DIRECTOR LIVEABLE COMMUNITIES

2 CLAUSE 4.6 VARIATION - ADDITIONS TO WINGHAM LIBRARY

Report Author Ben Lim-Cooper - Development Assessment Planner

DA No. 231/2020/DA
Date of Meeting 22 April 2020

Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

Development Application 231/2020/DA seeks consent for alterations and additions to the existing Wingham Library. Both the land and building are currently under the ownership of MidCoast Council.

A variation to the maximum floor space provision is sought by the applicant pursuant with Clause 4.6 of the *Greater Taree Local Environmental Plan 2010*. The variation seeks to exceed a numerical control by more than 10% and, therefore, the Development Application cannot be determined under delegated authority.

DETAILS

Date Received:	6 November 2019		
Applicant:	RGR Design		
Owner:	MidCoast Council		
Land:	Lot 3 Section 20 DP 759099, 20 Wynter Street, Wingham		
	Area:	616m ²	
	Zoning:	R1 General Residential	

SUMMARY OF RECOMMENDATION

That the development application be approved subject to conditions.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

SUBJECT SITE AND LOCALITY

The site comprises land described as Lot 3, Section 20, DP 759099, 20 Wynter Street Wingham. The site is rectangular in shape and has a total area of approximately 616m². The site is located within a Heritage Conservation Area.

The site is presently occupied by a two-storey building which is located within the western portion of the site, closer to Wynter Street. The existing building is a registered heritage item and is presently occupied by the Wingham Library.

The land within the site is relatively flat and is clear of any significant vegetation.

Land adjoining the northern (side) and eastern (rear) boundary of the site is occupied by the Wingham Public School. Land adjoining the southern (side) boundary of the site comprises the Wingham Post Office. Land located on the western (opposite) side of Wynter Street is a public reserve known as 'Central Park'.

A Site Locality Map is provided at Figure 1 below.



Figure 1: Site Locality Map - Lot 3 Section 20 DP 759099, 20 Wynter Street, Wingham

PROPOSAL

The proposed development involves alterations and additions to the existing building on the land (see **Annexure B** for plans of the proposed development). More specifically, the proposed development involves:

- Demolition of the easternmost wall of the building;
- Additions to the ground-floor of the existing building. The addition will extend in an easterly direction and will have a total area of approximately 110m²;
- Modifications to the existing internal staircase;
- Relocation of the existing entrance;
- New accessible toilet; and
- New external lift providing secondary access to the first-floor of the existing building.

REPORT

Under Section 4.15 of the *Environmental Planning & Assessment Act 1979* (EP & A Act), a consent authority (the Council) when determining a development application, "is to take into consideration such of the following matters as are of relevance to the development the subject of the development application". The relevant matters for consideration are summarised on the following pages:

4.15 (1)(a)(i) the provisions of any environmental planning instrument

State Environmental Planning Policy

State Environmental Planning Policy (Coastal Management) 2018

Division 3 of the State Environmental Planning Policy (Coastal Management) 2018 (Coastal SEPP) is applicable to the proposal as the site is mapped as being within the 'coastal environment area'.

The site maintains sufficient separation distance from any water body and associated foreshore area.

The proposed development is consistent with the relevant provisions contained within Division 3 of the Coastal SEPP in that it will not adversely impact on:

- the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,
- the coastal environmental values and natural coastal processes,
- the water quality of the marine estate,
- marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms, and
- the existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability.

Draft Local Environmental Plan

No draft Local Environmental Plans are applicable to the proposed development.

NSW Coastal Policy 1997 and Coastal Design Guidelines for NSW

N/A

Local Environmental Planning Instruments

Greater Taree Local Environmental Plan 2010

The site is located within the former Greater Taree Local Government Area and the provisions of the *Greater Taree Local Environmental Plan 2010* (LEP) are applicable to the proposal.

The site is mapped as R1 General Residential under the provisions of the LEP. The proposed development involves alterations and additions to the existing Wingham Library, which is defined as an 'information and education facility' under the Standard Instrument LEP. 'Information and education facilities' are a permitted land use within the R1 Zone.

The objectives of the R1 Zone are as follows:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The proposed development will enhance an existing facility and service that meet the day to day needs of the community. The proposed development is consistent with the relevant objective of the R1 Zone without inhibiting achievement of the remaining objectives.

The following Table outlines the relevant provisions of the LEP and details how they relate to the proposed development.

Table 1: LEP Compliance Table				
Clause	Compliance	Comments		
4.3 Height of Buildings	Yes	Maximum Building Height: 8.5m		
		Proposed Building Height: 8.0m		
4.4 Floor Space Ratio (FSR)	No	Maximum FSR: 0.6:1		
		Proposed FSR: 0.71:1		
		**See Clause 4.6 below.		
5.10 Heritage Conservation Yes		Development consent is being sought for the proposed development, which involves alterations and additions to a registered heritage item located within a heritage conservation area.		
		The proposed development was referred to Council's Heritage Advisor for comment. Council's Heritage Advisor has advised that the proposed development will not jeopardise the heritage significance of the existing building, subject to conditions of consent.		

Clause	Compliance	Comments The site is mapped as containing potential Class 5 Acid Sulfate Soils. However, the proposed development does not involve earthworks to the extent the water table is likely to be lowered more than 1 metres below the natural ground surface.	
7.1 Acid Sulfate Soils	Yes		
7.11 Essential services	Yes	The site is serviced by essential infrastructure including electricity, water, and reticulated sewer.	

Clause 4.6 - Exceptions to development standards

Clause 4.6 of the LEP provides a degree of flexibility in the application of certain development standards where it can be demonstrated that compliance with the standard is unreasonable or unnecessary in the circumstances of the proposed development.

The development proposes a variation to the development standard associated with clause 4.4 'Floor Space Ratio' (refer to 'LEP Compliance' table above). The development proposes a Floor Space Ratio (FSR) in excess of the maximum allowable. Ultimately, the proposed development will result in the Floor Space Ratio (FSR) of the site being greater than 0.6:1.

Subclause 4.6(1)

The variation to clause 4.4 is considered to be consistent with the objectives of clause 4.6(1). The development proposes a variation to the development standard associated with maximum floor space (clause 4.4(2)). It is considered reasonable to vary the development standard in this instance as it results in a positive outcome for the community, which would not be able to be achieved through strict compliance with the development standard.

The 'Population Based Library Calculator' implemented by the State Library of NSW helps determine a minimum recommended library area based on population. The additional floor space proposed under this Development Application will better achieve the calculated recommended library floor space.

Subclause 4.6(2)

Clause 4.4 'Floor Space Ratio' is a development standard which is not excluded from the operation of clause 4.6. As such, consideration of the variation to the development standard is permitted.

Subclause 4.6(3)

In accordance with clause 4.6(3) the applicant has provided a written request with justification for the variation, noting that the application of clause 4.4(2) is unreasonable in this instance, and that there are sufficient planning grounds to support the variation. The applicant has identified that strict compliance with the FSR provisions would not achieve the desired floor space required to effectively continue to provide facilities and services to the community.

Subclause 4.6(4)

The applicant's written request has adequately addressed the matters required to be demonstrated by subclause 4.6(3).

The proposed variation to the development standard will result in a positive outcome for the general public as it contributes to the functionality of a community service. Therefore, it is considered that the variation to the development standard is within the public interest.

Despite the variation, the proposed development is still consistent with the objectives of development standard being:

- (a) to ensure that the density, bulk and scale of development is appropriate for a site; and
- (b) to ensure that the density, bulk and scale of development integrates with the streetscape and character of the area in which the development is located.

In relation to objective (a), the proposed development does not result in an overdevelopment of the site. The proposed additions are provided behind the front building line of the existing building in which they are associated. The proposed additions are not visually prominent when viewed from the street.

In relation to objective (b), the density, bulk and scale is not inconsistent with the surrounding streetscape. Furthermore, the proposed additions will integrate with the existing building on the land by incorporating similar materials and finishes.

The Director General's office has previously advised Council that concurrence may be assumed as detailed in Planning Circular PS 08-003. The Director General has granted concurrence.

Subclause 4.6(5)

The proposed variation does not give rise to any matters of State or regional environmental planning significance.

It is considered that strict compliance with the development standard would result in a substandard outcome for the public.

The proposal satisfies the established tests for clause 4.6 variations, is an appropriate form of development for the site and will result in an improved outcome over and above a development that would comply with the development standards. Flexibility in the application of the development standard is justified.

4.15 (1)(a)(ii) the provisions of any draft environmental planning instrument

No draft environmental planning instrument is applicable to the proposed development.

4.15 (1)(a)(iii) any development control plan

Greater Taree Development Control Plan 2010

The site is located within the former Greater Taree Local Government Area and the provisions of the *Greater Taree Development Control Plan 2010* (DCP) are applicable to the proposal. The following Table details the relevant provisions of the DCP and outlines how they relate to the proposed development.

Table 2: DCP Compliance Table					
DCP Part	Compliance/Comments				
Part D - Environmental Requirements	Yes:				
	The site is not located within a mapped environmental buffer.				
	Erosion and sediment control measures will be implemented prior to, and, during construction.				
Part F - Heritage Requirements	Yes:				
	As detailed previously, the proposed development involves alterations and additions to a registered heritage item (I292) located within a Heritage Conservation Area.				
	The proposed additions are to be undertaken at the rear of the existing building and will have no adverse heritage impact on the streetscape or surrounding buildings.				
	The modifications to the internal staircase will include a glass balustrade to be fixed to the inside face of the existing timber balustrade. This is deemed to be an acceptable method to retain the heritage significance of the existing internal staircase. No other modifications to the staircase are proposed.				
Part G - Car Parking Requirements	Yes:				
	Part G of the DCP provides no specific car parking requirements for libraries.				
	The site is connected to the nearby Wingham CBD by pedestrian footpaths. Furthermore, on-street car parking is provided along Wynter Street and Farquhar Street. Any additional car parking requirements attributable to the proposed development can be accommodated by these existing car parking arrangements.				

4.15 (1)(a)(iiia) any planning agreement or any draft planning agreement

No planning agreements are applicable to the proposed development.

4.15 (1)(a)(iv) any matters prescribed by the regulations

Applicable Regulation considerations including demolition, fire safety, fire upgrades, compliance with the Building Code of Australia, PCA appointment, notice of commencement of works, sign on work sites, critical stage inspections and records of inspection. A condition would be imposed on any consent granted.

4.15 (1)(b) the likely impacts of that development

Views

The proposed development involves a single-storey addition and the external lift addition will be of minimal bulk and scale. No impacts on existing views and vistas are likely to eventuate.

Privacy (Aural and Visual)

There is not likely to be any adverse impacts relating to visual privacy. The proposed development does not involve a change of use and the existing use is not development which has a significant noise generating capacity. There is not likely to be any significant acoustic impacts resulting from the proposed development.

Overshadowing

The proposed development involves a single-storey addition. The external lift addition will have minimal bulk and scale. There is not likely to be any overshadowing impacts.

Visual Impact

The materials and finishes of the proposed additions will incorporate similar materials and finishes to the existing building. There is not likely to be any adverse visual impacts.

Access, Transport and Traffic

No impacts on access and traffic are likely to result.

Utilities

The site is serviced by all essential services and infrastructure.

Drainage

Stormwater generated by the additional impervious areas will be conveyed to on-site detention prior to being connected to existing drainage infrastructure serving the site.

Flora and Fauna

No vegetation removal is proposed under this Development Application. There is not likely to be any impacts on flora or fauna attributable to the proposed development.

4.15 (1)(c) the suitability of the site for the development

The site is presently occupied by an existing building which accommodates the Wingham Library. The proposed development involves additions to the existing building and no change of use is proposed.

The site is suitable for the proposed development.

4.15 (1)(d) any submissions made in accordance with this Act or the Regulations

The application was notified in accordance with Council's Policy and no submissions were received.

4.15 (1)(e) the public interest

The proposed development does not result in any issues contrary to the public interest.

CONCLUSION & RECOMMENDATION

The site is described as Lot 3 Section 20 DP 759099, 20 Wynter Street, Wingham.

The proposed development involves alterations and additions to the existing building on the land. The proposed development involves, but is not limited to, a ground-floor addition and external lift shaft.

The proposed development seeks to increase the overall floor space of the site. Ultimately, the proposed development will result in the FSR of the site exceeding the maximum allowable, being 0.6:1. Council has received a written request seeking a variation to the development standards pursuant with Clause 4.6 of the LEP. As detailed in this Report, strict compliance with the maximum FSR prescribed by Clause 4.4 of the LEP is unreasonable and unnecessary in this particular case and a variation to the maximum FSR prescribed by Clause 4.4 of the LEP is deemed acceptable.

The proposed development has demonstrated compliance with the relevant provisions contained within the Coastal Management SEPP and the LEP. Furthermore, the proposed development complies with the applicable controls contained within the DCP.

The proposed development is suitable for the site and does not raise any issues contrary to the public interest.

RECOMMENDATION

It is recommended that Development Application 231/2020/DA for alterations and additions to the existing Wingham Library on Lot 3, Section 20 DP 759099, 20 Wynter Street, Wingham be approved subject to the conditions contained in Annexure A.

ANNEXURES

A: Conditions of consent

1. Development in accordance with approved plans

The development must be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

Plan type/Supporting	Plan No. &	Prepared by	Dated
Document	version		
Proposed Site Plan	05	RGR Design	Oct 2019
Proposed Ground Floor	06	RGR Design	Oct 2019
Proposed First Floor Plan	07A	RGR Design	Oct 2019
Proposed Elevations	08	RGR Design	Oct 2019
Proposed Elevations	09	RGR Design	Oct 2019
Proposed Section	10	RGR Design	Oct 2019

The approved plans and supporting documents endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.

Reason: Information and to ensure compliance.

2. Compliance with National Construction Code Series - Building Code of Australia

All building work must be carried out in accordance with the requirements of the *National Construction Code Series - Building Code of Australia* as in force on the date the application for the relevant construction certificate or complying development certificate was made.

Reason: Prescribed condition under the *Environmental Planning & Assessment Regulation 2000*.

3. Adjustment to utility services

All adjustments to existing utility services made necessary by the development are to be undertaken at no cost to Council.

Reason: To ensure utility services remain in a serviceable condition.

4. Support for neighbouring buildings

If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- a) protect and support the adjoining premises from possible damage from the excavation, and
- b) where necessary, underpin the adjoining premises to prevent any such damage.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to this condition not applying.

Reason: To protect development on adjoining premises. Prescribed condition under the Environmental Planning and Assessment Regulation 2000.

5. MidCoast Council Water Services approval

Prior to the issue of a construction certificate, a Certificate of Compliance from MidCoast Council Water Services, stating that satisfactory arrangements have been made and all payments finalised for the provision of water supply and sewerage to the development, must be submitted to the certifying authority.

Reason: To ensure suitable water and sewage disposal is provided to the development.

6. Traffic and Pedestrian management plan

Prior to the issue of a construction certificate, a traffic control plan must be submitted to and approved by the relevant Road Authority. The plan must be designed in accordance with the requirements of:

- a) the Roads and Maritime Services, Traffic Control at Work Sites (current version); and
- b) Australian Standard AS 1742.3: Manual of uniform traffic control devices Traffic control for works on roads'.

Reason: To ensure public safety during the construction of the development.

7. On-site stormwater detention

Prior to the issue of a construction certificate, plans and specifications of the stormwater drainage system, including on-site stormwater detention must be submitted to and approved by the MidCoast Council. This system must be designed in accordance with Australian Standard AS/NZS 3500.3: Plumbing and drainage – Stormwater drainage.

On-site stormwater detention must be designed to restrict stormwater discharge to the predevelopment runoff rate for up to and including a 1 in 100 year storm event. Stormwater drainage must be designed to direct all water to a Council approved drainage system to prevent discharge runoff onto adjoining land. All piped drainage lines over adjoining land must be located within drainage easements at no cost to Council.

The plans and specifications must be designed by a qualified practising civil engineer/surveyor. The civil engineer/surveyor is to be a corporate member of the Institution of Engineers Australia or is to be eligible to become a corporate member and have appropriate experience and competence in the related field.

An approval is to be obtained under Section 68 of the *Local Government Act 1993* to carry out stormwater drainage work.

Reason: To ensure adequate provision is made for stormwater drainage from the site in a proper manner that protects adjoining properties.

8. Access and facilities for people with disabilities

Prior to the issue of a construction certificate, plans and specifications detailing access to and within the development and facilities for persons with disabilities must be submitted to and approved by the certifying authority. The development must be in accordance with Australian Standard AS 1428.1 - Design for access and mobility and Part D3 of the Building Code of Australia.

Reason: To ensure the development provides equitable and dignified access and facilities for people with disabilities.

9. Materials, finishes and colours

Prior to the issue of a construction certificate, a detailed schedule of external materials finishes and colours must be submitted to and approved by the Council's Heritage Advisor. If all external colours are to match existing this is to be confirmed in writing.

Reason: To maintain visual amenity to the street and to minimise visual impact on the heritage conservation area.

10. Construction certificate required

Prior to the commencement of any building work (including excavation), a construction certificate must be issued by a certifying authority.

Reason: Statutory requirement under the *Environmental Planning and Assessment Act* 1979.

11. Site access

Public access to the site and building works, materials and equipment on the site is to be restricted, when building work is not in progress or the site is unoccupied. The public safety provisions must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction.

Reason: To ensure public health and safety during the construction of the development.

12. Installation of erosion & sediment control measures

Prior to the commencement of work, soil erosion and sediment control measures are to be provided on the development site in accordance with Council's Development Control Plan 2010 and "The Blue Book – Managing Urban Stormwater (MUS): Soils and Construction" (Landcom).

Note: Council may impose on-the-spot fines for non-compliance with this condition.

Reason: To protect the environment from the effects of erosion and sedimentation.

13. Site construction sign

Prior to the commencement of work, a sign or signs must be erected in a prominent position at the frontage to the site.

 showing the name, address and telephone number of the principal certifying authority for the work, and

- b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c) stating that unauthorised entry to the work site is prohibited.

The sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

Reason: Prescribed condition under the *Environmental Planning and Assessment Regulation 2000.*

14. Construction times

Construction and/or demolition works, including deliveries on or to the site must not unreasonably interfere with the amenity of the neighbourhood and must occur only in accordance with the following:

Monday to Friday, from 7 am to 6 pm. Saturday, from 8 am to 1 pm.

No construction and/or demolition work, including deliveries are to take place on Sundays or Public Holidays.

Reason: To maintain amenity during construction of the development.

15. Builders rubbish to be contained on site

All builders rubbish is to be contained on the site in a suitable waste bin/enclosure. Building materials must be delivered directly onto the property. Footpaths, road reserves and public reserves must be maintained clear of rubbish, building materials and other items at all times.

Reason: To ensure that materials and waste do not adversely affect traffic or pedestrian safety and amenity.

16. Maintenance of sediment and erosion control measures

Sediment and erosion control measures must be maintained at all times until the site has been stabilised by permanent vegetation cover or hard surface.

Reason: To protect the environment from the effects of erosion and sedimentation.

17. Removal of asbestos

All asbestos containing material, if any, associated with demolition/renovation works must be removed, handled and disposed of in accordance with the requirements of the NSW WorkCover Authority and the following requirements:

a) If asbestos is present in an amount greater than 10m², then the demolition and removal must be undertaken by a WorkCover licensed demolition contractor who holds the appropriate WorkCover licence (e.g. Asbestos Demolition Licence) for the material to be demolished.

- b) All asbestos must be removed from the site and be disposed of at an approved licensed waste facility. All asbestos waste must be delivered to an approved licensed waste facility in heavy duty sealed polyethylene bags.
- c) The bags are to be marked "Caution Asbestos" with 40mm high lettering. Twenty four (24) hours' notice must be given to the waste facility prior to disposal.
- d) Receipts of the disposal of all asbestos to a licensed waste facility must be provided to Council within fourteen (14) days of the material being disposed.

Reason: To protect public health and safety and to ensure the correct disposal of asbestos waste.

18. Standards for demolition work

All demolition works must be undertaken in accordance with the provisions of *Australian Standard AS 2601: The demolition of structures*. Prior to demolition, all services must be disconnected and capped off.

Reason: To protect public health and safety.

19. Aboriginal heritage

This consent does not authorise the harming of an Aboriginal object or place. Under the National Parks and Wildlife Act 1974, it is the responsibility of all persons to ensure that harm does not occur to an Aboriginal object or place. If an Aboriginal object is found, whilst undertaking development work, all work must stop and the NSW Office of Environment and Heritage notified. All directions of the Office of Environment and Heritage must be complied with at all times.

Reason: To protect Aboriginal heritage.

20. External materials, finishes, and colours

All external materials, finishes and colours must be provided in accordance with the approved schedule of external materials, finishes and colours.

Reason: To ensure the visual amenity of the streetscape.

21. Existing timber framed double hung window

The existing timber framed double hung window that is to be removed for the lift installation, is to be stored (undercover) at Council's depot for future reuse on Council hertiage buildings.

Reason: To ensure that original fabric (double hung window) is retained and kept in storage for future use.

22. MidCoast Council Water Services Certificate of Attainment

Prior to the issue of an occupation certificate, a Certificate of Attainment from MidCoast Council Water Services, stating that satisfactory arrangements have been made and all payments finalised for the provision of water supply and sewerage to the development, must be submitted to the principal certifying authority.

Reason: To ensure suitable water and sewage disposal is provided to the development.

23. Fire Safety Certificate

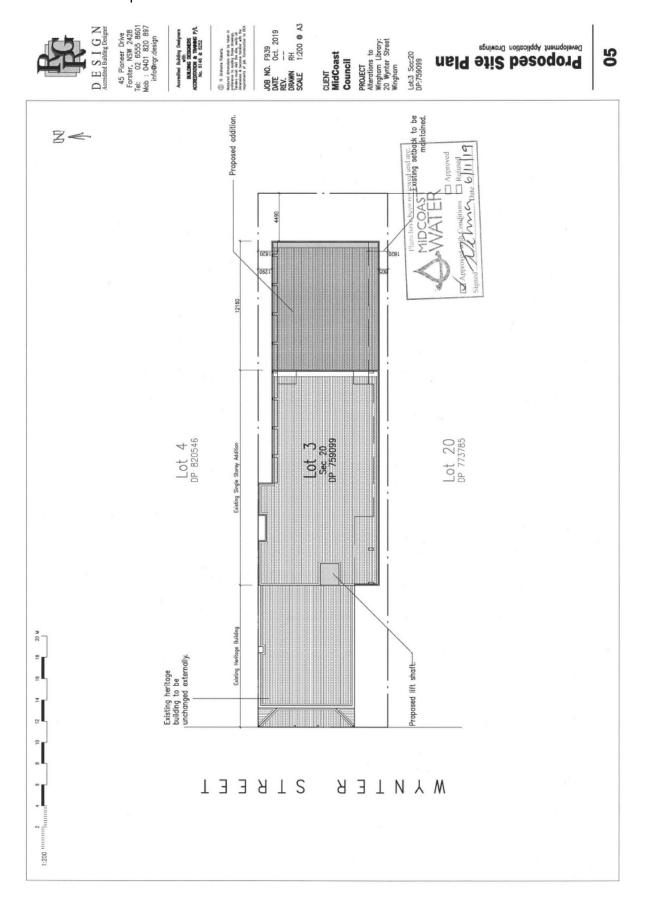
Prior to the issue of an occupation certificate a final Fire Safety Certificate shall be obtained in accordance with Part 9, Division 4 of the Environmental Planning and Assessment (Amendment) Regulation 2000, prior to the issue of the Final Occupation Certificate for the building.

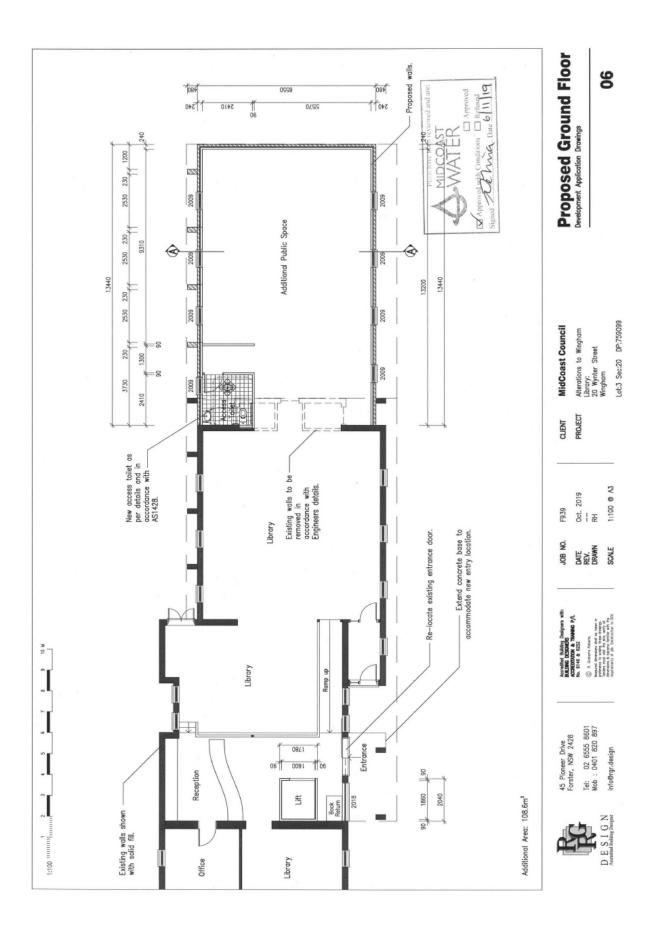
A copy of the Fire Safety Certificate and Fire Safety Schedule shall be:-

- a. Forwarded to MidCoast Council;
- b. Forwarded to the Commissioner of the New South Wales Fire Brigade; and
- c. Prominently displayed in the building.

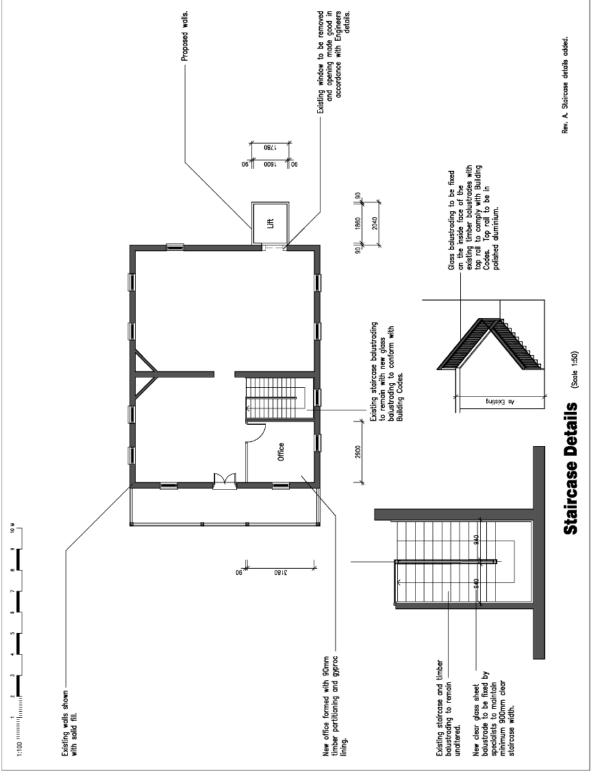
Reason: Fire safety and statutory requirement under the Environmental Planning and Assessment Regulation 2000.

B: Submitted plans





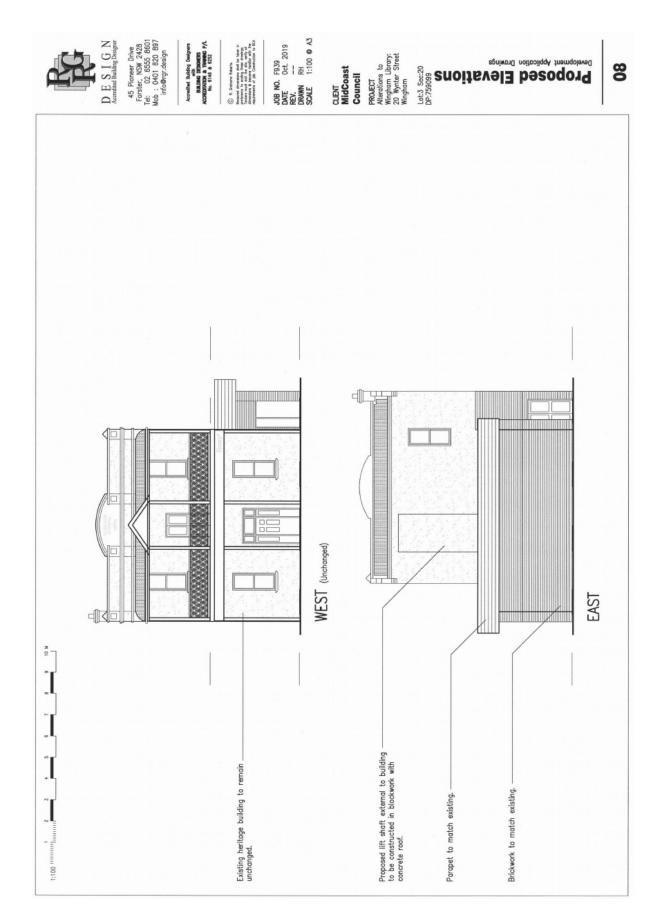


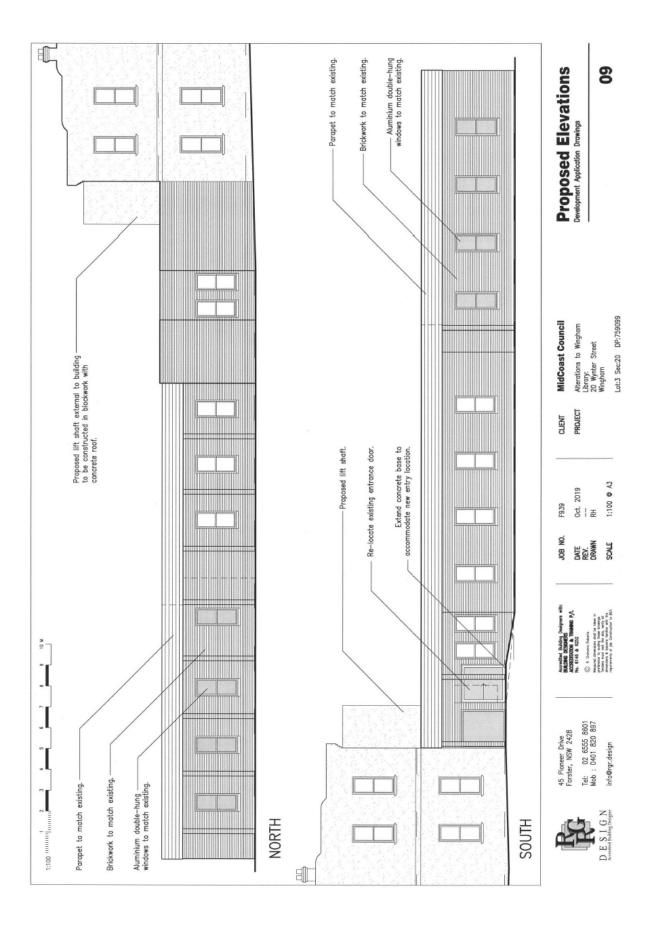


PROJECT
Alterations to
Wingham Library:
20 Wynter Street
Wingham

Lot:3 Sec:20 DP:759099

CLENT MidCoast Council

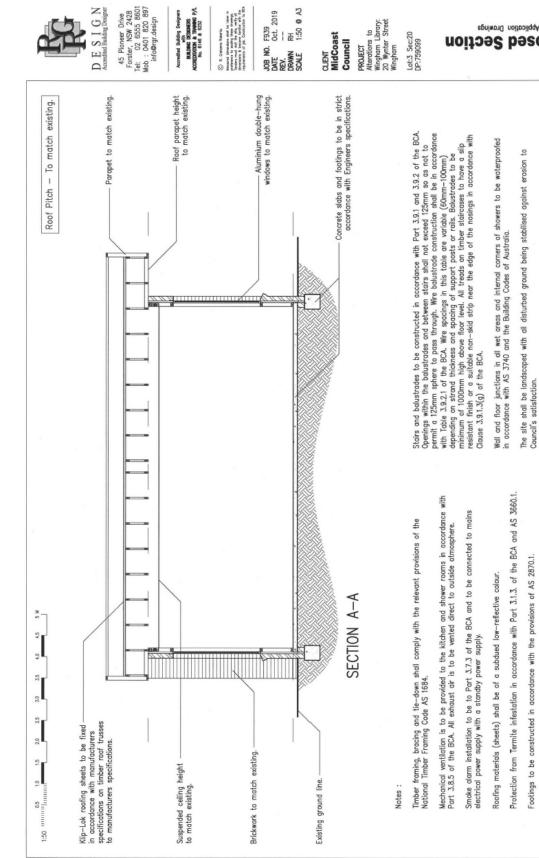




steel work is to be fabricated and galvanized to details as shown on Engineers drawings, work to be in accordance with AS 4100 Steel Structures. All utility services are to be disconnected to the requirements of the relevant authorities.

Storm water from roof areas to be linked into a Council approved stormwater disposal system immediately before placement of any roofing material.

All works are to be carried out in accordance with the BCA and to MidCoast Council sotisfaction.



F939 Oct. 2019 ---RH 1:50 @ A3



Accredited Building Designer
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MidCoast Council Planning & Environmental Services Council Offices Breese Parade FORSTER

Ref: F939

Date: 10th January 2020

NSW 2428

For the attention of Ben Lim-Cooper.

Dear Sir,

Re: Proposed Additions to Wingham Library. Lot 3, 20 Wynter Street, Wingham. DP 1066047. 231/2020/DA.

With reference to the above and following receipt of your letter dated 9 January 2020, I am making a formal request for a variation to Clause 4.4 of Greater Taree Local Environmental Plan 2010 LEP pursuant with Clause 4.6 of the LEP with the following justification:

4.4 Floor Space Ratio (Objectives)

- (1) The objectives of this clause are as follows-
 - (a) to ensure that the density, bulk and scale of development is appropriate for a site.
 - (b) to ensure that the density, bulk and scale of development integrates with the streetscape and character of the area in which the development is located.
- (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.

The objectives of the clause require to ensure that the scale of the proposed development is compatible with the existing streetscape and character of the area. It is proposed to construct a single storey extension on the rear of the existing library building to provide addition public library reference space together with disabled facilities for the benefit of the general public. This building addition firstly will not be visible from the main street frontage and therefore will have no effect on the existing streetscape, secondly, being single storey, does not present an issue with bulk and scale. Moreover, the addition is designed to reflect the shape and character of the existing building and integrate with the character of the area.



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The existing building provides a grand total of 349.62sq.m of internal floor area which equates to a 0.566:1 floor space ratio. This, of course being within the specified 0.6:1 maximum.

Apart from the internal access lift installation to provide disabled access to the first floor, the existing library is desperately short on public reference and book area. To maintain the maximum floor space ratio requirement would allow an extension of approximately 8.8m but a large portion of this would be taken up with the installation of disabled toilet facilities, replacing demolished facilities to create the extension. This would obviously be unsatisfactory and economically unviable.

In order to provide the library and general public with sufficient additional space, the drawings show an extension which suggests that the density, bulk and scale of the development is appropriate for the particular site even though it provides for a 0.71:1 floor space ratio. Also, the site is located adjacent to the Wingham Brush Public School to the north and Wingham Post Office to the south and the integration is unaffected. It is felt that it would be unreasonable for this to be rejected under the circumstances.

The objectives of Clause 46 of the LEP provides for an appropriate degree of flexibility in applying this development standard in order to achieve a better outcome in certain circumstances. It is suggested that providing the additional public space to MidCoast Council Library is such a circumstance.

Trusting the above is satisfactory and looking forward to hearing from you at your earliest convenience, but, should you require any further information please do not hesitate in contacting me.

Yours faithfully,

R. Grahame Roberts.

RGR Design

Accredited Building Designers

CC Chris Jones



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