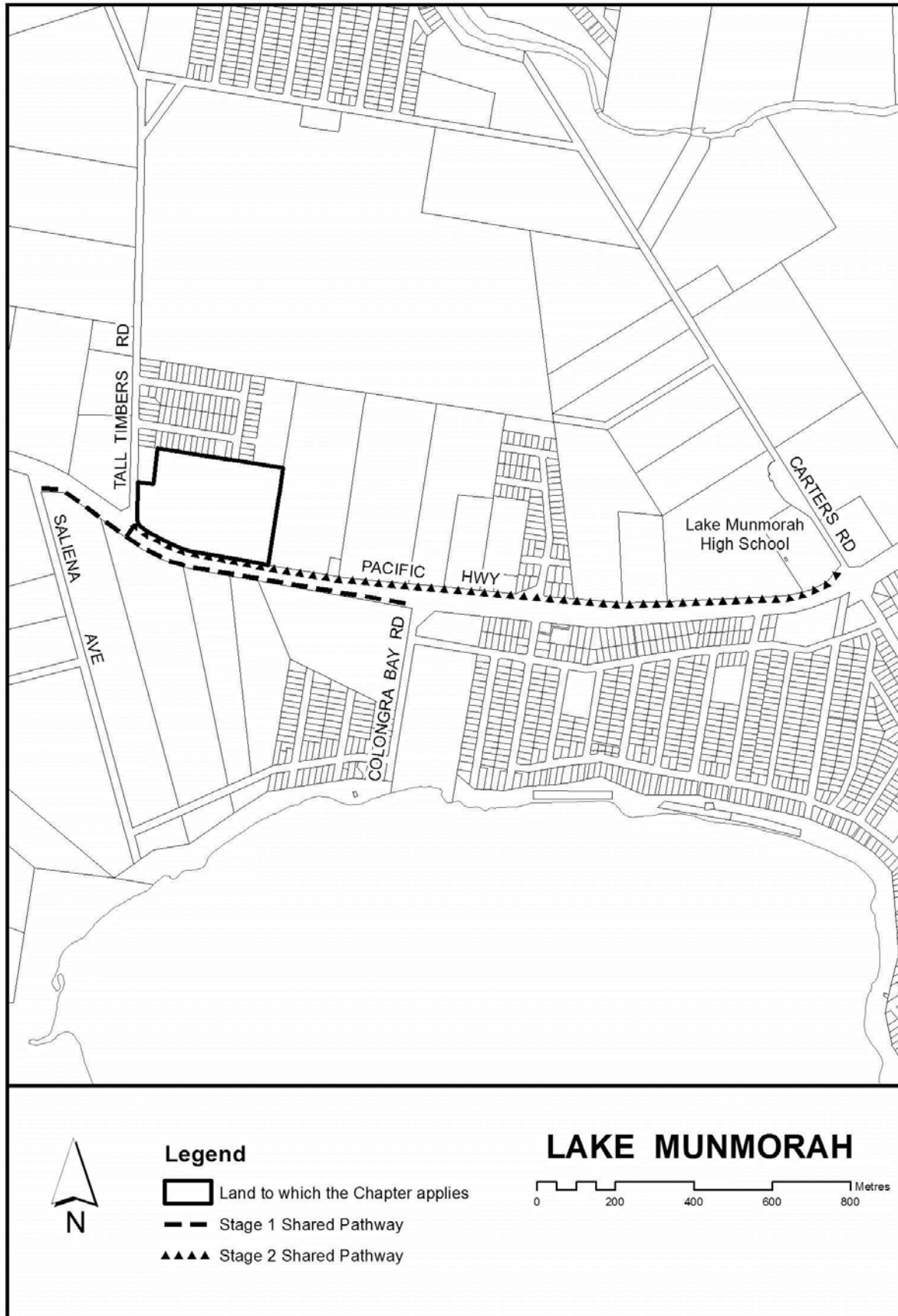


Figure 1 Land to which this Chapter applies

5.28.2 DESIGN PRINCIPLES

These design principles are intended to encourage development that is sensitive to the environmental and amenity characteristics of the area, having regard to existing and proposed development in the locality. In particular, the guidelines encourage a high quality of development for shoppers, occupiers and for residents of adjoining residential developments.

Sensitive environmental design can lessen the impact of the proposed development if the following principles are adhered to:

- a construct a development of a scale and character that is sensitive and appropriate to the characteristics of the local area;
- b siting and designing the proposed development to present a unified, coherent appearance;
- c creating an attractive shopping experience to enhance the amenity of the internal and external environment and to provide maximum opportunity for landscaping;
- d design structures to include natural ventilating features where practical.

5.28.2.1 Site Access and Car parking

OBJECTIVES

- To provide safe, efficient and convenient ingress to and egress from the site, having regard to the existing road network
- To ensure that parking and pedestrian/cycle/motorised scooter access is sufficiently provided to minimise any impact on the amenity of shoppers, the performance of the Tall Timbers Road/Pacific Highway intersection, and to ensure safe and satisfactory movement for vehicles and pedestrians
- To encourage the use of modes of transport other than the private car
- To ensure satisfactory on site manoeuvring for vehicles for the loading and unloading of purchases and stock supply, and
- To ensure pedestrian access, including that to public transport, is sufficiently provided for

REQUIREMENTS

- a Access is to be in a manner that does not lower the analysed performance of the existing road network, within a 10 year period from the date of the Shopping Centre opening, below a Level of Service D. The analysis is to be carried out at the time of the Development Application.
- b Vehicle access to the site off Tall Timbers Road is to be located adjacent to the northern boundary of the development. There is to be provision in the location of the access road for an ultimate relocation through the adjoining property to the north (Lot 1 DP 520220).
- c The access driveways are to be designed to meet the relevant Australian Standards.
- d The access driveways are to be designed to facilitate the swept path of the largest vehicle entering and exiting the site from the kerb side lane and without encroaching into the adjacent through lanes.
- e Vehicle access to the site is to be designed to meet the following criteria:
 - i. minimise visual impacts by landscaping along road verges, within setbacks and in the carpark area without affecting vehicular/pedestrian sightlines; and

- ii. stabilise slopes, banks and batters and allow for stormwater drainage.
- f Car parking is to be designed in accordance with the requirements of Chapter 2.13 – Transport and Parking including at least one major shade tree per 10 car parking spaces. Rooftop parking is prohibited.
- g Number of parking spaces provided is to be in accordance with the requirements of Chapter 2.13 – Transport and Parking. Car parking is to be designed in accordance with the relevant requirements of AS/NZS 2890, Parts 1 & 2 & 6 (Disabled), with a minimum of 2% of all car parks being designated for use by disabled persons.
- h Adequate and convenient collection areas for shopping trolleys are to be provided.
- i All loading and servicing areas shall be clearly identified for each proposed use and are to be separate from general parking and circulation areas and away from shopping centre customer pedestrian desire lines where serviced by Medium Rigid Vehicles (MRV) or larger. Any reversing manoeuvres for MRV's or larger are only to occur in designated and isolated loading and service areas.
- j Loading and service areas, where serviced by MRV's or larger, shall not be visible from the Pacific Highway or Tall Timbers Road. Where necessary they shall be suitably screened with the assistance of landscaping.
- k Signage and pavement marking plans are to be provided for all internal and external areas and submitted to the Local Traffic Committee for its consideration, prior to approval by Council.
- l Provision shall be made for safe and direct pedestrian pathways and crossing facilities within the carpark, leading to the shopping centre entry, and along the property frontage facing the Pacific Highway and Tall Timbers Road, to minimise pedestrian and vehicular conflicts.
- m Traffic Management devices are to be provided to discourage motorists using the development site to by-pass the Pacific Highway signalised intersection.
- n Provision shall be made for set down/picking up area, Taxi Zone, Mini Bus parking and disabled parking within the development site at appropriate locations.
- o Queuing for the service station and any other drive-through developments are not to impede general parking operations or queue back onto circulation or entry roads or the adjacent road network.
- p On site vehicular turning facilities are to be provided to enable all vehicles to exit the site in a forward direction.
- q Bicycle parking and end of journey facilities shall be provided in accordance with the higher values identified as the suggested rates in the Department of Planning and Environment /Roads and Maritime Services document – 'Planning Guidelines for Walking and Cycling'.
- r A permanent bus shelter is to be provided at the front on the site, in the location of the existing bus stop.
- s The developer of the site is required to enter into a Transport Infrastructure Deed with the RTA and a Voluntary Planning Agreement (VPA) with Council for any external roadworks and shared pathways.
- t The developer of the site is required to fund and/or construct an off-site shared pathway network to improve pedestrian and cyclist access to the site as identified in Figure 1:
 - i. Pathway 1 (southern side of the Pacific Highway from Saliena Avenue to Colongra Bay Road) is to be constructed in accordance with Stage 1 of the development;, and
 - ii. Pathway 2 (northern side of the Pacific Highway from Tall Timbers Road to Carters Road) is to be constructed in accordance with Stage 2 of the development.

5.28.2.2 External Presentation and Visual Appearance

OBJECTIVE

To present an attractive shopping centre design compatible with the corner location of the site and adjoining residential development in the locality, in terms of height and general appearance and make a positive contribution to the existing streetscape

REQUIREMENTS

- a Any development on the site is to be designed by an architect or building designer experienced in the design of commercial/retail buildings and in association with a landscape architect to ensure that internal and external design issues are adequately addressed to minimise impacts on adjoining development.
- b Suitable architectural features shall be incorporated in the building design to provide visual relief and to minimise the bulk and scale of development.
- c Careful treatment is to be given to buildings that address dual street frontages, their turning of the corners and views into and from the site.
- d Building designs are to include surface relief or surface patterns, which achieve a balance in horizontal and vertical articulation of the façades so as to avoid large buildings with unmodulated blank walls and no variation in architectural treatment.
- e Awnings should be provided on all building frontages and should extend over at least half of the width of the footpath. Awnings provide visual interest to buildings and protect pedestrians from weather elements.
- f Entrances should be clearly expressed through porticos or other devices. Entries to shop fronts should be recessed to clearly define the location of the building access, provide relief to the ground floor façade and provide visual interest.
- g A variety of architectural forms and roof shapes shall be used to create visual interest. The roof structure shall be interesting and varied to avoid a flat monotonous roof profile.
- h The primary (southern) elevation of the shopping centre building is to incorporate more vertical elements to 'break-up' the facade into smaller modules. These modules should be individually distinct from each other by the use of defining vertical elements, distinct architectural and colour treatments and possibly different finished ground and parapet/roof levels. The distinct façades are however, to still integrate architecturally with each other.
- i Buildings adjacent to the Pacific Highway shall be constructed of high quality materials and shall incorporate significant architectural treatments (such as those suggested in subsection 'd', above) to break up the building bulk.
- j The design of the buildings is to have regard to the location of ingress/egress points required by the Building Code of Australia in respect of the outdoor use of the land.
- k Colours and textures of buildings and landscape materials are to articulate a theme for the development.
- l Any roof materials used shall be non-reflective material and designed to blend in with the landscape colours.
- m All outdoor storage areas, including areas for waste and bulk bins, are to be screened by fencing and landscaping. Outdoor storage will not be permitted where they can be seen from the public domain. Any proposed storage and waste areas are to be clearly defined.

- n Rooftop structures such as elevator shafts and ventilation shall not detract from the architectural merit of the building. All such structures are to be appropriately screened or integrated within the roof design.

5.28.2.3 Energy Efficiency

OBJECTIVE

Ecologically sustainable development is one of the fundamental objects of the *Environmental Planning and Assessment Act, 1979* and should be incorporated in the design and construction of the built elements of the project

REQUIREMENTS

- a High quality architectural design/orientation of built forms to maximise use of natural lighting and ventilation; passive heating/ cooling.
- b Selection of environmentally sustainable building materials where practical.
- c Incorporation of internal and external energy saving fixtures such as (but not limited to) energy efficient lamps, fittings, switches, dimmers and motion detectors.
- d Incorporation of internal and external water savings fixtures such as (but not limited to) "3 Star WELS" (dual flush) rated toilet cisterns and "6 Star WELS" rated taps and aerators for basins.
- e Waste minimisation and recycling best practice shall apply to the development in accordance with Council's Chapter 3.1 – Controls for Site Waste Management.

5.28.2.4 Water Sensitive Urban Design

OBJECTIVE

To apply water sensitive urban design principles and practices to avoid erosion and increases in stormwater runoff, and to maintain stream stability, water quality and protect the receiving environments.

REQUIREMENT

Development proposals are to comply with the requirements of Council's Civil Works Specification.

5.28.2.5 Acoustic and Lighting Controls

OBJECTIVE

To ensure that nearby residents do not have their amenity unduly impacted upon by noise and light emissions from future development for village centre purposes on the land. To ensure that the village centre developments will not be affected by existing or future road traffic noise

REQUIREMENTS

- a Development on the subject land will be required to meet the requirements of the *EPA Industrial Noise Policy* (EPA, 2000) in evaluating appropriate noise attenuation measure that need to be incorporated into site design to protect sensitive receptors.
- b A report by a suitably qualified acoustic consultant shall be submitted with any development application which should address the following issues:
 - i integration of any acoustic fences or barriers with the design of boundary fencing and landscaping;

- ii. ensure that adjoining residential areas are protected from any noise emanating from the site, including during construction as well as future operation (including both fixed and movable noise sources);
 - iii. treatment of loading areas to ensure their operation remains within the Environmental Protection Authority noise emission criteria;
 - iv. use of devices to reduce noise emissions from any plant and equipment and loading areas as necessary.
- c External sources of lighting for security will need to be designed to comply with the relevant Australian Standard. Night lighting is to be integrated into the surrounding landscaping to provide continuous lighting levels for security and direction.
- d Appropriate illumination and overspill treatment is to be employed to loading areas and around plant and equipment to ensure that their operation complies with the provisions of the relevant Australian Standard.
- e Where development occurs in the vicinity of residential properties on Chisholm Avenue, appropriate lighting treatment should be employed to protect the adjoining residential areas from adverse lighting impacts.
- f Development to be designed such that any road traffic noise, existing or future, is managed in accordance with the EPA and RTA criteria. Noise control strategies may be required to meet these criteria.

5.28.2.6 Design Safety and Security

OBJECTIVE

To design the built environment to increase the perception or reality of risk of detection to criminals and the effort required to commit crime

REQUIREMENTS

Building design is to incorporate the principles of Crime Prevention Through Environmental Design (CPTED). Such principles include (but are not limited to):

- a Enabling natural (or passive) surveillance such that normal space users are able to see and be seen by others going about their normal business. This may be achieved by the orientation of buildings, the strategic placement of windows and entries, street design, landscaping, building layout, visually permeable fencing and natural lighting.
- b Incorporation of access control measures into the site design including both physical and symbolic barriers to channel and direct pedestrian and vehicle movement.
- c Territorial reinforcement measures to define public and private space. This is to be achieved by design features, actual and symbolic boundary markers and space legibility.
- d Pedestrian access and egress routes being clearly defined and appropriately lit, visible to others and provide direct access from car parking and public transport facilities.

5.28.2.7 Landscaping

OBJECTIVE

To utilise landscaping to contribute to the attractiveness and character of the development, its integration with adjoining land uses and as an integral component of water sensitive urban design

REQUIREMENTS

- a A landscape plan and Vegetation Management Plan (VMP) are to be prepared by a suitably qualified landscape professional. These plans are to show a theme for the development and justify the species and materials selected, including their location.
- b Provide landscaping to link buildings and to provide a constant theme or image, including the retention of significant trees and vegetation.
- c Building setbacks are to be used for landscaping. The objective of this landscaping is to:
 - i. maintain and enhance the vegetation within the setback areas;
 - ii. screen the view of the proposed development from nearby residential areas and Tall Timbers Road and the Pacific Highway;
 - iii. provide native trees for shade in car parking areas; and
 - iv. enhance the natural features of the site.
- d A Vegetation Management Plan (VMP) shall be submitted to guide the retention of significant vegetation on the site, in particular along the northern and eastern property boundaries. The VMP shall detail the rehabilitation program to maintain/supplement the residual 2 hectares in the northern portion of the site.
- e Landscaping and site planning shall comply with the requirements of "Planning for Bushfire Protection" and shall include a vehicular path of uninterrupted access around buildings.
- f Appropriate species are to be chosen to ensure that sight distance for motorists/pedestrians is not compromised.
- g Landscaped areas shall be integrated with the overall design to soften dominance of buildings and to provide shade, meeting places, resting areas and playgrounds.
- h Slopes, banks and batters are to be stabilized and allowance made for stormwater drainage.

5.28.2.8 Infrastructure and Waste Management

OBJECTIVE

To ensure the efficient and effective provision of services to the site (including waste management) through consistency with the principles of ecologically sustainable development

REQUIREMENTS

- a Proposed development is to be designed in accordance with the Council's Civil Works Specification.
- b Service facilities such as drainage outfalls need to be located with respect to physical constraints, but should be designed and constructed to minimise undesirable impacts upon the environment.
- c Services are to be located underground.

- d Solid waste is to be collected on site. It is also desirable that all solid waste is sorted for recycling and reuse purposes before removal to an authorised collection site.
- e Separate loading areas are to be provided for all on-site uses.
- f Loading and servicing areas shall not be prominent from any of the sites frontages.
- g Existing sewerage and water supply easements traversing the site are to be retained in any future development or alternative arrangements made, only if it can be demonstrated that the alternative arrangements will maintain current servicing standards.
- h Proposed schematic layouts of water, sewer and stormwater drainage systems are to be submitted with any development application.

5.28.2.9 Construction Management

OBJECTIVES

- To ensure that construction on the site is undertaken in an environmentally responsible manner
- To ensure that construction on the site does not negatively impact on the adjacent land and associated Endangered Ecological Community

REQUIREMENTS

- a During construction, on-site management will need to be carried out in accordance with Council's Civil Works Specification. This will include but is not limited to the provision of:
 - i. external security fencing around the construction site;
 - ii. sedimentation and erosion controls and
 - iii. storage of materials is required to be entirely within the site. Materials, equipment, site toilets, amenities etc. are not to be located within the drip line of trees to be retained or on the road reserve.
- b During construction, appropriate measures are to be implemented to ensure that there is no negative impact on adjoining land including an associated Endangered Ecological Community.

5.28.2.10 Signage

OBJECTIVES

- To ensure opportunities for adequate identification and business advertising
- ensure that all businesses have the opportunity for reasonable exposure, are in keeping with the scale and character of the building and locality and do not detract from the architectural style of the buildings.

REQUIREMENTS

- a Future signage is to be a unifying part of the overall building design with a standard sign format, colour and location.
- b All signage is to comply with Chapter 2.15 – Signage and Advertising. A Signage Strategy is to be submitted as part of the development application.
- c Roof top signage is to be prohibited on all buildings.
- d Any signage lighting whether directional, backlight or other shall result in no adverse impact on adjoining residential areas.
- e Signs are not to reduce the required sight distance for motorists.

5.28.2.11 Building Height, Setback and Floor Space Ratio

OBJECTIVE

To ensure that building height is appropriate to the use, and is not visually obtrusive when viewed from surrounding areas. To ensure building setbacks provide for adequate spatial separation from surrounding areas and provide sufficient area for quality landscaping and noise attenuation measures

REQUIREMENTS

- a The required minimum building setbacks are as follows:
 - i. 15 metres – Pacific Highway;
 - ii. 8 metres – Tall Timbers Road;
 - iii. 15 metres – eastern site boundary.
- b The building setbacks shall include the following minimum landscaped areas:
 - i. 10 metres – Pacific Highway;
 - ii. 5 metres – Tall Timbers Road;
 - iii. 10 metres – eastern site boundary.
- c No structures will be permitted within the building setbacks (excluding signage which should comply with Section 5.28.2.10 above). Other uses such as car parking, outdoor staff seating areas and access lanes may be considered within the building setback area (but outside the minimum landscaped area), provided these are appropriately treated at design stage, and appropriately screened from the street frontage.
- d A maximum building height of 11 metres applies across the site. The maximum height is to be measured from the vertical distance between ground level (existing) at any point to highest point of

the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

- e Architectural façade and roof treatments may be considered to project beyond this height, where it can be demonstrated that there is merit in doing so.
- f A maximum floor space ratio (FSR) of 0.25:1 should apply across the site. Floor Space Ratio is defined as “the ratio of the gross floor area of all buildings on a site to the site area”.
- g The maximum permissible retail floor space for the site is 10,000m. The 10,000m² of floor space is to be staged with a maximum retail floor space of 5,000m² initially and up to an additional 5,000m² of retail floor space after 2021. Any bulky goods floor space is to be accommodated within this floor space limit.

5.28.2.12 Transport

OBJECTIVE

To encourage and facilitate the use of modes of transport other than the private car

REQUIREMENTS

- a Preparation of a Transport Plan (TP). The Plan is to identify and address reduction in the demand for travel by private car and commercial vehicle by:
 - i. providing a shuttle/mini bus service to Summerland Point, Gwandalan, Chain Valley Bay and Lake Munmorah, with a minimum of two services to and from the development in the morning and afternoon, each day;
 - ii. providing a shared off-road cycleway, which is safe and direct:
 - along northern side of the Highway, connecting to the schools in Carters Road;
 - along southern side of the Highway, connecting to the residential areas in the vicinity of Saliena Ave and Colongra Bay Road;
 - in Tall Timbers Road to Deakin Avenue and;
 - connecting Kemira Road to the development;
- b providing appropriate pedestrian facilities for pedestrians to cross the Highway;
- c provision of designated bus bays incorporating bus shelter, seating and lighting for new or existing bus routes in the vicinity of the development site;
- d provision of bicycle parking in the form of racks in appropriate and well lit and sheltered locations protected by passive surveillance and/or CCTV;
- e provision of showers, change rooms and lockers for staff in accordance with the DoP/RTA document - *Planning Guidelines for Walking and Cycling*.
- f Preparation of a workplace travel plan.

5.28.2.13 Urban Interface Area (UIA) Requirements

Management of the northern and eastern boundary interface of the E3 (Environmental Management) and the B2 (Local Centre Zone) perimeter of the shopping centre development shall comply with the UIA design requirements outlined in Chapter 2.4 Subdivision. Given the uncertainty over possible future uses on this site and adjoining land, an Urban Interface Area is required in order to retain significant vegetation and manage buffer areas along the perimeter of the shopping centre.

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