

M.Ellis
30 Rothwell street
Woy Woy 2256
NSW

To the Chief executive officer,
Central Coast Council,
P.o.Box 21
Gosford NSW 2250

This submission is in relation to Development application. NO.59327/2020

A secondary dwelling in an area ZONED R2 Low density.

Dear Sir/Madam

Whilst we support the affordable housing policy intent, developments like this impact on the urban amenity of existing residents and place further impact on an already strained infrastructure.

Objection to setback variance on rear boundary

The southern wall faces directly onto our main outside living area, and any excess noise emanating from the residence will impact our amenity. This is even more so with the shown variance of the distance from the southern building line and the boundary fence. The Gosford City LEP regulates a 3-metre setback from the southern boundary for this boundary and development whilst this plan shows the finished building line to fence shows a 1.5 metre setback.

We can see the requirement for this variance due to the floor space required to build a 2-bedroom dwelling that is semi habitable. If the building footprint were smaller that would further reduce the already small bedrooms. That is no excuse to allow a variance on setbacks which are set down to reduce privacy issues and protect amenity of existing residents.

- One of the objectives of setbacks in the Gosford LEP to ***“protect the views, privacy and solar access of adjacent properties”***

& the Department of planning and infrastructure are clear that rear setbacks are to ensure the protection of the amenity of adjoining houses. This is especially so for secondary dwellings crammed onto corner blocks.

Request to enforce Drainage blackspots on the Peninsula -

The Woy Woy Peninsula is beset with many drainage and flooding issues, partially because of the loss of natural drainage areas due to increasing impermeable surfaces from development. The Woy Woy peninsula flood study identified much of the area is prone to flooding, especially from long duration rainfall events. We note Flooding occurs regularly in the road reserves and our private property, where it remains until it infiltrates or evaporates several days later. Having resided here since 1967 we have been impacted by all the major flood events in May 1974, April 1988, February 1990, February 1992 and during the PASHA bulka storm of June 2007.

Heavy downpours now regularly lead to excessive ponding, and We are concerned the issue with pushing the floor space envelope to the boundaries on this site may exacerbate the impacts of the rainfall from the Walford street property towards our property as it is in an active flood blackspot. This property borders Walford and Rothwell st which is land identified as drainage blackspot in **The RESTRICTION ON DEVELOPMENT IN AREAS IDENTIFIED AS A DRAINAGE "BLACK SPOTS " ON THE WOY WOY PENINSULA**

The land next to the north of our property slopes to the south, we ask the question What is the freeboard for this secondary development, Will this secondary development require backfill and raising the floor level beyond required 1metre to comply with current AEP flood levels.

But the most important question is, will this development comply with the **RESTRICTION ON DEVELOPMENT IN AREAS IDENTIFIED AS A DRAINAGE "BLACK SPOTS "ON THE WOY WOY PENINSULA** policy Identified in the Gosford city council policy manual.

The RESTRICTION ON DEVELOPMENT IN AREAS IDENTIFIED AS A DRAINAGE "BLACK SPOTS " ON THE WOY WOY PENINSULA

Section A9 (ii) of the policy states,

- It would not be appropriate to allow development to occur and seek contributions to future works, as the these could not relate to the existing problem which would be exacerbated.

Section C (i)"The council has determined that the appropriate strategy to address the problem to refuse development application which would have the effect of increasing rainfall run Off from the site"

- Unless the developer undertakes to provide the necessary infrastructure to deal with the existing problem as well as the compounding effects of the development.

Section C (ii) The use of onsite retention will not be considered a satisfactory solution, unless hooked directly to a drainage system shown to be capable of carry the flow without detriment to the adjacent property

Section C (ii)absorption pits will not be acceptable.

How is Council going act under **section D of the policy?** Will Council request, withdrawal of the application, or request drainage works to overcome any potential flow caused by this development to the adjacent property on Rothwell street as stipulated in this current policy prior to and determination.

Where does this development lie with the application of The NSW State Government's Flood Prone Land Policy and the requirements to provide an appropriate area on site for landscaping, outdoor activities, and stormwater infiltration

Open space

Another issue related to this development application is the utilisation of the provision of open space within the whole lot. When secondary dwellings were largely for extended family members and combined used of the open space within the lot was appropriate.

As the model of secondary dwellings is changing and many are rented out to non-family members of the primary residence, A developer now can apply the required open space across the whole lot, yet both parties use separate open spaces divided by fences and the occupants in the secondary dwelling have reduced open space to recreate from the theoretical amount in then dictated by the legislation.

The proportion of open space and floor space ratio calculations are equated against the whole lot and are not reflected in the reality of the use of the secondary dwelling against the primary residence due to the evolving nature of secondary development uses, and are now an anomaly with the affordable housing policy and is reflected in this development.

Times of operation.

Due to the residential nature of the area, we request the times of operation go beyond the standard requirements and suggest work times from 8am to 4 pm Monday to Friday and 9 am till 1pm Saturday with no work allowed on.

This work times are requested as the builder has previously worked within the lot on Saturday and Sunday mornings from 6.30 am and extended hours during the weekdays when they removed the roof, demolished the existing shed, and ripped up the concrete slab and pathways.

We thank you for considering the points we have raised in this submission.

Kind Regards

M. Ellis.