

4th August 2020

Central Coast Council
PO Box 21
Gosford NSW 2250

RE: 5 Hastings Rd, Terrigal NSW 2260

Submission to vary Clause 4.3 Height of Buildings under Clause 4.6 of the Gosford LEP 2014.

A Development Application has been submitted to council seeking consent for alterations and additions to the existing residential dwelling at 5 Hastings Rd, Terrigal.

The proposal is seeking a variation to the maximum building height of 8.5m stipulated by council for development in this area.

The proposed addition to the existing dwelling includes a small area of roof above 8.5m, with a ridge height of 8.95m at the highest point. This is brought about in part by the existing floor levels of the existing dwelling and the sloping nature of the site and surrounding terrain.

It is worth noting that due to the steep slope of the site there is only a small portion of the roof that exceeds 8.5m, the variation is minor (0.45m) which represents a variation of 5%, the majority of the proposed roof remains well within the allowable height.

It is also worth noting that the Draft Central Coast LEP 2018 will allow for a maximum building height on this site of 10m which, when gazetted, will make the proposed fully compliant.

Justification for the proposed variation is as follows:

- The proposed variation is a direct response to site attributes including topography and the floor levels of the existing dwelling.
- The proposed roof pitch has been kept to a minimum to reduce the overall height as much as possible and is in fact at a lower pitch than the existing roof.
- Substantial side setbacks have been provided to reduce any impact of the height variation.
- The proposed building height remains consistent with neighbouring dwellings and other dwellings in the immediate vicinity.
- Given the proposed addition is at the rear of the dwelling, the variation does not in any way result in an increase to the bulk and scale of the dwelling on the streetscape.
- The proposed variation does not negatively impact on the amenity of surrounding dwellings.

The variation requested above remains consistent with the objectives of the relevant clause in both the DCP & LEP as follows:

DCP Clause 3.1.2.1 Building Height

Objectives

- To ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality.
Comment: The proposed building height remains consistent with neighbouring dwellings and other dwellings in the immediate vicinity as highlighted above.
- To ensure that the height of buildings protects the amenity of neighbouring properties in terms of visual bulk, access to sunlight, privacy and views.
Comment: the proposed variation does not adversely impact the amenity of neighbouring properties in terms of visual bulk, access to sunlight, privacy or views.
- To ensure that building height is compatible with the scenic qualities of hillside and ridgetop locations and respects the sites natural topography.
Comment: the proposed variation is a direct response to site attributes including the natural topography and remains compatible with the scenic qualities of the area.

LEP Clause 4.3 Height of buildings

Objectives

- To ensure that buildings and public areas continue to receive satisfactory exposure to sky and sunlight.
Comment: the proposed variation does not create adverse impact on any buildings or public areas.
- To nominate heights that will provide an appropriate transition in built form and land use intensity.
Comment: Given the sloping nature of the site and the minimal building height to the streetscape this transition is considered appropriate, the intensity of the land use is also suitable.
- To ensure that taller buildings are located appropriately in relation to view corridors and view impacts and in a manner that is complementary to the natural topography of the area.
Comment: the proposed variation is a direct response to site attributes including the natural topography and established view sharing principles have been considered and addressed.
- To protect public open space from excessive overshadowing and to allow views to identify natural topographical features.
Comment: The proposal does not result in any overshadowing of public open spaces and allows views from surrounding topographical features.

Clause 4.6 of the LEP allows Council to use an appropriate degree of flexibility in applying certain development standards to particular development and to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

The above variation request demonstrates that the objectives of the LEP & DCP have been achieved and there are sufficient environmental planning grounds to justify contravening the development standard.



PO Box 3234
Wamberal, NSW 2260
0411 703 281
www.cfb.net.au

Furthermore, the proposed development will be in the public interest as it is consistent with the objectives as outlined above and the objectives for development within the R2 Zone.

Council's favourable consideration of this variation is requested.

Yours sincerely,

Craig Farrugia | Dip. Arch Tech | MBDA nsw
Building Designer | **SustainAbility Design™** Specialist

Phone: 0411 703 281

Email: craig@cfbd.net.au

Registered Building Designer (1250-12)