



CLARKE DOWDLE & ASSOCIATES

DEVELOPMENT CONSULTANTS

SURVEYORS • PLANNERS • ECOLOGISTS • BUSHFIRE CONSULTANTS

Statement of Environmental Effects

Residential Flat Building (RFB) – 4 Units

Lot 24 DP 21348

15 Brougham Street, East Gosford

Our Ref: 23173



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Figure 2 – Photograph of the site from the street

CDA (August 2020)



Figure 3 – Photograph of neighbouring town house development

CDA (August 2020)



2.1 Metropolitan Context

The site is located within the Local Government Area of Central Coast and is within the immediate proximity of the East Gosford. The area is characterised by a mixture of residential of development and small scale commercial, retail, medical and educational establishments of varying height, bulk and scale. The site is located near public bus transport, recreational facilities, retail facilities, medical centers / hospitals and sporting grounds. It is considered that the proposal is in keeping with the existing and likely future development of the surrounding area.

3.0 Description of Proposal

The application seeks consent for the erection of a new residential flat building (RFB) development. The full scope of the proposed alterations and additions are illustrated within the architectural plans prepared by *Knight Mapleton*.

The re RFB development entails 4 town house dwellings with ground floor parking. Each townhouse dwelling would consist of 2 bedrooms with living, dinning and kitchen areas located on the ground floor allowing a practical floor layout and direct connection from the living areas to their open spaces areas

The RFB would be founded on reinforced concrete footings, timber framing, prefabricated roof trusses and colorbond roof sheeting. The external finished include a mixture of external wheatboard cladding and powder coating aluminum windows as illustrated by the plans prepared by *Knight Mapleton*.

The proposed units provide sufficient areas to store mobile waste collection bins away from the street and clothes drying areas that would be screened from other dwellings and the public encouraged by the DCP.

4.0 Statutory and Policy Compliance

The provision of:

The following Environmental Planning Instruments are subject to the subject land and have been duly considered in the preparation of this development proposal and application.

The relevant Statutory Planning Controls include:



- *The Environmental Planning and Assessment Act 1979*
- *State Environmental Planning Policy (SEPP) Coastal Management*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *Gosford Local Environmental Plan 2014*
- *Gosford Development Control Plan 2013*

5.0 Objectives of the Environmental Planning and Assessment Act 1979

The objects of the act are:

(a) to encourage:

(i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,

(ii) the promotion and co-ordination of the orderly and economic use and development of land,

(iii) the protection, provision and co-ordination of communication and utility services,

(iv) the provision of land for public purposes,

(v) the provision and co-ordination of community services and facilities, and

(vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and

(vii) ecologically sustainable development, and

(viii) the provision and maintenance of affordable housing, and

(b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and

(c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.



Comment:

The RFB building design would not result in any adverse environmental, amenity, social or economic impacts to the site and surrounding area. The proposal entails increase in development density that is commensurate with the locality and the land use zoning. The application would be compatible with the intention and rationale outlined in the Department of Planning's planning publication '*The Metropolitan Plan 2036*' which is further outlined in the '*Central Coast Regional Plan 2036*'.

The use of the land would not adversely impact on the surrounding properties and would allow the existing environment to be adequately protected whilst allowing suitable and appropriate creation of new dwellings to proceed. The use of the land for the erection of a RFB housing is considered to be an orderly and economic use of the subject land, whilst reflecting the character of the locality and the environment.

The proposal would be consistent with the established medium density residential development pattern in the locality and meets the objectives outlined of the act and would be in the public interest. It is considered that the development satisfies the objectives of the *The Environmental Planning and Assessment Act 1979*.

5.1 State Environmental Planning Policy (SEPP) Coastal Management 2018

The aims of the policy are to outline an overarching set of objectives to protect and preserve the coastal zones of NSW. The policy sets out the environmental, social, cultural and economic parameters in relation to the protection of the coastal zones (and in relation to development assessment) in NSW with areas located along the coast being further defined in clause 6 of the Policy. In this instance the site is mapped as being located within the Coastal Environment and Coastal Use Areas.

Clause 18 of the SEPP provides that where a parcel of land is identified as being within more than one coastal management area the development controls of the highest management area prevail, with coastal environment area listed higher than coastal use area. As such, in their assessment of the application, Council is required to have regard to the matters for consideration identified under clause 13, which relates specifically to development within the coastal environment area, as well as those additional matters identified under clauses 15 and 16 (development in the coastal zone generally).



Given the site has already been developed for residential purposes and that appropriate environmental measures would be undertaken during the course of the upgrading of the existing dwellings, the proposal would not contravene the aims of the policy and would not be detrimental to the environmental, social, cultural and economic aspects of the coastal zone.

5.2 State Environmental Planning Policy (Building Sustainability Index: BASIX)

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 aims to ensure consistency in the implementation of the BASIX scheme throughout the State. A BASIX certificate is required for all new dwellings and has been considered in this application as a BASIX certificate has been submitted as part of this application.

5.3 Gosford Local Environmental Plan 2014

The Gosford Local Environmental Plan (GLEP) is Council's primary planning control for development in the Gosford Municipality and establishes the requirements for the use and development of within the Gosford City Local Government Area. The GLEP provides objectives, zones and principal development standards including minimum lot sizes, floor space ratios and height of buildings.

The zoning maps provided by Gosford City Council's website indicate the subject site is currently zoned Residential R1 – General Residential. The proposed development is defined as '*Residential flat buildings*' under GLEP 2014 and is permissible in the zone with Council's consent. The proposed residential flat building design is consistent with the zone objectives and is permissible subject to Council consent.

The objectives of the R1 – General Residential zone are:

- *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.*
- *To ensure development is compatible with the desired future character of the areas covered by this zone.*
- *To promote best practice in the design of multi-unit housing or similar development.*



- *To ensure that non-residential uses do not adversely affect residential amenity or place demands on services beyond the level reasonably required for multi-unit housing or similar development.*

Comment:

- The proposal would cater for the housing needs for the local population within the Gosford area.
- The proposal would be compatible with the surrounding land uses and allows the construction of additional dwellings in line with the needs of the community.
- The proposal would allow the continuation of residential development that would facilitate the incorporation of landscaping that is compatible with the medium density residential zone.

The proposal is consistent with the objectives of the LEP and the objectives of the zone. Below is a compliance table outlining a summary of the relevant development standards within the GLEP 2014. The proposal complies with the relevant development standards of GLEP.

Gosford LEP 2014			
Development Standard	Requirement	Proposal	Compliance
Cl. 4.1B Minimum Lot Size	750m ²	840m ²	Yes
Cl 4.3 Height	8.5m	7.76m	Yes
Cl 4.4 FSR	0.5:1	0.44:1	Yes

5.3.1 – GLEP 2014 - Clause 7.1 Acid sulfate soils

The site is within a low (class 5) acid sulfate zone in accordance with Council’s Acid Sulfate Soils Map. Should acid sulphate soils be encountered during construction works, Council would be notified immediately and an Acid Sulphate Soils Management Plan, written in accordance with the NSW Acid Sulphate Soil Manual 1998 would be to be submitted to Council.

5.3.2 – GLEP 2014 - Clause 7.2 Flood Planning

This land is not mapped as being under a flood planning level.



5.4 Gosford Development Control Plan 2013 (GDCP 2013)

Along with the Gosford LEP 2014, Council's Development Control Plan 2013 outlines overarching objectives and prescriptive measures in relation to development standards and the use of land within the Gosford LGA. In this instance the proposed development is assessed as having regard to the relevant performance and prescriptive design standards outlined within the relevant chapters, including;

- Chapter 2.1 – Character
- Chapter 3.3 – Residential Flat Buildings
- Chapter 6.3 - Erosion Sedimentation Control
- Chapter 6.7 - Water Cycle Management
- Chapter 7.2 - Waste Management

5.4.1 GDCP 2013 – Chapter 2 Scenic Quality & Character Statement

The subject allotment is located in the suburb of East Gosford and is classified as being located within Place 1: *Mixed Use Corridor* within the Character Statement map.

The desired character of the area is to:

"remain medium-density residential hillsides where improved standards of amenity and urban design quality are achieved by new multi-unit developments that are surrounded by leafy hillside gardens, providing distinctive backdrops to Gosford City's town centres, main roads or the railway."

Comment:

The RFB incorporates landscaping with medium sized trees to be strategically placed within the perimeter of the lot to allow the softening of the built form when presented to the street and neighbouring lots.

Maintain the existing informal scenic qualities of hillside properties and road verges by site planning that conserves visually-prominent trees, particularly near hill crests, close to ridgelines or along street frontages and verges. Surround new developments with leafy gardens that retain natural slopes along all boundaries, providing space for new shady trees and shrubs, and avoiding the appearance of long or continuous buildings. On the steeper properties, use low-impact construction such as framed structures with suspended floors and decks that are elevated above basement parking, rather than



extensive cut-and-fill that requires tall retaining walls or steep driveways. Plant a combination of trees and shrubs that are mostly-indigenous along all property boundaries and through courtyards, and use hedges or front fences that are low or see-through rather than tall and opaque.

Comment:

The site is located within a relatively flat portion of land located directly behind the East Gosford main road shops. The area has been developed for medium density development such as the neighbouring lot (refer to figure 3). Subsequently the informal setting that the character statement paints is not characteristic of what has been established. The urbanized medium density landscape has rather been established and the proposal is commensurate with the scale, intensity, site cover and height of medium density residential development in the area.

Avoid the appearance of a continuous wall of development along the waterfront or street by surrounding new buildings with leafy gardens that incorporate at least one wide side setback, and by stepping the shape and height of all visible facades. Maintain waterfront setbacks that are similar to the surrounding properties. Plant clusters of shady trees and shrubs that are mostly indigenous throughout all gardens as backdrops to waterways and the street. Along boundaries to the foreshore reserve and the street, plant hedges next to fences that are low or transparent in order to provide water views from dwellings as well as offering water glimpses from the street. Maintain existing shady trees throughout foreshore reserves.

The proposed development includes a well-considered RFB development that will entail the upgrading of older housing stock and would be commensurate with the evolving style and density of RFB development within the medium density zone.

The proposal maintains reasonable levels of visual amenity for neighbouring properties, and the built form divides up the units to break up bulk and provide visual relief. The proposal utilises various materials and building articulation to achieve a lightweight appearance, and is generally consistent with the desired future character of the locality, being a similar scale and bulk to other RFB development in the area.

Careful design and material choice provides sufficient boundary setbacks to provide building separation and landscaping opportunities to alleviate the bulk and scale of the built form from the neighbouring properties and public domain. Courtyards are



located around the perimeter of the town houses that would provide sufficient deep soil planting to incorporate appropriate landscaping transition from the built form when viewed from the street and neighboring lots.

5.4.2 Gosford DCP 2013 – Chapter 3.3 - Multi Dwelling Housing & Residential Flat Buildings

Along with the Gosford Local Environment Plan 2014, Council’s Development Control Plan 2013 outlines overarching objectives and prescriptive measures in relation to development standards and the use of land within the Gosford LGA. In this instance the proposed RFB development is assessed as having regard to the relevant performance and prescriptive design standards within relevant chapters within the GDCP 2013. The proposal is assessed against the major provisions of GDCP Chapter 3.3 Multi Dwelling Housing & Residential Flat Buildings as follows:

Development Standard	Required	Proposed	Compliance
3.3.2.1-Character	<ul style="list-style-type: none"> • Consistent with existing development pattern • Height & scale consistent with neighbourhood. • Appropriate form & Design • Garden design compatible with streetscape • Street verges conserve prominent landscape features 	Compliance with desired character – refer to discussion under section 5.4.1	Yes
3.3.3.1-Height	<ul style="list-style-type: none"> • Max height - GLEP – 8.5m • Max 2 storeys • Max height exterior wall 7.5m • Ceiling height of habitable room minimum – 2.7m 	<ul style="list-style-type: none"> • 7.76m • 2 storeys 	Yes
		<ul style="list-style-type: none"> • 5.9m • 2.7m 	Yes
3.3.3.2-Setbacks	<ul style="list-style-type: none"> • Deep soil 6m front/rear, 2m side • Front building Setback 6m • Side boundaries min 3.5m • Rear boundary min 6m 	<ul style="list-style-type: none"> • 6m front • Generally 6m • 6.7m • 1.674m – 3.5m 	Yes Yes Yes No*

		• 1.4m	No*
3.3.3.3. Car Parking	Not located facing street/lane. Not located in front setback 1.5 sp/unit + 0.2 sp/unit 6 resident + 1 visitor	Not located facing street/lane. Not located in front setback 8 residential spaces Unlimited parking available on-street nearby	Yes Yes Yes
3.3.3.3.5-Driveway Design	• Gradients must comply with AS 2890.1, and for safety reasons should not be steeper than 1:20 within 6m of the site boundary	• Design undertaken in accordance with AS2890.1	Yes
3.3.3.4.2- Articulation	• Max width and depth of building 25m • Unarticulated length of external wall max 8m	• 42.7m • Building well-articulated	No* Yes
3.3.3.4.5 Appearance of adjoining buildings	• The appearance of adjoining buildings should be varied	• The side elevations are sufficiently articulated to create a varied design when presented to the neighbouring lots	Yes
3.3.3.5- Sunlight and Overshadowing	• Sunlight min 3 hrs/day in living , dining, family rooms and 50% of principle Open Space areas • Received by 70% of dwellings. • Min sunlight retained to existing neighbours.	• Sunlight min 3 hrs/day – living and open space • Received by 70% of dwellings. • Min sunlight retained to existing neighbours	Yes – living areas No – pos – refer to discussion below Yes



3.3.3.5.3 Site Planning	<ul style="list-style-type: none"> Privacy separation is measured as the minimum line-of-sight between the windows of any living, dining or family room and / or the outer edge of a principal private open space; 	Appropriate window placement alongside elevations provide reasonable privacy impacts.	Yes No – refer to discussion below
3.3.3.5.4-Natural cross ventilation	Min 60% of dwellings must have suitable floor plans	All units provided with adequate cross ventilation	Yes
3.3.3.5.5-Open Space	<i>Ground floor entry</i> Min area 50m ² Min width 3.5m <i>above-ground dwelling</i> 2br – 12m ² 3br – 16m ² (min 2.5mx2.5m)	Unit 1 >50m ² Unit 2 >50m ² Unit 3 <50m ² Unit 4 <50m ²	No* Refer to discussion below
3.3.4.1-Housing Choice 3.3.4.1.3 Accessible Dwellings	Provide variety of dwelling types At least 10% should be “accessible”	2 bdr dwellings Bedroom on ground floor allows accessibility and aging in place	Acceptable given scale of development Yes
3.3.4.2-Residential Address	<ul style="list-style-type: none"> Front doors, windows, patios etc facing street Garages are not located on street frontage Solid fences to a height of 1.2m, and partially transparent screening above that for fences that face public/communal areas 	Asymmetrical front facade with mix of material and balconies along sw elevation (front elevation)	Yes
3.3.4.3 Facades	<ul style="list-style-type: none"> Divide facade into “panels” Use gently-pitched roof elements roofs surrounded by wide eaves Balconies used to disguise expanses of flat exterior walls Light weight finishes incorporated 	The contempered box style facades provide modulated ‘panels’ that are broken with appropriate and balanced fenestration skillion roof and balconies minimise massing	Yes



3.3.4.4-Landscaped Areas	<ul style="list-style-type: none"> • Light weight finishes incorporated • Provide landscaping plan • Include canopy trees 	Landscaping plan provided – incorporating canopy trees	Yes
3.3.4.5 -Design & Location of garbage bin enclosures	Not compromise urban design quality	Bins able to be stored in bin compound	Yes
3.3.4.5 - Building Services	Storage provided minimum 10m2 / dwelling	Storage provided within garage roof	Yes

The application has been assessed against the prescriptive measures outlined in GDCP 2013 – Chapter 3.3 *Multi-Unit Housing and Residential Flat Buildings* and Chapter 7.1 *Car parking*. As detailed in the above table, the proposed development does not comply with the prescriptive measures within the DCP. The matters of numerical non-compliance indicated by an asterisk with achievement with the applicable objectives discussed below:

Setbacks

As outlined in the DCP compliance table the proposed side setbacks entail non-compliance with the numerical measures. Notwithstanding the numerical departure from side setback requirements, the design allows the incorporation of sufficient building separation from the common boundaries with appropriate landscaping to alleviate the projection of massing when projected towards the neighbouring lots, as illustrated within the landscape plan.

The majority of the perimeter of the site incorporates deep root landscaping timber that combine in unison with the articulated façade and shadowing that breaks the massing of the buildings. In turn this professes to the setbacks objective by allowing a dynamic structure to become part of the increasing diversity of the built form within the locale. In addition the setbacks would be commensurate with the front setbacks that were accepted under the same DCP controls for the recently approved RFB development located on the adjoining lot. Subsequently in light of the pattern of the established and recently accepted side setbacks of RFB developments within the medium density area.



External Appearance

The proposed RFB development would incorporate a mixture of external cladding with colorbond® roofing utilising an appropriate schedule of finishes that would be compatible with the contemporary dwellings that have been erected in the locality. The buildings would be articulated in a manner to alleviate monotonous presentation to the street and neighbouring lots. The design incorporates a balance of horizontal and vertical elements to incorporated breaks in form that is encouraged by the design criteria of the DCP with careful design and material choice has been undertaken in the architectural treatment of the façades. The coloring of the solid walls would constitute a light earthen tone and incorporate a break in form with the implementation of vertical elements.

Building Articulation

The proposed RFB development incorporates sufficient setbacks and breaks that would negate monotonous or symmetrical appearance when viewed from the adjacent premises that will be effectively addressed, given the irregular disposition of the pop-out windows and balcony placement. The development would allow sufficient boundary setbacks to incorporate deep soil landscaping that would further enhance the transition and separation of the built form in relation to the adjoining premises and to the street. With these 'breaks' in materials and form, the development meets the objectives of the Clause 3.3.3.4 Articulation and is considered acceptable.

Solar Access and POS

The development would allow greater than three hours solar access to the living areas that are located on the first floor, however the pos of and the solar access is the ground floor pos does not comply 50m² for dwellings that obtain entry from the ground floor. Under this prescriptive measure units 2, 3 and 4 do not comply as they only have front pos on the ground floor of approximately 20m². However, these dwellings have been designed to incorporate their pos that adjoin living areas on the first floor that will take advantage of northern orientation – solar access – notably during the winter months. Subsequently, these 2 bedroom dwellings are more akin to apartments that with active use areas (living, kitchen and dining) located on upper floors that obtain passive open space areas from balconies. Such dwellings would cater for a market that would enjoy active use from external recreational sources such as walking, swimming, and cycling that can be easily obtained within the environment surrounding. If this rationale was



applied – i.e. that the requirement being POS required is for an apartment being 12m² in accordance with cl. 3.3.3.5.5(a)(iii) *For 2 or more bedrooms: at least 12m² in total for one or more spaces*. If this requirement that is more suitably applied, then the proposal represent an overachievement as the upper floor balconies are 15m². On this basis the POS area for all the dwellings have been suitably catered for in light of their typology and layout in accordance with the objectives of the pos element. Given the development maintains the two storeys height and sited upon an north-south oriented allotment, the neighbouring properties would receive greater than 3hrs of sunlight their pos during the winter months.

Site Cover and Deep Soil Zones

The proposal would include sufficient areas for the implementation of appropriate deep soil zones around the front and rear perimeter of the allotment. The proposed building setbacks would allow landscaping to include a landscaping buffer around the built form. The development would include rainwater tanks to assist in reducing the hydraulic rate of stormwater captured by the dwelling roofs and across impermeable surfaces across the site. The site cover is consistent with neighbouring and surrounding RFB development.

Noise

The dwellings would be separated space, garages and double brick walls. Therefore it is considered that the masonry structure will adequately suppress noise generated by the occupants of each dwelling. The proposed dwelling is unlikely to generate offensive noise pollution that would require mitigation measures or other management procedures.

5.4.4 GDCP 2013 – Chapter 6.7 – Water Cycle Management

The intent of Water Cycle Management is to minimize the impact of development on the natural water cycle. In this instance the development would relate this plan in relation to stormwater discharge from the development. The proposal would incorporate rainwater tanks to capture stormwater discharge from the development in accordance with the Water Cycle Chapter within Councils DCP 2013. The application is accompanied with a WCMP which outlines the water management retention and conservation requirements in accordance with DCP Chapter 6.7. The development would not be detrimental to the functioning of the water cycle on the site and incorporate water recycling measures in accordance of the Council's Water Cycle Management requirements.



5.4.5 GDCP 2013 – Chapter 7.1 – Car Parking

Required	Proposed	Compliance
<ul style="list-style-type: none">• Residential 1.5 spaces per dwelling (6csp)• Visitor 0.2 spaces per dwelling (1)	8	Yes

As illustrated within the civil concept plans prepared Halcrow & Associates, the ground floor parking allows sufficient clear sweep paths to allow that the design vehicle can manoeuvre in and out of every car space while the adjacent car space(s) is(are) occupied by another B85 vehicle. The vehicle swept paths shall also demonstrate that entering the site, parking in each space and leaving the site can be achieved with a three-point turn (maximum).

5.4.6 GDCP 2013 – Chapter 7.2 – Waste Management

The proposed future dwellings will have access to the existing road waste collection system from the road reserve. The proposal would be consistent with the provisions of the waste management collection in the area with waste collection bins to be collected from the road frontage. Moveable garbage bins would be located within a screened location to minimise visual impacts to the streetscape and the private opens spaces within the site. A waste management plan in relation to the recycling of materials and the disposal of waste during construction has been prepared and is provided with this application.

Design and Location of Garbage Bin Enclosures

As illustrated in the site plan, moveable garbage bins that would be screened from the internal courtyards and from the street. The bins would be located within a bin compound that would have sufficient curtilage to access the bins and appropriate gradients satisfy technical requirements.

6.0 The likely Impact of Development

Context and setting – The proposal is considered generally to be consistent with the development pattern in the zone and will not compromise the context and the setting of the surrounding area.

Utilities – reticulated water and sewerage system electricity, telephone / internet are available

Waste – All household waste will continue to be collected by the existing waste services

Natural Environment - The site is not located within a flood prone or bushfire prone area and is not constrained by threatened species.

Social and Economic Impacts - No adverse social or economic impacts are anticipated as a result of the proposed development. The development provides a positive effect as it will provide the opportunity to provide the Central Coast LGA with additional dwellings to cater for the dwelling demand in the area.

7.0 Suitability of the Site for the development

The site is well served by public transport and is located within close proximity of various services such as shops, schools, recreational parks and medical facilities. In view of the fact that the site is located within an established residential area and that all utility services would be available for the site, the proposed development would not infringe on these established services.

8.0 The Public Interest

The public interest is well served by the proposed RFB development. In view of the careful nature of the design it is considered that the health and safety of the public will not be affected. The proposal provides the local area with new dwellings on a site that is inherently suitable for such development. The proposal would not increase the intensity of development on the land which reinforces and supports the planning objectives of the zone.

9.0 Conclusion

As detailed within this report, the proposed RFB development at 15 Brougham Street, East Gosford is consistent with the objectives, planning strategies and controls applicable to the site. The proposal provides increased housing density which is well designed to meet residential needs and is commensurate with the zone objectives and the desired character for the East Gosford locale.

Given the absence of adverse environmental, social or economic impacts the DA is submitted to Council for assessment and approval, subject to necessary conditions of consent.

