

## **ANSR - SUMMARY OF KEY ISSUES**

LEP will provide increased densities and facilitate larger buildings, but DCP appears to contain more restrictive controls. Many of these will frustrate, prevent or unreasonably restrict development that is permitted by the LEP.

Although the development potential has increased, the available building envelope (controlled by height, RFDC & setbacks) is very tight. This does not allow room for creativity and good design, as buildings need to be squeezed into the available envelope.

Given that council has now publicly stated that the LEP will be gazetted in May, the “imminent and certain” provisions of the act should now permit DA’s to be assessed against the draft LEP where the use is permissible. Application of the exhibited draft DCP will be problematic given the number of issues with it. However, it is also recognised that the current DCP is inadequate. Council staff will need to be flexible with applicants lodging applications in the interim period.

### Procedural matters:

- The DCP has an overwhelming focus on controls, rather objectives. In practice, this will lead to box ticking having a greater value than good design.
- Ticking boxes and enforcing numeric controls may not result in best outcomes for the development.
- There are limited design based controls in the DCP. With increased density, good design needs to be promoted.
- Generally a very high number of controls, as opposed to succinct guidelines & objectives.
- Parts of the document appear to have been put together in haste to get it on exhibition. There are numerous inconsistencies and typographical issues.
- The DCP provides no incentives for villa development & actively forces townhouses or units. Suggest sliding scale/ proportional landscaping or reduced setbacks.
- A senior planning staff member should be assigned to compile a list of DCP controls that are consistently being an issue for review and amendment to remove frustration from the process. If a control is not having the desired result, it should be reviewed or removed.
- Special provisions should be made for Residential Flat Buildings on small infill sites.
- Reinstating the tree replacement policy is a good move.

## Controls:

- Minimum site widths for developments are restrictive. Controls should simply state that site width should be appropriate for the development proposed. Orientation plays a much bigger part in configuration than width.
- 2 storey limit with associated issues of basements partly in/out of ground will be unworkable in practice. 8.5m height limit is very restrictive, and will ensure scale is maintained regardless of technical number of stories
- 30% adaptable units is excessive – especially on small sites. Suggest 20% with a sliding scale for smaller developments (eg 5 or less none, 6 – 9 one, and then 15 or more can be full %)
- Restrictions on site width & slope for basements will rule out most sites – including where a basement/ parking under the building is the most appropriate outcome. Suggest an objective that can be more readily addressed.
- Restricting basements to the footprint of the building is unworkable. Basements should be able to extend under terraces & central podium spaces.
- Solar access requirements for 4 hrs to POS is impossible and should be deleted. RFDC requirements for 75% for 3 hrs is sufficient.
- 4hrs solar access to neighbours is going to be very difficult to enforce and achieve.
- Courtyard fences for multi-dwelling & rfb should be permitted on front boundary if open style with planting behind.
- Calculation of average setbacks where prevailing setback is not 7.5m should be made clearer. Suggest 2 each side.
- Waste management controls are unworkable, especially in relation to vehicles & servicing requirements. Controls are forcing bins out of basements or trucks into basements. The latter is not achievable in terms of heights or turning circles.
- Lift overruns should be permitted to breach the height limit where the breach is solely as a result of providing access to rooftop communal open space.
- RFDC style setback controls have been applied to B zones and centres, where orientation & nil boundary setbacks will sterilise many sites and prevent small non-amalgamated sites being redeveloped in the short term. These centres should be reviewed in more detail.
- Setting garages back 1m in plan does not make them less dominant. Design solutions can work better.
- Inconsistencies between the parking chapter and individual development types occur throughout the dcp (eg childcare) and Australian Standards are often required, exceeded and ignored by conflicting controls.
- Relying on 3<sup>rd</sup> party reports to restrict development (ie bushfire or flooding) is a major cost to the community, and does not provide certainty as to the development potential of a site until after a DA has been lodged.