



CONSULTING

Planit Reference: 1800
Councils Reference: N/A

13 September 2012

The General Manager
Tweed Shire Council
Development Services
PO Box 816
MURWILLUMBAH NSW 2484

DCP-B11 - SEASIDE CITY

TWEED SHIRE COUNCIL
 FILE No: G.T. / DCP / B11 / 41
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 ASSIGNED TO: LONSDALE
 HARD COPY IMAGE

**Request to Amend Development Control Plan – Amended Request Document
Section B11 – Seaside City**

Please find attached a hard copy and electronic copy of an amendment to the DCP amendment request. The items discussed within the 'specific DPC amendments' section of the attached request has been amended to reflect the stated intent of the development types to be located within the coastal housing accommodation area. As stated by the existing DCP this is 'predominantly single two (2) storey housing and where appropriate Dual Occupancies that are designed to give the street appearance of a single dwelling'.

To address the issue of dual occupancies within this accommodation area, a control within section B11.2.6 Building Controls Accommodation Area, Coastal Housing, Density has been included. This density control allows dual occupancy development within this precinct provided they are located on allotments of no less than 700m² and which possess dual street frontage. This control will allow development of dual occupancies which possess the bulk, scaling and orientation of single dwellings.

This control has been added after further market consultation which returned a strong demand for smaller and more affordable housing types, such as 1 to 2 bedroom houses and apartments. The inclusion of the dual occupancy control will enable the delivery of diversity in housing stock, ensuring there is a mix of dwelling types, sizes and costs available within and throughout the Seaside locality.

Development of dual occupancies on allotments within the Coastal Housing precinct that provide a minimum area of 700m² and possess dual frontage allows an overall higher density to be achieved, promotes smaller dwelling size and is a positive step in aligning planning controls with attempts to address broader issues of housing affordability, diversity and sustainability within the Tweed Shire.

If you have any questions relating to this request, please don't hesitate to contact our office on 02 6674 5001.

Yours sincerely

Adam Smith
Director
Planit Consulting



Seaside DCP amendment
17/09/2012

80



Planit Ref: 01800
Council Ref: N/A

Date: 8 May 2012
Amended 13 September 2012

The General Manager
Tweed Shire Council
PO Box 816
MURWILLUMBAH NSW 2484

**RE: Request to Amend Development Control Plan
Section B11 – Seaside City**

Dear Sir,

Pursuant to Section 74C of the Environmental Planning and Assessment Act (EP&A) 1979 we write to formally request Council amend Section B11 – Seaside City of the Tweed Development Control Plan (DCP) 2008. The following outlines the proposed changes and is considered to demonstrate a need to 'make' a DCP in order to meet the requirements of an environmental planning instrument applying to the site. In this regard, making a DCP to amend the current plan is considered necessary to meet the objectives of the EP&A Act 1979 regarding the orderly and economic development of land.

This request to make a DCP to amend the existing Seaside City DCP is made concurrent with an application to subdivide the majority of the allotments fronting Casuarina Way. This request for an amendment to the DCP and proposed subdivision is driven by economic factors and marketing advices and represents the orderly and economic development of the land.

This proposal is in direct response to financial pressures being applied to our client. In this regard our client has provided significant financial outlay to undertake the civil works required to enable the seaside city allotments to be utilised for residential purposes. This process was undertaken after Council and the developer prepared and adopted a DCP for the area. This investment represented a significant outlay in order to facilitate pre-requisite infrastructure, however this investment, coupled with market conditions necessitates urgent action.

Since development of the DCP and carrying out of necessary infrastructure, financial situations have changed and the DCP now dictates densities and development types which are unrealistic and unachievable. The types of development prescribed by the DCP are such that securing buyers for the allotments or bank funding to develop the allotments is effectively impossible. The following amendments to the DCP are proposed to rectify this situation.

Council will note that given the multi owner structure, we have not suggested any amendments (with respect to densities and or designation other than the removal of the 'minimum density' references) to those lands not in the ownership of Richtech. Furthermore, the retention of the higher densities within these lands will maintain the objective of attaining a more intense level of development along the esplanade.

Justification

- The current DCP was prepared in extraordinary market conditions and the provision of significant levels of tourist only accommodation has proven unviable in both the adjoining developments of Salt and Casuarina. Examples of such problems are evident within peppers and mantra resorts within Salt. These tourist facilities have been subject to valuation write downs of up to 65%. Such markets conditions have effectively stifled development of Seaside for such development.

- The adopted Seaside S.94 plan largely provides for a vehicle in which Richtech P/L is reimbursed monies associated with the provision of pre requisite infrastructure (previously paid for by Richtech P/L). Importantly, the suggested DCP amendments **do not lessen the densities achievable on those lands not in the ownership of Richtech P/L** (other than to remove the minimum density requirement), it only impacts on those lands owned by Richtech P/L. Accordingly and as this request is being made on behalf of Richtech P/L, it would stand that whilst decreased densities will impact upon the amount of monies returned, Richtech is comfortable with such an arrangement in any event.
- The proposed amendment respects the overall intent for the structure of development within Seaside as it is currently promoted by the DCP. The structure of the proposed land use plan continues to 'step' development from lower density on the fringe to higher density within the core. Further the proposal retains medium density development at the corner of Ocean Avenue and Casuarina Way, providing an entrance statement framed by density and a high standard of architecture. Finally the proposal retains the consolidation of medium density development along Cylinders Drive.
- The use of greater amounts of lower density 'Coastal Housing' provides for an improved interface with the adjoining lower density development within Salt and Casuarina. To demonstrate this, a **Site Analysis Attachment D** looking at density within the directly adjoining areas within Salt and Casuarina and that now proposed along Casuarina Way at Seaside has been prepared. The proposal provides a density in keeping with that adjoining. This approach also replicates the urban design strategy currently employed within Salt and Casuarina which sees Casuarina Way lined with low density housing forms interspersed with medium density land marks leading to consolidated medium density central precincts.
- Development applications are systematically being lodged and generally being supported by Council within Casuarina. These applications have been lodged in response to current market conditions and have seen density reductions. The applications have been issued over what were identified as medium density allotments within the Casuarina master plan to be subdivided and utilised for low density housing. Prime examples include Lot 169 Casuarina Way and the Cotton Beach subdivision. Both of which have resulted in significant reduction in densities.
- This request will address the disconnect that the current DCP provides with regard to ensuring the orderly and economic development of the land in accord with Section 5 of the EP&A Act, 1979 (objects of the Act). Amendment of the DCP will see greater development options available and bring densities back to a realistic and achievable level allowing development to proceed in a timely and ordered manner. Pursuing development based on the current requirements of the DCP cannot be sustained economically.

Proposed Changes – Summary

The following points should be read in conjunction with the proposed **Land Use Plan Attachment A**.

- i. Removal of the mandatory tourist accommodation component within the central core area (lands currently designated as Tourist Accommodation Area and Village Centre Accommodation (ref Fig. 20 & 21 of Section B11)). This represents prudent land use planning given the experiences within adjoining developments (Salt & Casuarina). The 'Tourist Accommodation' area will be re-nominated 'Village Centre Fringe' and will be utilised for permanent residential or tourist accommodation uses. The Village Centre Accommodation Area will remain but the requirement that residential uses in the area be for short-term only will be removed.
- ii. Removal of 'minimum density' designations from all accommodation areas within the DCP. This request is largely based on the disconnect that this requirement represents with the need to ensure the orderly and economic development of the land in accord with Section 5 of the EP&A Act, 1979 (objects of the Act). The removal of the 'minimum density' requirement does not preclude the attainment of the densities outlined; rather it removes the mandatory nature of the control which cannot be sustained economically.
- iii. Increasing the extent of low density housing areas by re-nominating areas to the 'Coastal Housing' designation in accord with the DCP. This increase is solely restricted to those areas outside of the village core and has been located adjoining the existing low density housing areas within both Salt and Casuarina. This change is restricted to the lands located between Casuarina Way and Seaside Drive.

- iv. Modifying the type of medium density product adjacent to the village core (lands within Richtech ownership only) so as to facilitate 'Courtyard Housing'. These areas will be re-nominated as Coastal Multi-Dwelling Housing as opposed to Coastal Units. This alternative medium density product is also proposed at the entrance to Ocean Avenue upon the 1294.4m² and 1304.9m² lots depicted in **Subdivision Plan Attachment B** (note these allotments are proposed as part of the subdivision currently before Council). These proposed lots will also be designated 'Coastal Multi-Dwelling Housing'.

Importantly these areas will remain with frontage to designated open space areas and the proposed village core. The retention of medium density development at the entrance to Ocean Avenue maintains an entrance statement framing the entrance with density and a high standard of architecture as currently sought by the DCP. To demonstrate the intended development to Council the **Architectural Concept Plan Attachment C** is provided.

- v. Concurrent with the DCP amendment outlined above, will be a need to review and amend the Seaside S.94 Plan and potentially the VPA. In this regard it is noted that densities will be decreased from the theoretical figures outlined within the S.94 plan, however we would respectfully argue that a projected Tourist Population of 800 persons (within seaside) was and is not achievable in the first instance. A preliminary **Comparative Analysis Attachment E** has been undertaken. This analysis shows a decrease in net residents from **1796 persons to 1211 persons**.

Specific DCP amendments

The following table provides a summary of the specific amendments proposed to the DCP to facilitate the above discussed changes.

Section	Proposed Changes
B11.1 Introduction	None – Keep Section
B11.1.1 The Vision & Principles	None – Keep Section
B11.1.2 Aims of this Section	None – Keep Section
B11.2 Administration	None – Keep Section
B11.2.1 Land to which this Section applies	None – Keep Section
B11.2.2 How does this Section relate to other Sections and Environmental Planning Instruments?	None – Keep Section
B11.2.3 Site & Context	None – Keep Section
B11.2.4 Planning Management	None – Keep Section
B11.2.5 Urban Structure & Form	<ul style="list-style-type: none"> • Replace Figure 7 – Structure Plan with a figure reflecting Proposed Land Use Plan Attachment A • Amend Building Style & Design for Areas Outside of Village Centre – Building Design – Garages – paragraph 5 from 'Garage doors and carports are to be no greater than 25% of the frontage of the property so as not to dominate the street frontage of the building' to 'Garages and carports are to comply with the relevant part of Section A1 – Tourist and Residential Development Code' • Amend Building Style & Design for Areas Outside of Village Centre – Building Height – paragraph 3. Delete reference to Development Control Plan 48 – Tweed Coast Building Heights. DCP has been repealed. • Amend Building Style & Design for Areas Outside of Village Centre – Deep Soil Zones – paragraph 2 from 'the deep soil zones in Seaside City are to consist of a 3 metre setback of 75% of the frontage' to 'Deep soil zone are to comply with the relevant part of Section A1 – Tourist and Residential Development Code'

	<ul style="list-style-type: none"> Amend Building Style & Design for Areas Outside of Village Centre – Setbacks – Rear: from 'The backyard with a minimum dimension of 6m is to be provided for each development. The building set-backs to the rear of a dwelling abutting another dwelling is to terrace back in accordance with the building envelope. The building setbacks to the rear of a dwelling abutting open space can be built to the 6m set-back line.' to 'A backyard with a minimum depth of 6m is to be provided for each development'.
B11.2.6 Building Controls Accommodation Area	<ul style="list-style-type: none"> Replace Figure 14 – Accommodation Types with a new figure a reflecting Proposed Land Use Plan Attachment A. Amend Table 1 – Built Form Controls removing the minimum number of units/m2 of full site area control from the density column. Amend Coastal Housing – Density. Include control for Dual Occupancy development in the precinct stating 'Dual Occupancy Lot Size 700m² dual frontage allotments minimum. Replace Coastal Housing Figure 15 with a new figure reflecting Proposed Land Use Plan Attachment A. Amend Lorna Street South/East – specific requirements, replace Figure 16 with a new figure reflective of the proposed land use plan under attachment A. Replace Coastal Multi-Dwelling Housing Figure 18 with a figure reflecting Proposed Land Use Plan Attachment A. Amend Coastal Multi-Dwelling Housing – Density. Delete Minimum density requirement. Replace Coastal Units Figure 19 with a figure reflecting Proposed Land Use Plan Attachment A. Amend Coastal Units – Density. Delete Minimum density requirement. Rename 'Tourist Accommodation Area' to Village Centre Fringe. Replace Tourist Accommodation Area Figure 20 with a figure reflecting Proposed Land Use Plan Attachment A. Amend Tourist Accommodation – Density. Delete minimum density requirement. Amend Village Centre Accommodation – paragraph 2 from 'To reduce the conflict between residents and other uses such as restaurants and cafes the residential uses are provided for short-term use only' to 'To reduce the conflict between residents and other uses such as restaurants and cafes the residential uses are provided for a mixture of short-term and long-term uses'
B11.2.7 Bibliography	None – Keep Section.


Should you have any questions regarding the above please do not hesitate to contact the undersigned on (02) 6674 5001



 Adam Smith
Director
Planit Consulting

Attachment A – Proposed Land Use Plan

1. AREA OF SEASIDE CITY LAND - 204 LOTS = 23.97ha VIA RE-SURVEY
(23.94ha VIA DP114895)
- LOT 1971 IN DP133919 = 9.6ha
TOTAL = 33.6ha
2. AREA OF LAND TO BE DEDICATED - ROAD WIDENINGS = 2.4ha
- PUBLIC RESERVE = 1.5ha
- LOT 1971 IN DP133919 = 9.6ha
TOTAL = 13.5ha
3. AREA OF SALEABLE LAND = 20.1ha
4. AREA OF SALEABLE LAND OWNED BY RICHTECH PTY LTD = 16.6ha

-  DENOTES LAND PROPOSED TO BE DEDICATED AS PUBLIC ROAD
-  DENOTES LAND PROPOSED TO BE DEDICATED AS PUBLIC RESERVE
-  DENOTES LAND OWNED BY OTHERS (NO CHANGE FROM EXISTING SEASIDE DCP)
-  DENOTES PROPOSED DRAINAGE RESERVE
-  DENOTES PROPOSED SEWER PUMP STATION SITE
-  DENOTES ROAD CLOSURE AND WIDENING "SWAP" S.E.CNR

-  COASTAL MULTI DWELLING
-  COASTAL HOUSING
-  VILLAGE CENTRE FRINGE (TOURIST OR PERMANENT)
-  COASTAL UNITS TOURIST OR PERMANENT
-  VILLAGE CENTRE (TOURIST OR PERMANENT)



Attachment B – Proposed Subdivision Plan



SEASIDE CITY, CASUARINA
 STAGE 1, 2, 3 & 4 - SUBDIVISION PLAN

SCALE: 1:2000 ± A3 DRAW NO: SEASIDE_SUBDIVISION_STG1-4
 DRAWN: CM CHECKED: AS
 DATE: 17/12
 REV: 01





SEASIDE CITY, CASUARINA
 STAGE 1 & 2 - SUBDIVISION PLAN

SCALE: 1:1000 @ A3
 DRAWN: GM
 DATE: 17/12
 REV: 01
 DRAW NO: SEASIDE_SUBDIVISION_STG1/2
 CHECKED: AS





SEASIDE CITY, CASUARINA
 STAGE 3 & 4 - SUBDIVISION PLAN

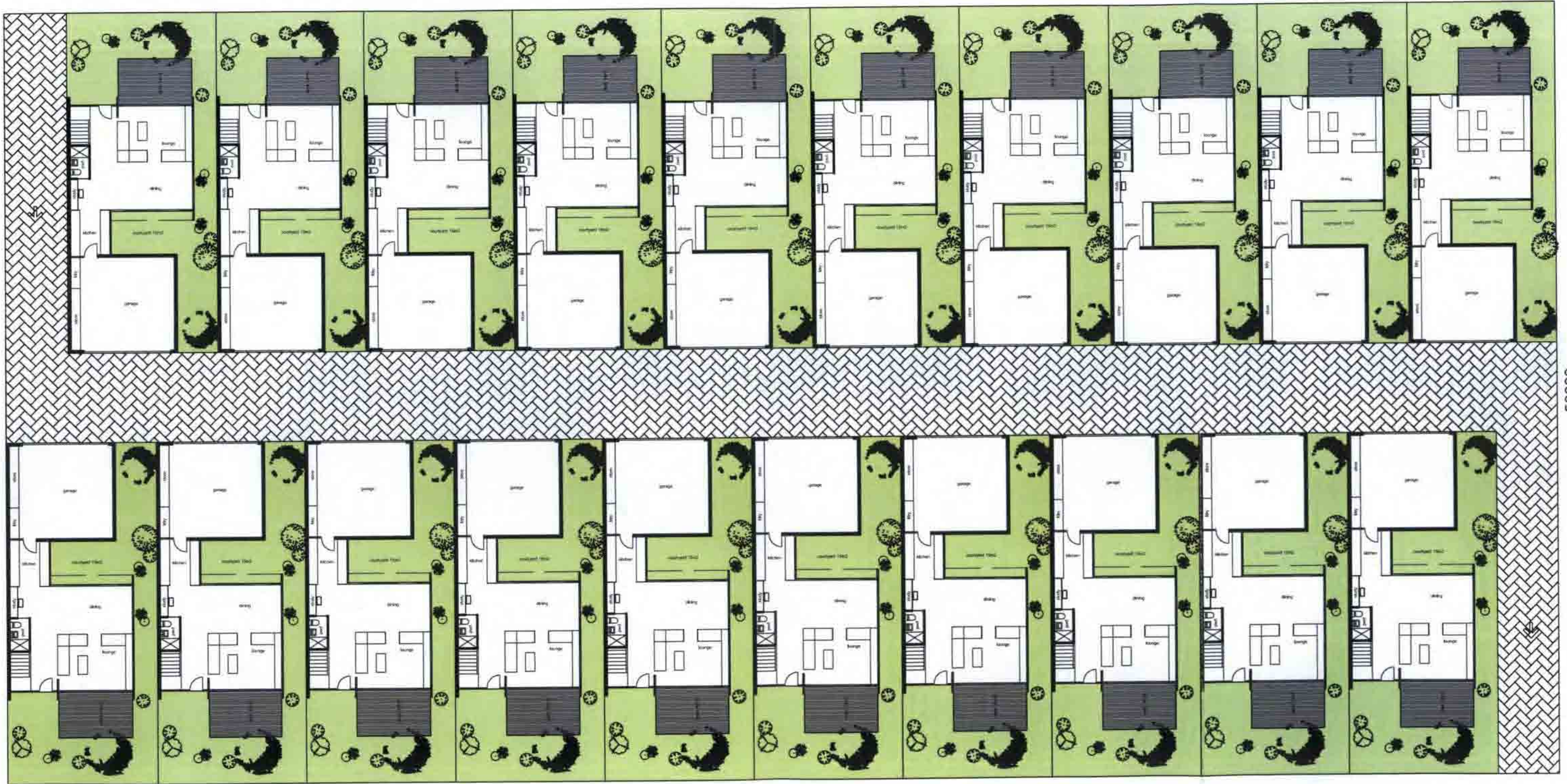
SCALE: 1:1000 @ A3
 DRAWN: GM
 DATE: 17/12
 REV: 01
 DRAW NO.: SEASIDE_SUBDIVISION_STG3/4
 CHECKED: AS



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 Fax: 07 5526 1501
 admin@uxellconsulting.com.au

Attachment C – 'Courtyard Housing' Architectural Concept Plan

Sailfish Way
10000



Seaside Drive

REVISION	DATE
A	6.5.12
B	8.5.12
C	
D	
E	



Seaside Living Pty Ltd
A.C.N. 141 030 239
Unit 29, Hyper Centre
50-56 Sanders Street
Upper Mount Gravatt, QLD 4122

Courtyard Housing - Alternative Site Plan








DRAWN KH	DATE Mar 2012	SCALE nts	A3	DWG No. WD 03	REV B
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Attachment D – Site Analysis



LEGEND

-  ZONE (2F) - TOURIST
-  ZONE (2E) - RESIDENTIAL TOURIST
-  SEASIDE (1 DWELLING / 652m²)
-  SALT (1 DWELLING / 570m²)
-  CASUARINA BEACH (1 DWELLING / 827m²)

SEASIDE CITY, CASUARINA
SITE ANALYSIS PLAN

SCALE: 1:1000 @ A3
DRAWN: ZF
DATE: 05/12
REV: 01
DRAW NO: SEASIDE_ANALYSIS_01
CHECKED: LN

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Attachment E – Comparative Analysis

Type of Development	Minimum		Probable		Maximum		Average
	No. of Dwellings / units	Total Residents	No. of Dwellings / units	Total Residents	No. of Dwellings / units	Total Residents	
Coastal Dwellings	80	208	105	273	160	416	299
Coastal Multi Dwelling Housing	120	204	130	255	210	357	272
Coastal Units	354	602	472	802	708	1204	869
Tourist Accommodation	136	231	170	289	289	491	337
Village Centre Accommodation	64	109	104	177	104	177	154
TOTAL	754	1354	1001	1796	1471	2645	1931

Table 1: Seaside S.94 Plan Yield Table (reference: Page 28-6)

Type of Development	No. of Dwellings / Units	Total Residents
Coastal Dwellings	168 lots inc. those already re-subdivided on western side of Casuarina Way @ 2.6 persons per lot	437
Coastal Multi Dwelling Housing	Approx 19,661m ² @ 1/220m ² = 90 dwellings @ 2.6 persons per lot	234
Coastal Units	Approx 19,213m ² @ 1/180m ² = 120 dwellings @ 1.7 persons per unit	204
Tourist / Permanent Residential Accommodation	Approx 8,906m ² @ 1/125m ² = 71 dwellings @ 1.7 persons per unit	121
Village Centre Accommodation	Approx 12,585m ² @ say 1/100m ² = 126 dwellings @ 1.7 persons per unit	215
TOTAL	575	1211

Table 2: Potential Seaside S.94 Plan Yield Table

NB. Includes assumption of re-subdivision of additional Coastal Housing allotments