Draft Development Control Plan No. 12

SOUTH ULLADULLA BUSINESS PRECINCT

Reference File 21617

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Part 1 – Introduction

This Development Control Plan (DCP) has been prepared to provide policy direction for the development of the South Ulladulla Business precinct.

1.1 Citation

This Plan may be cited as DCP No. 12 South Ulladulla Business Precinct. The Plan applies to the land adjoining the Princes Highway between Kings Point Road and Parson Street between Racecourse Creek and Parson Street as shown more accurately on the attached locality map.

1.2 How does this DCP relate to other Plans?

This Plan should be read in conjunction with the relevant provisions of the:

- State Environmental Policy No. 71 (Coastal Development)
- Shoalhaven Local Environmental Plan 1985 (SLEP)
- Development Control Plan No 18 Car Parking Code
- Development Control plan No. 71 Medium Density Housing
- Development Control plan No. 82 Signage Strategy
- Development Control plan No. 93 Controls for Waste Minimisation and Management
- Development Control plan No. 100 Subdivision Code
- Energy Efficiency Guidelines

1.3 Variations to the plan

Council reserves the right to make minor variations without the necessity of advertising for public comment where Council is satisfied the proposed development will be consistent with either the overall objectives of the plan or any specific objective.

1.4 Ongoing monitoring of this Plan

Council is committed to undertake an ongoing review of the provisions of this Plan to ensure that it stays relevant to the needs of the community.

1.5 Objectives

The purpose of this Plan is to encourage development which:

- Is designed to effectively utilize limited industrial land
- enhances the southern entrance to the Ulladulla Central Business district
- maintains the efficiency of the Princes Highway by reducing the number of driveways having direct access to the highway.
- does not conflict with the predominance of the Ulladulla Retail centre as defined in DCP 56
- provides for customer and employee car parking on the site of that development
- allows traffic movements to and from the Princes Highway that are safe and convenient for vehicles, cyclists and pedestrians.
- provides landscaping at a height and density that softens the development from the Princes Highway and which may include planting on the Princes Highway footpath reserve.
• complies with any State or Federal Government policies relating to the management of the environment including Bushfires, coastal protection, Threatened species, water quality and the like.
• is environmentally sensitive, acknowledges the biodiversity of the area, contributes in a positive manner to the quality and character of the landscape and is appropriate for the land use.
• ensures that storm water management is designed to have no net impact to any receiving waters.
• minimizes waste products and encourages recycling where possible.

1.6 Definitions

Building Articulation
Building articulation is the treatment of a façade of a building and how it is emphasized architecturally, by using distinctive building elements such as:
- Balconies
- Verandas
- Recessed terraces
- Bay windows and external shading devices
- Materials & Detailing
- Fenestration
- Variations in setbacks
- Patterned and featured Walls

Bulky Goods means large goods which are, in the opinion of council, of such a size and shape as to require:
  (a) a large area for handling, storage or display,
  (b) easy and direct vehicular access to enable the goods to be collected by customers after sale,
but does not include foodstuffs, clothing or electrical appliances, whether or not sold in association with any such goods.

Building Envelope
Is defined by the height, scale and setback controls which set the limits of development.

Building line
A line fixed at a certain distance from the front and/or sides of a lot, beyond which no building can project.
Note: Awnings may protrude forward of the building line in a cantilevered style if they provide architectural merit. Shade sails will be considered on merit.

Design solutions
Solutions considered acceptable to Council to enable the objectives to be achieved.

Gross floor space
In the context of this DCP means the sum of the areas of each floor of a building where the area of each floor is taken to be the area within the outer face of the external enclosing walls as measured at a height of 1400mm above each floor level excluding:
• Columns, fin walls, sun control devices and any elements, projections or walls outside the general lines of the outer face of the external wall;
• Lift towers, cooling towers, machinery and plant rooms and ancillary storage space and vertical
• air conditioning ducts;
• Car parking specifications which meet the requirements of this development control plan; and
• Space for the loading and unloading of goods.

Height
The vertical distance measured in metres from the top most point of the building, roof or parapet (including plant and lift overruns, but excluding architectural roof features and communication devices) to the natural surface area immediately below that point (architectural roof features are non-habitable, minor decorative features).

Intent
Is a general statement which describes the reasons for applying a particular development control measure.

Objectives
Is a general statement of the means of achieving the intent. They provide designers and developers an opportunity to work through a variety of design criteria. Not all performance criteria will be applicable to every development.

Shop
Means a building or place used for the purposes of selling, exposing or offering for sale by retail, goods, merchandise or materials, but does not include a building or place elsewhere specifically defined by this clause.

Site Area
Means the area of the land to which an application for consent under the Act relates.

Draft Development Control Plan No 12 - South Ulladulla Business Precinct was:

Adopted by Council:

and became effective:

R D Pigg
General Manager

Date: 7.04.06
The Desired Future Character

An attractive entrance to the Ulladulla Town Centre with well designed developments located within an attractive landscaped setting.

A vibrant business centre which acknowledges its high visual access to the highway but respects the need for traffic safety, the long term efficiency of the Princes Highway and the viability of the Ulladulla retail centre.

Development which takes into consideration the principles of ecologically sustainable development consistent with the land uses.

These sections should also be read in conjunction with map 2 & 3 on Pages 21 & 22.

Part 2 – General design elements

2.1 Suitable land uses

Intent
To make available additional commercial/industrial land for a bulky goods precinct for the Milton Ulladulla Area which supplements the Ulladulla Retail Centre with a range of goods which by their nature require good visual accessibility, large sites for display, manoeuvring for large service vehicle and customer collection. To provide for other forms of commercial and light industrial activities which would normally be located on the fringe of the central business district. To identify other land for tourist infrastructure and to encourage tourist accommodation east of the Princes Highway.

Objectives

- To ensure that Ulladulla's town centre continues to act as the primary shopping destination for shopping trips.

- To ensure that activities are compatible with the objectives of the 4(b) light industrial zone and 3(b) Business transitional zone.

- To ensure that future land use activities comply with the definition of a Bulky Good as described in the Shoalhaven Local Environmental Plan.

Design Solutions

**Bulky Goods retail Precinct** (as defined on the map)
Development is to comply with the Shoalhaven LEP land use tables.

**Fringe Commercial and light Industrial Precinct**
Development is to comply with the Shoalhaven LEP land use tables.
Light industrial uses should be located to the rear of sites which front onto the Princes Highway.

**Tourist Accommodation Areas**
Development is to comply with the Shoalhaven LEP land use tables.

**General**
To maintain the integrity of the zones, any extensions or rebuilding of an existing dwelling should be limited.

Similarly, complete or substantial demolition of dwellings for replacement with a new single dwelling will not be supported unless applied for under existing use rights.

**Lot Consolidation**
To facilitate orderly redevelopment, lot consolidation may be necessary to optimize all development opportunities identified in this Development Control Plan.

### 2.2 Building form height setbacks and architectural design

#### 2.2.1 Height and setbacks

**Intent**
Most buildings in the South Ulladulla area are either single or two-storey construction. Building heights and setbacks controls are designed to ensure that the precinct maintains a compatible scale to the rest of the town and its natural surroundings. Setbacks determine how a building is placed on a site. In the bulky goods precinct setbacks are designed to provide flexibility through a variable building line. At the same time the setbacks will allow for the future connection of off-street car parks and improved visibility to showroom displays. Furthermore development will need to protect the riparian zone associated with the natural watercourse and address bushfire risks.

**Objectives**
- To retain an appropriate scale of development which is in keeping with the future character of the area.
- To encourage development of a height and mass that creates a visually attractive streetscape and minimises the impact and recognizes the impact on adjacent development and future land use potential.
- To reinforce the Princes highway's role as the gateway to the Ulladulla Shopping centre.
- To establish building setbacks that:
  - Allow for the safe and efficient access to the site; and
  - Achieve carparking requirements that do not encroach into the public domain.
- Minimise the risk to development from the risk of bushfire and local flooding.
Design solutions

1) Height
Bulky Goods Precinct / Fringe Business/ Light Industrial Area.
A height limit of 10 metres as measured from the natural surface area shall apply to all development within this precinct at any point behind the 18 metre building line. Development forward of the building line (Transitional zone) is limited to 8 metres as measured from the natural surface level.

Tourist Accommodation Area
A height limit of 10 metres as measured from the natural surface area shall apply to all development within this precinct.

NOTE:
1) Non habitable architectural elements which enhance the aesthetics of the building may exceed the stated height limits
2) Where it can be demonstrated that due to the fall of the land, significant cut and fill will be required to comply with the maximum height limits, the height at the rear of the property may be increased provided that the applicant can demonstrate that the impact of this increased height can be minimized through significant architectural relief and or building articulation.

2) Setbacks
Bulky Goods Precinct / Fringe Business/ Light Industrial Area.
(see diagram Page 12) - Front setbacks may be a minimum of 18 metres as measured from the front boundary of the property adjacent to the Princes Highway (west side).

The setback may be reduced to 12.5 metres where the applicant demonstrates that the building mass and bulk of the main structure will be reduced through the addition of a lightweight structure (eg showroom or office).

East of Highway
Tourist Accommodation Area
A setback of 10 metres in width (after road widening) will apply to any lot having frontage to the Princes Highway.

3) Bushfire and Riparian Zones
An assessment is to be made on the likely effect of the development from bushfire and impacts to the riparian zone. Buildings within 40 metres of the centreline of the creek system must comply with integrated development requirements (see pages 19 & 20). Building design/materials and the storage of combustible materials should meet bushfire assessment requirements.

NOTE:
The Shoalhaven Local Environmental Plan requires a building to be setback a minimum of 30 metres as measured from the front boundary of the property. (The building line applies to all lots fronting the Princes Highway west side between Racecourse Creek to Lot 303 DP 755967- in the vicinity of Dowling Street). To utilize the setbacks in this plan it will be necessary to make an application under State Environmental Policy No. 1 to vary this development standard when the development application is submitted to Council.
provisions of this plan may be cited as the planning justification to vary this standard.

2.2.2 Architectural Design

Intent
The general pattern of buildings found in the Ulladulla Area are contemporary in design. New development should be innovative and utilise sympathetic materials and finishes that reinforce the maritime character of the area.

Objectives
To encourage simplicity in building form and roof shapes, contemporary in nature, so that new development relates positively to adjoining buildings and promotes the maritime coastal setting

- To ensure that buildings are responsive to ESD principles.
- To encourage awnings, sunshade devices etc that are elegant in appearance and lightweight in construction.
- To achieve a balanced proportion of masonry elements to open elements – glass voids etc.
Diagram 1 – Setbacks
Diagram 2 – Vehicle Access Servicing and Parking
Design Solutions
All new buildings are to contain modulated facades to provide relief, light and shadow and simple or repetitive facades should be avoided. Special attention should also be given to the design and detailing of the base, middle and roof of new structures through the use of varied materials and finishes, fenestration. String courses or other relief.

Wall cladding should be a combination of rendered masonry and lightweight flat sheet products including timber hardiplank/plywood metal or glass. Masonry surfaces should not dominate over other external surfaces. Roofs should be pre-coloured having a corrugated profile or similar.

Block out roller shutters will not be permitted to ground level windows having frontage to a public road (75% permeability is required) as the blank frontage detracts from the quality and interest of the streetscape.

Air conditioning units, fans, stacks and hoods etc are to be inconspicuously located.

The materials and colours of new development should relate to the seaside environment and give a lightweight contemporary feel. Where large wall areas occur colours should be neutral or earth tones brighter colours are appropriate for trim details and decorative architectural elements. Any variation from this approach will require to be justified.

Concrete floor slabs are not to be expressed on the external face of a building.

The parapets of new buildings should relate to the building function and structure and not merely decorate the building.

Enclosed structures in front of the 18 metre building line in the Bulky goods precinct are to have variable roof pitches.

Such element should encourage the wall area in front of the building line to be constructed of 40% brick and 60% of variable materials with an emphasis on glass, or to have open sides, and shall not exceed 8 metres or 2 storeys in height as measured from the natural surface level.

Tourist Accommodation Area
Councils Medium Density Housing Policy (Development Control Plan No. 71 should be used as a guide)

2.3 Vehicle access servicing and parking (see diagram Page 12)

Intent
Bulky Goods Retailing and fringe commercial development will have adequate and visible car parking from any public street. Service vehicles will be able to enter the site with safety from any major road and leave the development site in a forward direction. The capacity to connect car parking spaces forward of the front building line is an important provision for long term efficient access to the Princes Highway. A central car parking facility and alternative access to the Highway
for commercial and light industry north of the proposed road connection to St Vincent Street is another important requirement of the plan. Although a shared pedestrian/cycle facility is proposed on the western footpath of the highway road reserve the location is in conflict with driveway access from the highway and any review under the PAMP process should investigate its possible relocation.

**Objectives**

- To provide convenient accessible and safe car and bicycle parking
- To ensure the provision of off street parking satisfies the needs of occupants and is designed and located to meet the needs of customers and visitors including people with disabilities
- To encourage the design of vehicular access and parking facilities to integrate with overall site planning and landscape design to minimise their visual impact.
- To ensure that adequate provision is made for loading and unloading facilities

**Design Solutions**

All car parking is to comply with DCP No 18 Car Parking Code and this DCP, however where a discrepancy between this control plan and the Code occurs this DCP will prevail.

The surface and slope of driveways and parking areas should facilitate stormwater infiltration on site where possible and are to be suitably landscaped. Large areas of concrete surfaces, coloured or uncoloured, are to be avoided.

Lots fronting the Princes Highway having a width of 25 metres or less will be encouraged to share access with an adjoining driveway.

Easements for access in favour of Council may be a requirement for any development that requires shared access by one or more adjoining parties to off-street car parking or where shared driveways are required to the Princes Highway.

Corner properties may be required to dedicate splay corners to the public for road widening purposes to improve sight distance at intersections. Splays in general will be 3m x 3m.

Limited access will be available to any development having frontage east side to the Princes Highway.

**Part 3 – Environmental management**

**3.1 What is sustainable development?**

Sustainable development meets the needs of the present generation without compromising the ability of future generations to meet their own needs. It includes all aspects of environmental change, social as well as physical;
Ecological sustainability is the control of the extent of modification and fragmentation of natural habitat and reduced environmental carrying capacity caused by factors such as tree removal, pollution and waste disposal;

Resource sustainability recognises the limitation to development resulting from the supply of non renewable resources such as fossil fuels, the need to conserve renewable resources and the importance of the reduction and re-use of waste.

New development has an important role to play in Ecological Sustainable Development (ESD). Energy efficient development can provide a more pleasant and comfortable living environment with little additional cost to the overall cost of development. Shoalhaven City Council now requires that ESD principles be incorporated into all DCPs.

3.2 Solar access, ventilation, energy and water efficiency

Intent
Building orientation can significantly influence amenity, internal temperatures and demand for heating and air conditioning. Similarly glazing should be minimised on southern and western surfaces. Vegetation should be used for shading and landscaping.

Sunshine and light are basic expectations. Excessive overshadowing of open spaces and living spaces particularly in residential areas should be avoided at all times.

Objectives
- To promote energy and water efficiency in the design, construction and use of new development
- To encourage the use of passive solar design
- To protect solar access enjoyed by private individuals or in the public domain
- To ensure that future utility services have minimal impact on the aesthetic quality of the streetscape

Design Solutions
Building design particularly for tourist accommodation establishments should allow for;

- Design that captures north easterly breezes;
- On west facades external shading is to be integrated into the design of buildings.

Note: Applicants are required to submit shadow diagrams with their development applications indicating the extent of overshadowing on adjacent sites including open space public or private.
3.3 Stormwater management

Intent
It is important that stormwater discharges are limited through the use of on site detention systems to minimise adverse impacts to the Tasman Sea. Also development activities must not cause an adverse impact on adjoining or any other downstream properties. This includes preserving surface flow paths and not increasing water levels. Site discharges will be restricted to pre development discharges using on site stormwater detention OSD. On larger sites (greater than 1000m$^2$) increased permeability by providing deep soil areas will be encouraged for any new development.

Objectives
• To control stormwater quality and quantity and reduce impacts on adjoining property to ensure that there will be no net impact on the receiving waters of the Tasman Sea

• To ensure cost effectiveness in the provision and maintenance of stormwater drainage systems.

Design Solutions
On site detention systems will be required for all developments except for extensions where the proposed roof or paved area is less than 30 square metres.

Detailed drainage plans for on site stormwater management systems are to be submitted for any development where proposed roof or paved area exceeds 30 square metres.

The following criteria will be considered in assessing the plan:

• The downstream capacity and need for stormwater detention and reuse

• The scope for on site infiltration of water

• The minimisation of detrimental impacts on existing water balance and quality

• The sustainability and maintenance needs of the stormwater system

• The safety of pedestrians and vehicles

• Emergency spillways and/or overland flow paths

Surface flow paths are to be preserved or alternatives provided wherever they pass through or affect the development site. Site discharges are not to be concentrated to a degree greater than that which naturally occurs. Flow paths are to be retained within easements.

All stormwater drainage connected to Council’s drainage system shall be by gravity means.

Note: The following references may be useful in preparing urban stormwater management plans

• Management Urban Stormwater Soils and Construction (NSW Department of Housing 1988)
• Managing Urban Stormwater, Treatment Techniques (EPA 1987)
• Managing Urban Stormwater Source Control (EPA 1997)
3.4 Site contamination

Intent
Contaminated land means a building or place which is affected by a chemical or any other waste and is:

- Unsafe or unfit for occupation by persons or animals
- Has reduced capacity to support vegetation
- Otherwise environmentally degraded

Objectives
- To ensure that the redevelopment of contaminated or potentially contaminated land does not pose a risk to public health or the environment.

Design Solutions
Development applications for sites that are contaminated or potentially contaminated must demonstrate:

- The suitability of the site to accommodate the intended use(s) without posing a risk to the public health or the environment; and
- Any measures necessary to develop the site will not pose a risk to public health or the environment

Note: Applicants should refer to:
- SEPP No 55 Remediation of Land
- Environmental Protection Authority Guidelines relating to land contaminated and remediation
- Council may require that a preliminary or detailed site investigation be submitted as part of their application.

3.5 Other utility services

Design Solutions
Development is to provide for the undergrounding of electricity and telephone services within the boundary of the site. Any extension of supply shall be placed underground at the applicant’s expense.

Site and waste facilities are located and designed for attractive visual appearance when viewed from a public street or place and complement the townscape character.
3.6 Open space and landscaping

Intent
To maintain the future desired character it is important that adequate landscaped open space is provided for any development within the DCP boundaries.

The provision of on site landscaping plays an important part in integrating a development into the desired streetscape for the area. High quality landscaping is encouraged throughout the City of Shoalhaven.

Objectives

- To enhance the appearance, amenity and energy-efficiency of new development through landscape design and the provision of appropriate trees and shrubs
- To integrate onsite landscape works with landscaping within the public footpath domain
- Maximise solar access.

Design Solutions

Open space
Landscaping is to minimise site disturbance and is to contribute to energy efficiency and amenity by providing summer shade and winter sun especially to north facing elevations and private open space and public and employee car parks.

Landscaping forward of the front building line is to be an average width of three metres of which 1 metre of the public footpath area may be utilized in achieving total requirements.

Note:
1) Any planting within the public footpath area will be in accordance with the Council designed landscape master plan for this area.
2) Should the cycle way be relocated to the eastern side of the highway the width of landscaping on the public footpath may be increased to 2 metres.

Provide compatible paving types and street trees to the adopted types used in the South Ulladulla Streetscape Improvement and Beautification scheme, through:

Shared cycle way / footpath (west side of the highway)
Shall be constructed in coloured concrete (light Grey) to a width of 2.5 metres and located 1 metre from the front property boundary and landscaping should ensure that it does not obstruct the use of this facility.

Note: Should investigations confirm that the proposed cycle path may be relocated to the eastern side of the highway provision is to be made for a 1.5 metre footpath and the area available for landscaping may be increased to 2metres as measured from the front property boundary and the footpath.
Street trees
Any street tree planting should be in accordance with Council's landscape master plan.

Landscaping works
- Landscaping is to be provided to 5% of the area between the building line and the front property boundary;
- Any landscaping provided within the road reserve to be in accordance with Council's landscape master plan.
Map 3 – Fringe Commercial Industrial Precinct