

PART D

Section 10 Business Development

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About Section 10

Section 10 contains the controls for business development. The Section applies to developments in the central business area, local and neighbourhood centres, **mixed use developments**, neighbourhood shops and Business Development Zone.

Explanatory Note(s):

Refer to Part A for submission requirements and other general matters.

******Sections not being amended have been removed for exhibition purposes******

10.2 Mixed use development

The controls of this section apply to mixed use developments. **Mixed use developments are developments comprising of two or more different land uses.** The mix of uses should be compatible with the location and context of the site.

Explanatory Note(s):

Mixed use developments are permissible in the city centre B3 Zone, as shop-top housing in the B1 and B2 Zones, and in the B4 Mixed Use Zone.

Any residential component must comply with the relevant provisions of Section 9, except for sites in a B4 Zone that have an approved masterplan.

Objectives

- O1 Ensure the design and layout of mixed use developments retains a high level amenity for all users.
- O2 Encourage active street frontages and an opportunity for a mix of uses.
- O3 Ensure that the form of mixed use development in the B4 Zone is appropriate to its built context.
- O4 Encourage adaptive reuse of existing large-scale buildings in the B4 Zone.
- O5 Ensure that development of sites within B4 Zone is based on an urban design based masterplan.

Controls

- C1 All developments on sites and consolidated sites larger than 1 hectare within the B4 zone are required to be in accordance with an urban design based on master plan approved by Council. Controls C2 to C9 will not apply in such instances.
- C2 Locate commercial and retail uses at ground level. Any residential component should be on upper level floors.
- C3 Provide a ground floor frontage that is compatible with the form, rhythm, scale and character of adjoining developments or the intended future built character for the area. For example, in an area characterised by smaller shop fronts locate larger uses or commercial spaces within the building or on upper levels.
- C4 Provide separate entrances to the residential and non-residential components.
- C5 On-site parking should be provided either in basement parking levels or otherwise be concealed from view from the façade to the primary street frontage.
- C6 Access to basement parking levels is to be from one entry

The residential component shall be subject to the provisions of SEPP 65 (Design Quality of Residential Apartment Development).

point.

- C7 Residential parking areas are to be secure and separate from non-residential parking and servicing areas.
- C8 The residential component is required to comply with relevant provisions of Part 9 for solar access, private open space and privacy.
- C9 Minimise expanses of blank walls and use articulation and materials to create visually interesting street elevations.

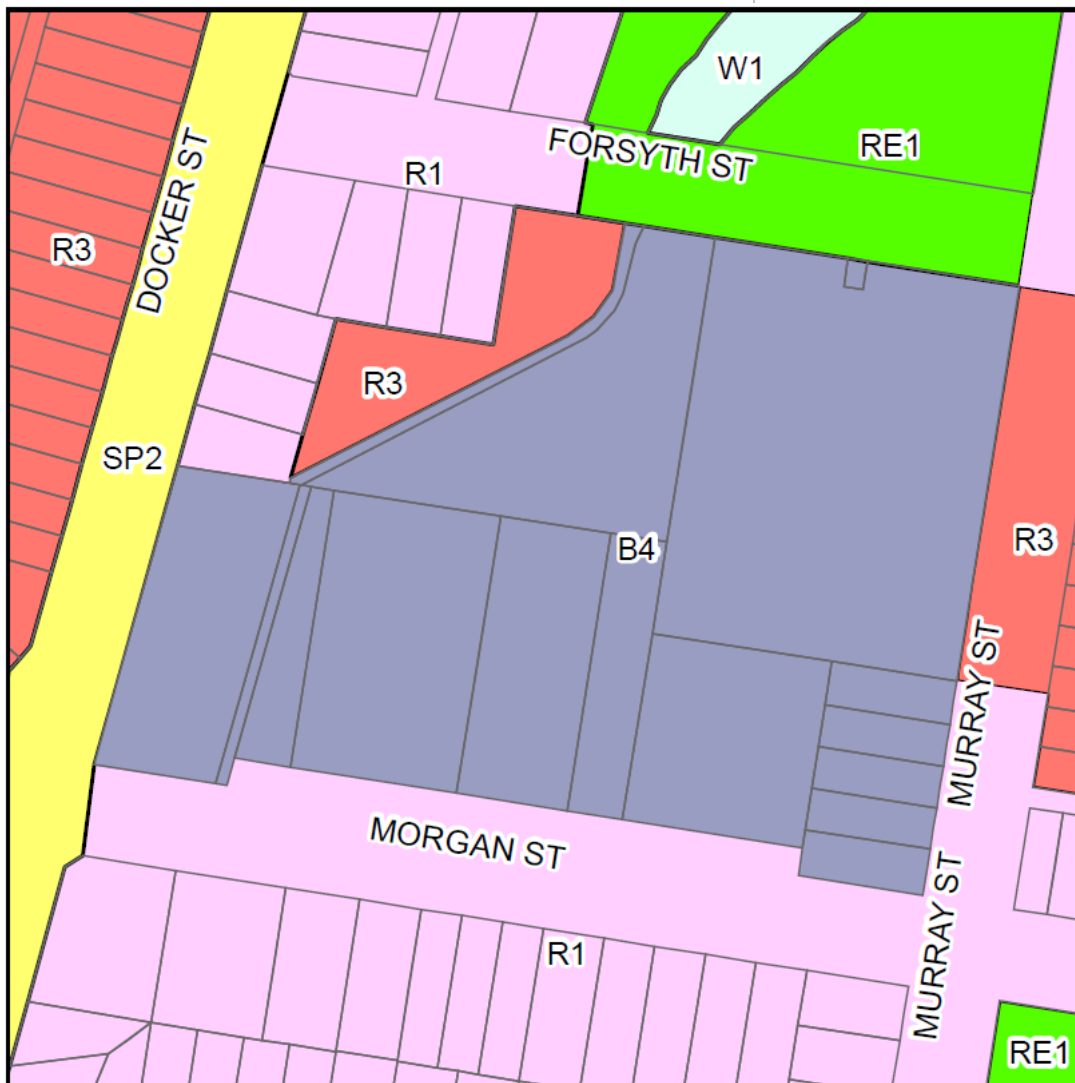
Site Specific Controls

- C10 Land located within the B4 Mixed Use zone located on Morgan, Murray and Forsyth Streets is subject to the controls under section 10.8 of the DCP.

10.8 Morgan, Murray and Forsyth Streets Mixed Use Precinct

The site is a key opportunity site within proximity to the central business district and emerging health precinct. The development controls seek to optimise the use of the land for a more intense mixed-use development on the site, relying on a high-quality design and a master plan approach.

Where there are discrepancies between the controls in 10.8 and controls elsewhere in the DCP, the controls under 10.8 will prevail



Objectives

- O1 Buildings on the site achieve an appropriate relationship to the surrounding development and public domain, including streets, lanes, parks and community spaces.
- O2 The design and layout of development on the site retains a high-level amenity for all users on and off the site.
- O3 The design and layout of residential development provides improved liveability through enhanced internal and external apartment amenity in accordance with best design practices.
- O4 Development on the site is supported with sustainability strategies through better traffic and transport solutions, building adaptability and robustness, improved energy efficiency and water sensitive urban design practices.

Controls

Design and orientation of development

- C1 Development on the site occurs in accordance with an Urban Design-Based Master plan approved by Council.
- C2 Residential development over three storeys shall comply with *State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development* and the supporting *Apartment Design Guide*.
- C3 Development shall be located and orientated to minimise overshadowing and privacy impacts, particularly where minimum setbacks are used and where buildings are higher than the adjoining development.
- C4 Development shall be located and orientated to maximise visual privacy between buildings on site and for neighbouring buildings.
- C5 Development provides active street frontages. Minimise expanses of blank walls and use articulation and materials to create visually interesting street elevations.
- C6 Development provides ground floor frontages that are compatible with the pattern, form, scale and character of adjoining developments.

Height of buildings

- C7 Height of buildings shall minimise the impact on adjoining properties. Building design shall demonstrate impacts to surrounding properties with respect to overshadowing, privacy, noise and any other impacts.
- C8 The roof height of the tallest building on the site, shall not exceed 32m. The maximum roof height is not to be unilaterally applied across the site.
- C9 The height distribution strategy diagram(s) provided below indicate how height could be appropriately distributed across the site to ensure that the objectives and controls can be achieved. Development Applications will be required to demonstrate how the height of proposed buildings meet the intent of the height distribution diagrams to comply with the objectives.

The *Apartment Design Guide* provides consistent planning and design standards for apartments across NSW. It provides design criteria and general guidance about how development proposals can achieve the design quality principles identified in the *State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development*.

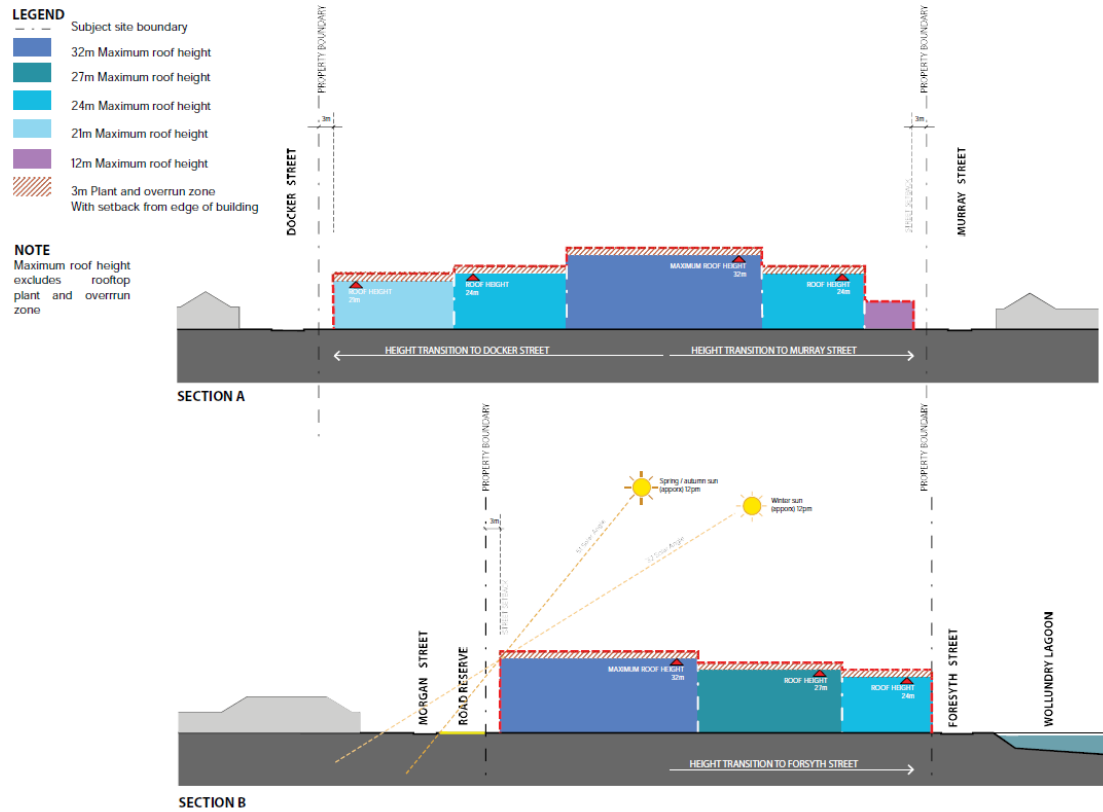
For all other forms of residential development, the provisions under Section 9 of the DCP shall apply.

The height of development shall graduate up from the site edge to the centre of the site to ensure an appropriate transition compatible with neighbouring buildings and streets.

The maximum roof height excludes rooftop plant and overrun zone.



DCP Height Diagram



DCP Height Section Diagrams

C10 Roof top plant shall be located in a manner that is setback from building edges and screened so as not to be visible from the immediate public domain.

C11 Appropriate interfaces with adjoining zones and permitted heights. Interfaces shall consider the following when considering appropriate heights:

- Land use and zone
- Adjacent zone height
- Physical separation distance
- Orientation
- Appropriate setbacks that respect height impacts

Vehicle access and parking

C12 In addition to the provisions provided under section 2 of the DCP, the following site-specific controls apply to development on the site:

- A detailed Traffic Impact Assessment must be submitted as part of any future development on the site. It must consider the full development potential of the site and changed traffic conditions as a result of the current and anticipated development of the Wagga Wagga public hospital and boarder roadwork.
- The Traffic Impact Assessment must address all traffic including vehicular, pedestrian and cycling needs for the precinct. Consideration of the impacts of the current active travel plan which intends to utilise Murray Street is also required.
- Parking must be provided in accordance with an approved access and Parking Strategy and Management Plan for the entire site.
- The Parking Strategy and Management Plan must provide a comprehensive parking system that considers both the supply and management of parking consistent with the guidance of the parking provisions of the Wagga Wagga DCP and the RMS' Guide to Traffic Generating Developments for Metropolitan Subregional Areas. The above may include a shared use parking strategy that demonstrates that the anticipated peak parking demand will be less than the sum of the off-street parking requirements for specific land uses.

As a minimum requirement, residential parking shall comply with the RMS' Guide to Traffic Generating Developments for Metropolitan Subregional Areas.

Commercial parking shall comply with the parking provisions of the Wagga Wagga DCP.

- The Parking Strategy and Management Plan must include a requirement for end-of-trip facilities to encourage cycling in line with Council's Active Travel Plan which will pass the site.

SEPP65 and the Apartment Design Guide (ADG) reference the minimum off-street car parking requirements as set out in the *Guide to Traffic Generating Developments (GTTGD)* and note that where the development complies with these parking requirements it cannot be refused. Specifically, to this development, Wagga Wagga is a nominated regional centre, and, in these areas, the Metropolitan Subregional Centre rate should be applied.

Open spaces and landscaping

- C13 Public open spaces and pedestrian linkages within the development shall be connected with the surrounding pedestrian and cycle networks.
- C14 Opportunities for a range of recreational activities should be provided for people of all ages on the site and can be provided with a combination of hard and soft space with high amenity and urban design elements and features.
- C15 A detailed landscape plan shall be submitted to Council for approval in accordance with the landscaping requirements provided under Section 2 of the DCP and where appropriate in accordance with the *Apartment Design Guide*.

Services

- C16 Garbage collection, loading and servicing areas shall be screened and/or located so they do not impact neighbouring properties with respect to access, noise and odours. A loading management plan and waste management strategy shall be provided with any development application.

Stormwater management

- C17 A stormwater management plan is to be developed as part of any development application having regard to managing overland flow across and off the site. It must consider the full development potential of the site and existing stormwater infrastructure on the site as well as broader catchment area. The stormwater management plan shall indicate an appropriate discharge point(s) that will not adversely affect the surrounding properties and surrounding road infrastructure. The stormwater plan is to be prepared in accordance with Council's Engineering Guidelines.