



CLARKE DOWDLE & ASSOCIATES

DEVELOPMENT CONSULTANTS

SURVEYORS • PLANNERS • ECOLOGISTS • BUSHFIRE CONSULTANTS

Statement of Environmental Effects

Residential subdivision of one (1) lot into two (2)

Lot 56 in DP 13551

12 Noble Road, Killcare

Our Ref: 22545



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1.0 Introduction

This Statement of Environmental Effects is part of a development application submission to Central Coast Council for approval for the residential subdivision of one (1) allotment into two (2).

This application has been prepared on behalf of the owners of the land and based on the plans and information provided in the relevant Titles and survey information prepared by *Clarke Dowdle & Associates and RGH Consulting*. An on-site inspection has been undertaken and a photographic record of the inspection is provided in the document. The surveyors for the project have supplied all the relevant information required for the preparation of this document.

In preparation of this Statement of Environmental Effects, consideration has been given to the provisions contained in the following documents:

- *The Environmental Planning and Assessment Act 1979*
- *Gosford Local Environmental Plan 2014*
- *Gosford Development Control Plan 2013*

2.0 Site Location and Description

The 1864.4m² allotment is legally described as Lot 56 in Deposited Plan 13551 and is known as No. 12 Noble Road, Killcare. The flat site includes a two storey dwelling-house and ancillary structures located towards the front of the lot with managed lawns sporadic trees located towards the rear of the site.

The surrounding residential development is characterised by an eclectic blend of one and two storey dwelling-houses, ranging from modest, post-war design to dwelling-houses of a contemporary appearance within newly created subdivisions, all surrounded by well-established trees and landscaped areas. The site is surrounded by existing residential development and the lots proposed from this lot reflect the already established subdivision pattern existing in this vicinity.

Noble Road is a sealed road providing access to the residents of this immediate area. The main services of power, water supply and telecommunications are available for connection. It would appear that many of the original parcels in this area have already been subdivided as illustrated in the NSW Lands Information image depicting the surrounding cadastral lot boundaries in this vicinity, which again highlights this fact. The property is not within a heritage conservation area or flood prone. The site is mapped as being within the bushfire buffer zone and as such included with the development application is a Bushfire Assessment Report that assessed the two (2) lot subdivision with no objections being raised. The Bushfire Report addresses the applicable heads of consideration within the appropriate bushfire legislation.



Figure 3. Photograph of the rear of the site

CDA May 2020

The site is classified as bushfire prone on Council's Bushfire Maps.

The relevant legislation to ascertain whether a development application is integrated is the *Rural Fires Act 1997*. Section 4.1 - *Bushfire Safety Authorities* of the act stipulates:

- (1) *The Commissioner may issue a bush fire safety authority for:*
 - (a) *a subdivision of bush fire prone land that could lawfully be used for residential or rural residential purposes, or*
 - (b) *development of bush fire prone land for a special fire protection purpose.*

Comment:

Included with the development application is a Bushfire Assessment Report that assessed the two (2) lot subdivision with no objections being raised. Given that that the site constraints and potential impacts in relation to bushfire impacts are already addressed in the previous report and would be assessed by the NSW Rural Fire Service who in turn would provide the final determination and associated recommendations it is considered that the Bushfire Report addresses the applicable heads of consideration within the appropriate bushfire legislation.

2.1 Utility Services

All utility services are available to each lot, which includes water, sewerage, electricity and telephone / internet.

Stormwater – No additional impervious area constructed as part of subdivision.

Future discharge to the existing Kerb and gutter in this instance is not suitable for the site due to drainage to waterfront and formalisation of the street is not in keeping with the informal streetscape character within the Killcare area. On-site detention, if required, to be provided as part of application for proposed dwelling as an additional above ground tank adjacent to the rainwater tank.

Sewer – The proposal would simply provide new connection to existing sewer main.

Driveway – Can be easily be designed when the future dwelling-house is erected to meet AS2890.1 and GDCP 2013.

2.3 Metropolitan Context

The site is located within the Local Government Area of Gosford and is located within close proximity of the Erina Business Centre and walking distance to the Killcare local shops for daily needs.

The area is characterised by a low density residential development of varying height, bulk and scale. The site is located near public bus transport and within 20 minutes' drive to recreational reserves, retail facilities, medical centers / hospitals, clubs, restaurants, cinemas and sporting grounds. Subsequently it is considered that the proposal is in keeping with the existing and likely future development of the surrounding area.

3.0 Description of the Proposal

The development involves the residential subdivision of one (1) lot into two (2).

Lot Areas:

Proposed Lot 1: 691.2m² (561.m² ex. row)

Proposed Lot 2: 1173.2m²

The rear lot would obtain vehicular access via right-of-carriageway with a 3m constructed driveway that would require the removal of four trees. As the rear lot is quite large and double the size of a suburban lot stormwater can drain in situ.

4.0 Environmental Planning Controls and Consideration

The relevant Statutory Planning Controls include:

- *The Environmental Planning and Assessment Act 1979*

- *Coastal Management Act 2016*
- *Gosford Planning Local Environmental Plan 2014*
- *Gosford Development Control Plan 2013*

4.1 Objectives of the Environmental Planning and Assessment Act 1979

It is considered that the development satisfies the objectives of the *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 subdivision design would not result in any adverse environmental, amenity, social or economic impacts to the site and surrounding area. The proposal provides for increased density that would be compatible with the intention and rationale outlined in the Department

of Planning's planning publication 'The Metropolitan Strategy' which is further outlined in the 'Central Coast Regional Strategy'.

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 development to proceed. The use of the land for residential subdivision is considered to be orderly and economic use of the subject land, whilst reflecting the character of the locality and the environment.

The subdivision design would be consistent with the established residential subdivision pattern in the locality and meets the objectives outlined of the act and would be in the public interest.

4.2 Statutory and Policy Compliance – Section 4.15

The provision of:

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument, and

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,

(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,

The Environmental Planning Instruments that are relevant to the proposal are duly considered in the preparation of this development proposal and application.

5.0 Gosford Local Environment Plan 2014

The Gosford Local Environmental Plan 2014 (GLEP 2014) is currently Council's primary planning control for development in the Gosford Local Government Area and establishes the requirements for the use and development of within the municipality. The LEP provides



objectives, zones and principal development standards including minimum lot sizes, floor space ratios, densities and height of buildings.

5.1 GLEP 2014 - Clause 2.1 Land Use Zones

The zoning maps provided by Gosford City Council's website indicate the subject site is currently zoned R2 – Residential. The proposed use falls under the definition of a 'subdivision' under the LEP and is permissible subject Council consent.

Under the LEP the objectives of the R2 Residential zone are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that development is compatible with the desired future character of the zone.*
- *To encourage best practice in the design of low-density residential development.*
- *To promote ecologically, socially and economically sustainable development and the need for, and value of, biodiversity in Gosford.*
- *To ensure that non-residential land uses do not adversely affect residential amenity or place demands on services beyond the level reasonably required for low-density housing.*

Comment:

- The proposal would be commensurate with the low density subdivision cadaster in the locality and would cater for the housing needs for the local population within the Gosford LGA.
- 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 low density residential zone.
- The proposal is consistent with the objectives of the LEP and the objectives of the zone.
- The lots although marginally flood affected would have the ability to stay in situ or evacuate during an extreme flood event and the floor level of the new dwelling house would be above the 1% AEP. Subsequently the proposal is socially and economically acceptable.

5.2.1 – GLEP 2014 – Clause 4.1 - Minimum Subdivision Lot Size

The GLEP 2014 mapping indicates that the minimum lot size for the subject land is 550m². Both the lots are greater than the numerical measure and further:

- The rear lot is double the size of the numerical minimum lot size and is greater than the surrounding residential lots that have historically been established and more recent lots that have been approved by Council, including No. 4 Noble Road (DA45034/2013).
- The front lot retains the existing dwelling-house and the subdivision plan demonstrates that the dwelling easily fits within the new allotment with sufficient setbacks for dwelling-house separation to cater for amenity impacts, curtilage, construction of services, establishment of pos and landscaping.
- Large open spaces that could be established and have direct connectivity to the living areas of a future dwelling-house.
- Generous front, rear and side setbacks can be established to alleviate privacy and solar access impacts.
- Car parking would be located behind the building line in accordance with the GDCP.

5.2.2 – GLEP 2014 - Clause 7.1 Acid sulfate soils

The site is within a high (class 2) acid sulphate zone in accordance with Council's Acid Sulphate Soils Map. Generally Acid Sulphate Soils are found lower than 1 metre Australian Height Datum (AHD) and often 0-0.3 metre AHD. The site is approximately 1.4 metres AHD and therefore significant acid sulphate soils would be not likely to be encountered. Additionally there would be minimal excavation in relation to the construction for the subdivision. 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.

5.2.2 – GLEP 2014 - Clause 7.2 Flood Planning

The lot is identified as flood prone land under Council's maps and to land identified by this clause unless the consent authority is satisfied that the development:

- (a) is compatible with the flood hazard of the land, and*
- (b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) incorporates appropriate measures to manage risk to life from flood, and*

(d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and

(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.

As outlined in the Flood Impact Assessment:

The site is located within the Mud Flat Creek catchment and Council's mapping indicates that the site is affected by flooding and/or minimum floor level requirements. Subsequently a Performance Based Flood Risk Assessment Report has been prepared by RGH Consulting to address flood control requirements with the preparation Performance Based Assessment Criteria outlined within Council's Development Control Plan 2013 (DCP2013) Chapter 3.3 – Floodplain Management and the requirements outlined within the Australian Building Code Board's (ABCB) Construction of Buildings in Flood Hazard Areas Standard (the Standard) and Australian Rainfall and Runoff (2019). The following major points are addressed further in Section 3 of this report derived from the performance based criteria (Section 3.2 and Appendix C in DCP2013):

- a) Compatibility with established flood hazard/flooding impacts and behaviour.*
- b) Impact on land/cumulative effects of the development.*
- c) Manage risk to life.*
- d) Warning and evacuation.*
- e) Environmental impacts.*
- f) The cost.*
- g) Ecological sustainable development.*
- h) Climate change.*
- i) Emergency services*

The flood performance report findings support the acceptability of the small scale development and compatibility of the subdivision in relation to the applicable flood planning controls.

5.3 Gosford DCP 2013

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 multi-unit development is assessed as having regard to the relevant performance and prescriptive design standards within relevant chapters within the GDCP 2013 including;



- Chapter 2.1 – Character
- Chapter 2.2 – Scenic Quality
- Chapter 3.1 – Dwelling-houses and ancillary structures
- Chapter 6.3 Erosion Sedimentation Control
- Chapter 6.6 Preservation of Trees or Vegetation
- Chapter 6.7 Water Cycle Management
- Chapter 7.1 Car Parking
- Chapter 7.2 Waste Management

5.3.1 Development Control Plan 2013 Chapter 2.1 – Character

Similar to the previous DCP 159, the objectives of Chapter 2.1 of DCP 2013 (the DCP) are as follows:

- Protect and enhance environmental character that distinguishes Gosford City's identity, and*
- Enhance the City's identity by development that displays improved standards of scenic, urban and civic design quality.*

In regards to set objectives the character chapter identifies 'places' within suburbs within the LGA that have been identified as having characteristics that proposed development are take into account in their design. The subject allotment is located in the suburb of Kincumber South and is classified as being located within Place 1: *Cottage Foreshores*. The desired character for the area is outlined in various elements and is subsequently addressed the desired character below:

These areas should remain low-density residential foreshores where new buildings complement the scenic and architectural qualities of surviving early Twentieth Century cottages that remain highly-distinctive elements of Gosford City's identity.

Ensure that new structures complement the siting and informal scenic character displayed by traditional foreshore cottages. Surround all buildings with gardens that retain existing trees and also accommodate clusters of new shady trees to provide distinctive backdrops facing both waterways and streets. Maintain waterfront setbacks that are similar to neighbouring properties. Prevent the appearance of a continuous wall of buildings along any street or waterway by providing at least one wide side setback, or by stepping front and rear facades to create deep courtyards that are planted with shady trees.

Avoid disturbing natural landforms, and for properties that are floodprone, elevate habitable floors with low-impact construction such as suspended floors and decks rather than extensive landfilling. Facing the waterfront, avoid terraces, fences or outdoor structures that would disrupt the desired informal landscape setting, or compromise the privacy and amenity enjoyed by neighbouring dwellings. On properties with a direct waterfrontage, ensure that new jetties are traditional white-painted timber piers, and that boatsheds are modestly-scaled by reflecting both the

form and features of traditional timber-framed sheds. Maintain the informal qualities of streets that are flanked by shady trees, with wide verges and no kerbing.

To complement the scale and design character of traditional cottages, a “light-weight appearance” is preferable for all visible facades. For example, incorporate large windows, timber-framed balconies or verandahs, plus painted finishes and some sheet or board cladding rather than extensive plain masonry. Also, each new dwelling should display a traditional “street address” with verandahs and living rooms or front doors that are visible from the street, and avoid wide garages that would dominate any frontage...”

Comment:

The proposed subdivision and a future dwelling-house would have the ability to retain the low density setting within the bushland area. It is demonstrated in the subdivision plan provided that the lots would allow sufficient deep landscaping opportunities to maintain the leafy character as desired within the character statement. The rear of the land would entail a new lot that is generous in size to facilitate future dwelling house that would be discernible from the public domain and allow large open landscaping areas to be established in accordance with the desired character for the Killcare / Hardys Bay area.

5.3.3 GDCP 2014 – Chapter 3.1- Dwelling- House and ancillary structures

The proposed development is assessed as having regard to the relevant performance and prescriptive design standards within Council’s LEP 2014 and DCP 2013 - Chapter 3.1 – Single Dwelling and Ancillary Structures.

The following table sets out the assessment of proposal against the relevant prescriptive standards of the planning instruments.

Dwelling-House on Lot 1

Control	Requirement	Proposal	Complies
Floor Space Ratio	0:5:1	<0.5:1	Yes
Max Building Height	8.5m	5.56m	Yes
Open Space	50%(min)	>40%	Yes
Setbacks			
Front	Consistent with adjoining	Consistent with adjoining (no change)	Yes

Side – north	0.9m	0.95m	Yes
Side - south	0.9m	3m	Yes
Rear (dwelling house)	3m 6m (first floor)	14.7m	Yes
Shed	0.5m (<3.8m)	0.96m	Yes
POS	24m ² (min. dim. 3m)	>24m ² (min. dim. 3m)	Yes
Sunlight Access	On June 21, 50% of the required principal private open space area for all dwellings should receive at least 3 hours of unobstructed sunlight access between 9am and 3pm. On June 21, 50% of the required principal private open space on adjoining land should receive at least 3 hours of unobstructed sunlight access between 9am and 3pm		Yes

Access	via public road with acceptable grades	via public road with acceptable grades	Yes
Stormwater	public drainage system	public drainage system	Yes
Carparking	1 space behind building line	2 spaces Behind building line	Yes

The application has been assessed against the prescriptive measures outlined in GDCP 2013 Chapter 3.1 – Dwelling House and Ancillary Structures. As detailed in the above table, the proposed development complies with the numerical measures outlined in the chapter.

5.3.4 GDCP 2014 – Chapter 3.5 – Residential Subdivision

Chapter 3.5 – Residential Subdivision outlines the prescriptive measures and objectives in relation to the development standards for the creation of new allotments with the overarching purpose “so that residential areas provide and maintain an acceptable level of amenity for the existing and future residents.” Below is a discussion of the proposal addressing the applicable developments standards set out in the chapter.

Clause 3.5.1.2 Purpose of this Chapter

The purpose of the chapter is:

“to provide a basis for the subdivision of residential property within the City of Gosford so that residential areas provide and maintain an acceptable level of amenity for the existing and future residents.”

Comment:

As outlined within this report the proposed subdivision is designed in a manner to continue to provide an acceptable level of visual and acoustic amenity that is commensurate to low density residential locale.

Clause 3.5.1.3 Objectives of the Chapter

The objectives of the chapter are as follows:

- a. *To ensure that residential land developed for subdivision is done so in an efficient and orderly manner.*
- b. *To ensure that all lots created are satisfactorily serviced by infrastructure.*
- c. *To maximise development potential of residential land whilst retaining any significant environmental characteristics that may occur on the land.*
- d. *To encourage a variety of allotments to cater for differing housing needs.*

Comment:

The proposed two (2) lot subdivision would incorporate efficient subdivision design allowing orderly land use to continue in a fashion that is commensurate with the subdivision pattern in the residential zone. The site would incorporate appropriately shaped and sized allotments that would cater for future dwelling-houses and ancillary structures that would comply with the numerical and performance measures with *GDCP – Chapter 3.1 – Dwelling Houses and Ancillary Structures*.

Clause 3.5.2. Location

The clause outlines hazards that may be applicable to the land including:

- *bushfire*
- *soil, sub-soil and slope instability*
- *mainstream flooding*
- *nuisance flooding*
- *coastal erosion and storm damage*
- *unhealthy building land*

Comment:

The subject land is not mapped as bushfire or flood prone, coastal hazard area and is not included within a slope instability area.

Slope

The land has a gently fall to the street as indicated by the survey prepared by Clarke Dowdle & Associates.

Clause 3.5.3 Arrangement of Lots

The objectives outlined within this clause are:

1. *To provide sufficient area and dimensions to enable the construction of dwellings, ancillary outbuildings, private open space, vehicle access and parking.*
2. *To ensure that allotments and the resulting residential development is in character with the locality and specific landform features of the site such as slope, aspect, vegetation, and position in relation to adjacent building.*
3. *To ensure that elements of the site including size, slope, orientation, etc. provide maximum opportunities for future building design, privacy, orientation, solar access and useable outdoor living space on site.*
4. *To encourage a variety of allotments to cater for the different housing needs within the community.*

To demonstrate the appropriateness of the allotment layout included with the draft subdivision plan is the existing dwelling-house that includes:

- the existing dwelling-house would easily fit within the front allotment with sufficient setbacks for dwelling-house separation to cater for amenity impacts, curtilage, construction of services and landscaping.
- Large open spaces that could be established and have direct connectivity to the living areas of a future dwelling-house.
- Generous front, rear and side setbacks to alleviate privacy and solar access impacts
- Car parking would be located behind the building line in accordance with the GDCP.

On the basis demonstrated in the plan the proposed arrangement of allotments is consistent with the established allotment layout surrounding the land and meets the objective outlined clause 3.5.3 – arrangement of allotments within the residential chapter.

Clause 3.5.3.2 Allotment Size

Clause 3.5.3.2 Allotment Size provides a set of numerical measures in relation to the creation of new allotments within the residential zones within the LGA: In regards to subdivision within the R2 Low Density Residential zone the clause specifies:

a. Zone R2 Low Density Residential (unless otherwise mapped under Gosford LEP 2014):

- *550m² minimum area*
- *15m minimum width at building line*

b. The minimum allotment sizes as indicated are increased in respect to sites having the following characteristics or locations, to provide sufficient area to accommodate the additional requirement for batters, retaining walls, cut/fill, setbacks etc.

i Slope

Control	Slope	Minimum Area	Minimum width
Requirement	>15%	550m ²	15m
Lot 1	Flat	691.2m ² (561m ² ex. row)	16m
Lot 2	Flat	1173m ²	20.83m

The proposed subdivision proposal complies with the area to gradient ratios. This demonstrates that the appropriateness of the allotment layout and the appropriates to cater for creation of a new residential lot and retain the dwelling house on the front lot.

- The rear lot is double the size of the numerical minimum lot size and is greater than the surrounding residential lots that have historically been established and more recent lots that have been approved by Council, including No. 4 Noble Road (DA45034/2013).
- The front lot retains the existing dwelling-house and the subdivision plan demonstrates that the dwelling easily fits within the new allotment with sufficient setbacks for dwelling-house separation to cater for amenity impacts, curtilage, construction of services, establishment of pos and landscaping.
- Large open spaces that could be established and have direct connectivity to the living areas of a future dwelling-house.
- Generous front, rear and side setbacks can be established to alleviate privacy and solar access impacts.
- Car parking would be located behind the building line in accordance with the GDCP.

On the basis demonstrated in the plan the proposed area of allotments is considered sufficient to accommodate a single dwelling-house and ancillary structures in accordance with the parameters set out within the DCP.

Access requirements for battle-axe lots

Clause 3.5.3.2(c)(ii) requires a minimum constructed width 3m and an additional 0.5m for the corridor to include services. Due to the siting of the dwelling house to be retained on the lot, the application seeks a minor variation to mitigate the partial demotion of the dwelling house (although some of deck would be removed). The section of the driveway to exclude the 0.5m strip to incorporate services is only 11m in length with the majority of the driveway being 3.5m and it is noted that the required services can be placed under the constructed driveway. Although the width of the row is less than the RFS 4m requirement the access is still acceptable as the lot is located greater than 100m from the hazard and is defined as BAL LOW and yet still capable of being serviced by a Bushfire fighting truck (refer to Bushfire Report prepared by *Clarke Dowdle & Associates*).

Clause 3.5.4 Orientation

Clause 3.5.4 outlines the appropriate allotment orientation in regards to energy efficient design. In this instance the allotment would be oriented in an east-west orientation which allows for excellent solar access during the winter months and inversely minimised the impacts of shadowing from dwellings as the sun passes over the allotments from the east to the west. North-South axis is ideal for solar access and energy efficient design for new dwellings, will be further enhanced by State Environmental Planning Policy (SEPP) (BASIX).

4.5.5 GDCP 2013 – Chapter 6.3 – Erosion Sedimentation Control

This proposed works will require some minor construction to take place. Potential impact of these works will be designed so as to minimise any soil disturbance on and stopped from leaving the site. The design of such erosion and sedimentation control measures will be in accordance with Gosford City Council's *Code of Practice for Erosion and Sedimentation Control*. These Erosion and Sedimentation Controls will be used to minimise soil movement and generation both on site and prevent its movement away from the site. Plans showing these works will form part of construction drawings, and as usual be a requirement of the Council consent conditions.

4.5.4 GDCP 2013 – Chapter 6.6 – Preservation of Trees or Vegetation

The trees located along the southern side of the lot (as indicated on the subdivision plan) would be required to be removed to allow the creation of the driveway to be established for the rear lot. The trees do not form part of an endangered community and would not be detrimental to the leafy character of the Killcare locale.

5.3.5 GDCP 2014 – Chapter 6.7 Water Cycle Management

The intent of Water Cycle Management is to minimise the impact of development on the natural water cycle. In this instance the development would relate this plan in relation to storm water re-use and stormwater discharge. The proposed development would have the ability to be designed in accordance if the Water Cycle Chapter with engineering stormwater plans for the following subdivision works within the private property designed by a suitably qualified professional, in accordance with Council's Civil Works Specification prior to the issue of the construction certificate.

The site can provide suitable osd via rainwater tanks that can be plumbed into the dwelling house with a large open space area to cater for overflow to an absorption pit.

Nutrient / pollution control measures would be designed in accordance with Council's DCP 2013 Chapter 6.7 - Water Cycle Management along with a nutrient / pollution control report including an operation and maintenance plan must accompany the design. It is noted that all existing building and structures being connected to the stormwater systems with engineering plans and any associated reports for the above requirements must form part of the Construction Certificate.

Flooding

Accompanying the DA a submission for the residential subdivision is a Performance Based Flood Risk Assessment (PBFRA) Report in accordance with Central Coast Council's (Council) Development Control Plan 2013 (DCP2013). The report addresses the relative assessment criteria, including:

- a) *Compatibility with established flood hazard/flooding impacts and behaviour.*
- b) *Impact on land/cumulative effects of the development.*



- c) *Manage risk to life.*
- d) *Warning and evacuation.*
- e) *Environmental impacts.*
- f) *The cost.*
- g) *Ecological sustainable development.*
- h) *Climate change.*
- i) *Emergency services*

The flood performance assessment raised no issues to the proposed creation of a new lot eastwards to the existing dwelling house and Brisbane Water foreshore. The height and flood water velocity has been correlated to a having a H2 low hazard and as the future dwelling house could obtain a floor level (approximately 1m above the natural surface).

The report states that residents have several options, including:

1. leave with effective warning prior to flood waters;
2. stay in situ during the flood duration (maximum 9 hours);
3. leave via vehicle via the road network; or

Based on the Performance Based Flood Risk Assessment Report prepared by *RGH Consulting*, that addresses all the applicable heads of consideration within the Water Cycle Chapter in relation to flooding, the proposal is considered acceptable.

5.3.6 GDCP 2014 – Chapter 7.2 Waste Management

The proposed subdivision and future dwelling-houses will have access to the existing street waste collection system from the street. Both the allotments would allow sufficient area to locate MGB's behind screen areas that would allow easy access for transportation to the road reserve for collection. 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 street frontage. In accordance with chapter 7.2 within the GDCP 2013 a Waste Management Plan has been prepared and is attached with this application.

6.0 Social and Economic Impacts

The development provides a positive effect as it will provide the opportunity to provide the LGA with an additional lot and subsequent future dwelling-house to cater for the demand for additional housing in the LGA. The proposal will contribute to positive economic outcomes by providing short term construction employment and long term multiplier effects to local retail and business operators. As addressed within the Performance Based Flood Risk Assessment Report the site would allow a future dwelling house to be erected above the flood planning level with safe evacuation paths available if required and acceptable flood affection / accumulative impacts. Thus the proposal is economically and socially acceptable.



7.0 Suitability of the Site for the development

The site is of sufficient size and dimensions to accommodate the creation of new allotment. The allotment design caters for the existing and future dwelling-house to have the ability to be designed within the environmental capacity to the land and in accordance with the relevant planning instruments / codes. 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 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 a new allotment on a site that is inherently suitable for such development. The proposal will allow an additional dwelling resource which reinforces and supports the planning objectives of the low density residential zone.

9.0 Conclusion

As detailed within this report, the proposed 2 lot subdivision at 12 Noble Road, Killcare is consistent with the objectives, planning strategies and controls applicable to the site. The creation of an additional allotment and dwelling-house would not result in any adverse environmental, amenity, social or economic impacts to the site and surrounding area. The proposal provides for increased density that would be compatible with the intention and rationale outlined in the NSW Department of Planning's strategic plans including the *Central Coast regional Plan 2036*.

Given the consistency of the proposed allotment size to that of the established subdivision pattern and the absence of adverse environmental, social or economic impacts the application is worthy of favorable consideration by Council.